Passage of the
Gaelic Language
(Scotland) Bill 2004

SPPB 80
Passage of the

Gaelic Language (Scotland) Bill 2004

SP Bill 25 (Session 2), subsequently 2005 asp 7

SPPB 80
Contents

Foreword

Introduction of the Bill

Bill (As Introduced) (SP Bill 25) 1
Explanatory Notes (and other accompanying documents) (SP Bill 25-EN) 15
Policy Memorandum (SP Bill 25-PM) 31
Bill (As Introduced) (SP Bill 25), Explanatory Notes (and other accompanying documents) (SP Bill 25-EN) and Policy Memorandum (SP Bill 25-PM) (Gaelic versions) 45

Stage 1

Stage 1 Report, Education Committee 91
Stage 1 Report, Education Committee (Gaelic version) 563
Written submissions to the Education Committee 597
Written submissions to the Finance Committee 609
Extract from the Minutes, Finance Committee, 9 November 2004 628
Official Report, Finance Committee, 9 November 2004 629
Extract from the Minutes of the Parliament, 2 February 2005 638
Official Report, Meeting of the Parliament, 2 February 2005 639

Stage 2

Marshalled List of Amendments for Stage 2 (SP Bill 25-ML) 663
Groupings of Amendments for Stage 2 (SP Bill 25-G) 669
Extract from the Minutes, Education Committee, 2 March 2005 670
Official Report, Education Committee, 2 March 2005 671

Bill (As Amended at Stage 2) (SP Bill 25A) 691
Bill (As Amended at Stage 2) (SP Bill 25A) (Gaelic version) 707
Revised Explanatory Notes (25A-EN) 724

After Stage 2

Extract from the Minutes, Subordinate Legislation Committee, 19 April 2005 733
Official Report, Subordinate Legislation Committee, 19 April 2005 734
Report on Gaelic Language (Scotland) Bill as amended at Stage 2, Subordinate Legislation Committee 735

Stage 3

Marshalled List of Amendments selected for Stage 3 (SP Bill 25A-ML) 740
Supplement to Marshalled List of Amendments selected for Stage 3 (SP 746
<table>
<thead>
<tr>
<th>Document Type</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill 25A-ML (Supp))</td>
<td>747</td>
</tr>
<tr>
<td>Groupings of Amendments for Stage 3 (SP Bill 25A-G)</td>
<td>748</td>
</tr>
<tr>
<td>Extract from the Minutes of the Parliament, 21 April 2005</td>
<td>749</td>
</tr>
<tr>
<td>Official Report, Meeting of the Parliament, 21 April 2005</td>
<td>777</td>
</tr>
<tr>
<td>Bill (As Passed) (SP Bill 25B)</td>
<td></td>
</tr>
</tbody>
</table>
Foreword

Purpose of the series

The aim of this series is to bring together in a single place all the official Parliamentary documents relating to the passage of the Bill that becomes an Act of the Scottish Parliament (ASP). The list of documents included in any particular volume will depend on the nature of the Bill and the circumstances of its passage, but a typical volume will include:

- every print of the Bill (usually three – "As Introduced", "As Amended at Stage 2" and "As Passed");
- the accompanying documents published with the “As Introduced” print of the Bill (and any revised versions published at later Stages);
- every Marshalled List of amendments from Stages 2 and 3;
- every Groupings list from Stages 2 and 3;
- the lead Committee’s “Stage 1 report” (which itself includes reports of other committees involved in the Stage 1 process, relevant committee Minutes and extracts from the Official Report of Stage 1 proceedings);
- the Official Report of the Stage 1 and Stage 3 debates in the Parliament;
- the Official Report of Stage 2 committee consideration;
- the Minutes (or relevant extracts) of relevant Committee meetings and of the Parliament for Stages 1 and 3.

All documents included are re-printed in the original layout and format, but with minor typographical and layout errors corrected. Extracts from the Official Report are re-printed as corrected for the archive version of the Official Report.

Documents in each volume are arranged in the order in which they relate to the passage of the Bill through its various stages, from introduction to passing. The Act itself is not included on the grounds that it is already generally available and is, in any case, not a Parliamentary publication.

Outline of the legislative process

Bills in the Scottish Parliament follow a three-stage process. The fundamentals of the process are laid down by section 36(1) of the Scotland Act 1998, and amplified by Chapter 9 of the Parliament’s Standing Orders. In outline, the process is as follows:

- Introduction, followed by publication of the Bill and its accompanying documents;
- Stage 1: the Bill is first referred to a relevant committee, which produces a report informed by evidence from interested parties, then the Parliament debates the Bill and decides whether to agree to its general principles;
- Stage 2: the Bill returns to a committee for detailed consideration of amendments;
- Stage 3: the Bill is considered by the Parliament, with consideration of further amendments followed by a debate and a decision on whether to pass the Bill.
After a Bill is passed, three law officers and the Secretary of State have a period of four weeks within which they may challenge the Bill under sections 33 and 35 of the Scotland Act respectively. The Bill may then be submitted for Royal Assent, at which point it becomes an Act.

Standing Orders allow for some variations from the above pattern in some cases. For example, Bills may be referred back to a committee during Stage 3 for further Stage 2 consideration. In addition, the procedures vary for certain categories of Bills, such as Committee Bills or Emergency Bills. For some volumes in the series, relevant proceedings prior to introduction (such as pre-legislative scrutiny of a draft Bill) may be included.

The reader who is unfamiliar with Bill procedures, or with the terminology of legislation more generally, is advised to consult in the first instance the Guidance on Public Bills published by the Parliament. That Guidance, and the Standing Orders, are available for sale from Stationery Office bookshops or free of charge on the Parliament’s website (www.scottish.parliament.uk).

The series is produced by the Legislation Team within the Parliament’s Clerking and Reporting Directorate. Comments on this volume or on the series as a whole may be sent to the Legislation Team at the Scottish Parliament, Edinburgh EH99 1SP.

Notes on this volume

The Bill to which this volume relates followed the standard 3 stage process described above.

During the passage of the Bill, Gaelic versions of various documents were published and are reproduced here. These are the Bill (As Introduced) and its explanatory Notes and Policy Memorandum, the lead committee’s Stage 1 report and the Bill (As Amended at Stage 2).

The Finance Committee reported to the Education Committee on the Bill at Stage 1. Its report is included in Annex B of the Stage 1 Report. However, the written and oral evidence taken by this committee was not included in that report and it is therefore included in this volume after the Stage 1 Report. Written responses to the Education Committee at Stage 1 from both Bòrd na Gàidhlig and Dumfries and Galloway Council are also included after the Stage 1 Report.

Forthcoming titles

The next titles in this series will be:

- SPPB 81: Prohibition of Female Genital Mutilation (Scotland) Bill 2004
- SPPB 82: Protection of Children and Prevention of Sexual Offences (Scotland) Bill 2004
- SPPB 83: Charities and Trustee Investment (Scotland) Bill 2004
- SPPB 84: Transport (Scotland) Bill 2004
Gaelic Language (Scotland) Bill
[AS INTRODUCED]

CONTENTS

Section

Bòrd na Gàidhlig
1 Constitution and functions of Bòrd na Gàidhlig

National Gaelic language plan
2 National Gaelic language plan

Gaelic language plans
3 Gaelic language plans
4 Review of, and appeal against, notices
5 Approval of plans
6 Monitoring of implementation
7 Review of plans
8 Guidance, assistance, etc. by the Bòrd

Gaelic education
9 Guidance on Gaelic education

General
10 Interpretation
11 Regulations and orders
12 Consequential amendments
13 Short title and commencement

Schedule 1—Bòrd na Gàidhlig
Schedule 2—Consequential amendments
An Act of the Scottish Parliament to establish a body having functions exercisable with a view to securing the status of the Gaelic language as an official language of Scotland, including the functions of preparing a national Gaelic language plan, of requiring certain Scottish public authorities to prepare and publish Gaelic language plans in connection with the exercise of their functions and to maintain and implement such plans, and of issuing guidance in relation to Gaelic education.

**Bòrd na Gàidhlig**

1 **Constitution and functions of Bòrd na Gàidhlig**

(1) There is established a body corporate to be known as Bòrd na Gàidhlig (in this Act referred to as “the Bòrd”).

(2) The Bòrd has the general functions of—

(a) promoting, and facilitating the promotion of, the use and understanding of the Gaelic language,

(b) advising (either on request or when it thinks fit) the Scottish Ministers, public bodies and other persons exercising functions of a public nature on matters relating to the Gaelic language, Gaelic education and Gaelic culture,

(c) advising (on request) other persons on matters relating to the Gaelic language.

(3) The functions conferred on the Bòrd by this Act are to be exercised with a view to securing the status of the Gaelic language as an official language of Scotland through—

(a) increasing the number of persons who are able to use and understand the Gaelic language,

(b) encouraging the use and understanding of the Gaelic language, and

(c) facilitating access, in Scotland and elsewhere, to the Gaelic language and Gaelic culture.

(4) The Scottish Ministers may give the Bòrd directions (of a general or specific character) and guidance as to the exercise of the Bòrd’s functions.

(5) The Scottish Ministers may vary or revoke any directions or guidance given under subsection (4).
Schedule 1 makes further provision with respect to the status, constitution, proceedings, etc. of the Bòrd.

**National Gaelic language plan**

(1) The Bòrd must, within 12 months of the commencement of this section, prepare and submit to the Scottish Ministers a national Gaelic language plan which must include proposals as to the exercise of its functions under this Act.

(2) In preparing the plan, the Bòrd must—
   (a) publish a draft of the plan,
   (b) publicise the opportunity to make representations about the draft plan under subsection (3) within such period of not less than 3 months as the Bòrd may specify, and
   (c) take into account any representations received by it within that period.

(3) Any person who wishes to make representations to the Bòrd about the draft plan may do so within the period specified in pursuance of subsection (2).

(4) The Scottish Ministers must, within 6 months of receiving the plan—
   (a) approve the plan, or
   (b) make such comments on the plan as they think fit and require the Bòrd to prepare and submit to them, within such period as they may specify, a further plan taking account of those comments.

(5) Where a further plan is submitted, the Scottish Ministers must, within 6 months of receiving it—
   (a) approve the plan, or
   (b) order the Bòrd to publish the plan in such terms as the Scottish Ministers think fit.

(6) On the plan being approved or, as the case may be, ordered to be published by the Scottish Ministers, the Bòrd must publish it in such manner as it thinks fit.

(7) The Scottish Ministers may, at any time, require the Bòrd to prepare and submit to them a new national Gaelic language plan.

(8) Subsections (1) to (6) apply to a plan required under subsection (7) as if subsection (1) referred to the date of the requirement instead of the commencement of this section.

**Gaelic language plans**

(1) The Bòrd may give a notice in writing to any Scottish public authority requiring the authority to prepare a Gaelic language plan.

(2) The notice must—
   (a) state that the authority is required to prepare a Gaelic language plan in accordance with this section and submit it to the Bòrd,
   (b) specify a date (being no earlier than 6 months after the date the notice was given) by which the authority must submit the plan to the Bòrd, and
(c) inform the authority of its rights under section 4 to request a review and to appeal to the Scottish Ministers.

(3) In deciding whether to give a notice under subsection (1) to a Scottish public authority, the Bòrd must have regard to—

(a) the extent to which the Gaelic language is used by persons in relation to whom the functions of the authority are exercisable,
(b) any representations made to it in relation to the use of the Gaelic language in connection with the exercise of those functions, and
(c) any guidance given by the Scottish Ministers.

(4) A Gaelic language plan must—

(a) set out the measures to be taken by the Scottish public authority in relation to the use of the Gaelic language in connection with the exercise of the authority’s functions,
(b) specify the date by which the measures are to be taken, and
(c) contain such other information as may be prescribed in regulations made under subsection (7).

(5) A Scottish public authority, in preparing a Gaelic language plan, must have regard to—

(a) the extent to which the persons in relation to whom the authority’s functions are exercisable use the Gaelic language,
(b) any representations made to the authority in relation to the use of the Gaelic language in connection with the exercise of those functions, and
(c) any guidance given by the Scottish Ministers or the Bòrd.

(6) In preparing a Gaelic language plan, a Scottish public authority must consult persons appearing to it to have an interest.

(7) The Scottish Ministers may by regulations make further provision in relation to the content of Gaelic language plans.

(8) Those regulations may make different provision for different purposes or for different types of Scottish public authority.

4 Review of, and appeal against, notices

(1) Where a Scottish public authority receives a notice under subsection (1) of section 3 and considers that the date specified in it by virtue of subsection (2)(b) of that section is unreasonable, it may within 28 days of receipt of the notice request the Bòrd to review the date.

(2) A request under subsection (1) must set out the authority’s reasons for its view.

(3) The Bòrd must within 28 days of receipt of the request review the date and—

(a) confirm the date, or
(b) substitute a later date (in which case that date is deemed to be the date specified in the notice by virtue of section 3(2)(b)).

(4) In intimating to the authority its decision under subsection (3) the Bòrd must, if the decision is to confirm the date, set out its reasons for the decision.
(5) If the authority is aggrieved by the Bòrd’s decision under subsection (3), it may, within 28 days of receiving intimation of the decision, appeal to the Scottish Ministers.

(6) If the Scottish Ministers uphold an appeal under subsection (5) they must specify another date by which the authority must submit a Gaelic language plan to the Bòrd.

(7) Where a Scottish public authority receives a notice under subsection (1) of section 3 it may, within 28 days of such receipt, appeal to the Scottish Ministers against the notice on the grounds that, having regard to the matters specified in subsection (3)(a) to (c) of that section, the Bòrd’s decision to give the notice to the authority was unreasonable.

(8) If the Scottish Ministers uphold an appeal under subsection (7)—
   (a) the notice ceases to have effect, and
   (b) the Bòrd may not give a further notice under section 3(1) to the Scottish public authority until the expiry of the period of 2 years beginning with the date on which the notice to which the appeal relates was given.

5 Approval of plans

(1) Where a Gaelic language plan is submitted to the Bòrd by a Scottish public authority pursuant to a notice under section 3(1) or under subsection (2)(b) of this section, the Bòrd must—
   (a) approve the plan, or
   (b) propose modifications to it.

(2) If the Bòrd proposes modifications, the Scottish public authority must—
   (a) within one month of the date on which the proposed modifications are intimated to the authority, notify the Bòrd that it does not agree with the modifications, or
   (b) by a date specified by the Bòrd, amend the plan to take account of the modifications and resubmit the plan to the Bòrd.

(3) The date referred to in subsection (2)(b) must be no less than 3 months and no more than 6 months after the date on which the proposed modifications are intimated to the authority.

(4) Where notification is given under subsection (2)(a), the Bòrd must refer the matter to the Scottish Ministers who, after complying with subsection (5), must—
   (a) approve the plan as originally submitted to the Bòrd, or
   (b) approve the plan subject to such modifications (including all or any of those proposed under subsection (1)(b)) as they think fit.

(5) Before approving a plan under subsection (4), the Scottish Ministers—
   (a) must give the Bòrd and the Scottish public authority an opportunity to make representations about the plan, and
   (b) may consult any other person whom they think fit,
   and must take account of any representations made by the Bòrd or the authority and any views expressed by a person consulted under paragraph (b).

(6) On the plan being approved by the Bòrd or the Scottish Ministers, the Scottish public authority must—
   (a) publish it, and
6 Monitoring of implementation

(1) This section applies where—

(a) a Scottish public authority’s Gaelic language plan has been approved by the Bòrd or the Scottish Ministers under section 5, and

(b) at least 12 months have elapsed since the date of approval.

(2) The Bòrd may require the authority to submit to it, by a date no earlier than 3 months after the date of the requirement, a report on the extent to which the authority has implemented the measures set out in the plan.

(3) The Bòrd may not make a second or subsequent requirement under subsection (2) within 12 months of the date of the previous requirement.

(4) Where the Bòrd considers that a Scottish public authority is failing to implement adequately measures in its Gaelic language plan, it may submit to the Scottish Ministers a report setting out its reasons for that conclusion.

(5) On receipt of the report, the Scottish Ministers may take either or both of the following steps—

(a) they may lay a copy of the report before the Scottish Parliament,

(b) they may direct the Scottish public authority in question to implement any or all of the measures in its Gaelic language plan by the date specified in the direction.

(6) Before giving a direction under subsection (5)(b), the Scottish Ministers must—

(a) consult the Scottish public authority about the terms of the proposed direction, and

(b) take account of any representations made by the authority.

7 Review of plans

(1) This section applies where a Gaelic language plan has been approved by the Bòrd or the Scottish Ministers under section 5 (including that section as applied by subsection (3) of this section).

(2) Where this section applies, the Scottish public authority which prepared the plan must, no later than 5 years after the date of approval of the plan—

(a) review the plan,

(b) make such amendments (if any) to the plan as the authority considers necessary or expedient, and

(c) submit it to the Bòrd.

(3) Sections 3(4) to (6) and 5 apply in relation to the review and amendment of a plan under subsection (2) of this section as they apply in relation to the preparation of a plan pursuant to a notice under section 3(1).

(4) A Scottish public authority may, without undertaking a review, at any time amend a Gaelic language plan published under section 5(6) (for example, by correcting an error or by updating factual information which has changed) in a way that does not alter the plan substantially.
8 Guidance, assistance, etc. by the Bòrd

(1) The Bòrd must, from time to time when it thinks fit, prepare and submit to the Scottish Ministers guidance for Scottish public authorities in relation to the operation of sections 3 to 7.

(2) In preparing the guidance, the Bòrd must—
   (a) publish a draft of the guidance,
   (b) publicise the opportunity to make representations about the draft guidance under subsection (3) within such period of not less than 3 months as the Bòrd may specify, and
   (c) take into account any representations received by it within that period.

(3) Any person who wishes to make representations to the Bòrd about the draft guidance may do so within the period specified in pursuance of subsection (2).

(4) The Scottish Ministers must—
   (a) approve the guidance with or without modifications, or
   (b) reject the guidance and, where they do so, may require the Bòrd to prepare and submit to them, within such period as they may specify, revised guidance.

(5) Where revised guidance is submitted, the Scottish Ministers must—
   (a) approve the guidance, or
   (b) order the Bòrd to publish it in such terms as the Scottish Ministers think fit.

(6) On such guidance being approved or, as the case may be, ordered to be published by the Scottish Ministers, the Bòrd must publish it in such manner as it thinks fit.

(7) The Bòrd must, on the request of a Scottish public authority, provide the authority free of charge with advice and assistance in relation to the application of this Act to the authority.

Gaelic education

9 Guidance on Gaelic education

(1) The Bòrd may issue guidance in relation to the provision of Gaelic education and the development of such provision.

(2) In preparing the guidance, the Bòrd must consult persons appearing to it to have an interest.

(3) The Bòrd may issue guidance under subsection (1) only with the consent of the Scottish Ministers.

(4) The Bòrd may vary or revoke guidance issued under subsection (1), and subsections (2) and (3) apply to a variation or revocation.

(5) After subsection (4) of section 5 (education authority’s annual statement of improvement objectives) of the Standards in Scotland’s Schools etc. Act 2000 (asp 6), insert—
   “(4A) In complying with subsection (2)(c) above, an education authority shall have regard to any guidance published by Bòrd na Gàidhlig under section 9 of the Gaelic Language (Scotland) Act 2004 (asp 00).”
**General**

10 **Interpretation**

(1) In this Act—

“Gaelic culture” includes the traditions, ideas, customs, heritage and identity of those who speak or understand the Gaelic language.

“Gaelic education” means education—

(a) in the use and understanding of,

(b) about, or

(c) by means of,

the Gaelic language,

“the Gaelic language” means the Gaelic language as used in Scotland.

(2) References in this Act to a Scottish public authority are to a Scottish public authority with mixed functions or no reserved functions and include the Scottish Parliamentary Corporate Body.

(3) For the purposes of this Act, the functions of a Scottish public authority include—

(a) functions relating to its internal processes, and

(b) the provision by the authority of any services to the public.

11 **Regulations and orders**

(1) Regulations and orders under this Act are to be made by statutory instrument.

(2) An instrument containing regulations under section 3(7) or an order under paragraph 2(2) of schedule 1 is subject to annulment in pursuance of a resolution of the Scottish Parliament.

12 **Consequential amendments**

Schedule 2 (consequential amendments) has effect.

13 **Short title and commencement**

(1) This Act may be cited as the Gaelic Language (Scotland) Act 2004.

(2) This Act (except section 11 and this section) comes into force on such day as the Scottish Ministers may by order appoint.

(3) An order under subsection (2) may include such transitional, transitory or saving provision in connection with the coming into force of the provisions brought into force as the Scottish Ministers think fit.
SCHEDULE 1
(introduced by section 1(6))
BÖRD NA GÀIDHLIG

Status

1 The Bòrd—

(a) is not to be regarded as the servant or agent of the Crown,

(b) does not enjoy any status, immunity or privilege of the Crown,

and the Bòrd’s property is not to be regarded as property of, or held on behalf of, the Crown.

Membership

2 (1) The Bòrd is to consist of—

(a) no fewer than 5, nor more than 11, ordinary members, and

(b) a person whose function is to chair the Bòrd, (in this schedule referred to as the “Cathraiche”) who is to be an ex officio member,

appointed by the Scottish Ministers.

(2) The Scottish Ministers may by order amend sub-paragraph (1)(a) by substituting for the minimum or maximum number of ordinary members for the time being specified there such other number as they think fit.

(3) The members and the Cathraiche are to be appointed for such period as the Scottish Ministers think fit.

(4) Where the office of Cathraiche is vacant, the ordinary members must elect from amongst themselves a person to chair the Bòrd until an appointment is made under sub-paragraph (1)(b).

(5) Each member—

(a) may, by written notice to the Scottish Ministers, resign as a member,

(b) in other respects, holds and vacates office on such terms and conditions as the Scottish Ministers may determine.

(6) The Scottish Ministers may, by written notice, remove a member from office if they are satisfied that—

(a) the member’s estate has been sequestrated or the member has been adjudged bankrupt, has made an arrangement with creditors or has granted a trust deed for creditors or a composition contract, or

(b) the member—

(i) is incapacitated as a result of physical or mental illness,

(ii) has been absent from meetings of the Bòrd for a period longer than 3 consecutive months without the permission of the Bòrd, or

(iii) is otherwise unfit or unable to discharge the member’s functions as a member.
3 A person may not be appointed to or continue as a member of the Bòrd if that person is or (as the case may be) becomes—
   (a) a member of the House of Commons,
   (b) a member of the Scottish Parliament, or
   (c) a member of the European Parliament.

Remuneration and allowances
4 The Bòrd must pay the Cathraiche and the ordinary members such remuneration and allowances as the Scottish Ministers may determine.

Chief executive and other staff
5 (1) The Bòrd must, with the approval of the Scottish Ministers, appoint a person to the post of chief executive on such terms and conditions as it may with the approval of the Scottish Ministers determine.
   (2) The Bòrd may appoint on such terms and conditions as it may with the approval of the Scottish Ministers determine such other employees as it considers appropriate.
   (3) The Bòrd must, as regards such of its employees as it may with the approval of the Scottish Ministers determine, make such arrangements as it considers appropriate for providing, to or in respect of those employees, pensions, allowances or gratuities.
   (4) Such arrangements—
      (a) may include the establishment and administration, by the Bòrd or otherwise, of one or more pension schemes, and
      (b) must, in any case, be approved by the Scottish Ministers.
   (5) The reference in sub-paragraph (3) to the provision of pensions, allowances or gratuities includes a reference to their provision by way of compensation for loss of office or employment or loss or diminution of emoluments.

Committees
6 (1) The Bòrd may establish committees for or in connection with such of its functions as it may determine.
   (2) The Bòrd may appoint persons who are not members of the Bòrd to be members of a committee.
   (3) A person appointed under sub-paragraph (2) is not entitled to vote at meetings of the committee.

Proceedings and meetings
7 (1) The Bòrd may determine its own procedure and that of its committees, including a quorum for meetings.
   (2) The validity of any proceedings of the Bòrd and of any committee established by it is not affected by any vacancy among its members or the members of the committee or by any defect in the appointment of any member of the Bòrd.
(3) Members of the Scottish Executive, junior Scottish Ministers and persons authorised by the Scottish Ministers may attend and take part in meetings of the Bòrd and any committee established by it, but are not entitled to vote at such meetings.

**Accounts and annual report**

8 The Bòrd must—

(a) prepare for each financial year, in accordance with directions given by the Scottish Ministers, an account of the Bòrd’s expenditure and receipts, and

(b) send the account, by such time as the Scottish Ministers may direct, to the Auditor General for Scotland for auditing.

9 As soon as practicable after the end of each financial year, the Bòrd must prepare a report on the exercise of its functions during that year and must—

(a) publish the report and send a copy to the Scottish Ministers, and

(b) lay the report before the Parliament.

**Delegation of functions by the Scottish Ministers**

10 (1) The Scottish Ministers may make arrangements for any of their functions which relate to the subject matter of this Act to be exercised on their behalf, subject to such conditions as they may impose, by the Bòrd; and the Bòrd may exercise those functions accordingly.

(2) An arrangement under sub-paragraph (1) does not affect the responsibility of the Scottish Ministers for the exercise of their functions.

(3) In sub-paragraph (1), “functions” does not include the function of making, confirming or approving subordinate legislation.

**General powers**

11 (1) The Bòrd may do anything (whether in Scotland or elsewhere) which is conducive or incidental to the exercise of its functions, and may in particular—

(a) engage in any business or undertaking,

(b) form, promote or acquire (whether alone or with others) companies (within the meaning of the Companies Act 1985 (c.6)),

(c) form partnerships with others,

(d) with the consent of the Scottish Ministers, establish or take part in the setting up of organisations having functions similar to the functions of the Bòrd,

(e) enter into contracts,

(f) make grants and loans,

(g) make charges for the provision of advice or other services in such circumstances and of such amounts as the Bòrd may, with the consent of the Scottish Ministers, determine,

(h) accept gifts of money or other property,

(i) invest sums not immediately required in relation to the exercise of its functions,
(j) commission research.

(2) Sub-paragraph (1)(g) does not entitle the Bòrd to make charges for the provision of advice and assistance to Scottish public authorities under section 8(7).

Grants

12 (1) The Scottish Ministers may make grants to the Bòrd for such purposes and of such amounts as they think fit.

(2) Any grant made under sub-paragraph (1) may be made subject to such conditions as the Scottish Ministers think fit.

(3) The Bòrd does not have power to borrow money or to give guarantees.

SCHEDULE 2
(introduced by section 12)

CONSEQUENTIAL AMENDMENTS

Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)

1 In schedule 3 to the Ethical Standards in Public Life etc. (Scotland) Act 2000 (devolved public bodies) insert at the appropriate place “Bòrd na Gàidhlig”.

Scottish Public Services Ombudsman Act 2002 (asp 11)

2 In Part 2 of schedule 2 to the Scottish Public Services Ombudsman Act 2002 (listed authorities amendable by Order in Council) insert at the appropriate place “Bòrd na Gàidhlig”.

Freedom of Information (Scotland) Act 2002 (asp 13)

3 In Part 7 of schedule 1 to the Freedom of Information (Scotland) Act 2002 (Scottish public authorities subject to the duty to provide certain information) insert at the appropriate place “Bòrd na Gàidhlig”.

Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)

4 In schedule 2 to the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (authorities appointments to which are governed by a code of practice) under the heading “Executive bodies” insert at the appropriate place “Bòrd na Gàidhlig”.
Gaelic Language (Scotland) Bill
[AS INTRODUCED]

An Act of the Scottish Parliament to establish a body having functions exercisable with a view to securing the status of the Gaelic language as an official language of Scotland, including the functions of preparing a national Gaelic language plan, of requiring certain Scottish public authorities to prepare and publish Gaelic language plans in connection with the exercise of their functions and to maintain and implement such plans, and of issuing guidance in relation to Gaelic education.

Introduced by: Peter Peacock
On: 27 September 2004
Bill type: Executive Bill
These documents relate to the Gaelic Language Bill (SP Bill 25) as introduced in the Scottish Parliament on 27 September 2004

GAELIC LANGUAGE (SCOTLAND) BILL

EXPLANATORY NOTES

AND OTHER ACCOMPANYING DOCUMENTS

CONTENTS

1. As required under Rule 9.3 of the Parliament’s Standing Orders, the following documents are published to accompany the Gaelic Language (Scotland) Bill introduced in the Scottish Parliament on 27 September 2004:
   - Explanatory Notes;
   - a Financial Memorandum;
   - an Executive Statement on legislative competence; and
   - the Presiding Officer’s Statement on legislative competence.

A Policy Memorandum is printed separately as SP Bill 25–PM.
These documents relate to the Gaelic Language (Scotland) Bill (SP Bill 25) as introduced in the Scottish Parliament on 27 September 2004

EXPLANATORY NOTES

INTRODUCTION

2. These Explanatory Notes have been prepared by the Scottish Executive in order to assist the reader of the Bill and to help inform debate on it. They do not form part of the Bill and have not been endorsed by the Parliament.

3. The Notes should be read in conjunction with the Bill. They are not, and are not meant to be, a comprehensive description of the Bill. So where a section or schedule, or a part of a section or schedule, does not seem to require any explanation or comment, none is given.

BACKGROUND

THE BILL – AN OVERVIEW

4. The Gaelic Language (Scotland) Bill establishes a body, Bòrd na Gàidhlig (the Bòrd), to promote the use and understanding of the Gaelic language and enables the Bòrd to require certain public bodies to prepare and implement plans which will set out how they will use the Gaelic language in the exercise of their functions.

5. Section 1 establishes the Bòrd with the functions of promoting the use and understanding of the Gaelic language and advising on Gaelic language, culture and education matters.

6. Section 2 requires the Bòrd to develop a national Gaelic language plan setting out how it proposes to exercise those functions.

7. Sections 3 to 8 enable the Bòrd to require Scottish public authorities to prepare and implement Gaelic language plans. These plans will set out how the public authority will use the language in connection with the exercise of its functions.

8. Section 9 provides for the Bòrd to issue guidance on the provision and development of Gaelic education.

THE BILL – SECTION BY SECTION

Bòrd na Gàidhlig

Section 1 – Constitution and functions of Bòrd na Gàidhlig

9. This section establishes the Bòrd with the functions of promoting the use and understanding of the Gaelic language and advising on Gaelic language, culture and education matters.

10. Subsections (2) and (3) specify the general functions of the Bòrd and the outcomes the Bòrd should seek to achieve in exercising those functions.
11. Subsection (4) enables the Scottish Ministers to issue directions or guidance to the Bòrd.

12. Subsection (6) introduces schedule 1 which makes detailed provision concerning the status, membership etc. of the Bòrd.

**National Gaelic language plan**

**Section 2 – National Gaelic language plan**

13. This section requires the Bòrd to develop a national Gaelic language plan which must set out how it proposes to carry out its functions. Those functions include the general functions under section 1(2) of promoting the use and understanding of the Gaelic language and advising the Scottish Ministers and others on matters relating to the language. The Bòrd must also advise the Scottish Ministers on Gaelic culture and education. Other more specific functions are provided for elsewhere in the Bill.

14. Subsection (1) places a duty on the Bòrd to submit a national Gaelic language plan to the Scottish Ministers within 12 months of the commencement of section 2.

15. Subsections (2) and (3) require the Bòrd to publish and consult on a draft plan. The Bòrd must allow at least 3 months for the submission of views and take into account any views submitted in that period.

16. Subsection (4) requires the Scottish Ministers, within 6 months of receiving the national plan from the Bòrd, to approve the plan or make comments on it. If the Scottish Ministers make comments on the plan, the Bòrd must submit a further plan taking account of those comments.

17. Subsection (5) provides that if the Bòrd submits a further plan under subsection (4), the Scottish Ministers must approve the plan within 6 months or order the Bòrd to publish the plan in terms which the Scottish Ministers shall decide.

18. Subsection (6) requires the Bòrd to publish the national Gaelic language plan in its final form.

19. Subsection (7) enables the Scottish Ministers at any time to request the Bòrd to submit a new national Gaelic language plan. The effect of subsection (8) is that if the Scottish Ministers request the Bòrd to submit a new national Gaelic language plan, the process for consultation and approval will be the same as was required for the earlier national plan (subsections (1) to (6)).

**Gaelic language plans**

**Section 3 – Gaelic language plans**

20. Section 3 introduces a power for the Bòrd to issue a notice to any Scottish public authority requiring them to prepare a Gaelic language plan. ‘Scottish public authority’ is defined in section 10 and covers any public body or office-holder (including the Scottish Parliamentary Corporate Body) with functions which can be exercised only in or as regards Scotland.
21. Subsection (2) specifies the information which the Bòrd must provide in the notice it issues to a public authority.

22. Subsection (3) sets out the considerations the Bòrd must have regard to in deciding whether to issue a notice to a public authority.

23. Subsection (4) sets out the information which a Gaelic language plan must contain.

24. Subsection (5) specifies the issues which a public authority must have regard to when preparing its plan.

25. Subsection (6) requires a public authority to consult with any person who it thinks has an interest in the plan it is preparing.

26. Subsection (7) gives the Scottish Ministers a power to make regulations specifying content which public authorities must include in their language plans.

Section 4 – Review of, and appeal against, notices

27. Section 4 provides a mechanism for a Scottish public authority to seek to extend the length of time given to it to prepare a plan and for appealing against a notice issued by the Bòrd.

28. Subsection (1) enables a Scottish public authority to ask the Bòrd to reconsider the date set for the submission of a Gaelic language plan under section 3. The Bòrd must either confirm the date (subsection (3)(a)) or specify a later date when the plan must be submitted (subsection (3)(b)). If the Bòrd confirms the date it initially set for the submission of a plan or sets a later date which the authority finds unreasonable, the public authority has a further right of appeal to the Scottish Ministers under subsection (5). The effect of subsection (6) is that if the Scottish Ministers uphold an appeal from a public authority under subsection (5) they must specify an alternative date by which a plan must be submitted to the Bòrd.

29. Subsection (7) enables a public authority to appeal to the Scottish Ministers against the issue of a notice under section 3. The effect of subsection (8) is that where the Scottish Ministers uphold an appeal by a public authority against having to produce a plan, that authority does not have to submit a plan to the Bòrd and cannot be requested to do so by the Bòrd again until a period of 2 years from the date of the issuing of the first notice has passed.

Section 5 – Approval of plans

30. Section 5 makes provision for the procedure to be followed for approving Gaelic language plans submitted to the Bòrd.

31. Subsection (1) provides that when a public authority submits a plan to meet the requirements of a notice issued by the Bòrd under section 3, or resubmits a plan under subsection (2)(b) taking account of modifications proposed by the Bòrd, the Bòrd must approve the plan or propose modifications to the plan.
32. The effect of subsection (2) is that if the Bòrd proposes modifications to a plan submitted by a public authority, the authority must either notify the Bòrd within one month that it does not agree with the proposed modifications or submit a revised plan which takes account of the proposals. The Bòrd must allow at least 3 months, but not more than 6 months, for the submission of a revised plan (subsection (3)).

33. The effect of subsection (4) is that if the Bòrd receives notification from a public authority that it does not agree with modifications to its plan proposed by the Bòrd, the Bòrd must inform the Scottish Ministers of this fact. The Scottish Ministers must then, taking account of any views required to be considered under subsection (5), either approve the plan as originally submitted by the public authority to the Bòrd, or approve a plan subject to any modifications they consider appropriate.

34. Subsection (6) requires a public authority to publish its Gaelic language plan and implement the measures in it after the plan is approved.

Section 6 – Monitoring of implementation

35. This section makes provision for the Bòrd to monitor the implementation of Gaelic language plans.

36. Subsection (1) provides that the section applies to a plan which has been approved by either the Bòrd or the Scottish Ministers under section 5, and which has been in effect for at least 12 months.

37. Subsection (2) enables the Bòrd to request a report on the implementation of the measures set out in a public authority’s plan. Bòrd na Gàidhlig must allow the public authority at least 3 months to comply with that request.

38. Subsection (3) provides that the Bòrd may not ask for a subsequent report from a public authority within 12 months of the date of the last time it requested a report from that particular authority.

39. Subsection (4) enables the Bòrd, if it considers that a public authority is failing to implement adequately measures in its Gaelic language plan, to submit a report to the Scottish Ministers setting out why it considers a public authority is failing in that regard.

40. The effect of subsection (5) is that where the Scottish Ministers receive a report from the Bòrd under subsection (4) they must bring the report to the attention of the Scottish Parliament and/or issue a direction to the relevant public authority to implement any or all of the measures in its language plan. Subsection (6) requires the Scottish Ministers to consult with the relevant public authority on the terms of a direction they may be minded to issue. The Scottish Ministers must take into account any views expressed by the public authority before issuing that direction.

Section 7 – Review of plans

41. This section makes provision for the review of Gaelic language plans.
These documents relate to the Gaelic Language (Scotland) Bill (SP Bill 25) as introduced in the Scottish Parliament on 27 September 2004

42. Subsection (1) provides that this section applies to a Gaelic language plan approved under section 5 or to a plan which has been reviewed and subsequently approved under this section.

43. Subsection (2) requires a public authority which has a Gaelic language plan to review that plan within 5 years and to make any amendments to the plan which it considers necessary. The public authority must then submit the plan, amended or unamended, to the Bòrd.

44. Subsection (3) specifies that the provisions in section 3(4) to (6) and section 5 are also to operate in relation to a plan which is being reviewed under subsection (2). Before submitting a reviewed plan to the Bòrd, therefore, it must comply with the same requirements regarding content, consultation, approval etc. as applied when the plan under review was prepared.

45. Subsection (4) enables a public authority to make minor amendments to its plan at any time without having to submit the plan for reapproval to the Bòrd.

Section 8 – Guidance, assistance, etc. by the Bòrd

46. This section makes provision for the Bòrd to issue guidance in relation to the development of Gaelic language plans under sections 3 to 7. Subsection (2) sets out the steps that the Bòrd must follow when preparing that guidance. These include a duty (under subsection (2)(b)) to publish and consult on draft guidance. Views must be made known to the Bòrd within a period specified by the Bòrd which, under subsection (3), must be at least 3 months.

47. Subsection (4) provides for the Scottish Ministers to approve guidance submitted by the Bòrd either in the form submitted to them or with modifications which they determine to be appropriate. Alternatively, the Scottish Ministers may reject the guidance submitted and require the Bòrd to submit revised guidance. Subsection (5) specifies that where revised guidance is submitted by the Bòrd, the Scottish Ministers must approve the guidance, or order the Bòrd to publish the guidance in such terms as the Scottish Ministers consider appropriate.

48. Subsection (7) provides that the Bòrd may not charge Scottish public authorities for advice and assistance in relation to requirements placed on the authority by this Act.

Gaelic education

Section 9 – Guidance on Gaelic education

49. This section makes provision for the Bòrd to issue guidance on Gaelic education. ‘Gaelic education’ is defined in section 10 as meaning education in the use and understanding, education about and education by means of the Gaelic language.

50. Subsection (2) requires the Bòrd to consult persons it believes may have an interest in the guidance, and under subsection (3) it may not issue the guidance without the agreement of the Scottish Ministers.
51. Subsection (4) provides that the Bòrd may alter or rescind guidance which it has issued but only after consultation with those appearing to the Bòrd to have an interest, and with the consent of the Scottish Ministers.

52. Subsection (5) inserts a new subsection (4A) into section 5 of the Standards in Scotland’s Schools etc. Act 2000. Section 5 requires education authorities in Scotland to produce an annual statement of improvement objectives which must include an account of the ways and circumstances in which they will provide (and, if provided, develop) Gaelic medium education. The new subsection (4A) requires education authorities to have regard to the guidance issued by the Bòrd when complying with the reporting requirements of that section.

General

Section 10 – Interpretation
53. This section provides definitions of key terms used in the Bill.

Section 11 – Regulations and orders
54. This section provides that regulations under section 3(7) and orders under paragraph 2(2) of schedule 1 are to be made by statutory instrument which is subject to the negative resolution procedure in the Scottish Parliament.

Section 12 – Consequential amendments
55. This section introduces schedule 2 which makes modifications of various enactments so as to include in them references to the Bòrd.

Section 13 – Short title and commencement
56. Provision is made for the Scottish Ministers by order to appoint days when sections of the Act (other than sections 11 and 13) are to come into force. Sections 11 and 13 come into force on Royal Assent.

57. Subsection (3) enables a commencement order to include transitional, transitory or saving provision.

Schedule 1 – Bòrd na Gàidhlig

Paragraph 1 – Status
58. Provision is made under this paragraph making clear that the Bòrd is not a Crown body.

Paragraph 2 – Membership
59. Sub-paragraph (1) provides that the members of the Bòrd are to be appointed by the Scottish Ministers. The Bòrd is to have between 5 and 11 ordinary members and a further ex officio member (the Cathraiche) who is to chair meetings of the Bòrd.
60. Sub-paragraph (2) gives the Scottish Ministers the power by order to increase or decrease the maximum or minimum number of members. A statutory instrument containing such an order is subject to the negative resolution procedure in the Scottish Parliament.

61. Sub-paragraph (4) requires the Bòrd to elect from within its number a person to act as Cathraiche if the office of Cathraiche becomes vacant.

62. Sub-paragraph (5) provides that members of the Bòrd hold office on such terms and conditions as the Scottish Ministers may decide and may resign from the Bòrd by written notice to Ministers.

63. Sub-paragraph (6) makes provision for the circumstances in which the Scottish Ministers may remove a member of the Bòrd from office.

Paragraph 3 – Disqualification
64. Paragraph 3 sets out the various persons who are disqualified from appointment to, or from holding office as a member of, the Bòrd.

Paragraph 4 – Remuneration and allowances
65. Paragraph 4 provides for Bòrd members to receive such remuneration and allowances as may be determined by the Scottish Ministers.

Paragraph 5 – Chief Executive and other staff
66. Paragraph 5 makes provision for the Bòrd to appoint staff.

Paragraph 6 – Committees
67. Paragraph 6 enables the Bòrd to establish such committees as it requires to carry out its functions, and to co-opt non-members of the Bòrd on to those committees. Co-opted members cannot, however, vote at committee meetings.

Paragraph 7 – Proceedings and meetings
68. Sub-paragraph (1) enables the Bòrd to determine its own and its committees’ procedure for meetings.

69. Sub-paragraph (2) provides that the validity of any proceedings of the Bòrd cannot be challenged on the grounds that there was a defect in any of the appointments to the Bòrd or by a vacancy in the Bòrd’s membership.

70. Sub-paragraph (3) provides for the Scottish Ministers, or their representatives, to attend the Bòrd and committee meetings but they are unable to vote at those meetings.
Paragraphs 8 and 9 – Accounts and annual report

71. These paragraphs set out in general terms requirements concerning the accounts and reports which must be prepared by the Bòrd.

Paragraph 10 – Delegation of functions by the Scottish Ministers

72. This paragraph enables the Scottish Ministers to delegate any of their functions to the Bòrd (other than the function of making, confirming or approving subordinate legislation) relating to the Gaelic language, culture and education.

Paragraph 11 – General powers

73. This paragraph sets out the activities the Bòrd may engage in in furtherance of its functions.

74. Sub-paragraph (2) specifies that the Bòrd may not make charges for the provision of advice and assistance to Scottish public authorities in connection with the application of the Bill to them.

Paragraph 12 – Grants

75. Sub-paragraphs (1) and (2) provide for the Scottish Ministers to make grants to the Bòrd. The purpose and amount of a grant, and any conditions attaching to it, may be decided by the Scottish Ministers.

76. Sub-paragraph (3) specifies that the Bòrd does not have the power to borrow money or to give guarantees.

FINANCIAL MEMORANDUM

INTRODUCTION

77. The Gaelic Language (Scotland) Bill is a Partnership Agreement commitment. The Executive is committed to securing the status of the Gaelic language in Scotland. The Bill introduces a number of measures to underpin this policy objective and complements existing Executive action in the areas of Gaelic arts, education and development.

78. The Bill will establish Bòrd na Gàidhlig in statute with new duties to produce a national plan for Gaelic and powers to require public authorities to prepare and implement Gaelic language plans to encourage and facilitate the use of the language in everyday public life. The Bill also introduces a function for Bòrd na Gàidhlig to issue guidance on Gaelic education, with particular regard to existing requirements under the Standards in Scotland’s Schools etc. Act 2000.
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79. The costs flowing from the Bill relate to the new duties on Bòrd na Gàidhlig and the preparation and implementation of Gaelic language plans by relevant public authorities. In consultation on the Bill the Scottish Executive has identified a willingness among a number of Scottish public bodies to adopt Gaelic language plans. Indeed, a number of public bodies have publicly stated their commitment to prepare Gaelic language plans.

80. The Executive also noted in consultation and discussion with interested parties the financial burden that could result from the preparation and implementation of Gaelic language plans. The costs of implementing the Bill will be spread across the public sector as a whole.

Gaelic language plans

81. Not all public authorities will be required to prepare a Gaelic language plan and the content of those plans which are produced can be expected to vary considerably. The demand for Gaelic language services which are provided for in language plans, and the resultant costs of ongoing service delivery, will also vary.

82. In addition, the Executive expects Bòrd na Gàidhlig to adopt a graduated approach to requesting public bodies to produce language plans. The Executive expects Bòrd na Gàidhlig to request the development and implementation of about 10 plans per year – this figure may vary over time. It is likely that the first public authorities required to produce plans will be a mixture of Scottish local authorities and other types of Scottish public authorities covered by this Bill. The first plans would be prepared in 2006-07, and these would require to be reviewed within 5 years.

83. The cost to the public sector in implementing the Bill will therefore be phased over a number of years. If a public authority is not requested to produce a language plan by Bòrd na Gàidhlig, the Bill will of course not give rise to any language planning burden for that authority.

84. The language planning process of the Bill will be initiated by Bòrd na Gàidhlig issuing a notice to a public authority, requesting them to submit a Gaelic language plan for approval within a specified period of time. The notice will specify a date by which the public authority should submit their language plan to Bòrd na Gàidhlig for approval. Public authorities will have a right of appeal to the Scottish Ministers against a notice issued by the Bòrd.

85. The Bill provides for Bòrd na Gàidhlig to develop guidance for public authorities on Gaelic language planning. The Executive expects that Bòrd na Gàidhlig will provide a copy of this guidance when it issues its notice to public authorities. This guidance will set out areas of service delivery which public authorities should consider when developing their plans. Public authorities, in addition to having regard to the advice prepared by Bòrd na Gàidhlig, will be required to consult those within their areas that have an interest in the matter.

86. This approach is similar to the Welsh Language Act 1993 and the Irish Official Languages Act 2003. In the former the Welsh Language Board was required to provide guidance on the form and content of Welsh language schemes and in the latter the Act states that guidelines would be published to guide language planning.
COSTS FOR SCOTTISH LOCAL AUTHORITIES

Developing a language plan

87. The development of a language plan will require officer resources. The local authority will need to consider any submissions it receives from the public and to determine what demand there is for Gaelic language provision. When a plan has been developed, local authorities will require to publicise the plan and the availability of the services which are set out in that plan. It is estimated that it will cost in the region of £10,000 for a local authority to develop a Gaelic language plan.

88. This cost will include staff time to cover drafting a consultation document containing a draft plan, making it publicly available, translating it into Gaelic and analysing responses to the consultation. There will also be costs associated with the publication and distribution of the final plan itself which will be published in both Gaelic and English. Final costs will of course depend on the nature of the publication and quantities required.

Implementation costs

89. The main costs associated with Gaelic language plans lie in their implementation. The costs facing local authorities will differ depending on the services they make available in their language plan and the level of demand for using those resources (which might vary over time). The language planning provisions of the Bill are flexible enough to allow for the development of different types of language plan.

90. For example, the Executive would fully expect the language plan of an area with a high proportion of Gaelic speakers, for example Comhairle nan Eilean Siar, to vary considerably in terms of the Gaelic language service provision which they will make available, from an area with a significantly smaller proportion of Gaelic speakers. It will be for individual local authorities to determine in conjunction with Bòrd na Gàidhlig what is appropriate in their given circumstances.

91. The type of issues which the Executive expects all public authorities to consider in conjunction with Bòrd na Gàidhlig, together with estimates of the costs involved, are set out in the table below. The examples given are core service delivery functions, such as providing a commitment to respond to Gaelic language correspondence in Gaelic, to which it is expected that most public authorities would wish to give serious consideration when developing a plan. All of the costs, with the possible exception of those relating to corporate identity, are recurrent.
Core components of a Gaelic plan and estimated costs

<table>
<thead>
<tr>
<th>Function</th>
<th>Details</th>
<th>Estimated Cost (£s), pa</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corporate Identity</td>
<td>e.g. signage, letterheads etc.</td>
<td>0 - 20,000</td>
</tr>
<tr>
<td>Communications</td>
<td>e.g. letters, press notices, advertising etc.</td>
<td>0 - 10,000</td>
</tr>
<tr>
<td>Materials</td>
<td>e.g. publications, website, application forms etc.</td>
<td>0 - 30,000</td>
</tr>
<tr>
<td>Translation</td>
<td>e.g. printed translations, interpretation at meetings</td>
<td>0 - 10,000</td>
</tr>
<tr>
<td>Staff</td>
<td>e.g. Gaelic officer(s)</td>
<td>0 - 80,000</td>
</tr>
<tr>
<td>Training</td>
<td>e.g. Gaelic courses, grammar, orthography, translation</td>
<td>0 - 5,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>0 - 155,000</strong></td>
</tr>
</tbody>
</table>

92. A range of costs are shown in the table above and this allows for the possibility that some public authorities might not incur costs in areas of core functions listed above. The Executive expects that public authorities which operate in areas with a high proportion of Gaelic speakers would incur costs in most of the core function areas. The Executive does not expect that Scottish public authorities in areas of few Gaelic speakers would be approached by Bòrd na Gàidhlig in the years immediately after the enactment of the Bill.

93. The language plans for some public authorities may include a wide range of non-core services, or specialist services that are particular to the operation of the authority or body concerned. This could include, for example, health services, social services, education or tourism. Such services would be delivered by Gaelic speaking staff and while this may have implications for recruitment / appointment of individuals it may not involve any additional costs of a material nature.

94. All public authorities required by Bòrd na Gàidhlig to produce and implement Gaelic language plans will be eligible for assistance towards the costs from a Gaelic Language Development Fund which will be managed by the Bòrd. The funding will be available to public authorities for a fixed number of years and over this period the percentage of support will vary with the eventual aim of allowing the authority concerned to assume responsibility for the costs involved. In requesting development and implementation of plans the Bord will take into account the level of assistance available from the Gaelic Language Development Fund.

Education

95. It is not expected that the education provisions of the Bill will introduce a new burden for education authorities or other education providers. The education provision in the Bill provides for Bòrd na Gàidhlig to provide guidance on Gaelic education matters. In particular it serves to
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96. The 2000 Act requires education authorities to report on their provision of Gaelic medium education (GME), and where they do provide GME, on their plans to develop that provision. The Scottish Ministers have signalled their intent to bring about consistency in reporting under the 2000 Act and will shortly consult on draft guidance to provide for that. The Executive intends for ownership of that guidance to pass to Bòrd na Gàidhlig with the establishment of this Act.

97. Bòrd na Gàidhlig will be able to issue guidance to education authorities and others with responsibility for the provision of education on Gaelic education issues wider than just the provisions of the 2000 Act. Such guidance might address education authority delivery of Gaelic pre-school, classes for school learners or classes for adult learners. The Executive expects education authorities to meet the consideration of any such education guidance issued by Bòrd na Gàidhlig from within planned budgets, supplemented where appropriate by specific grants from the Executive’s Grant Scheme for Gaelic education. This scheme operates on the basis of 75% funding from the Executive and 25% from authorities.

COSTS FOR OTHER SCOTTISH PUBLIC BODIES

Bòrd na Gàidhlig

98. Bòrd na Gàidhlig already exists as an NDPB with responsibility for disbursing a significant amount of Scottish Executive Gaelic funding. This funding is directed towards groups and initiatives that have been identified as priorities for the Scottish Ministers over recent years. The Bill however places new duties and responsibilities on the Bòrd, the costs of which will be taken into account in the determination by the Scottish Ministers of the Bòrd’s grant in aid.

99. The Bill places a duty on Bòrd na Gàidhlig to develop a National Gaelic Language Plan. This plan must be submitted to Ministers for approval. The National Plan will be a blueprint to guide Gaelic development and is expected to cover all areas of Gaelic language activity, such as education, arts and broadcasting. The Plan will identify priority areas of Gaelic development and provide the strategic overview for Bòrd na Gàidhlig’s decision-making on the distribution of Gaelic funding.

100. The Bill also introduces a function for Bòrd na Gàidhlig to issue guidance to education authorities and others on Gaelic education. The Bòrd will be expected to offer advice to education authorities on their reporting under the 2000 Act, and will also be expected to advise Ministers on reports produced by education authorities. The Executive has consulted with the Bòrd and estimates total additional salary and operating costs relating to these functions to be in the region of £355,000 per year.

101. As mentioned previously the Bòrd will manage the Gaelic Language Development Fund. The Fund will be a source of assistance to public authorities required to produce and implement Gaelic language plans. The Fund will also be available to assist public authorities with specialist services and Gaelic development generally. Public authorities that have mainstreamed Gaelic
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language activity would be able to apply for funding for new Gaelic language activity. The first year for the operation of the Fund will be 2006-07 as we expect that the remaining months in 2005-06, following the enactment of the Bill, will focus on preparatory work by the Bòrd. Actual provision will be approved by Ministers in the context of the Bòrd’s corporate planning process.

Other bodies

102. The provisions in the Bill could impact on any Scottish public authority. Along with Scottish local authorities this will include the Scottish Executive and Agencies, the Scottish Parliament, and other public bodies. The considerations and costs involved should any such body be required to produce and implement Gaelic language plans are set out under ‘Costs on Scottish Local Authorities’.

103. The provisions of the Bill will not give rise to any new resource burden for private or voluntary sector bodies. Such bodies do not fall within the definition of Scottish public authority and therefore cannot be requested to produce a Gaelic language plan by Bòrd na Gàidhlig. However, the impact of this Bill may raise demand and general expectation for Gaelic language services.

104. It will be for individual bodies to determine to what extent they wish to comply with the spirit of the legislation in those circumstances. Voluntary bodies and businesses will be able to seek language plan development advice from Bòrd na Gàidhlig. It is expected that the guidance on language planning which Bòrd na Gàidhlig will produce under the Bill will be publicly available.

COSTS FOR THE SCOTTISH ADMINISTRATION

Bòrd na Gàidhlig

105. The additional salary and operating costs for Bòrd na Gàidhlig and the costs involved in the Gaelic Language Development Fund will be provided for in the Bòrd’s grant in aid.

Scottish Executive’s Gaelic language plan

106. Under the terms of the Bill, the Executive may, like any other public authority, be asked to produce a Gaelic language plan. The Executive, as is demonstrated through the introduction of this Bill, has committed itself to securing the status of the Gaelic language and will respond positively to a request from Bòrd na Gàidhlig to develop a Gaelic language plan. The Executive is already active in many areas of Gaelic development and is well placed to bring forward a plan in due course. The costs of this plan will be met from within planned expenditure.

107. The starting point for the Executive Gaelic language plan will be to build on and develop present Gaelic arrangements, albeit in keeping with the Bòrd na Gàidhlig guidance. An Executive Gaelic language plan would also provide the opportunity to state what is already being done for Gaelic throughout the Executive in a wide range of programmes.
108. There are already Gaelic costs spread through the Executive. However, it is possible that the passage of the Bill may increase the demand for further Gaelic services, in areas where the Executive does not currently take account of Gaelic language requirements. In some areas of the Executive there is already Gaelic signage, letter-headings, publication costs, translation costs, website costs and the Executive is spending on a wide range of Gaelic initiatives.

**Agencies of the Scottish Executive**

109. There will be no additional burden on an Executive agency if it is not asked to produce a Gaelic language plan. Where an agency does produce a Gaelic language plan it will be required to consider what Gaelic provision it should adopt in conjunction with Bòrd na Gàidhlig. The issues set out in the section on costs for Scottish local authorities will require to be addressed by Scottish Executive agencies. The costs of Gaelic language plans for agencies will be met within planned resources.

**SUMMARY OF COSTS**

<table>
<thead>
<tr>
<th>Scottish public authorities</th>
<th>Preparing a Gaelic language plan</th>
<th>£10,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Implementing core functions in a Gaelic language plan</td>
<td>£0 to £155,000 per authority, per year*</td>
</tr>
<tr>
<td>Bòrd na Gàidhlig</td>
<td>Staff and operating costs</td>
<td>£355,000 per year</td>
</tr>
</tbody>
</table>

*Partly offset by grants from Bòrd na Gàidhlig’s Gaelic Language Development Fund

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**EXECUTIVE STATEMENT ON LEGISLATIVE COMPETENCE**

110. On 23 September 2004, the Minister for Education and Young People (Peter Peacock) made the following statement:

“In my view, the provisions of the Gaelic Language (Scotland) Bill would be within the legislative competence of the Scottish Parliament.”

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PRESIDING OFFICER’S STATEMENT ON LEGISLATIVE COMPETENCE

111. On 23 September 2004, the Presiding Officer (George Reid) made the following statement:

“In my view, the provisions of the Gaelic Language (Scotland) Bill would be within the legislative competence of the Scottish Parliament.”
GAELIC LANGUAGE (SCOTLAND) BILL

POLICY MEMORANDUM

INTRODUCTION
1. This document relates to the Gaelic Language (Scotland) Bill introduced in the Scottish Parliament on 27 September 2004. It has been prepared by the Scottish Executive to satisfy Rule 9.3.3(c) of the Parliament’s Standing Orders. The contents are entirely the responsibility of the Scottish Executive and have not been endorsed by the Parliament. Explanatory Notes and other accompanying documents are published separately as SP Bill 25–EN.

POLICY OBJECTIVES OF THE BILL
2. This Bill introduces a number of measures to underpin the Executive’s policy objective of securing the status of the Gaelic language in Scotland. The Executive is committed to arresting the decline in the use of the Gaelic language, to revitalizing it, and to enabling it to thrive into the future. It is expected that the measures in this Bill, in conjunction with existing Executive, local authority and public body action in the areas of Gaelic arts, education and development will contribute to creating conditions where the language will be passed on within families, promoted by schools, widely used in communities and valued by learners.

3. The main provisions of the Bill are:
   • the establishment of the Gaelic development body, Bòrd na Gàidhlig, on a statutory basis to oversee the development of the language;
   • a requirement that the Bòrd exercise its functions with the aim of securing the status of the Gaelic language as an official language of Scotland;
   • the introduction of a national Gaelic language plan to promote the use of the Gaelic language;
   • the preparation of Gaelic language plans by public authorities, where appropriate, to encourage and facilitate the use of the language in public life; and
   • the introduction of a Gaelic education advisory role for Bòrd na Gàidhlig.

4. The measures set out in this Bill are in recognition of the situation facing Gaelic. The language is in a fragile condition and without official action its survival is in doubt. The 1981 Census recorded around 82,000 people in Scotland able to speak, read or write Gaelic. By 1991, this figure had fallen by just over 13,000 to 69,510. The Census from 2001 indicated that there were 58,652 people able to speak Gaelic, 65,674 able to speak, read or write Gaelic and 92,396 able to speak, read, write or understand Gaelic. A comparison with the census figures from 1891...
This document relates to the Gaelic Language (Scotland) Bill (SP Bill 25) as introduced in the Scottish Parliament on 27 September 2004

shows the extent of the decline over the last 100 years, with over 254,415 Gaelic speakers recorded in 1891.

5. The majority of Gaelic speakers reside in the Comhairle Nan Eilean Siar, Highland and Argyll & Bute council areas. There are large pockets, relative to the overall number of Gaelic speakers, in Edinburgh and Glasgow. Small numbers of Gaelic speakers are spread throughout all other local authority areas.

6. Language legislation is not uncommon. From Wales to New Zealand it is an established and proven method of protecting and supporting minority languages. The Bill addresses the longstanding demand of the Gaelic community for specific Gaelic language legislation. In 1997, Comunn na Gàidhlig submitted a report to the Scottish Office recommending various measures to secure the status of Gaelic, including similar recognition for Gaelic to that given to Welsh by the Welsh Language Act 1993. Between 1999 and 2002 the Executive commissioned two reports on Gaelic, the Macpherson Report (http://www.scotland.gov.uk/library3/heritage/gtfr-00.asp) and then the Meek Report, which recommended the bringing forward of a Gaelic Language Act to give effect to the proposal to secure the status of Gaelic.

7. The Bill also contributes to the implementation of European Charter for Regional or Minority Languages undertakings which apply to the Gaelic language. The Charter was drawn up in 1992 by the Council of Europe to help protect and promote Europe’s lesser used languages. The UK Government signed the Charter in 2000 and has ratified it in respect of the UK’s indigenous languages, including Gaelic. The Executive agrees with the Council of Europe that action is needed on behalf of regional and minority languages in order to protect and promote such languages as a threatened aspect of Europe’s heritage.

8. The Bill also builds on work undertaken by Parliament during last session. The Education, Culture and Sport Committee report on a Member’s Gaelic Language (Scotland) Bill at Stage 1 supported its general principles, while noting that as an non-Executive Bill it had limitations and that specific provisions should be re-examined.

CONSULTATION

9. The Executive published a Draft Gaelic Language Bill for consultation on 10 October 2003 at the 100th Royal National Mod, seeking comments from those bodies which would be affected by the Bill and from any other interested parties. In addition to a wide distribution, copies of the consultation document were made available on request and the document was published on the Scottish Executive website. The consultation period ran for 12 weeks, closing in January 2004. Late submissions were accepted and in total the exceptional number of 3,400 responses were received (this figure includes participants at a number of public meetings arranged by Bòrd na Gàidhlig and a postcard campaign arranged by Clì Gàidhlig).

10. All responses not marked as confidential have been made publicly available online at http://www.scotland.gov.uk/gaelicbill and in hard copy in the Scottish Executive library. In addition, an independent analysis of submissions was commissioned and brought to the attention of stakeholders and interested parties. This analysis is also available on the Executive website.
11. The vast majority of respondents agreed with the Executive’s decision to bring forward Gaelic language legislation. Within that general support there were conflicting views on whether specific provisions of the Bill should be strengthened. The view of the Gaelic community (which constituted the overwhelming majority of consultation responses) was that the Bill should be strengthened to provide for equality of status between the Gaelic and English languages; greater powers to Bòrd na Gàidhlig to direct the development of language plans; an enforceable national Gaelic language plan; and a right of access to Gaelic medium education.

12. Some public authorities, by contrast, stressed the need for the Bill to be flexible enough to take into account the varied use of the Gaelic language across Scotland and suggested that it would be inappropriate in some areas of the country for there to be a Gaelic language planning burden at all. Some respondents also raised matters, such as Gaelic broadcasting, which are reserved and therefore not competent to be addressed in this Bill.

13. The views expressed during consultation have been considered carefully by the Scottish Ministers and revisions have been made to the draft Bill where it has been considered appropriate to do so. In particular, the method of selecting which public bodies should produce a Gaelic Language Plan has been revised and provision has been introduced to strengthen the delivery of Gaelic education. Specific changes are detailed throughout this memorandum.

14. The Bill’s provisions apply to the whole of Scotland in recognition of the fact that the Gaelic language is a language of all of Scotland and that Gaelic speakers are spread throughout the country. One of the main criticisms of the Member’s Bill of last session was that it geographically limited the scope of the Bill to certain areas of the country. At the same time, however, the Bill has been drafted to ensure that its application is flexible enough to take account of the specific circumstances of different areas of Scotland and the different spheres of operation within which public bodies work. It is the Executive’s view that an appropriate balance requires to be struck between responding to the needs of the Gaelic community and ensuring that a Gaelic language burden is not introduced where there is no demand for it.

15. Although much needs to be done to reverse the decline in the use of the Gaelic language, it is the Executive’s view that legislation for Gaelic in Scotland has to start with the situation that currently exists. For this reason, it is not considered feasible or appropriate to include measures in the Bill which could result in any public authority anywhere in Scotland being placed under a legal duty to offer services in Gaelic on demand. Bilingual provision can be found in other jurisdictions where a different minority language situation prevails and has been the inspiration behind many consultation responses. It is the Executive’s view that it would be irresponsible to include measures in a Bill which were not capable of delivery.

BÒRD NA GÀIDHLIG

Policy objectives

16. Section 1 (and schedule 1) provides for the establishment of a body to be known as Bòrd na Gàidhlig and sets out the powers and functions of that authority. The section is broadly the same as that in the consultation draft of the Bill.
17. Two recent advisory reports to Ministers (the MacPherson and Meek reports mentioned previously) recommended the creation of a strategic unit to oversee the development of the Gaelic language. Those reports demonstrated how a perceived national planning void had led to a situation where Gaelic development activity was arguably no longer efficient, focused or prioritised, and which gave rise to perceptions of duplication.

18. It is intended that Bòrd na Gàidhlig will bring focus and cohesion to Gaelic development activity and will become the recognised expert authority on Gaelic language issues. In particular, it will be expected to:
   - promote, and facilitate the promotion of, the Gaelic language;
   - develop a national Gaelic language plan;
   - advise Ministers and public authorities on matters relating to the Gaelic language;
   - provide advice to public authorities on the development of Gaelic language plans and to others on Gaelic language matters generally; and
   - develop guidance on Gaelic education and the development of Gaelic-medium education under the Standards in Scotland’s Schools etc 2000 Act.

19. These functions are to be exercised with a view to securing the status of the Gaelic language as an official language of Scotland. Secure status was the key aspiration of the Comunn na Gàidhlig draft brief for a Gaelic Language Act. ‘Official’ is descriptive of the status of the language rather than a principle which confers rights to usage.

20. Bòrd na Gàidhlig already exists on a non-statutory basis and is responsible for distributing Scottish Executive Gaelic development funds. Section 1 of the Bill will formalise the Bòrd’s structures and provide the security of a statutory remit.

21. Before the establishment of Bòrd na Gàidhlig the Executive was largely responsible for distributing funding to Gaelic groups and setting policy. It was felt by some that this situation did not give due weight to the concerns or priorities of Gaelic groups and lacked adequate strategic direction.

22. Appointments to Bòrd na Gàidhlig will be governed by guidance on public appointments issued by the Office of the Commissioner for Public Appointments in Scotland.

Consultation

23. The proposal to establish Bòrd na Gàidhlig in statute with the powers and functions set out in the Bill was generally welcomed.

24. Some issues of concern were raised:
   - appointments to Bòrd na Gàidhlig need to be transparent;
   - Bòrd na Gàidhlig should be given greater powers of control over the actions of other public authorities;
• the Executive needs to resource properly Bòrd na Gàidhlig to enable it to carry out its functions; and
• the Executive should remain ultimately responsible for the future security of the Gaelic language.

25. Bòrd na Gàidhlig welcomed the proposal to establish the Bòrd in statute, but requested that its powers, obligations and resources be strengthened and clarified. At the request of the Bòrd, the functions of the Bòrd have been amended to make clear that they apply to written and spoken Gaelic. The Bòrd’s request that it be able to advise private and voluntary bodies as well as public bodies if they seek that advice has also been taken into account. Bòrd na Gàidhlig funding is dealt with in detail in the Financial Memorandum.

Alternative approaches

26. The alternative approach to establishing Bòrd na Gàidhlig in statute is for it to continue in its present non-statutory role. Scottish Executive policy is that where a public body is to have executive, administrative, commercial or regulatory functions, legislation should normally be enacted to establish it. Bòrd na Gàidhlig will be active in all of these areas and requires legislative underpinning to carry out the functions set out in this Bill. Creating Bòrd na Gàidhlig in statute also provides the Gaelic community with the added security of a Gaelic development agency which is an integral part of the government of Scotland and with the clearly defined role of advising the Scottish Ministers on Gaelic issues.

NATIONAL GAELIC LANGUAGE PLAN

Policy objectives

27. Section 2, which is broadly the same as that in the consultation draft of the Bill, requires Bòrd na Gàidhlig to prepare a national Gaelic language plan.

28. The purpose of the national plan is to provide an agreed and considered approach to Gaelic development which will create the conditions in which the number of Gaelic speakers in Scotland will grow. Gaelic activity takes place across a wide range of sectors, from the arts through to education, and with the development of language plans by public bodies, increasingly so in public life, and Bòrd na Gàidhlig will be expected to prepare a blueprint for development which links these aspects of Gaelic activity together.

29. The national plan will provide an agreed strategic direction, not only for the Scottish Executive and Bòrd na Gàidhlig, but for all Scottish public authorities that have an interest in Gaelic language development. The plan will seek to focus resources from different sources and provide targets for key areas of activity.

Consultation

30. There was general support for the proposal that there should be a National Gaelic Language Plan. Particular issues raised in consultation were:
that there should be time limits within which the Scottish Ministers must agree the national plan submitted by Bòrd na Gàidhlig;
• that the national Gaelic Language plan should be enforceable; and
• that the Scottish Executive should commit funding to support the implementation of the national plan.

31. Bòrd na Gàidhlig requested that a statutory timescale for the approval of the national plan by the Scottish Ministers be introduced. The Bill has been revised to require Ministers to approve the plan submitted to them within 6 months or request a revised plan, and where a revised plan is requested to approve that within 6 months of receipt.

32. Bòrd na Gàidhlig also requested that the Bill should be amended to include provisions creating enforceable duties on the Scottish Ministers and the relevant bodies covered by the legislation to implement the national Gaelic language plan. These measures have not been adopted in the revised Bill for the reasons set out below.

Alternative approaches

33. The main alternative to the approach set out in the draft Bill is to make the national Gaelic language plan enforceable. That is, to place a binding obligation on public authorities to give effect to any goals or aspirations which the Bòrd chooses to include in the national plan. The Executive’s view of the purpose of the national plan is that it is not to create enforceable burdens on all sections of Scottish public life, but instead to develop a holistic approach to Gaelic language development which will guide public authorities in their approach to the language. A consensual approach is the Executive’s preferred means for the Bòrd to carry out its functions. The Executive considers that such an approach is in the long-term interests of the Gaelic language.

GAELIC LANGUAGE PLANS

Policy objectives: general

34. One of the key aspects in normalising the use of the Gaelic language is in creating conditions for its use in public life. The creation of language plans by public authorities draws on the experience of the Welsh Language Act and would require public bodies, in consultation with Bòrd na Gàidhlig, to consider what services they could provide in the Gaelic language. One of Bòrd na Gàidhlig’s key targets will be to increase the number of Gaelic speakers in Scotland and an essential accompaniment to that will be the development of Gaelic language plans by certain public authorities, encouraging and stimulating opportunities for the use of Gaelic and raising the confidence of speakers and learners.

35. The Executive recognises that what might be appropriate for language plans in areas of the country with high numbers of Gaelic speakers might not be appropriate in others. The language planning provisions of the Bill are therefore drafted to provide for a wide degree of flexibility in determining which authorities should produce plans and what the content of their plans should be.
Selection of public bodies

Policy objectives

36. Section 3 provides that Bòrd na Gàidhlig may issue a notice requiring a public body to submit a draft plan within a specified period of time. A public body in receipt of a notice may appeal to Ministers against having to comply with the notice at all or against the timescale for submission. This provision is different from that set out in the consultation draft of the Bill, which required all public bodies in Scotland to consider the need for a Gaelic language plan.

37. The Executive recognises that there may be limited demand for Gaelic language service provision in some parts of the country. This section therefore ensures that the language planning mechanism will be activated only when Bòrd na Gàidhlig considers there is merit, having taken account of any representations made to it and to the number of speakers within a public authority’s sphere of operation, in requesting that a language plan be prepared. In addition to providing for considerable flexibility of application, the provision also enables Bòrd na Gàidhlig to target its resources on priority areas of Gaelic language development.

38. In consultation there were requests for particular measures, such as a right to use Gaelic in the courts and a right to Gaelic medium education, to feature on the face of the Bill. The Executive considers that such measures should feature in the language plans of the appropriate public authorities rather than be included as distinct sections of the Bill. This will ensure that the provision can be fully defined and applied to areas of the country where there is demand for the provision.

Consultation

39. A variety of, and sometimes conflicting, views were expressed on the method by which it should be determined which public bodies should produce Gaelic language plans, such as:

- that it should be a statutory requirement on all public authorities in Scotland to produce a Gaelic language plan;
- that Bòrd na Gàidhlig should have the central role in determining which public bodies should produce Gaelic language plans; or
- that the Bill should be flexible enough to take into account the limited use of the Gaelic language in certain areas of the country.

40. Bòrd na Gàidhlig considered that the provisions of the draft Bill should be strengthened as they might conceivably result in no public bodies deciding to produce Gaelic plans. The Bòrd was also concerned, at the opposite extreme, that if all public authorities had to consider the need for a plan the Bòrd could potentially be deluged with requests for advice on language planning which it would not be resourced to deal with. The Bòrd’s preferred approach was to be given authority to request a plan from individual public bodies at the time of its choosing. The Bill has been revised in line with these comments, with a safeguard built in for public authorities in the form of a right of appeal to Ministers in the event that they consider that they have been unreasonably asked to produce a plan.
Alternative approaches

41. The main alternative to the approach set out in the Bill is for all public authorities in Scotland to be required to produce a Gaelic language plan. The view was expressed in consultation that as the Gaelic Language (Scotland) Bill will apply Scotland-wide, and because there are Gaelic speakers in most areas of Scotland, all public authorities should be required to prepare Gaelic language plans. The Executive agrees that the language planning requirement should be national, but it is not persuaded that requiring all public bodies to produce a plan is an efficient or appropriate approach given the widely varying use of the language across Scotland. The Executive also has concerns, as expressed by Bòrd na Gàidhlig among others, that requiring all bodies to produce a plan could place a considerable strain on the Bòrd’s resources.

Content of language plans

Policy objectives

42. Section 3 also provides that where a public body is issued with a notice to submit a Gaelic language plan to Bòrd na Gàidhlig it shall consider any guidelines issued by Bòrd na Gàidhlig or the Scottish Ministers when preparing this plan, and shall take account of the number of Gaelic speakers in its area and any representations made to it.

43. Section 5 gives Bòrd na Gàidhlig authority to approve the content of individual plans. Where agreement cannot be reached between Bòrd na Gàidhlig and public authorities about what is appropriate for an individual plan, the matter will be referred to the Scottish Ministers for adjudication. The main difference with the consultation draft of the Bill is the authority given to Bòrd na Gàidhlig to approve the content of language plans. Section 7 provides for the review of Gaelic language plans on a 5 yearly basis. The approval process for a reviewed plan is the same as that for the first plan prepared by a public authority.

44. Gaelic language plans will describe what services public authorities will provide in the Gaelic language and how they will promote the language in their area of operation. The form and content of language plans are not prescribed in detail in the Bill. Individual bodies will therefore have considerable discretion to produce a plan, in consultation with Bòrd na Gàidhlig, appropriate for their situation. The types of issue which public bodies are likely to have to consider when developing their plans are addressed in detail in the financial memorandum.

Consultation

45. Some respondents to consultation suggested:

- that there should be a schedule of minimum content in line with the Member’s Bill of last Session;
- that Bòrd na Gàidhlig should be able to determine the content of individual language plans; and
- that the plans should be developed to give effect to the principle that there is equality of status or equal validity between the Gaelic and English languages.
46. Bòrd na Gàidhlig took the view that it should be given a role in determining the final content of language plans to ensure that they were consistent with guidelines issued by the Bòrd. The Bòrd’s view has been taken into account in the revised Bill, with a safeguard built in for public authorities in the form of a right of appeal to Ministers in the event that they disagree with the Bòrd.

47. The Bòrd also considered that the Executive should give consideration to following the example in the Welsh Language Act and provide for the principle of equal validity between the Gaelic and English languages to be given effect in the preparation of language plans. The Executive has been unable to develop this principle as the Bòrd would have wished, for the reasons set out below.

*Alternative approaches*

48. There are two main alternative approaches to that set out in the Bill.

49. It would be possible to provide in a schedule to the Bill the minimum content which all language plans should contain. The Executive’s approach to language planning in the Bill is to create an instrument which is flexible enough to take account of the differing use of Gaelic across Scotland. In that spirit it is to be expected that the language plans produced by, for example, Comhairle nan Eilean Siar and an area with a relatively low number of Gaelic speakers, might vary significantly. The Executive’s view, therefore, is that the best approach to the issue is to require individual public authorities to work with Bòrd na Gàidhlig to determine what is the appropriate content of their language plan in their particular circumstances. It is considered that producing a schedule of minimum content which would be appropriate for all public authorities which could potentially be asked to produce a language plan would be so basic as to render it of little value.

50. It would be possible to provide for language plans to be developed to give effect to the principle that there is a basis of equality or equal validity between the English and Gaelic languages. The approach adopted in the Welsh Language Act was to require that, so far as appropriate and reasonably practicable in the circumstances, Welsh language schemes should give effect to the principle of equality of status between the Welsh and English languages. Equality of status has been given a narrow definition in that context and public bodies in Wales can be required to prepare plans which provide for bilingual service delivery. Adopting the same principle in this Bill would impact significantly on the flexibility which public authorities could adopt in their development of language plans. The Executive considers that whilst it might be appropriate for the Comhairle nan Eilean Siar plan, for example, to give effect to the principle of equality of status or equal validity, it would be inappropriate to require a body in area with relatively few Gaelic speakers to be required to develop a plan on the same basis. The Executive considers that the most suitable place to give expression to such principles would be in the national plan and the guidance on language planning which Bòrd na Gàidhlig will prepare. This would provide the Bòrd with the opportunity to clearly explain what is intended and expected by the inclusion of such principles, and how they would relate to areas of the country with differing numbers of Gaelic speakers.
This document relates to the Gaelic Language (Scotland) Bill (SP Bill 25) as introduced in the Scottish Parliament on 27 September 2004

Monitoring of implementation

Policy objectives

51. Section 6 is a new section which empowers Bòrd na Gàidhlig to request a report on implementation of a Gaelic language plan from a public authority, and for action to be taken where a public body has failed to implement its plan.

52. In order to ensure that the spirit of the Bill is being adhered to, and that the services set out in language plans are being provided, Bòrd na Gàidhlig will be able to request a monitoring report on the implementation of an authority’s language plan. This provision also enables Bòrd na Gàidhlig to collect evidence of service delivery and demand, which will help inform its development of the national Gaelic language plan and the advice it gives to the Scottish Ministers and public authorities on Gaelic language issues.

53. Having received a report on implementation from a public body Bòrd na Gàidhlig may then report its views to Ministers if it considers that a Gaelic language plan is not being fully implemented. The Scottish Ministers must then draw to the attention of Parliament Bòrd na Gàidhlig’s report or issue a direction which requires the public authority to implement all or parts of its plan.

Consultation

54. Comments about implementation from consultation included:
   • that Bòrd na Gàidhlig needed additional powers of enforcement over public authorities;
   • that Bòrd na Gàidhlig lacked the resources to enforce its powers; and
   • enforcement on public bodies could create an anti-Gaelic backlash.

55. Bòrd na Gàidhlig considered that a weakness of the consultation draft of the Bill was the lack of enforcement measures.

Alternative approaches

56. It would be possible to proceed without a formal implementation regime in the Bill. Public authorities would simply be required to follow their statutory obligation to implement the measures set out in their language plans. The Executive considers that there is merit in introducing an implementation regime to enable Bòrd na Gàidhlig to establish what the practical effects of a public authority’s language plan have been. Not only will this enable Bòrd na Gàidhlig to determine whether a public authority is acting in good faith and implementing its plan, it will also provide a source of information which will inform the procedure for revising plans after they have been in place for 5 years and for illustrating sources of good practice.
GAELIC EDUCATION

Policy objectives

57. Gaelic medium education is widely held to be the key to the future of the Gaelic language. The Scottish Executive subscribes to this point of view.

58. The Executive supports the provision, and development of provision, of Gaelic medium education through a scheme of specific grants. Education authorities are able to bid to the Executive on a 75%-25% basis for grant to develop Gaelic medium education. Specific grant amounts to £3.434 million in 2005-06.

59. The provision of Gaelic medium education, which is a responsibility of individual education authorities, is primarily regulated by two pieces of legislation. The Education (Scotland) Act 1980 specifies that ‘school education’ includes ‘the teaching of Gaelic in Gaelic-speaking areas’. The Executive took the opportunity to legislate for Gaelic in its first education Bill following devolution. The Standards in Scotland’s Schools etc. Act 2000 places a duty on authorities to publish an annual statement of improvement objectives. Among other things, the 2000 Act requires that an education authority’s annual statement of education improvement objectives shall include reference to Gaelic education in the following terms – ‘The annual statement of education improvement objectives shall include an account of (i) the ways in which; or (ii) the circumstances in which, they will provide Gaelic-medium education, and where they do provide Gaelic-medium education, of the ways in which they will seek to develop their provision of such education.’

60. The Minister for Education and Young People is minded to issue guidance under the 2000 Act in relation to Gaelic-medium education, to:

- ensure the continued growth and improvement in provision of Gaelic medium education in Scotland;
- bring consistency to and set a minimum standard for local authority reporting on Gaelic medium education provision and plans for development;
- provide reassurance to parents that there is a national approach in place to support the continued provision and development of Gaelic education in Scotland; and
- establish locally determined entitlement to Gaelic medium education.

61. Section 9 of the Bill introduces a formal role for Bòrd na Gàidhlig to issue guidance on Gaelic education generally and Gaelic medium education in particular and the Executive intends that, with the establishment of this role, Bòrd na Gàidhlig will take ownership of any guidance which Ministers may issue before this Act comes into effect.

Consultation

62. Education was one of the main topics raised in consultation responses. In particular, there were calls for:

- Gaelic medium education to be available to all who want it as a right; or
• Gaelic medium education to be available to all who want it, where reasonable demand is demonstrated.

**Alternative approaches**

63. The main alternative to the approach adopted, and the main focus of consultation responses, would be to legislate in statute for a right of access to Gaelic medium education.

64. A significant majority of consultation responses called for the Executive to introduce Gaelic education provision to the Bill and in particular to provide for a right of access to Gaelic medium education. There was, however, limited consideration of the form which that right might take. There was, for example, no consensus as to whether such a right should apply at pre-school, primary school, secondary school or further and higher education, or to all levels of education. There was also no clear articulation as to whether a right of access should be at individual school level, cluster level or at local authority level. There is also the issue of whether such a right could be satisfied by delivery by electronic means.

65. The Executive considers that setting out a right to Gaelic medium education which will deliver what the Gaelic community desires is not straightforward. For example, if education authorities were under a statutory obligation simply to provide Gaelic medium education, that could be satisfied by transporting children to one school in that education authority area for delivery, or by providing the delivery solely by electronic means. It is unlikely that this is the outcome which the Gaelic community seeks. The Executive’s preferred approach to the issue is to work through provision which already exists in the 2000 Act to ensure that there is continued growth in Gaelic medium education provision and that, where there is demand for provision, local authorities should be required to react positively to this. It is for this reason that the Minister for Education and Young People is minded to issue guidance under the 2000 Act to ensure a more consistent approach to the delivery and development of Gaelic medium education across Scotland.

**EFFECTS ON EQUAL OPPORTUNITIES, HUMAN RIGHTS, ISLAND COMMUNITIES, LOCAL GOVERNMENT, SUSTAINABLE DEVELOPMENT ETC.**

**Equal opportunities**

66. The Executive considers that the Bill does not have an adverse impact on the basis of gender, race, disability, marital status, religion or sexual orientation.

67. The Commission for Racial Equality in its submission on the draft Bill raised concerns that, unless the Executive adopted an inclusive approach to all of Scotland’s languages, there was potential for the development of a two-tier system which would not meet the needs of all Scotland’s people, and have a detrimental effect on race equality in Scotland. The Executive is committed to developing a holistic language strategy which will address the needs of all of Scotland’s languages, including Scots, community languages and British Sign Language. Work on that languages strategy is being taken forward separately from this Bill. The Executive considers that without the specific action set out in this Bill the survival of the Gaelic language will be in serious doubt and is therefore following the example set in other countries in taking steps to secure the status of one of its languages.
68. The Scottish Executive and Scottish public authorities have a particular responsibility to Gaelic. Equal opportunities are central to this Bill and the Executive is seeking to introduce a Bill to ensure a measure of equality for Gaelic speakers. Many have argued that the fragile condition of Gaelic in Scotland has resulted from an extended period of institutional neglect and exclusion from public life. This Bill will seek to redress this.

69. The Bill seeks to create opportunities for the use of Gaelic in public life and not to restrict or deny the provision of services by public bodies to any social groups who might receive or hope to receive service delivery in another language. The Executive view is that a Bill requiring public bodies to develop and implement Gaelic language schemes would not prevent or impede such bodies from developing schemes or other policies that relate to other languages, if they so chose.

Human rights

70. The Bill does not give rise to any issues under the European Convention on Human Rights.

Island communities

71. This Bill carries the potential of having an important impact on the outer and inner Hebridean islands. In many of these islands there are significant percentages of Gaelic speakers and much of the pressure for greater recognition and support for Gaelic has originated from these islands. This Bill will, therefore, have an important impact both in terms of the confidence that would result from the recognition given to the distinctive language and culture of the islands and also in employment opportunities, either directly or indirectly related to the Bill. The Bill also carries the potential for creating employment opportunities for Gaelic speaking staff and also for expanding the need for support services such as translation and Gaelic courses, both of which are well established in the Hebridean islands.

72. The Northern Islands do not share with the Hebridean islands a Gaelic tradition and consequently there is very little evidence of Gaelic spoken in the Northern Islands. During the consultation period on the Bill, responses were received which made this point and these have been taken into account in the drafting of the present Bill.

Local government

73. The Bill will impact on local authorities when they are requested to produce a Gaelic language plan, or where they provide Gaelic-medium education. The language planning provision will raise new expectations for some local authorities and the potential impact of this is set out in detail in the Financial Memorandum. The financial implications will vary across local authorities dependent on the Gaelic language provision which they make available.

Sustainable development

74. The Bill will have no impact on sustainable development.
The above Bill was introduced into the Parliament on 27 September 2004, together with the following accompanying documents:

- Explantory Notes;
- a Financial Memorandum;
- the Presiding Officer’s statement on legislative competence;
- the Executive’s statement on legislative competence; and
- a Policy Memorandum.

The Executive has arranged for the following translations into Gaelic of the text of the Bill and the accompanying documents. In each translation, the numbering used in the English-language document has been followed.

The translations should not be relied upon in assessing the legal effect the Bill would have if enacted. Parliamentary proceedings on the Bill will be on the basis of the Bill itself (that is, the English-language version); the translation is provided for information only.

The above Bill was introduced into the Parliament on 27 September 2004, cuide ris na pàipèaran a leanas:

- Notaichean Mineachail;
- Meòrachan Ionmhasail;
- Aithris a’ Cheannaird air comas reachdail;
- Aithris an Oifigeir Riaghlaidh air comas reachdail; agus
- Meòrachan Poileasaidh.

Tha an Riaghaltas air ullachadh a dhèanamh an airson teacsa a’ Bhile agus na sgriobhainnean a tha na chois eadar-theangachadh gu Gàidhlig. Anns gach eadar-theangachadh, thathar air cumail ri na h-àireamhan air an cleachdadh san sgriobhainn Bheurla.

Cha bu chòir earbsa a chur sna h-eadar-theangachaidhean ann am measadh dè a’ bhuidheid laghail a bhiodh aig a’ Bhile nam biodh e air achdachadh. Bidh cùisean Pàrlamaid a thaobh a’ Bhile air am bonntachadh air a’ Bhile fhèin (‘s e sin, an dreachd Beurla); tha an t-eadar-theangachadh airson fiosrachadh a-mhàin.
## CLÀR-INNSE

<table>
<thead>
<tr>
<th>Earrann</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bòrd na Gàidhlig</strong></td>
<td></td>
</tr>
<tr>
<td>1 Bun-reachd agus gniomhan Bòrd na Gàidhlig</td>
<td></td>
</tr>
<tr>
<td><strong>Plana-cànain Nàiseanta Gàidhlig</strong></td>
<td></td>
</tr>
<tr>
<td>2 Plana-cànain Nàiseanta Gàidhlig</td>
<td></td>
</tr>
<tr>
<td><strong>Planaichean-cànain Gàidhlig</strong></td>
<td></td>
</tr>
<tr>
<td>3 Planaichean-cànain Gàidhlig</td>
<td></td>
</tr>
<tr>
<td>4 Ath-bhreithneachadh, agus tagradh an aghaidh, brathan</td>
<td></td>
</tr>
<tr>
<td>5 A’ cur aonta ri planaichean</td>
<td></td>
</tr>
<tr>
<td>6 Sgrùdadh air buileachadh</td>
<td></td>
</tr>
<tr>
<td>7 Ath-bhreithneachadh phlanaichean</td>
<td></td>
</tr>
<tr>
<td>8 Treòrachadh, cuideachadh, msaa leis a’ Bhòrd</td>
<td></td>
</tr>
<tr>
<td><strong>Foghlam Gàidhlig</strong></td>
<td></td>
</tr>
<tr>
<td>9 Treòrachadh air foghlam Gàidhlig</td>
<td></td>
</tr>
<tr>
<td><strong>Coitcheann</strong></td>
<td></td>
</tr>
<tr>
<td>10 Mineachadh</td>
<td></td>
</tr>
<tr>
<td>11 Rìaghailtean agus òrdughan</td>
<td></td>
</tr>
<tr>
<td>12 Atharrachaidhean co-leanailteach</td>
<td></td>
</tr>
<tr>
<td>13 Geàrr-thiotal agus tòiseachadh</td>
<td></td>
</tr>
</tbody>
</table>

Pàipear-taice 1—Bòrd na Gàidhlig
Pàipear-taice 2—Atharrachaidhean co-leanailteach
Bile na Gàidhlig (Alba)

Achd bho Phàrlamaid na h-Alba gus buidheann a stèidheachadh le gniomhan an co-cheangal ri bhith a’ cur inbhe na Gàidhlig air stèidh thèarainte mar chànan oifigeil an Alba, a’ gabhall a-steach nan gniomhan a bhith ag ullachadh plana-cànan nàiseanta Gàidhlig; ga dhèanamh riatanach do chuid de dh’ùghdarrasan poblach an Alba a bhith ag ullachadh agus a’ foillseachadh phlanaichean-cànain Gàidhlig an co-cheangal ri bhith a’ coileanadh an gniomhan agus a bhith a’ cumail suas agus a’ buileachadh a leithid de phlanaichean agus gus mu fhoghlam Gàidhlig.

Bòrd na Gàidhlig

1 Bun-reachd agus gniomhan Bòrd na Gàidhlig

(1) Tha buidheann chorporra air a stèidheachadh a bhios air aithnachadh mar Bòrd na Gàidhlig (san Achd seo air ainmeachadh “am Bòrd”).

(2) Tha na gniomhan coitcheann a leanas aig a’ Bhòrd—

(a) adhartachadh, agus cuideachadh le adhartachadh, cleachdadh agus tuigse na Gàidhlig,

(b) comhairleachadh (a rèir iarrtais no mar a mheasas e iomchaidh) Ministearan na h-Alba, buidhnean poblach agus daoine eile a tha a’ cur an cèill gniomhan de ghnè poblach mu nithean co-cheangailte ris a’ Ghàidhlig, foghlam Gàidhlig agus cultar na Gàidhlig,

(c) comhairleachadh (a rèir iarrtais) daoine eile mu nithean co-cheangailte ris a’ Ghàidhlig.

(3) Tha na gniomhan a tha an Achd seo a’ buileachadh air a’ Bhòrd rin coileanadh le sùil ri bhith a’ cur inbhe na Gàidhlig air stèidh thèarainte mar chànan oifigeil an Alba tro bhith—

(a) a’ meudachadh an aireamh de dhaoine a tha comasach air a bhith a’ cleachdadh no a’ tuigsinn na Gàidhlig,

(b) a’ misneachadh cleachdadh agus tuigse na Gàidhlig, agus

(c) a’ cuideachadh le cothrom, an Alba agus an ceàrnaidhean eile, air cànan agus cultar na Gàidhlig.

(4) Faodaidh Ministearan na h-Alba stiùireadh (coitcheann no sònraichte) a thoirt don Bhòrd agus stiùireadh mu choileanadh gniomhan a’ Bhùird.

(5) Faodaidh Ministearan na h-Alba atharrachadh no toirt air ais stiùireadh no treòrachadh sam bith air a thoirt ann am fo-earrann (4).

(6) Tha Pàipear-taice 1 a’ déanamh tuilleadh ullachadh a thaobh inbhe, bun-reachd, cúisean, msaa. a’ Bhùird.

Plana-cànan Nàiseanta Gàidhlig

2 Plana-cànan Nàiseanta Gàidhlig

(1) Feumaidh am Bòrd, taobh a-staigh 12 miosan bho thòiseachadh na h-earrainn seo, plana-cànan nàiseanta Gàidhlig ullachadh agus a chur a-steach gu Ministearan na h-Alba a dh’fheumas a bhith a’ gabhall a-steach molaidhean a thaobh mar a bhios e a’ coileanadh a ghniomhan fon Achd seo.
(2) Ann an ullachadh a’ Phlana, feumaidh am Bòrd—
  (a) dreachd den phlana foillseachadh,
  (b) foillseachadh a’ chrothoim riodhchaidhean a dhèanamh mun dreachd phlana fo fo-
      earrann (3) an taobh a-staigh am na dhèanamh taoibh a-staigh am na dhèanamh
      taoibh a-staigh a dhèanamh mun dreachd phlana fhoillseachadh, agus
  (c) suim a ghabhail de riodhchaidhean sam bith a gheibh e taobh a-staigh an ama sin.

(3) Faodaidh duine sam bith a tha airson riodhchaidhean a dhèanamh chun a’ Bhòird mun
      dreachd phlana sin a dhèanamh taoibh a-staigh an ama a tha air a shònraichte de riodh-
      chaidhean ann am fo-earrann (2).

(4) Feumaidh Ministearan na h-Alba, an taobh a-staigh 6 mìosan an dèidh am plana
    fhaighinn—
    (a) aonta a chur ris a’ phlana, no
    (b) beachdan a thoirt a’ phlana a réir ‘s mar a bhios a’ chaidh a steach nam beachdan sin
        agus a chur a-staigh thuca, taobh a-staigh an ama a dh’fhaoadadh a dh’fhaoadadh

(5) Far a bheilear a’ cur a-staigh plana eile, feumaidh Ministearan na h-Alba, taobh a-staigh
    6 mìosan bhon fhuair e—
    (a) aonta a chur ris a’ phlana, no
    (b) òrdugh a thoirt don Bhòr’ am plana fhoillseachadh a réir nan cumhachan a mheasas
        Ministearan na h-Alba iomchaidh.

(6) An dèidh dhan phlana a bhith air aontachadh no, a réir ‘s mar a bhios a’ chòidh, nuair a thèid
      òrdachadh le Ministearan na h-Alba e a bhith air fhoillseachadh, feumaidh am Bòrd
      fhoillseachadh san doigh a mheasas e iomchaidh.

(7) Faodaidh Ministearan na h-Alba, aig âm sam bith, iarraidh air a’ Bhòrd plana-cànain
      nàiseanta Gàidhlig ùr uillachadh agus a chur a-staigh thuca.

(8) Tha fo-earrannan (1) gu (6) a’ buntainn ri plana a tha riatanach fo fo-earrann (7) mar gum
      biodh fo-earrann (1) a’ toirt iomradh air ceann-latha an riatanais an a’ite toiseach na h-
      earrainn seo.

Planaichean-cànain Gàidhlig

3 Planaichean-cànain Gàidhlig

(1) Faodaidh am Bòrd brath a chuir ann an sgriobhadh gu úghdarras poblach sam bith an Alba
    ag iarraidh air an úghdarras plana-cànain Gàidhlig uillachadh.

(2) Feumaidh am brath—
    (a) innse gu bheil e riatanach dhan úghdarras plana-cànain Gàidhlig uillachadh a réir na h-
        earrainn seo agus a chur chun a’ Bhòurd,
    (b) sònrachadh ceann-latha (gun a bhith cáil na 6 mìosan an dèidh a’ chinn-
        latha a chaidh am brath a thoirt dhaibh) rom feum an t-úghdarras am plana a chur a-
        steach chun a’ Bhòurd, agus
    (c) innse don úghdarras na córaichean a tha aige fo earrann 4 gus ath-bhreithreachadh
        iarraidh agus gus tagradh a chur gu Ministearan na h-Alba.

(3) Ann a bhith a’ tiginn chun cho-dhùnaidh am bu chóir brath a thoirt fo fo-earrann (1) gu
    úghdarras poblach an Alba, feumaidh am Bòrd spéis a thoirt do—
(a) an ire gu bheil cânan na Gàidhlig air a chleachadh leis an t-sluagh ris a bheil gniomhan an ùghdarrais co-cheangailte,
(b) riodhchadhadh sam bith a thèid a dhèanamh ris a thaobh cleachadh cânan na Gàidhlig co-cheangailte ri coileanadh nan gniomhan sin, agus
(c) stiùireadh sam bith a bheir Ministearan na h-Alba.

(4) Feumaidh Plana-cànain Gàidhlig—
(a) mineachadh nan ceumannan a ghabhas ùghdarras poblach an Alba co-cheangailte ri coileanadh gniomhan an ùghdarrais sin,
(b) sònrachadh ceann-latha rom feum na ceumannan sin a bhith air an ghabhail, agus
(c) a bhith a’ gabhail a-steach fiosrachadh sam bith eile a dh’haoadadh a bhith air a shònrachadh ann an riaghailtean air an déanamh fo fo-earrann (7).

(5) Feumaidh ùghdarras poblach an Alba, ann a bhith ag ullachadh plana-cànain Gàidhlig, spèis a thoirt do—
(a) an ire gu bheil a’ Ghàidhlig air a cleachadh leis an sluagh ris a bheil gniomhan an ùghdarrais a’ buntainn,
(b) riodhchadhaidhean sam bith air an cur ris an ùghdarras an co-cheangal ri cleachadh na Gàidhlig co-cheangailte ri coileanadh nan gniomhan sin, agus
(c) stiùuireadh sam bith a bheir Ministearan na h-Alba no am Bòrd.

(6) Ann a bhith ag ullachadh plana-cànain Gàidhlig, feumaidh ùghdarras poblach an Alba co-chomhairle a chur ri daoine a tha e a’ meas a tha a’ nochdadh úidh sa phlana.

(7) Faodaidh Ministearan na h-Alba le riaghailtean tuilleadh ullachaidh a dhèanamh an co-cheangal ri susbaint planaichean-cànain Gàidhlig.

(8) Faodaidh riaghailtean mar sin ullachadh eadar-dhealaichte a dhèanamh airson adhbharan eadar-dhealaichte no airson ùghdarrasan poblach an Alba de dhiofar scòrsa.

4  Ath-bhreithneachadh, agus tagradh an aghaidh, brathan

(1) Far a bheil ùghdarras poblach an Alba a’ faighinn brath fo fo-earrann (1) de earrann 3 agus a’ beadhachadh gu bheil an ceann-latha a tha air a shònrachadh ann mar thoradh air fo earrann (2)(b) den earrann sin mi-reusanta, faodaidh e taobh a-staigh 28 latha an dèidh dha am brath fhaighinn iarraidh air a’ Bhòrd ath-bhreithneachadh a dhèanamh air a’ cheann-latha.

(2) Feumaidh iarritas fo fo-earrann (1) mineachadh a dhèanamh air na h-adhbharan a tha aig an ùghdarras airson a bheachd.

(3) Feumaidh am Bòrd taobh a-staigh 28 latha on gheibh e an t-iarritas ath-bhreithneachadh a dhèanamh air a’ cheann-latha agus—
(a) an ceann-latha a dhearbhadh, no
(b) ceann-latha nas a’imich a chur na àite (sa chùis sin bidh an ceann-latha sin air a mheas mar an ceann-latha a tha air a shònrachadh sa bhrath mar thoradh air fo earrann 3(2)(b)).

(4) Ann a bhith ag ainmeachadh don ùghdarras a cho-dhùnadh fo fo-earrann (3) feumaidh am Bòrd, ma ‘s e an co-dhùnadh an ceann-latha a dhearbhadh, adhbharan airson a’ cho-dhùnaidh sin a mhineachadh.
(5) Ma tha an t-ùghdarras mi-thoilichte le co-dhùnadh a’ Bhùird fo fo-earrann (3), faodaidh e, taobh a-staigh 28 latha an dèidh brath mun cho-dhùnadh fhaighinn, tagradh a dhèanamh gu Ministearan na h-Alba.

(6) Ma chumas Ministearan na h-Alba suas an ath-thagradh fo fo-earrann (5) feumaidh iad ceann-latha eile a shònrachadh rom feum an t-ùghdarras plana-cânain Gàidhlig a chur chun a’ Bhùird.

(7) Far am faigh ùghdarras poblach an Alba brath fo fo-earrann (1) de earrann 3 faodaidh e, taobh a-staigh 28 làithean den bhrath sin fhaighinn, ath-thagradh ri Ministearan na h-Alba an aghaidh a’ bhrath air a’ bhunait bheul, le spèis do na cuisean a tha air an sònrrachadh ann am fo-earrann (3) (a) gu (c) den earrann sin, co-dhùnadh a’ Bhùird brath a chuir chun an ùghdarras mi-reusanta.

(8) Ma chumas Ministearan na h-Alba suas an ath-thagradh fo fo-earrann (7)—

(a) cha bhi buaidh nas motha aig a’ bhrath, agus

(b) chan fhaod am Bòrd brath a bharrachd a thòirt fo fo-earrann 3(1) do ùghdarras poblach an Alba gus an tig an t-ùghdarras plana a chuir an ùghdarras mì-reusanta.

5 A’ cur aonta ri planaichean

(1) Far a bheil plana-cànain Gàidhlig air a chur chun a’ Bhùird le ùghdarras poblach an Alba a réir brath fo fo-earrann 3(1) no fo fo-earrann (2)(b) den earrann sin, feumaidh am Bòrd—

(a) aonta a chur ris a’ phlana, no

(b) mion-atharrachaidhean a mholadh.

(2) Ma tha am Bòrd a’ moladh mion-atharrachaidhean, feumaidh an t-ùghdarras poblach an Alba—

(a) taobh a-staigh aon mhios den cheann-latha air a bheil na mion-atharrachaidhean molta air an ainmeachadh dhan ùghdarras, brath a chur chun a’ Bhùird nach eil e ag aontachadh ris na mion-atharrachaidhean, no

(b) ro cheann-latha a thèid a shònrrachadh leis a’ Bhòrd, am plana a leasachadh gus suim a ghabhail de na mion-atharrachaidhean agus am plana a chur a-steach air ais chun a’ Bhòrd.

(3) Chan fhaod an ceann-latha a chaidh ainmeachadh ann am fo-earrann (2)(b) a bhithe nas lugha na 3 miosan no nas motha na 6 miosan an dèidh a’ chinn-latha air an deach na mion-atharrachaidhean molta ainmeachadh dhan ùghdarras.

(4) Far a bheil brath air a thoirt fo fo-earrann (2)(a), feumaidh am Bòrd a’ chùis a chur gu Ministearan na h-Alba a dh’fheumas, an dèidh dhaibh cumail ri fo-earrann (5)—

(a) aontachadh ris a’ phlana a réir ‘s mar a chaidh a chur chun a’ Bhùird sa chidh dol amach, no

(b) aontachadh ris a’ phlana ach le na mion-atharrachaidhean (a’ ghabhail a-steach gach no cuid den fheadhainn a chaidh a mholadh fo fo-earrann (1)(b)) mar a mheasas iad iomchaidh.

(5) Mus tèid aontachadh ri plana fo fo-earrann (4), feumaidh Ministearan na h-Alba—

(a) cothrom a thoirt don Bhòrd agus do ùghdarras poblach an Alba riochdachaidhean a dhèanamh mun phlana, agus

(b) comhairle a chur ri duine sam bith a mheasas iad iomchaidh,
agus feumaidh iad cunntas a ghabhail de ríochdachaidhean sam bith a thèid a dhèanamh leis a’ Bhòrd no leis an urchdarras agus beachdan sam bith a chaidh an cur an cèill le neach bhon deach comhairle a shireadh fo pharagraf (b).

(6) Air don phlana a bhith air aontachadh leis a’ Bhòrd no le Ministeanan na h-Alba, feumaidh an t-urchdarras poblach an Alba —
   (a) fhoilseachadh, agus
   (b) na ceuman a tha air am mineachadh ann a bhùileachadh.

6 Sgrùdadh air bhùileachadh

(1) Tha buntannas aig an earrann seo far —
   (a) an deach plána-cànanain Gàidhlig aig urchdarras poblach an Alba aontachadh leis a’ Bhòrd no le Ministeanan na h-Alba fo fo-earrann 5, agus
   (b) a bheil co-dhiù 12 mios air a dhol seachad on chaidh aontachadh ris.

(2) Dh’fhaoadadh gum feum am Bòrd iarraidh air an urchdarras cur a-steach thuige, ro cheann-latha nach eil nas tràithe na 3 miosan an dèidh ceann-latha an riatanais, aithisg mun ire gu bheil an t-urchdarras air na ceuman a tha air an cur a-mach sa phlana a chur an cèill.

(3) Chan fhaoad an Bòrd darna riatanas no riatanas an dèidh láimhe iarraidh fo fo-earrann (2) taobh a-staigh 12 mios den cheann-latha den riatanas roimhe.

(4) Far a bheil am Bòrd a’ meas gu bheil urchdarras poblach an Alba a’ fàilinnneadh ann a bhith a’ cur an cèill ceuman na phlana-cànanain Gàidhlig gu h-iochdaidh, faoidadh e aithisg a char a-steach gu Ministeanan na h-Alba a’ cur an cèill adhbharan airson a’ cho-dhùnaidh sin.

(5) Air dhaibh an aithisg hfaighinn faoidadh, Ministeanan na h-Alba an darna fear de na ceumannan a leanas no na dha dhiubh a ghabhail —
   (a) lethbhreach den aithisg a chur air beulaibh Pàrlamaid na h-Alba,
   (b) faoidadh iad an t-urchdarras poblach an Alba a tha sin a stiùireadh a chum a bhith a’ bhùileachadh cuid de na ceuman no na ceuman air fad a tha sa phlana-cànanain Gàidhlig aca ron cheann-latha a chaidh a shònradhachd sin stiùireadh.

(6) Mus tèid stiùireadh a thoirt fo fo-earrann (5)(b), feumaidh Ministeanan na h-Alba —
   (a) comhairle a chur ris an urchdarras poblach an Alba mu chumhachan an stiùiridh mholt, agus
   (b) suim a ghabhail de ríochdachaidhean sam bith a nithear leis an urchdarras.

7 Ath-bhreithneachadh phlanaichean

(1) Tha buntannas aig an earrann seo far an deach plána-cànanain Gàidhlig aontachadh leis a’ Bhòrd no le Ministeanan na h-Alba fo earrann 5 (a’ ghabhail a-steach an earrann sin a réir fo-earrann (3) den earrann seo).
   (a) far a bheil co-dhiù 12 mios air a dhol seachad o cheann-latha an aonta.

(2) Far a bheil buntannas aig an earrann seo, feumaidh an t-urchdarras poblach an Alba a dh’ullaich am plána, aig am nach eil nas fhaide na 5 bliadhna an dèidh an ceann-latha air an deach am plána aontachadh —
   (a) am plan ath-bhreithneachadh,
(b) leasachaidhean sam bith a dhèanamh (ma bhios feum air) ris a’ phlana mar a bhios an t-ùghdarras a’ meas deatamach no iomchaidh, agus
(c) a chur chun a’ Bhùird.

(3) Tha earrainnean 3(4) gu (6) agus 5 a’ buntainn an co-cheangal ri ath-bhreithneachadh agus leasachadh plana fo fo-earrann (2) den earrann seo mar a tha iad a’ buntainn an co-cheangal ri ullaichadh plana a rèir fiosrachadh ann an earrann 3(1).

(4) Faoidh ùghdarras phoblach an Alba, gun ath-bhreithneachadh a dhèanamh, aig àm sam bith plana-càinain Gàidhlig foillsichte fo earrann 5(6) a leasachadh (mar eisimpleir, le bhith a’ ceartachadh meàrachd no ag úrachadh fiosrachaidh) ann an dòigh nach dèan cus atharrachaidh air a’ phlana.

8 Stiùireadh, cuideachadh, msaa. leis a’ Bhòrd

(1) Feumaidh am Bòrd, bho àm gu àm nuair a mheasas e iomchaidh, ullaichadh agus cur a-steach gu Ministearan na h-Alba stiùireadh do dh’ùghdarrasan poblach an Alba an co-cheangal ri coileanadh earrainnean 3 gu 7.

(2) Ann an ullaichadh an stiùiridh, feumaidh am Bòrd—
(a) dreachd den stiùiridh fhoillseachadh,
(b) cuir am follais an cothrom riodhchaidhean a dhèanamh mun dreachd stiùiridh fo fo-earrann (3) taobh a-staigh ãn às eil nas lugha na 3 miosan mar a dh’haodhas am Bòrd a shònrrachadh, agus
(c) suim a ghabhail de riodhchaidhean sam bith a gheibh e taobh a-staigh na h-ama sin.

(3) Faoidh duine sam bith a tha a’ miannachadh riodhchaidhean a dhèanamh chun a’ Bhùird mun dreachd stiùiridh sin a dhèanamh taobh a-staigh am ama a chaidh a shònrrachadh ann am fo-earrann (2).

(4) Feumaidh Ministearan na h-Alba—
(a) aonta a chur ris an stiùireadh le mion-atharrachaidhean no às an aonais, no
(b) an stiùireadh a dhealtaidh agus, far an dèan iad sin, faoidh iad iarraidh air a’ Bhòrd stiùireadh leasaichd ullaichadh agus a chur a-steach thuca, taobh a-staigh na h-ùine a dh’haodhas iad a shònrrachadh.

(5) Far an tèid stiùireadh leasaichd a chur a-steach thuca, feumaidh Ministearan na h-Alba—
(a) aonta a chur ris anstiùireadh, no
(b) órdugh a thoiridh don Bhòrd fhoillseachadh san dòigh a mheasas Ministearan na h-Alba iomchaidh.

(6) Air dhan stiùireadh sin a bhith air aontachadh no, a rèir ‘s mar a bhios a’ chuíis, nuair a thèid òrdachadh le Ministearan na h-Alba e a bhith air fhoillseachadh, feumaidh am Bòrd fhoillseachadh san dòigh a mheasas e iomchaidh.

(7) Feumaidh am Bòrd, ma thig iarrtas bho ùghdarras poblach an Alba, comhairle agus cuideachadh a thoiridh a thuirt saor ‘s an asgaidh don ùghdarras a thaobh mar a bhios an Achd seo a’ buntainn ris an ùghdarras.
Stiùireadh air foghlam Gàidhlig

(1) Faodaidh am Bòrd stiùireadh a thoirt a rēir a ullachaidh a thaobh foghlam Gàidhlig agus leasachadh an ullachaidh sin.

(2) Ann a bhith ag ullachadh an stiùiridh, feumaidh am Bòrd co-chomhairle a chur ri na daoine a tha a’ nochtadh ùidh ann.

(3) Faodaidh am Bòrd stiùireadh ullachadh fo fo-earrann (1) a-mhàn le aonta Ministearan na h-Alba.

(4) Faodaidh am Bòrd stiùireadh atharrachadh no ath-ghairm a chaidh a chur an cēill fo fo-earrann (1), agus fo-earrannan (2) agus (3) a chur ri atharrachadh no ath-ghairm.

(5) An dèidh fo-earrann (4) de earrann (5 (aithris bliadhnaùghdarras foghlaim mu amasan leasachaidh) de Achd Inbhean ann an Sgoiltean na h-Alba msa 2000. (asp 6), cuir a-steach—

“(4A) Ann a bhith a’ cumail ri fo-earrann (2)(c) shuas, gabhaidh ùghdarras foghlaim suim de stiùireadh sam bith a thèid fhoilseachadh le Bòrd na Gàidhlig fo earrann 9 de Achd na Gàidhlig (Alba) 2004) (asp00)”

Mìneachadh

San Achd seo—

tha “cultar na Gàidhlig” a’ gabhail a-steach traidiseanan, bun-bheachdan, gnàthsan, dualchas agus dearbh-aithne nan daoine a tha a’ labhairt no a’ tuigsinn na Gàidhlig,

tha “foghlam Gàidhlig” a’ ciallachadh foghlam—

(a) ann an cleachdadh agus tuigse,

(b) mu, no

(c) tro mheadhan,

cànna na Gàidhlig,

tha “a’ Ghàidhlig” a’ ciallachadh cánna na Gàidhlig mar a tha e air a labhaint an Alba.

(2) Tha na h-iontraidhean san Achd seo mu ùghdarras poblach an Alba mu ùghdarras poblach an Alba le gniomhan measaichte no gun gniomhan gheidhte agus a’ gabhail a-steach Buidheann Chorporra Pàrlamaid na h-Alba.

(3) Airson adh Bharan na h-Achd seo, tha na gniomhan aig ùghdarras poblach an Alba a’ gabhail a-steach—

(a) gniomhan co-cheangailte ri mhodhan-obrachaidh, agus

(b) ullachadh an ùghdarras air seirbhisean sam bith don phoball.

Riaghailtean agus òrdughan

(1) Bidh riaghailtean agus òrdughan fon Achd seo air an dèanamh le ionnstramaid reachdail.

(2) Tha ionnstramaid anns a bheil riaghailtean fo earrann 3(7) no òrdugh fo paragraf 2(2) ann am pàipear-taice 1 buailteach air a chur às a’ leantainn air rùn Phàrlamaid na h-Alba.

Atharrachaidhean co-leanailteach

Tha pàipear-taice 2 (atharrachaidhean co-leanailteach) stèidhichte.
13 Geàrr-thiotal agus tòiseachadh

(1) Faodaidh an Achd seo a bhith air a h-ainmeachadh mar Achd na Gàidhlig (Alba) 2004.

(2) Tha an Achd seo (ach a-mhàin earrann 11 agus an earrann seo) a’ tighinn a-steach air an latha a dh’fhaodadh Ministearan na h-Alba a shuidheachadh le òrdugh.

(3) Faodaidh an t-òrdugh ann am fo-earrann (2) a bhith a’ gabhail a-steach eadar-amail, sealach no caomhantach co-cheangailte ri tighinn an gniomh nan cùmhnantan a chaidh an toirt a-steach mar a mheasas Ministearan na h-Alba iomchaidh.
PÀIPEAR-TAICE 1
(air a thoirt a-steach le earrann 1(6))
BÔRD NA GÀIDHILG

Inbhe

1 Chan eil am Bòrd—
   (a) ri mheas mar sheirbhiseach no neach-ionaid a’ Chrùin,
   (b) a’ mealtainn inbhe, dionach no cóir sam bith bhon Chrùn,

   agus chan eil seilbh a’ Bhùird ri mheas mar sheilbh leis a’ Chrùn, no air a chumail às leth a’ Chrùin.

Ballrachd

2 (1) Bidh am Bòrd air a dhèanamh suas de—
   (a) gun a bhith nas lugha na 5, no nas motha na 11, buill chumanta, agus
   (b) neach aig am bi e mar ghnìomh a bhith sa chathair air a’ Bhòrd, (sa phàipear-taice seo
        airmreachadh mar an “Cathraiche”) a bhios na bhall ex-officio,

        air a chur an dreuchd le Ministearan na h-Alba.

   (2) Faodaidh Ministearan na h-Alba le òrdugh atharrachadh fo-phasisgraf (1)(a) le bhith cur an
        àite airson an àireamh as lugha no an àireamh as motha de bhuioll coitcheann a thà aig an àm
        a tha an làthair air an sònreachadh ann, a leithid de dh’aireamh ‘s a mheasas iad iomchaidh.

   (3) Bidh na buill agus an Cathraiche air an cur an dreuchd airson tràth a cho-dhùineas
        Ministearan na h-Alba.

   (4) Far a bheil oifig a’ Chathraiche bàn, feumaidh na buill choitcheann neach a thaghadh bho
       am measg fhèin a bhios na chathraiche air a’ Bhòrd gus an tèid neach a chur an dreuchd fo
       fo-earrann (1)(b).

   (5) Faodaidh gach ball—
       (a) le brath ann an sgrìobhadh gu Ministearan na h-Alba, a bhallrachd a thoirt suas,
       (b) air mhodh cile, fuireach san dreuchd no fhàgail le na cumhachan agus cùmhnantanan a
            cho-dhùineas Ministearan na h-Alba.

   (6) Faodaidh Ministearan na h-Alba, le brath ann an sgrìobhadh, ball a chur às a dhreuchd ma
       tha iad riaraichte gu bheil—
       (a) oighreachd a’ bhuill air a cur gu taobh no binn briseadh-creideis air a thoirt a-mach
           air a’ bhall, cùmhnant air a dhèanamh ri creidearan no bann-creideis air aontachadh ri
           creidearan ri cumhann sgriobhte, no
       (b) am ball—
           (i) bhon fhéum mar thoradh air tinneas cuipe no inntinn,
           (ii) air a bhith neo-làthair bho choinneamhan a’ bhuird airson üine nas haide na 3
                miosan ann an sreath gun deafh bhon bhòrd, no
           (iii) neo-fhreagarrach air mhodh cile no neo-chomhasach air an obair aige mar bhall
                a choileanadh.

57
Chan fhaod neach a bhith air a chur an dreuchd no cumail a’ dol mar bhall den Bhòrd ma tha an neach sin no (mas e sin a’ chuíis)—
(a) na bhall de Thaigh nan Cumantan,
(b) na bhall de Phàrlamaid na h-Alba, no
(c) na bhall de Phàrlamaid na h-Eòrpa.

Pàigheadh agus cuibhreannan
4 Feumaidh am Bòrd am pàigheadh agus na cuibhreannan a shuidhicheas Ministearan na h-Alba a thoirt don Chathraiche agus do na buill chumanta.

Ceannard agus luchd-obrach eile
5 (1) Feumaidh am Bòrd, le aonta Mhinistearan na h-Alba, dreuchd a’ cheannaird a lionadh fo na cumhachan ‘s cùmhnantan a dh’fhoadas e a shuidheachadh le aonta Mhinistearan na h-Alba.
(2) Faodaidh am Bòrd luchd-obrach sam bith eile a chur an dreuchd mar a mheasas iad iomchaidh fo na cumhachan ‘s cùmhnantan a dh’fhoadas iad a shuidheachadh le aonta Mhinistearan na h-Alba.
(3) Feumaidh am Bòrd, a thaobh an luchd-obrach a dh’fhoadas e a shuidheachadh le aonta Mhinistearan na h-Alba, an t-ullachadh a mheasas e iomchaidh a dhèanamh airson a bhith a’ toirt, do no a thaobh an luchd-obrach sin, peinnseanan, cuibhreannan no tiodhlacan.
(4) A thaobh an ullachadh sin—
(a) faodaidh e a bhith a’ gabhail a-steach stèidheachadh agus rianachd, leis a’ Bhòrd no air mhodh eile, aon no barrachd air aon gseama peinnsein, agus
(b) feumaidh e, co-dhiù, a bhith air aontachadh le Ministearan na h-Alba.
(5) Tha an t-iomradh ann am fo-paragraf (3) air an ullachadh airson peinnseanan, cuibhreannan no tiodhlacan a’ gabhail a-steach iomradh air an ullachadh a thaobh airgead-diolaidh airson call dreuchd no cosnaidh no airson call no lùghdachadh tuarastail.

Comataidhean
6 (1) Faodaidh am Bòrd comataidhean a chur air bhonn airson no co-cheangailte ri gniomhan sam bith a shuidhicheas e.
(2) Faodaidh am Bòrd daoine a chur an dreuchd mar buill de chomataidh nach eil nam buill den Bhòrd.
(3) Cha bhi cóir bhòtaidh aig daoine a thèid an cur an dreuchd fo fo-paragraf (2) aig coinneamhan den chomataidh.

Cùisean agus coinneamhan
7 (1) Faodaidh am Bòrd a mhodh-obraichaidh fhèin a shuidheachadh agus modh-obraichaidh a chomataidhean, a’ gabhail a-steach cuòram airson coinneamhan.
(2) Cha bhi buaidh air éifeachd chúisean sam bith a bhluineas don Bhòrd agus do chomataidh sam bith a chuireas e air bhonn tro dhréuchd falamh am measg nam ball aige fhèin no aig a’ chomataidh no uireasbhaidh sam bith ann a bhith a’ cur an dreuchd ball sam bith den Bhòrd.
(3) Faodaidh buill de Riaghaltas na h-Alba, fo-Mhinistearan na h-Alba agus daoine ùghdarrachtaich le Ministearan na h-Alba a bhith an làthair agus a’ com-pàirteachadh ann an choinnmeamhan a’ Bhùird agus comataidh sam bith a chuir e air bhonn, ach chan eil còir bhòtaidh aca aig na choinnmeamhan sin.

Cunntasan agus aithrisg bhliadhnan

8 Feumaidh am Bòrd—
(a) cunntas ullachadh airson gach bliadhna ionmhais, a rèir stiùireadh Mhinistearan na h-Alba, de chosgaisean agus teachd-a-steach a’ Bhùird, agus
(b) an cunntas a chur airson sgrùdadh, ron àm a dh’iarras Ministearan na h-Alba, gu Àrd-neach-sgrùdaidh na h-Alba.

9 Cho luath ‘s a ghabhas dèanamh aig ceann gach bliadhna ionmhais, feumaidh am Bòrd aithisg ullachadh mu choileanadh a ghniomhan rè na bliadhna sin agus feumaidh e—
(a) An aithisg fhoilseachadh agus leibhbhreach a chur gu Ministearan na h-Alba, agus
(b) An aithisg a chur fa chomhair na Pàrlamaid.

Ùghdarrachadh ghnìomhan le Ministearan na h-Alba

10 (1) Faodaidh Ministearan na h-Alba ullachadh a dhèanamh airson obair sam bith a bhith air a choileanadh às an leth, le ùmhlachd do na cumhachan a dh’fhadadh iad a leagail, leis a’ Bhòird; agus faodaidh am Bòrd na gniomhan sin a choileanadh a rèir sin.

(2) Chan eil ullachadh fo fo-paragraf (1) a’ toirt buaidh air dleastanas Mhinistearan na h-Alba an gniomhan a choileanadh.

(3) Ann am fo-paragraf (1), chan eil “gniomhan” a’ gabhail a-steach a bhith a’ dèanamh, a’ dearbhadh no a’ cur aonta ri fo-reachdas.

Cumhachdan coitcheann

11 (1) Faodaidh am Bòrd rud sam bith a dhèanamh (an Alba no an ceàrnaidhean eile) a tha cuideachail no tuiteamach ann an coileanadh a ghnìomhan, agus faodaidh e gu sònraichte a bhith—
(a) a’ com-pàirteachadh ann an gnothach no obair sam bith,
(b) a’ cruthachadh no ag adhartachadh chompanaidhean (nan aonar no còmhla ri daoine eile) (taobh a-staigh brigh Achd nan Companaidhean 1985 (c.6)),
(c) a’ dol am com-pàirteachas ri daoine eile,
(d) le aonta Mhinistearan na h-Alba, a’ cur air bhonn no a’ com-pàirteachadh ann an stèidheadachadh bhuidhean aig a bheil gniomhan co-ionnan ri gniomhan a’ Bhùird,
(e) a’ tòiseachadh air cunnraidhean,
(f) a’ toirt seachad thabhartasan agus iasadan,
(g) a’ cur pris air solarachadh comhairle no seirbhisean eile ann an leithid de shuidealaidhean a chuir air dhà aon leithid de na suimean sin a dhearbhas am Bòrd, le aonta Mhinistearan na h-Alba,
(h) a’ gabhail thiodhlas a chuir air dhà aon leithid de na suimean sin.
(i) a’ tasgadh shuimean air nach eilear a’ cur feum sa bhad an co-cheangal ri coileanadh a ghniomhan,

(j) a’ barrantachadh rannsachaidh.

(2) Chan eil fo-pharagraf (1)(g) a’ toirt lán-chòir don Bhòrd cosgaisean a chur air ùghdarrasan poblach an Alba airson comhairle agus taic a bheir dhaibh fo earrann 8 (7).

Tabhartasan

12 (1) Faodaidh Ministearan na h-Alba tabhartasan a thoirt don Bhòrd airson nan adhbhar agus e na suimean a mheasas iomchaidh.

(2) Faodaidh tabhartas sam bith fo fo-pharagraf (1) a bhith air a dhèanamh a rèir nan cumhachan a mheasas Ministearan na h-Alba iomchaidh.

(3) Chan eil ùghdarras aig a’ Bhòrd a bhith a’ toirt airgead a-mach air iasad no a’ dol an urras.

PÀIPEAR-TAICE 2

(air a thoirt a-steach le earrann 12)

ATHARRACHAIDHEAN CO-LEANAILTEACH Achd Inbhean Eiticeil sa Bheatha Phoblach msaa.. (Alba) Act 2000 (asp 7)

1 Ann am páipear-taice 3 ri Achd Inbhean Eiticeil sa Bheatha Phoblach msaa. (Alba) 2000 (buidhnean poblach ùghdarraichte) cuir “Bòrd na Gàidhlig” san àite iomchaidh.

Achd Ombudsman Seirbheisean Poblach na h-Alba 2002 (asp 11)


Achd Saorsa an Fhiosrachaidh (Alba) 2002 (asp 13)

3 Ann am Pàirt 7 de páipear-taice 1 ri Achd Saorsa an Fhiosrachaidh (Alba) 2002 (ùghdarrasan poblach an Alba ach a-mhain an uair a tha dleastanas orra fiosrachadh sònraichte a thoirt seachad) cuir “Bòrd na Gàidhlig” san àite iomchaidh.

Achd Cur an Dreuchd Poblach agus Buidhnean Poblach msaa. (Alba) 2003 (asp 4)

4 Ann am páipear-taice 2 ri Achd Cur an Dreuchd Poblach agus Buidhnean Poblach msaa. (Alba) 2003 (cur an dreuchd ùghdarrasan a tha air an riaghladh le còd obrachaidh) fon cheann Buidhnean Gniomh cuir “Bòrd na Gàidhlig” san àite iomchaidh.
BILE NA GÀIDHLIG (ALBA)

NOTAICHEAN MÌNEACHAIL

(AGUS SGRÌOBHAINEAN EILE A THA A’ DOL NAN COIS)

CLÀR-INNSE

1. Mar a tha riatanach fo Riaghailt 9.3 de Ghnàth-riaghailtean na Pàrlamaid, tha na sgrìobhainnean a leanas foillsichte gus a dhol an cois Bile na Gàidhlig (Alba) a chaidh a thoirt a-steach ann am Pàrlamaid na h-Alba air 27 Sultain 2004:
   • Notaichean Mineachail;
   • Meòrachan Ionmhasail;
   • Aithris a’ Cheannaird air comas reachdail; agus
   • Aithris an Oifigeir Riaghlaidh air comas reachdail.

Tha Meòrachan Poileasaidh clò-bhuailte air leth mar Bhile SP 25–PM.

NOTAICHEAN MÌNEACHAIL

RO-RÀDH

2. Chaidh na Notaichean Mìneachail seo a dheasachadh le Riaghaltas na h-Alba gus an cuidicheadh iad leughadair a’ Bhile is gus an togadh iad deasbad air. Chan eil iad mar phàirt dhen Bhile agus cha do chuir a’ Pàrlamaid aonta riutha.

3. Bu choir na Notaichean a leughadh an co-cheangal ris a’ Bhile. Chan e cunntas coileanta den Bhile a tha annta is cha robhar a’ rùnachadh gum biodh iad mar sin. Le sin, far nach eil earrann no pàipear-taice, no pàirt de earrann no pàipear-taice, a’ cur feum air mineachadh no iomradh, chan eilear a’ dèanamh sin.

EACHDRAIDH

AM BILE – GEÀRR-CHUNNTAS

4. Tha Bile na Gàidhlig (Alba) a’ stèidheachadh buidheann, Bòrd na Gàidhlig (am Bòrd), gus cleachdadh agus tuige mun Ghàidhlig a chur air adhart agus tha e a’ toirt comas don Bhòrd riatanas a chur air cuid de bhuidhnean poblach a bhith ag uillachadh agus a’ buileachadh planaichean a mhinicheas mar a bhios iad a’ cleachdadh na Gàidhlig ann an coileanadh an gniomhan.
5. Tha earrann 1 a' toirt gniomhan don Bhòrd airson a bhith ag adhartachadh cleachdadh agus tuigse na Gàidhlig agus a' comhairleachadh mu chuidean Gàidhlig a thaobh cânain, cultair agus foghlaim.

6. Tha earrann 2 a' cur riathanas air a' Bhòrd a bhith a' cur ri cheile plana-cànain nàiseanta Gàidhlig a' mineachadh mar a tha e an dùil na gniomhan sin a choileanadh.

7. Tha earrannan 3 gu 8 a' toirt comas don Bhòrd riathanas a chur air ùghdarrasan poblach an Alba planaichean-cànain Gàidhlig ullachadh agus a bhuileachadh. Bidh na planaichean sin a' mineachadh mar a chleachdas am buidheann poblach an cânan an co-cheangal ri coileanadh a ghnìomhan.

8. Tha an t-ullachadh ann an earrann 9 ag ràdh gum bi am Bòrd a' foillseachadh stiùireadh mu sholar agus leasachadh foghlam Gàidhlig.

AM BILE – AITHRIS AIR EARRANNAN

BÒRD NA GÀIDHLIG

Earrann 1 – Bun-reachd agus gniomhan Bòrd na Gàidhlig

9. Tha an earrann seo a' toirt don Bhòrd gniomhan airson a bhith ag adhartachadh cleachdadh agus tuigse na Gàidhlig agus a' comhairleachadh mu chuidean Gàidhlig a thaobh cânain, cultair agus foghlaim.

10. Tha fo-earrann (2) agus (3) a’ sònachadh gniomhan coitcheann a’ Bhùird agus na bhiodh am Bòrd airson a bhuileachadh ann an coileanadh nan gniomhan sin.

11. Tha fo-earrann (4) a toirt comas do Mhinistearan na h-Alba stiùireadh no treòrachadh a thoirt don Bhòrd.

12. Tha fo-earrann (6) a' toirt a-steach pàipear-taice 1 anns a bheil ullachadh mionaideach a thaobh inbhe, ballrachd msaa. a’ Bhùird.

PLANA NÀISEANTA GÀIDHLIG

Earrann 2 – Plana-cànain Nàiseanta Gàidhlig

13. Tha an earrann seo a’ cur riathanas air a’ Bhòrd a bhith a’ cur ri cheile plana-cànain nàiseanta Gàidhlig a dh’heumas mineachadh mar a tha e an dùil a ghnìomhan a choileanadh. Tha na gniomhan sin a’ gabhail a-staigh nan gniomhan coitcheann fo earrann 1(2) airson adhartachadh cleachdadh is tuigse na Gàidhlig agus comhairleachadh Mhinistearan na h-Alba mu nithean co-cheangailte ris a’ chànan. Feumaidh am Bòrd cuideachd Ministearan na h-Alba a chomhairleachadh mu chultan is foghlam na Gàidhlig. Tha ullachadh air a dhèanamh airson gniomhan nas speisealta ann an earrann eile den Bhile.

14. Tha fo-earrann (1) a’ cur dleastanas air a’ Bhòrd plana-cànain nàiseanta Gàidhlig a chur a-steach gu Ministearan na h-Alba taobh a-staigh 12 miosan bhon théid tòiseachadh air earrann 2.
15. Tha fo–earrannan (2) agus (3) a’ cur riatanas air a’ Bhòrd dreachd phlana fhoillseachadh agus beachdan a shireadh mu dheidhinn. Feumaidh am Bòrd co-dhù 3 miosan a cheadaladh airson beachdan a chur a-steach agus aire a thoirt do bheachdan sam bith a thig a-steach san ùine sin.

16. Tha fo–earrann (4) a’ cur riatanas air Ministearan na h-Alba, taobh a-staigh 6 miosan bhon am a chuireas am Bòrd thuca am plana nàiseanta, aonta a chur ris a’ phlana no beachd a thoirt air. Ma bheir Ministearan na h-Alba beachdan mun phlana, feumaidh am Bòrd plana eile a chur a-steach a toirt aire do na beachdan sin.

17. Tha an t-ullachadh ann am fo–earrann (5) ag ràdh ma chuireas am Bòrd a-steach plana eile fo fo–earrann (4), gum feum Ministearan na h-Alba aonta a chur ris a’ phlana taobh a-staigh 6 miosan no òrdugh a thoirt don Bhòrd am plana fhoillseachadh mar a cho-dhùineas Ministearan na h-Alba.

18. Tha fo–earrann (6) a’ cur riatanas air a’ Bhòrd plana-cànan nàiseanta Gàidhlig fhoillseachadh san dreachd deireannach.

19. Tha fo–earrann (7) a’ toirt comas do Mhinistearan na h-Alba aig am sam bith iarraidh air a’ Bhòrd plana-cànan nàiseanta Gàidhlig ùr a chur a-steach. ’S e a’ bhuaidh a bhios aig fo–earrann (8) ma dh’iarras Ministearan na h-Alba air a’ Bhòrd plana-cànan nàiseanta Gàidhlig ùr a chur a-steach gum bi am modh co-chomhairleachaidh agus aonta co-ionann ris na bha air iarraidh sa chiod phlana nàiseanta (fo–earrannan (1) gu (6)).

PLANAICHEAN CÀNAIN GÀIDHLEG

Earrann 3 – Planaichean-cànan Gàidhlig

20. Tha earrann 3 a’ toirt a-steach cumhachd don Bhòrd a bhith a’ cur brath gu ùghdarras poblach sam bith an Alba ag iarraidh orra plana-cànan Gàidhlig ullachadh. Tha ‘ùghdarras poblach an Alba’ air a mhineachadh ann an earrann 10 agus tha e a’ gabhail a-staigh buidheann poblach no buidheann-dreuchd sam bith (a’ gabhail a-staigh Buidheann Chorporra Pàrlamaid na h-Alba) le gniomhan nach fhaoad an coileanadh ach ann an Alba no airson Alba.

21. Tha fo–earrann (2) a’ sòn tráchadh an fhiosrachaidh a dh’fheumas am Bòrd a thoirt seachad sa bhrath a bhios a’ cur gu buidheann poblach.

22. Tha fo–earrann (3) a’ mineachadh nan nithean dom feum am Bòrd spèis a thoirt ann an co-dhùnadh an cuir iad brath gu ùghdarras poblach.

23. Tha fo–earrann (4) a’ mineachadh an fhiosrachaidh a dh’fheumas a bhith ann am plana-cànain Gàidhlig.

24. Tha fo–earrann (5) a’ sòn tráchadh nan cùisean dom feum ùghdarras poblach spèis a thoirt ann an ullachadh a phlana.
25. Tha fo-earrann (6) a' cur riatanas air ùghdarras poblach co-chomhairle a chur ri duine sam bith a tha e a' meas gu bheil ûidh aige sa phlana a tha e ag ullachadh.

26. Tha fo-earrann (7) a’ toirt cumhachd do Mhinistearan na h-Alba riaghailtean a dhèanamh a' sòn-rachadh nan nithean a dh'fheumadas ùghdarrasan poblach a chur sna planaichean-cànan aca.

Earrann 4 – Ath-bhreithneachadh, agus tagradh an aghaidh, brathan

27. Tha earrann 4 ag ullachadh dòigh air am faigh ùghdarras poblach an Alba air cur airson ùîne a bharrachd air na chaidh a thoirt dha airson plana ullachadh agus airson tagradh an aghaidh brath a chuir am Bòrd a-mach.

28. Tha fo-earrann (1) a’ toirt comas do ùghdarras poblach air an Alba iarraidh air a' Bhòrd ath-bheachadhachd mun cheann-là airson plana-cànan Gàidhlig a chur a-steach fo earrann 3. Feumaidh am Bòrd an ceann-là a dhearbhadh (fo-earrann (3)(a)) no ceann-là eile a shòn-rachadh air am feum am plana a bhith a-staigh (fo-earrann (3)(b)). Ma ghabhas am Bòrd ris a’ chiaid cheann-là a chaidh a shuidheachadh airson plana a chur a-steach no ma shuidhicheas e ceann-là nas fhaide air adhart agus gun saol an t-ùghdarras gu bheil e mi-reusanta, tha cóir tagraidh eile aig ùghdarras poblach gu Ministearan na h-Alba fo fo-earrann (5). ’S e a’ bhuaidh a tha aig fo-earrann (6) ma chumas Ministearan na h-Alba suas tagradh bho ùghdarras poblach fo fo-earrann (5) gum feum iad ceann-là eile ainmeachadh air am feum plana a bhith a-staigh aig a’ Bhòrd.

29. Tha fo-earrann (7) a’ toirt comas do ùghdarras poblach tagradh a chur gu Ministearan na h-Alba an aghaidh brath a chaidh thuca fo earrann 3. ’S e a’ bhuaidh a bhios aig fo-earrann (8) far an cúm Ministearan na h-Alba suas tagradh a thàinig bho ùghdarras poblach an aghaidh plana ullachadh, nach fhéum an t-ùghdarras sin plana a chur a-steach chun a’ Bhùird agus nach fhaod am Bòrd plana iarraidh air gus am bi ùîne 2 bhliadhna air a dhol seachad bhon cheann-là a chaidh a’ chiad bhrath a-mach.

Earrann 5 – Aontachadh phlanaichean

30. Tha earrann 5 a’ dèanamh aontachadh airson na dóigh-obrachaidh a dh’fheummar leantainn airson aonta a chur ri phlanaichean-cànan Gàidhlig a thig a-steach chun a’ Bhùird.

31. Tha an t-ullachadh ann an earrann (1) ag rádh nuair a chuireas buidheann poblach plana a-steach gus coinneachadh ri na h-iarrtasan ann am brath a dh’hoilisich am Bòrd fo earrann 3, no a chuireas e plana eile a-steach fo fo-earrann (2)(b) a’ gabhail a-steach atharrachaidhean a mhol am Bòrd, gum feum am Bòrd aonta a chur ris a’ phlana no atharrachaidhean ris a’ phlana a mholadh.

32. ’S e a’ bhuaidh a tha aig fo-earrann (2) ma mholas am Bòrd atharrachaidhean ri plana a bha a chur a-steach le ùghdarras poblach, gum feum an t-ùghdarras innse don Bhòrd taobh a-staigh aon mhios nach eil e ag aontachadh ri na h-atharrachaidhean a bha air am moladh no plana leasaichte a chur a-steach a’ gabhail a-staigh nam molaidhean. Feumaidh am Bòrd co-dhiù 3 miosan a cheadachadh, ach gu bhithe na fhaide na 6 miosan, airson plana leasaichte a chur a-steach (fo-earrann (3)).
33. ’S e a’ bhuaídh a tha aig fo-earrann (4) ma gheibh am Bòrd brath bho ùghdarras poblach nach eil e ag aontachadh ri atharrachaidhean ris a’ phlana aige a bha air am moladh leis a’ Bhòrd, gum feum am Bòrd seo innse do Mhinistearan na h-Alba. An uair sin feumaidh Ministearan na h-Alba, a’ gabhail a-steach nithean sam bith air am feumar beachdachadh fo fo-earrann (5), aonta a chur ris a’ phlana mar a chuir an t-ùghdarras poblach a-steach e bho thús chun a’ Bhùird, no aonta a chur ri plana le ùmhlachd do atharrachaidhean sam bith a ch iad iomchaidh.

34. Tha fo-earrann (6) a’ cur riatanas air buidheann poblach a phlana-cànan nàiseanta Gàidhlig fhoillseachadh agus na ceuman a tha ann a bhuileachadh nuair a bhios aonta a chur ris.

Earrann 6 – Sgrùdadh air buileachadh

35. Tha an earrann seo a’ dèanamh ullachadh airson gum bi am Bòrd a’ cumail sùil air buileachadh planaichean-cànain Gàidhlig.

36. Tha an t-ullachadh ann am fo-earrann (1) ag rádh gum buin an earrann do phlana a tha air aontachadh leis a’ Bhòrd no le Mhinistearan na h-Alba fo earrann 5, agus a tha air a bhith ann an gniomh airson co-dhiù 12 mìosan.

37. Tha fo-earrann (2) a’ toirt comas don Bhòrd cunntas iarraidh mu bhuileachadh nan ceuman a tha air an comharrachadh ann am plana ùghdarras poblach. Feumaidh Bòrd na Gàidhlig 3 mìosan co-dhiù a thoirt don bhuidhinn phoblach airson coinneachadh ris an iarrrtas sin.

38. Tha an t-ullachadh ann am fo-earrann (3) ag rádh nach fhaod am Bòrd cunntas eile iarraidh bho bhuidheann poblach taobh a-staigh 12 mìosan bhon às an dhiùdh mu dheireadh a dh’iarr e cunntas bhon bhuidheann shònraichte sin.

39. Tha fo-earrann (4) a’ toirt comas don Bhòrd, ma tha e den bheachd gu bheil ùghdarras poblach a’ failligeadh ann am buileachadh ceuman sa phlana-cànan Gàidhlig aige gu h-iomchaidd, cunntas a chur gu Ministearan na h-Alba a’ mineachadh carson a tha e den bheachd gu bheil ùghdarras poblach a’ failligeadh a thaobh sin.

40. ’S e a’ bhuaídh a tha aig fo-earrann (5) far am faigh Ministearan na h-Alba cunntas bhon Bhòrd fo fo-earrann (4) gum feum iad an cunntas a thoirt gu aire Pàrlamaid na h-Alba agus/no iarraidh air an ùghdarras phoblach sin aon no gach ceum sa phlana-cànan aige a bhuileachadh. Tha fo-earrann (6) a’ cur riatanas air Ministearan na h-Alba co-chomhairle a chuir ris an ùghdarras poblach sin a rèir an treòrachaidh a dh’fhaodadh iad a bhith an dùil fhoillseachadh. Feumaidh Ministearan na h-Alba aire a thoirt do bheachdan sam bith a chuireas an t-ùghdarras poblach an cèill mus cur iad a-mach an treòrachadh sin.

Earrann 7 – Ath-bhreithneachadh phlanaichean

41. Tha an earrann seo a’ dèanamh ullachadh airson ath-bhreithneachadh air planaichean-cànain Gàidhlig.
42. Tha an t-ullachadh ann am fo-earrann (1) ag râdh gum buin an earrann seo do phlanacàin Gàidhlig a chaidh aontachadh fo earrann 5 no do phlana a chaidh ath-bhreithneachadh agus an uair sin aontachadh fo earrann seo.

43. Tha fo-earrann (2) a’ cur riatanas air ùghdarras poblach aig a bheil plana-cànan Gàidhlig ath-bhreithneachadh a dhèanamh air a’ phlana sin taobh a-staigh 5 bliadhna agus atharrachaidhean sam bith a chithear iomchaíd a dhèanamh. An uair sin, feumaidh an t-ùghdarras poblach am plana a chur a-steach chun a’ Bhùird, le atharrachaidhean no às an aonais.

44. Tha fo-earrann (3) a’ sònachadh gum bi an t-ullachadh ann am earrann 3(4) gu (6) agus earrann 5 ag obrachadh cuideachd an co-cheangal ri plana a tha ga ath-bhreithneachadh fo fo-earrann (2). Mar sin, mus bi plana a tha air ath-bhreithneachadh air a chur a-steach chun a’ Bhùird, feumaidh e coinneachadh ris na h-aon riatanasan a thaobh susbaint, comhairleachaichd, aonta msa. a bhuineadh ann an uullachadh a' planna a thathar ag ath-bhreithneachadh.

45. Tha fo-earrann (4) a’ toirt comas do bhuidheann poblach atharrachaidhean beaga a dhèanamh ris a phlana aig am sam bith gun am plana a chur a-steach chun a’ Bhùird airson ath-aonta.

Earrann 8 – Stiùireadh, cuideachadh, msa. leis a’ Bhòrd

46. Tha an earrann seo a’ deànamh uällachadh airson gum bi am Bòrd a’ cur a-mach stiùireadh an co-cheangal ri bhith a’ cur ri chèile planaichean-cànan Gàidhlig fo earrannan 3 gu 7. Tha fo-earrann (2) a’ mineachadh nan ceuman a dh’fhiumas am Bòrd a leantainn ann an uullachadh an stiùiridh sin. Tha iad sin a’ gabhail a-staigh dleastanas (fo fo-earrann (2)(b)) foillseachadh agus beachdan faighinn mun dreachd stiùiridh. Feumar beachdan inm seal don Bòrd taobh a-staigh ùine air a shònachadh leis a’ Bhòrd a dh’fhiumas, fo fo-earrann (3), a bhith co-dhìù 3 miosan.

47. Tha an t-ullachadh ann am fo-earrann (4) ag râdh gum bi Ministearan na h-Alba a’ cur aonta ri stiùreadh a chuir am Bòrd a-steach anns a’ chruth a chaidh a chur thuca no le atharrachaidhean a shaoileas iad iomchaidh. Air an láimh eile, faodaidh Ministearan na h-Alba an stiùreadh a chaideadh a chur a-steach a dhiùthadh agus iarraidh air a’ Bhòrd stiùreadh leasaichte a chur a-steach. Tha fo-earrann (5) a’ sònachadh far an cuir am Bòrd a-steach stiùreadh leasaichte, gum feum Ministearan na h-Alba aonta a chur ris an stiùreadh, no òrdugh a thoirt don Bhòrd an stiùreadh fhoillseachadh san dòigh a chi Ministearan na h-Alba iomchaidh.

48. Tha an t-ullachadh ann am fo-earrann (7) ag râdh nach fuad am Bòrd iarraidh air ùghdarrasan poblach an Alba pàigheadh iarraidh airson comhairle agus cuideachadh an co-cheangal ri riatanasan a chaidh a chur air ùghdarras leis an Achd seo.

FOGHLAM GÀIDHLIG

Earrann 9 – Stiùireadh air foghlam Gàidhlig

49. Tha an earrann seo a’ deànamh uallachadh airson gum bi am Bòrd a’ foillseachadh stiùreadh air foghlam Gàidhlig. Tha ‘foghlam Gàidhlig’ air a mhineachadh ann an earrann 10 mar fhoghlam ann an cleachdadh agus tuigse, foghlam mun Gàidhlig agus foghlam tron Gàidhlig.
50. Tha fo-earrann (2) a' cur riananas air a' Bhòrd comhairle a chur ri daoine a tha e a' meas gu bheil ùidh aca san stiùireadh, agus fo fo-earrann (3) nach fhaod e an stiùireadh fhoillseachadh gun aonta Mhinistearan na h-Alba.

51. Tha an t-ullachadh ann am fo-earrann (4) ag ràdh gum faod am Bòrd stiùireadh a tha e air fhoillseachadh atharrachadh no a tharraing air ais ach 's ann a-mhàin an dèidh co-chomhairle a chur ri daoine a tha am Bòrd a' meas gu bheil ùidh aca ann, agus le aonta Ministearan na h-Alba.

52. Tha fo-earrann (5) a’ cur a-steach fo-earrann ùr (4A) do earrann 5 de Achd Inbhean ann an Sgoiltean na h-Alba msa. 2000. Tha earrann 5 a’ cur riananas air ùghdarrasan foghlaim an Alba aithris bhliadhnaire amasan leasachadh ullachadh a dh'fheumas a bhith a' gabhail a-staigh cunntas air na dòigh agus suidhichidhean sam bi iad a' taing se (agus, ma tha iad ga thairgse, a' leasachadh) foghlam tro mheadhnach na Gàidhlig. Tha am fo-earrann ùr (4A) a’ cur riananas air ùghdarrasan foghlaim spèis a thoirt don stiùireadh a dh'fhoillsich am Bòrd ann a bhith a' coinneachadh ri riananas cunntais na h-earrann sin.

COITCHEANN

Earrann 10 - Mineachadh

53. Tha an earrann seo a’ toirt mineachadh air a’ phriomh bhriathrachais a tha air a chleachdadh sa Bhile.

Earrann 11 – Riaghailtean agus òrdughan

54. Tha an t-ullachadh anns an earrann seo ag ràdh gum feum riaghailtean a thèid an dèanamh fo earrann 3(7) agus òrdughan fo paragraf 2(2) de páipear-taice 1 a bhith air an daingneachadh le ionnstramaid reachdail a tha umhail don mhodh rùin àicheil ann am Pàrlamaid na h-Alba.

Earrann 12 – Atharrachaidhean co-leanaitheach

55. Tha an earrann seo a' toirt a-steach páipear-taice 2 a bhios a' dèanamh atharrachaidhean ri diofar achdachadh gus iomraidhean mun Bhòrd a ghabhail a-staigh anna.

Earrann 13 – Geàrr-thiotal agus tòiseachadh

56. Tha ullachadh air a dhèanamh airson gum bi Ministearan na h-Alba a' suidheachadh le òrdugh làithean air am bi earrannan den Achd (a bharrachd air earrannan 11 is 13) a' tighinn an gniomh. Tha earrannan 11 agus 13 a' tighinn an gniomh an dèidh Aonta Rìoghail.

57. Tha fo-earrann (3) a’ toirt comas air òrdugh tòiseachaidh gus ullachadh eadar-amail, sealach no caomhantach a ghabhail a-staigh.
PÀIPEAR-TAICE 1 – BÒRD NA GÀIDHlig

Paragraf 1 – Inbhe

58. Tha ullachadh air a dhéanamh fon pharagraf seo a' dèanamh soilleir nach e buidheann leis a' Chrùn a tha sa Bhòrd.

Paragraf 2 – Ballrachd

59. Tha an t-ullachadh ann am fo-pharagraf (1) ag ràdh gum buill a' Bhùird a bhith air an cur an dreuchd le Ministearan na h-Alba. Feumaidh am Bòrd eadar 5 agus 11 buill cumanta agus ball tro dhreuchd eile (an Cathraiche) a bhios sa chathair aig coinneamhan a' Bhùird.

60. Tha fo-pharagraf (2) a’ toirt cumhachd do Mhìnistearan na h-Alba le òrdugh a bhith a' meudachadh no a’ lùghdachadh na h-àireimh as motha no as lugha de buill. Tha ioniomstraimaid reachdail anns a bheil òrdugh mar sin umhail don modh rùin áicheil ann am Pàrlamaid na h-Alba.

61. Tha fo-pharagraf (4) a’ cur riatanas air a’ Bhòrd a bhith a’ tagadh bho thaobh a-staigh nam ball aige duine a bhios sa chathair ma bhios dreuchd a’ Chathraiche bán.

62. Tha an t-ullachadh ann am fo-pharagraf (5) ag ràdh gum bi buill a' Bhùird a’ cumail dreuchd le na cumhachan agus cúmhiantan a cho-dhùineas Ministearan na h-Alba agus gum faod iad am Bòrd fhàgail le brath ann am sgriobhadh gu Ministearan.

63. Tha fo-pharagraf (6) a’ dèanamh ullachadh airson an t-suidheachaidh far am faod Ministearan na h-Alba ball den Bhòrd a chur às a dhreachd.

Paragraf 3 – Di-cheadachadh

64. Tha paragraf 3 a’ comharrachadh nan diofar dhaoine a tha air an di-cheadachadh bho bhith air an cur an dreuchd, no a’ cumail dreuchd, mar bhall den Bhòrd.

Paragraf 4 – Pàigheadh agus cuibhreannan

65. Tha an t-ullachadh ann am paragraf 4 ag ràdh gum bi buill a' Bhùird a' faighinn a' phàighdhidh agus nan cuibhreannan a cho-dhùineas Ministearan na h-Alba.

Paragraf 5 – Ceannard agus luchd-obrach eile

66. Tha paragraf 5 a’ dèanamh ullachadh airson cur an dreuchd luchd-obrach leis a' Bhòrd.

Paragraf 6 – Comataidhean

67. Tha paragraf 6 a’ toirt comas don Bhòrd a bhith a’ stèidheachadh nan comataidhean a dh’heumas e airson a ghniomhan a choileadh, agus airson daoine nach eil nam buill den Bhòrd a cho-thaghadh chun nan comataidhean sin. Ach chan fhaod buill co-thaghte bhòtadh aig coinneamhan comataidh.
Paragraf 7 – Cùisean agus coinneamhan

68. Tha fo-pharagraf (1) a’ toirt comas don Bòrd a bhith a’ co-dhùnadh nan dòighean-obrach aige fhèin agus aig na comataidhean aige airson coinneamhan.

69. Tha an t-ullachadh ann am fo-pharagraf (2) ag ràdh nach fhaodar cur an aghaidh eìfeachd chùisean sam bith a bhuineas don Bhòrd air an adhbhar gu robh uireasbhaidh ann a bhith a’ cur an dreuchd ball sam bith den Bhòrd no tro àite bàn ann am ballrachd a’ Bhùird.

70. Tha an t-ullachadh ann am fo-pharagraf (3) ag ràdh gum faod Ministearan na h-Alba, no an riochdairean, a bhith an làthair aig coinneamhan a’ Bhùird agus coinneamhan comataidh ach nach fhaod iad bhòtadh aig na coinneamhan sin.

Paragrafan 8 agus 9 – Cunntasan agus aithisg bhliadhnil

71. Tha na paragrafan sin a’ mineachadh san fharsaingeachd riatanasan a thaobh nan cunntasan agus nan aithisgean a dh’fheumas am Bòrd ullachadh.

Paragraf 10 – Ùghdarrachadh ghniomhan le Ministearan na h-Alba

72. Tha am paragraf seo a’ toirt comas do Mhinistearan na h-Alba gin sam bith de na gnìomhan aca ùghdarrachadh don Bhòrd (ach a-mhàin déanamh, dearbhadh no aontachadh fo-reachdais) co-cheangailte ri cànan, cultar agus fòghlam Gàidhlig.

Paragraf 11 – Cumhachdan coitcheann

73. Tha am paragraf seo a’ comharrachadh na h-obrach anns am faod am Bòrd com-pàirteachadh ann a bhith a’ cur a ghniomhan air aghaidh.

74. Tha fo-pharagraf (2) a’ sònraichadh nach fhaod am Bòrd paìgheadh iarraidh airson comhairle agus cuideachadh a thoirt do ùghdarrasan poblach na h-Alba co-cheangailte ri buntaineas a’ Bhile riuthasan.

Paragraf 12 – Tabhartasan

75. Tha an t-ullachadh ann am fo-pharagrafan (1) agus (2) ag ràdh gum faod Ministearan na h-Alba tabhartasan a thoirt don Bhòrd. Faodaidh adhbhar agus suim tabhartais, agus cumhachan sam bith na chois, a bhith air an co-dhùnadh le Ministearan na h-Alba.

76. Tha fo-pharagraf (3) a’ sònraichadh nach eil cumhachd aig a’ Bhòrd airgead a thoirt a-mach air iasad no a dhol an urras.
MEÒRACHAN IONMHASAIL

RO-RÀDH

77. 'S e cùmhnant Aonta Com-pàirteachais a tha ann am Bile na Gàidhlig. Tha an Riaghaltas airson inbhe na Gàidhlig an Alba a chur air stèidh thèarainte. Tha am Bile a' toirt a-steach grunn cheuman a bhios a' toirt taic don amas poileasaidh seo agus a' cur ri obair an Riaghaltais sna h-ealain Ghàidhlig, foighlam agus leasachadh.

78. Bidh am Bile a' stèidheachadh Bòrd na Gàidhlig ann an reachdas le dleastanasan ùra airson plana nàiseanta airson Gàidhlig ullachadh agus cumhachdan airson riatanas a chur air ùghdarrasan poblach a bhith ag ullachadh agus a' buileachadh planaichean-cânain Gàidhlig guis cleachdadh a' chànan a mhisneachadh agus a chuideachadh ann am beatha láitheidh an t-sluaigh. Tha am Bile cuideachd a' toirt a-steach gniomh do Bhòrd na Gàidhlig a bhith a' foiilseachadh stiùireadh mu fhoghlam Gàidhlig, le spèis shònraichte do na riatanasan a tha ann cheana fo Achd Inbhean ann an Ghoilean na h-Alba msaa. 2000.

79. Buinidh na cosgaisean a' sruthadh bhon Bhile ri na dleastanasan ùra air air Bòrd na Gàidhlig agus ullachadh is buileachadh planaichean-cânain Gàidhlig le ùghdarrasan poblach buntainneach. Ann an co-chomhairle mun Bhile tha Riaghaltas na h-Alba air aithneachadh gu bheil iomadh buidheann poblach an Alba deònach planaichean-cânain Gàidhlig a ghabhail os làimh. Gu dearbh, tha grunn bhuidheann poblach air an dhèanamh follaiseach gu bheil iad airson planaichean-cânain Gàidhlig ullachadh.

80. Thug an Riaghaltas fainear cuideachd, ann an co-chomhairle agus deasbad le daoine aig a bheil úidh ann, an cudrom ionmhaisail a dh'haoadadh a thiginn bho ullachadh agus buileachadh planaichean-cânain Gàidhlig. Bidh cosgaisean buileachaidh a' Bhile sgaoilte air fedadh na h-earrainn phoiblaich gu lèir.

Planaichean-cânain Gàidhlig

81. Cha bhí riatanas air a h-uile ùgadharras poblach plana-cânain Gàidhlig ullachadh agus bithear a' süileachadh gum bi eadar-dhealachadh mòr anns na planaichean a bhios air an ullachadh. Bidh eadar-dhealachadh cuideachd anns an iarrtas airson seirbhisean Gàidhlig a tha air an sònraachadh sna planaichean-cânain, agus na cosgaisean a thig bho libhrigeadh seirbhis leantainneach.

82. A thuilleadh air sin, tha an Riaghaltas a' süileachadh gur ann mean air mhean a bhios Bòrd na Gàidhlig ag iarraidh air buidheann poblach planaichean-cânain ullachadh. Tha an Riaghaltas a' süileachadh gun iarr Bòrd na Gàidhlig cur ri chèile agus buileachadh mu 10 planaichean gach bliadhna dh' haoadadh gun atharraich an àireamh sear thide. Tha coltas gur e measachadh de ùgadharrasan ionadail Albannach agus ùgadharrasan poblach eile an Alba a tha air an gabhail a-staigh sa Bhile sear a' chlàid ùgadharrasan poblach a dh'heumas planaichean ullachadh. Bhiodh na ciad planaichean air an ullachadh ann an 2006-07, agus dh’ fheumadh iad sin a bhith air an ath-bhreithneachadh taobh a-staigh 5 bliadhna.

83. Mar sin bidh a' chosgaighdon earrann phoblach ann am buileachadh a' Bhile air a thoir a-steach mean air mhean thar grunn bhliadhnanach. Mura h-iarr Bòrd na Gàidhlig air ùgadharras
poblach plana-cânain ullachadh, tha sin a' ciallachadh nach cur am Bile uallach dealbhadh cânain sam bith air an ùgdarras sin.

84. Tòisichidh modh dealbhadh cânain a' Bhile le Bòrd na Gàidhlig a' cur brath gu ùgdarras poblach, ag iarraidh orra plana-cânain Gàidhlig a chur a-steach airson aonta taobh a-staigh ùine shò na richte. Bhid am brath ag ainmeachadh ceann-là deireannach air am bu chois don ùgdarras poblach am plana-cânain a chur a-steach gu Bòrd na Gàidhlig airson aonta. Bhid còir tagraidh gu Ministearan na h-Alba aig ùgdarrasan poblach an aghaidh brath a chuireas am Bòrd thuca.

85. Tha ullachadh sa Bhile airson gum bi Bòrd na Gàidhlig a' cur air dòigh stiùireadh do ùgdarrasan poblach mu dhealbhadh cânain Gàidhlig. Tha an Riaghaltas a' sùileachadh gun toir Bòrd na Gàidhlig seachad lethbhreach den stiùireadh se nuair chuireas e brath gu ùgdarrasan poblach. Bhid an stiùireadh seo a' comharrachadh raointean libhregeadh seirbhis air am bu chois ùgdarrasan poblach beadhachadh nuair a bhios iad a' cur ri chèile am pla nain. Thèid iarraidh air ùgdarrasan poblach, a bharrachd air aire a thoir don chomhairle a dh'ullacha Bòrd na Gàidhlig, co-chomhairle a cha ir daoine snà ngirean aca aig a bheil ùidh sa chùis.

86. Tha an dòigh seo co-ionann ri Achd na Cuimris 1993 agus Achd Cànainean Oifigeil na h-Èireann 2003. Sa chiod Achd dh'fhéumadh Bòrd na Cuimris stiùireadh a thoirt air cruth agus susbaint sgeamaichean Cuimris agus tha an dara Achd ag ràdh gum biodh stiùireadh air fhoillseachad airson stiùireadh a chur ri chèile.

**COSGAISEAN DO ÙGHDARRASAN IONADAIL AN ALBA**

Cur ri chèile plana-cânain

87. Feumaidh cur ri chèile plana-cânain stòrasan a thaobh oifigean. Feumaidh an t-ùgdarras ionadail beachdachadh mu thagraidhean sam bith a gheibh e bhon mhòr-shluagh agus co-dhùnadh dè an t-iarrtas a tha ann airson seirbheisean Gàidhlig. Nuair a tha plana air a chur ri chèile, feumaidh ùgdarrasan ionadail am plana agus an cothrom air na seirbheisean a tha air an comharrachadh sa phlana sin fhoillseachadh. Thèthar a’ meas gun cosg e timcheall air £10,000 do ùgdarrasan ionadail plana-cânain Gàidhlig a chur ri chèile.

88. Gabhaidh a’ chosgais seo a’steagh úine luchd-obrach dèiligeadh ri dreachadh sgìobhainn co-chomhairleachaidh anns am bi dreachadh phlana, cothrom a thoir don mhòr-shluagh fhacinn, eadar-theangachadh gu Gàidhlig agus mion-sgrùdadh freagairtean ris a’ cho-chomhairle. Bidh cosgaisean ann cuideachd co-cheangailte ri fhoillseachadh agus sgoileadh a’ phlana dheireannaich fhèin a bhios air a chur a-mach ann an Gàidhlig agus Beurla. Tha e nàdarrach gum bi na cosgaisean deireannach an croachadh air an t-seòrsa fhoillseachaidh agus na h-àireamhan a bhitheir ag iarraidh dhiubh.

**Cosgaisean buileachaidh**

89. ’S ann anns a’ bhullachadh aca a tha na priomh chosgaisean co-cheangailte ri pla nain-cânain Gàidhlig. Bidh na cosgaisean a tha ro ùgdarrasan ionadail eadar-dhealaichte a rèir nan seirbheisean a bhios iad a’ tairgse sa phlana-cânain aca agus an ire iarrtaitse airson nan goireasan sin a chleachadh (a dh'fhaoadadh atharrach thar ùine). Tha ullachadh dealbhadh cânain a’ Bhile sùbailte gu leòr airson ceadachadh diofar seòrsachan plana-cânain a chur ri chèile.
90. Mar eisimpleir, bhiodh làn dhùil aig an Riaghaltas gum biodh eadar-dhealachadh mòr ann am plana-cànain sgire le tomhas mòr de luchd-labhairt Gàidhlig, mar eisimpleir Comhairle nan Eilean Siar, a thaobh nan seirbheisean Gàidhligh a bhios iad a' taingse, agus sgire le tomhas mòran nas lugha de luchd-labhairt Gàidhligh. Bìdh e an urra ri ùghdarras an ionadail fa leth co-dhùnadh ann an co-bhoinn ri Bòrd na Gàidhlig dè tha iomchaidh sna diofar shuidhichidhean.

91. Tha na seòrsachan cùisean air am bi an Riaghaltas a' süileachadh a h-uile ùghdarras poblach beanachdachadh ann an co-bhoinn ri Bòrd na Gàidhlig, còmhta ri tuairmsean de na cosgaisean nan lùib, air am mineachadh sa chlár a leanas. 'S e gniomhan a thaobh libhrigeadh priomh seirbheisean a tha sna h-eisimpleirean, leithid gealladh a thoirt a bhith a' toirt freagairt sa Ghàidhlig ri litrichean Gàidhlig, air am bu choir a' chuid as motha de ùghdarras poblach beanachdachadh ann an cur ri chèile plana. Tha na cosgaisean gu lèir leantainnach, ach 's dòcha an fhheadhainn co-cheangailte ri ionannachd chorporra.

Priomh phàirtean plana Gàidhlig agus tuairmse air cosgaisean

<table>
<thead>
<tr>
<th>Gniomh</th>
<th>Mion-fhiosrachadh</th>
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<td>m.e. soidhnichean, cinn-litreach msaa.</td>
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<td>Stuthan</td>
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<td>0 - 30,000</td>
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<td>Luchd-obrach</td>
<td>m.e. oifigear(an) Gàidhlig</td>
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<td>Trèanadh</td>
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</tr>
<tr>
<td>Suim iomlan</td>
<td></td>
<td>0 - 155,000</td>
</tr>
</tbody>
</table>

92. Tha sreath de chosgaisean air an sealltainn sa chlár shuas agus tha seo gun fhios nach bi ùghdarrasan poblach ann air nach tigeadh cosgaisean anns na priomh roinnean gniomha air an liostadh shuas. Tha an Riaghaltas a' süileachadh gum biodh cosgaisean a' tighinn air ùghdarrasan poblach a tha ag obrachadh ann an sgirean le mòran luchd-labhairt Gàidhlig anns a' chuid as motha de na priomh roinnean gniomha. Chan eil an Riaghaltas a' süileachadh gum cuir Bòrd na Gàidhlig brath gu ùghdarrasan poblach an Alba ann an sgirean le beagan luchd-labhairt Gàidhlig sa chriadh bhliadhnanach an dèidh achdachadh a' Bile.

93. Dh'fhaoadadh gum bi na planaichean-cànain airson cuid de ùghdarrasan poblach a' gabhail a-staigh ionadadh seòrsa seirbheis neo-bhuinasteach, no seirbheisean speisealta a bhuineas gu sònraichte do obrachadh an ùghdarraí no na buidhne sin. Dh'fhaoadadh seo gabhail a-staigh, mar eisimpleir, seirbheisean slàinte, seirbheisean sòisealta, foghlam no turasachd. Bhiodh na
seirbhas na sin air an lìbhrigeadh le luchd-obrach le Gàidhlig agus ged a dh'fhaodadh seo buaidh a thoirt air fastachd/cur an dreuchd dhaoinne 's dòcha nach gabh e a-staigh cosgaisean a bharrachd airson stuthan.

94. Bidh a h-uile ùghdarras poblach air an iarr Bòrd na Gàidhlig planaichean-cànain Gàidhlig ullachadh agus a bhualachadh ion-rognach airson cuideachadh le cosgaisean bho Mhaoin Leasachaidh Gàidhlig a bhios air a ruith leis a' Bhòrd. Bidh am maoineachadh ri fhaotainn le ùghdarras an poblach airson àireamh stèidhichte de bhliadhnaichean agus thar na h-uíne seo bidh an tomhas taic ag atharrachadh leis an amas air a' cheann thall gum bi an t-ùghdarras sin a' gabhail uallach nan cosgaisean aca fhèin. Ann an iarraidh cur ri cheile agus buileachadh phlanaichean bheir am Bòrd aire don ire cuideachaidh a gheibhhear bhon Mhaoin Leasachaidh Gàidhlig.

Foghlam

95. Chan eilear a' sùileachadh gun toir an t-ullachadh foghlaim sa Bhile a-steach uallach ùr air ùghdarrasan foghlaim no solaraichean foghlaim eile. Tha an t-ullachadh foghlaim sa Bhile a' sònraachadh do Bhòrd na Gàidhlig a bhith a' toirt stiùireadh mu chùisean foghlaim Gàidhlig. Gu sònraichte tha e a' cuideachadh a' leasachadh foghlaim meadh-Gàidhlig a tha a air a chomharrachadh cheana ann an Achd Inbhean ann an Sgoiltean na h-Alba msà. 2000.

96. Tha Achd 2000 a' cur riatanas air ùghdarrasan foghlaim cunntas a thoirt air an ullachadh airson foghlaim meadh-Gàidhlig (GME), agus far a bheil ullachadh GME aca, air am planaichean airson an ullachadh sin a leasachadh. Tha Ministearan na h-Alba air nochdadh gu bheil iad airson gum bi cunbhalachd ann an cunntasan fo Achd 2000 agus a dh'athadh bheith iad a' sireadh bheachdan air dreached stiùireadh gus coinneachadh ris. Tha an Riaghaltas airson gum bi Bòrd na Gàidhlig a' gabhail seilbh air an stiùireadh sin le stèidheachadh na h-Achd seo.

97. Faodaidh Bòrd na Gàidhlig stiùireadh a chur gu ùghdarrasan foghlaim agus buidhnean eile le uallach airson ullachadh foghlaim a thaobh cuidsean foghlaim Gàidhlig nas fharsainge na direach an t-ullachadh ann an Achd 2000. Dh'fhaodadh gum bi an stiùireadh sin a deilithead ri libhbrigeadh foghlaim Gàidhlig ro-sgoil, clasaichean airson luchd-ionsachaidh san sgoil no airson luchd-ionsachaidh inbheach. Tha an Riaghaltas a' sùileachadh gun coinneachadh ùghdarrasan foghlaim ri cuidsean stiùireadh foghlaim sam bith mar sin air fhoilseachadh le Bòrd na Gàidhlig bho thaobh a-staigh buideasatan dealbhte, le leasachadh far am bi e iomchaidh tro thabhartas sònraichte bho Sgeama Thabhartas airson Foghlam Gàidhlig an Riaghaltais. Tha an sgeama seo ag obrachdadh air mhodh maoineachadh 75% bhon Riaghaltas agus 25% bho ùghdarrasan.

COSGAISEAN AIRSON BUIDHNEAN POBLACH EILE AN ALBA

Bòrd na Gàidhlig

98. Tha Bòrd na Gàidhlig ann cheana mar NDPB le uallach airson suim mhòr de mhaoineachadh Gàidhlig Riaghaltas na h-Alba a phàigheadh. Tha am maoineachadh seol air a stiùireadh gu buidhnean agus iomairtean a tha air an comharrachadh mar phriomh-amasan do Mhinistearan na h-Alba thar nam bliadhnaich man dheireadh. Ach tha am Bile a' cur dleastanasan agus uallaichean ùra air a' Bhòrd, le na cosgaisean sin air an gabhail a-staigh ann an co-dhùnadh Mhinistearan na h-Alba mu thabhartas gus am Bòrd a chuideachadh.
99. Tha am Bile a' cur deastanas air Bòrd na Gàidhlig a bhith a' cur ri chèile Plana-càin Nàiseanta Gàidhlig. Feumar am plana seo a chur a-steach gu Ministearan airson aonta. Bidh am Plana Nàiseanta na mhodail airson leasachadh Gàidhlig a stiùireadh agus thathar a' sùileachadh gun dèiligr e ris a h-uile roinn de obair na Gàidhlig, leithid foghlam, na h-ealain agus craoladh. Bidh am Plana a' comharrachadh priomh roinnnean de leasachadh Gàidhlig agus ag ullachadh a' gheàrr-chunntas ro-innleachdail airson co-dhùnaidhean Bòrd na Gàidhlig air riarachadh maoinreachadh Gàidhlig.

100. Tha am Bile cuideachd a' toirt a-steach gniomh do Bhòrd na Gàidhlig a bhith a' foillseachadh stiùireadh do úghdarrasan foghlaim agus buidhnean eile air foghlam Gàidhlig. Bithearr a' sùileachadh gun toir am Bòrd comhairle do úghdarrasan foghlaim mu na cuantasana aca fo Achn 2000, agus bithearr a' sùileachadh cuideachd gun comhairlich e Ministearan mu chunntas a dh'ullaich úghdarrasan foghlaim. Tha an Riaghaltas air comhairle a chur ris a' Bhòrd agus tha e a' meas gmi b' cosgaisean iomlan tuarastail agus obrachaidh a bharachd co-cheangailte ri na gniomhan sin mu £355,000 gach bliadhna.

101. Mar a chaidh a rádh roimhe bidh am Bòrd a' riaghladh na Maoin Leasachaidh Gàidhlig. Bidh a' Mhaoìn air cuideachadh do úghdarrasan poblach air am air ri tanasan airson plaichean-càinain Gàidhlig ullachadh agus a bhùileachadh. Bidh a' Mhaoìn ann cuideachadh airson úghdarrasan poblach a chuideachadh le seirbheisean speisealta agus leasachadh Gàidhlig san fharsaingeachd. Dh'fhaoadadh úghdarrasan poblach a tha a' déanamh obair ghnàthach Gàidhlig cur airson maoinreachadh airson obair úr sa Gàidhlig. 'S e 2006-07 a' chiaid bhliadhna a bhios a Mhaoìn ag obrachadh oir tha sinn a' sùileachadh gum bi cudrom sna miosan a bhios air fhàgail de 2005-06, an dèidh don Bhile a'chadhadhadh, air obair ullachaidh leis a' Bhòrd. Bidh an fhior shuim air aontachadh le Ministeran a thaobh modh dealbhaidh corporra a' Bhùird.

**Buidhnean eile**

102. Dh'fhaoadadh gun toir an t-ullachadh sa Bhile buaidh air úghdarras poblach sam bith an Alba. Còmhla ri úghdarrasan Ionadail an Alba gabhaidh seo a-steach Riaghaltas agus Buidhnean-Iomairt na h-Alba, Pàrlamaid na h-Alba, agus buidhnean poblach eile. Tha na cùisean agus cosgaisean a bhiodh ann nam biodh ri tanasan air buidheann sam bith mar sin air son plaichean-càinain Gàidhlig ullachadh agus a bhùileachadh air am mineadhadh fo 'Cosgaisean air Úghdarrasan Ionadail an Alba'.

103. Chan adhbharaich cumhachan a' Bhile uallach goireis ùir air buidhnean san roinn prìobhaideach no shaor-thoileach. Chan eil na buidhnean sin air am mineadhadh mar ùghdarras poblach an Alba agus mar sin chan fhaoad Bòrd na Gàidhlig iarraidh orra plaichean-càinain Gàidhlig ullachadh. Ach, dh'fhaoadadh gum bi buaidh a' Bhile seo a' meudachadh iarraiteas agus sùileachadh san fharsaingeachd airson seirbheisean Gàidhlig.

104. Bidh e an urra ri buidhnean fa leth co-dhùnadh dè cho mòr 's a tha iad airson cumail ri spiorad an reachdais anns am t-suighcheadh sin. Faodaidh buidhnean saor-thoileach agus gnothachasan comhairle mu leasachadh plaichean-càinain iarraidh air Bòrd na Gàidhlig. Thathar a' sùileachadh gum bi an stiùireadh mu dheadbhadh cânain a dh'ullaicheas Bòrd na Gàidhlig fon Bhile ri fhaotainn leis a' mhòr-shluagh.
COSGAISEAN DO RIANACHD NA H-ALBA

Bòrd na Gàidhlig

105. Bidh na cosgaisean tuarastail agus obrachaidh a bharrachd do Bhòrd na Gàidhlig agus na cosgaisean co-cheangailte ris a' Mhaoin Leasachaidh Gàidhlig air an gabhail a-staigh ann na tabhartasan gus cuideachadh a gheibh am Bòrd.

Plana-cànain Gàidhlig Riaghaltas na h-Alba

106. Fo chumhachan a' Bhile, faodar iarraidh air an Riaghaltas, mar ùghdarras poblach sam bith eile, plana-cànain Gàidhlig ullachadh. Tha an Riaghaltas, mar a tha air a shealltainn le bhith a' toirt a-steach a' Bhile seo, air gealltainn gun cuir e inbhe na Gàidhlig air stèidh thèarainte agus gun déilit e gu deimhinneach ri iarrrtas bho Bhòrd na Gàidhlig airson plana-cànain Gàidhlig ullachadh. Tha an Riaghaltas gniomhach cheana ann an iomadh raon de leasachadh Gàidhlig agus tha e ann an deach shuidheachadh airson plana a thoirt air adhart an ceann seala. Thèid coinneachadh ri cosgaisean a' phlana seo bho chosgais ullaichte.

107. Bidh plana-cànain Gàidhlig an Riaghaltais a' tòiseachadh le bhith a' leudachadh agus a' leasachadh an t-ullachadh Gàidhlig làithreach, ged a bhios iad a' cumail ri stiùireadh Bòrd na Gàidhlig. Bheireadh plana-cànain Gàidhlig an Riaghaltais cothrom cuideachd a bhith a' cur an cèill na tha ga dhèanamh cheana don Ghàidhlig tron Riaghaltas air fad ann an iomadh seòrsa prògram.

108. Tha cosgaisean Gàidhlig sgaoilte tron Riaghaltas mar-thà. Ach, dh'fhaodadh gum bi gabhail ris a' Bhile a' meudachadh an iarrrtais airson tuilleadh sheirbhisean Gàidhlig, ann an roinnean far nach eil an Riaghaltas aig an àm seo a' gabhail a-staigh iarrrtas na Gàidhlig. Tha soidhnichean Gàidhlig, cinn-litreach, cosgaisean foillseachaidh, cosgaisean eadar-theangachaidh, cosgaisean làrach-lìn ann an cuid de sgìrean an Riaghaltais mar-thà agus tha an Riaghaltas a' cosg air iomadh seòrsa iomairt Gàidhlig.

Buidhnean-iomairt Riaghaltas na h-Alba

109. Cha bhi uallach a bharrachd air buidheann-iomairt Riaghaltais sam bith mur tend iarraidh air plana-cànain Gàidhlig ullachadh. Far am bi buidheann-iomairt ag uallachadh plana-cànain Gàidhlig feumaidh e beachdachadh dè an t-ullachadh Gàidhlig a bu chòir dha a gabhail os làinn an co-bhoinn ri Bòrd na Gàidhlig. Feumaidh buidhnean-iomairt Riaghaltas na h-Alba aghaidh a chur air na cuisean a tha air an comharrachadh san earrann air cosgaisean do úghdarrasan ionadail an Alba. Thèid coinneachadh ri cosgaisean phlanaichean-cànain Gàidhlig do bhuidhnean-iomairt bho stòrasan ullaichte.
GEÀRR-CHUNNTAS AIR COSGAISEAN

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<th>Ullachadh plana-cànanain Gàidhlig</th>
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<tr>
<td></td>
<td>Buileachadh gniomhan bunaiteach ann am plana-cànanain Gàidhlig</td>
<td>£0 gu £155,000 gach úghdarras, gach bliadhna*</td>
</tr>
<tr>
<td>Bòrd na Gàidhlig</td>
<td>Cosgaisean luchd-obrach agus obrachaidh</td>
<td>£355,000 gach bliadhna</td>
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* Pàirt dheth air a thoirt a-steach ann an tabhartasan bho Mhaoin Leasachaidh Gàidhlig Bhòrd na Gàidhlig

AITHRIS AN RIAGHALTAIS AIR COMAS REACHDAIL

110. Air 23 Sultain 2004, rinn Ministear an Fhoghlaim agus an Òigrídh (Peadar Peacock) an aithris a leanas:

“Nam bharail-sa, bhiodh cumhachan Bile na Gàidhlig (Alba) taobh a-staigh comas reachdail Phàrlamaid na h-Alba.”

AITHRIS AN OIFIGEAR-RIAGHLAIDH AIR COMAS REACHDAIL

111. Air 23 Sultain 2004, rinn an Oifigeur-riaghlaidh (Seòras Reid) an aithris a leanas:

“Nam bheachdsa, bhiodh na h-ullachaidhean ann am Bile na Gàidhlig (Alba) taobh a-staigh comas reachdail Phàrlamaid na h-Alba.”
BILE CÀNAN NA GÀIDHLIK (ALBA)

— MEÒRACHAN POILEASAIDH —

RO-RÀDH

1. Tha an sgrìobhainn seo a’ buntainn ri Bile Càn an Gàidhlig (Alba) a chaidh a thoirt a-steach ann am Pàrlamaid na h-Alba air 27 Sultain 2004. Chaidh a dheasachadh le Riaghaltas na h-Alba a réir Riaghalt 9.3.3(c) de Ghnàth-Riaghailtean na Pàrlamaid. ‘S ann air Riaghaltas na h-Alba a-mhain a tha an t-uallach a thaobh na tha ann agus cha deach aontachadh leis a’ Phàrlamaid. Tha Notaichean Mìneachail ag sgrìobhainnean eile a tha dol na chois air am foillezachadh air leth mar Bile SP Bile 25–EN.

AMASAN POILEASAIDH A’ BHILE

2. Tha am Bile seo a’ toirt a-steach grunn cheuman a bheir taic do amas poileasaidh an Riaghaltais a bhith a’ fàighinn inbhe thèarar aon Ghàidhlig an Alba. Tha an Riaghaltas gu mòr airson stad a chor air a’ chrionadh ann an cleachdadh na Gàidhlig, a bhith ga h-ath-bheothachadh, agus a’ toirt cothrom soirsheachadh dhi san am ri teadh. Tha sùil gun cudich na ceuman sa Bhile seo, an lùb na h-òbrach a tha an Riaghaltas, ùghdarrasan ionadail agus ùghdarrasan poblach a’ dèanamh sna h-ealain Ghàidhlig, foghlaim agus leasachadh le suidheachadh a chruthachadh far am bi an cân an air a chumail a’ dol ann an teaghlaichean, air adhartachadh le sgoiltean, air a chreachadh gu tric sna coimhearsnachd an Alba, agus a mheas luachmhor le luchd-ionnsachaidh.

3. ’S iad prìomh chumhachan a' Bhile:

- am buidheann leasachaidh Gàidhlig, Bòrd na Gàidhlig, a chur air bhonn air stèidh reachdail gus sealltainn thairis air leasachadh a’ chànan;
- riatanas a chor air a’ Bhòrd a bhith a' coileanadh a ghnìomhan leis an amas a bhith a' cur inbhe na Gàidhlig air stèidh thèarar a chànan oifigeil an Alba;
- plana Gàidhlig nàiseanta a thoirt a-steach gus cleachdadh na Gàidhlig adhartachadh;
- planaichean Gàidhlig a bhith air an ullachadh le ùghdarrasan poblach, far am bi e iomchaidh, gus misneachadh agus cuideachadh a thoirt le cleachdadh a' chànan gu poblach; agus
- dleastanas comhairleachaidh airson foghlaim Gàidhlig a thoirt do Bhòrd na Gàidhlig.

4. ’S ann a’ toirt àite don t-suidheachadh a tha ron Ghàidhlig a tha na ceuman a tha air an comharrachadh sa Bhile seo. Tha an càn an am an suidheachadh lag agus gun obair oifigeil tha teagamh ann gu mair i beò. A réir Cunntas-sluaigh 1981 bha 82,000 daoine an Alba comasach
a' Ghàidhlig a labhairt, a leughadh no a sgrìobhadh. Mu 1991, bha an àireamh seo air tuiteam beagan a bharrachd air 13,000 gu 69,510. Sheall an Cunntas-sluaidh bho 2001 gun robh 58,652 daoine comasach air Gàidhlig a labhairt, 65,674 comasach air Gàidhlig a leughadh, a leughadh no a sgrìobhadh agus 92,396 comasach air Gàidhlig a labhairt, a leughadh, a sgrìobhadh no a thugssinn. Tha coimeas ri àireamhan chunntas-sluaidh bho 1891 a sealltainn ire a' chrionaith thar nan 100 bliadhna a dh'hiadh, le còrr agus 254,415 lucht-labhairt Gàidhlig air an clàradh ann an 1891.

5. Tha a' mhòr-chuid de lucht-labhairt Gàidhlig a' fuireach ann an sgìrean Chomhairle nan Eilean Siar, Chomhairle na Gàidhealtachd agus Earra-Ghàidheal & Bhòid. Tha pòcaidean mòra, air a choimeas ris an àireamh iomlan de lucht-labhairt Gàidhlig, ann an Dùn Èideann agus Glaschu. Tha àireamhan beaga de lucht-labhairt Gàidhlig sgaoilte air feadh sgìrean gach úgdharras ionadail eile.


7. Tha am Bile cuideachd a' cur ri buileachadh nan geallaidhean a bhumaice don Gàidhlig ann an Clàr Eòrpa nam Mion-chànan. Bha an Clàr air a dhealbh ann an 1992 le Comhairle na h-Eòrpa cus cuideachadh le dion agus adhartachadh mion-chànainnean na h-Eòrpa. Chuir Riaghaltas na RA a'irim ris a' Chlár ann an 2000 agus tha e air sin a dhaingneachadh a thaobh cànainnean duthchasach na RA, a' gabhail a-staigh Gàidhlig. Tha an Riaghaltas ag aontachadh ri Comhairle na h-Eòrpa gu bheil feum air obair às leth cànainnean roinneil agus mion-chànainnean gus na cànainnein sin a dhion agus adhartachadh mar pháirt de dhualchas na h-Eòrpa a tha ann an cunnart.

8. Tha am Bile cuideachd a' togail air obair a rinn a' Phàrlamaid rè an t-Seisean mu dheireadh. Thug aithisg Comataidh an Fhoghlaim, a' Chultair agus an Spòrs air Bile Bhall Gàidhlig (Alba) a' 1 taisc do na prionnsabalan aige san fharsaingeachd, ged a bha i a' toirt fainear mar Bhile neo-Riaghaltas gu robh e cuibhrichte agus gum bu chuair cuid de chumhachan sònraichte a bhith air an ath-sgrùdadh.

CO-COMHAIRLE

9. Dh'fh'oilisich an Riaghaltas Dreachd Bhile na Gàidhlig airson co-chomhairle air 10 Dàmhair 2003 aig 100th Mòd Naiseanta Rioghal, ag iarraidh beachdan nam buidhnean sin air am biodh am Bile a' toirt buaidh agus bho dhaoine sam bith eile le ùidh ann. A bharrachd air a dheagh sgaoileadh, dh'fh'aoaidh cur a dh'iarraidh lebhbric den phaipear co-chomhairleachadh agus bha an sgrìobhainn a thoilseachadh air làrach-lin Riaghaltas na h-Alba. Ruith an ùine co-chomhairleachadh airson 12 seachdainean, a' dùnadh san Fhaoileach 2004. Bha tagraidhean fadalach air an gabhail agus gu h-iomlan fhuaireadh àireamh air leith mòr de 3,400 freagairtean.
(tha an àireamh seo a' gabhail a-staigh com-pàirtichean aig grunn choinnemhan poblach air an cur air dòigh le Bòrd na Gàidhlig agus iomairt cairt-phuist le Cli Gàidhlig).


11. Bha a’ mhòr-chuid de luchd-freagairt a’ gontachadh ri co-dhùnadh an Riaghaltais airson reachdas Gàidhlig a thoirit air adhart. Taobh a-staigh na taic choitcheann ann bha beachdan eadar-dhealaichte air am bu chòir cumhachan sònraichte a’ Bhile a bhith air an neartachadh. B’ e beachd na coimhearsnachd Gàidhlig (a bha a’ gabhail a-staigh a fhior mhòr-chuid de fhreagairtean na co-chomhairle) gum bu chòir am Bile a neartachadh gus am b’i inbhe cho-ìomhann aig Gàidhlig agus Beurla; barrachd chumhachdan aig Bòrd na Gàidhlig a bhith a’ stiùireadh leasachadh plaicean-chùan; plana Gàidhlig nàiseanta co-eìgneachail; agus cóir cothruim air foighlam meadan-Gàidhlig.

12. Eadar-dhealaichte ri seo, chuir beagan úghda rrasan poblach cudrom air gum feumadh am Bile a bhith sùbailte gu leòr gus gabhail a-staigh nan dòighean eadar-dhealaichte sa bheil a’ Ghàidhlig air a cleachdadh air feadh Alba agus thuirt iad gum biodh e mi-ionchaidh uallach sam bith a chuir air cuid de sgìrean na dòuthacha airson planadh Gàidhlig. Cuideachd thog beagan luchd-freagairt cúisean, leithid craoladh Gàidhlig, a tha glèidhte agus mar sin gun chomas dèiligeadh riutha sa Bhile seo.

13. Thug Ministeran na h-Alba aire chùramach do na beachdan a bha air an cur an cèill sa cho-chomhairle agus bha an dreachd Bhile air ath-sgrùdadh fàr an roh air ionchaidh. Gu sònraichte, rinneadh ath-sgrùdadh air an dòigh a thathar a’ tagadh cò na bùidhmean poblach a bù chóirpla plana Gàidhlig ullachadh agus bha nithean air an toirt a-steach gu libhrigeadh foighlam Gàidhlig a neartachadh. Tha atharrachdhean sònraichte air am mineachadh tron mheòrachan seo.

14. Tha cumhachan a’ Bhile a’ buntainn ri Alba gu léir air sgàth gum buin a’ Ghàidhlig do Alba gu léir agus gu bheil luchd-labhairt Gàidhlig sgapte air feadh na dòuthcha. Fhuair Bile Bhall an t-seisein mu dheireadh droch chàineadh airson mar a chuingealaich e raon a’ Bhile gu sgìrean sònraichte den dòthaich. Ach, aig an aon am, tha an Bile air a chuir ri chèile gu dèanamh cìntecht gu bheil a bhuleachadh sùbailte gu leòr airson a bhith a’ gabhail a-staigh sùidheadachaidh sònraichte nan diofar sgìrean a’ Bhile agus nan diofar raointean obrachaidh aig bùidhmean poblach. ’S e beachd an Riaghaltais gum feumar cothromachadh ceart eadar dèiligeadh ri feuma na coimhearsnachd Ghàidhlig agus dèanamh cìntecht nach eil uallach airson Gàidhlig air a thoirit a-steach far nach eil iarrrtas air a shon.

15. Ged a dh'fhéumair mòran a dhèanamh gus stadh a chuir air a' chrongadh ann an cleachdadh na Gàidhlig, ’s e beachd an Riaghaltais gum feum reachdas airson Gàidhlig an Alba tòiseachadh leis an t-sùidheadachadh a tha ann an-dràsta. Air an adhbhar seo, thathar dh’iomadh ach nach eil e comasach no ionchaidh comann a chuir a Bhile a dh'fhaoadadh leantainn gu ùghdarras poblach an àite sam bith an Alba air a chuir fo dhleasatanas laghail a bhith a’ tabhann seirbhisean sa Ghàidhlig far a bheil iarrrtas. Tha ullachadh dà-chànanach ann an uachdranasan far a bheil a’
bhuaidh aig mion-chànan eadar-dhealaichte agus b' e sin a bhrosnaich iomadh freagairt ris a' cho-chomhairle. 'S e beachd an Riaghaltais nach biodh e iomchaidh ceuman a chur ann an Bile nach gabhadh an coileanadh.

BÒRD NA GÀIDHLIG

**Amsan poileasaidh**

16. Tha ullachadh ann an Earrann 1 (agus pàipear-taice 1) airson buidheann a stèidheachadh a bhios fon ainn Bòrd na Gàidhilg agus a' mineachadh cumhachdan agus gniomhan an ùghdarrais sin. Tha i an ire mhath co-ionann ris an earrann ann an dreachd cho-chomhairle a' Bhile.

17. Bha dà aithisg comhairleachaidh o chionn ghoirid (aithisgean Mhic a' Phearsain agus Meek air an robh iomradh roimhe) a' moladh do Mhinistearan aonad ro-innealachdail a chruthachadh aig am biodh ceannas air leasachadh na Gàidhlig. Sheall na h-aithisgean sin mar a lean beàrn a fhuireadh ann am planadh naiseanta gu suidheachadh far am faodadh nach robh éifeachd, fòcas no priomhachais aig obair leasachaidh Gàidhilg, agus far am faodadh gum biodh obair air a dhùblachadh.

18. Thathar a' sùileachadh gun toir Bòrd na Gàidhlig fòcas agus leantalachd do obair leasachaidh Gàidhilg agus gum bi àite aige mar ùghdarras aig a bheil eòlas air cuisean Gàidhilg. Gu sònraichte, bithear a' sùileachadh gum bi e:

- ag adhartachadh, agus a' cuideachadh le adhartachadh na Gàidhilg;
- a' cur ri chèile plana naiseanta Gàidhilg;
- a' comhairleachadh Ministearan agus ùghdarrasan poblach air cuisean co-cheangailte ri Gàidhilg;
- a' toirt comhairle do ùghdarrasan poblach mu bhith a' cur ri chèile planaichean Gàidhilg agus do bhuidhnean eile mu chùisean san fharsaigneachd; agus

19. Feumar na gnìomhan sin an coileanadh le sùil ri inbhe na Gàidhilg a chur air stèidh thèrarainte mar chànan oifigeil an Alba. B' e inbhe thèrarainte am priomh mhòr-mhiann a bha ann an dreachd aithisg Chomunn na Gàidhilg airson Achd Ghàidhilg. Tha 'oifigeil’ a' mineachadh inbhe a' chànan seach priomnsabal a bhios a' buileachaidh còraichean cleachdaidh.

20. Tha Bòrd na Gàidhilg ann cheana air stèidh neo-reachdail agus 's ann air a tha an tuallach airson a bhith a' toirt seachad maoineachadh Riaghaltais na h-Alba airson leasachaidhean Gàidhilg. Bidh Earrann 1 den Bhile a' foirmealachadh structairean a' Bhùird agus a' toirt cóir air raon-ùghdarrais reachdail.

21. Mus robh Bòrd na Gàidhilg air a stèidheachadh b' ann air an Riaghaltas a bha a' mhòr-chuid den uallach airson maoineachadh a thòirt do bhuidhnean Gàidhilg agus poileasaidh a shuidheachadh. Bha cud i a' faireachdainn nach do chuir an suidheachadh seo cudrom gu leòr air
gnothaichean no priomh-amasan bhuidhnean Gàidhlig agus nach robh stiùireadh ro-inneachdail gu leòr aige.

22. Bidh cur an dreuchd gu Bòrd na Gàidhlig air a riaghladh le stiùireadh mu chur an dreuchd poblach a dh'hoillisich Oifis Coimiseanair Cur an Dreuchd Poblach an Alba.

Co-chomhairle

23. San fharsaingeachd chaith failte a chur air a’ mholadh airson Bòrd na Gàidhlig a stèidheachadh ann an reachdas le na cumhachdan agus gniomhan air am mineachadh sa Bhile.

24. Bha beagan cúisean iomagain air an togail:
   • feumaidh cur an dreuchd gu Bòrd na Gàidhlig a bhith follaiseach;
   • bu choir barrachd chumhachdan smachd a thoirt do Bhòrd na Gàidhlig thairis air obair uthdarrasasan poblach eile;
   • feumaidh an Riaghaltas na goireasan ceart a thoirt do Bhòrd na Gàidhlig gus am faigh e air a ghniomhan a choileanadh; agus
   • bu choir gum biodh an t-uallach deireannach air fhàgail air an Riaghaltas airson tèarainteachd na Gàidhlig san am ri teadh.

25. Chuir Bòrd na Gàidhlig failte air a’ mhola dh a bhith a’ stèidheachadh a’ Bhòrr ann an reachdas, ach dh’iarr e gum biodh a chumhachdan, a dhleasasan agus a ghioireasan air an neartachadh agus air an soillreachadh. Air iarrtas a’ Bhòrr, bha gniomhan a’ Bhòrr air an atharradhach gus dèanamh soilleir gum buin iad do sgriobhadh agus labhairt na Gàidhlig. Thathar air aire a thoirt cuideachd do iarrtas a’ Bhòrr gum faigh e air comhairle a thoirt do bhuidhnean prionbhaideach agus saor-thoileach a thuilleadh air bhuidhnean poblach ma bhios iad ag iarraidh na comhairle sin. Thathar a’ déileigeadh gu mionaideach ri maoineachadh Bòrd na Gàidhlig sa Mheòrachan Ionmhasail.

Dòighean-obrach eile

26. ’S e an dòigh eile air Bòrd na Gàidhlig a stèidheachadh ann an reachdas gun cùm e a’ dol san âite neo-reachdail sa bheil e an-dràsta. ’S e poileasaidh Riaghaltas na h-Alba far a bheil gnìomhan stiùrdiridh, rianachd, malairt no riaghlaidh gu bhith aig buidheann poblach, gum bu choir anns a’ chumantais a chur ann an reachdas airson a stèidheachadh. Bidh Bòrd na Gàidhlig gnìomhach sna raointean sin gu lèir agus feumaidh e taic reachdail gus na gnìomhan air an comharradh sa Bhile seo a choileanadh. ThuScruthachadh Bòrd na Gàidhlig ann an reachdas cuideachd a’ toirt don choimhearsnachd Ghàidhlig téarainteachd a bharrachd bho bhuidheann leasachaidh Gàidhlig a tha na phàirt riatanach de riaghaltais na h-Alba agus leis an dleasantas soilleir airson Ministearan na h-Alba a chomhairleachadh mu chùisean Gàidhlig.
PLANA-CÀNAIN NÀISEANTA GÀIDHLIG

Amasan poileasaidh

27. Tha Earrann 2, a tha an ire mhath co-ionann ris an earann sin ann an dreachd co-chomhairleachaidh a’ Bhile, a’ cur riatanas air Bòrd na Gàidhlig a bhith ag ullachadh plana nàiseanta Gàidhlig.

28. ’S e adhbhar a' phlana nàiseanta a bhith a’ toirt dòigh-obrachaidh aontaichte agus cùramach airson leasachadh Gàidhlig a chruthaicheas an suidheachadh sam bì an àireamh de luchd-labhairt Gàidhlig an Alba a’ meudachadh. Tha obair Gàidhlig a’ dol air adhart ann an iomadach earrann, bho na h-éalan gu fhoghlam, agus le buidhnean poblach a’ cur ri chèile planaichean-cànain, tha an obair a’ sior mheudachadh sa bheatha phoblach, agus bithear a’ sùileachadh gum bi Bòrd na Gàidhlig ag ullachadh modail leasachaidh a bhios a’ ceangal nan roinnean sin de obair na Gàidhlig ri chèile.

29. Bidh stiùireadh ro-innleachdail aontaichte sa phlana nàiseanta, chan ann a-mhàin do Riaghaltas na h-Alba agus Bòrd na Gàidhlig, ach don h-uile ùghdarras poblach an Alba aig a bheil úidh ann an leasachadh na Gàidhlig. Bidh am plana airson goirisean a thoirt gu chèile bho dhiofar àiteachanagus targaidean ullachadh airson priomh cheàrnaidhean obrach.

Co-chomhairle

30. San fharsaingeachd bha taic airson a' mholadh gum bu chòir Plana-cànain Nàiseanta Gàidhlig a bhith ann. B’e cuisean sònraichte a chaidh an togail sa cho-chomhairle:

- gum bu chòir criochan-ama a bhith anns am feum Ministearan na h-Alba aonta a chur ris a’ phlana nàiseanta a thàinig bho Bòrd na Gàidhlig;
- gum bu chòir gum bi am plana-cànain nàiseanta Gàidhlig co-èigneachail; agus
- gum bu chòir do Riaghaltas na h-Alba maoinreachadh a ghealltainn guis taic a thoirt do bhuileachadh a' phlana nàiseanta.

31. Dh’iarr Bòrd na Gàidhlig gum biodh raon-ama reachdail air a thoirt a-steach airson aontachadh a’ phlana nàiseanta le Ministearan na h-Alba. Tha am Bile air ath-sgrùdadh guis am feum Ministearan aonta a chur ris a’ phlana a chaidh a chur a-steach thuca taobh a-staigh 6 miosan no plana ath-sgrùdaichte iarraidh, agus far a bheil plana ath-sgrùdaichte air iarraidh gum bi aonta air a chur ris taobh a-staigh 6 miosan den âm a gheibh iad e.

32. Dh’iarr Bòrd na Gàidhlig cuideachd gum biodh am Bile air atharrachadh guis gabhail a-staigh cumhachan a’ cruthachaidh cleastasanan co-èigneachail air Ministearan na h-Alba agus na buidhnean iomchaidh a tha san reachdas airson a’ phlana-cànain nàiseanta Gàidhlig a bhuileachadh. Chan eil na ceuman sin air an cleachdadh sa Bhile ath-sgrùdaichte airson nan adhbharan air am mineachadh shios.

Dòighear-obrach eile

33. ’S e an t-edar-dhealachadh as motha ris an dòigh air a mhineachadh san dreachd Bhile gu bheil am plana-cànain nàiseanta Gàidhlig co-èigneachail. ’S e sin, gu bheil cleastanas
ceangaltach air ùghdarrasan poblach a bhith a' cur an gniomh amasan no mòr-mhiannan sam bith a roghnaicheas am Bòrd a chur sa phlana nàiseanta. Tha an Riaghaltas den bheachd gur e adhbharr a' phlana nàiseanta nach b’ e a’ cur uallaichean co-èigneachail air a h-uile earrann de bheatha poblach na h-Alba, ach an àite sin gum bi e a’ cruthachadh dòigh choileanta airson leasachadh Gàidhlig a stiùreas ùghdarrasan poblach san dòigh-obrach aca a thaobh a’ chàin. ’S e dòigh cho-antachail an dòigh as fheàrr leis an Riaghaltas anns an coilean am Bòrd a ghniomhan. Tha an Riaghaltas den bheachd gu bheil an dòigh seo gu math na Gàidhlig san fhadh-ùine.

PLANAICHEAN-CÀNAIN GÀIDHLLIG

Amasan poileasaidh: coitcheann

34. ’S e aon de na priomh phàirtean de bhith a’ dèanaire cleachdadh na Gàidhlig nàdarrach a bhith a' cruthachadh suidheachadh far am bithear ga chleachdadh gu poblach. Tha cruthachadh plaicichean-cànain le ùghdarrasan poblach a’ toirt fiosrachadh bho Achd na Cuimris agus chuiredadh e rìatanas air buidhean poblach, ann an co-chomhhairle ri Bòrd na Gàidhlig, a bhith a’ beachdachadh air na seirbheisean a b’ urrainn dhaibh a thòirt seachad sa Gàidhlig. ’S e aon de na prìomh thargaidean a bhios aig Bòrd na Gàidhlig a bhith a’ meudachadh na h-àireamh de luchd-labhairt Gàidhlig an Alba agus a’ cur taic riatanach ri sin bidh cur ri chèile plaicichean-cànain Gàidhlig le cùid de ùghdarrasan poblach, misneachadh agus brosnachadh cothroman airson cleachdadh na h-Alba agus meudachadh misneachd luchd-labhairt agus luchd-ionnsachaidh.

35. Tha aithne aig an Riaghaltas gur dòcha nach bi r ud a bhiodh iomchaidh airson plaicichean-cànain ann an sgirean den dùthaich le àireamhan àrd a de in duchuairt Gàidhlig idir iomchaidh ann an àiteachan eile. Mar sin, tha cumbhachan dealbhadh-cànain a’ Bhile air an ullachadh airson gum bi ire mhòr sùbhailteach aig co-dhùnadh dè na h-ùghdarrasan a bu chòir plaicichean ullachadh agus dè bu chòir a bhith snà plaicichean aca.

Tagadh bhuidhnean poblach

Amasan poileasaidh

36. Tha ullachadh ann an Earrann 3 airson gum faod Bòrd na Gàidhlig fios a chur a-mach ag iarraidh air buidheann poblach dreachd phlana a chur a-staigh saobh a-staigh ùine shònraichte. Faoidh bhuideann poblach a gheibh fios tagradh gu Ministearan an aghaideach gèilleadh don fhios idir no an aghaideach an raon-ama airson a chur a-staigh. Tha an t-ullachadh seo eadar-dhealaichte bho na tha air a mhìneachadh ann an dreachd co-chomhairleachadh a’ Bhile, a chuir rìatanas air a h-uile buidheann poblach an Alba beachdachadh am feum iad plana Gàidhlig.

37. Tha aithne aig an Riaghaltas gum faodadh nach bi mòran iarraidh airson seirbheisean Gàidhlig ann am pàirtean den duthaich. Mar sin tha an earrann seo a’ dèanaire cinnteach nach bi dòigh-obrachd dealbhadh-cànain air a chur an gniomh gum am bi Bòrd na Gàidhlig ga fhàcinn iomchaidh, an deòd iar a thoirt do thagràidhean sam bith a fhuaireadh agus don àireamh de luchd-labhairt ann an raon obraideadh ùghdarrasan poblach, ann a bhith ag iarraidh gum bi plaicichean air ullachadh. A thuilleadh air ullachadh airson mòran sùbhailteach gu chur an gniomh, tha an t-ullachadh cuideachd a’ toirt comas do Bhòrd na Gàidhlig a ghoireasan a chur gu prìomh raointe de leasachadh Gàidhlig.
38. Ann an co-chomhairle bha iarrtas an airson ceuman sònraichte, leithid còir air Gàidhlig a chleachdadh sna cùirtean agus còir air fóghlam meadhain-Gàidhlig, a bhith air aghaidh a Bhile. Tha an Riaghaltas den bheachd gum bu chóir ceuman leithid sin a bhith ann am planaicheadh-cànanain nan úghdarrasan poblach iochdairdh seach a bhith nan earrannan sònraichte sa Bhile. Ni seo cinteach air an uillachsadh a làn mhineachadh agus a chleachdadh ann an ceàrnaidhean den dùthchaich far a bheil iarrtas air a shon.

**Co-chomhairle**

39. Bha measgachadh de bheachdan air an cur an cèill mun dòigh air am bu chóir co-dhùnadh a dhèanamh cù a bheidh an bhuidhnean poblach a bhaoch planaicheadh Gàidhlig ullachadh, leithid:

- gum bu chóir riatains reachdail a chur air a h-ùile úghdarras poblach an Alba airson plana Gàidhlig ullachadh;
- gum bu chóir gum biodh am prìomh àite aig Bòrd na Gàidhlig ann an co-dhùnadh cù na buidhnean poblach a bhaoch planaicheadh Gàidhlig ullachadh; no
- gum bu chóir gum biodh am Bile sùbaitte gu leòr airson gabhail a-staigh nach eil mòran dhaoine a’ cleachdadh na Gàidhlig ann an cuid de sgìrean na dùthcha.

40. Bha Bòrd na Gàidhlig den bheachd gum bu chóir cumhachan an dreachd Bhile a neartachadh oir ghabhadh e a thugann gum faodadh a h-ùile buidheann poblach co-dhùnadh nach uallaicheadh iad planaicheadh Gàidhlig. Bha uallach air a’ Bhòrd cuideachd, a cheart aghaidh sin, nam feumadh a h-ùile úghdarras poblach beachdachadh air an fhèum airson plana gum faodadh am Bòrd cus iarrtasan faighinn an airson comhairle mu dhealbhadh-cànain agus gun na goireasan aig airson déiligeadh ris. B’ e an dòigh a b’ fheàrr leis a’ Bhòrd gum biodh úghdarras air a thoirt dha plans iarraidh bhò bhuidhnean poblach fa leth àig am a bha e a’ roghnachadh. Tha am Bile air ath-sgrùdadh a réir nam beachdan sin, le dion aig a chur ann do úghdarrasan poblach ann an cruth còir tagraíd gu Ministearan ma bhios iad den bheachd nach robh e reusanta iarraidh orra plana ullachadh.

**Dòighean-obrach eile**

41. ’S e a’ phriomh dhòigh eile seach na tha air a mhineachadh sa Bhile gum bi riatains air a h-ùile úghdarras poblach an Alba a bhith ag uallachadh plana Gàidhlig. Chaidh am beachd a thoirt sa cho-chomhairle air sgàth gum bi Bile Gàidhlig (Alba) a’ buntainn ri Alba gu lèir, agus gu bheil luchd-labhairt Gàidhlig sa chuid as motha de chèàrnaidhean an Alba, gum bu chóir don h-ùile úghdarras poblach a bhith ag uallachadh planaicheadh Gàidhlig. Tha an Riaghaltas ag aontachadh gum bu chóir air riatains airson deilbhadh-cànain a bhith naiseanta, ach chan eil e a’ creidinn gu bheil e eìfeachdachd no iochdairdh a bhith a’ cur riatains air a h-ùile buidheann poblach a bhith ag uallachadh plana leis gu bheil eadar-dhealbhadh mòr ann an cleachdadh a’ chànan air feadh Alba. Tha uallach air an Riaghaltas cuideachd, mar a thuirt Bòrd na Gàidhlig agus feadhainn eile, gum faodadh riatains air a h-ùile buidheann airson plana uallachadh strèana mhòr a chur air goireasan a’ Bhùird.
Susbaint planaichean cânain

Amasan poileasaidh

42. Tha ullamadh ann an Earrann 3 cuideachd far a bheil fios a' dol gu buidheann poblach airson plana Gàidhlig a chur gu Bòrd na Gàidhlig gum bi e a' beachdachadh air stiùireadh sam bith a dh'hoilisich Bòrd na Gàidhlig no Ministearan na h-Alba ann an ullamadh a' phlana, agus gun toir e aire don àireamh de luchd-labhairt Gàidhlig san sgire aige agus impidhean sam bith a chuireadh air.

43. Tha Earrann 5 a' toirt ùghdarras do Bhòrd na Gàidhlig a bhith a' cur aonta ri subsbaint phlanaichean fa leth. Far nach tig Bòrd na Gàidhlig agus ùghdarrasan poblach gu aonta mu dè a tha iomchaidh airson plana fa leth, bidh a' chùis air a cur gu Ministearan na h-Alba airson a bhreitheachadh. 'S e am priomh eadar-dhealach ri dreachd co-chomhairleachadh a' Bhile gu bheil ùghdarras aig Bòrd na Gàidhlig airson aonta a chur ri subsbaint planaichean-cânain. Tha ullamadh ann an Earrann 7 airson gum bi planaichean Gàidhlig air an ath-bhreitheachadh air stèidh 5 bhliadhain. Tha modh aontachaidh cho-ionann airson plana ath-sgrùdaichte agus a' chiaid phlana a dh'ullail ùghdarras poblach.

44. Bidh planaichean Gàidhlig a' mineachadh dè na seirbheisean a bhios ùghdarrasan poblach a' toirt seachad sa Ghàidhlig agus ciamar a bhios iad ag adhartachadh a' chànan san sgire obrachaidh aca. Chan eil cruth agus subsbaint planaichean cânain air an comharrachadh gu mionaideachsa Bhile. Mar sin bidh buidhnean fa leth a' faighinn mòran roghain ann an ullamadh plana, an co-chomhairle ri Bòrd na Gàidhlig, a tha freagarrach airson an t-suidheachaidh aca. Tha am mèorachan ionnhasail a' déiligeadh gu mionaideach ris an t-seòrsa cùisean air am biodh buidhnean poblach a' beachdachadh ann a bhith a' cur ri chèile nam planaichean aca.

Co-chomhairle

45. Mhol cuid de luchd-freagairt a'cho-chomhairle:

• gum bu choir pàipear-taice a chur ris leis a' chuid as lugha a dh'fheumas a bhith ann a rèir Bile Bhall an t-Seisein mu dheireadh;

• gum bu choir gum faodadh Bòrd na Gàidhlig a bhith a' co-dhùnadh subsbaint planaichean cânain fa leth; agus

• gum bu choir na planaichean a leasachadh gus am prionnsabal a chur an gniomh gu bheil inbhe cho-ionann no bàthach cho-ionann eadar Gàidhlig agus Beurla.

46. Bha Bòrd na Gàidhlig den bheachd gum bu choir a'nta a bhith aige ann an co-dhùnadh subsbaint deireannach planaichean cânain guis dèanamh cinnteach gu robh iad co-chòrdail ri stiùireadh a dh'hoilisich ann Bòrd. Tha beachd a' Bhùird air a ghabhail a-staigh sa Bhile athsgrùdaichte, le dìon air a chur ann do ùghdarrasan poblach ann an cruth côir tagraidh gu Ministearan ma bhios iad ag easaontachadh ris a' Bhòrd.

47. Shaoil am Bòrd cuideachd gum bu choir don Riaghaltas beachdachadh mu bhith a' leantainn eisimpleir Achd na Cuimris agus a' toirt prionnsabal eìfeachd cho-ionann eadar Gàidhlig agus Beurla a bhios air an cur an gniomh ann an ullamadh planaichean cânain. Cha
robh e comasach don Riaghaltas am prionnsabal seo a chur air adhart mar a dh'iaradh am Bòrd, airson nan adhbharian air am mineachadh shios.

Dóighean-obrach eile

48. Tha dà dhòigh déileigidh eile ann a bharrachd air na tha sa Bhile.

49. Bhiodh e comasach an susbaint as lugha a bu choir a bhith sa h-uile plana cánain a chur ann am pàipear-taice ris a' Bhile. 'S e dóigh-obraidhachd an Riaghaltais airson deailbhadh cánain sa Bhile a bhith a' cruthachadh ionnstramaid a tha sùbaitte gu leòr airson a bhith a' gabhail a-staigh eadar-dhealachadh ann an cleachdadh na Gàidhlig air fedh Alba. San spiorad sin bithear a’ sùileachadh gum faod eadar-dhealachadh mòr a bhith eadar na planaicheadh cánain air ullamachd le, mar eisimpleir, Comhairle nan Eilean Siar agus sgìre le àireamh le an ire mhath isosal de luchd-labhairt Gàidhlig. Mar sin, 's e beuchd an Riaghaltais gu e an dòigh as fheàrr air son na cùise riatanas a chur air ùghdarrasan poblach fa leth obrachadh còmhla ri Bòrd na Gàidhlig gus co-dhùndadh dé bu choir a bhith sa phlana cânain aca a reir an t-suidheachadh acasan. Thathar a’ meas gum biodh pàipear-taice den t-susbaint as lugha a bhiodh freagarrach airson gach ùghdarras poblach air am faodachd iarraidh plana cânain anns a' chòthraidh a bhì a’ cluain airson air ùghdarras poblach cho lag ’s nach biodh mòran luach ann.

50. Bhiodh e comasach ullamachd a dhèanamh airson gum biodh planaicheadh cánain air an cur ri chèile a chuireadh an gniomh am prionnsabal gu bheil stèidh cho-ionannachd no eifeachd cho-ionann eadar Beurla agus Gàidhlig. B’ e an dòigh a chaithd a ghabhail ann an Aichd na Cuimris a bhith ag iarraidh, cho fada ’s a bhiodh iomchaidh agus an ire mhath pragtaigeach san t-suidheachadh, gum biodh sgeamaichean cánain Cuimris a’ cur an gniomh prionnsabal inbhe cho-ionann eadar Cuimris agus Beurla. B’e mineachadh cumhang a chaithd a thoirt air inbhe cho-ionann san t-suidheachadh sin agus faodar riatanas a chur air buidhean poblach sa Chuimrigh planaicheadh a chur ri chèile anns a bheil ullamachd airson a bhith a' libhridgeadh seirbhis dhàchànanach. Leis an eon prionnsabal a ghabhail sa Bhile seo bheireadh e buaidh mhòr air an t-sùbailteachd a dh'fhaodadh ùghdarrasan poblach a chlearachadh ann an cur ri chèile am planaicheadh cánain. Tha an Riaghaltas don bheachd ged a dh'haodadh a bhith iomchaidh do phlana Comhairle nan Eilean Siar, mar eisimpleir, prionnsabal inbhe cho-ionann no eifeachd cho-ionann a chur an gniomh, nach biodh e iomchaidh iarraidh air buidheann ann agus le a' airdein an ire mhath beag de luchd-labhairt Gàidhlig plana ullamachd air an eon stèidh. Tha an Riaghaltas don bheachd gum biodh e nas freagarraiche na prionnsabal sin a chur an ceilinn anns a' phlana náiseanta agus an stiùireadh mu dhealbhadh cánain a bhios Bòrd na Gàidhlig ag ullamachd. Bheireadh seo an cothrom don Bòrd mineachadh soilleir a thoirt air na thàda a’ sùileachadh le na prionnsabal sin a chur ann, agus mar a bhunaideach iad ri sgìre den dûthach anns a bheil àireamhan eadar-dhealailte de luchd-labhairt Gàidhlig.

Sgrùdadh buileachaidh

Amaisn phoileasaidh

51. 'S e cèarrann ur a tha ann an earrann 6 a tha a' toirt ùghdarras do Bhòrd na Gàidhlig cumntas iarraidh bhò ùghdarras poblach air buileachadh plana Gàidhlig, agus airson rudeigin a dhèanamh ma dh'fhàillill buidheann poblach ann am buileachadh a phlana.

52. Gus dèanamh cinnteach gu bheilear a' cumail ri spiorad a' Bhile, agus gu bheil na seirbhisean air an comharrachadh ann am planaicheadh cânain air an libhridgeadh, faodaidh Bòrd na Gàidhlig aithisg sgrùdadh iarraidh air ùghdarras mu bhuiileachadh a phlana cânain. Tha an t-
ullachadh seo cuideachd a’ toirt comas do Bhòrd na Gàidhlig fianais a thional air libhrigeadh agus iarrtas na seirbheis, a chuidicheas a’ toirt fiosrachadh airson a’ phhlan laiseanta Gàidhlig a chur ri cheile agus airson a’ chomhairle a thà a’ toirt do Mhinistearan na h-Alba agus ùghdarrasan poblach mu chuísean Gàidhlig.

53. Nuair a gheibh e aithisg buileachaidh bho bhuidheann poblach faodaith Bòrd na Gàidhlig an uair sin a bheachdan a thoirt do Mhinistearan ma shaoileas e n’ ach eil am plana Gàidhlig ga làn buileachadh. An uair sin feumaidh Ministearan na h-Alba aithisg Bòrd na Gàidhlig a thoirt gu aire na Pàrlamaid no stiùireadh fhoillseachadh ag iarraidh air an ùghdarras phoblach am plana gu lèir no pàirtean dheth a bhuiteachadh.

Co-chomhairle
54. Ghabh beachdan mu buileachadh bhon cho-chomhairle a-staigh:

- gum feumadh Bòrd na Gàidhlig barrachd chumhachdan co-èigneachaidh thairis air ùghdarrasan poblach;
- nach robh na goireasan aig Bòrd na Gàidhlig airson a chumhachdan a sparradh; agus
- gum faodadh sparradh air buidhnean poblach daoine a thionndadh an aghaidh Gàidhlig.

55. Bha Bòrd na Gàidhlig den bheachd gur e cion ceuman co-èigneachaidh aon de na laigsean ann an dreachd co-chomhailreachaidh a’ Bhile.

Dòighean-obrach eile
56. Bhiodh e comasach a dhol air adhart às aonais siostam buileachaidh forimeil sa Bhile. Bhiodh riatanas air ùghdarrasan poblach direach an dleastanas reachdail a leantainn a bhith a’ buileachadh nan ceuman air an comharrachadh sna planaichean-cànan aca. Tha an Riaghaltas den bheachd gum b’ fhiaich siostam buileachaidh a thoirt a-steach gus am bi e comasach do Bhòrd na Gàidhlig dearbhadh dè na buaidhean pragtaigeach a bha aig plana cànan ùghdarras poblach. Chan e a-mhain gun toir seo comas do Bhòrd na Gàidhlig co-dhùnadh a bheil ùghdarras poblach ag obrachadh ann an deagh rùn agus a’ buileachadh a phhlan, ach bidh e na dhòigh air fiosrachadh thaighinn airson dòigh air planaichean ath-sgrùdadh an dèidh dhaibh a bhith stèidhichte airson 5 bliadhna agus airson a bhith a’ sealltainn càit a bheil deagh chleachdadh.

FOGHLAM GÀIDHLIG

Amasan poileasaidh
57. Tha mòran den bheachd gur e foghlam meadhan-Gàidhlig an dòigh air adhart airson na Gàidhlig. Tha Riaghaltas na h-Alba a’ toirt taic don bheachd seo.

58. Tha an Riaghaltas a’ toirt taic do ullachadh, agus cur ri cheile ullachadh, airson foghlam meadhan-Gàidhlig tro sgeama thabhartasan sònraichte. Faodaith ùghdarrasan foghlaim iarrtas a chur chun an Riaghaltas air stèidh 75%-25% airson tabhartas gus foghlam meadhan-Gàidhlig a leasachadh. Tha suim nam tabhartasan sònraichte aig £3.434 millean ann an 2005-06.
59. Tha an t-ullachadh airson foghlaig meadhan-Gàidhlig, a tha air uallach ùghdarrasan foghlaig fa leth, air a riaghlaidh gu h-àraidh le dà phhios reachdais. Tha Achd an Fhoghlaim (Alba) 1980 a’ sònachadh gu bheil ‘foghlaig sgoile’ a gabhail a-staigh ‘teagasg Gàidhlig ann an sgìrean le Gàidhlig’. Ghabh an Riaghaltais an cothrom air reachdachadh airson Gàidhlig sa chiad Bhile foghlaig aige an dèidh fèin-riaghladh. Tha Inbhean ann an Sgoiltean na h-Alba 2000 a’ cur dleastanas air ùghdarrasan a bhith a’ foillseachadh aithris bhliadhain air amasan leasachaidh. Am measg nìchean eile, tha Achd 2000 ag iarraidh gum bi aithris bhliadhain ùghdarras foghlaig air amasan leasachaidh a’ gabhail a-staigh iomradh air foghlaig Gàidhlig sna briathran a leanas – ’Bidh an aithris bhliadhain air amasan leasachaidh a’ gabhail a-staigh cunntas air (i) na dòigh; no (ii) an suidheachadh sam bi iad a’ libhrigeradh foghlaig meadhan-Gàidhlig, agus far a bheil uallachadh aca airson foghlaig meadhan-Gàidhlig, na dòigh sam bi iad ag iarraidh an uallachadh airson foghlaig leithid sin a leasachadh.’

60. Tha dùil aig Ministear an Fhoghlaim agus an Ìògridh stiùireadh fhoillseachadh fo Achd 2000 an co-cheangal ri foghlaig meadhan-Gàidhlig, gus:

- dèanamh cinnteach gum bi fàs agus leasachadh a’ cumail a’ dol ann am foghlaig meadhan-Gàidhlig an Alba;
- cunbhalachd agus inbhe as lugha a thoirt ann an aithrisgean ùghdarras ionadail air uallachadh agus planaichean leasachaidh foghlaig meadhan-Gàidhlig;
- misneachd a thoirt do phàrrant gu bheil dòigh nàiseanta ann a bheir taic le uallachadh agus leasachadh foghlaig Gàidhlig an Alba a chumail a’ dol; agus
- còir air a cho-dhùnadh aig ire ionaidail a stèidheachadh airson foghlaig meadhan-Gàidhlig.

61. Tha earrann 9 den Bhile a’ toirt a-steach dleastanas foirmeil do Bhòrd na Gàidhlig a bhith a’ foillseachadh stiùireadh mu foghlaig Gàidhlig san fharsaingeachd agus gu sònraichte foghlaig meadhan-Gàidhlig agus tha an Riaghaltais an dòil, leis an dleastanas seo a stèidheachadh, gum bi sealbh aig Bòrd na Gàidhlig air stiùireadh sam bith a dh’fhaodadh Ministearan fhoillseachadh mus bi an Achd seo ga cuir an gniomh.

Co-chomhairle

62. B’ e foghlaig aon de na priomh chuspairean a thogadh sna freagairtean co-chomhairle. Gu sònraichte, bha iarrtas an am airson:

- cothrom air foghlaig meadhan-Gàidhlig a bhith aig a h-uile duine a tha ga iarradh mar chòir; no
- cothrom air foghlaig meadhan-Gàidhlig a bhith aig a h-uile duine a tha ga iarradh, far a bheil iarrtas reusanta air a nochdadh.

Dòighean-obrach eile

63. ’S e a’ phriomh dhòigh a bharrachd air an dòigh ris an deach gabhail, agus priomh fòcas nam freagairtean co-chomhairle, a bhith a’ reachdachadh airson còir cothruim air foghlaig meadhan-Gàidhlig.
64. Bha an fhior mhòr-chuid de fhreagairtean co-chomhairle ag iarraidh gun toir an Riaghaltas ullachadh airson Gàidhlig a-steach don Bhile agus gu sònraichte gun dèan e ullachadh airson coir cothruim air foghlam meadhán-Gàidhlig. Ach, cha robh mòran beachdachaidh mun Chruth a bhiòidh air a’ chòir sin. Mar eisimpleir, cha robh co-aonta sam bith a thaobh am bu chòir a’ chòir sin buntainn ri ire ro-sgoil, bunsgoil, árdsgoil no foghlam adhartach agus árd-ire, no ri gach ire foghlaim. Cuideachd cha robh e soilleir an robh coir cothruim ga iarraidh aig ire sgòiltean fa leth, ire bagaid no ire uighdarras ionadail. Tha ceist ann cuideachd am biodh e comasach coinneachadh ris a’ chòir sin tro libhriagadh air mhodh eileagtronaigeach.

65. Tha an Riaghaltas den bheachd nach fyer bò taxi aird fhaolgam meadhán-Gàidhlig a shuidheachadh a bhiodh a’ libhriagadh na tha a’ choimhearsnachd Ghàidhlig ag iarraidh. Mar eisimpleir, nam biodh uighdarrasan foghlaim fo dhleastanas reachdail a bhith ag ullachadh foghlam meadhán-Gàidhlig a-mhàin, dh’fhaoadadh coinneachadh ris le bhith a’ teagasg na cloinne le bhith gan gluaisad gu aon sgoil ann an sgire an uighdarrais foghlaim sin, no leis an teagasg gu léir a dhèanamh air mhodh eileagtronaigeach. Chan eil e a’ creidsinn gur e se a tha a’ choimhearsnachd Ghàidhlig ag iarraidh. ’S e an dòigh as dheàrr leis an Riaghaltas airson na cùise a bhith a ob Rachadh tro ullachadh a tha ann an Achd 2000 cheana gus dèanamh cinneachadh gur bi foghlam meadhán-Gàidhlig a’ sior mheidheachadh agus, far a bheil iarrrtas air a shon, gum bu chòir gum biodh riatais air uighdarras ionadail dèiligeachd ris gu ceart. ’S e se an t-adhdbhar a tha Ministear an Fhoghlaim agus an Òigridh an dùil stiùireadh fo Achd 2000 gus déanamh cinneachadh gum bi dòigh nas cunbhalaiche ann air foghlam meadhán-Gàidhlig air feadh Alba a libhriagadh agus a leasachadh.

BUAIDH AIR CO-IONANNACHD CHOTHROMAN, CÒRAICHEAN DAONNA, COIMHEARSNACHDAN EILEANACH, RIAGHALTAS IONADAIL, LEASACHD SEASMHACH MSAA.

Co-ionannachd chothroman

66. Tha an Riaghaltas den bheachd nach eil droch bhuaidh aig a’ Bhile a thaobh gnè, cinneadh, ciorram, suidheachadh pòsaidh, creideamh no feisealachd.

67. Thog an Coimisean airson Co-ionannachd Cinnidh san tagradh a chur e a-steach mun dreachd Bhile, gu robh uallah air mur ghabhadh an Riaghaltas ri dòigh chom-pàirtreach airson a h-uile cànan an Alba, gum faodadh siostam dà-shreathach a chruthachadh nach biodh a’ coinneachadh ri feuman a h-uile duine an Alba, agus a bheireadh droch bhuaidh air co-ionannachd cinnidh an Alba. Tha an Riaghaltas a’ gealtainn gun cur e ri chèile ro-innleachd cànan coileanta a chuir ceud aghaidh air feuman a h-uile cànan an Alba, a’ gabhal a-staigh Scots, cànanain coimhearsnachd agus Cànan Soighnidh Bhreatainn. Tha obair air ro-innleachd nan cànanain sin ga dhèanamh air leth bhon Bhile seo. Tha an Riaghaltas den bheachd às aonais na h-obrach shònraichte air a mineachadh sa Bhile seo gum bi a’ Ghàidhlig ann am fior chunnart agus mar sin tha e a’ leantainn eisimpleir dhùthchannan eile ann a bhith a’ toirt ceuman gus inbhe aon de na cànanain aice a chuir air stèidh thèarainte.

68. Tha uallah sònraichte aig Riaghaltas na h-Alba agus uighdarrasan poblaich na h-Alba airson Gàidhlig. Tha co-ionannachd chothroman aig cridhe a’ Bhile seo agus tha an Riaghaltas airson Bile a thòirit a-steach a ni cinneach gum bi tomasas de cho-ionannachd aig luchd-labhairt Ghàidhlig. Tha mòran den bheachd gun täinig staist lag na Gàidhlig an Alba bho úine mhòr de
dhearmad bunaiteach agus às-dhùnadh bhon bheatha làith eil. Bidh am Bile seo a' feuchainn ri seo a cheartachadh.

69. Tha am Bile airson cothroman a chruthachadh airson a' Ghàidhlig a chleachdadh sa bheatha làitheil agus gun ullachadh sheirbheisean le buidhnean poblach a chuingealachadh no àicheadh air buidhnean sóisealta sam bith a gheibheadh foghlam no a dh'thaodadh fhaighinn ann an cànan eile. 'S e beachd an Riaghaltais nach biodh Bile ag iarraidh air buidhnean poblach a bhith a' cur air dùigh agus a' buileachadh sgeamaichean Gàidhlig a' bacadh buidhnean leithid sin bho bhith a' cur air dùigh sgeamaichean no poileasaidhean a bhuineas do chànan eile, mas e sin an toil.

Còraichean daonna

70. Chan eil am Bile a' togail cheistean sam bith fon Chùmhnant Eòrpach air Còraichean Daonna.

Coomhearsnachdan eileanan

71. Tha comas sa Bhile seo airson buaidh mhòr a thoirt air na h-Eileanan Siar gu lèir. Ann am mòran de na h-eileanan sin tha ichean àsra de luchd-labhart Gàidhlig agus thàinig mòran de na tagraidhsean airson barrachd àite agus taic don Ghàidhlig às na h-eileanan sin. Mar sin, bidh buaidh mhòr aig a’ Bhile seo gach cuid a thaobh a’ mhasneachd a thigeadh bhon àite a gheibheadh cànan agus cultar sònraichte nan eilean agus cuideachd a thaobh cothroman cosnaidh, le buntaineas direach no neo-dhireach ris a’ Bhile. Tha comas aig a’ Bhile seo cuideachd a bhith a’ cruthachadh cothroman cosnaidh do luchd-obraoch le Gàidhlig agus cuideachd airson leudachadh an fheum air seirbheisean taic leithid eadar-theangachadh agus cúrsaichean Gàidhlig, a tha a’ dol cheana sna h-Eileanan Siar.

72. Chan eil dualchas Gàidhlig co-ionann aig na h-Eileanan mu Thuath agus na h-Eileanan Siar agus mar sin chan eil mòran Gàidhlig air a bhruidhinn sna h-Eileanan mu Thuath. Rè úine cho-chomhairleachaidh a’ Bhile, fhuaireadh freagairtean a thog a’ phuing seòg agus tha iad sin air an gabhail a-staigh ann an dreachadh a’ Bhile seo.

Riaghaltas ionaidail

73. Bidh buaidh aig a’ Bhile air ùghdarrasan ionaidail nuair a bhithear ag iarraidh orra plana Gàidhlig ullachadh, no far a bheil ullachadh aca airson foghlam meadh-an-Gàidhlig. Bidh an t-ullachadh airson dealbhadh-cànan a’ sùileachadh nithean ùra bho chuid de ùghdarrasan ionaidail agus tha a’ bhuaiddh a dh’thaodadh a bhith an lùib seo air a mhineachadh sa Mhèòrachan Ionmhasail. Bidh na builean ionmhasail eadar-dhealaichte air fedadh ùghdarrasan ionaidail a réir dè na seirbheisean Gàidhlig a bhios iad a’ toirt seachad.

Leasachadh seasmhach

74. Cha bhi buaidh aig a’ Bhile air leasachadh seasmhach.
Education Committee

2nd Report, 2005 (Session 2)

Stage 1 Report on the Gaelic Language (Scotland) Bill

Published by the Scottish Parliament on 26 January 2005
Education Committee

2nd Report, 2005 (Session 2)

CONTENTS

THE REPORT

ANNEX A – REPORT BY THE SUBORDINATE LEGISLATION COMMITTEE

ANNEX B – REPORT BY THE FINANCE COMMITTEE

ANNEX C – EXTRACTS FROM MINUTES AND ASSOCIATED ORAL EVIDENCE

23rd Meeting, 2004 (Session 2)
24th Meeting, 2004 (Session 2)
25th Meeting, 2004 (Session 2)
26th Meeting, 2004 (Session 2)
27th Meeting, 2004 (Session 2)
28th Meeting, 2004 (Session 2)
1st Meeting, 2005 (Session 2)
2nd Meeting, 2005 (Session 2)

WRITTEN EVIDENCE:

A: Written submissions in support of oral evidence to the Committee

Clì Gàidhlig
Comhairle nan Eilean Siar
Comman nam Pàrant
Commun na Gàidhlig
Highland Council
Sabhal Mòr Ostaig
Welsh Language Board
B: Written submissions from organisations

An Commun Ceilteach - Edinburgh University
An Comunn Gaidhealach
An Comunn Gaidhealach - Dunoon Branch
An Comunn Gaidhealach - Loch Ewe Branch
An Comunn Gaidhealach – Manchester Branch
Angus Council
Angus and Perthshire Provincial Mod and Lochtayside Branch, An Comunn Gaidhealach
City of Edinburgh Council
ClannGaidhlaig
CLAS
Còisir Ghàidhlig Astràilianach
Comann nam Pàrant (Dun Eideann & Lodainn)
Comhairle nan Eilean Siar Education Department
Comhairle nan Gàidheal Ìre
Commission for Racial Equality
Cròileagan Eubhal
Democratic Left Scotland
East Dumbartonshire Council Education Service
Feis Rois
Gaelic Language Promotion Trust
Gaelic Media Service
Glasgow Gaelic Primary School
Highland Festival
Highlands and Islands Enterprise
Iomart Cholm Chille
Ionad Chaluim Chille Île
Lothian Gaelic Choir
North Lanarkshire Council
POBAL
Proiseact nan Ealan
Renfrewshire Council
Scottish Borders Council
Scottish Gaelic Society of Victoria
Scottish Qualifications Authority
SNP (Skye Branch)
Sorley Maclean Trust
South Lanarkshire Council
Stòrlann Nàiseanta na Gàidhlig
Stri Nan Oileanach
UHI Millennium Institute
Voluntary Arts Scotland
West Lothian Council
C: Standard responses

Type 1 (60 responses)
Type 2 (30 responses)
Type 3 (12 responses)

D: Responses from individuals

Seonaidh Adams
William Anderson II
Seònaid Anderson–Weissmann
Anonymous
Timothy Currie Armstrong & Shana Anderson
Micheal Bauer
Susan Bell
Catriona Black
Ronald Black
Allan Bolland
Douglas Brebner
Jane Brown
Matt Bruce
Daibhidh Byrne
Aonghas Caimbeul
Maolios Caimbeul
Iain Campbell
John Campbell
Dr Douglas Chalmers
Dr Jim Chalmers
Peter Chapman
John Charity
Ian Clement
Craig Cockburn
Cairistiona Combe
Anndra Sheumais Cook-Jolicoeur
Mike Cormack
Evelyn Coull
Derek Cruickshanks
Professor Maria Eugenia Cruset
Dr Eòghan Denney
Richard Deveria
Diana Disley
Scott Domhnallach
Sean Doran
Ruth Drobnak
Leandro Nicolas Espeche
Iain and Susan Forbes
James Forbes
William Ford
Irene Gardiner

Malcolm Gibson
Mechthild Graeme
Steven Graham
Alaric Hall
Siúsaídh Hardy
Magaidh Harrison
Michael Hill
Gavin Humphreys
Catie Hutton
Kate James
Andrew MacAoidh Jergens
Catriona Johnson
Annette Kerr
Uílleam Lamb
Patrick Langan
Aileen Latona
Mary Leighton
Jimmy Letham
Alastair Livingston
Diego Longueira
Iain Mac an Tàilleir
Ian Macadam
Uílleam MacCaluim
Scot MacCreamhain
Chas MacDonald
Donald MacDonald
Donald MacDonald (2)
Marisa Macdonald
Murdo Macdonald
Eileen Maceachen
Iain Mac Fhearchair
Seonaidh MacFhraing
Catherine MacIntyre
Derek Mackay
John MacKenzie
Dr Niall MacKenzie
Robbie Mackenzie
Robin Mackenzie-Hunter
I MacKillop
Patrick MacIlwaine
Alex, Agnes and Ann MacLean
Calum Maclean
Elsie Maclean
Roddy Maclean
Sheena MacLean
Barbera Maclennan
Allan MacLeod
Donald MacLeod
Kirsty Macleod
Nan Macleod
Niall MacLeòid
Andrew Macmillan
Janet Macmillan
C, I and W MacNally
Stephen MacRitchie
Gordon MacRobert
Jocelyn Markland
Jennifer Marshall
Andrew McHale
Alexandrina McInroy
Jim McLean
Dr Wilson MacLeod
Gillian McCluskey
Eilidh Mhoireach
Ian Mitchell
Peter Murray
Michael Newton
Tracy Nic an Toisich
Mairi E NicLeoid
Angus Nicol
Sir Ian Noble
Caoimhiin O' Donnaille
Brian Ó Headhra
Ailig O’ Henley and Sandra Niciomhair
Ferry O'Killian
Amaia Zulaika Orozko
Brian Patton
Ronald S Pirrie
Florence Ponssa
Daniel Prohaska
Mairead Ramsaidh
Effie Rankin
Phyllis Reoch
Alberto Santiago Rivas
Susan Robertson
Joyce Robson
Helen Ross
Cailean Sandilands
Des Scholes
Judy Scott
Stephen Sharp
Linsey Sinclair
Barbara Smith

George Stoddart
Luis Stuart-Pennington
Dave Thompson
Ailean R Turner
Richard Watson
Glenn Wrightson
Mark Wringe
Karen Zabala
E: Late responses

Cli Gaidhlig
Comann Nam Pàrant (Nàiseanta) (National Parental Organisation)
Comunn na Clarsaich
Seamus Dalaigh
Feis Sa Mheadhran
Gaelic For All
Gaelic Galore
Fiona Henderson
M Y Henderson
Morag Henderson
Mrs E Kelly
Calum Laing
Maighread Lobban
Domhnall Mac a Ghobhainn and Mina Nic a Ghobhainn
Fergus Mackenzie
Illeene MacLeod
Lorne Macleod
Ceitidh Mhoireach
R McK Munro
Andy Payne
June Scott
R Fraser Turnbull
Di Willis
Committee

Remit and membership

Remit:

To consider and report on matters relating to school and pre-school education, young people and social work and such other matters as fall within the responsibility of the Minister for Education and Young People.

Membership:

Robert Brown (Convener)
Wendy Alexander
Rosemary Byrne
Lord James Douglas-Hamilton (Deputy Convener)
Fiona Hyslop
Mr Adam Ingram
Mr Kenneth Macintosh
Mr Frank McAveety
Dr Elaine Murray

Committee Clerking Team:

Clerk to the Committee
Martin Verity

Senior Assistant Clerk
Mark Roberts

Assistant Clerk
Ian Cowan
The Committee reports to the Parliament as follows—

INTRODUCTION

1. The Gaelic Language (Scotland) Bill was introduced to Parliament on 27 September 2004. The Education Committee was designated as the lead Committee and this report presents the views of the Committee on the general principles of the Bill as required under Rules 9.6.1, 9.6.2 and 9.6.3 of the Parliament’s Standing Orders.

2. The Bill creates Bòrd na Gàidhlig as a statutory body to oversee the development of Gaelic and to secure its status as an official language of Scotland. It requires the development of a national Gaelic language plan to promote the language and the establishment of Gaelic language plans by individual public authorities. It also affords Bòrd na Gàidhlig the opportunity to issue guidance on Gaelic education and the provision of such education. The Gaelic Language (Scotland) Bill adopts a language planning approach to the development of Gaelic rather than a rights-based approach that many members of the Gaelic community have sought.

3. A number of key themes have emerged during the course of the Committee’s consideration of the general principles of the Bill and the main body of the report is structured around these themes:
   
   i. The status of Gaelic (paragraphs 16 to 36)
   ii. Gaelic education (paragraphs 37 to 70)
   iii. Cultural and economic context (paragraphs 71 to 82)
   iv. Other organisations (paragraphs 84 to 96)
   v. Bòrd na Gàidhlig (paragraphs 97 to 108)
   vi. Language plans (paragraphs 109 to 119)

4. The report also considers the recommendations made by the Finance and Subordinate Legislation Committees.
EVIDENCE

5. Members of the Committee attended a public meeting at the Royal National Mòd on 14 October 2004, and held five oral evidence sessions during November and December 2004, hearing evidence from Clì Gàidhlig, Comann nam Pàrant, Sabhal Mòr Ostaig, Comunn na Gàidhlig, Comhairle nan Eilean Siar, Highland Council, Glasgow City Council, the Welsh Language Board, Bòrd na Gàidhlig and the Minister for Education and Young People. The evidence given by Clì Gàidhlig, Comann nam Pàrant, Sabhal Mòr Ostaig, Comunn na Gàidhlig, Comhairle nan Eilean Siar and Bòrd na Gàidhlig was given in Gaelic and interpreted simultaneously. In addition, the Committee visited Portree Primary School and Portree High School on 29 November 2004.

6. In response to its call for evidence, the Committee received 140 responses from individuals, 102 individual responses in three standard forms and 42 from organisations. The Committee thank everyone who gave evidence in person or submitted written evidence.

THE FUTURE OF GAELIC

7. Census data reveals the decline in the number of Gaelic speakers and the overall fragility of the language. In 1981, around 82 000 people in Scotland were able to speak, read or write Gaelic. In 1991, that number had fallen to 69 510. By 2001, the number had fallen again to 65 674, representing an overall fall of 20% in 20 years\(^1\). Overall, 1.84% of the Scottish population have some knowledge of Gaelic\(^2\). The geographical distribution of Gaelic speakers is highly heterogeneous with around 70% of people living in the Comhairle nan Eilean Siar local authority area having some knowledge of Gaelic, while at the other end of the spectrum, the number is 0.61% in the East Ayrshire local authority area\(^3\). In its written submission, An Comunn Gaidhealach noted that predictions about future population decreases in the Western Isles, Highland and Argyll and Bute local authority areas have potentially profound implications for Gaelic and make for:

“…grim reading”\(^4\).

8. The Committee’s discussions during the course of its evidence gathering have complemented this quantitative picture and the Committee is particularly struck by the fragile state of the Gaelic language and the need for immediate action to protect and develop it. However, the Committee was encouraged by the results of a survey conducted for Bòrd na Gàidhlig in partnership with the BBC that revealed that:

“…broadly speaking, 80 per cent of people in Scotland support Gaelic and think that the language should be made available to children whose parents want them to learn the language at school”\(^5\).

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\(^1\) Gaelic Language (Scotland) Bill, Policy Memorandum, SP Bill 25-PM.
\(^2\) Gaelic Language (Scotland) Bill, SPICe Briefing SB 04-81, p. 9.
\(^3\) Gaelic Language (Scotland) Bill, SPICe Briefing SB 04-81, p. 29.
\(^4\) An Comunn Gaidhealach, written submission.
9. This data suggests that there is a broad base of support for Gaelic across Scotland despite the low numbers of actual Gaelic speakers throughout the country. The Minister for Education and Young People acknowledged the sense of injustice felt by many regarding the history of Gaelic and contrasted the aims of the Gaelic Language (Scotland) Bill with an act of the pre 1707 Scottish Parliament which required Gaelic:

“to be “abolishit and removit” from the land”\(^6\).

10. Given this context, the Committee strongly welcomes the commitment demonstrated by the Scottish Executive to striving to protect and develop the Gaelic language by introducing the Gaelic Language (Scotland) Bill and fully endorses the Minister for Education and Young People’s statement that:

“...it is legitimate for individuals to aspire to use Gaelic as normally as possible in their lives; that Gaelic should not suffer from a lack of respect at individual and corporate level; that there should be parity of esteem for the languages; and that Gaelic is as legitimate a language as any other spoken anywhere in the world.”\(^7\)

11. As noted in paragraph 2, the Bill establishes a framework for the development of a national Gaelic language plan and plans for the development of Gaelic by public authorities. The Committee recognises that the developmental language planning approach adopted by the Bill will not secure the long term future of the Gaelic language immediately and that progress will be incremental or as Sabhal Mòr Ostaig said:

“There will not be a big bang—everybody will not be speaking Gaelic tomorrow, or the day after tomorrow”\(^8\).

12. The Committee notes that sections 3(3) and 3(5) of the Bill refer to “the extent to which the Gaelic language is used”. This wording is critical as the Committee believes that it focuses simply on preservation of the current situation rather than emphasising the equal importance of the future development of the Gaelic language. Bòrd na Gàidhlig suggested that:

“Those two aspects must be married. As has been said, if demand alone is considered, that just preserves Gaelic as it is. It is like a jar of jam—it is dead. Therefore, some development must be considered”\(^9\).

13. Furthermore, the Minister for Education and Young People noted:

“If we act only on the basis of the number of Gaelic speakers, we will stand still. One challenge is how we break out from the areas in which Gaelic speakers are concentrated at present. The bòrd will have to

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\(^8\) Gillies, Official Report, 29 November 2004, col 1787.
achieve a balance—it will have to have regard to the number of speakers in an area, but also to the representations that it has received and to the national policy of trying to make progress with the language. The issue is not purely about the number of speakers in an area; it is also about trying to create opportunities for more people to become Gaelic speakers.\textsuperscript{10}

14. The Committee supports this view and recommends that the Scottish Executive consider amendments to the Bill to emphasise the need to take into consideration the potential for the development of the language as well as the existing extent of use.

RESPONSE TO THE BILL

15. It is clear from the vast majority of written responses that the Committee received that there is strong support for the introduction of a “Gaelic Language Bill” and that it has the potential to contribute to the development of the language. A small number of respondents believed that legislation was not the right mechanism for protecting and developing Gaelic. However, many respondents felt that the Bill did not go far enough, in particular with regards to absence of a right to Gaelic medium education in statute. The Committee recognises the profound importance of education as a key foundation for any language and this is discussed in detail below. The main issues raised in the written evidence received are addressed in the sections below.

THE STATUS OF GAELIC

16. A large number of written submissions made to the Committee demanded that Gaelic be afforded “official status”, “secure status”, “equal status” or “equal validity” within the Bill. The issue of the status and wording used to articulate that status is particularly complex.

17. The Committee recognises the significance of a clear statement in statute regarding the status of Gaelic and was impressed by argument that statutory recognition gave:

“…status and prestige to the language”\textsuperscript{11}.

Official Status

18. The Gaelic Language (Scotland) Bill does not explicitly address the issue of the status of Gaelic. However, the long title of the Bill refers to the function of Bòrd na Gàidhlig to secure: “… the status of the Gaelic language as an official language of Scotland” and section 1(3) of the Bill states that: “The functions conferred on the Bòrd by this Act are to be exercised with a view to securing the status of the Gaelic language as an official language of Scotland”.

19. Despite, this, in its written submission in support of its oral evidence, Comunn na Gàidhlig stated that:

\textsuperscript{11} Huws, Official Report, 8 December 2004, col 1891
“We believe that the Bill should specifically state that Gaelic is an official language of Scotland.”

20. With regards to “official status”, the Minister for Education and Young People stated that:

“… the Executive has already made clear its belief that the language has such status and has introduced a variety of touchstones to support that. Indeed, a response to a parliamentary question at Westminster explicitly states that Gaelic has official status as a language in Scotland and the UK. The fact that we incur spending on the language; that there is a minister with responsibility for it; that various acts of Parliament refer to it; that the Gaelic Language (Scotland) Bill has been introduced; that we answer parliamentary questions in Gaelic; and that we have debates in Gaelic in the chamber points to its official status.”

21. Bòrd na Gàidhlig stated, in its written submission in support of its oral evidence, its belief that:

“The designation of a language as “official” does not, however, necessarily have any implications with respect to the use of the language in other settings; certainly, “official” status does not generally imply a generalisable right to use the “official” language in gaining access to all, or a wide range, of public services”.

and furthermore that:

“…it would be strange to designate Gaelic as “official” when English itself has not been so designated, either in the Bill or in any other statute.”

22. The Committee believes that Gaelic already possesses the status of an official language of Scotland and that the wording of the Bill reflects this appropriately.

Secure Status

23. A number of written submissions made to the Committee made reference to Gaelic having “secure status”. The Committee notes that Bòrd na Gàidhlig viewed secure status as being:

“…perhaps the most problematic”.

of the four phrases noted above.

24. The Committee agrees with Bòrd na Gàidhlig’s view that “secure status” is a problematic formulation as it would be impossible to afford

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12 Commun na Gàidhlig, written submission in support of oral evidence, 29 November 2004.
Gaelic the status of being secure instantaneously as incorporation of the phrase “secure status” into the Bill would do.

Equal Status and Equal Validity

25. Comunn na Gàidhlig stated, in its written submission in support of its oral evidence, that the aspirations of the Bill for the future of the Gaelic language:

“…can only be met by the inclusion of a more robust statement on the status of Gaelic to take account of the needs of Gaelic speakers along the lines of the Welsh Language Act”\(^\text{16}\).

26. This perspective was supported a large volume of the written evidence received by the Committee which referred for the need for Gaelic to receive the same designation as Welsh with regards to its equality of status with English.

27. The long title of the Welsh Language Act 1993 is:

An Act to establish a Board having the function of promoting and facilitating the use of the Welsh language, to provide for the preparation by public bodies of schemes giving effect to the principle that in the conduct of public business and the administration of justice in Wales the English and Welsh languages should be treated on a basis of equality, to make further provision relating to the Welsh language, to repeal certain spent enactments relating to Wales, and for connected purposes

28. However, the Welsh Language Board noted that this formulation generates a degree of ambiguity as:

“… the exact status of the Welsh language is, legally, rather difficult; however, we are agreed on the concept that both languages should be treated equally”.\(^\text{17}\)

29. Despite the incorporation of the phrase “basis of equality” into the Welsh Language Act, the Welsh Language Board stressed that:

“Our legislation is based not on the concept of rights, but on the concept of providing a service for Welsh speakers.”\(^\text{18}\)

30. The Minister for Education and Young People stressed that:

“… the terms "equal status" and "equal validity" are probably exactly the same legal concept”

and emphasised the challenge incorporating either term into the Bill would present:

\(^{16}\) Comunn na Gàidhlig, written submission in support of oral evidence, 29 November 2004.

\(^{17}\) Prys Jones, Official Report, 8 December 2004, col 1892.

“If that phrase were put into the bill, it would have a legal meaning. If the phrase were taken literally, it would mean that the English and Gaelic languages would have to be regarded as being absolutely equal in all circumstances; they would have to have equal validity for usage in courts, public service delivery and all dimensions of our life. Frankly, we could not deliver such equality of status. The bòrd recognised that that could not be done in practice. Delivering equal validity status might be possible in certain pockets of Scotland because of the concentration of Gaelic speakers there, which would allow a high proportion of services to be delivered through Gaelic”19.

31. However, the Committee believes that the two phrases have different implications. “Equal status” implies that Gaelic and English must be equally available. In contrast, “equal validity” seems to indicate that both languages are equally valid when and where they are used. The latter formulation is also more compatible with the developmental philosophy that underpins the language planning approach that the Bill adopts. The Minister for Education and Young People agreed to:

“…ponder how we could capture the spirit of equal validity within the bill's framework, if not necessarily within the long title”20.

32. The Committee notes that Section 7 of the Government of Wales Act 1998 states that the Welsh Assembly must, in conducting its business, “so far as appropriate in the circumstances and reasonably practicable give effect to the principle that the English and Welsh languages shall be treated on the basis of equality”.

33. The Committee believes that English and Gaelic should be treated as equally valid when and where used. However, the Committee accepts that any such formulation should not, certainly at this stage, confer rights on individuals as opposed to duties on public bodies. The Committee welcomes the Minister’s commitment to endeavour to further enhance the status of Gaelic through the Gaelic Language (Scotland) Bill before Stage Two.

European Charter on Regional and Minority Languages

34. The European Charter for Regional and Minority Languages was passed by the Council of Europe in 1992 and ratified by the UK government in 2001. The Charter aims “…to protect and promote the use of regional or minority languages in public and private life”. Gaelic was one of the languages identified.

35. In their March 2004 report on the UK’s implementation of the Charter, the Committee of Experts noted that in comparison with Welsh: “There appears to be

less emphasis on minority language policy on the part of the Scottish Executive even though there is political will to protect the Gaelic language\textsuperscript{21}.

36. The Committee recommends that the Scottish Executive consider an amendment to place a duty on Bòrd na Gàidhlig to report to Scottish Ministers on progress against the commitments made by the UK government with regards to Gaelic in the European Charter on Regional and Minority Languages.

GAELIC EDUCATION

37. The Scottish Executive consulted on a draft version of the Gaelic Language (Scotland) Bill in early 2004. Over 3000 responses were received, many of which identified the absence of any reference to education in the draft Bill as a critical failing. Section 9 of the Bill, as introduced to Parliament, provides Bòrd na Gàidhlig with the power to issue guidance on the provision of Gaelic education. Many written responses received by the Committee stressed that the Bill as introduced to Parliament had been significantly improved from the draft Bill by the inclusion of Section 9, even though many, as noted above, did not believe that the Bill went far enough as it did not provide a statutory right to Gaelic medium education.

38. The Committee commends the Executive for its positive response to the concerns raised regarding education during its consultation on the draft Gaelic Language (Scotland) Bill.

39. The Committee recognises that education is not the primary focus of the Gaelic Language (Scotland) Bill but recommends that a comprehensive national strategy for the delivery of Gaelic education (from preschool through to further and higher education) is an essential component of developing Gaelic in the longer term and should be developed and led by the Scottish Executive in parallel to the development of the national Gaelic language plan.

40. The Committee recognises the vital importance of Gaelic medium education in securing the long term future of Gaelic but interprets the reference to Gaelic education in Section 9 of the Bill as relating to the teaching of Gaelic as a second language, both to adults and children and young people, as well as to Gaelic medium education. The Committee encourages Bòrd na Gàidhlig to adopt a similar view and not to focus solely on Gaelic medium education in developing language plans, especially outwith the traditional Gaelic speaking areas, in the light of the need to explore the potential for the development of Gaelic and furthermore recommends that the Scottish Executive considers amendments to reflect this.

Early years education

41. The Committee notes the critical importance of early years Gaelic provision and notes the work being undertaken by the Welsh Language Board in supporting and developing preschool Welsh provision and encourages Bòrd na Gàidhlig to incorporate early years Gaelic provision into the national Gaelic language plan.

Primary and secondary education

42. In 2003-04, there were 1972 primary pupils and 284 secondary pupils in Gaelic medium education\(^{22}\). These statistics illustrate a critical point that there a massive “drop-off” in the numbers of pupils in Gaelic medium education at secondary level. As Highland Council noted:

“…secondary education is a desert”\(^{23}\)

and Comhairle nan Eilean Siar stated that:

“The campaign for Gaelic-medium primary education, which we are starting to see the fruits of, has not followed through to high school”\(^{24}\).

43. The Committee heard evidence that across all Scottish secondary schools the total number of teachers:

“…who are involved in subjects that are taught through the medium of Gaelic is 60”\(^{25}\).

44. This small number of teachers means that it is impossible to deliver all subjects through the medium of Gaelic and therefore there is a restriction of choice if Gaelic medium education is selected and inevitably, there must be concerns for pupils and parents over the long term security of subjects that are delivered through the medium of Gaelic.

45. The seven-fold “drop-off” in the number of pupils in Gaelic medium education between primary and secondary has to be addressed to ensure that the efforts put into developing Gaelic language ability at the primary level are not lost upon the transition to secondary school. The decrease in the numbers of pupils pursuing Gaelic medium education at the secondary level also has an impact on the development of children and young people’s fluency in Gaelic and therefore the overall state of Gaelic knowledge.

“…children in Gaelic-medium education cannot access the full curriculum in English-medium education because they must take two to three periods a week to develop their Gaelic. The fluency issue for children is such that they are heavily involved in developing their Gaelic when they are in primary. However, if that is not continued


beyond primary, their Gaelic stagnates. Their development must be kept going and the best way of doing that is to use Gaelic to teach other subject areas.\textsuperscript{26}

46. The Committee notes that the Scottish Executive’s spending review target of increasing the number of children in Gaelic-medium education year on year, and by 20\% by December 2009\textsuperscript{27}. If the target were met, then there would be 2367 children in Gaelic medium education by 2009-10 – an increase of 395 above the 2003-04 number. However, this target refers to primary schools\textsuperscript{28} and makes no reference to reducing the scale of the drop in numbers pursuing Gaelic medium education between primary and secondary.

47. The Committee believes that increasing the number of pupils continuing in Gaelic medium education at secondary level is vital and should be a key component of the national Gaelic education strategy recommended above.

48. The lack of continuity from primary to secondary education also generates a vicious circle for the future supply of Gaelic medium teachers, as observed by Bòrd na Gàidhlig:

“We lose eight out of 10 pupils, which means that by the time those young people reach sixth year in high school, we have many fewer people available for teaching purposes.”\textsuperscript{29}

49. The wider implications for Gaelic of the supply of Gaelic medium teachers was stressed by Highland Council:

“…the lack of teacher supply is the “biggest single obstacle” that the Gaelic language faces.”\textsuperscript{30}

while Sabhal Mòr Ostaig stated that:

“Development is held back, however, because there are not enough teachers in the system at the moment.”\textsuperscript{31}

50. The Committee welcomes the fact the Scottish Executive stresses to the funding councils that Gaelic is a priority area and that a recruitment campaign for Gaelic medium teachers will be launched during the course of 2005. However, the Committee notes with concern the discrepancy between supply and demand for Gaelic medium teacher training, as highlighted by the Minister for Education and Young People:

\textsuperscript{26} Higginson, Official Report, 1 December 2004, col 1885.
\textsuperscript{27} Building a Better Scotland. Scottish Executive, September 2004.
\textsuperscript{28} Spending Review 2004: Technical Notes (http://www.scotland.gov.uk/library5/finance/srtn04-00.asp)
\textsuperscript{30} Robertson, Official Report, 1 December 2004, col 1865.
“Our problem with Gaelic medium education is not the number of available places but getting people to choose to work in that sector”\textsuperscript{32}

and stresses that this must be addressed in the national Gaelic education strategy.

51. There appear to be a variety of reasons why teachers are opting to be English medium teachers as opposed to Gaelic medium teachers or indeed, opting not to choose teaching as career at all. These include the perceived lack of security about the long term future of Gaelic medium education, the limited number of career opportunities due to the small number of pupils, particularly at the secondary level and the fact that it is believed that more effort is required in the preparation of Gaelic medium lessons as opposed to their English medium counterparts. This problem was noted by Comunn na Gàidhlig who said:

“I was speaking to a couple of young people who did teacher training at college and who had been hoping to teach Gaelic but changed their minds because, when they went to the Gaelic units as part of their training course, they came to the conclusion that the job and the responsibilities and work load for Gaelic teachers are far greater than for those who were teaching English next door. The reason for that—Donald MacDonald alluded to this—is that there is an awful lot of preparation to do if you are teaching in Gaelic medium, because the materials do not exist and teachers have to prepare much of the material from scratch. They came to the conclusion that, because they would get the same salary as they would for teaching next door through the medium of English, it was not worth while for them to teach through the medium of Gaelic”\textsuperscript{33}.

52. Increasing the number of Gaelic medium teachers is particularly challenging and it has been proposed that some form of incentive mechanism is established. However, as Highland Council noted this would generate:

“…major issues for the General Teaching Council for Scotland, as well as for local authorities and the Executive, in providing incentives and in establishing parity with other areas of the school curriculum in which there are shortages.”\textsuperscript{34}.

and similarly the Minister for Education and Young People noted that:

“The difficulty with any incentive system within any recruitment pool is the fact that distortions are created in the marketplace”\textsuperscript{35}.

53. Ultimately, it is the responsibility of local authorities, who employ teachers, to decide whether they need to provide incentives to increase the numbers of

\textsuperscript{33} Màrtainn, Official Report, 29 November 2004, col 1831.
\textsuperscript{34} Robertson, Official Report, 1 December 2004, col 1874.
Gaelic medium teachers. However, the Committee believes that the Scottish Executive should take the lead role in ensuring that sufficient Gaelic medium teachers are recruited and retained.

54. The Committee recommends that strategies for ensuring both an increase in the numbers of Gaelic medium teachers and a step change in the numbers of pupils pursuing Gaelic medium education, at both primary and secondary level, are developed within the national Gaelic education strategy recommended above. Unless these two key issues are addressed, the Committee is concerned that the wider aspirations of the Gaelic Language (Scotland) Bill in securing the Gaelic language will not be achievable.

55. Sabhal Mòr Ostaig stressed that the quality as well as number of teachers was critical:

“…it is not enough for us to have plenty of teachers—it is also essential that we have good teachers”

56. The Committee wholeheartedly supports this view and believes that pupils, whether being taught through the medium of Gaelic or English, should receive an equally high quality of education.

57. The Committee supports Highland Council’s argument that:

“...responsibility for Gaelic Education and Gaelic Education developments should remain as part of the core remit of the Scottish Executive, HMIE, and Local Authorities”

as the quality of education, whether it is in English or Gaelic, must remain with these authorities.

58. The Committee welcomes the Bill’s amendment of Standards in Scotland’s Schools etc Act 2000 so that education authorities have to have regard to Bòrd na Gàidhlig’s guidance on Gaelic education but recommends that the Scottish Executive further considers amendments to define the relationship between the Gaelic Language (Scotland) Bill and the Standards in Scotland’s Schools etc Act 2000.

59. The Committee notes that the addition of another body, in the form of Bòrd na Gàidhlig, to the educational landscape to complement existing bodies such as Learning and Teaching Scotland, the Scottish Qualifications Authority and Her Majesty’s Inspectorate of Education could lead to additional complexities and these will need to be resolved through the development of a national Gaelic education strategy as advocated above and through the Gaelic language plans of the individual organisations (especially local authorities) to ensure a coherent and comprehensive approach to Gaelic education.

37 Highland Council, written submission in support of oral evidence, 1 December 2004.
Education Committee, 2nd Report, 2005 (Session 2)

Educational resources and the use of technology

60. The issue of the quality of Gaelic medium resources was alluded to above in the discussion on disincentives for teachers to pursue Gaelic medium teaching. The Committee has seen and heard evidence of the poor quality of some Gaelic medium resources, for example, Gaelic words being pasted over the top of English words. This type of ad hoc solution may compound the perception of Gaelic as being of lower in status to English. The Committee notes, however, that this is not a universal picture and the work done by various organisations including the national resource centre, Stòrlann Nàiseanta na Gàidhlig, Sabhal Mòr Ostaig and individual schools and teachers to develop Gaelic medium resources should be commended and encouraged.

61. The Committee welcomes the recent announcement\(^{38}\) of £10 000 of additional funding to Stòrlann Nàiseanta na Gàidhlig but recommends the Scottish Executive continues to increase the funding available for Gaelic medium teaching resources to support teachers.

62. The role of technology in enabling the most effective use of Gaelic medium teachers has been widely discussed and the Committee looks forward to the outcome of the work of the group advising the Scottish Executive on the use of new technology to deliver education, including the possibility of a virtual secondary school for Gaelic medium education. The Committee notes that the use of new technology may enable expansion of the number of pupils who have access to Gaelic education and provide a means of disseminating Gaelic resources more efficiently and effectively. However, the Committee cautions that such technology cannot be viewed as the complete panacea for Gaelic for, as Highland Council noted:

   “There is a lot of dependence on videoconferencing and IT but there must be human beings at the other end: a specialist adviser and someone who can speak Gaelic. We have had one or two failures in which the videoconferencing links and technology have worked fine but there has not been anybody at the other end to help the pupils to learn. In such cases, pupils end up sitting in front of a television like robots. We must twin-track the two issues and develop both teachers and IT\(^{39}\).”

63. The Committee note that technology could play a partial role in enabling more people to train as Gaelic medium teachers, as highlighted by Sabhal Mòr Ostaig:

   “For people who live in quite remote areas, perhaps video teaching and similar things—such as video conferencing and remote-learning

\(^{38}\) 6 January 2005.

classes in people's homes—could be considered among the ways in which to resolve the problem of the shortage of teachers.\(^{40}\)

64. The Committee notes the importance of developing centres of excellence that can support teachers and, in this vein, welcomes the announcement by Glasgow City Council\(^{41}\) of the development of a Gaelic medium secondary school in Glasgow and the continuing work of Sabhal Mòr Ostaig in supporting teachers both in terms of language skills and resources.

Statutory right to Gaelic medium education

65. As noted above, the most common theme in the written submissions made to the Committee was a demand for a statutory right to Gaelic medium education. For example, the Gaelic Language Promotion Trust was:

“...of the view that the right to Gaelic education must be embodied in any legislation purporting to promote the use and understanding of the Gaelic language.”\(^{42}\)

66. There were some submissions that suggested that such a right should be similar to that which existed for Welsh. However, the Welsh Language Board clarified that:

“...there is no statutory right to Welsh medium education.”\(^{43}\)

67. However, the Welsh language schemes agreed between the Welsh Language Board and the 22 Welsh local authorities state that:

“...parents have a right to education in Welsh for their child within that local authority. However, the schemes do not specify how far children might be expected to travel, although it might be a reasonable distance.”\(^{44}\)

68. The Committee readily understands the wish for the establishment of a statutory right to Gaelic medium education but recognises the Scottish Executive’s concerns over its practical ability to deliver such a right. However, the Committee believes that the establishment of such a right to appropriate access to Gaelic medium education should be an aspiration for the future as the language planning process moves forward.

69. Many of the demands for a statutory right to Gaelic medium education added the caveat of “where there is reasonable demand”. Highland Council have adopted four pupils seeking Gaelic medium education as representing reasonable demand. The Committee believes that enshrining a set figure in statute is overly prescriptive for, in some circumstances, an individual

\(^{40}\) Mac an Tàilleir, Official Report, 29 November 2004, col 1790.
\(^{41}\) 13 December 2004.
\(^{42}\) Gaelic Language Promotion Trust, written submission.
\(^{44}\) Prys Jones, Official Report, 8 December 2004, col 1895.
pupil could represent reasonable demand and what constituted reasonable demand could change through time. Furthermore, the Committee believes such prescription would run contrary to the flexible language planning approach that the Bill adopts. This concurs with the approach taken by the Welsh Language Board who:

“...have not said to local authorities that they should provide something that is reasonable; we have said that they must plan over a period by examining their data and the demand from parents and identifying whether there has been a demographic shift. After taking all those elements into account, they should say, "This is the provision we need," and then go out to consultation on that, so that the public can see what the plans are. We discuss the final scheme with the authorities. We feel that that has more rigour as a planning process”\(^\text{45}\).

70. The flexibility that the language planning approach affords is also reflected in the variable composition of Welsh schools:

“In Welsh-medium schools, education is Welsh only until the age of seven. Then, between seven and 11, it is about 65 per cent Welsh-medium education, on average. At secondary school level, there are many more options. Some schools teach everything through the medium of Welsh; others teach some subjects through the medium of Welsh; in some, children have the option of learning either in Welsh or in English; and there are English-medium schools”\(^\text{46}\).

The relative balance between Welsh medium and English medium education is dependent on local demography.

CULTURAL AND ECONOMIC CONTEXT

71. The Committee notes that the strength and ubiquity of English in all facets of life which places profound pressure on the Gaelic language. As Comunn na Gàidhlig noted, with reference to many Gaelic speaking children, they:

“...see English as so strong and attractive in comparison with their own language”\(^\text{47}\).

72. More prosaically but tellingly, Comann nam Pàrant asked:

“...what is Gaelic for cornflakes ?”\(^\text{48}\)

73. Following a visit to Portree Primary School, the Convener of the Committee commented:

“We have heard that, even in Gaelic speaking areas, English tends to be the language of the playground”\(^\text{49}\).
74. This latter point illustrates the importance of the cultural context in which Gaelic education takes place. As Sabhal Mòr Ostaig noted:

“You cannot put a language in a box and say, "There you are." If we have education, that is all very well, but we need to have a proper community”\(^{50}\).

75. The Committee notes the importance of learning a language from family and older generations and, in this context, notes that it is not enough to support Gaelic medium education alone, there must be support and encouragement for parents whose children are learning Gaelic whether they are Gaelic speakers themselves or not. Unless this happens, immersion in Gaelic medium education at school will be undermined by the fact that Gaelic is not spoken at home. This emphasises the point made above that Bòrd na Gàidhlig and the national Gaelic education strategy must encompass the learning of Gaelic as a second language as well as Gaelic medium education.

broadcasting

76. The Committee notes the importance of broadcasting in underpinning the Gaelic language. Bòrd na Gàidhlig observed that:

“…two things—education and broadcasting—are basic to developing the language. Many other things are involved, but those two things are important. I should say, on behalf of the language and the Gaelic community, that if it were not for what the likes of the BBC have done over many years, perhaps the language would not be as strong as it is. Therefore, although broadcasting is not part of the national plan for Gaelic that the board will develop as a result of the bill, I envisage that, if the plan is indeed to be national, we will have to consider how broadcasting adds to it. We will do that by working with the Gaelic services committee”\(^{51}\).

77. In its written submission to the Committee, Gaelic Media Services noted that:

“…the UK broadcasting system is working against the Gaelic language, because the current Gaelic broadcasting provision is too patchy to have critical mass”\(^{52}\).

78. The Committee welcomes Bòrd na Gàidhlig’s representation in the recently established Gaelic Media Services, through its current chief executive and welcomes its commitment to working with the Gaelic Media Services.

79. The Committee recognises that broadcasting remains a reserved issue under the terms of the Scotland Act 1998 but notes the budget for


\(^{52}\) Gaelic Media Services, written submission.
Gaelic broadcasting is devolved to the Scottish Executive. The Committee recommends that the Scottish Executive clarifies its role with respect to Gaelic broadcasting, the role that Bòrd na Gàidhlig will play in advising Ministers with regards to Gaelic broadcasting and what efforts it is making to explore the opportunities for additional funding for Gaelic broadcasting.

80. The Committee also acknowledges that broadcasting alone is insufficient, as noted by the Welsh Language Board, it:

“...sits alongside sport, pop music and youth organisations. We must address all those sectors and work hand in hand with the providers. Broadcasting is important, but other parts of the youth experience, particularly sport and music, are as important”\(^53\).

Economic value of Gaelic

81. Although, a secondary issue relative to the protection and development of the Gaelic language, the Committee was impressed by the evidence on the economic benefits attributable to the Gaelic language and its associated culture. Comunn na Gàidhlig noted the impact of Àros, the Gaelic cultural centre in Portree:

“...brings in more than £1 million to the economy of the island. It employs almost 30 people and—perhaps most important—more than 260,000 people come to Àros every year”\(^54\).

82. In addition, Highland Council provided supplementary information to the Committee estimating that Gaelic language and culture contributed £7.1 million to the economy of their area per year.

83. Members noted the further benefits of community self-confidence which can accrue through the increased vibrancy of a language.

OTHER ORGANISATIONS

UK Bodies

84. There was a widely expressed concern that public authorities which operate in Scotland but whose functions remain reserved to Westminster will fall outwith the scope of the Gaelic Language (Scotland) Bill, for example, the Department of Work and Pensions, the Passport Office, the Driver Vehicle Licence Agency and the Royal Mail. The legislative context is clearly different to that in Wales where all public authorities operating in Wales were subject to the terms of Welsh Language Act 1993.

85. The concerns regarding UK bodies was clearly articulated by Comunn na Gàidhlig who said:

\(^54\) MacDonald, Official Report, 29 November 2004, col 1829.
“We have already heard that there is a problem with regard to public authorities—the public bodies that are based in London or that have departments in London but which deliver public services in Scotland. At this stage, those bodies do not fall within the scope of the act. That cannot be done, apparently, because the Scottish Parliament has no power over the way in which those bodies work. We think that it is extremely important that there should be some way of ensuring that the duties on public authorities in Scotland under the bill will continue and that the same duty will be placed on bodies that are based in London but have branches in Scotland”\(^5\).

86. The Bill as introduced refers to public authorities with no reserved functions, the devolved functions of public authorities with mixed reserved and devolved functions (for example, local authorities) and the Scottish Parliamentary Corporate Body.

87. The Bill does not encompass:

i. public authorities whose functions are wholly reserved to Westminster under the Scotland Act 1998;
ii. the reserved functions of Cross Border Public Authorities (for example, the Forestry Commission or the Scottish Consumer Council); or
iii. the Food Standards Agency (which is unusual in its status as a non-Ministerial government department) but which, through section 35(2) of the Food Standards Act 1999 can have functions exercisable in or as regards Scotland. conferred on it by the Scottish Parliament.

88. The Committee has received legal advice that in order to extend the Bill to cover public authorities with wholly reserved functions, it would be necessary to amend the Schedule 5 of the Scotland Act 1998 by Order in Council (which would be subject to procedure in both the Scottish Parliament and in Westminster).

89. In order to modify the reserved functions of a Cross Border Public Authority an Order in Council under section 89 of the Scotland Act 1998 (again subject to procedure in both the Scottish Parliament and Westminster) would be needed. However, there does not appear to be any difficulty in modifying the functions of a Cross Border Public Authority where the functions relate to devolved matters.

90. The Committee encourages Bòrd na Gàidhlig, under the functions in section 1(2) of the Bill, to work with those UK public bodies that deliver key public services in Scotland in a cooperative manner to find ways to improve their Gaelic provision and believes that legal sanction – which has never been required in Wales - should always be a last resort.

91. The Committee believes that it is anomalous that the Bill, unlike its Welsh equivalent, does not apply to all public bodies operating in Scotland, both reserved and devolved. The Committee encourages the Scottish

Executive to seek a formal undertaking from the UK government that all UK public bodies operating in Scotland will cooperate with the spirit of the Bill.

92. The Committee recommends that the Scottish Executive seek ways to amend the Bill to encompass the Food Standards Agency as it is a critically important public authority whose work impacts on everyone in Scotland.

Private and voluntary sector organisations

93. It is not just bodies whose functions are reserved to Westminster government that have caused concern. The Committee believes that the increasing use of private sector companies to deliver public services means that it will be important for Bòrd na Gàidhlig to ensure that public authorities who work with the private sector have a commitment in their language plans to service level agreements with their private sector partners regarding the use of Gaelic. The Committee notes with interest that in Wales:

“The 1993 act stipulates that if public bodies contract out to third parties, those third parties are included within a scheme”\(^56\).

94. The Welsh Language Board reported that it had made progress in working with the wider private sector (for example with supermarkets) and that it is frequently private sector companies that approach it for advice as public awareness and demand for Welsh medium provision increases. However this has happened:

“…not through statute, but through gentle pressure”\(^57\).

95. The Committee encourages Bòrd na Gàidhlig to be proactive in working with the private sector beyond the public/private interface identified above. This is vital as it will contribute to strengthening the overall context in which Gaelic is used. The Committee also encourages Bòrd na Gàidhlig to work with and advise the voluntary sector in developing its use of Gaelic as this will contribute to the reinforcement of the wider Gaelic community.

Courts

96. A number of written submissions requested the right to use Gaelic in court situations. The Committee notes that being able to understand and express nuances and concepts and articulate arguments in one’s first language is an essential part of justice. In addition, the ability to use Gaelic in court is a key component in ensuring that Gaelic’s official status is cemented into Scottish public life and therefore the Committee hopes to see the Scottish Court Service developing language plans that would demonstrate how they would enable Gaelic speakers to use their language at an early stage. The Committee notes the experience in Wales where:

\(^{56}\) Prys Jones, Official Report, 8 December, col 1897.
\(^{57}\) Huws, Official Report, 8 December 2004, col 1914.
The process has been gradual, and the provision has not hit the courts system hard. Prior to the introduction of the legislation, there was real concern that there would be a huge increase in the number of people requesting Welsh-medium hearings; however, there has not been such an increase. It has been a very slow process.58

BÒRD NA GÀIDHLIG

Independence of Bòrd na Gàidhlig

97. The Committee recognises the importance of having an independent language development body at arms-length to government to, as Welsh Language Board said, take:

“...the language out of the political arena so that it is no longer a political football”59.

98. This has enabled the body to focus solely on its core task of language planning and has resulted in:

“...immeasurable qualitative change throughout Wales”60.

99. The Committee agrees with the Minister for Education and Young People that, by establishing Bòrd na Gàidhlig as an independent body, the development of the language is not dependent on the goodwill of individual Ministers.

100. The Committee fully endorse the view of Comhairle nan Eilean Siar in its written submission in support of its oral evidence that Bòrd na Gàidhlig should not be:

“...cast in the role of a lone, national Gaelic policeman sent out by the Executive to browbeat recalcitrant organisations to sing from the Gaelic hymn sheet”61.

and concur with Bòrd na Gàidhlig’s statement that:

“...the philosophy of the current bòrd is facilitation, not coercion”62.

101. The Committee notes that despite initial concerns over how Welsh language schemes would be enforced, the Welsh Language Board has never had to:

“... draw an organisation to the relevant minister's attention”63.

102. It has also been proposed that:

61 Comhairle nan Eilean Siar, written submission in support of oral evidence, 1 December 2004.
“... a Commissioner or an independent Ombudsman be put in place to deal with claims concerning the Gaelic Board”\textsuperscript{64}.

103. However, the Committee believes that if independent assessment of either Bòrd na Gàidhlig or of a public body’s performance in delivering a Gaelic language plan is required, then the existing Scottish Public Services Ombudsman provides an effective and adequate route without the need for the establishment of a separate commissioner or ombudsman for the Gaelic language.

Membership of Bòrd na Gàidhlig

104. Highland Council suggested that:

“The other element that has been discussed by us as a council is that as well as having appointments to quangos, we should have direct elections to them”\textsuperscript{65}.

105. The Committee believes that direct elections to Bòrd na Gàidhlig would be unfeasible as it would be very difficult to identify who the electorate would be and therefore Ministerial appointments to Bòrd na Gàidhlig (as set out in Schedule 1 of the Bill) is the most appropriate route.

106. Given the importance of education and the fact Section 9 of the Gaelic Language (Scotland) Bill provides Bòrd na Gàidhlig with the power to issue guidance on the provision of Gaelic education, the Committee believes that it is vital that there is strong educational expertise among the ordinary members of Bòrd na Gàidhlig to assist in ensuring the quality of the guidance on Gaelic education that it issues. The Committee recommends that the Scottish Executive consider amendments to the Bill to ensure that Bòrd na Gàidhlig has effective educational expertise (including expertise in Gaelic medium education) among its members.

107. It has been proposed that:

“It is a weakness in the Bill that it is not required of Bòrd members to have a communicative knowledge of Gaelic”\textsuperscript{66}.

108. Although the Committee accepts it would desirable for members of Bòrd na Gàidhlig to have knowledge of Gaelic, it does not believe that this should be prescribed in statute as there may be benefit in Ministers having the flexibility to appoint members with, for example, experience of the development of another minority language.

\textsuperscript{64} SNP (Skye Branch), written submission.
\textsuperscript{65} Foxley, Official Report, 1 December 2004, col 1868.
\textsuperscript{66} Sabhal Mòr Ostaig, written submission in support of oral evidence, 29 November 2004.
LANGUAGE PLANS

109. Bòrd na Gàidhlig have suggested there should be a distinction made between the national language plan and the Gaelic plans of individual public bodies:

“We will have great difficulty and go astray if we constantly use the word "plan". In Wales people faced the same difficulty, so they chose to use the word "scheme". We would like that word to be used, because it would enable us to distinguish between the national Gaelic language plan and Gaelic language schemes”\(^{67}\).

110. The Committee supports this view for the sake of clarity and recommend that the Scottish Executive presents amendments to this effect at Stage 2.

111. The Financial Memorandum accompanying the Gaelic Language (Scotland) Bill\(^ {68}\) suggests that the Scottish Executive expects Bòrd na Gàidhlig to handle around ten new language plans (or schemes (see above)) per year and that the first public authorities required to produce plans would be a blend of local authorities and other public bodies (eg non-departmental public bodies). Bòrd na Gàidhlig did not wish to commit itself to which public authorities it would approach first to develop individual language plans. However, it suggested that:

“…the bodies with which we are currently working will be among the first group, for two reasons: first, so that the work can continue and secondly, so that we can provide good examples for other bodies. We are working with bodies such as Highland Council, Western Isles Council and the Crofters Commission. That work will continue and set an example for others”\(^ {69}\).

112. The Committee recognises the need to build on existing work and secure the position of Gaelic in traditional Gaelic speaking areas. The Committee believes that there is also a case for focusing some early effort on developing language plans for areas where Gaelic is less widely spoken but where there is both demand and a potential for development (for example, Perth and Kinross, where 1.85% (just above the Scottish average of 1.84%) of the population have some knowledge of Gaelic\(^ {70}\)) as this will emphasise the wider development of Gaelic rather than just the preservation of the language (see previous recommendation on amendments to the Bill to emphasise potential for development).

113. Language plans will inevitably vary in scale and scope depending on the scale and history of Gaelic use in a particular area and the nature of the public authorities’ role and therefore, as An Comunn Gaidhealach noted, there cannot be a:

\(^{68}\) Gaelic Language (Scotland) Bill, Explanatory Notes, SP Bill 25-EN.
\(^{70}\) Gaelic Language (Scotland) Bill, SPICe Briefing SB 04-81, p. 29.
“… “one solution fits all” approach to Gaelic throughout the country”71.

114. Concerns have been expressed that public authorities’ language plans could be very weak and tokenistic. The onus will clearly be on Bòrd na Gàidhlig to ensure that this does not happen and that the language plans, whatever their scale and scope, are effectively implemented once agreed between the authority and Bòrd na Gàidhlig.

115. The Welsh Language Board faced a similar challenge to that which Bòrd na Gàidhlig will face in that:

“…given that there are at least 2,000 public bodies in Wales, we were faced with a mammoth task. As a result, we prioritised the bodies and decided that we should deal first with the local authorities, because they have such an interface with the public”72.

116. It is not for the Committee to specify where Bòrd na Gàidhlig should focus its attention and the Committee recognises the need for Bòrd na Gàidhlig to reserve its position with regards to which public authorities will be approached first pending the development of the national Gaelic language plan.

117. Section 7 of the Gaelic Language (Scotland) Bill ensures that individual public authorities must review their Gaelic language plans every five years and submit the results to Bòrd na Gàidhlig. However, the Bill does not require a regular review of the national Gaelic language plan.

118. The Committee recommends that the Scottish Executive require the national Gaelic language plan to be reviewed at regular intervals, possibly at the same time as the Scottish Executive’s five yearly performance review of the Bòrd.

119. Furthermore, the Subordinate Legislation Committee recommended73 that there was a case for greater Parliamentary involvement in the approval of the national Gaelic language plan. In response to the Subordinate Legislation Committee, the Scottish Executive undertook to present an amendment at Stage 2 that would ensure that the national Gaelic language plan was laid before Parliament without procedure. The Committee endorses the Subordinate Legislation Committee’s view that there should be greater Parliamentary involvement but believes that there may be a case for considering amendments to enable Parliamentary scrutiny of the national Gaelic language plan under affirmative procedure.

FINANCE COMMITTEE’S RECOMMENDATIONS

120. In reporting to the Committee, the Finance Committee made a series of recommendations that it believed would ensure effective scrutiny and transparency.

71 An Comunn Gaidhealach, written submission.
73 Gaelic Language (Scotland) Bill, Subordinate Legislation Committee, para 6.
121. The Bill enables Ministers to issue guidance to Bòrd na Gàidhlig. The Committee supports the Finance Committee’s recommendation that it would be valuable if “...an outline of the parameters of such guidance”\(^{74}\) prior to the Committee’s consideration of the Bill at Stage 2 could be provided as this guidance will set the tenor for Bòrd na Gàidhlig’s operations and welcomes the Minister for Education and Young People’s commitment to do this if at all possible. The Committee recommends that the Scottish Executive considers to what extent the parameters for the guidance that it issues to Bòrd na Gàidhlig should be incorporated into the Bill.

122. The Committee supports the Finance Committee’s recommendation that Bòrd na Gàidhlig’s annual corporate plan should indicate which public authorities will be asked to produce language plans each year and the likely scope of these plans.

123. The Committee notes that the Bill’s Financial Memorandum suggests that the cost of developing a local authority’s language plan would be around £10 000. It also notes that there will be some funds available through the Gaelic Language Development Fund to assist public authorities in the development of language plans but that in the longer term, the Scottish Executive expects public authorities to absorb the cost of implementing their language plans as:

“...part of the normal process of governing the country”\(^ {75}\).

124. The costs of actually implementing Gaelic language plans will vary depending on the scope of individual plans and the extent to which Gaelic provision is already in place. The Bill’s Financial Memorandum estimates that the costs could vary between nothing and £155 000 for an individual public authority. As Glasgow City Council stated:

“In authorities such as Highland Council and Western Isles Council, much has already been developed. The heavyweights may have much in place. One finance issue is that middleweight and lightweight councils would have to build up to that. Those councils would initially require support for development”\(^ {76}\).

125. The implication of this is that there could be a need for upfront funding for areas where there is less Gaelic tradition in comparison with the core Gaelic speaking areas before the normal costs of Gaelic provision can be mainstreamed into normal operations. The Committee notes that the development of the Gaelic language overall will require increased funding in the future and trusts that it will be distributed in a manner which is fair to all.

\(^ {74}\) Gaelic Language (Scotland) Bill, Finance Committee, para 26.


\(^ {76}\) Higginson, Official Report, 1 December 2004, col 1889.
126. The Committee was impressed by the proposal that Bòrd na Gàidhlig should develop generic templates for Gaelic language plans that public authorities could use and that these would vary according to the scope and scale of the language plan required.

CONCLUSIONS

127. The Committee welcomes the strong statements that have been made by Ministers regarding their commitment to realising the purposes of the Gaelic Language (Scotland) Bill in the longer term and strongly endorses the view that Gaelic should be protected and developed so it can prosper as an official language of Scotland.

128. The Committee notes the fragile state of the Gaelic language and welcomes the Bill as a practical statutory framework for a language planning approach to the protection and development of Gaelic and notes that the Policy Memorandum represents a clear statement of the Bill's policy intentions.

129. This report has articulated the Committee's view that there are significant policy and resource issues, especially with regards to Gaelic education, that must be addressed to ensure delivery of the aspirations of the Bill and the Committee believes that the Scottish Executive must take a strong lead in addressing these issues.

130. The Committee recommends that Parliament supports the general principles of the Gaelic Language (Scotland) Bill.
ANNEX A – REPORT BY THE SUBORDINATE LEGISLATION COMMITTEE

Gaelic Language (Scotland) Bill

Delegated Powers Scrutiny

Stage 1

1. The Subordinate Legislation Committee considered the delegated powers provisions in the Gaelic Language (Scotland) Bill at its meetings on 2nd and 9th November 2004. The Committee submits this report to the Education Committee, as the lead committee for the Bill, under Rule 9.6.2 of Standing Orders.

Committee remit
1. Under the terms of its remit, the Committee considers and reports on proposed powers to make subordinate legislation in particular Bills or other proposed legislation and on whether any proposed delegated powers in particular Bills or other legislation should be expressed as a power to make subordinate legislation.

Background
2. This Bill makes provision in relation to the Executive’s policy of preserving and encouraging the use of the Gaelic language in Scotland. The bill establishes a body, Bòrd na Gàidhlig to oversee the promotion and development of the language. The Bòrd will also be empowered to require certain public authorities to prepare a Gaelic language plan to encourage and facilitate the use of the Gaelic language in public life. The bill also provides for Bòrd na Gàidhlig to issue guidance on matters relating to Gaelic education.

3. The Committee approved without further comment the subordinate legislation provisions in relation to the content of Gaelic language plans (section 3(7)), for varying the size of membership of Bòrd na Gàidhlig (Schedule 1 paragraph 2(2)) and in relation to commencement (section 13).

4. As is customary, the Executive has supplied a memorandum on these powers for the assistance of the Committee which is reprinted at Appendix 1. The Executive’s response to points raised by the Committee is reprinted at Appendix 2.

5. The bill also contains a number of provisions that confer power on the Scottish Ministers to give directions for example sections 1(4) and 6(5)(b) but in the Committee’s view these are of an administrative rather than legislative nature and of no concern to the Committee.
Delegated Powers

Section 2 National Gaelic language plan

6. The Committee considered that, given the importance of the national Gaelic language plan in providing strategic direction for Scottish public authorities on Gaelic language development, there was a case for greater Parliamentary involvement in the approval process.

7. The Executive undertook to bring forward an amendment at Stage 2 in line with the Committee’s suggestion that when the national plan is approved by Scottish Ministers it should be laid before Parliament, as is provided for in relation to financial reports under paragraph 9(b) of schedule 1.

8. The Committee acknowledged the high level of consultation provided for at subsection 2(2) and reports to the lead committee the Executive’s intention to bring forward an amendment at Stage 2.

Section 9 Guidance on Gaelic education

9. The Committee sought clarification from the Executive on the different approach taken to the preparation of the guidance under this section from that prepared under section 8.

10. The Committee accepted the Executive’s explanation that this is an issue of style which arises because this section follows the Standards in Scotland’s Schools etc. Act 2000.
Appendix 1

MEMORANDUM TO THE SUBORDINATE LEGISLATION COMMITTEE BY THE SCOTTISH EXECUTIVE

GAELIC LANGUAGE (SCOTLAND) BILL

Purpose

This memorandum has been prepared by the Scottish Executive to assist consideration by the Subordinate Legislation Committee, in accordance with Rule 9.6.2 of the Parliament’s Standing Orders, of provisions in the Gaelic Language (Scotland) Bill conferring powers to make subordinate legislation. It describes the purpose and nature of each such provision and explains why the matter is to be left to subordinate legislation. This Memorandum should be read in conjunction with the Explanatory Notes and Policy Memorandum for the Bill (documents SP Bill 25-EN and SP Bill 25-PM, respectively).

Policy Context

The Bill introduces a number of measures to underpin the Executive’s policy objective of securing the status of the Gaelic language in Scotland. The Bill establishes the Gaelic development body, Bòrd na Gàidhlig, on a statutory basis to oversee the promotion and development of the language. The Bill will also confer a power on the Bòrd to require certain public authorities to prepare a Gaelic language plan to encourage and facilitate the use of the Gaelic language in public life. The Bill provides for Bòrd na Gàidhlig to issue guidance on matters relating to Gaelic education.

Subordinate Legislative Powers

The Bill provides for subordinate legislation in relation to regulations about the content of Gaelic language plans (section 3(7)) and for varying the size of membership of Bòrd na Gàidhlig (Schedule 1 paragraph 2(2)).

Section 13 of the Bill makes provision for the Act to be brought into force by a commencement order. This order may contain any necessary transitional, transitory or savings provisions as Ministers may think fit.

All powers to make subordinate legislation in the Bill are new and are conferred on the Scottish Ministers.

The intention behind taking subordinate legislation powers is to ensure flexibility in the development of language plans and to enable Ministers to respond to changing circumstances and experience gained from the work of Bòrd na Gàidhlig. The justification for the Parliamentary procedures attaching to each power is given below.
Subordinate legislative powers

GAELIC LANGUAGE PLANS

Section 3(7): Power to make further provision by regulations as to the content of Gaelic language plans.

Power conferred on: The Scottish Ministers
Power exercisable by: Regulations made by Statutory Instrument
Parliamentary Procedure: Negative Resolution of the Scottish Parliament

Section 3(7) will allow for the Scottish Ministers through regulations to specify information which should be included in language plans prepared by public authorities. For example, the power might be used to specify issues which all education authorities should include if they were requested to produce a Gaelic language plan. The flexibility of regulations will allow for the varying issues which different types of public authority deal with to be accommodated. Section 3(5)(c) states that when preparing a Gaelic language plan the public authority has to have regard to any guidance issued by Ministers or the Bòrd. The regulation making power in section 3(7) can be used to usefully underpin this guidance. The Bill simply requires that the plans be drawn up. Should further detailed information on what plans should contain be required the regulation making power will be available.

The intention behind this power is to ensure future flexibility in the development of language plans and to enable Ministers to respond to the changing circumstances and experience gained from the work of the Bòrd. The Executive considers that the regulations are not unusual or significant enough to justify affirmative procedure and has therefore opted to apply negative procedure.

SHORT TITLE AND COMMENCEMENT

Section 13(2) and (3): Power to commence provisions by order.

Power conferred on: The Scottish Ministers
Power exercisable by: Commencement Order
Parliamentary Procedure: No parliamentary procedure

Section 13(2) provides for the Scottish Ministers by order to appoint the day on which the Act comes into force. Section 13(3) provides that when Scottish Ministers make an order under section 13(2) they may in that respect make such transitional, transitory or saving provision as they think fit. The transitional power would be used to ensure that there is a smooth handover of the work already begun by the existing Bòrd. Any such order would not be subject to any Parliamentary procedure. This is standard commencement provision.
MEMBERSHIP OF BÒRD NA GÀIDHLIG

Paragraph 2(2) of Schedule 1: Power by order to vary the size of Bòrd na Gàidhlig.

Power conferred on: The Scottish Ministers

Power exercisable by: Order made by Statutory Instrument

Parliamentary Procedure: Negative Resolution of the Scottish Parliament

Paragraph 2(2) of Schedule 1 provides for the Scottish Ministers by order to vary the minimum or maximum number of ordinary members of Bòrd na Gàidhlig. The provision provides flexibility to vary the size of the Bòrd should the situation arise where the work of the Bòrd would benefit from increasing its size, for example to accommodate members with areas of particular expertise. At present it is felt that a Bòrd of between 5 and 11 members, plus a chair, would be sufficient to enable the Bòrd to discharge its business effectively. Negative procedure has been chosen in this case as the power simply allows for alteration of the number of Bòrd members.

Appendix 2

LETTER FROM THE SCOTTISH EXECUTIVE TO THE SUBORDINATE LEGISLATION COMMITTEE DATED 2 NOVEMBER 2004

Section 2 National Gaelic language plan

The Committee considered that, given the importance of the national Gaelic language plan in providing strategic direction for Scottish public authorities on Gaelic language development, that there may be a case for greater Parliamentary involvement in the approval process.

The Executive has considered the Committee’s view and would point out that subsection 2(2) provides for public consultation of at least 3 months duration on a draft national plan and for any representations made during that period to be taken into account in the development of the final national plan. Given that opportunity for input by any person or body with an interest, including Parliament, the Executive is not convinced approval of the plan requires to be by statutory instrument. The Executive would, nevertheless, be content to bring forward an amendment at Stage 2 in line with the Committee’s suggestion that when the national plan is approved by Scottish Ministers it should be laid before Parliament, as is provided for in relation to financial reports under paragraph 9(b) of schedule 1.

Section 9 Guidance on Gaelic education

The Committee noted that the preparation of the guidance under this section was subject to slightly different procedures to the preparation of guidance under section 8 and requested confirmation of the Executive’s position.
Section 8 provides for the development of guidance which will underpin sections 3 to 7 of the Bill, which in turn create a new statutory framework for the development of the Gaelic language in association with the national Gaelic language plan. Section 8 provides that the Bòrd must prepare that guidance when it thinks fit, and this provision reflects the Executive’s view that the Bòrd will prepare such guidance in early course after the Act comes into being in order that public authorities are able to effectively discharge their functions under the Bill. This provision is based on that which applies to the preparation of the national Gaelic language plan.

Section 9 provides for the development of Gaelic education guidance which would build on existing legislative provision in the Standards in Scotland’s Schools etc Act 2000 and guidance recently issued by the Minister for Education and Young People. Section 9 provides that the Bòrd may issue guidance on Gaelic education and this reflects the Executive’s view that the Bòrd may or may not determine that further Gaelic guidance is required when the Act comes into being. This provision is based on that which applies to the issuing of guidance by Ministers under the 2000 Act with additional provision made for Ministerial input and consultation.

We trust these comments will be of assistance to the Committee.

Yours sincerely

Douglas Ansdell
Head of Gaelic Unit
ANNEX B – REPORT BY THE FINANCE COMMITTEE

The Committee reports to the Education Committee as follows—

Introduction

131. Under Standing Orders, Rule 9.6, the lead committee in relation to a Bill must consider and report on the Bill's Financial Memorandum at Stage 1. In doing so, it is obliged to take account of any views submitted to it by the Finance Committee.

132. This report sets out the views of the Finance Committee in relation to the Financial Memorandum of the Gaelic Language (Scotland) Bill, for which the Education Committee has been designated by the Parliamentary Bureau as the lead committee at Stage 1.

Background

133. At its meeting on 9 November 2004, the Committee took oral evidence from Scottish Executive officials – David Brew, Head of Cultural Policy Division, Douglas Ansdell, Bill Team Leader and Steven MacGregor, Bill Team Member from the Gaelic Unit.

134. In addition, the Committee received written evidence from: East Ayrshire Council, Glasgow City Council, Orkney Islands Council, Glasgow City Council, South Lanarkshire Council, Stirling Council, Bòrd na Gàidhlig, Scottish Natural Heritage and COSLA. The Committee would like to thank all those who took the time to comment on the Bill.

Financial Memorandum

135. The main provisions of the Bill are to establish Bòrd na Gàidhlig in statute with new duties to produce a national plan for Gaelic and powers to require public authorities (local authorities and public bodies) to prepare and implement Gaelic language plans. The Bill also allows the Bòrd to issue guidance on Gaelic education.

136. Bòrd na Gàidhlig will be given powers to request that certain authorities/bodies produce plans, although it is not intended that all public authorities would be required to have plans. The Financial Memorandum states that it expects the Bòrd to request the development and implementation of around 10 plans a year. The cost of implementing a plan will vary depending on local need etc.

137. Costs of the Bill will include the costs for public bodies of preparing and implementing plans and there will also be costs for Bòrd na Gàidhlig.

138. The cost estimates set out in the Financial Memorandum are:

- up to £10,000 for preparing a plan
- between £0 and £155,000 per annum to implement a plan
• £355,000 per annum for the staffing and operating costs of Bòrd na Gàidhlig.

Summary of Evidence

139. In written evidence to the Committee, many bodies expressed uncertainty over what would be expected of them and the costs they may incur as a result of having to produce a Gaelic plan and the cost of implementing such a plan. For example, Stirling Council stated that:

“In order to prepare a language plan, the public body would require to consult with all stakeholders and service providers, and tie preparation of the plan into the organisation’s overarching strategic planning framework. This consultation exercise is time consuming and costly. It would be essential that the public body employs an extra member of staff e.g. a “Gaelic Development Officer” with the responsibility of conducting and completing the preparation work for the drafting of a plan and submitting such a draft for approval to the appropriate personnel”

140. The Committee recognises that the intention of the Bill is to enhance and expand the Gaelic language, an aspiration which the Committee supports. However, the Committee has faced difficulties in attempting to scrutinise this Financial Memorandum.

141. A number of public authorities have already put in place Gaelic language plans or policies setting out how they will support the language. There is little evidence provided in the Financial memorandum about the costs associated with the preparation of these plans or about the costs of implementation that would necessarily follow.

142. The Executive has indicated that “the Bill is intended to be flexible enough to take account of Gaelic’s use across Scotland”. However, it also acknowledges in the Financial Memorandum that “there is an unpredictable element in the Bill that will be tied down only once Bòrd na Gàidhlig has prepared the guidance, has approached public bodies and is working with them on Gaelic language plans.”

143. In scrutinising the financial implications of legislation, the Committee believes it is essential that costs are projected as accurately as possible to ensure proper transparency. The Committee has criticised many Bills in the past for not including accurate projections. It has also questioned whether, as a matter of practice, it is appropriate to have a large degree of flexibility in legislation which can lead to costs only being known when further guidance is produced.

144. The level of uncertainty over the financial implications of the Gaelic Bill is of considerable concern to the Committee. The Bill states that it will cost up to £10,000 to produce a Gaelic Language Plan and that it will cost between £0 and £155,000 per annum to implement such a plan. The Bill gives Bòrd na Gàidhlig the power to issue a notice to a public body, requiring that body to prepare a plan.

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77 Submission from Stirling Council
78 Ansdell, Official Report, 9 November 2004, Col 1855
79 Ansdell, Official Report, 9 November 2004, Col 1861
The Financial Memorandum states that it expects that only ten bodies a year will be asked to prepare a plan, but the Committee can have no certainty, given the lack of financial controls in the Bill or the absence of guidance, that this assumption is realistic.

145. The Financial Memorandum further states that:

“The main costs associated with Gaelic language plans lie in their implementation. The costs facing local authorities will differ depending on the services they make available in their language plan and the level of demand for using those resources (which might vary over time). The language planning provisions of the Bill are flexible enough to allow for the development of different types of language plan.”

146. Beyond initial implementation lie subsequent service delivery costs which have not been identified or quantified. While it will be a matter for Councils or other public bodies to determine priorities, the Executive is making no commitment that any additional longer term costs associated with the provision of Gaelic services would be taken account of in resource allocation.

147. The Financial Memorandum focuses on the costs of “core service delivery functions” but it does not seek to quantify “specialist services”. Rather, the definition of such services will be the subject of negotiations between the Bòrd and the public body concerned. Executive officials explained that this flexibility meant that the Bill would provide either for plans with minimal content or for more “robust plans”.

148. The Committee is concerned that this degree of flexibility, combined with a current lack of guidance could lead to unplanned escalating costs. The question was posed as to the circumstances in which a public body would be able to turn down a request from the Bord to make provision for Gaelic or to make differential provision in different parts of Scotland. Executive officials responded that they did not expect the Bòrd to instruct areas which do not have a Gaelic tradition to produce wide-ranging plans and that “the appropriate level of service provision will depend on the economic arguments….and on the need to satisfy the demands that might be placed on local authorities by their customers and constituents.”

The Committee felt there was more than a little buck passing going on.

149. The Committee shares the enthusiasm for the development of Gaelic which lies behind the introduction of this Bill. However, it feels that the mechanisms proposed within the Bill do not provide the right balance between flexibility and proper financial controls, and could place local authorities and other public bodies under an additional obligation which they would have no grounds to refuse but inadequate resources to implement. If, for example, the Bòrd were to seek to develop Gaelic services areas where there is no Gaelic tradition this could have significant cost implications for local authorities and other public bodies which are not currently envisaged.

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80 Gaelic Language (Scotland) Bill: Financial Memorandum, page 11
81 Brew, Official Report, 9 November 2004, Col 1857
150. A related concern is that if costs were to increase significantly for those bodies where an extensive plan was not originally envisaged, this could potentially have a negative impact on the amount of money which is available for areas where there is a strong Gaelic tradition to deal with issues such as Gaelic teaching support.

151. The safeguard in the Bill which officials have emphasised in their evidence to the Committee is that when the Bòrd decides whether to give notice to a public body that it should produce a plan, it must have regard to the number of Gaelic speakers in a particular areas and to any advice given by Scottish Ministers.

152. Similarly, when deciding upon the content of a plan, regard should be given to the number of Gaelic speakers and to any advice given by Scottish Ministers or the Bòrd. Ultimately there is a right of appeal to Scottish Ministers if there is disagreement between the Bòrd and a public body but there are no criteria for the threshold of Gaelic speakers and no indication what advice or guidance Ministers might provide to assist the Committee in scrutinising costs. In this context the Committee is very concerned that alongside from these provisions, as outlined in sections 3(3) and 3(5) of the Bill, there is no “test of reasonableness”.

153. The Committee believes strongly that proper controls must be put in place to ensure clarity in public finances; ensuring transparency and accountability. It is therefore extremely concerned that the Bill, as it is currently framed, could lead to costs increasing very substantially above the levels which have been allowed for in the Financial memorandum and which therefore have not been scrutinised.

**Recommendations**

154. The Committee is therefore recommending that a range of options be considered which might help to put in place the financial controls which the Committee believes are essential for prudent financial management. These options should not be seen as mutually exclusive.

155. The Committee recognises that these options involve policy recommendations. However the way in which the policy is framed has a direct impact upon the costs of the legislation, and so the Committee feels it is essential that its recommendations are taken heed of.

156. As decisions on which public bodies should be served notice and decisions on the content of plans will be in part influenced by Ministerial guidance, then such guidance or an outline of the parameters of such guidance could be issued before the Bill completes its parliamentary progress.

157. Bòrd na Gàidhlig, as part of its corporate plan, should agree with Ministers in advance the number of notices it intends to issue in a given year. In conjunction with this, it could agree with Ministers the broad thrust of the directions it would intend to give with the regard to the plans for which it is going to serve notice. In this way, it will be much more transparent as to how much money will be spent as a result of the Bill in any particular year.
158. Investigations could be made as to whether or not a “test of reasonableness” could be inserted on the face of the Bill. The Committee recognises that sections 3(3) and 3(5) of the Bill do set out some provisions to which the Bòrd and public bodies must have regard, but believes thought should be given as to whether this provides enough protection for public bodies against being required to make provision which would not meet a best value or appropriateness test.

159. The Committee is convinced that these options could hold the key to ensuring this legislation achieves its aims while at the same time ensuring there is appropriate transparency and certainty in the spending of public funds. It therefore recommends that the lead Committee pursue these options with the Minister with a view to arriving at some concrete solutions to the potential financial problems this Committee has highlighted before this Bill completes its passage through Parliament.
ANNEX C – EXTRACTS FROM MINUTES AND ASSOCIATED ORAL EVIDENCE

EDUCATION COMMITTEE

EXTRACT FROM MINUTES

23rd Meeting, 2004 (Session 2)

Wednesday 17 November 2004

Present:
Ms Wendy Alexander
Ms Rosemary Byrne
Fiona Hyslop
Mr Kenneth Macintosh
Dr Elaine Murray
Robert Brown (Convener)
Lord James Douglas-Hamilton (Deputy Convener)
Mr Adam Ingram
Mr Frank McAveety

The meeting opened at 09.50 am in Committee Room 2.

Gaelic Language (Scotland) Bill (Stage 1): The Committee took evidence from—

Panel 1
Pam Talbot, Convener, Clì Giàdhlig

Panel 2
Magaidh Wentworth, National Co-ordinator, Comann nam Pàrant
Iain Macllllichiar, Committee Member, Comann nam Pàrant

The meeting closed at 12.16pm
The Convener: Item 2 is consideration of evidence at stage 1 of the Gaelic Language (Scotland) Bill. Our kick-off witness is Pam Talbot, who is Clì Gàidhlig’s convener. You will give an introduction, after which we will ask questions. You sit in rather solitary splendour at the top of the table, but you are welcome to the committee and we look forward to hearing what you have to say.

Pam Talbot will speak in Gaelic, so we will have the interesting experience of checking whether the headphones through which we should hear simultaneous translation work. I welcome the two translators in the little cubicle at the back of the committee room, who will work hard for us this morning.

Pam Talbot (Clì Gàidhlig): Madainn mhath. Mar a thuirt an neach-gairm, tha mise nam chathraiche bòrd Chlì Gàidhlig, a tha na bhuidheann cothrom agus adhartachadh na Gàidhlig—[Briseadh a-steach.]

Following is the simultaneous interpretation:

Good morning. As the convener said, I am the chairperson of Clì Gàidhlig’s management board. The group gives access to Gaelic and I am here—[Interruption.]

The Convener: Can I stop you? We are not hearing anything through the headphones. Our technical incompetence, rather than anything else, appears to be the problem. I am sorry about that. Everybody’s headphones are now turned on, so I ask you to start again.

Pam Talbot: Madainn mhath a-rithist, a h-uile duine. Is mise cathraiche bòrd Chlì Gàidhlig. Is e buidheann cothrom agus adhartachadh na Gàidhlig a tha ann an Clì Gàidhlig. Tha sinn taingeil airson a’ chothruim fianais a thoirt seachad air Bile na Gàidhlig (Alba).

Tha sinn a’ cumail taic anns an fharsaingeachd ri prionnsabalan coitcheann a’ bhile, agus tha sinn toilichte gu bheil an Riaghaltas air gabhail ri cuid de na molaidhean a rinn sinn air an dreachd bhile an-uiridh. Sgriobh sinn chun an Riaghaltais mu dheidhinn. Rinn sinn ionairt cairt-puist a bha air leth soirbheachail, le barrachd air 1,700 freagaritean cairt-puist gan cur chun an Riaghaltais bho bhallrachd Chlì agus bho bhuidhean eile. Bha sin na leth-phàirt de na freagaritean uile a fhuair an Riaghaltas.

Tha Clì Gàidhlig a’ toirt taic do luchd-ionnsachaidh na Gàidhlig, a’ solarachadh chùrsaichean agus a’ coiteachadh mar ghuth an
luchd-ionnsachaidh ann an saoghal na Gàidhlig. Tha sinn air a bhith ag obair gu dòthu le Bòrd na Gàidhlig bhon a chaithd a stèidheachadh. Tha sinn an dùil agus an dòchas gu leat an co-ibrachadh sin agus gum bi ro-innleachd ionnsachaidh na dùil agus an dòchas gun lean an co-obrachadh Gàidhlig bhon a chaidh a stèidheachadh. Tha sinn air a bhith ag obair gu dlùth le Bòrd na luchd-ionnsachaidh ann an saoghal na Gàidhlig.

Tha sinn toilichte gu bheil am bile a-nis a’ déanamh iomrath air foghlam — rudaigin nach robh anns ann an dreachd bhile—ach tha sinn fhathast a’ moladh gum bu choir còir reachdail air foghlam stàitte tro mheadhan na Gàidhlig a bhith ann an reachdhas.

Tha sinn an dòchas gun cuir na h-ògadh arrasan poblach an gniomh planaichean a bhios a’ brosnachadh luchd na Gàidhlig—luchd-ionnsachaidh agus daoine aig a’ bheil Gàidhlig bhò thu—a bhith a’ cleachdadh na Gàidhlig nuair a bhios iad a bruadhinn ri, no a’ sgriobhadh gu, na buidhnean sin. Sin rud nach a’ sìd air tachairt thuige seo, oír tha daoine a’ fàcinn Gàidhlig mar chànan a bhios tu a’ bruadhinn aig an taigh, anns an eaglas aig aig ceòilidh.

Ann am beachd Chlí, tha e gu math cudthromach gum bi dealbhadh buannaichd a’ dol air adhart agus a’ toirt cothrom do thòrr dhaoine airson a bhith a’ cleachdadh a’ chàinann anns a h-ùile sùidheachadh. Tha Cù Gàidhlig a’ creidinn, ge-tà, gu bheil a’ Ghàidhlig freagarrach anns a h-ùile sùidheachadh, a’ gabhail a-steach gnothaichean poblach, agus gu bheil cruaidh fheum air bàthisteachadh no cumantachadh a’ chàinann. Às aonais a bhàisteachadh agus aònas aònais cothrom a bhith a’ bruadhinn na Gàidhlig gu nàdarrach anns gach sùidheachadh, chan urrainn dhuinn crionadh cànan a thionndadh. Mura déan sinn sin, is e cùis nàire a bhios ann dhuinn uile mar Albanach.

Mar a thuirt am Prionnsa Tearlach is e a’ tadhal air Sabhal Mòr Ostaig o chionn ghoidir, ma bhàsaischeas Gàidhlig ann an Alba, bàsachdach i anns a h-ùile h-àite agus cha mhair i. Tha mi cinn teach gu bheil e ceart mu dheidhinn sin. Tha an Rìghhaltas air sealltainn gu bheil toil phoileataigeach ann airson ar cànna prìseil a chuideachadh, ach feumadh a reachdachd a bhith làdir gu leòr agus feumaidh maoineachadh ceart a bhith aig na bhuird co-dhiù.

Tha mi toilichte ceist sam bith a fhreagairt. Mòran taing airson èisteachd.

The Convener: The committee’s job is to establish whether it agrees with the general principles of the bill and to report to the Parliament on that, although obviously a number of subsidiary issues will arise. Is your organisation happy with the overall planning framework in the bill, which involves the Gaelic board, the language plan and an obligation on public authorities to feed into that?

Pam Talbot: Tha Clì toilichte san fharsaingeachd, ach tha sinn beagan mi-tholichte mu dheidhinn, is docha, faicil no dhà, mar an dòigh anns an do chleachdadh am faical “cultar” an àite “cànan”. Tha an dòigh anns a bheil cultar ainmichte anns a’ bhile beagan farsaing, oír chan eil e a’ sònreachadh a’ chànan fhèin. Sin beachd a’ bhùird co-dhiù.

Following is the simultaneous interpretation:

Clì Gàidhlig is happy in general with that, but it is a bit displeased about the words that are used.
The bill mentions language rather than culture, but we are considering ways in which culture can be named or specified in the bill as well.

The Convener: What do you mean when you ask for a more specific reference to culture?

Pam Talbot: Chan e am facal “cultar” fhèin; is e gu bheil sinn a’ coimhead airson facail a thaobh cànân. Tha sinn beagan draghail mu dheidhinn an dòigh anns a bheil am bile ag ràdh gum bi an Riaghaltas a’ cur taic ri cultar san fharsaingeachd. A bheil sin a’ ciallachadh gu bheil e a’ coimhead air stuth nan ealan, a’ toirt a-staigh orain agus bàrdachd agus stuth mar sin, an àite a bhith a’ coimhead air dòigh anns a bheilear a’ brosnachadh a’ chànnain gu bhith ga chleachdadh gu làithleil anns gach suidheadachadh? Sin am beachd aig Cì. Chan eil sinn cinnceach mun dògh anns an cuirear malaidhean an Riaghaltas an gniomh. Mar eisimpleir, a bheil iad an airson a bhith a’ cur taic ri fighlam anns na gspoiltean? Am bi crothom ann airson a h-uile a hile an áirf ag ionnsachadh Gàidhlig mar choir reachdail aon àite a bhith direach a’ stri airson ghoirasan mar seo?

Following is the simultaneous interpretation:

The issue is not just the word “culture”, but its meaning in respect of language. We are a bit worried about how the bill says that the Executive supports culture in general. Does that mean that it is looking at the arts or matters that involve language and poetry, instead of ways in which the language can be developed to be used in daily situations? That is what Cì is examining. Cì is not sure how the Executive’s recommendations will be put into action. Are they intended to support education in schools, or will everybody have an opportunity to learn Gaelic as a valid right, as I said? Cì strives for such facilities.

10:00

The Convener: Are the two matters necessarily contradictory? I presume that the ability to learn, enjoy and use Gaelic is much enhanced if it can be taken in its cultural context.

Pam Talbot: Chan eil sinn an aghaidh context mar sin idir. Tha Cì dareacht beagan draghail gun cuiread cuirdhrom direach airson cultarach an àite a bhith a’ déanamh cinnceach gun bi cothoman ann airson an cànán fhèin ionnsachadh. Am bi fianais ann gu bheil an cànán freagarrach airson a h-uile uileidheadhach ann am beatha làithile, mar ann an àiteachan poblaich agus ann a bhith a’ dèiligeachd ri bùidhnean agus a’ dèiligeachd ri daoine anns an àite-obrach agus stuth mar sin anns an fharsaingeachd? Ann an dòigh, tha i eadar-dhealaichte bhon taic a bhios an Riaghallas a’ cùr ri stuth cultarach san fharsaingeachd. A bheil sin a’ déanamh ciall?

Following is the simultaneous interpretation:

That is not the context that we are talking about. As I said, Cì is a bit worried that we are putting too much emphasis on cultural matters, rather than on ensuring that there are opportunities for the language to be learned. The language is suitable for every situation in our daily lives, such as in public places, in dealing with organisations and with people and in the workplace. In a way, that is different from the support that the Executive gives for cultural situations. Does that make sense?

The Convener: I follow you. I will ask one technical question. The last paragraph of your letter to the committee says:

“attention needs to be given to knowledge [experience], culture and ethnic diversity when appointing members”
of the Gaelic board. I am not sure what the objective of that is and what you want to happen that is not happening.

Pam Talbot: Tha sinn dèidhinn gum bi beachd bhogach cearrn do choinmhearsnachd a’ tighinn chun a’ bhùird agus gum bi am bòrd a’ coimhead air gach suidheadachadh. Mar eisimpleir, feumaidh am бòrd a bhith a’ coimhead air an dòigh anns a bheil fighlam air a sholarachadh air feadh Alba air fad. Tha sinn dèidhinn gu bi beachdan bhogach aig a bheil sealladh eadar-dhealaichte air a’ chùiss. Sin an rud a tha sinn a’ ciallachadh anns a lítir a fhuaire a’ chomataidh mìos no dhà air ais.

Following is the simultaneous interpretation:

We would like people from every quarter of the community to join the board so that it considers every situation. For example, the board will consider the ways in which education is provided throughout Scotland. We would really like a few people who have a different vision of the situation. That is what I think that we mean. That was in the letter that the committee received last month.

The Convener: Do you mean that people from throughout Scotland should be appointed to the board and that they need not even be people with a Gaelic background?

Pam Talbot: Nuair a thu a tha a’ coimhead air an dòigh anns a bheil luchd-ionnsachaidh sgapte air fad, chan eil iad a’ tighinn direach bho àiteachan no sgìrean tradiseanta mar na h-Eileanan Siar agus a’ Ghaidhealtachd. Tha iad a’ tighinn bho àiteachan mar Ghlaschu is Dùn Èideann agus bho phòcaidean eile air feadh Alba. Nuair a tha am bile a’ bruidhinn mu dheidhinn cur air dòigh fighlam tro mheadhan na Gàidhlig, thathar a’ smaoineachadh an toiseach mho dheidhinn direach sgìrean far a bheil Gàidhlig ann bho thúis, ach tha Tùr Iarlas anns an àiteachan eadar-dhealaichte leithid na Criochan agus a’ agus Alba a deas. Tha úidh mhòr anns a’ Ghàidhlig
What was understood by equal status?

differences between different parts of Scotland in the same way throughout Scotland or would there be implications. Would the approach operate in the same way throughout the country and do not come just from traditional places such as the islands and the Gaidhealtachd. Learners come from places such as Glasgow and Edinburgh. Other pockets of learners exist throughout Scotland.

When the bill speaks about putting Gaelic-medium education in order, to begin with, we think of areas where Gaelic has been spoken from time immemorial, but many other places, such as the Borders and the south-west coast of Scotland, have a great interest in Gaelic. Is that the answer that you wanted?

The Convener: That is fine. Thank you.

Dr Elaine Murray (Dumfries) (Lab): I am interested in your views about equal status for Gaelic. The bill would require the bord’s functions to be “exercised with a view to securing the status of the Gaelic language as an official language”.

What is the difference between what you call for and what the bill proposes?

Pam Talbot: Tha mi a’ smaoinachadh gum bi diofaran mòra ann. Bhon eòlas aig dèuchannan eile, chan eil inbhe thèarainte an cùmhnaidh a’ ciallachadh gum bi cothrom ann airson cleachdadh a’ chànan. Mar eisimpleir, nuair a choimheadas tu air an t-suidseachadh ann an Èirinn, far an d’fhuaireadh inbhe thèarainte bliadhnaichean air ais, chi thu nach robh sin an cùmhnaidh sgorbhreachail dhan stri airson a’ cânain. An e sin air an rud a tha sibh a ciallachadh?

Following is the simultaneous interpretation:

There would be a big difference. We have learned from the experiences of other countries that it is not easy to secure equal status. There must be opportunities for using the language. In Ireland, for example, the Irish language achieved secure status a long time ago and has been very successful, through striving for the language. Is that what you mean?

Dr Murray: I am interested in the practical implications. Would the approach operate in the same way throughout Scotland or would there be differences between different parts of Scotland in what was understood by equal status?

Pam Talbot: Tha mi cinnteach gum bi diofaran mòra ann. Is dòcha gum bi na daoine aig nach eil Gàidhlig a’ coimhead air a’ chànain ann an dòigh eadar-dhèalaichte ma tha inbhe co-ionannachd ann. Tha mi cinnteach gum dèanadh sin diofar mòr an àite direach inbhe thèaraine. Tha e ceart gu leòr a bhith a’ cur inbhe thèarainte air pàipear agus a bhith ag ràdh gu bheil Gàidhlig na cànan oifigeil, ach chan eil sin a’ ciallachadh gum bi daoinne ga cleachdadh ann an aon dòigh ’s nan robh inbhe co-ionannachd ann. Is e dìreach ceum nas aird a thaobh a’ chànan.

Following is the simultaneous interpretation:

I think that there would be big differences. People who do not speak Gaelic might regard the language differently. The securing of equal status, rather than just secure status, would make a big difference. It is all very well to provide for secure status on paper and to say that Gaelic is an official language with secure status, but equal status would be a higher status.

Dr Murray: I represent Dumfries. As you know, Gaelic was not traditionally part of the history of Dumfries and Galloway, although I accept that many people might well be interested in Gaelic language and culture. Dumfries and Galloway Council is concerned about what it might be required to do if Gaelic were to be given equal status. This might be an extreme example, but the council might be reluctant to publish all its committee papers in Gaelic, given that very few people in the region read Gaelic.

Pam Talbot: Chan eil eòlas a chuir a h-urile rud a tha a’ sgriobhte a bhith anns a’ Ghàidhlig. Is dòcha gum biodh sin glè mhòr phrataigeach. Cha bhiodh sin na bhith airson airgead a’ chleachdadh. Chan eil airgead gu leòr ann, mar a tha fios aig a h-urile duine. Bu chòir cothrom a bhith ann airson a bhith a’ gabhail cothrom air a’ chànain ma tha iarrtas ann. Tha dà fhacal a tha am bile a’ cleachdadh—gum bi “iarrtas reusanta” ann—ceart. Sin cnag na cúise, ach dè tha sin a ciallachadh? Tha mi ag aisteachadh gur e ceist dhoirbh a fhireagart ann an sgìre mar an sgìre aig a bhith.

Tha mi eòlach air daoine anns an sgìre anns an sgìre sin. Chan eil sìth a bhith anns a’ bhail, an bhith anns a’ Ghàidhlig, agus tha iad a’ sìradh goireasann mar chlasachaidh oidhche, cothrom air teagasg agus goireasann teagaig. Cha sìth ceart gur dòcha nach bi iarrtas mòr ann airson a’ chànain ann am beatha phoblach an sgìre sin.

Following is the simultaneous interpretation:

All written material would not have to be published in Gaelic as you described. That might be impractical and would not be a good way of using money. There is not enough money, as everyone knows, but there should be an opportunity for everyone to take advantage of the language. I am sure that the bill uses the correct words: the heart of the matter is whether there is a need and a reasonable demand for the language. I agree that you raise a difficult question about
areas such as yours. I know people in your area who are interested in Gaelic and would like to attend night classes, for example, but you are right to say that there might not be great public demand for Gaelic in your area.

Dr Murray: Part of the rationale behind the bill is to allow for different approaches to be taken in different parts of the country. In Dumfries and Galloway, for example, the emphasis might be on opportunities for adult learners or on offering the Gaelic language as a second language in schools. Other areas might have a different emphasis. If Gaelic were to be afforded equal status, would councils and other public authorities still be able to develop the language in a way that was appropriate to their area? Is it necessary to say that Gaelic has equal status to be able to do that?

Pam Talbot: Tha bòrd Chli air fad den bheachd gum biodh e fada nas fhéarr ann roibh inbhe nas àirde ann an àite dìreach inbhe thèarainte. Tha inbhe thèarainte ag ràdh gu bheil an cànan oifigeil, ach chan eil sin ag ràdh gum bu chòir a h-ùile cothrom a bhith ann airson an cànan a chleachadh. Tha mi a’ tuiginn glè mhath na tha sibh ag ràdh nach bi iarrtas mòr a’ dol airadh anns an sgìre agaibhfinn. Is dòcha gu bheil sibh ceart. Tha Cli glè mhothachail air na suidheachadh eadar-dhealaichte bho sgìre gu sgìre. Mar eisimplier, bidh an t-iarrtas airson a’ chàinain fada nas àirde ann an àite mar na h-Eileanan an Iar agus a’ Ghaidhealtachd.

Following is the simultaneous interpretation:

I am of the opinion, as is the management board, that it would be far better if Gaelic had a higher status rather than just secure status. With secure status the language would be official, but that does not mean that people would have every opportunity to use it. I understand when you say that there might not be big demand in your area. Perhaps you are right. Cli is aware that areas are different and that demand in places such as the Western Isles is much greater.

Mr Kenneth Macintosh (Eastwood) (Lab): I have a similar question to Elaine Murray’s. What would be the difference in practice between the planning approach to education that is taken in the bill and a rights-based approach that says that all parents and pupils have a right to Gaelic-medium education?

Pam Talbot: Tha mi duilich. An can sibh sin a’ rithist?

Following is the simultaneous interpretation:

Could you say that again, please?

Mr Macintosh: What would be the difference in practice? Hopefully, the bill will secure Gaelic, encourage more Gaelic learners and encourage the culture as well as the language to flourish. If you were to amend the bill to establish a right to Gaelic-medium education, as opposed to imposing a duty on local authorities to support Gaelic-medium education, what would the difference be in practice?

Pam Talbot: Ma choimheadas tu air na rudan aig a bheil dleasatanas aig comhairle a thaobh a bhith a’ cur air dòigh foghlam tro mheadhan na Gàidhlig, tha an dleasatanas sin a’ neartachadh oidhirpean an ughdarrais a bhith a’ cur air dòigh stuth airson luchd-ionnsachaidh. Chan eil e dìreach ag ràdh gu bheil còir aig a h-ùile duine a bhith a’ faighinn foghlam tro mheadhan na Gàidhlig. Bhiodh e fada nas fhéarr ann roibh faclan nas làidire gan cleachadh agus nan roibh reachdas an Riaghaltasais nas làidire anns a’ chlaidh dol-a-mach. A bheil sibhse a’ smaoinreachadh gum bi trioblad ann ma tha an dara dòigh a’ gabhail àite?

Following is the simultaneous interpretation:

If there is a duty on councils to provide Gaelic-medium education, that will strengthen the provision that is made, but it will not mean that everyone has the right to Gaelic-medium education. It would be far better to use stronger words for the status in the first instance. Do you think that there might be a problem if the second route is taken?

Mr Macintosh: No, I think that your aim and the aim of the Executive to promote Gaelic are the same. The issue is whether the approach that is taken in the bill is the right one, or whether we should go for the approach that Cli supports, which is a rights-based approach.

Is there any other area of education where people have a right similar to the right that you are talking about to be educated in the medium of Gaelic? All children and parents enjoy a range of rights in education, and they are common to all, but is there a specific area of education where there is a right that is comparable to the right that you are asking us to introduce for Gaelic-medium education?

Pam Talbot: Cha do thuig mi air fad a’ cheist a tha sibh a’ faighneadh dhomh. Dè tha sibh a’ ciallachadh le seòrsa pàirtean den fhoghlam? Am minich sibh sin?

Following is the simultaneous interpretation:

I do not understand totally what you are asking me. What do you mean by another part of education? Could you explain?

Mr Macintosh: Certainly. The Standards in Scotland’s Schools etc Act 2000 introduced a range of rights for all children, but we do not come from a tradition in this country of education. Establishing specific rights to specific types of education might be the right way to go,
but it might also open up other areas, so we might wish to extend rights within education to other groups.

**Pam Talbot:** A bheil sibh a’ smaoineachadh air luchd-labhairt de chànanan eile mar Urdu?

**Following is the simultaneous interpretation:**

Are you thinking of speakers of other languages such as Urdu?

10:15

**Mr Macintosh:** No, not at all. The important thing to consider is the impact of the bill and whether it will achieve its objectives. The drafters of the bill have taken a planning approach, rather than a rights-based approach. We will be able to quiz the Executive about why it has taken that approach, but it would be good to hear reasons why the planning approach will not achieve what it is supposed to achieve and why we need to take a rights-based approach. I cannot see what taking a rights-based approach would do that taking the planning approach would not do, given that a planning approach supposedly provides the flexibility to reflect the different demands in different parts of the country. The right to an education in the Western Isles is not necessarily going to be exercised in the same way as it would be in places such as Dumfries and Galloway.

**Pam Talbot:** Feumaidh mi aideachadh nach eil mi a’ tuigsinn carson nach eil sibh tolliche leis an dòigh anns a bheil Cì Gàidhlig agus daoine eile a’ coimhead air córaichean dhaoin airson foghlam air fad. Nar beadh-sa, bidh an obair fada nas èifeachdach ma tha faclan agus obair nas làidire ann, an àite direach a bhith a’ bruidhinn mu dheidhinn deallbachadh cànan agus dealbhabhachd na dòigh anns a bheil foighlam air a sholarachadh do chloinn agus do dh’innbhitich. Chan eil sinn a’ faicinn gum bi trioblaid ann.

Ma tha sibh ag iarraidh tuilleadh fiosrachaidh mu dheidhinn sealladh Chil, faoaidh sinn sin a chur sios ann am pìos-sgriobhadh, a mhìnicheas ann an dòigh nas mionaichd carson a tha sinn a’ coimhead air cùisean mar seo. Am biodh sin freagarrach?

**Following is the simultaneous interpretation:**

I must admit that I do not understand why you are not happy with the way in which we at Cì Gàidhlìg view the rights of people to education in general. In my opinion, the work would be much more effective if much stronger words were used and work was going on instead of people saying, “We are devising a plan. We are considering the way in which we are providing for education for children and adults.” We do not think there will be a problem. If you would like more information on Cì’s vision, we could provide a written submission, which would set out more practically the way that we view the situation. Would that be useful?

**Mr Macintosh:** That would be useful. I am not necessarily against taking the rights-based approach. I am just asking for your views on why it would be more effective. I am asking you to provide evidence that we could mull over and put to the Executive about why a rights-based approach would be better than a planning approach. You should not take my questions as hostile.

**Fiona Hyslop (Lothians) (SNP):** I want to pursue that a bit further. The idea is being presented that the planning approach will allow more co-operation between organisations, whereas there is a danger that the rights-based approach would create confrontation, with people, quite rightly, demanding their rights. What do you think about the Executive’s argument that taking a planning approach—rather than a straightforward rights-based approach to do with fairness and justice—allows co-operation and is about encouraging and enabling?

**Pam Talbot:** A bheil sibh a’ smaoineachadh gum bi sti eadar an dà choimhearsnachd mar thoradh air sealladh mar sin? An e sin na tha sibh ag rádh?

**Following is the simultaneous interpretation:**

Do you think that there might be strife between the two communities as a result of this vision? Is that what you are saying?

**Fiona Hyslop:** Others are presenting that view, but I am not saying that it is my view. We have to work out why the Executive has come up with the planning approach instead of the rights-based approach and consider the merits and demerits of it in law and in practice. The argument has been presented that the planning approach is more co-operative and consensual than the rights-based approach. Scottish education was founded on rights, so it is not alien to have a rights-based system.

**Pam Talbot:** Tha mi cinnteach gu bheil obair a’ gabhail ahte tro deallbachadh. Tha mi a’ tuigsinn dè tha sibh ag ràdh. Ann an dòigh, bidh cothrom ann airson na dà bhuidhinn a thiginn cómhla, an ahte a bhith a’ sti an aghaidh a cheile a thaobh foghlam. Aig an aon ãm, is dòcha gu bheil trioblaid ann nach eil na dòighhean cho cinnteach ma tha thu a’ gabhail an dòigh deallbachadh an ahte an dòigh a thaobh choireachd dhaoin. Sin an rud a tha mi ag ràdh. Is dòcha gum bi prògraman agus stuth mar sin gan deallbachadh, ach is dòcha nach bi iad gan cur an gniomh. Chan eil cinnt ann gum bi a h-uile rud air a chur an gniomh ma tha thu a’ coimhead air an stuth bho sealladh dòigh deallbachadh. Tha mi cinnteach gu bheil sin a’ dèanamh ci hail.
I understand. I am sure that work is going on through planning, but in a way, there could be an opportunity for the two groups to come together instead of being against each other regarding education. Perhaps there is a problem that the ways are not so certain if a planning approach rather than a rights-based approach is taken. Perhaps programmes will be planned but not put into action. There is no certainty that everything will be put into play if a planning approach is taken. I hope that that makes sense.

Fiona Hyslop: It is about the delivery of the plan, not the plan itself.

The Convener: I want to pursue that a little because we are having some difficulty in getting to the heart of the matter. The constitution of the Soviet Union of 1936 was the most amazing document ever; all the rights were in it, but no one got those rights. There are some limitations and there is a big difference between the theory and the practice. In this instance, there are quite a lot of limitations of resource. There are not enough primary and secondary teachers of the Gaelic language and there are not enough translators. There is a whole series of issues that would make the bringing about of the right to something much more difficult. The Executive is trying to look at the Gaelic community? That makes a big difference to such decisions.

Pam Talbot: Aig deireadh an latha, cò bhios a’ dèanamh a’ cho-dhùnaidh air an iarradh a thà ann gach sgìre? An e daoine taobh a-staigh dèanamh a’ co-dhùnaidh air an iarradh a tha anns na coimhearsnachdan a tha sgapte. Na phàirt uabhasach cudthromach den obair, gu h-araidh anns na coimhearsnachdan a thà sgapte. Ma tha dìreach aon duine ag ionnsachadh Gàidhlig, bidh e fada nas fheàrr gum bi e na phàirt de Iomhna nan clochailtean mar Oilthigh na Gàidhealtachd a tha a’ crochadh gu ire mhòr air stuthan teicnigeach mar sin. Tha mi ag aontachadh ribh nu dheidhinn sin.

Following is the simultaneous interpretation:

Fon bhile, tha am facal mu bhòrd fhèin. Tha sin a’ dèanamh ris a bhòrd fhèin. Tha mi cinnteach gu bheil sin a’ dèanamh ciall? A bheil sibh a’ dèanamh ris a bhòrd fhèin.

I agree with you. A bheil sin a’ dèanamh ciall? A bheil sibh a’ dèanamh ris a bhòrd fhèin.

Certain that is very important. When I started learning Gaelic, my initial course was through distance learning, which is certainly an excellent way of learning. It is a vital part of the work, particularly in scattered communities. As you have indicated, in any area there might be just one person learning the language so distance learning would be a much more practical approach. The network of colleges that are part of the UHI Millennium Institute depends on those technical facilities. I agree with you.

Lord James Douglas-Hamilton: The minister gave evidence to the committee last week that a study into that subject is on-going, which is encouraging.

From your point of view, would it be preferable to have a teacher wherever possible? If, however, there are insufficient resources to provide a teacher in a particular locality, or insufficient demand on the local authority to provide a teacher, is distance learning a useful way to take matters forward?

Pam Talbot: Gu dearbh, bhiodh e na thaghadh glè fheumail. Chan e an doigh as dhearr—bhiodh e fada nas dhearr nam biodh tidsear ann gu pearsanta—ach mura h-eil doigh eile ann, bhiodh e fada nas dhearr a bhith a’ cleachdadh stuth teicnigeach an am foghlam aig astar.

Following is the simultaneous interpretation:
Certainly. That would be a useful option. It would probably not be the most effective way of learning—the most effective way is to have a teacher on a one-to-one basis—but if there is no other option it would be effective to use technology and distance learning.

Lord James Douglas-Hamilton: Are you aware of many cases of good practice in distance learning of Gaelic in the Highlands and Islands?

Pam Talbot: Tha tòrr ann. Mar eisimpleir, tha Sabhal Mòr Ostaig anns an Eilean Sgitheanach a' cleachdadh stuth mar sin. Tha Cli glè mhothachail air cùl an cùrsa-intrigidh a tha a' dol air adhart an-dràsta. Tha an cùrsa air a bhith uabhasach soirbhchealach, le daoine a' gabhail pàirt bho air feadh Alba agus na Rioghachd Aonaichte air fad agus bho thall tarrais. Tha e air a bhith uabhasach soirbhchealach bhon a chaidh a steidheadachd bho chionn tri bliadhna. Tha an cùrsa sin a’ cleachdadh an eadar-lìon agus an fòn airson tutorials. Sin fìnnais gu bheil stuth mar sin ag obair ann an dòigh glè mhath.

Mr Frank McAveety (Glasgow Shettleston) (Lab): Should the issue of teacher supply be left to the plans?

Pam Talbot: Dè an dòigh eile airson coimhead air solarachadh thidsearan?

What other way is there to look at the matter of specifying the supply of teachers?

Mr McAveety: The two dilemmas that face members of the committee are, first, the search for a reasonable definition of “reasonable” and, secondly, the meaning of culture. I spent a period of time involved in the culture portfolio and I assure you that my understanding of culture was not necessarily the same as the understanding of others in the sector. We need to nail down those two issues accurately, as best we can, and I wonder how we should deal with them. From the presentation that you gave earlier, I did not get a sense of how you think culture should be reflected in the bill. I hear the word a lot but I do not necessarily have any comprehension of it in the context of the bill.

Pam Talbot: Mar a thuirt mi na bu tràithe, chan eil Cli an aghaidh taic bhon Riaghaltas a bhith a’ dol do chultar san fharsaingeachd, ach eil eil cultar agus cànan nan aon rud. Tha cànan na phàirt cudthromach de chultar, ach eil eil cànan a tha ann. Bu choir dhùinn a bhith a’ déiligeachd ris an dá rud ann an dòigh fa leth, an älte a bhith direach a’ cur cànan còmhla ri cultar anns an fharsaingeachd.

As I said earlier, Cli is not opposed to Government support going to culture in general but culture and language are not the same thing. Language plays a large part in culture but they are not the same. They should be dealt with separately and in different ways instead of being lumped together.
Mr McAveety: That is the dilemma. When you engage with folk in different parts of Scotland who care passionately about sustaining Gaelic, much of the discussion is about how the language and the culture are almost inextricably linked. That engenders a passionate debate for those of us who do not come from a Gaelic tradition, as the point is made powerfully that a simple distinction should not be made between the two. I do not think that there is an easy answer to the question, if there is an answer at all. That is the real problem for most of us when we explore this issue.

10:30

Pam Talbot: Tha mi ag aontachadh ribh gu ire, ach aig an aon am chan eil e freagarrach a bhith a’ deiligeadh ri Gàidhlig ann an dóigh cultarach a-mhain. Tha linn fhios aig a h-uile duine ann an saoghail na Gàidhlig gum bi cultar agus cànán cho dìth ùire cheile ’s tha e glè dhoirbh a bhith a’ deànamh sgaradh eadar eadar fhèin. Aig an aon am, ma chomh mhaidheas a’ bheil dìreach air na cùisean a thuirt a deasadh an-dràsta, chan eil fhios agam cò thuirt e, ach chuail mi an seachdachd anns a chaidh chan eil bhruadhinn uile dhèidhinn dòuthannan ann an Roine Ròpa an ear. Thuiret eisean gu bheil iarrtas a’ thaisg iad a’ seinn òrain dìreach ann an cànan a’ bhàsachadh.

Tha mi an dòchas gu bheil a’ deànamh ciall.

Following is the simultaneous interpretation:

I agree with you to a certain extent. At the same time, it is not appropriate for us to deal with Gaelic only in a cultural way. In the Gaelic world, we all know that language and culture are closely intertwined and that it is very difficult to separate them. Nevertheless, it is not true that we should consider the matters that we have just debated only from a cultural point of view, because culture is a much wider concept than just language. I will provide members with an example. I do not know who said it, but last week I heard someone who was talking about European countries say, “We are singing a song in our language, but the language is dying.” Does that make sense? I hope that it does.

Ms Wendy Alexander (Paisley North) (Lab): I want to ask about funding, which links back to the issue of the supply of teachers. I understand that the Gaelic development fund will have a budget of roughly £1.75 million, £350,000 of which will go to Bòrd na Gàidhlig to assist public bodies in producing their plans. The remaining £1.4 million will go to public bodies to enable them to do that. Additional money is being made available to help with the preparation of plans. The existing Gaelic-specific grant is about £3.7 million and goes to 21 local authorities, although only 14 of them have primary school Gaelic provision. There is anxiety that the preparation of the plans, for which £1.4 million has been put aside, may generate more demands on the Gaelic-specific grant. How do you think that demand is likely to emerge? What might the resource implications be?

Pam Talbot: An e iarrtas air feadh Alba a tha sibh a’ ciallachadh?

Following is the simultaneous interpretation:

Are you referring to demand throughout Scotland?

Ms Alexander: Yes.

Pam Talbot: Tha e fior a ràdh, mar a tha linn fhios againn, gu bheil iarrtas eadar-dhaileachd bho sgìre gu sgìre. Mac a tha fios aig a h-uile duine, tha ùidh anns a’ Ghàidhlig a’ dol suas ann an âiteachan far nach eil Gàidhlig na phàirt de mhaoineachadh mòr ann airson cultarachd ghoireasan airson a’ chànan. Is dòcha gum bu chòir dhuinn a bhith a’ coimhead air stuth dhèidhinn d’fheuchann ann an Roine Ròpa an ear. Thuiret eisean gu bheil iarrtas anns a’ chòmhthachd nach eil a’ sibh a’ ciallachadh.

Following is the simultaneous interpretation:

I understand. As we all know, demand varies from area to area. You are right about that. At the same time, everyone is aware, interest in Gaelic is increasing in areas that are not traditional Gaelic-speaking areas. We are very aware that there is not much funding to facilitate access to the language. Perhaps we should consider the way in which demand varies from area to area. Perhaps areas where there is not much demand should not receive the same amount of Government funding as areas where there is greater demand. Planning should be on a nationwide basis.

Ms Alexander: I want to establish what the key constraint is in local authorities that are in receipt of the Gaelic-specific grant. I am thinking of my own local authority, Renfrewshire, which is in receipt of the Gaelic-specific grant but does not use it for pre-school, primary or secondary provision or, as far as I am aware, for the promotion of Gaelic among adult learners. Is the issue in local authorities such as Renfrewshire or the Ayrshires an absence of demand from parents, or is the absence of a supply of teachers constraining the emergence of a primary unit, for example?
Pam Talbot: Tha an dà chuid ann, agus tha an aon rud a’ nearachadh an rud eile. Tha e flor a ràdh nach bi daoine a’ tighinn gu clasaichean mura h-eil tìdsearann an. Chan eil mi gè eòbhash air an t-suidheachadh anns an sgìre agaibh fhèin, ach tha mi eòbhash air an t-suidheachadh ann an sgìrean eile. Ma tha daoine ann aig a bheil ùidh anns a’ Ghàidhlig agus gun chlasaichean-òidhche air an son, bidh iad a’ feachann clais no dhà a chur air dòigh, ach bidh iad a’ call ùidh às dèidh ùine mura h-eil tòrr stoirbheachann ann no trì bhliadhna air ais. Tha sibh a’ bhallrachd air an rud eile.

Following is the simultaneous interpretation:

There are probably two parts to that, and one strengthens the other. If there are no teachers, then nobody will come forward for classes. I do not know your area, but I am aware of situations in other areas where people have an interest in Gaelic. There might be no evening classes, and people might try to set up a couple of classes. After a time, if there are still not many facilities or teachers, people lose the interest that they had. One thing feeds the other and is dependant on it.

Ms Alexander: Is your organisation monitoring the total of the demands that have been made by parents who have written to authorities, looking for Gaelic-medium education, but then learning that it is not possible because of the constraints on supply? Are you aware of any such monitoring by any other organisation? How easy is it to get a sense of what the suppressed demand might be? Has that been well surveyed, and do you expect that the bill will help to monitor the situation more systematically in future?

Pam Talbot: Tha sinn an dòchas gum bi sin ag eirigh mar thoradh bhon bhile. Mar a thuirt sibh, bhò chionn bhliadhnaich air ais bhathar a’ feuchann grùdadh a dhèanamh air an ire de dh’iarrtas airson na Gàidhlig, ach tha e gè dohioth a bhith a’ dèanamh meadadh air na h-àireamhan air fad. Tha sibh ceart gu bheil feum mòr ann airson crùinneachadh fiosrachadh air sin ma tha sinn ri chur plana ëifeachadh air dòigh. Sin an fhreagairt dhan cheist.

Following is the simultaneous interpretation:

We certainly hope that that will be the case and that it will happen as a result of the bill. Some years ago, we tried to carry out a survey of the level of demand for Gaelic. It is difficult to assess the figures and the statistics but, as you have indicated, there is a great need to collect that information and to process the data. If we do that, we will be in a better position to develop an effective plan.

The Convener: How widespread is your organisation? Do you have a presence or activities in all local authority areas in Scotland?

Pam Talbot: Tha a’ bhallrachd agaiginn bho air feadth Alba. Tha an ãireamh de bhuill nas àirde ann an cuid de sgìrean na ann an sgìrean eile. Tha tòrr ùidh ann an àiteachan de dh’Alba mar Dhùn Èideann is Glaschu, far a bheil ceanglan teaghlach leis a’ Ghàidhealtachd agus far a bheil tòrr stuth a’ dol air adhart. Mar eisimpleir, tha sgoil Ghàidhlig ann an Glaschu a chaidh fhoghladh dà no trì bhliadhna air ais. Tha sin air a bhith gè shoirbheachail. Tha a’ bhallrachd agaiginn chan ann dàreach bho Alba ach bhon Riochadh Aonaichte air fad agus bhò thal thairis. Tha a’ bhallrachd a’ leudachadh a-mach gu dùthchannan eile mar na Stàitean Aonaichte, Canada agus àiteachan eile cuideachd.

Following is the simultaneous interpretation:

We have members throughout Scotland. It is true that our membership is bigger in some areas than in others. There are some places in Scotland where there is a lot of interest, including Edinburgh and Glasgow. In Glasgow, that might be linked to families that have come from the Highlands. A lot of things are happening in those areas. There is a Gaelic school in Glasgow, which was opened two or three years ago, so we have been very successful in those areas. We work not only in Scotland but in the United States and in Europe. Our membership extends to other countries, including the United States and Canada.

The Convener: It is presumably fair to say that there are three areas that we should be considering: the homelands—the west Highlands and the islands in particular; Glasgow, Edinburgh and perhaps Perth, where there is a reasonably significant number of Gaelic speakers or learners; and areas such as Orkney and Shetland, where there is no tradition of Gaelic, but where there is a different tradition. There are also the Borders and, possibly, Dumfries and Galloway, where Gaelic has never been spoken. Different criteria perhaps apply to those areas.

Putting the Gaelic bill to one side, what are the top three practical things that you would like to happen that would enhance the security of the language the most? Would you choose more Gaelic teachers and signposts all over the place?

Pam Talbot: Bhruaidhinn sibh air dá rud air an robh sinn a’ smaoineachadh. An toiseach, tha sibh ceart gu bheil airson eòbhas ann an sàile sòrig a’ chumtarachadh anns an t-sàilean trèanach a bhith ann nan tìdsearann luchd-ionnsachaidh.

Tha e inntinneach gun tug sibh luaidhe air stuth mar shoighnitheachan agus stuth ann an àiteachan poblach. Feumaidh fionals a bhith ann gu bheil Ghàidhlig na phàirt de gach roinn de
bheatha làitheil luchd na Gàidhlig. Tha mi cìnteach nach eil daoine aig nach eil úidh no eòlas air Gàidhlig mothacli air de cho cudthromach ‘s a tha stuth mar shoirghnichean agus bileagan anns a’ chànan.

Tha Clì a’ feuchainn ri cur air dóigh siostam-ionnsachaidh a bheir daoine cothrom a bhith a’ faighinn teisteana bho Chàl Chheàin. Anns an dóigh sin, bidh luchd-ionnsachaidh a’ faighinn misneachadh anns an dóigh anns a bheil iad ag ionnsachadh a’ chànan. Tha sinn a’ coimhead air plana gus an cànán a sholarachadh anns an dóigh sin. Às dèidh a h-urile, thà sin nar bhuideann a thà dìreach a' tòiseachadh a sholarachadh a' chànan. Tha sinn a-nis a’ deilgeadh riutha mar phàirt cudthromach den obair aig duine. A bharrachd air sin, thà sin a’ cur taic ri fileantaich agus ri daoine aig a bheil Gàidhlig bho thús.

Following is the simultaneous interpretation:

You have mentioned two issues that we have been discussing. The supply of teachers—to teach others the language—is probably one of the most important. There is a great demand for training courses and places where people can be trained as teachers. You are also correct on signs, leaflets and so on in public areas, providing evidence that Gaelic is part of daily life. People who do not speak Gaelic are not aware of how important those signs and leaflets are, or of the importance of evidence of Gaelic in public life. At Clì, we are considering a plan to implement a learning system that will provide people with an opportunity to get a certificate. That would mean that learners would have confidence in the way in which they were learning the language. At the end of the day, we are an organisation that was set up to provide facilities for learners. Learners are still a very important part of our work, but we also support those who are fluent in the language.

Fiona Hyslop: I have a point that may or may not be technical. Compared to the draft bill, the bill as introduced says that it should apply to devolved functions of Scottish public authorities only, whereas the Welsh Language Act 1993 and the Official Languages Act 2003 in Ireland listed public bodies. The problem is that the bill, if passed as it stands, would not apply to bodies such as the Inland Revenue and the Department for Work and Pensions, and people probably have more connection with the functions of those bodies than they do with the devolved functions of Scottish public authorities. What is your view on that? Is it related to your definition of equal status? You may argue that the bodies to which the bill applies would not necessarily need to be listed if there was equal status.

Pam Talbot: Tha mi cìnteach gu bheil sin na phàirt cudthromach. Tha fios againn nach bi deastanas air buidhnean mar sin a bhith a’ solarachadh plana Gàidhlig. Nar beachadh-sa, thà sin na bheàrn mhòr. Bu chòir an deastanas sin a bhith ann, ach chan eil fhios againn air an fhreagairt don cheist doirbh sin. Nar beachadh-sa, bu chòir buidhnean mar sin a bhith a' gabhail pàirt ann am plana nàiseanta a’ chànan.

An e sin an rud a bha thu ag iarraidh?

Following is the simultaneous interpretation:

I am sure that that is very important. We know that such organisations do not have a duty to specify Gaelic plans and, in our opinion, that is a huge gap. That duty should be there. It is very difficult, and we do not know the answer to that question. However, in our opinion, those organisations should participate in a national plan. Does that answer your question?

Fiona Hyslop: Yes. Thank you.

The Convener: Pam, I will finish by going back to the point that Ken Macintosh raised about information on the practical implications of the bill. If, after reflecting on this morning’s evidence, you can help us further on that, we would find that useful. I am sure that committee members are concentrating on practical implications such as what we can do to help the Gaelic language, how the bill fulfils that desire, where the gaps are that we should be concentrating on and what practical moves we can make to secure and sustain the language. It would be useful if you could write to the clerk with any further thoughts on such aspects.

You have been our first witness on the Gaelic Language (Scotland) Bill and, as we are still struggling with the issues, you have probably had quite a hard time from us. We are extremely grateful for your input—it has been very useful. Thank you for your attendance.

Pam Talbot: Mòran taing airson èisteachd.

Following is the simultaneous interpretation:

Thank you very much for listening to me.
I am not at all like Mark Anthony because I am not here to praise you, but to put in front of you our worries. We are happy that, at long last, a Gaelic bill is going through the Parliament. However, we are worried because the bill deals with only part of what we asked for, as far as Gaelic is concerned. First, the official status for Gaelic that we asked for was thinned down to “secure status”, which was then watered down to “working towards secure status”.

In general, as the previous speaker said, there is no word in the bill about Gaelic having equal status with English. Another important point is that the bill does not include the private sector, which touches children very much. The bill is not like language legislation in other countries, such as Canada. We do not see in the education part of the bill what we regard as the most important right, which is that every parent should have the right to have Gaelic-medium education for their children. That is true for primary education, but it is even more important for secondary education.

Bòrd na Gàidhlig does not seem to have much authority to propose opportunities and plans. The board must return to the minister for permission or advice before it can put a plan into action. I would very much like the committee to note our worries about that principle.

The Convener: I will try to put the situation in context. You made a comparison with the position in Canada. In due course, we will hear evidence from the Welsh Language Board about the position in Wales. In both those countries, the minority language—if that is the right way in which to describe it—is spoken routinely by a much higher percentage of the population throughout the country. Do any differences arise in Scotland because the position here is different from that in Wales and Canada, which have a different balance of language forces?

Iain MacIlleChiar: Tha mi a’ tuiginn gum feum an dòigh anns a bheil na plànaichean cànan gan dealbhachad agus gan cur an gniomh a bhith eadar-dhealaichte. Ach, mar a chì mise e, feumaidh reachdas sam bith uighdarras a thoirt dhan t-sluagh, no cha bhi an siostam ag obair nuair a tha rudan gan dìульadh orra. Mar eisimpleir, thuaidh againn glè shealladh far a bheil deagh rùin aig a’ chomhairle is polasaidh Gàidhlig a tha ga chur an gniomh agus far a bheil eachdraidh suas ri faisg air 20 bliadhna a-nis de fhoghlam tro mheadhan na Gàidhlig. Ach tha daoine eile ann nach eil cho forthanach. Tha cuid de na
comhairlean teagmhach. Tha feadhainn aca air a bhith nàimhdeil tro na bladhnaichean agus tha iad air bacadh a chur air pàrantan bho bhith a’ faighinn foghlam tro mheadhan na Gàidhlig.

Following is the simultaneous interpretation:

I understand that the way in which Gaelic language plans are devised must be different, but an act may or may not give status and authority to the people—that depends on how it works. Some of us are fortunate to live in the areas of councils that support Gaelic, put Gaelic plans into action and have had Gaelic-medium education for more than 20 years. Other people are not as fortunate. Some councils remain a bit doubtful and have not been favourable towards Gaelic.

The Convener: Do you support the general approach of having the Gaelic board, the plans and the different approach for each local and public authority, to try to proceed on a structured basis?

Iain MacIlleChiar: Tha mi a’ dol leis gu mòr. Tha mi a’ smaoineachadh gur e an rud as cudthormaiche a chunna mi ann am fear de na pàipearan-taic no na pàipearan-comhairleachaidh a thàighin leis a’ bhile gu e an Riaghaltas fhèin a chaidh bhuideanann a dh’fhéumhas plana a chur ri chèile, a chionn ‘s gu bheil Riaghaltas an t-ùirigh agus a’ falbh agus tha luchd-poileataics a’ tìghinn agus a’ falbh. Tha aon chòignear no sianar de mninisearan Gàidhlig air a bhith againn anns an àm a bhith a’ bhile agus a’ falbh. Tha aon chòignear no sianar de mninisearan Gàidhlig air a bhith againn anns an àm a bhith a’ bhile agus a’ falbh. Tha aon chòignear no sianar de mninisearan Gàidhlig air a bhith againn anns an àm a bhith a’ bhile. Tha aon chòignear no sianar de mninisearan Gàidhlig air a bhith againn anns an àm a bhith a’ bhile agus a’ falbh. Tha aon chòignear no sianar de mninisearan Gàidhlig air a bhith againn anns an àm a bhith a’ bhile agus a’ falbh.

Following is the simultaneous interpretation:

Yes. I agree with that very much. The most important feature that I saw in a consultation paper that accompanied the bill was that the first group that must produce a plan is the Executive. Executives come and go and politicians come and go. In the time that I have been involved in Comann nam Pàrant, five or six ministers have been responsible for Gaelic. It is important to establish rights in law and not to depend on the present minister to do something.

The Convener: We will explore that more.

Dr Murray: Your written evidence says:

“The Bill should specifically state that Gaelic is an official language in Scotland and will, in principle, be treated equally with English in the conduct of public business.”

What would that mean in practice?

Iain MacIlleChiar: Mar a thuir mi na bu tràithe, dè a thachras mura h-eil bhuideanann air choreigin a’ cur plana an gniomh? Ged a bhiodh poileasaidh agus plana càinain aca agus ged a bhiodh Bòrd na Gàidhlig air iarraidh orra a chur a chluinn, mura h-eil a’ bhuidhean fhathast ga dheànamh, tha e an uair sin an urra ris a’ mhìnistèir. Ma tha ministeir láidir gniomhach ann, glè mhath; dh’fhàoadadh gun toireadh e orra sin a dhèanamh. Ach ma tha fear ann nach eil buileach cho dealasach, chan eil seasamh againn ann an lagh. Chan urrainn dhunn a dhol gu ombudsman no duine eile. Chan eil còrdachan sam bith againn.

Following is the simultaneous interpretation:

As I said, what happens if an organisation does not put into practice a policy—even if it has a policy and a Gaelic plan and even if Bòrd na Gàidhlig asks it to put that policy into action? If the minister is strong and principled, he could make the organisation put the policy into practice, but if he is not, the organisation would not do that and we would have no standing in law. We could not approach an ombudsman or anyone else. We would have no rights.

Dr Murray: The situation depends on which public body is involved. Recourse could be had to the Scottish public services ombudsman. Perhaps we will explore with ministers whether the ombudsman would afford that protection.

I was thinking of practical matters. As I said to the previous witness, in Dumfries—which I represent—people have considerable interest in Gaelic but few are conversant in it. In such an area, what practical provision would you expect a public body to make in, for example, court? I have a friend who comes originally from the Western Isles and is a Gaelic speaker. Should he be able to expect to have someone who could speak to him in Gaelic in hospital, for example, if he preferred to speak to a consultant in Gaelic? I know that that is a slightly extreme view, but what are you saying? You state that Gaelic should,

“in principle, be treated equally with English in the conduct of public business.”

What does that actually mean to the person on the ground?

Iain MacIlleChiar: Is e Comann nam Pàrant a tha annainn, agus mar sin is ann ri còrdachan phàrantan agus clann as motha a tha sinne a’ deiligeadh. Mar eisimpleir, the poileasaidh air a bhith aig Comhairle na Gaidhealtachd, far a bheth mire a’ fhuireach, gun tèiseach a’ chomhairle roinnsa Ghàidhlig ann aig an ghoil a tha stèidhichte mar-thà, ma tha ceithrù phàkestean agus aig aoi scoile a bhagh iarraidh foghlam tro mheadhan na Gàidhlig. Tha mi a’ smaoineachadh gur biodh sin na deògha slat-tomhais de dh’iarras air feadh Alba. Ma tha cròileagan air chois far am bi clann nas òige na aoi scoile a’ tìghinn suas agus ag iomnsachadh na Gàidhlig, bhiodh tuaimse aig a’ chomhairle
gun cumadh roinn Ghàidhlig a’ dol agus gum fàsadh i tro na bliadhnaichean ri tìghinn. Bha thu a’ bruaidhinn air an fhacal “practical”, agus sin an rud a mholamaid.

Following is the simultaneous interpretation:

We are Comann nam Pàrant, therefore we represent mostly the rights of parents and children. The policy in the Highland Council area, where I live, was that where there were four children of school age, the council would start a Gaelic-medium unit in the local school. That would be a good measure for elsewhere in Scotland, and could be used to establish things like playgroups. The council might have the idea that the Gaelic department would keep going and grow in the years to come. You talked about what is practical. That is what we recommend.

Dr Murray: How would that be different from what the bill proposes for local plans? Surely all those issues could be incorporated into local plans, given that ministers would have the power to direct public bodies if they did not implement their plans. I wonder what the difference would be. Could you explain to me what the difference would be if the bill stated that Gaelic should be treated equally with English? What would be the knock-on effect on native Gaelic speakers’ confidence that they can progress in life using their language. Is that not what it is all about?

Iain MacIlleChiar: Tha mi mothachail air fiosrachadh bho thall thairis—leithid Eòrna, far a bheirach a chd ann—gum feum doaine tilleadh agus tilleadh agus tilleadh chun na cùrsa sin a chionn ’s nach eil buidhean ga chur an gniomh. Ged is e Gaeilge an cànán oifigeil agus an prìomh chànan ann an Eòrna, b’ fheudar do dh’achd cànain a bhith a’ thoir th a-staigh an sin a chionn ’s nach robh cochadh bhuidhean Riaghaltais a’ cur an dieasanachan an gniomh. Tha fhios agam cuideachd, mar fhearr a dh’iomhaireachadh eachdraidh ann an oileithigh, ma tha thu a’ faraich achd a’ nochdadh bhliadhna às dheidh bhliadhna, tha e a’ ciallachadh nach robh e ag obair. Saolaidh mise gu bheil tuilleadh a’ chròir do bhoilteachd a sheachadh a’ raidd, “Uill, chan eil iartas ann, agus chan eil gnothach againne ris an sin.” Tha e ro fhurasta dhaibh sin a dhéanamar mar a tha e an-dràsta.

Following is the simultaneous interpretation:

I am aware of what has been happening overseas, for example in Ireland, where there is a language act. Often, people have to return to the act because it is not being implemented. Although Gaelic is the main official language, Ireland still had to bring in a language act because the authorities were not fulfilling their duties. I know, having learned history at university, that if an act appears year after year it is not working. There are too many get-outs in the bill that will enable public organisations to make excuses and say, “We have nothing to do with that.” It is too easy for them to do that as it is.

The Convener: There is a difference, which we will need to explore, between what you want in education and what you want in other public spheres.

Mr Adam Ingram (South of Scotland) (SNP): I want to explore further the demand for equal status, or co-validity, of the language. It is not just about practicalities, is it? It is about the psychological impact of having a statement that provides equal status for Gaelic. That has a knock-on effect on native Gaelic speakers’ confidence that they can progress in life using their language. Is that not what it is all about?

Iain MacIlleChiar: Mar a thuirt thu, tha e co-cheangailte ri modh agus urram agus inbhe air feadh na dùthcha. Ach nuair a thug e gu a h-aon ’s gu dhà, mar a their an sean-fhacail againn ann an Ghàidhlig, is e am beul a labhrach, ach an gnìomh a dhearbhais. Uill, is e an gnothach a tha a’ dearbhadh an seo. Tha sibhse mar Pràlamaid a’ cur a’ gnìomh gu rann in ghun rìamh tìdhinn tìdhinn ann an seò agus fìanaise a thoirt seachadh ann an Ghàidhlig. Tha sin cùithromach. Tha mi ag aontachadh gu mòr leis an sin. Sin a bha mi a’ ciallachadh leis a’ bhun-prionnsabal gu bheil Ghàidhlig is Beurla co-ionann ri chèile ann am prionnsabal.

Ann an Alba, cha do dh’fhuiling sinn anns an dòigh san do dh’fhuiling iad sa Chuirnigh, oir bha achd aig aghaidh na Cuirmris ann aig a’ climh ann an eachdraidh. Ann an Alba, tha ached air a bhith ann an siud agus an seò ann an eachdraidh nach robh ro bhàghail, ach cha robh a’ riamh ached ann an dubh is an gleal ag ràdh gur e ar poisaisaidh a bhith a’ cur às dhan Ghàidhlig. Nan togradh iad, dh’ fhaoadadh a h-ule buidhean phoblach ann an Alba a-màireach a’ Ghàidhlig a thoirt a-staigh gun bhile nach aochd sam bith.

Following is the simultaneous interpretation:

Yes. As you said, it is connected with respect and good manners, but when it comes down to it, we have an old proverb in Gaelic—“It is the mouth that speaks, but it is the deed that makes it work.” The Parliament is putting that into action by bringing us here and we are giving our evidence in Gaelic. I agree with that very much. In principle, Gaelic and English are equal.

In Scotland, we did not suffer in the same way as people did in Wales. In Scotland, there were acts here and there throughout history but there was never an act in black and white saying, “Our policy is to do away with Gaelic.” Every public body in Scotland could bring in Gaelic without any bill or act.
11:00

**The Convener:** Is there a difference between different parts of Scotland? I can see how equal status—however you define it—could be relevant in areas such as the Western Isles, where there are a significant number of Gaelic speakers; that would also be true to a slightly lesser extent in the Highlands. In other parts of Scotland, however, would equal status be a reality in terms of the psychology that Adam Ingram talked about, or in terms of practical issues such as supply and numbers? Is there not a different concept in other parts of Scotland from what there is in the home territories?

**Iain MacIlleChiar:** Tha a’ cheist sin ag éirigh ann duthchannan eile cuideachd far a bheil cànan nas laidir am pairt dhen dùthaich na am paìr eile. Cùinnidh sibh, tha mi cinn teachan, ann an fìannais Bòrd na Cuimris, gur ann tro planaichean cànain a tha iadsan ag obair cuideachd. Tha iad a’ boiseachadh anns a’ chridhe, mar gum biodh, agus ag obair a-mach bhò sin.

Mar a thugt Adam Ingram, tha e a’ toirt misneachd do dhaoinne a bhith a’ faicinn na Gàidhlig gu fol liaiseach air gnothaicean nàiseanta. Tha cuimhne agam a bhith a’ faicinn nan sànasaich taobh a’-muigh togalach na Pàrlamaid a bha agaibh mus d’fhàir sibh an togalach eireachdail seo, agus bha e gur math fol liaiseach fìù ‘s air an telebhisean gun robh a’ Ghàidhlig ann. Mar as motha a chì daoinn a leithid, is ann as fheàrr. Is docha gu bheil sin a’ freagairt tè dhe na ceistean aig Dr Mhoireach. Ann an Dùn Phris agus Gall-Ghaidhealaibh, tha na h-aòiteachan bhò Gàidhlig, ach nuair a tha mise air làithreachan saora an sin, feumaidh mi tomhas dè tha ann, oir chan eil e ag innse dhomh dè a’ Ghàidhlig cheart air an son.

Following is the simultaneous interpretation:

That question arises in other countries. Some parts of the country are stronger than others. Again, the Welsh Language Board gave evidence that it has language plans and that is the way in which it works. It starts in the heartland of the language and works outwards.

As Adam Ingram said, people gain confidence by seeing evidence of Gaelic and other national things. I remember seeing notices outside the buildings that the Parliament used before it got this beautiful building and it was evident that there was Gaelic there. It is also evident on television and people need to see more of that. Perhaps that answers Dr Murray’s question about Dumfries and Galloway, where place names are in Gaelic. If I am on holiday there, I have to guess what the names are because the Gaelic is not correct.

**Mr Macintosh:** It is interesting that you say that. We might get a chance to return to the subject of teacher supply, but I certainly endorse your remarks about needing to supply more teachers. Otherwise, we cannot increase Gaelic learning at all.

I would like to explore the idea that we should use parents’ and the community’s demand to improve the situation of Gaelic as the force with which to increase the number of Gaelic speakers and to create a more flourishing culture in which Gaelic can exist, following a rights-based approach. To return to a point that the convener...
made, it strikes me that that would be appropriate in certain parts of the country. There is clear demand in some areas. It also strikes me that councils in those areas are relatively responsive. In other areas of the country, however, there is no demand. It is not a case of there being parents who are not able to assert their rights; they do not want to assert their rights.

What we need to do—what I think the bill seeks to do—is to stimulate demand and to create a planned approach so as to encourage people to take up Gaelic, rather than thinking that we are somehow refusing people the opportunity. That is my impression. The disparity between the Gaidhealtachd and many parts of the central belt—never mind the Borders—requires different approaches to be taken. Does that echo with your experience in Comann nam Pàrant?

Iain MacIlleChiar: Tha mi a’ smaoineachadh, bho latha gu latha—

Mr Macintosh: I am sorry to interrupt. The interpreters cannot hear you for some reason. Your microphone seems to have gone off—it is not your fault. Could you start again?

Iain MacIlleChiar: Dè bha mi ag ráadh a-nis?

Following is the simultaneous interpretation:

Now, what was I saying?

The Convener: Could you repeat that little bit, if you can remember it? Do you want to go over the question again, Ken?

Mr Macintosh: Some parents want to assert their rights. In other areas of Scotland, there is no demand, and we need to encourage demand, rather than just meet it.

Iain MacIlleChiar: Chan eil cuid dhe na comhairle a’ gosraideal fiosraichd mar a dh’fhaoadadh iad. Ged a tha roin Ghàidhlig ann an aon sgol a’ an eil ghluasad anns an t-siorraidh sin, chan eil am fiosraichd sin a’ dol a-mach dha na sgolthain eile. Ma tha e a’ dol a-mach dha na sgolthain eile, is dòcha nach eil ceannardan nan sgolthain gan thoirt seachad dha na pàrantan, air eagal ‘s gum bi iadsan a’ call clann air sàilleabh sin. Mar sin, fiu ’s far a bheil foghla姆 tro mheadhan na Gàidhlig ann, chan urrainnh dhu't a ràdh dé iartas a tha ann. Tha a’ mhòr-chuid de dhaoinn ann an Alba gu tur aicealach mun Ghàidhlig, agus chan eil mi a’ cantainn sin le droch chiall. Tha mi a’ ciallachadh direach nach eil fios aca mu dheidhinn na Gàidhlig. Cha d’huair iad fhèin foghlaigm sam bith ann an sgol mu dheidhinn na Gàidhlig, gun ghuth air foghlaigm ann an Gàidhlig no cothrom air Gàidhlig ionnsachadh mar chànnan.

Following is the simultaneous interpretation:

Some councils do not distribute information as they ought to or as they could. There might be a Gaelic department in one school in an area, but the information might not be going out to the other schools. Perhaps the head teachers are not distributing the information to the parents, because they might lose children from their schools as a result. Even where there is Gaelic-medium education, we cannot really say that there is no demand for it. Most people in Scotland are ignorant about the Gaelic language. I do not mean that in a bad way; I mean that they do not know about the language. They did not have any education about Gaelic in school, and they did not have the opportunity to learn the language.

Mr Macintosh: I would agree with that, and I want to pick up on the point about whether we should have a rights-based approach or a planning approach in the bill. If we were to follow a rights-based approach, in what ways would the parental right to a Gaelic-medium education be tempered or qualified? We could introduce a test of reasonableness. Would you wish to introduce any other qualification? How would you interpret a test of reasonableness across Scotland?

Iain MacIlleChiar: Tha mi a’ smaoineachadh gur e sin an rud a bha mi ag ràdh na bu tràthta. Tha e air obrachadh mu thuath tro na bliadhnaichean gurobh ceathrar chloinne gu leòr airson an gnothach fhàighinn a’ dol. Is e am aubhasach mi-chinnteach agus cugallach do phàrantan nuair a tha am páiste eadar tri agus còig. Feumaidh cint air choireigin a bhith acu gu bheil an t-aonad Gàidhlig a’ dol a leantainn. Anns an fhianas sgriorbhte againn, bhruidhinn sinn air siostam foghlaigm, agus tuilleadh agus tuilleadh tha sin a’ tìginn mar phàirt de shiostam foghlaigm na h-Alba. Ma tha teagamh sam bith ann nach eil roinn Ghàidhlig a’ dol a dh’hìosgladh, no gu bheil i a’ dol a dh’hìosgladh ach cha cum i a’ dol ach ma tha clann gu leòr innte no is dòcha gun dèan i an ceann tri bliadhna, chan eil cud de na pàrantan a’ dol a chur an cuid chloinne a-staighdhan sgoil sin.

Following is the simultaneous interpretation:

That is what I was talking about earlier. It worked for us, over the years—up north, anyway. We had four children, and that was enough to get things going. It is an uncertain time for parents when they have a child of between three and five years. They need some kind of certainty that their children’s education will follow on, and that there is an education system there. More and more, we are becoming a part of the Scottish system. If there is some doubt that a Gaelic unit will keep going, and if there are not enough children using it, the unit might close after a year or two. Some parents will not send their children to a school where that is the situation.

The Convener: Perhaps this is an obvious point, but is not the issue of Gaelic-medium education central to the debate? If that provision is
enhanced and increased, the language has a basic and strong support on which to build. The important issue is at what point there is a trigger that produces the right to, or the availability of, Gaelic-medium education. That is the essence of what is involved. I wonder whether the substance of the dispute about rights is that you are trying to get to a position in which there is a reasonable level of demand; provision is stabilised, which ensures that people have confidence in it; and that gets the response of sufficient funding to make it happen. Moreover, would not the hope be that there would be Gaelic-medium provision right through education, from nursery to primary, secondary and perhaps even higher education as well? Is that the essence of the Gaelic-medium issue?

Iain MacIlleChiar: Mar a thuirt mi, tha sinn fortanach nach eil an t-uabhas de roinnean Gàidhlig air dùnadh tro na bliadhnaichean, ach tha feadhainn aca air dùnadh. Tha mi tolichte gun do Gàidhlig air dùnadh tro na bliadhnaichean, ach tha sinn a’ call na cloinne a rinn cho math thog thu a’ phuing mu dhheidhinn foghlam air iре àrd-sgoil, a chionn ‘s gur e ncap-starr a’ bhun-sgoil. Nuair a thèid iad dhan àrd-sgoil, mar is trice chan fhagh iad ach Gàidhlig mar chuspair, agus is dòcha aon chuspair eile—eachdraidh no cruinn-eòlas no rudeagin—sungs chun a’ chealaithraidh bliadhna. Chan eil cothrom aca air deuchainnean a ghabhaidh tro mheadhan na Gàidhlig ach ann an Gàidhlig, eachdraidh agus cruinn-eòlas aig an ire choitcheann. Chan eil an cothrom sin aig iar eil nas èinne na sin. Anns na 10 bliadhna mu dheireadh, chan eil an t-uabhas de dh’adhartair idir air a bhith ann eigh air i ре àrd-sgoil.

Na bu tràithe, bha Pam Talbot a’ freagairt ceist bho Sheumas Dùbhghlas-Hamalton mu teicneolas agus conaltradh bhideo. Bidh e inntinneach fhacinn dè thachras leis an teicneolas, ach tha mi a’ smaoineachadh gu bheil sin nas fhreagarraiche air clann aig ceann suas na h-àrd-sgoil aig ann na sgoiltean Gàidhlig. Nuair a thòisich air deagh chuid de na pàrantan an cuid chloinne a thog thu a’ phuing mu dheidhinn foghlam aig ìre feadhainn aca air dùnadh. Tha mi toilichte gun do Gàidhlig air dùnadh tro na bliadhnaichean, ach tha sinn a’ call na cloinne a rinn cho math thog thu a’ phuing mu dhheidhinn foghlam air ìre àrd-sgoil.

In the past 10 years, there has been little progress in Gaelic in secondary education. When Pam Talbot talked about technology, somebody referred to teleconferencing. I am interested in what will happen with that. Teleconferencing will perhaps affect children at the upper end of secondary education rather than in the first couple of years.

The Convener: Is there not an outward-looking aspect to Gaelic-medium education as well? It has been suggested that people who have experienced it are better at learning other European languages later on in school, because of their acquaintance with bilingualism. I wonder whether that is an important angle to build on—even just enhancing Gaelic-medium education to the wider curriculum—by promoting Gaelic-medium education’s broader advantages. Have you taken up that angle?

Iain MacIlleChiar: Tha sin fior. Is e sin a thug air deagh chuid de na pàrantan an cuid chloinne a chur dha na sgoltain Gàidhlig. Nuair a thòisich sin nu 20 bliadhna air oas a’ coiteachadh agus a’ stri airson foghlam tro mheadhan na Gàidhlig, bha leabhar beag againg às a’ Chuimrigh leis eil anaim “Two Windows, Two Worlds”. Rinn an leabhar sin a’ dearbhachadh sin, gun robh clann dà-chànanaich nas comasaiche air gnothaichean fhacinn ann an dòigh na fhasarainge.

Followings is the simultaneous interpretation:

What you say is certainly true. Many parents are well aware of the advantages of bilingualism and that is why they have opted for Gaelic-medium education for their children. When we started fighting for Gaelic-medium education 20 years ago, we had a small leaflet in Welsh entitled, “Two Windows, Two Worlds”. It expressed that very point, which is that those who are bilingual are much more able to access further languages as they go on.

Lord James Douglas-Hamilton: You say in your written submission:

“There should be reference made in the Bill to the rights of persons appearing in a Court of Law to make representation through the medium of Gaelic.

In general, how great is the demand for such representation? Would there be a sufficiency of interpreters? What would the practicalities be? Would interpreters be supplied to all courts or just to some? Would such provision involve a great deal of extra resources? Or would there be only an occasional need for an interpreter? What is your view?

Iain MacIlleChiar: A-rithist, feumaidh mi a bhith onarach agus a ràdh nach ann tric a tha duine sa chuirt co-dhiù. Tha mise air a bhith ann dà thuras nam bheatha mar fhianais—seo an treas turas agam a’ toirt seachad fianais—ach is dòcha gum.
biodh sin na bu chudthromaiche anns an h-aiteachan far a bheil a’ Ghàidhlig nas làidire, mar anns na h-eileanan.

Following is the simultaneous interpretation:

Once again, I must be honest and say that it is not often that people with Gaelic are in the courts. I have been there twice in my life as a witness, so this is my third time. However, perhaps making representations in court in Gaelic might be important in places where Gaelic is stronger and a greater percentage of the population speak it—for example, in the Western Isles.

Lord James Douglas-Hamilton: Could you submit a short paper on that point? If the facility existed in all courts in Scotland, it would constitute a massive upheaval. I think that you are asking for something more limited that could be applied much more easily. It would be helpful if you could provide us with a little more detail—not now, but in due course.

11:15

The Convener: You also seem to be making the case that learning Gaelic might be a better means of dealing with crime than the Antisocial Behaviour etc (Scotland) Act 2004 is.

Lord James Douglas-Hamilton: Iain, you have said that you support distance learning and the use of high technology and videoconferencing. Would you be glad for that to be put into effect in distant parts of Scotland where Gaelic is not usually spoken and where there is great difficulty in getting a sufficient number of Gaelic teachers?

Iain MacIlleChiar: Tha mi a’ smaoineachadh gu bheil sin airt bòiseachadh mar-thà. Tha corra phróiseact ann far a bheil, mar eisimpleir, lìsdear ann an Comhairle na Gaidhealtachd a’ dèanamh conaltradh bhideo ri sgoilearan ann an ile. Chan eil mi mion-eòlach air dè cho math ‘s a tha sin ag obrachadh, ach tha mi a’ smaoineachadh gu bheil e ag obrachadh gu math. Tha mi fhìn ag obair gu proifiseanta ann an Oilthigh na Gaidhealtachd is nan Eilean, agus tha fhios agam gu bheil sinne gu chleachadh bheil gu tèic aig ire àrd-fhoghlam. Is e aois nan sgoilearan an aon dragh a bhiodh orm. Tha mi a’ creidinn gu bheil ann aig aon cheann.

Following is the simultaneous interpretation:

I think that that has already commenced and that there have been a number of projects. For example, a teacher in Highland region is involved in videoconferencing with pupils on Islay. I am not completely sure how well it works, but I know what happens at secondary and university level. I have been working at UHI, where we often use videoconferencing. My only concern relates to the age of the pupils. I suppose that someone would have to be with them and to watch them at the other end of the conference.

Ms Rosemary Byrne (South of Scotland) (SSP): I return to higher education. You said earlier that, at secondary school level, interest is lost and the ability to go forward to higher education courses is missing. Is there anything in the bill that reassures you that the system could be put right? It seems to me that if you offer good courses at secondary school level, through higher still for example, that is a simple way of saying that you are putting Gaelic higher up the agenda. Providing young people with access to that level of education would be one way of encouraging and enabling them to proceed to further and higher education and to teacher training. That would be one of the most positive things that we could do. Are you satisfied that there are moves to do that, or should the committee be encouraging that to happen?

Iain MacIlleChiar: Chan eil an dà dhòigh air. An-dràsta fhèin, tha uireasbhaidh mhòr ann aig ire àrd-sgoile. Tha sinn ann an suidheachadh neònach ann an Alba, oir tha fhoghlam tro mheadhan na Gàidhlig againn aig ire bun-sgoil agus tha Gàidhlig againn anns na h-òlthighean—ann an Oilthigh na Gaidhealtachd is nan Eilean agus aig a’ cholaiste lòn-Gàidhlig, Sabhal Mòr Ostaig—ach tha beàrn anns a’ mheadhan. Chan eil mòran fhoghlam tro mheadhan na Gàidhlig aig ire àrd-sgoil, agus tha sin ag cumail air ais gu mòr.

Mar a thuirt mi, tha sinn a’ call nan sgoilearan agus tha sinn a’ call na feadhainn a tha a’ falbh a thoirt a-mach cuìird no a’ dol gu cothaisteann an deigh na ceathramh bliadhna anns an àrd-sgoil. Mar eisimpleir, a thaobh an feadhainn a rinn cùrsaichean spòrs is cur-seachad agus a tha a-nis ag obair ann an ionadan spòrs is cur-seachad, feumaidh ladh a’ Ghàidhlig aca ionnachadh air ais, mar gum biodh, airson dèiligeadh le cloinn a tha a’ tighinn a-staigh bho bhun-sgoilean Gàidhlig dhèanamh ghothaichean spòrs còmhla riutha. Is e gaineadh luchd-teagasg an cnap-starr a motha. Ma tha a’ chomataidh a’ coimhead air an sin, is e sin a’ phuing as cudthromaiche.

Following is the simultaneous interpretation:

There are no two ways about it—there is a large gap at secondary level. We are in a strange situation in Scotland. We have Gaelic-medium education at primary level and at university and tertiary level—we have it at UHI and at Sabhal Mòr Ostaig—but there is a gap in the middle. There is not much Gaelic-medium education at secondary level and we are losing pupils at that stage. People move into other professions. Some people take courses in sports and entertainment and leisure, and have to relearn Gaelic to deal with children who have come from Gaelic-medium units
to take part in sporting activities with them. The bottom line is that there is a shortage of Gaelic teachers. That is the most important issue that the committee should examine.

**Ms Byrne:** The shortage of teachers is a knock-on effect of the fact that we are not teaching Gaelic to the required level in secondary schools and thus are not encouraging its being taught in further and higher education. How do we solve that problem? I have a lot of sympathy with your view that one aspect we have to get right is parents’ access to Gaelic-medium education for their children. After listening to the evidence, I feel that if parents do not know that they have access to such education they will not ask for it. The committee needs to find a balanced approach and to encourage Gaelic education in the crucial secondary school stage—in fourth, fifth and sixth year—and in further and higher education. We need to get more evidence on that aspect so that we can move forward.

**The Convener:** Do you want to ask a particular question on that issue, Rosemary?

**Ms Byrne:** No. I simply wanted to make that comment.

**Iain MacIlleChiar:** Tha reachdas dion dàta ann a-nis, agus tha sin na rud eile a tha na bhacadh. Chan eil e furasta geirn faighinn air na pàrantan mus tèid a’ chlann dhan sgol. Nuair a thoiseach Comann nam Pàrant, bha e caran furasta faighinn a-mach co mheadh pàrant agus co mheadh pàiste a bha a’ dol dhan sgol agus cáin air roth iad. Ach an-diugh tha e uabhasach doirbh an ruighinn mus ruig iad ann an dùn agus aon uair ’s gu bheil iad air an sgol a ruighinn, mura h-eil iad ann an sgol Ghàidhlig tha sinn air an call.

**Following is the simultaneous interpretation:**

Another obstacle is that, with data protection legislation, it is not as easy to get access to parents before the children go to school. When we started Comann nam Pàrant, it was slightly easier to find out how many children were going into primary school. It is difficult to reach those pupils once they have started school. Unless they go to a Gaelic-medium school, we have lost them.

**Mr McAveety:** My question is similar to an earlier question. How would you approach the issue of teacher supply?

**Iain MacIlleChiar:** Feumaidh mi aideasachd gu e tidsear càin a tha ann ann an colaithe. Saolaidh mise gum bu chòir dha luchd-teagaisg a tha ann an dreuchd mar-thà a bhith air an saoradh a dhòl air chuirsàichean càinain. Is sin aon dòigh a bhith ga dhéanamh. Sin an dòigh a thathar a’ cleachdadh ann an tir nam Bascach, mar eisimpeir, far a bheil an Riaghaltas nàiseanta a’ pàigheadh a shaoradh luchd-teagaisg a dhòl air chùrsaichean cânain. An toiseach, thèid iad air chuirsàichean càinain san fharsaingeachd agus an uair sin air chuirsàichean mun chuspair shònraichte aca fhèin. Nuair a thillean iad dhan sgol, tha iad a’ teagasc tro mheadhan na Bascais. Nan robh maoin ann airson sin, dh’fhuaighgadh sin a’ cheist gu mòr, an dà chuid airson luchd-teagaisg bun-sgol agus luchd-teagaisg ard-sgol.

**Following is the simultaneous interpretation:**

I suppose that I should admit that I am a language teacher in our college. I feel that teachers in other professions should be free to take language courses. For example, the Basque language has been protected because the national Government pays for teachers to be released to take a general language course to begin with and then a language course that is specific to their own subject area. After that, the teachers return to their schools and teach in the Basque language. Setting up a fund to tackle that would provide a solution to the problem of providing primary and secondary school teachers.

**Mr McAveety:** Have you found that local authorities all over Scotland are willing to talk about these issues? It seems to me that the bill’s proposed language plans might provide space both to enhance the provision of authorities that are making good progress on Gaelic-medium education and to help authorities that are nervous about putting their toes into the water because of the potential costs. Perhaps any deliberations should centre on trying to create a more integrated approach that takes in new technology options, short learning courses, sending teaching staff on secondment for a short period and working with Sabhal Mòr Ostaig. Indeed, such an approach might reassure local authorities that they could introduce provision that would fulfil parents’ reasonable aspirations while testing certain areas that are unfamiliar. That might provide a base on which to build the development of Gaelic.

**Iain MacIlleChiar:** Dh’fhéumadh uthdarras a bhith aig Bòrd na Gàidhlig agus oifigeach-foghlaím is a leithd airson sin a cho-ordanachadh. Tha fhios agam gun robh an t-oifigeach-foghlaím a bhith aig Comunn na Gàidhlig uabhasach soirbhreachail ann a bhith a’ tarraing nam comhairlean aig an robh foghlaím tro mheadhan na Gàidhlig ri chèile. Bha primary review group agus secondary review group ann, far an robh a’ cùmhnadh chosgaislean, le bhith a’ foilseachadh stuth-teagaisg còmhla air an àite gach comhairle bheag a bhith a’ dèanamh an rud aice fhèin.

**Following is the simultaneous interpretation:**

Bòrd na Gàidhlig would have to have authority in the shape of an education officer to co-ordinate such matters. For example, Comunn na Gàidhlig’s education officer was successful in working with
the local authorities that were involved in Gaelic-medium education and bringing them together in the primary and secondary review groups. As a result, instead of having one small authority deal with everything itself, the authorities pooled their resources and kept down the costs of publishing education material.

Mr McAveety: I agree with that. I was involved in the developments in Glasgow at a local government level. The natural inclination was to try to do something, although it was not clear what it was necessary to do; however, a couple of good examples built confidence and there is now much more coherent provision in the city than existed 10 or 15 years ago. It could be better, but Glasgow still provides a good model in Scotland. How can we create the space for people to be less nervous and defensive and more constructive and positive about the development of the language?

Iain MacIlleChiar: Ma dh’fhoadhte gum b’ urrainn dha na buidhnean sin cuireach a thoir dha na comhairlean nach eil mar-thà a’ deileagadh le foghlaím tro mheadhan na Gàidhlig na coinneamhan aca a fhirthealadh. A h-uile bliadhna, tha còmhdhail nàiseanta aig Comunn na Gàidhlig—tha e a-nis aig Bòrd na Gàidhlig—far an urrainn do nochdairean tighinn angn agus greim fhaghinn air mar a tha an suidheachadh an-dràsta.

Following is the simultaneous interpretation:

Perhaps the relevant organisations could consider including councils who do not have Gaelic-medium education at the moment. Every year, Comunn na Gàidhlig used to have an annual congress. Bòrd na Gàidhlig will take over that role, and there will be representatives from all areas to give an overview of the current situation.

The Convener: You are probably aware of the draft guidance on Gaelic-medium education that the Scottish Executive has issued. Have you formed a view on it yet? Perhaps the matter is too complex to ask for your views today. The Gaelic Language (Scotland) Bill has to be read alongside the draft guidance to get the full picture. Perhaps you would be able to let us have more detailed comments about deficiencies, good things and things that you will have concerns about. We would be interested to know about those, especially in so far as they relate to what the bill is trying to do.

Iain MacIlleChiar: Gu cinnteach ni sinn sin.

Following is the simultaneous interpretation:

Certainly. We will do that.

Ms Alexander: I raised a question on the funding issue with the previous witness. Are there any funding issues on which your organisation would like to comment? I know that it is not central to your mission, but it would be unfortunate not to give you the opportunity to say something on the funding side.

Iain MacIlleChiar: Tha mi a’ smaoineachadh gu bheil dà rud daonnan ann far a bheil sin gann de dh’airgead. Tha oideachadh luchd-teagaig a dhith, gu h-àraidh luchd-teagaig a tha ann an dreaichd. Tha sin uabhasach cosgail, oir tha e cosgail cuideigin a shaoradh bho obair, cuideigin eile a cha chur a stàigh na àite agus cosgaig a’ chùrsa a phàigheadh. Glè thric, feumaidh an neach a bhith a’ fuireach air falbh. Is e cosgail gu math trom a tha sin. Cuideachd, tha cosgaig ann a bhith ag ullamachadh nan càrsaichean sin airson luchd-teagaig. Chaidh a ghealltainn dhuinn gum biodh cùrsa na b’ fheàrr ann an 2004, ach cha do thachair sin. An aon rud a tha air tachairt, is e gu bheil e nas fhasa do mh Nathan-posta, gu h-àraidh Iadsan a tha a fuireach mu thualt, càrsaichean a dheànanmh aig an taigh, gun a dhol a dh’Obair Dheathain no a Ghlaschu a dh’fhuireach airson sia miosan no mar sin.

Chan urrainn dhomh bruidhinn às leth Stòrlann, a tha ag ullachadh agus a’ foilseachadh stuth teagaig, ach tha mi cinnteach gum biodh Iadsan glè thoilichte le maoin sam bith a bharrachd a gheibheadh iad.

A’ bruidhinn air maoin, tha puing a’ cur dragh orm fhìn nach nACH eil buileach co-cheangaite ri foghlaam ach a tha co-cheangaite ri oideachadh, agus is e sin oideachadh luchd-obrach ann am buidhnean pobhail eile taobh a-muigh nam buidhnean fhoighlaim. Bha an t-suim a chaidh ainmeachadh ann a’ bheil uabhachas lósal, am measg nan sùimean eile a bha ann. Chan eil ach £5,000 sa bhiadhna ann airson gach buidheann. Bho leughadh nan notaichean a tha an cos a’ bhile, tha mi a’ smaointinn gun robhar a’
smaointinn air daoine a tha fileanta ann an Gàidhlig mar-thà agus beagan taic a chumail riutha, ach chan eil eil gur air daoine a tha ag obair aig buidhnean elle a tha ag iarraidh Gàidhlig ionnsachadh. Tha an aon cheist ann a-rithist, mu bhith gan saoradh bhon obair agus pàighheadh airson dol air cursaichean agus mar sin air adhart. Gu mi-fhörtanach, chan eil na tha sin de dhaoine ann a tha fileanta ann an Gàidhlig.

Following is the simultaneous interpretation:

There are always two things to consider when there is a shortage of money. First, it is expensive to release teachers from their posts and to get someone else in to cover. There is also the cost of the course and, if they are staying away from home, there are subsistence costs. The process can be very expensive.

Secondly, there are costs in the preparation of courses for teachers. We were promised that there would be a better course this year, but that has not happened. The only thing that has happened is that it has become easier for married women who live in rural areas to undertake courses at home instead of going to Aberdeen or Glasgow for six months, because they can undertake a distance learning course. I cannot speak on behalf of Stòrlann Nàiseanta na Gàidhlig, which prepares and publishes teaching materials; however, I am sure that it would be delighted to receive additional funding.

On the subject of funding, I have a point to make on the education of people in other organisations. The sum that is mentioned in the bill is low—I think that it is £5,000 a year for each organisation. From the notes that are appended to the bill, it seems that fluent Gaelic speakers will be given a little support; however, there is no mention of people in other organisations who want to learn Gaelic being released from work to go on courses. Unfortunately, there are not that many people who are fluent in Gaelic.

11:30

**Fiona Hyslop:** In your submission, you talk about the Gaelic language plans. You say that not enough emphasis is placed on training and that there is a need for substantial funding. You cite, for example, the Inland Revenue as an organisation that is not covered by the bill. Is there not a danger that limited resources that should be concentrated on teacher training and on releasing people from organisations in core Gaelic-language areas to learn the language might be diverted into training for organisations that might not be as important in the pecking order?

**Iain MacIlleChiar:** Is e puing eile nach eil a h-ule duine ag iarraidh a bhith na thidsear. Chan urrainn dhuinn a bhith a’ sparradh sin air daoine nach eil ga iarraidh. Ach, ma tha poileasaidhean Gàidhlig gu bhith aig na buidhnean sin, feumaidh daoine a bhith ann airson na poileasaidhean a chur an gniomh. Chan eil mi a’ smaointeachadh gu bheil daoine gu leòr ann airson sin a dhèanamh an-dràsta. Tha sinn a’ bruiddhinn air leudachadh exponential ann am fás agus clann a’ tighinn a-mach às na sgoiltean Gàidhlig. Tha sin air tachairt gu ire le luchd-teagaisg. A cha’ chiaoid daoine a chaidh tro fhoghlam tro mheadhan na Gàidhlig a-nis air ais an luchd-teagaisg anns na bun-sgoiltean. Tha e air töiseachadh, ach tha an cunnart sin ann. Tha mi ag aontachadh leat ach, mar a thuirt mi, chan e a h-ule duine a dh’iarras a bhith na thidsear agus a n’tidsear.

Following is the simultaneous interpretation:

Not everybody wants to be a teacher. We cannot force people to be teachers. If organisations are going to have Gaelic policies, they will have to have people to implement the policies. If there are not enough people—and there are not at the moment—we have to talk about expanding at an exponential rate as people come out of the Gaelic-medium units. That has happened, to a degree, with teachers. We have the first primary teachers from those who went through Gaelic-medium education; they are now back in the primary schools as teachers. I agree that there is a danger, but not everybody wants to be a teacher.

**Fiona Hyslop:** You use the word “exponential”. We hope that the bill will encourage and facilitate more Gaelic being spoken across a range of different areas. The problem is that we will have to find out, from the Finance Committee’s report, whether the costs that are associated with the bill will be one-off costs, what the regular revenue will be for Gaelic and what rate of expansion is anticipated to meet the training needs, which will involve on-going costs as opposed to one-off costs. That is something for the committee to examine. If you have views on where the emphasis on training should be, it would be helpful for us to know them.

**Iain MacilleChiar:** Nuair a tha sinn a’ coimhead air fàs a’ chàinnaoin, tha sinn a’ coimhead air tri rudan: an àireamh de dhaoine aig a bheil a’ chhanan; am fàs air feadh na h-Alba, agus a bheil i ga bruithinn ann am barrachd àiteachan; agus, an teas rud, dé cho math ‘s a tha an cànán a thathar a’ bruithinn, agus a bheil daoine gu tur fileanta. Glè thric, is sin far a bheil a’ cheist seo a’ tighinn a-staigh.

Chan eil fhios agam a bheil sibhse a tha ag obair ann an saoghal na Beurla a’ tuigseinn buileach mar a tha cànanan mòra a’ cur às do chànanan beaga. Is e gu h-àraidh a’ Bheurla ach tha cànanan mòra eile ann, mar Spàinnitís is Ruiseanais. Tha Beurla cho uile-timcheall oirn’s
gu bheil e doirse uaireannan bruidhinn mun chaochladh de chuspairne mar a dh'íarradh tu a chinn 's nach deach air faclair a leudachadh anns a’ chuspair sin. Tha an suidheachadh rud beag coltach ris an àsairneachd, far a bheil creatairean is eòin is flarachean a’ básachadh fad na h-ùine. Tha sin a’ tachairt le cânanan, tha an t-eagal orm. Tha cànanan a’ bàsachadh a h-ùile bliadhna.

*Following is the simultaneous interpretation:*

When we consider the growth of the language, we consider three issues: the number of people who have the language; the growth of the language throughout Scotland and whether it is spoken in more areas; and how well the language is spoken and whether people are fluent in it. I do not know whether those who work in the English-speaking world realise how the majority languages are doing away with the smaller languages. Not just English, but Spanish and Russian are big and important and surround us totally. It is difficult sometimes to talk about the variety of subjects that one would like to talk about because the dictionary has not been expanded to include them. As in the environment, where flowers, grasses and birds are dying out because other things are taking over, languages are dying out.

**The Convener:** There is very much a hierarchy of objectives: the survival of the language; the encouragement of the language; and the spreading of the language.

I am sure that the issue of equal status is the one that will give the committee, as I think it has ministers, the most difficulty. The fact that we are conducting today’s proceedings in Gaelic—from your end if not at ours—is symbolic. I accept that there is a lot of symbolism involved in issues such as these. We have considered the use of Gaelic in the courts—Lord James Douglas-Hamilton touched on that issue—and we have rightly homened in on education. What other practical implications of a move towards equal status are there? Aside from the technicalities of the language, is it important to develop other aspects? I have in mind the ability to communicate with public authorities in Gaelic, for example people being able to go into a shop, what is the Gaelic for cornflakes? If someone lives in Canada they know what the French is for cornflakes because it is written on the packet, but we do not have an official Gaelic word for cornflakes because it is not written on the packet. Those matters touch on our daily lives and are far more important than having the right to stand in the Court of Session in Edinburgh and present myself in Gaelic.

**Dr Murray:** I have a follow-up question on priorities. Given that funding is finite, there could be a tension between providing signage in Gaelic and investing in Gaelic-medium education or courses for adult learners. What is the most important aspect of the survival of the language? Is it more important to encourage more people to speak Gaelic or to provide information in Gaelic for those who already speak it?

**Iain MacIlleChiar:** Mar Chomann nam Pàrant, tha sinn a’ riochdachadh phàrantan. Mar sin, chanainn gur e, an toiseach, leudachadh an àireamh de chloinn a tha a’ bruidhinn na Gàidhlig agus, an uair sin, an àireamh de dh’innbhidh. Tha a’ h-ùile rud ag eirigh às an sin. Ma tha gu leòr aca ann, iarraidh iad fhèin na seirbheisean sin, mar a tha air tachairt ann an dùthchannan far a bheil fàs ann a-nis. Mar eisimpleir, tha an ath ghinealach de dh’ólleanaich anns a’ Chuidmhrigh a-nis a’ togail na stri airson a’ch na làidire agus nas freagarrach do shuidheachadh an latha an-diugh anns a’ Chuidmhrigh.

*Following is the simultaneous interpretation:*

Iain MacIlleChiar: Thug mi tarraing air an roinn phriobhaidhich, air nach eil, gu mi-fhörtanach, guth idir anns a’ bhalte. Bha an t-uabhas dhe buidhnean leis an Riaghaltas nuair a chaidh Bile na Cuimris troimhe 20 bliadhna air ais, ach chan ann leis an Riaghaltas a tha iad an-diugh. Cuideachd, is ann leis an roinn phriobhaidhich a tha mòran rudan làithleil a tha a’ bualadh air ar beatha, mar rudan co-cheangailte ri bhith dol dhan bhùth. Is e an eisimpleir a tha agam daonna, dè a’ Gàidhlig air cornflakes. Ma tha thu a’ fuireach ann an Canada, tha fios agad dè an Fhraingis air cornflakes. Faodaidh tu tionndadh na pacaid agus tha e ag innseadh dhuit. Ach chan eil Gàidhlig oifigeil agaimn air cornflakes, oir chan eil e sgrìobhite air a’ phacadh. Tha na rudan sin nar beatha làithne fada nas cudthromach na coir a bhith agam seasamh ann an Cùirt an t-Seisein ann an Dùn Èideann agus cur asam fhéin.

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We represent Comann nam Pàrant and our priority would be to expand the number of children who learn Gaelic. Services for people who speak Gaelic and everything else arise from that. If there are enough of them, they will ask for such services. That is what has happened in other countries that have turned round the decline of their language. For example, in Wales the next generation of university students is raising the banners for a stronger act that would be more suitable for this day and age in Wales.

Dr Murray: On what is happening in Scotland, there could be problems if the bill appeared to imply to local authorities and other public bodies that they should spend a lot of resources on producing materials in Gaelic rather than on promoting the learning of the language. One of the issues that the Executive probably had to contemplate when it drafted the bill was how to encourage the most essential aspects of enabling the language to survive rather than get involved in what at this stage might be secondary issues, although, as you say, if more people end up learning Gaelic and more people are enthusiastic about it, there might be greater demand in future for other services to be provided in Gaelic.

Iain MacIllChiar: Tha dà rud ann a tha ag obair còmhla: comas agus iarrtas. Mar is motha an t-iarrtas, is motha an comas a tha ann; mar as motha an comas, is motha an t-iarrtas. Far a bheil sinn ag aontachadh le prionnsabal a’ phlanaidh, cuideachd, is e gu bheil e uabhasach cudthromach nach eil sinn a’ struidheadh ar cuid stòrais far nach eil feum air. Ach tha e cuideachd uabhasach cudthromach dè thachras dhan chloinn nuair a thig iad a-mach às an sgoil. Feumaidh obraichean a bhith air an cruthachadh far an urrainn dhaibh a’ Ghàidhlig a d’ionnsaich iad anns an sgoil a chur gu feum nam beatha obrach.

Following is the simultaneous interpretation:

There are two things that work together: the ability and the demand. The greater the demand, the greater the ability; and the greater the ability, the greater the demand. We agree with the principle of the language plans, because it is important that we do not direct our resources where they are not required. What will happen to children who have learned Gaelic when they come out of school? Jobs should be created for them that enable them to use the Gaelic language that they learn in school in the workplace.

The Convener: That is a helpful point at which to stop, if there are no more questions.

The evidence session has been useful. We have begun to explore some of the issues in greater depth. It is clear that Gaelic-medium education, not least in secondary school, is a central issue. I hope that the committee will reflect some of those issues in its report. I thank you for coming today; it has been a helpful and interesting exercise for the committee.

I suspend the meeting for five minutes.

11:40
Meeting suspended.
Educational Committee, 2nd Report, 2005 (Session 2) - Annex C

Educatıon Committee

Extract from Minutes

24th Meeting, 2004 (Session 2)

Monday 29 November 2004

Present:
Ms Wendy Alexander
Lord James Douglas-Hamilton (Deputy Convener)
Mr Adam Ingram
Mr Frank McAveety
Robert Brown (Convener)
Fiona Hyslop
Mr Kenneth Macintosh
Dr Elaine Murray

Apologies: Ms Rosemary Byrne

The meeting opened at 10.05 am in Talla Dhonaidh Chaimbeul, Sabhal Mòr Ostaig, Isle of Skye

Gaelic Language (Scotland) Bill: Mr Kenneth Macintosh declared an interest in that his father, Farquhar Macintosh, is the Chairman of the Board of Trustees of Sabhal Mòr Ostaig.

The Committee took evidence from—

Sabhal Mòr Ostaig

Professor Norman Gillies, Director
Iain Mac an Tailleir, Course Lecturer
Mairaid Robertson, Student

Comunn na Gàidhlig

Dòmhnall Màrtainn, Chief Executive
Màiri Bremner, Chairman
Donald Macdonald, Member of Board of Directors

The meeting closed at 12.30 pm
Scottish Parliament
Education Committee
Monday 29 November 2004

Gaelic Language (Scotland) Bill

We are in public session, so I remind everyone to ensure that their mobile phones and pagers are turned off—not just in silent mode, but turned off—in case they interfere with the equipment.

[Laughter.] I can see that it is going to be one of those mornings. Gardez-vous, as they say.

The convener continued in Gaelic.

Madainn mhath. Fàilte dhan choinneimh seo de Comataidh an Fhoghlaim. Tha e na thoileachd mòr dhuinn a bhith an seo aig Sabhal Mòr Ostaig.

Following is the translation:

Good morning. Welcome to this meeting of the Education Committee. It is a great pleasure for us to be here at Sabhal Mòr Ostaig.

The convener continued in English.

You will be glad to know that that is as far as I will go, but I thought that it would be courteous to begin with a few attempted words in Gaelic from a non-Gaelic speaker.

I welcome everyone to this meeting of the Scottish Parliament's Education Committee. At our meeting this morning in Skye, we shall hear evidence from Sabhal Mòr Ostaig and from Comunn na Gàidhlig, whose representatives are still on the ferry, as far as I am aware, so there might be a slight hold-up with the second group of witnesses—[Interruption.]

I begin by introducing Professor Tormod Gillies, Iain Mac an Tàilleir and Mairead Robertson from Sabhal Mòr Ostaig, who will give us a few words of introduction before taking questions from the committee. I apologise if I have got anybody's name wrong—this interpretation equipment is doing my head in. I am sorry for the slightly delayed start, but we have had a bit of a technical problem. I am assured that everything is now in order, so I invite the Sabhal Mòr Ostaig representatives to give their evidence.


Còmhla rium an-duigh tha lain Mac an Tàilleir agus Mairead Robasdan. Tha lain Mac an Tàilleir mar óraidiche aig a’ cholaiste agus tha e anns a chathair air a’ bhuidheann a dhealbh agus a tha a-nis a’ stiùireadh poileasaidh cànain na colaiste. Tha e an dèidh a bhith an sàs an obair leasachadadh na Gàidhlig bhon am ’s a bha e an toiseach ceangailte ri Sabhal Mòr Ostaig, tràth anns na h-1980an. Tha Mairead Robasdan na h-oleanaich air a cheathramh bliadhna de cùrsa BA cànain is cultar na Gàidhlig. Buinidh cuideachadh Mhairead do Slìite agus tha an nighean aice, Eilidh, a’ faighinn a fhoghmachadh tro mheadhan na Gàidhlig ann am ban-sgoil Slìite.

Tha sinn an seo airson airson barrachd mineachaidh a dhèanamh air a phàipear a chuir urrasairsean Sabhal Mòr Ostaig fa chomhair Comataidh an Fhoghlaim. Ann a bhith a deasachadh a’ phàipeir, ghabh na h-urrasairsean a-staigh beachdan gach cuid bhon urras fhèin, bhò luchd-obrach agus bhò ioneer aig na colaiste. Tuigidh sibh nach eil sinn idir nar n-eòlaichean nar n-obair làitheil air bhilean—Gàidhlig no eile. Anns a bheagan ùine a tha agam, ge-tà, bu toil leam dìreach facal no dhà a ràdh mu dheidhinn obair air t-Sabhail mar ionad nàiseanta air bhoilochail (Alba).

Bho 1983 tha leasachadh mòr air tighinn air aig obair sìon aig obair. Bho ochd oileanach lùn–ùnne an uair sin, tha sinn a-nis le còrr is 100 clàraichte air trì ceumann na Gàidhlig, agus tha sinn a’ leirigh mar phàirt de Oilthigh na Gàidhealtachd. Airson luchd–tòiseachaidh, dhealbh sinn cùrsa-intrigidh a bheir cothrom do dhaoine Gàidheal agus a bheil de na fhoillioinn, thàinig a’ stiùireadh a sàs, ghàirid againn go dreach is feadhachd bhoilean oileanach na Gàidhlig, a bhàidh againn a tha aig gach bliadhna.

Ciamar a rinn sinn an gnothach a h-uile sìon a thòirt chun na h-ire seo? Tha an fhreagairt sìimplidh: le dulgheadas. Tha Sabhal Mòr Ostaig na shamhlaire air na bheirear gu bheil le lèirsinn, dealas agus uile dhicheall dhaoine aig a bheil de
Good morning and welcome to Sabhal Mòr Ostaig, Scotland’s Gaelic college. We are delighted that you have come to visit us. I am Norman Gillies, director of the college. I have been at the college since 1983, so you can see that I am 21 this year.

With me today are Iain Mac an Tàilleir and Mairead Robertson. Iain Mac an Tàilleir is a lecturer at the college and he chairs the group that drew up and now oversees the college’s Gaelic policy. He has been working in Gaelic development since he was first involved with Sabhal Mòr Ostaig in the early 1980s. Mairead Robertson’s family is from Sleat and she has a daughter, Eilidh, who is being educated through Sabhal Mòr Ostaig.

I am delighted that you have come to visit us. I am Robert Macalister Robertson’s family is from Sleat and she has a daughter, Eilidh, who is being educated through Sabhal Mòr Ostaig. I am Iain Mac an Tàilleir, lecturer at the college and I am the chair of the college’s Gaelic policy. He has been working in Gaelic development since he was first involved with Sabhal Mòr Ostaig in the early 1980s. Mairead Robertson’s family is from Sleat and she has a daughter, Eilidh, who is being educated through Sabhal Mòr Ostaig.

Following is the translation:

Good morning and welcome to Sabhal Mòr Ostaig, Scotland’s Gaelic college. We are delighted that you have come to visit us. I am Norman Gillies, director of the college. I have been at the college since 1983, so you can see that I am 21 this year.

With me today are Iain Mac an Tàilleir and Mairead Robertson. Iain Mac an Tàilleir is a lecturer at the college and he chairs the group that drew up and now oversees the college’s Gaelic policy. He has been working in Gaelic development since he was first involved with Sabhal Mòr Ostaig in the early 1980s. Mairead Robertson’s family is from Sleat and she has a daughter, Eilidh, who is being educated through Sabhal Mòr Ostaig.

We are here to explain more fully the paper that the trustees of Sabhal Mòr Ostaig submitted to the Education Committee. In preparing the paper, the trustees took account of views from the trust itself and from the employees and students of the college. You will understand that we are not, in our everyday lives, experts at judging bills—Gaelic or otherwise. In the short time that I have, however, I would like just to say a word or two about the work of Sabhal Mòr Ostaig as a national centre for Gaelic language and culture, so that you can see where our views are coming from in respect of the Gaelic Language (Scotland) Bill.

Since 1983, our work has developed considerably. From eight full-time students at that time, we now have more than 100 students enrolled on three separate degree courses and we are working as part of the UHI Millennium Institute. We have designed an access course for beginners that gives people an opportunity to learn Gaelic wherever they are based, on which some 200 people are enrolled, and more than 900 people attend our short courses every year.

About 69 people are employed in the college. We have two research centres and we are recognised as an establishment whose work is well respected. We are involved in teaching, learning and research and we work hard to showcase Gaelic culture to the public. We are also interested in economic development; we have seen revitalisation in this area over the past 20 years.

How did we manage to get everything to this stage? The answer is simple: with difficulty. Sabhal Mòr Ostaig is an example of what can be achieved with vision, enthusiasm and every possible effort on the part of people who care about bringing their hopes alive. The college earnestly wants to do more—our plans are ready—to keep Gaelic alive.

I do not usually quote from the speeches of Prince Charles, but when he visited us two months ago he said these fitting and powerful words:

“Scotland at present faces many new responsibilities as well as great opportunities. There are few responsibilities more absolute than those which flow from custodianship of a language and culture; especially when these exist to such an extent in only one country. If Gaelic dies in Scotland, it dies in the world. If it flourishes in Scotland, then it sends out a message of inspiration and optimism to others who face similar challenges and adversities. Therein lie both the challenge and the opportunity.”

We at Sabhal Mòr Ostaig see the Gaelic Language (Scotland) Bill as a chance to strengthen the position of Gaelic in Scotland for the benefit of the people, so we wish the Education Committee and the Scottish Parliament well in taking the bill forward. Thank you very much.

The Convener: I detected the poetry of Gaelic coming through in some of those comments.

The committee has the job of reporting on the general principles of the bill. Subject to the amendments that you have suggested, do you support those principles?

Professor Gillies: In general, we support the principles. As our evidence states, the trustees are happy with what has happened in the period since the consultation. However, we have made recommendations, some of which are small and minute points. We suggested the amendments in order to make the bill as good as possible.

The Convener: Behind the bill, there is a tension between the practical advances, of which the college is a good example, and the more theoretical issues such as secure status for the
language, which we will discuss later in more detail. Do you have any views on the European Charter for Regional or Minority Languages’ impact on, or relevance to, our approach? The United Kingdom Government has signed up to that charter, which mentions Gaelic specifically. Do you draw implications from the charter, either in your practical work or in your thoughts on how we should approach the bill?

Professor Gillies: Tha e iomchaidh dhuiinn a bhith a’ toirt aire dha na tha a’ tachair ann an suidheachadh mion-chànan ann an àiteachan eile. Mar sin, tha sinn a’ cur taic ris na chaidh a chur airadh le Comhairle na h-Eòrpa. Minichidh Iain Mac an Tàilleir beagan a bharrachd air mar a tha sinn a’ coimhead air sin.

Following is the translation:

It is appropriate for us to pay attention to what is happening with regard to minority languages in other places. We therefore support what has been done by the Council of Europe. Iain Mac an Tàilleir will explain a little more about how we see that.

Iain Mac an Tàilleir (Sabhail Mòr Ostai): Tha mi a’ creidsinn gun robh a h-ule duine a tha ag obair ann an saoghal na Gàidhlig uabhasach toilichte nuair a chuir Breatainn, mu dheireadh, ah-obair ann an saoghal na Gàidhlig uabhasach mi a’ creidsinn gun robh a h-uile duine a tha ag iarraidh càil a bharrachd a chur air adhart le Comhairle na h-Eòrpa. Minichidh Iain Mac an Tàilleir beagan a bharrachd air mar a tha sinn a’ coimhead air sin.

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We accept that Gaelic-medium education is a right. As we see it, the bill will establish Bòrd na Gàidhlig, which will have responsibility for implementing a plan. How people will deal with the education system will be set out in that plan. We hope that anyone who wants it will have the right to Gaelic-medium education, where that is reasonable and practicable. I do not know whether Mairead Robertson wants to say more about that.

Mairead NicDhonnchaidh (Sabhal Mòr Ostaig): Chanainn aon rud. Tha mise a’ smaointinn gu bheil àite anns a’ bhile airson còir airson foghlaim tro mheadhan na Gàidhlig. Ma tha piseach a’ dol a thiginn air a’ chànan, agus ma tha cothrom gu bhith aig daoine ann, tha e gu math rianachan gu bheil foghlam a’ tighinn an sàs anns a’ bhile.

Following is the translation:

I will say one thing. I think that there is a place in the bill for a right to Gaelic-medium education. If there is to be progress for the language, and if people are to have opportunities, it is essential that education be included in the bill.

Fiona Hyslop: There is a difference between the bill’s enabling Gaelic education through the Bòrd and through plans, and its containing a statutory right. That is an area of contention, and the majority of the submissions that have come in have asked for something in the bill. I can understand that, for tactical reasons if for no other reason, those who believe in a statutory right are not necessarily saying that such a right should be included in the bill. I gather from your response that you are saying that it is the place of the bòrd, through the plans, to enable real and practical rights as opposed to the legislative rights that would be in the bill. Is that correct?

Professor Gillies: Tha mi a’ smaoineachadh gu bheil sin ceart. Bheir Iain Mac an Tàilleir freagair bhile.

Following is the translation:

I think that that is right. Iain Mac an Tàilleir will answer the question.

Iain Mac an Tàilleir: Dh’aontaichinn leis na thuirt Tormod MacGilliosa. Mar a tha nàdar a’ bhile—bidh sinn an ràdh Bile na Gàidhlig (Alba) ris, ach ann an dòigh is e bile Bòrd na Gàidhlig a tha ann—tha mi a’ creidinn gu bheil na ngàidhlig a thig am bòrd gu bheil gu bheil ris. Fheasachan òg a dhèighinn chòraichean air foghlaam agus mar sin ar dhàta. Cha robh sinn buileach cinn teach an e am bòile an t-àite airson sin, leis mar a tha nàdar a’ bhile.

Following is the translation:

I agree with Norman Gillies. The nature of the bill—we call it the Gaelic Language (Scotland) Bill, but in a way it is the Bòrd na Gàidhlig bill—is such that I believe that once the bòrd is established there will be more information about rights to education and so on. We are not quite certain whether the bill is the place for that, given the sort of bill that it is.

Professor Gillies: Ach chan eil sin ag ràdh idir gu bheil sinn a’ cumail a-mach nach bh’ anns a’ làiseachd a bhith againn a thaobh foghlaim.

Following is the translation:

That is not to say that we maintain that we should not have rights with regard to education.

Fiona Hyslop: In that context, you made a useful point in your submission, where you referred to section 9 of the bill, which provides for guidance on Gaelic education and focuses on the Standards in Scotland’s Schools etc Act 2000. You suggest that the bill should indicate that education is about all education, rather than just school education. It might be possible to do that by removing references to school education. Are you considering Gaelic education in a wider context when you suggest that section 9(1) be amended to refer to “all Gaelic education”?

Professor Gillies: Bhon taobh agamsa, tha mi a’ smaoineachadh gun robh sinn dìreach ag iarraidh déanamh cinn teach gu robh sinn a’ bruidhinn air foghlaam uile. Air a’ chìad leòdhadh dhèan bhile, dh’fhaoadadh duine smaoineachadh nach robh sin a’ bruidhinn ach air foghlaam sgòile. Tha sinn ag iarraidh a phuing a dhèanamh gu bheil foghlaam nas fharsainge na sin, a’ toirt a-steach foghlaam sgòile, foghlaam aig an treas ire agus foghlaam fad-beatha. Tha na còraichean sin ann, bho phàiste a tha a’ lòiseachadh ann an sgol-àrach gu cuideigin a tha a’ dèanamh foghlaam aig aois sam bith.

Following is the translation:

From my point of view, we just want to be certain that we are talking about all education. One might think, on first reading the bill, that we are talking only about school education. We want to make the point that education is wider than that and includes school education, tertiary education and lifelong learning. People have rights to those things, from the child who is just starting nursery school to people studying at any age.

Fiona Hyslop: If the provision were to be amended as the submission suggests, the bill would need to define “all Gaelic education”. Perhaps that is a legislative issue for the committee and the Executive.

The Convener: There is a lot of talk about bilingualism, secure status, official status, equal validity and so on in connection with the bill. Such terms can cast more confusion than light on the matter unless we drill down to find out what they
mean. Do the witnesses have views on that? You seem to be taking a practical approach that accepts an incremental advance in the status of Gaelic, rather than saying, “Let’s concentrate on where we want to end up.”

Iain Mac an Tàilleir: Bhiodh e na chunnart nan leanamaid eisimpleir Poblachd na h-Eireann—no Saor-stàit na h-Eireann, nuair a chaisteadh ceann a deas na h-Eireann a bhontachadh bho chionn 80 bliadhna—a dh’fhéach ri cus a dhèanamh mus rohb na comasan ann. Chaidh le siostam an fhoghlaim ann an Éirinn glè mhath gu ìre, ach cha tâinig às an rud a bha san amharc, gum biodh Gàeilge fhileanta aig a h-uile duine. Cha bhiodh e math nan leanamaid ann an Alba an t-eisimpleir sin. Bhiodh e na b’fhèarr a chur clach air a’ chàrn math nan leanamaid ann an Eilean Sgitheanach. Cha bhiodh e na b’fhèarr a chur clach air a’ chàrn math nan leanamaid ann an Eilean Sgitheanach. Cha bhiodh e na b’fhèarr a chur clach air a’ chàrn math nan leanamaid ann an Eilean Sgitheanach.

A’ tilleadh gu dè dh’haoadadh inbhe thèarainte no co-ionannachd a bhith a’ ciallachadh, tha mi a’ creidinn nach eil duine beó an dùil gum bi sanasann-sràide dà-chànanach ann an teis-mheadhgan Dhùn Phris no Saor-stàit na h-Eireann, nuair a chaitheadh beag air bheag a’ neartachadh nan comasan a sin. Bhiodh e na chunnart nan leanamaid eisimpleir Poblachd na h-Eireann—no Saor-stàit na h-Eireann, nuair a chaisteadh ceann a deas na h-Eireann a bhontachadh bho chionn 80 bliadhna—a dh’fhéach ri cus a dhèanamh mus rohb na comasan ann. Chaidh le siostam an fhoghlaim ann an Éirinn glè mhath gu ìre, ach cha tâinig às an rud a bha san amharc, gum biodh Gàeilge fhileanta aig a h-uile duine. Cha bhiodh e math nan leanamaid ann an Alba an t-eisimpleir sin. Bhiodh e na b’fhèarr a chur clach air a’ chàrn math nan leanamaid ann an Eilean Sgitheanach.

On what secure status or equality might mean, I do not believe that there is a living soul who expects that there should be bilingual road signs in the middle of Dumfries or anything like that. Why would we want that? At the same time, as the number of Gaelic speakers living outside the Highlands and Islands grows while the number who live in the traditionally Gaelic-speaking areas declines—45 per cent of Gaelic speakers live outside the traditional areas—it is right that people who live in the south or east should have a fair chance of having the same services as have Gaels who live in Uist, Harris or the Isle of Skye. Given how the figures are going in every census, the numbers of Gaelic speakers are growing in the south and east and diminishing in the Highlands and Islands.

In addition, it could be the case that Gaelic speakers who live in cities in the south or the east have a greater need for help under the law than have people who live in the islands, where the Gaelic community is all around them. From a practical point of view, councils such as Scottish Borders Council are not going to be inundated with requests from people for Gaelic units here and other Gaelic services there: that is not going to happen.

To return to education, councils could take reasonable steps to allow families to send their children to Gaelic-medium education schools if there were enough such families. Nobody is suggesting that one child in Newtown St Boswells should have a Gaelic primary school all to himself or herself. For educational reasons alone, that would not be a good thing. We think that people ought to consider whether they will get, as a right, some kind of Gaelic-medium service regardless of where they live. Little by little, if that is successful, people’s opportunities and rights could be strengthened.
Mr Kenneth Macintosh (Eastwood) (Lab): Thank you. I declare an interest in that my father is the chair of the board of trustees of Sabhal Mòr Ostaig. Much of the evidence that we have heard, including your evidence, emphasises the importance of Gaelic-medium education in particular. I am glad that the Executive has amended the bill since its initial draft. However, you also highlight the lack of reference to an effective Gaelic-teacher education strategy. Will you expand on that and comment on the importance of increasing the number of Gaelic-medium teachers and how that might be addressed, either in the bill or otherwise by Executive policy?

Professor Gillies: Nuair a thàinig an dreachd bhile a-mach, chuir e ionadh do na daoine nach robh foghlam Gàidhlig air ainmeachadh ann. Anns na freagairtean a chaidh aird ais—còrr is 3,000 dhiubh—bha a’ mhòr chois a’ coimhead airson choiraichean a thaobh foghlaim.

Anns an fhaire air 20 bliadhna a dh’fhàilbha, thà mi a’ smaoineachadh gur e foghlam tro mheadhan na Gàidhlig an rud a chearr le thachair dhan chànan. Tha Sinn air leasachadh is móra fhicinn. Cha mhòr nach eil sinn a’ rughinn na h-ìre far a bheil a’ chlann òg a’ cumail an àireimh a thaobh an cuid Gàidhlig. Is e foghlam tro mheadhan na Gàidhlig anns a bhun-sgoil a thair sinadhbharachadh.

Tha bacadh air leasachadh, ge-tà, a chionn ‘s nach eil tidsearan gu leòr anns an t-siostam aig an ire seo. Tha rudan math a tachair o chionn ghoirid, mar aon co-luadar eadar UHI agus Oilthigh Shrrath Chlualaidh agus an cbair a tha Oilthigh Obair Dheathain a déanamh le bheil a’ tabhann foghlam sùbailte pàirt-ùine air a star do dhaoine a tha airson foghlam thidsearan ionnachadh. Ach tha törr ann a dh’fhéumas a bhith a h-dheanamh ma tha sinn ri chumail an leasachadh a’ dol aig an aon ire.

Chan eil ean fhreagairt simplidh ann; feumaidh törr rudan a bhith a’ glusas aig an ean amh. Tha feum againn air barrachd a thaobh canain tabh-a-staigh foghlam thidsearan. Tha barrachd ri ionnachadh air a cuidheachadh anns a bheil na tidsearan sin anns na sgoiltean, far a bheil iad a’ teagasg tro mheadhan na Gàidhlig gu daoine aig a bheil Gàidhlig mar an dara canan aca. Tha feum air rudan a dheimh a’ thidsearan a thaoib a-staigh an siostam mar-thà. Tha feum air cuirsachean dhaibh anns aig a bheil Gàidhlig mar-thà airson an cuid canain a dhion agus air cuirsachean dhaibhsan a thas aon ais Gàidhlig airson an canan a thoir dhaibh, airson guir uair na dhaibh, ma tha iad aig iarraidh, a dhòil a theagasg tro mheadhan na Gàidhlig. Tha törr ann a bhaghadh a dheimh. Is e aon dhe na rudan a chudthromaiche a bhith a’ faighinn cuidteas dhen bhacadh as motha a thair air leasachadh na Gàidhlig an-dràsta. Tha foghlam cudthromach agus tràenanadh thidsearan dha-rìribh cudthromach.

A bheil Mairead airson a chòrr a chur ri sin?

Following is the translation:

I would add one brief point to that. I think that there are people who are afraid of what will happen if the bill goes through and who think that it will cost somebody a fortune. However, not everything can happen tomorrow. In the first place, we have to build the right infrastructure for developing the language, which we do not have. We cannot provide Gaelic-medium education for everyone tomorrow. Perhaps we should be thinking in 20-year periods. Instead of ordinary plans that look three years ahead, we might talk about blocks of 20 years for developing the language.

Also, the world is changing rapidly; areas are changing. Perhaps Gaelic is not strong in certain areas at the moment, but there could in 20 years, with population movement, be more happening in those areas as regards Gaelic. All such factors must be considered. There will not be a big bang—everybody will not be speaking Gaelic tomorrow, or the day after tomorrow.

Professor Gillies: Chuirinn aon phuining bheag ri sin. Tha mi a’ smaoineachadh gu bheil feadhainn ann a tha a’ gabhail eagal a thaobh ùd thachras ma theòd am bile troimhe agus guin cosg e fortan do chuideigin. Ach chan urrainn a h-uile câil tachairt a-màireach. Anns a’ chiad dol-a-mach, feumaidh sinn bun-structair ceart a thogail airson a bhith a’ leasachadh a’ chànan, agus chan eil sin againn. Chan urrainn dhuinn foghlam tro mheadhan na Gàidhlig a thòrr dhan a h-uile duine a-màireach. Is dòcha gum feum sinn a bhith a’ smaoineachadh ann an earrannan de 20 bliadhna. An àite planaichean àbhaisteach a’ coimheadhead air tri bliadhna, ma tha sinn a’ bruidhinn air cânan a thòrr eil a’ bruidhinn air 20 bliadhna.

Cuideachd, tha an saoghal ag atharrachadh gu math luath agus tha na sgìrean ag atharrachadh. Is docha nach eil Gàidhlig làdir ann an sgìre an-dràsta, ach an ceann 20 bliadhna, le gluasad sluagh, dh’fhàodadh gum biodh barrachd a’ tachairt ann an sgìrean eadar-dhealaichte a thaobh na Gàidhlig, Tha a h-uile câil a tha sin ann. Ach chan eil bragh mhòr gu bhith ann, agus chan eil Gàidhlig gu bhith aig a h-uile duine a-màireach, no an-earr.

Following is the translation:

Mr Kenneth Macintosh (Eastwood) (Lab): Thank you. I declare an interest in that my father is the chair of the board of trustees of Sabhal Mòr Ostaig. Much of the evidence that we have heard, including your evidence, emphasises the importance of Gaelic-medium education in particular. I am glad that the Executive has amended the bill since its initial draft. However, you also highlight the lack of reference to an effective Gaelic-teacher education strategy. Will you expand on that and comment on the importance of increasing the number of Gaelic-medium teachers and how that might be addressed, either in the bill or otherwise by Executive policy?

Professor Gillies: Nuair a thàinig an dreachd bhile a-mach, chuir e ionadh do na daoine nach robh foghlam Gàidhlig air ainmeachadh ann. Anns na freagairtean a chaidh aird ais—còrr is 3,000 dhiubh—bha a’ mhòr chois a’ coimhead airson choiraichean a thaobh foghlaim.

Anns an fhaire air 20 bliadhna a dh’fhàilbha, thà mi a’ smaoineachadh gur e foghlam tro mheadhan na Gàidhlig an rud a chearr le thachair dhan chànan. Tha Sinn air leasachadh is móra fhicinn. Cha mhòr nach eil sinn a’ rughinn na h-ìre far a bheil a’ chlann òg a’ cumail an àireimh a thaobh an cuid Gàidhlig. Is e foghlam tro mheadhan na Gàidhlig anns a bhun-sgoil a thair sinadhbharachadh.

Tha bacadh air leasachadh, ge-tà, a chionn ‘s nach eil tidsearan gu leòr anns an t-siostam aig an ire seo. Tha rudan math a tachair o chionn ghoirid, mar aon co-luadar eadar UHI agus Oilthigh Shrrath Chlualaidh agus an cbair a tha Oilthigh Obair Dheathain a déanamh le bheil a’ tabhann foghlam sùbailte pàirt-ùine air a star do dhaoine a tha airson foghlam thidsearan ionnachadh. Ach tha törr ann a dh’fhéumas a bhith a h-dheanamh ma tha sinn ri chumail an leasachadh a’ dol aig an aon ire.

Chan eil ean fhreagairt simplidh ann; feumaidh törr rudan a bhith a’ glusas aig an ean amh. Tha feum againn air barrachd a thaobh canain tabh-a-staigh foghlam thidsearan. Tha barrachd ri ionnachadh air a cuidheachadh anns a bheil na tidsearan sin anns na sgoiltean, far a bheil iad a’ teagasg tro mheadhan na Gàidhlig gu daoine aig a bheil Gàidhlig mar an dara canan aca. Tha feum air rudan a dheimh a’ thidsearan a thaoib a-staigh an siostam mar-thà. Tha feum air cuirsachean dhaibhsan aig a bheil a’ Ghaidhlig mar-thà airson an cuid canain a dhion agus air cuirsachean dhaibhsan a thas aonais Gàidhlig airson an canan a thoir dhaibh, airson guir uair na dhaibh, ma tha iad aig iarraidh, a dhòil a theagasg tro mheadhan na Gàidhlig. Tha törr ann a bhaghadh a dheimh. Is e aon dhe na rudan a chudthromaiche a bhith a’ faighinn cuidteas dhen bhacadh as motha a thair air leasachadh na Gàidhlig an-dràsta. Tha foghlam cudthromach agus tràenanadh thidsearan dha-rìribh cudthromach.

A bheil Mairead airson a chòrr a chur ri sin?

Following is the translation:

When the bill was published, people were surprised that Gaelic education was not mentioned. In the responses that came back—more than 3,000 of them—most people were looking for rights with regard to education.
In almost 20 years, Gaelic-medium education is the most important thing that has happened to the language—we have seen great developments. We have almost reached the stage at which the number of young children who speak Gaelic is holding steady. Gaelic-medium primary education has brought that about.

Development is held back, however, because there are not enough teachers in the system at the moment. Good things have happened recently, such as the collaboration between the university of the Highlands and Islands and the University of Strathclyde, and the work that the University of Aberdeen is doing in offering flexible part-time learning to people who want to do teacher training. However, much must be done if we are to keep up that development.

There is no one simple answer; many things have to move at the same time. We need more language-related teacher education and we need to learn more about the current position of teachers in schools where they are teaching in the medium of Gaelic people for whom Gaelic is a second language. We need to do things for teachers who are already in the system. There is a need for courses to help those who already speak Gaelic to boost their language skills, and we need courses for those who do not speak Gaelic to teach them the language so that they can, if they want to, teach through the medium of Gaelic. Many things could be done. One of the most important things would be to get rid of the greatest handicap on Gaelic development at the moment—education is important and teacher training is exceptionally important.

Perhaps Mairead would like to add to that?

10:30

Mairead NicDhonnchaith: Tha mi a’d dol leis a h-uile rud a thuirt Tormod MacGilliosa ach chan a’ithann nach eil e gu leòr gum b’ltidsearan gu leòr againn. Tha e riatanach gu bheil tidsearan math againn. Aig an ire sa, chan urrainn dhòmhsa a ràdh gu bheil a h-uile tiridsear a tha a’ teagasg Gàidhlig ann am bun-sgoil math. Mar Ghaidheil, tha sinn buailteach a bhith beagan—mar a chanas Gàidhlig ann am bun-sgoil math. Mar Ghaidheil, a ràdh gu bheil a h-uile tidsearan math againn. Aig an ìre sa, chan urrainn dhòmhsa leòr againn. Tha e riatanach gu bheil tidsearan chanainn nach eil e gu leòr gum b’ltidsearan gu h-uile rud a thuirt Tormod MacGilliosa ach 10:30

Following is the translation:

I agree with everything that Norman Gillies said, but it is not enough for us to have plenty of teachers—it is also essential that we have good teachers. At this stage, I cannot say that every teacher who is teaching Gaelic in a primary school is good. As Gaels, we tend to be a little complacent—as they say in English—about that. [Interruption.] Shall I continue?

We and our children have a right to good education. I know that we get a good education here in Skye, but that is not available everywhere these days. Before we begin to think about answers, we must take a hard look at the problems that we face; for example, there is not enough support for teachers in primary schools with regard to training and professional development.

The Convener: We are having a problem with the interpretation.

Iain Mac an Tàilleir: Dh’fhaoadadh rud no dhà pragtauigeach a bhith air an déanamh. Dh’a’innich Tormod MacGilliosa na cúrsaichean a tha a’d dol eadar Oilthigh Shrath Chluaidh is colaistean eile is Oilthigh Obar Dheathain, ach dh’fhaoadamaid coimhead air sgeamaichean foighlaim air astar. Tha cúrsaichean pàirt-ùine a’ gabhail aile an-dràsta agus tha feadhainn anns an sgìre seo a’ gabhail páirt annata. A’irson daoine a tha fuireach an àiteachan caran iomallach, ma dh’fhaoideite gum faodaiste coimhead air teagasg bhideog agus an leithd—mar cho-labhairtean bhideog agus clasachdan air astar anns na dachaigh anaca—mar aon de na dòighlean air a’ ghainneachaidh thidsearan a lùghdachadh.

Following is the translation:

One or two practical things could be done. Norman Gillies mentioned the courses that are run jointly between the University of Strathclyde and other colleges and by the University of Aberdeen, but we could look at distance-learning schemes. There is a part-time course at the moment, in which some people from this area are taking part. For people who live in quite remote areas, perhaps video teaching and similar things—such as videoconferencing and remote-learning classes in people’s homes—could be considered among the ways in which to resolve the problem of the shortage of teachers.

Professor Gillies: Feumaidh sinn cuideachd a bhith a’ gabhail a-staigh gu bheil sinn a’ gluasad ann an saoghal ùr. Tha rudan a’ tachair anns a’ bhun-sgoil an-dràsta, ach chan eil uiread a’ tachair anns an àrd-sgoil. Tha agann ri sin a chur cear, agus chan eil sin a’dol a dhéanamh sin anns na seann dóighlean, oir chan urrainn dhùinn. Chan eil goireasan gu leòr againn agus chan eil daoine gu leòr againn. Mar sin, feumaidh sinn
phàrantan agus dhan chloinn gum bi am fhoghlam a' gheibh iad leantainneach agus nach bi e an urra ri direach aon neach.

Mus do theagaismi ann an sgoil ann an Uibhist, seach gu gheibh ri plana bho Bòrd na Gàidhlig. Dhomh air britheamhan agus cùirit-lagha a' bhòrd a' toirt agam carson—is dòcha gu bheil mi ceàrr—ach tha mi a' smaointinn gum biodh e trioblaid ann a bhith ga fhàgail aig Bòrd na Gàidhlig. For my own part, I think that it would be better to mention it in the bill. I do not know why—perhaps I am wrong—but I think that it would be difficult to make judges and courts of law agree to a plan from Bòrd na Gàidhlig.

Ach tha e anabarrach duilich. Chan eil e an còmhnaidh furasta a bhith ag eadar-theangachadh mar siud. Mar sin dheth, math is gu bheil na goireasan anns na sgoiltean an-dràsta agus math is gu bheil an obair a tha Stòrlann Nàiseanta a' dèanamh ann an Leòdhais, tha fhathast cruaidh fheum air barrach ghoireasan, eadar leabhrachd, CDs is DVDs. Tha feum air goireasan dhen a h-uile seòrsa.

Following is the translation:

I agree with Norman Gillies about Gaelic-medium education leaving when a teacher leaves. The situation is extremely precarious and we have to consider how we can give parents and children some certainty that the education that they are getting will continue and that it will not depend on one individual.

When I taught in a school in Uist, I thought that because I spoke both languages it would be easy for me to use English materials but to speak in Gaelic. However, that is exceptionally difficult to do because it is not always easy to translate spontaneously. Therefore, as good as the resources that schools currently have may be, and as good as the work may be that Stòrlann Nàiseanta na Gàidhlig is doing in Lewis, there is still a desperate need for more resources such as books, compact disks and DVDs. Resources of all kinds are needed.

Professor Gillies: Tha mi a' gabhail ris gu bheil feedhainn a' smaoineachadh gum bi daoine a tha a' dol tro foghlaith tro mheadhan na Gàidhlig ann am bun-sgoil fileanta nuair a thig iad a mach às, agus mar sin nach eil e cumhachd fheum air barrach ghoireasan. Feumaidh mi ràdh gu e beachd caran amaiseachadh sin. Feumaidh daoine a bhith ag ionnsachadh cànain fad am beatha.

Following is the translation:

I accept that some people think that if people who go through Gaelic-medium education in primary school are fluent when they come out, there is therefore no need for anything else to happen with regard to their language skills. I have to say that that is a pretty foolish opinion: people have to learn language all their lives.

Mr Macintosh: In your submission, you comment on the use of Gaelic in the law courts and you mention the

"absence of a reference to the Judiciary" from the bill. I believe that there are different practices in different courts. How important a development would the use of Gaelic in courts be?

Iain Mac an Tàilleir: Tha mi fhìn a' faicinn trioblaid ann a bhith ga fhàgail aig Bòrd na Gàidhlig. Tha mi a' smaointinn gum biodh e na b' hfeàrr ainmeachadh anns a' bhile. Chan eil fhios agam carson—is dòcha gu bheil mi ceàrr—ach tha mi a' smaointinn gum biodh e doirbh a bhith a' toirt air brìtheamh agus cùirt-lagh a bhith a' gabhail ri plana bho Bòrd na Gàidhlig.

Dhomh fhìn dheth, tha mi a' smaointinn gum biodh e na b' hfeàrr nam biodh rudeigin air ainmeachadh anns a' bhile fhèin.

Is dòcha nach eil coltas uabhasach cudthormach air a' phuing seo, ach tha e air leth cudthromach. Ma tha neach anns a' chuirth, tha cumhachd na stàite air sin a bh' fhìon. Mura h-eil e comasach dha no dhìgh bhuidhinn ann an Gàidhlig, ged an robh e no i fileanta ann am Beurla a chleachdadh ach bruidhinn ann an Gàidhlig. Cuideachd, is dòcha nach eil eil e cumhachd fheum trioltail agus nas cinnit asta fhèin a bhith bruidhinn ann an Gàidhlig. For my own part, I think that it would be better if something were mentioned in the bill itself.

It may not appear so, but this point is extremely important. If someone is in court, they are up against the power of the state. Even if they are fluent in English, perhaps they would feel more comfortable and more sure of themselves if they were speaking Gaelic. Also, a person might not have the right words—the terminology—to make themselves understood in a precise and articulate way. I think that it would be better if that were mentioned in the bill.

Lord James Douglas-Hamilton (Lothians) (Con): I will ask a few questions about guidance. You will be aware that the Executive issued draft guidance for consultation in September 2004. What is your reaction to the draft guidance? I refer to the guidance on Gaelic education. The
witnesses will be aware of it, because a consultation document was sent out in September 2004. It is expected that the board will take over responsibility for the guidance in due course. Do you have any strong views on the subject?

Iain Mac an Tàilleir: Tha e cuideachail gu bheil gnothach aig Bòrd na Gàidhlig ri ceist nan tidsearan, ach feumaidh mi a ràdh nach eil beachdan uabhasach làidir sam bith agam air.

Following is the translation:

It is helpful that Bòrd na Gàidhlig is to be involved in the matter of teachers, but I have to say that I do not have a strong view about that.

Professor Gillies: Uaireannan, tha daoine ro dheiseil Gàidhlig a chur an dara taobh agus a sgaradh bho na rudan a tha a’ tachairt gu h-àbhaisteach ann an foghlam. Mar sin, tha mi smaoineachadh nach biodh e cuideachail nam biodh sin a’ tachairt.

Following is the translation:

People are sometimes too willing to put Gaelic to one side and to separate it from things that normally happen in education. I think, therefore, that it would not be helpful if that were to happen.

Lord James Douglas-Hamilton: Would it be fair to suggest that appropriate, well-thought-out guidance might make it easier to ensure that, in practice, there was adequate Gaelic-medium provision?

Iain Mac an Tàilleir: Tha mi smaoineachadh gu bheil sin ceart.

Following is the translation:

I think so.

Lord James Douglas-Hamilton: Who might be best placed to define what a reasonable demand for Gaelic-medium education might be? What should trigger a response?

Professor Gillies: Tha mi a’ smaoineachadh gur e sin ceist a bhios air a fàgail aig Bòrd na Gàidhlig airson cur airadh anns a’ phlana a bhithear a’ deasachadh. Tha eisimpleirean gu leòr ann an-dràsta far a bheil comhairlean fa-leth, leithid Comhairle na Gaidhealtachd a thà a raith gu bheil ceàthadh a bhiadhna airson leithid a bhliadhnaichean a’ sealltinn iarradh airson aonad Gàidhlig. Mar sin, is e sin iarradh reusanta dhaibhsan agus tha mi smaoineachadh gu bheil sin ceart gu leòr.

Following is the translation:

I think that that question will be left to Bòrd na Gàidhlig to take forward in the plan that will be drawn up. There are plenty of examples at the moment of individual councils, such as the Highland Council, saying that four children each year over a certain period constitutes demand for a Gaelic unit. That is reasonable for them and I think that that is quite right.

10:45

Lord James Douglas-Hamilton: I want to ask about a subject that you have already mentioned—namely, long-distance learning and videoconferencing.

If there is a very small number of pupils—perhaps only one, two or three—in a school in the Borders, for example, who want to learn Gaelic but have no Gaelic teacher, could videoconferencing come in as a facility that could enable long-distance learning in Gaelic in a way that has not been experienced in the past and which would be of assistance?

Before you answer, I should say that the minister gave us a positive answer on that point. He said that work was going on in the Administration to develop the use of high technology in a way that would be helpful, and the Executive is currently looking at that issue. Would you be sympathetic to that theme being pursued?

Iain Mac an Tàilleir: Bhithinn gu dearbh. Tha a’ cholaiste air co-labhairtean bhideo a chumail le àrd-soil Gheàrrloch agus dh’obraich sin glè mhath. Tha e uabhasach math dha na sgilearan a thà anns na h-àiteanach ionnallach, oir tha iad a’ faicinn aodannan ùra agus a’ cluinntinn ghuthan ùra agus a’ cur eòlas air daoine. [Briseadh a-steach.] Chan eil fhios agam an cuala sibh na thuirid mi tuì ard-soil Gheàrrloch.

Following is the translation:

Indeed I would. The college has held videoconferences with Gairloch High School and that worked very well. It is very good for students in remote areas, because they see new faces, hear new voices and get to know people. [Interruption.] I am not sure whether the committee heard what I said about Gairloch High School.

The Convener: We seem to have lost the interpretation again. I am very sorry.

Iain Mac an Tàilleir: Aig ire phearsanta agus shòisealta, tha e math dhan chloinn a bhith a’ cur eòlas air daoine ann an àiteachan eadar-dhealaichte a bharradh air a bhith dìreach a faighinn foghlam leis fhèin. Tha mi a’ smaoi tinn gum biodh sinn uile an aonad Gheàrrloch a leasachadh dha na goireasan agus na leasachaidhean ùra gu mòr.

Following is the translation:

At a personal and social level, it is good for the children to get to know people in other areas as well as just getting education by itself. I think that we are all fully supportive of those facilities and of the new developments.
Professor Gillies: Chuirinn mo thaic ri sin. Tha feum air measgachadh de theicneòlas ùr. Cha chuirinn mo dhòchas uile ann an co-labhairt bhiodh, mar eisimpleir. Tha mi smaoineachadh gu bheil feum air ann an co-bhann le rudan elle, mar foghlam air-loidhne, a tha sinn a’ cleachdadh mar-tha. Feumaidh sin tachairt ma tha sinn a’ dol a dh’haighinn fогhlam tro mheadhan na Gàidhlig anns an ard-sgoil.

Following is the translation:

I support that. We need a mix of new technologies. I would not pin all my hopes on videoconferencing, for example. I think that we need to use it in conjunction with other things, such as online education, which we already use. That has to happen if we are going to get Gaelic-medium education in secondary schools.

Lord James Douglas-Hamilton: Am I correct in thinking that the college could help to work up proposals on the best use of high technology to promote the teaching of Gaelic?

Professor Gillies: Bhiodh a’ cholaiste ro-thoilichte cuideachadh sam bith as urrainn dh’inn a thoirt seachad airson leasachaidhean a thoirt air an fhadh ann an foghlam tro mheadhan na Gàidhlig.

Following is the translation:

The college would be only too willing to help in any way we can to take forward developments in Gaelic-medium education.

Lord James Douglas-Hamilton: You sent us a list of proposals. Would you be prepared to try to work them up in the form of amendments so that we can see exactly what they would look like in relation to the wording of the bill and give them detailed consideration at a later stage?

Professor Gillies: Tha sinn toilichte sin a dhèanamh.

Following is the translation:

We are happy to do that.

The Convener: I would like to clarify two things before we leave the question of teaching. First, the consultation period on the guidance document itself runs until 17 December, but it was issued only recently, in October. Do you want to come back to us with any detailed points that might affect our consideration of the bill?

Secondly, on the supply of teachers, I think that you said earlier that you did not believe that it was possible to resolve the crisis in teaching supply to provide more teachers for various reasons, and that we would therefore have to go down the information technology route. Is it the case that more things can be done than are currently being done to provide more Gaelic-speaking teachers of maths and other subjects to help out in that regard? It is obviously a central issue.

Professor Gillies: Tha mi a’ smaoineachadh gu bheil sin comasach. Chan eil mi ag iarraidh a chur fa ur comhair nach urrainn cáil a bhith air a dhèanamh a thaobh na tha a dhìth oirn de thidsearain agus gum feum sinn a dhol sios taobh teicneòlais. Tha feum againn air an dà chuid.

Tha feum air rudan beaga pragtaigeach a bhith a’ tachairt a thaobh foghlam tro mheadhan na Gàidhlig. B’ ábhaist dha na h-ùghdarrasian ionadail a bhith a’ coimhead air adhart bliadhnaichean agus ag ràdh cia mheud tidsearain Gàidhlig a bhiodh a dhìth. Tha mi a’ tuigsinn gu bheil an cuidheachadh a-nis air atharrachadh agus gu bheil daoine a’ coimhead air dìreach dè thachair anns a’ bhlàdhna a dh’halibh. Chan eil sin gu bhith cuideachail a thaobh foghlaim tro mheadhan na Gàidhlig oir tha e a’ sior- leasachadh.

Mar a thuirt mi na bu tràithi, is e am bacadh as motha nach eil gu leòr tidsearain air an trèanadh. Cuideachd, tha bacadh beag ann gum feum obair teagaisg a bhith nas tarrainigce airson gum bi sinn a’ faighinn daoine òg gu leòr a-steach dhan t-siostam. Anns a’ cholaiste seo, tha sinn a’ deidh a bhith fortanach gu bheil tòrr dhen fheadhainn a tha a’ ceumanachadh a’ dol a-staigh airson teagaisg tro mheadhan na Gàidhlig. Anns a’ bhlàdhna a dh’halibh, tha mi a’ smaointinn gu deach co-dhiù ceathrar no còignear airson a bhith air an trèanadh a thaobh teagaisg.

Following is the translation:

I think that that is possible. I do not want to make you think that we can do nothing about our lack of teachers and that we have to go down the technological route. We need to use both approaches.

We need little practical things to happen for Gaelic-medium education. Local authorities used to look years ahead and say how many Gaelic teachers would be needed. I understand that the situation has changed and that people now look only at what happened in the past year. That will not help Gaelic-medium education, because it is developing quickly.

As I said earlier, the greatest handicap is that there are not enough trained teachers, and a small handicap is that a teaching career must be made more attractive if we are to get enough young people into the system. In the college, we have been fortunate that many of those who graduate go into Gaelic-medium teaching. In the past year, I think that at least four or five wanted to do teacher training.

Dr Elaine Murray (Dumfries) (Lab): I would like to ask about your criticism of the bill’s approach. The bill requires consideration of
"the extent to which the Gaelic language is used".

You state that you would prefer a
"reference to the potential that the work of particular Public Bodies has to support the development of Gaelic."

I have two questions about that. First, is your
preference not more vague than the terms of the
bill? How would you determine
"the potential that the work of particular Public Bodies has
to support the development of Gaelic?"

Secondly, would that not place more onus on local
authorities or health boards, for example, in areas
where Gaelic is not spoken? Arguably, there is a
greater potential for the development of Gaelic in
such areas in comparison with areas where Gaelic
is widely spoken. According to your suggestion,
the responsibilities could almost be reversed in
relation to how the bill is drafted.

Iain Mac an Tàilleir: Is e an t-eagal a tha ormsa
gun tig rudeigin coltaich ri ghette gu ire agus gum
bi a h-ùile càil thall ann an Leòdhas gun sion ri
fhaoitainn air tir-mòr mun ear no mu dheas. Chan
eil mi a’ smoineachadh gu bheil seo “vague” mar
a thuirt sibh. Nam bheachd pearsanta, ma tha rud
ceart anns a Hearadh, tha e ceart ann an àite
sam bith. Mar eispimile, nuair a thaing teachdas
gràin-chinnidh a-steach, bha córaichean aig
daoine dubha ann an Ceann Loch Biorbhaidh a
cheart cho math ‘s a bha aca ann an leithid
Ghlaschu. Tha seo coltaich ris ann an aon chiste.
Is e ceist mu dheidhinn cothroman is córaichean
air seirbheisean agus daoine a bhith a’ faireadhainn
gu bheil córaichean aca a tha co-ionann às bith
càile a bheil iad ann an Alba.

Tha ceist agam airson na comataidh—chan eil
thòis agam an e seo an t-àite airson a thogail—as
mo leth fhèin agus às leth na colasta, mu
dheidhinn an sgaraidh eadar buidhnean poblach
Breatainnach agus buidhnean poblach an Alba.
Tha mi a’ tuigsinn gu bheil buidhnean
Breatainnach ann mar an roinn le uallach airson
tèarainteach a bhoisealta ach bha mi a’
woondergeadh am biodh cothrom aig Pàrlamaid na
h-Alba cuideam a chur air na buidhnean Breatannach
rudoeigh a dhéanamh airson toirt air na buidhnean
Breatainnach rudeigin

For example, when legislation on racism was
introduced, black people had just as many rights in
Kinlochbervie as they had in places such as
Glasgow. This question is similar, as it is a
question about opportunities and rights to services
and about people feeling that they have equal
rights wherever they are in Scotland.

On my own behalf and on behalf of the college, I
have a question for the committee—I do not know
whether this is the place to raise it—about the
distinction between British public authorities and
public authorities in Scotland. I understand that
there are British bodies such as the department
responsible for social security, but I was
wondering whether the Scottish Parliament would
put pressure on the British Parliament to compel
British bodies to do something for Gaelic
speakers. If there are to be duties on Scottish
public authorities, it would be fair if the same
duties were imposed on British public authorities.
Would it be appropriate for the Scottish Parliament
to ask the British Parliament to do something?

The Convener: It would certainly be possible for
us to do that. It has been done previously. Fiona
Hyslop will remember the stock transfer report
from the previous Social Justice Committee, in
which we made certain representations about
United Kingdom legislation. I have asked the
clerks to give us guidance on the extent to which
it is competent for the Scottish Parliament to give
orders to UK departments in areas where there is
devolved responsibility. It is important that we
find out where we stand on that. We will take
account of all that in the representations that we will
make in the committee’s stage 1 report for the
Parliament’s stage 1 debate on the bill.

Dr Murray: I want to press Professor Gillies
a little bit more on the issue of the creation of
demand. You used an analogy that referred
to people who are native Gaelic speakers or who
speak Gaelic to an extent. However, if your
criterion is the creation of demand, it could be
argued that you should consider creating demand
in places such as Dumfries and Galloway and the
Borders, where few people speak Gaelic. That
does not seem to be what you were saying just
now, but in terms of creating demand you could
put particular emphasis on those parts of Scotland
where there is no Gaelic tradition and where few
people speak Gaelic.

Professor Gillies: Tha mi a’ smoineachadh
gur e sin aonaon dhe na rudan anns na bhraithrion a’
bhile a dh’haoadadh a bhith air a chealachdadh mar
bhachad air leasachadh na Gàidhlig, oir
dh’fheumadh a leithid seo de luchd-labhairt na
Gàidhlig a bhith ann mus tachradh càil.

A’ dol air ais chun na puinge a rinn sibh,
chanainn gur docha gu bheil ùghdarras ionadail a-
muigh an sin a tha ag iarraidh rudan a dhèanamh
às leth na Gàidhlig aig nach eil luchd-labhairt na Gàidhlig aig an ire sin. Cuideachd, feumaidh sinn a bhith deis airson mar a tha an sluagh a’ glasasad anns na bliadhnaichean a tha romhainn. Ma dh’fhaoidte gum bi a’ite nach eil làdir an-dràsta a thaobh luchd-labhairt na Gàidhlig air thoiseach ann a bhith a’ cur air adhart leasachadh na Gàidhlig anns na bliadhnaichean a tha romhainn. Tha an t-eagal oirn gur e slat-tomhais a Gàidhlig anns na bliadhnaichean a bhith a’ dol air adhart leasachadh na thaobh luchd-labhairt na Gàidhlig dh’fhaoidte gum bi a’ite nach eil làdir an-dràsta a bhith a’ dol air adhart leasachadh na thaobh luchd-labhairt na Gàidhlig dh’fhaoidte gum biodh siostam neo-eisimeileach ann an Canada.

Following is the translation:

I think that that is one of the things in the wording of the bill that could be used to hinder Gaelic development, because there would have to be a certain number of Gaelic speakers before anything could happen.

Going back to the point that you made, there could be a local authority out there that wants to do something for Gaelic but which does not have any Gaelic speakers at the moment. We must also be ready for how the population is going to move in the years to come. There could be a place that is not strong at the moment with regard to Gaelic speakers but which is ahead of other places in promoting Gaelic in years to come. We are afraid that that is a yardstick that could hinder matters if a local authority did not want to do anything.

Dr Murray: On the issue of local authorities that may be resistant, some public bodies are unfortunately a bit resistant to the idea of having to have a Gaelic plan. Certainly, some of the representations that we have had so far suggest that that is the case. On dispute resolution, it would be for ministers to make the final judgment if there was a dispute between a public body and the board. What is your view of the best mechanism for resolving disputes when they arise?

Iain Mac an Tàilleir: Cha robh sinn idir airson cumhachdan a thoirt air faibh bho ministearan. Is iadsan na daoine a chaidh a thaghadh ann an dòigh deamocratach. Bhiodh rudeigin mar choimiseanaid cànain no ombudsman cànain glè mhath, mar a tha ann am Poblachd na h-Èireann is an Canada. Nam biodh triolaidean ag éirigh eadar na buidhnean poblaich agus Bòrd na Gàidhlig, an àite ministearan a bhith air am bodraigeadh leis na rundan sin, bhiodh siostam breithneachaidh neo-eisimeileach ann a dh’fhaoadadh dèileagadh riutha. Nam b’ e aig deireadh an làtha nach tigeadh fusagladh air a’ cheist, is dòcha gum faodadh rudan a dhol chun nam ministearan an uair sin. An àite a bhith a’ bodraigeadh mhanistearan le ceistean a dh’fhaoadadh a bhith gu math suarach, ma dh’fhaoidte gum biodh siostam neo-eisimeileach na bu fhreagarraiche agus na bu chuideachail.

Following is the translation:

We did not want to withhold powers from ministers. They are the people who were democratically elected. A language commissioner or ombudsman of some kind, such as exist in the Republic of Ireland and in Canada, would be very good. Instead of ministers being bothered if problems arose between public bodies and Bòrd na Gàidhlig, an independent adjudication system could deal with those problems. If, at the end of the day, no resolution could be reached, perhaps the matter could go to the minister at that stage. Instead of bothering ministers with questions that could be quite trivial, perhaps an independent system would be more appropriate and more helpful.

Professor Gillies: Bha sinn direach ag ràdh—cha robh sinn a’ tighinn a-nuas cruaidh air sin—gur docha gum bu chòir Pàrlamaid na h-Alba coimhead air dé tha air tachair as ùr ann an Éirinn agus dé tha air a bhith a’ dol o chionn bhliadhnaichean ann an Canada.

Following is the translation:

We were just saying—we did not come down hard on this—that the Scottish Parliament ought perhaps to consider what has happened recently in Ireland and what has been going on for years in Canada.

Dr Murray: Could the Scottish public services ombudsman take on that role, or do you think that there would have to be a separate languages ombudsman, if we went down that route?

Professor Gillies: Tha mi a’ smaoineadachd gu bheil fear ann airson a’ chànain fhèin ann an Ùrinn, ach chan eil sinn ag iarraidh cur ris an t-siostam biurocrataidh idir ann a dòigh sam bith.

Following is the translation:

I think that there is an ombudsman for the language in Ireland, but we do not want to add to the bureaucracy of the system in any way.

11:00

Ms Wendy Alexander (Paisley North) (Lab): I want to ask two questions about funding. As you will know, the bill provides £1.75 million of additional moneys, £350,000 of which is intended for Bòrd na Gàidhlig and £1.4 million of which is for assisting public authorities with the implementation of their plans. My first question is about what action should be expected as a result of the development of a Gaelic plan. The bòrd will have significant resources. What sort of action should we be encouraging the plans to throw up?

Professor Gillies: Tha eisimpleirean matha ann mar-thà, mar Chomhairle nan Eilean Sior agus Comhairle na Gaidhealtachd, a tha air
smaokeachadh air na planaichean sin. Chan eil iad direach a' bruaidhinn air planaichean Gàidhlig ach iair ciamar a tha Gàidhlig am measg a h-uile sìon eile a tha iad a' dèanamh. Tha mi a' smaokeachadh gur e sin an dòigh air adhart. Chan eil sinn ag iarraidh gum bi plana ann airson Gàidhlig nach eil eil a' buntainn ri rud sam bith eile a tha a' tachairt ann an raointealan eile ris a bhail uighdàrrasan ionadail a' dèiligeadh, mar shlàinte is foghlaím is a h-uile sìon eile.

Mar sin, tha argamaid ann gum bi e caran coltach ris a h-uile raon obrach eile a tha sinn an ùsann. Ma tha thu a' faicinn deagh eisimpleir, tha e math a bhith a' leantainn an deagh eisimpleir sin. Cha leig a h-uile duine a leas tòiseachadh as ùr anns a h-uile ùghdarras ionadail no buidheann poblach ann an Alba. Bidh frèam ann agus faoidaidh iad obrachadh taobh a-staigh sin. Chan eil mi a' faicinn gum biodh e uabhasach cosgail sin a chur air adhart. Tha feum air dig deagh ghean bo na buidhnean poblach Albannach agus, mar a thuirt mi, tha feadhainn dhiubh mar-thà air gluaisad agus tha feadhainn eile a' glusasad airson rudan a dhèanamh dhan Gàidhlig guin duine a' faigheachadh dhaibh sin a dhèanamh. Mar eisimpleir, tha na comhairlean maoineachaidh foghlaím na h-Alba a' cur Gàidhlig air na litrichean aca—chan eil mi ag ráadh gu bheil iad a' toirt barrachd airgead dhuine, ach is e comhairdadh math a tha sin gu bheil iad a' cur Gàidhlig air na litrichean aca—agus cha do dh'hiarr duine orra sin a dhèanamh. Is iad fhèin a tha ag iarraidh a dhèanamh. Tha mi a' smaokeachadh gum bi buidhnean a' miannachadh rudan a dhèanamh a thaobh na Gàidhlig, airson gu bheil iad a' creidinn ann an Gàidhlig mar phàirt de chultar nàiseanta na h-Alba. Canaideachd le Mac an Tàilleir barrachd m eachdhiann sin.

Following is the translation:

There are already good examples, such as Western Isles Council and the Highland Council, which are thinking about such plans. They are not talking only about Gaelic plans but about how Gaelic fits in with everything else that they do. I think that that is the way forward. We do not want there to be a Gaelic plan that does not touch on anything else that is happening in other areas that local authorities deal with, such as health and education and so on.

There is an argument that it is a bit like every other area of work that we are involved in. If you see a good example, it is good to follow that example. Nobody needs to start from scratch in every local authority or public body in Scotland. There will be a framework that they can work within. I do not think that it will be terribly expensive to do that. The good will of Scottish public authorities will be needed and, as I said, some of them have already moved, and some are moving, to do things for Gaelic without anyone asking them to do so. For example, the funding councils put Gaelic on their letterheads—I am not saying that they are giving us more money but that it is a good sign that they put Gaelic on their letterheads—and nobody asked them to do that; they themselves want to do it. I think that organisations will want to do things with regard to Gaelic because they believe that Gaelic is part of Scotland's national culture. Iain Mac an Tàilleir will say more about that.

Iain Mac an Tàilleir: Mar a thuir Tormod MacGilliosa, bhiodh cosgais a bharrachd air buidhnean nam biodh ac, can, ri Gàidhlig a chur air na litrichean aca, ach is e cosgais aon trup a bhiodh sin. Tha dóighann ann chan ann air airgead a shàbhaladh achat guin a bhith a' cosg uimhir 's a shaolaidh tuig aig a' chuid shealladh air a' bhile. Mar eisimpleir, tha mi a' creidinn ann an l-tubhais iarraidh air seirhisean tro mheadhan na Gàidhlig ann an Crìochan na h-Alba. An àite a bhith a' fastadh cuideigin mar fàighgearr Gàidhlig, anns a' chaidh àite dh'fhaoadadh ofigear chothroman co-ionann na comhairle obair na Gàidhlig a thòir a-steach. Fù 's nam biodh cuideigin aig an robh a' Gàidhlig ag obair a dh'awn gnothach dhan chomhairle, tha Beurla aig an duine sin cuideachd agus rachadh aige air an obair a dhèanamh dhan chomhairle co-dhiù.

Tha mi a' tuiginn carson a tha uighdàrrasan ionadail agus buidhnean poblach iomagaineach m duideann chosgais, ach tha mi a' smaoineann nach ruigeadh iad ann an leas. Nuair a thàithin turastail co-ionann a steachadh airson bhro-iomagachach agus fireannach, tha mi cinteach gun robh buidhnean poblach agus ionadail a' g slaodhraitheach si a' râinn mi dhuideann sin. Chan eil mi smaokeachadh gun tig cosgaisean anabarrach orra, gu h-àirde anns a h-àiteachan far nach biodh daoine ag iarraidh dhan seirbhisean. Mura h-àil duine gan iarraidh, cha bh i cosgais ann gan cur an gniomh.

Following is the translation:

As Norman Gillies said, there would be an additional cost for organisations if they had to put Gaelic on their letterheads, for example, but that would be a one-off cost. There are ways not of saving money but of spending less than you might think would be needed at first sight of the bill. For example, I do not think that an awful lot of people would ask for services through the medium of Gaelic in the Scottish Borders. Instead of hiring someone as a Gaelic officer, the council's equal opportunities officer could take on the Gaelic work. Even if there was somebody who spoke Gaelic who worked for the council in that specific capacity, that person would also speak English and could do the work for the council in any case.
I understand why local authorities and public bodies are anxious about costs, but I think that they need not be. When equal pay for women and men was introduced, I am certain that public bodies and local authorities screamed and shouted about that. I do not think that they will face exceptional costs, especially in places where people do not demand the services. If people do not want services, there will be no cost in making them available.

Ms Alexander: In the evidence that we have had so far, witnesses have not expressed great concern about funding the implementation of the plans. A degree of comfort is emerging on that, but what the implications are for other funding streams—I am thinking of the Gaelic-specific grant—and, perhaps, for teacher supply is still an unanswered question. The hope is that the existence of the plans will reveal suppressed demand and perhaps stimulate demand, but many of the authorities that are in receipt of Gaelic-specific grants have not yet found themselves in a position to establish Gaelic-medium units. What are your thoughts on the bill's implications for other funding streams, principally the Gaelic-specific grant, and the supply of Gaelic-medium teachers? How might we think about the financial implications of that?

Professor Gillies: Is ceist mhòr sin ann an dòigh. Tha an t-airgead a’ dol gu na h-uighdarrasan ionadail an-dràsta, ach anns na làithean ri teadh thèid an t-airgead sin gu Bòrd na Gàidhlig airson a sgaoileadh a-mach gu na h-uighdarrasan ionadail. Tha Bòrd na Gàidhlig a’ deasachadh a’ phhila na anadh a dh’aoantaicheas amin stèir às leth Riaghaltas na h-Alba. Mar sin, tha mi a’ gabhail ris gu bheir an t-innsean a bhith a’ leantainn a’ phhila gu ire. A bheil sin a’ freagairt na ceiste? For the record, will you outline why that will not be helpful?

Following is the translation:

Is ceist mhòr sin ann an dòigh. Tha an t-airgead a’ dol tron bhile, bha sinh a’ faireachadh nach robh e ann an àite sam bith gum feumadh Gàidhlig a bhith aig buill a’ bhùird. Tha sinh a’ smaoineachadh gum biodh sin rianachan oir the tha sinh a’ tuigsinn gum bi coinneamhan a’ bhùird a’ tachairt tro mheadhan na Gàidhlig. Bhiodh e feuimail nam biodh eòlas air a’ chàhan aig an fheadhainn a tha an sàs anns a’ bhòrd airson cuisean a dhèanamh nam isfèachdaich. Cuideachd, tha sinh an ceangail ri tuigsge a’ chàhan tuigsge mu dheildinn na tha a’ crochadh ri sin. Is dòcha gu e puing bheag a tha ann, ach tha eisimpleirean ann far an robh rudan a’ dol air an cur beagan trulainn le bhith a’ cur nan daoine ceàrr a-staigh do bhuidheanna dheth na-sèorta sin. Thachair a leithid de rud ann an Èirinn, ach bha adhbharan poileataigeach an sàs ann an sin.

Following is the translation:

When we were going through the bill, we felt that it was not stated anywhere that members of the board had to speak Gaelic. We think that that would be essential because we understand that board meetings are to be conducted in Gaelic. It would be useful if those involved with the board knew the language so that they could do things effectively. We also link an understanding of the language with an understanding of all that depends on the language. That may be a small point, but there are examples where things have been thrown somewhat topsy-turvy because the wrong people have been brought into such organisations. Something of that kind happened in Ireland, but political reasons were involved in that.

Iain Mac an Tàilleir: Ann an Èirinn, nuair a bha Bòrd na Gaeilge ann mus robh an siostam ùr ann, chuir aon de na pàrtaidhe anns an Rìaghaltas—air an Rìaghaltas ris an cine a “rainbow Government”—duine air Bòrd na Gaeilge aig nach robh Gaeilge. Chanadh luchd Bòrd na Gaeilge gun deach an obair aca air ais gu ire oir mhor aìdh s’ìdh s’ gàireadh lada a h-uile càil a dhèanamh tro mheadhan na Beurla a chinneo ‘s nach robh innean-eadar-theangachaich aca mar a tha aig a’ chomataidh seon a-diugh. Chaidh uimhir a thide a chosg a’ mineachadh rudan beaga biodach dhan bhail sin ‘s gun d’ fhuaire air Bòrd ann a bhogalach agus cha taisg piseach cho mòr air an obair ris an robhair an dúil. Air an adhbhar sin, chan ann airson daoine a chumail a-mach a tha am moladh seon a chadh airson déanamh cinnteach gu bheil a h-uile duine air an aon ràmh agus a’ dol gu ceann-uidhe cruinn còmhla.

Following is the translation:

In Ireland, the Irish language board was in existence before the new system was established.
One of the parties in the Government—the Government known as the “rainbow Government”—put a person on the Irish language board who did not speak Irish. The people at the Irish language board said that their work was held back considerably because they had to do everything through the medium of English and because they did not have translation equipment such as the committee is using today. So much time was spent explaining little details to that member that the board got bogged down and less progress was made in its work than had been expected. That recommendation is intended not to exclude people but simply to ensure that everyone is on the same wavelength and heading in the same direction.

Mr Frank McAveety (Glasgow Shettleston) (Lab): Another issue is how you can develop and sustain the language in the transition stage through adolescence and the late teens, in the context of the pressures on young people, particularly through the commercialisation and globalisation of entertainment and communication. While that is not mentioned in the submissions, how can you encourage the use of the language when there are those pressures? How do you relate that to broadcasting responsibilities in Scotland and the UK? Finally, what are your views on the developing debate around the Cultural Commission, which should report in June?

Professor Gillies: I will start off and then pass on to Iain and Mairead, because there was quite a lot to unpack in those questions.

We welcome people who want to learn Gaelic, irrespective of where they come from. Some of our student body are sitting behind us, so I cannot see who is there, but I know that they will be from all airts and pairs. We are talking not just about the UK; we are talking about America, Canada and a variety of European countries.

We realise that Gaelic will depend on learners of the language. There will be much more of an interchange of ideas between different young people in terms of their own cultural backgrounds, which is healthy, because language and culture cannot be static; they have to move on. The sort of global media phenomenon—I have just realised that I am speaking in English. It is because I usually speak to Frank McAveety in English. Co-diù, co-diù.

Iain Mac an Tàilleir: Chan eil càil a chuimhne agam air an rud a bhà a chàl a radhach. Tha cuimhne agam: b’ ann mu dheidhinn daoine òga agus deugairean. Tha sibh gle cheart gu bheil e garbh duilich. Le dùth-chruinneas agus le saoghal MTV agus an leithid, tha e anabarrach duilich a bhith a’ toirt air daoine òga Gàidhlig a bhruaidhinn. Fìu ’s ann an dùthchannan mar an t-Suain agus an Òa-laind, tha daoine a’ fàs ionimateach leis na tha a’ dol de Bheurla. Bheir mi eisimpleir leis an sgeulachd seo. Bho chinne beagan mhiosan, bha banacharaid agam aig fèis bàrdachd ann am Berlin agus bha i air a h-uabhasachadh leis na chunnnaic is a chuala i timcheall òire de Bheurla. Cha b’ urrainn dhi a cheirdisinn gu tachtradh sin ann an cultar cho làidir ’s a tha Gearmainn.

A’ tilleadh dhan Ghàidhlig agus an rud a thuirt sibh mu dheidhinn craolaidh, tha mi a’ smaointinn gu bheil craoladh agus rudan gleannach mar sin air leth cudthromach. Ma dh’haoidhte gun nochd seo caran faoin, ach tha eòlaichean cànain mar David Crystal anns a’ Chuimrigh a’ creidhinn gu mòr gu bheil rudan mar telebhisean, an t-eadar-lion, diosgachean is a h-ùile càil dhe na tha sin anabarrach cudthromach airson aire dhaoine òga a tharraing. Mura h-eil an cànain aca ri fhaoitinn anns na meadhannan sin, thèid an cànain an neo-shium aca. Chan eil fhios agam dè dha faodadh airson na ceiste. Tha fios agam gu bheil craoladh a’ tighinn fo sgèith Riaghaltas Bhreatainn agus gu ròdha nach bi an gnothach aig Pàrlamaid na h-Alba, ach bhiodh sianal telebhisein—agus fear le prógraman inntinneach air—glè mhath.

Following is the translation:

I cannot remember at all what I was going to say. I remember: it was about young people and teenagers. You are quite right that it is a tough job. With globalisation, MTV and the like, it is exceptionally difficult to make young people speak Gaelic. Even in countries such as Sweden and the Netherlands, people are becoming concerned about how much English is being used. This story provides an example. A few months ago, a friend of mine was at a poetry festival in Berlin and she was horrified by how much English she saw and heard around her. She could not believe that that would happen in a culture as strong as the German one.

Returning to Gaelic and to what you said about broadcasting, I think that broadcasting and attractive things like that are extremely important. This may sound rather silly, but linguistics experts such as David Crystal in Wales believe very much that things such as television, the internet, compact discs and all that kind of thing are exceptionally important for getting young people’s attention. If their language is not available in those media, they will lose respect for the language. I do not know what the solution to the problem is. I know that broadcasting comes under the authority of the British Government and that perhaps the Scottish Parliament will have no say in the matter, but a television channel—with interesting programmes on it—would be very good.

11:15

Professor Gillies: Dhaing nichinn an rud a thuirt lain a thaobh cho cudthromach ’s a tha na
meadhanann ann a bhith a’ cumail cânain beò. Chan urrainn dhut cănain a chur ann am bocsa beag agus a ráth, “Sin agad e.” Ma tha foghluam againn, tha sin ceart gu leòr, ach feumadhai coimearsnachd ceart a bhith againn.

Air a’ phuing mun Choisimean Chultair Tol, tha àidh againn ann oir tha sinn a’ facinn gu bheil e a’ bualadh oírm gu màor. Tha sinn a’ fàighinn a-mach, gu h’-hàraid anns a’ cholaiste seo, gu bheil e a’ tòirt misneachd do dhaoine nach robh aca roimhe nuair a tha barrachd eolais aca air an cuid cânain is an eachdraidh is an cultar a tha còmhla ris. Tha sin follaiseach anns na rudan a tha daoine a’ feuchainn ri dèhanamh às dèidh a bhith nan oileanach an seo. Tha sealladh ùir dhailbh air an t-saoghail. Is rud math mu dheidhinn a’ Choisimein Chultair Tol gu bheil e a’ coimhead chan ann air a’ gheàrr uíne ach fada rompa. Feumadhin sinn a bhith a’ déanamh an aon rud a thaobh Gàidhlig. Feumadhi sealladh leirsinnneach a bhith againn.

**Following is the translation:**

I confirm what lain said about how important the media are in keeping languages alive. You cannot put a language in a box and say, “There you are.” If we have education, that is all very well, but we need to have a proper community.

On the point about the Cultural Commission, we are interested in it because we see that it might have a great impact on us. We are finding out, especially in this college, that it gives people a confidence that they did not have before when they know more about their language and about the history and culture that go with it. That is evident in the things that people try to do after they have been students here. They have a new outlook on the world. A good thing about the Cultural Commission is that it is not looking only at the short term, but far ahead. We have to do the same for Gaelic. We must have a far-sighted vision.

**Mairead NicDhonnchaidh:** A’ togail air a’ phuign a rinne lain Mac an Tàilleir, tha mise ag aontachadh gu bheil e doirbh a bhith a’ cumail clann ri Gàidhlig ann an dòigh cunbhalach tron bhun-sgoil, tron ard-sgoil is às dèidh na sgoile. Gu pearsanta, tha mi a’ smaointeachadh nach bi am bile a’ cuideachadh anns an dòigh sin. Tha e a’ tòirt dhùinn samhla de chleachdadh na Gàidhlig, ach chan eil e a’ greachadh ann an dòigh cruaidh agus cha chuaidich e anns an dòigh cùidmhor. Tha e a’ tòirt aire—agus airgead cuideachd—air falbh bho na rudan a tha cùidmhor agus tha e a’ tòirt dhùinn samhla nan às. Chan eil sin a’ dol a chumail a’ chlann againn ri Gàidhlig.

**Following is the translation:**

To add to the point that lain Mac an Tàilleir made, I agree that it is difficult to keep children speaking Gaelic consistently through primary school, through secondary school and after school. Personally, I think that the bill will not help in that way. It makes it seem as if Gaelic is being used, but it does not really work and it will not help in any important way. It draws people’s attention—and money—away from the things that are important and it gives us a semblance of that in their place. That is not to keep children speaking Gaelic.

**Professor Gillies:** Is e an rud a tha sinn ag iarraidh gum bi saoghail na Gàidhlig a cheart do tarraingeach ri saoghail sam bith eile anns a bhheil sin an sàs. Chan eil sin ag ràdh nach eil úidhean sam bith againn taobh a-mach a’ chànhain agus ar cultar fhèin. Tha sinn ag iarraidh a bhith ceangailte ri cultar dhaoinne eile agus tha sinn ag iarraidh a bhith cho farsaing ’s as uainn dhùinn a bhith ann an bhith a’ leudachadh a-mach air na tha sinn an sàs ann.

**Following is the translation:**

What we want is for the Gaelic world to be just as attractive as any other world that we are involved in. We are not saying that we have no other interests beyond the language and our own culture. We want to be connected with other people’s cultures and we want to be as wide-ranging as we can in developing what we are involved in.

**Iain Mac an Tàilleir:** Ma dh’fhaodas mi cur ris na thuir Tormod MacGilliosa, tha mi a’ smaoineachadh gur glè thric a tha daoine a’ coimhead air Gàidhlig mar chur-seachad no rud anns a bheil ùidh agad. Gu dearbh, tha daoine ann aig a bheil ùidh ann an cànanach ach—dh’òmhna co-dhiù—chan eil ann an Gàidhlig a bhith meadhan conaltraidh tron a bheil na rudann anns a bheil ùidh agam air an cur an cèil. Glè thric, cuimhearn rudain mu dheidhinn “the Gaelic sector”, mar a tha an abairt Bheurla a’ dol. Chan eil mise a’ tuigsinn sin. Chan eil Eòrlach sector ann. Tha mi a’ smaointinn gur bheil e buailteach do dhaoinne a bhith a’ coimhead air Gàidhlig mar aon rud anns a bheil ùidh aig daoine agus, mar a thuir Tormod MacGilliosa, a tha glaiste air falbh bho t-saoghail mhòr. Ach chan ann idir mar sin a tha i.

**Following is the translation:**

If I may add to what Norman Gillies said, I think that people often look at Gaelic as a pastime or interest. Indeed, there are people who are interested in languages but—to me, at any rate—Gaelic is just a medium of communication through which I can express the things that interest me. Often, you hear things about “the Gaelic sector”, as the English expression goes. I do not understand that. There is no English sector. I think that people tend to look at Gaelic as one thing that people are interested in and, as Norman Gillies said, as something that is locked away from the wider world. That is not at all what it is like.
Mr McAveety: That covers most of the philosophical debate. After all, this issue is more about something that is part of people’s very essence and being than it is about an activity or pastime that people simply happen to do.

Although we have been exploring the issues that the bill raises, we have an opportunity not only to address the grey area around broadcasting, which will continue to be debated by parties and individuals, but to discuss new broadcasting technologies such as digital technology. Someone mentioned a 20-year vision. If we sat round the table now and worked with key players, such as the main television companies, we might be able to open up a debate about how, instead of putting out token programmes at 12.30 or 1 o’clock in the morning, we can tie more interesting and diverse programmes into existing mainstream programming that people all over Scotland—no matter whether they are new to the language, have Gaelic in their family background and want to explore it further or are fluent in it—can key into when appropriate. Perhaps we can explore that in more detail with some of the major agencies.

The Convener: I am very conscious of time, but I think that members have a few clear-up questions.

Lord James Douglas-Hamilton: On the use of Gaelic in courts, I am aware that, in civil proceedings, documents and evidence in Gaelic can be admissible where the number of residents justifies the measure. If you wish to extend that use, will you consider the matter and let the committee know how that might be defined? I feel sure that the courts would want a clear definition that would facilitate the use of Gaelic in a way that everyone could understand.

Professor Gillies: Nì sinn sin.

Following is the translation:

We shall do that.

The Convener: I think that the Gaelic experience, particularly Gaelic-medium education, can teach us broader lessons. For example, its approach, which ensures that the language is taught at an early stage, has many implications for teaching and learning other European languages. I am sure that, in such ways, we can build more widely on that experience.

I thank the witnesses for attending this very useful and interesting evidence session. You are leaving with some homework, and we would be very grateful if you could come back to us on issues that have been raised this morning, such as further input.

Professor Gillies: Tapadh leibhse. Tha e math seann chairedean fhacinn agus càirdean úra a dhéanamh. Mòran taing.

Following is the translation:

Thank you. It is good to see old friends and make new ones. Many thanks.

11:23

Meeting suspended.

11:29

On resuming—

The Convener: I had hoped to have a seamless transition, but that did not work out. However, I welcome to the meeting the representatives from Comunn na Gàidhlig. We have Màiri Bremner, the chairperson, Donald MacDonald, a member of the board of directors, and Dòmhnall Mòrtainn, the chief executive. Màiri Bremner wants to make an introductory speech, so I invite her to give us her spiel on matters.

11:30

Màiri Bremner (Comunn na Gàidhlig): Mòran taing agus fàilte oirbh uile. Tha mi toilichte fhaicinn uibhir agaibh mu thimcheall a’ bhùird a choinnich mi riutha mar-thà. Mar sin, tha mi a’ faireachdann gu bheil mi an lùib chairedean agus is e deagh rud a tha sin ann an suidheadach mar seo.

Tha sinne cuideachd a’ cur fàilte air Bile na Gàidhlig (Alba). Tha sinn toilichte a dh’fhaicinn gu bheil e nas treasa na bha e an toiseach, ach tha sinn a’ faireachdann gu bheil pìos aige ri dhol fhathest. Cha ruig mi leas inne dhuibh na thachaire dhan Ghàidhlig fad iomadach bliadhna agus mar a bhithar ga dubhadh às. Gu dearbh, mar neach air an deach iarraidh iomadach uair gun a’ Ghàidhlig a chleachdadh—chan b’ ann idir an suidheadachd a’ fhoirm a’ an suidheadachdar far an robh mi a’ bruiddinn ri cuideigin gu nàdarra—a thaoth ‘s gur e Ghàidhlig a bha ann, tuigidh mise dè tha e a’ ciallachadh do luchd na Gàidhlig, agus don fheadhainn a dh’fheuchas ri a h-ìonnachadh anns na bliadhnaichean ri tighinn, gu bheil bile ann a bhair cothrom às leth na Gàidhlig.

Mar a chuala sibh bhon bhuidheann ro làinmh, chan eil sinn ag iarraidh a h-ùile dad anns a’ chiaid dol-a-mach. Tha sinn ag iarraidh a bhith ciallach mu thimcheall sin agus tha sinn ag iarraidh ceumannan a ghabhail beag air bhegh gus am faigh sinn an rud a tha sinn a faireachdann gu math làidir—co-ionannachd a bhith againn leis a’ Bheurla. Tha mi a’ smaoinachadh gu bheil e rìtanach gum bi co-ionannachd againn. Cuiridh mi nur curimhne a’rithist gu bheil feadhainn anns a’ choimhearsnaichd againn nach eil cho buileach deiseil ’s a bha mise a bhith a’ seasamh air an casan fhéin nuair a thèid iarraidh orra gun a’ Ghàidhlig a chleachdadh. Mar sin, tuigidh sibh ciamar a bha iomagain is dragh air daoine.
Tha fios agam gu bheil luchd na Gàidhlig a’ sùileachadh gu bheil cothrom ann—tha feadhainn aca a’ faicinn, is dòcha, gur e seo an chothrom mu dheireadh aice—an cànann ath-nuadhachadh agus a neartachadh agus na cothroman fhàighinn a chaidh a bhacadh orra fad iomadach bliadhna. Tha fios agam gu bheil iad uabhasach taingeil airson an iomadach rud a tha air tachair às leòr na Gàidhlig anns na bliadhnaichean a chaidh seachad, agus tha iad a’ toirt taing mhòr dhan Rìghallatas airson na rinn e às às leòr na Gàidhlig. Ach, mar a tha a h-uile sìon, mar as motha a’ gheibh tu is ann as motha a bhios tu ag iarraidh. Mar sin, tha mi a’ smaoineachadh gur mar sin a bhios sin a bhios a’ gheibh tu is ann as motha a bhios tu ag iarraidh. A ceart cho math dhomh a bhith onarach.

Mar a thuirt an neach-gairm, cómhlaidh rium tha Dòmhnall Màrtainn, a tha na cheannard aig Comunn na Gàidhlig, agus tha òraidh ghoidir aige ri thoirt dhuiubh. Tha mi mothachadh gu bheil an ùine a’ ruith oirn, ach tha e a’ dol a bhruaidhinn ribh mun chumhnaidh Eòrpach, mu bhuidhnean poblach agus àite na Gàidhlig ann am bhuaidhnean poblach, agus bhair e dhuiubh beagan bheachdan air crosadadh cuideachd.

Cuideachd cómhlaidh rium tha Dòmhnall eile—bidh mi ag rádadh riutha Dòmhnall CNAG agus Dòmhnall Àros—as e Dòmhnall Dòmhnallach. Tha esan air ceann a mhian rìgh a tha shios ann am Port Rìgh. Tha mi an dòchas gum faigh sibh cothrom tadhal air agus gum faic sibh dhuiubh fhèin cho adhartach ’s a tha an t-àite a tha aige. Tha Dòmhnall Dòmhnallach a’ dol a bhruaidhinn air gníomhachas agus air foighlam tro mheadhan na Gàidhlig. Tha clann aig Dòmhnall a’ dol tron fhoghlam agus tha fiosrachadh farsaing aige air sin. Nuair a bhios sin seachad—bidh sin cho sgìobalta ’s is urrainn dhuinn—freagraidh sinn na ceistean agaibh.

Fhuil the translation:

Thank you, Robert, and welcome to all of you. I am happy to see so many people around the table whom I have already met. It feels as if I am among friends, and that is a good thing in a situation such as this.

We also welcome the Gaelic Language (Scotland) Bill. We are pleased to see that the bill is stronger than it was at first, but we also believe that it still has some way to go. I do not need to tell you what happened to Gaelic over many years and how it was stamped out. Indeed, as someone who was asked many times not to use Gaelic—not in formal situations, but in situations where I was speaking naturally to someone—simply because it was Gaelic, I understand what it means to Gaelic speakers, and to those who will try to learn Gaelic in years to come, that the bill exists and that it gives us an opportunity for Gaelic.

As you heard from the previous panel, we do not want everything immediately. We want to be sensible about it and take things one step at a time until we get what we feel so strongly about—equality with English. I believe that it is essential that we have equality. I remind you again that there are some people in our community who are not quite as prepared as I was to stand up for themselves if they are asked not to use Gaelic. You will understand, therefore, why people have been anxious and worried.

I know that Gaelic speakers see this as a chance—some perhaps see it as the last chance—to revitalise and strengthen the language and to get the opportunities that were denied them for many years. I also know that they are extremely grateful for the many things that have been done for Gaelic in past years, and they thank the Government for what it has done for Gaelic. As is always the case, however, the more you get the more you want, and I think that that is what we want today. It is just as well for me to be honest.

As the convener said, I have with me Comunn na Gàidhlig’s chief executive, Dòmhnall Màrtainn, who will make a short speech. I know that time is against us, but he will speak about the European charter and about public bodies and the role of Gaelic in public bodies. He will also give some views on broadcasting.

The other Donald who is with me—I call them Donald CNAG and Donald Àros—is Donald MacDonald. He is in charge of the splendid centre up in Portree; I that hope members will get a chance to visit and see for themselves how advanced it is. Donald MacDonald will speak about business and about Gaelic-medium education. Donald’s children are going through school, so he has wide knowledge of the subject. When that is finished—we shall be as quick as we can—we shall answer your questions.

Dòmhnall Màrtainn (Comunn na Gàidhlig):

Tha mi cuideachd toilichte a bhith ann, agus tha sinn uabhasach taingeil gu bheil sibh a’ toirt cothrom dhuiunn or còiraichean a chleachdadh ann a bhith a’ cleachdadh a’ chàininn a tha sinn fhìn airson a thaghadh. Tha sinn fada nur comain. Tha fhios agam nach eil e furasta a bhith ag eisteachd ri eadar-theangachadh, ach tha sinn mothachadh gu bheil sibh uabhasach fhèin foighideach, agus mòran taing dhuiubh airson sin. Nuair a gheibhinn sinn achd airson inbhe thèarainte, tha sinn an dòchas gum bì barrachd agus barrachd de chothrom den t-seòrsa seo againn ann a bhith a’ cleachdadh a’ chàininn ann an suidheachadh oifigeil, oir tha sin a’ togal a' t-thaighinn a' chàininn ann an dòigh a lùigeadh sinn fhaicinn.

Mar a tha an aithisg againn ag ràdadh, tha sinn a’ cur fàilte air an iris seo den bhile. Chan eil teagamh nach eil na h-atharrachaidhean a chaidh
a dh'eànnamh leis an Riaghaltas—an dèidh dhaibh beuchadh faighinn bhò choimhearsnachd Gàidhlig agus bhò dhaione a sgrobh gu pearsanta—air buaidh mhor a thoir air an ither seo. Tha prionnsabalan a’ bheile air gluaisad air adhart agus tha am bile nas fhéarr, nar beachd-ne, na bha am pàipear-comhairleachaidh a thàinnig a-mach an-uiridh.

Ach is dòcha gum bu choir dhan chomataidh beuchadhachadh gu mionaideach air a bheil na prionnsabalan a tha anns a’ bheile aig an ire seo a’ toirt a-staigh na prionnsabalan agus na gailtanasan ris an do dh’aontaich an Riaghaltas anns a’ chùmhann Eòrpa. Chan eil sinn a’ smaoineachadh gu bheil, agus bheir mi dhuibh eisimpleir no d’hà carson. Bhiodh e uabhasach mi fhortanach nam biodh sinn ann an suidheachadh as t-samhradh sa tighinn far am biodh a’ Phàrlamaid ag aontaichd ri achar Ghaidhligagus pàirt den aichidh sin cus nas laige na na gailtanasan a chaidh a thoir seachad anns a’ chùmhann Eòrpa.

Anns a’ chiad earrainn, tha an cùmhann Eòrpa ag ràdh gum bu choir dha na rioghadh an bhith a stèidheadhadh nam polleasaidhean, riaghailtean agus achdan aca a thaobh mion-chànanach air na prionnsabalan ris a bheil iad air gabhail. Gu dearbh, thog an luchd-eòlais Comhairle na h-Eòrpa a’ phuingein sin nuair a chomhairraidh iad a-mach, mar eisimpleir, suidheachadh an fhoghlaim. Tha an Riaghaltas air aontaichdach gum bu choir fichlim aig gach iarc—fo aos sgòile, bun-sgoil agus árd-sgoil—a bhith air a thoir seachad anns na mion-chànanach, far a bheil sin freagarrach. Anns an t-suidheachadh seachad eil na prionnsabalan ris a’ chumhann còmhla ris na molaidhean a rinn eil na buidhnean pobail a bhith ann airson dàiòchadh gu bheil na h-cudthromach gum bu chòir dòigh air choreigin a buidhnean sin ag obair. Tha sinn a’ smaoineachadh gu bheil e uabhasach cudthromach gum bu choir dòigh air chòireigin a bhith ann airson déanamh cinnteach gu bheil na h-uallach a bhios air na buidhnean pobail ann an Alba.

Cha ghabh sin dèanamh, thuirt an fhreagairt a thug an Riaghaltas seachad a bhith ann a’ stèidheadhadh airson na dhaoine a plaice a dh’albaigh sa cheithre sealaiche, agus a bhith ann airson na cuimhneachadh a dhèanamh as t-samhradh airson a bhith ann airson còmhla ris na buidhnean.

Chan e a’ mhàin roinnean an Riaghaltais a tha a’ cur dragh oirrn, ach buidhnean pobail mar am Post Royghial. Bha Comunn na Gàidhlig a’ feuchainn rì cead fhaighinn bhon Phost Royghial stamaichean dhà-chànanach a cleachdadh—chan e idir an feardhainn oifigeil ach an feardhainn a tha sinn fhèin ag uillachadh airson a cleachdadh air na cèisean a tha a’ dol a-mach.

Thuir an Post Royghial rinn nach eil e cadeachd sin a cleachdadh anns a’ Ghaidhlig agus anns a’ Bheurla air sgàth atharrachaidh an lagha a thàinig a-steach bho tiseachd na Samhna. Cha chosgradh sin cáil dhan Post Royghial, ach chaidh inne dhùinn gun robh ga dhüilltadh air sgàth ’nach e, anns a’ chiad àite, riaghachadh dà-chànanach a tha ann an Alba, mar a tha anns a’ Chumhrigh, agus anns ann dara h-àite, nach eil inbhe sam bith aig a’ Ghaidhlig. Tha e go math a folleachadh gu bheil an Post Royghial dhon bheachd, air sgàth ’nach eil inbhe sam bith aig a’ Ghaidhlig agus anns nach eil a’ Bheurla air sgàth a bhios aig a h-ainmheachadh annan an achd sam bith mar chànan ann an Achd na Cuimris 1993, nach eil e mar fhiachaibh oirnshin ann an iarrtarsain a bhith a’ cleachdadh stamaichean ann an dà chànan.

Tha buidhnean eile den Riaghaltas a tha air a bhith a diùltaidh a bhith a’ toirt agus a’ cur ann a cèill còrmach. Mar eisimpleir, bha feadhainn ag iarraidh ceud dràibhdirh anns a’ Ghaidhlig, ach tha a’ bhuideann sin—tha anns a’ Chumhrigh—air sin a diùltaidh, ar-thist air sgàth ’nach eil eil aon bhith aig a’ Ghaidhlig ’s a tha aig a’ Chumhrigh. Air sgàth ’s gun do dh’aontaich an Riaghaltas gum bu chóir a’ Ghaidhlig agus a’ Chumhrigh a bhith aig an aon ire fon chumhnaidh—that iad air gealltainn a leith arb fàirt 3 den chumhnaidh—that sinn a’ creidinsinn gu bheil e iomchaidh gum faigh sinn an aon ire de chumhachd oifigeil ann an achd airson na Gàidhlig ‘s a tha ann airson na Cùimhir. Mar sin, nuair a tha sinn a’ beuchadhachadh air suidheachadh co-ionannachd agus air dleastanasan nam buidhnean pobail, tha sinn den bheachd gur e an rud a thachair anns a’ Chumhrigh ann an rud as ciallaiche, agus gum bu choir dhuinn a bhith a’ feuchainn ri fàighinn dhan aon
As our submission says, we welcome the latest version of the bill. There is no doubt that the amendments that the Executive has made—after it received the views of Gaelic communities and of people who wrote in personally—have made a great impact on this version. The bill’s principles have moved forward and the bill is better, in our opinion, than the consultation document that came out last year.

However, the committee perhaps ought to consider more closely whether the principles of the bill as it stands comply with the principles and promises to which the Government agreed in the European charter. We do not believe that they do, and I shall give you one or two examples why that is the case. It would be unfortunate if we were to find ourselves in a situation next summer whereby the Parliament was agreeing to a Gaelic bill, part of which was much weaker than the promises that were made in the European charter.

Part 1 of the European charter says that states ought to base their policies, regulations and acts on minority languages on the charter principles—to which they have agreed. Indeed, the Council of Europe experts raised that point when they singled out, for example, the situation with regard to education. The Government has agreed that education in minority languages ought to be provided at every level—pre-school, primary school and secondary school—where that is appropriate. In this situation, that means Gaelic education. The experts said that the Executive has not fulfilled that promise and that it would be appropriate if consideration were given to that and to the other points to which the Government agreed when it signed the charter, as well as to the experts’ recommendations.

In its response, the Executive said that it is aware that there is an issue with regard to the situation of the charter in law, and it makes reference to the discussions and consultations that have been taking place on, for example, the Gaelic Language (Scotland) Bill. It said that a Gaelic act could ensure that the promises that were agreed to in the European charter were fulfilled at every level of government—the Government and departments in England, the Scottish Executive, local government and so on.

We have already heard that there is a problem with regard to public authorities—the public bodies that are based in London or that have departments in London but which deliver public services in Scotland. At this stage, those bodies do not fall within the scope of the bill. That cannot be done, apparently, because the Scottish Parliament has no power over the way in which those bodies work. We think that it is extremely important that there should be some way of ensuring that the duties on public authorities in Scotland under the
bill will continue and that the same duty will be placed on bodies that are based in London but have branches in Scotland.

It is not only Government departments that concern us, but public authorities such as the Royal Mail. Comunn na Gàidhlig tried to get permission from the Royal Mail to use bilingual stamps—not the official ones, but those that we use on envelopes that we send out. However, the Royal Mail told us that it is not permitted to use such stamps in Gaelic and in English because of a change in the law from the beginning of November. There would be no cost to the Royal Mail, but it said that it was refusing our request, first, because Scotland is not a bilingual country, as Wales is, and secondly, because Gaelic has no status. Clearly, the Royal Mail believes that it is not incumbent on it to fulfil our request to use bilingual stamps because Gaelic has no status and is not named in any act as an official language, as happens with the Welsh Language Act 1993.

Other Government bodies have also refused to give or provide for rights. For example, some people wanted a driving licence in Gaelic, but the organisation responsible—which is in Wales—refused, again because Gaelic does not have the same status as Welsh has. Because the Government agreed that Gaelic and Welsh should be at the same level under the charter—the promises were made under part 3 of the charter—we feel that it is appropriate that we should get the same degree of official power in a Gaelic act as is the case in Wales. Therefore, in considering the question of equality and the duties on public bodies, we think that what was done in Wales is the most sensible thing. We ought to try to achieve the same situation with regard to Gaelic as has worked for Welsh in Wales.

That does not mean that we envisage the same level of service delivery in the south of Scotland as in the Western Isles and the Highlands. That is not at all what we propose. We suggest that we should begin where the language is now heard and spoken and is part of the community, so public authorities in those areas should have stronger plans. Public authorities in other parts of the country might have very little to do at first until greater demands were made for the services that those bodies provide.

There are specific problems with regard to broadcasting. As members will be well aware, the London Parliament has responsibility for regulating and legislating on broadcasting, including Gaelic broadcasting, but the Scottish Executive in Edinburgh has responsibility for the funding of Gaelic broadcasting. There is no doubt that broadcasting is mentioned in the European charter. The Government wanted to move towards a position where there would be a special channel for Gaelic. We know that a majority of people agree that that is the way forward, rather than the present situation whereby people have to lose sleep if they want to watch Gaelic television programmes. Funding is needed to support that, but it is not terribly clear where that money will come from.

It would be easier if the agreements under the European charter were brought into the bill, and that would make the bill stronger. It would also give effect to the words used by the First Minister and by other ministers, who have said that they want Gaelic to survive, to be healthy and to be an important part of Scotland’s heritage for the people of Scotland.

The Convener: I am happy to raise your points about bilingual stamps and the driver and vehicle licensing agency, regardless of the issues in the bill, to see whether we can find out the position of the bodies concerned. I undertake to do that, with the committee’s permission, as the information will be useful. It might be helpful if you could let us have any correspondence or briefing materials that you have on those matters so that we know exactly what the issue is and the state of play.

On the more general point about the tension between the current status of Gaelic and the lack of teachers on the one hand and the aspiration on the other, a lot of the equal status-type things are, arguably, difficult to deliver given the present state of resources. What is your position? Are you in favour of the general principles of the bill? That is something that we have to report to the Parliament. Perhaps you could deal with that question first.

Dòmhnall Màrtainn: Tha sinn riaraichte leis na prionnsabal gu ire, agus nam biodh aon phrionnsabal beag eile ann, a’ gabhail a-staigh na gheall an Riaghaltas fon chùmhnant Eòrpach, bhiodh sinn anabarrach toilichte an uair sin.

Following is the translation:

We are satisfied with the principles to some extent. If one more little principle were also included, by including what the Government promised under the European charter, we would be absolutely delighted.

The Convener: In a sense, that is my second point. The bill talks about a view being taken to secure the status of the Gaelic language. That is an aspiration for the way in which the Gaelic board should go about its business. However, as you rightly point out, the bill does not say that Gaelic should have equal status with English or use the various other phraseologies that are used to describe that. Do you think that it is practicable, either now or in the immediate future, for such aspirations to become a reality against the
background of the limitation of resources? Does there not have to be a two-stage process, whereby the resource problem is dealt with first, by ensuring that there are more teachers and more Gaelic-medium education, and the longer-term status of the language is addressed later, when the resources are in place to make that a reality?

11:45

Dòmhnaill Màrtainn: Nuair a gheibhear aonta leis a' bhile an dèidh dha a' dol tron Pràrmaitid, bidh e rianach gum bi an achd sin ag ràdh gu math sollleir dè an inbhe a bhith e a' toirt dhan chànan. Bidh sinn a' coinhead air dè tha sin a' ciallachadh a thaobh maoineachaidh. Chan eil teagamh sam bith gum feum airgead a bhith ann airson rud sam bith a tha sinn a' dol a dh'adhartachadh, no ag iarraidh adhartachadh leis a' chànan. Cha bhiodh e uabhasach ciallach cumail a-mach nach biodh airgead a airgid.

Nuair a bheachdaicheas sinn air mar a thachair le sgeama nan tabhartasan sònraichte, chi sinn mar a tha rudan air atharrachadh bh bho chionn 20 bliadhna air ais. Nam biodh sinn nar suidhe an seo bho chionn 20 bliadhna—nam biodh an togalach air a bhith ann—agus sinn a' beachdachadh air tabhartasan sònraichte, tha mi a' creisdinn nach biodh mòran a' creisdinn gum biodh na tabhartasan sònraichte air fás bho £200,000 suas gu fàs iag air £3 millean, a thathar a' faighinn an-dràsta. Cha do thachair sin thairis air oidhche no seachdain ach thairis air 20 bliadhna. Thachair e air sgàth 's gun robh iar-ràsann an bho na comhairlean ionadail.

Bho chionn 20 bliadhna air ais, cha bhiodh sinn a' creisdinn gum biodh 21 dhe na comhairlean ionadail ann an Alba a' gabhail com-pàirt anns na tabhartasan sònraichte. Tha sin a dhà a-mach às a tri comhairlean. Chan eil teagamh nach eil comhairlean air feum mhòr a dhèanamh dhe na tabhartasan sònraichte. Ged nach eil a' h-ùile comhairle dhe na 21 sin a' toirt fhlagm tri mheadhan a Ghàidhlig, tha iad air na tabhartasan sònraichte a cleachdadh ann an dòighean eile, leithid a' cur air adhart clasaichean oideachd airson inbhich. Tha mi a' smaoineachadh gu e sin ann seòrsa rud a tha sinn a' faicinn gum bi planaichean Gàidhlig nam buidhnean poblach a' toirt dhuinn. Bidh iad a' toirt dhuinn na feumalachdan anns gach sgìre agus bidh iad a' comhairleachd dè tha a dhith a thaobh maoineachaidh airson sin.

Following is the translation:

When the bill that is going through Parliament at the moment is agreed to, it is essential that the resulting act says clearly what status is being given to the language. We will then need to look at what that means in terms of funding. There is no doubt that money will be needed for any advances that we make, or want to make, with the language. It would not make much sense to maintain that we make, or want to make, with the language. We will then need to look at what that means in terms of funding. There is no reversal that there are more teachers and more Gaelic-medium education, and the longer-term status of the language is addressed later, when the resources are in place to make that a reality?

When we consider what has happened with the Gaelic-specific grants scheme, we see how things have changed since 20 years ago. If we had sat here discussing specific grants 20 years ago—if this building had been in existence then—many would not have believed that the specific grants would grow from £200,000 to the nearly £3 million that is available now. That happened not overnight, or in the space of a week, but over 20 years, and it happened because there was demand from local authorities.

Another thing that we would not have believed 20 years ago is that 21 local authorities—two out of three councils in Scotland—would be taking part in the specific grants scheme. There is no doubt that councils have made great use of the grants. Not all 21 councils provide Gaelic-medium education, but they use the grants in other ways, such as by providing evening classes for adults. That is the sort of thing that we envisage the public authorities’ language plans will give us. They will give us what is needed in each area, and then stipulate what funding is needed for that.

Màiri Bremner: Am faod mi dìreach puin bheag ghoirid a chur ri sin? Mura bhiodh a sheàrachaidh aig a' chànan co-ionann ris a' Bheurla, tha mi a' smaoineachadh gu e sin a bhiodh a' strì agus gam chur sìos de gha’s gu faighinn an-t-ionnadh, ‘Dè is aon de na h-ionmhais a bhiodh a' cheist a bhith a' strì againn, a chionn 's uile a fhìachadh dha na daoine agus mac'hadhachd dhà na daoine a bhaint air adhartadh. Cha do thachair sin thairis air oidhche airson dìth misneachd. Mar eispéime, a chionn 's gu bheil luchd-teagaisg agus isamachadh duine eile a' faicinn nach eil e sàbhailte aig a' cheann mu fhiach dhòmhsa a bhith a' strì agus gam chur sìos de gha’s gu faighinn an-t-ionnadh, do fhìachadh dha na daoine againn airson dìth misneachd. Mar eispéime, a chinneamhachadh agus co-ionannachd aig a' Ghàidhlig leis a' Bheurla.

Tha mi cuideachd a' dol leis a' h-ùile puin a rinn Dòmhnaill Màrtainn a thaobh an ionhmhas. Chan fheumar an t-ionmhhas a-màireach idir, mar a thuirt mi, ach tha mi a' smaointinn nam biodh e againn gu toireadh e tòrr mòr misneachd agus fheumadachadh dha na daoine againn, a chionn 's gu e a' cheist a thathar a' togalaidh daonnann, “Dè is fhiach dhômha a bhith a' stiù agus gus chur sìos aig gach ceum?”

Following is the translation:

Could I make just a brief point about that? I believe that the lack of secure status and equality with English is one of the greatest reasons for lack of confidence. For example, because teachers and many others see that the language is not secure, people lack the confidence to go on. It is absolutely essential at this point that Gaelic has secure status and equality with English.
I also agree with the point that Dòmhnall Màrtainn made about funding. We will not need the funding tomorrow, as I said, but I believe that if we had funding it would give far greater confidence and encouragement to our people. The question that people always ask is, “What is the point in me struggling if I am being put down at every step?”

Fiona Hyslop: I want to ask about rights in education. Perhaps Donald MacDonald can answer my questions.

You have said that you want small steps to be taken and that you want what you are asking for to be reasonable, but the quote to which you refer on page 5 of your written evidence, on rights under the European Charter for Regional or Minority Languages, is fairly fundamental. It says:

“Furthermore, these must be made available without condition”

“without condition” is a powerful phrase—

“to all who request it throughout the territory in which the language is used”.

You believe that the bill is still weak because it does not include a right to Gaelic-medium education; however, one cannot have proportionate rights—rights tend to be absolute, and on day one of the bill’s being passed, people either will have or will not have the right to Gaelic-medium education. How do you square that fundamental request with your view that you are content with small steps and reasonable progression? You cannot necessarily have both. Are you asking for the right although you do not expect to get it? Why is that right not included in the bill?

Dòmhnall Màrtainn: Anns a’ chaidh àite, chaidh na braithran sin a sgrìobhadh le comataidh eòlaichean Comhairle na h-Eòrpa. Bha iadsan a’ beachdachadh air mar a bha iad a’ faicinn an t-suidheachaidh a thaobh na dh’aontaich an Riaghaltas a thaobh foghlaim. Thuirt iad gun do dh’aontaich an Riaghaltas riadh aig an Treacht a-chur a-staigh agus a’ bhuaidh a bha iad a’ fhoghlam tro mheadhan na Gàidhlig, nuair a thogadh a thuirsamh, a dh’ainmeach sin, agus a’ toirt a-staigh aig deireadh an latha. Tha sin a’ dol air a’ cheòd a’ bhuaidh a bha iad a’ fhoghlam tro mheadhan na Gàidhlig, a’ toirt a-staigh agus a’ bhuaidh a’ bheil a’ chuir a rinn a luchd-teagaisg.

Following is the translation:

That is right. We know that the Government knew what impact that proposal would have when it agreed to it. The Government itself chose that level in the charter. It could have chosen other levels, but it did not do so.

Fiona Hyslop: So, that is your main argument for the right to be included in the bill. Do you accept the fact that the legal right might not necessarily provide the practical right to Gaelic-medium education throughout Scotland? Are you willing to compromise? Can you think why the Executive has failed to respond to the majority of consultation responses, which say that that right should be there? Why do you think the Executive is still refusing to take a rights-based approach?

Dòmhnall Màrtainn: Is dàchadh gu bheil dà adh Bharach nach eil an Riaghaltas air leantainn airadh le sin. Ged a bhiodh an Riaghaltas a’ tighinn a-staigh a-maireadh agus ag raòd gu aontaicheadh iad ri seo, agus ged a thigeadh iarrtas a-staigh bhao phàrantan air feadh Alba, tha sinn mothachadh nach uair ann dhan Riaghaltas an gealltanach a chochnionadh anns a’ bhad air sgàth gainneadh luchd-teagainn.

Tha sin a’ dol air ais gu rud eile a thog sinn anns an aithisg. Ma tha sinn a’ dol a dhèanamh adhartas sam bith ann am foghlam Gàidhlig, feumar sùil a thoir air ro-innleachd ann am foghlam Gàidhlig agus poileasaidh nàiseanta air foghlam Gàidhlig, a’ toirt a-staigh nan dulghleadh an d’ainmich sin na bu tràithe, le luchd-teagainn, le cúrsaichean tréanaidh, le càite am bi na h-aonadan Gàidhlig agus càite a bheil na comhairlean, aig deireadh an latha, a’ dol a cruthachadh nan aonadan Gàidhlig nuair a tha iarrtas a’ tighinn a-staigh bhao phàrantan.

Ged a tha sin mar amas anns a’ chumhnan—amas a bh’ uair fhéin a bha iad a’ bhoilteachd gu bheil a chumhnan sam bith—chan eil e a’ ciallachadh gu bheil e a-maireadh. Mar a chunnaic sinn le foghlam tro mheadhan na Gàidhlig, nuair a chu phàrantan mar a tha foghlam tro mheadhan na Gàidhlig ag obair ann an aon àite tha iad buailteach sin nan iarraidh anns an àite aca fhéin airson na cloinne aca fhéin. Chan eil teagamh sam bith a’ sdeirdhinn sin.

Following is the translation:

That is perhaps two reasons why the Executive has not taken such an approach. First, even if the Executive came along tomorrow and said that it agreed to such a right, and even if there was demand from parents throughout
1825

29 NOVEMBER 2004

Scotland, the Executive could not fulfil the promise
because of the shortage of teachers. That takes
us back to another point that we raised in our
submission, which is that if we are to make any
progress in Gaelic education, consideration must
be given to a strategy and national policy on
Gaelic education to deal with the problems that we
have mentioned, which are to do with teacher
numbers, training courses, the location of Gaelic
units and, at the end of the day, how councils
create Gaelic units when requests are made by
parents.
Although that level of provision is an aim of the
charter—one that we should fulfil—that does not
mean that it will happen tomorrow. However, when
parents see how Gaelic-medium education works
in one area, they are likely to ask for it in their own
area for their own children. There is no doubt
about that.
The Convener: Over what time scale could the
available resources be brought up to a reasonable
level that would allow a wider expression of your
desires in that regard? Could that be done in five
or 10 years? Does your organisation have a
feeling about that?
Dòmhnall Màrtainn: Tha e gu mòr an urra ri dè
cho sgiobalta ’s a gheibhear an luchd-trèanaidh is
an luchd-teagaisg a tha a dhìth oirnn. Tha sin a’
togail iomadach ceist mu dheidhinn dè seòrsa
chùrsaichean a bu chòir a bhith air an toirt
seachad. Tha tòrr air a dhèanamh an-dràsta le
comhairlean is le oilthighean is colaistean ann a
bhith a’ deasachadh chùrsaichean a tha nas
fhreagarraiche do mhàthraichean, mar eisimpleir,
aig nach eil an comas a bhith air falbh bho
àiteachan leithid na h-Eileanan agus a’
Ghaidhealtachd a dh’fhuireach an Glaschu no an
Obar Dheathain airson bliadhna no dà bhliadhna.
Thathar a’ dèanamh tòrr aig astar, agus tha mi làn
chinnteach nach toir e cho fada a-nis leis na
dòighean ùra’s a bhiodh e air a thoirt nam biodh
sinn air beachdachadh air a’ chùis o chionn còig
no 10 bliadhna. Tha gu leòr an urra ri dè cho
sgiobalta ’s a gheibhear air daoine a thrèanadh
airson foghlam tro mheadhan na Gàidhlig a thoirt
seachad. Chan ann a-mhàin anns a’ bhun-sgoil a
bu chòir dhuinn a bhith a’ beachdachadh air, ach
anns an àrd-sgoil cuideachd.
Following is the translation:
To a great extent, it depends on how quickly we
can get the trainers and teachers that we need.
That raises lots of questions about the sort of
courses that should be provided. Much is being
done at the moment by councils and by
universities and colleges to design courses that
are more appropriate, for example for mothers
who are not able to leave the Highlands and
Islands to live in Glasgow or Aberdeen for a year
or two years. Much is being done with distance

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186

1826

learning and, given new methods like that, I am
certain that it will not take as long now as it might
have done had we been thinking about this five or
10 years ago. A lot depends on how quickly
people can be trained for teaching through the
medium of Gaelic not only in primary schools but
in secondary schools as well.
Mr Macintosh: I will continue on that theme, but
first I want to check whether Mr MacDonald had
any introductory remarks to make, because he
was cut off.
Màiri Bremner: A bheil sibh ag iarraidh
Dòmhnall Dòmhnallach a chluinntinn an toiseach,
no a bheil sibh ag iarraidh ceistean a chur air dè a
thuirt Dòmhnall Màrtainn?
Following is a translation:
Would you like to hear Donald MacDonald first,
or do you want to ask questions about what
Donald Martin said?
Mr Macintosh: No, I would like to hear from
Donald MacDonald.
Donald MacDonald (Comunn na Gàidhlig): An
toiseach, bu thoil leam beagan ceangal a
dhèanamh eadar foghlam is coimhearsnachd agus
cuideachd eadar foghlam is gnìomhachas. Tha
feum air coimhearsnachd is gnìomhachas a bhith
a’ toirt taic gu foghlam, ris a bheil iad a’ coimhead
airson luchd-obrach airson nam bliadhnaichean ri
tighinn agus airson daoine a tha deasaichte airson
a’ mhargaidh.
Ceithir bliadhna deug air ais, bha caraidean
agus mi fhìn a’ toirt fianais dha bòrd Iomairt na
Gàidhealtachd is nan Eilean mu dheidhinn cur air
adhart pròiseact turasachd cultarail. Aig an àm sin,
cha b’ urrainnear pròiseact turasachd cultarail a
thuigsinn—gu dearbh, tha mi a’ creidsinn gum b’ e
sin a’ chiad àm a chualadh sin air ainmeachadh.
Bha HIE eòlach air turasachd stèidhte air
eachdraidh, agus às dèidh mòran deasbaid leig
iad leinn ionad a thogail anns an Eilean
Sgitheanach a bha a’ dèiligeadh ri eachdraidh, ach
cha b’ urrainnear ceangal idir fhaighinn ris a’
chultar. Cha robh an tuigse ann.
B’ e Àros ann am Port Rìgh an t-ionad sin. Nuair
a thog sinn a’ cheist a-rithist còig bliadhna às
dèidh sin, bha bòrd Iomairt an Eilein Sgitheanaich
is Loch Aillse air a stèidheachadh, agus fhuair sinn
taic. Tha mi a’ dèanamh na puing gun do ghluais
gnothaichean air adhart ann an ùine leth-char
goirid a thaobh turasachd agus tuigse turasachd
Gàidhlig. An-diugh, tha am pròiseact Àros a’ toirt
a-steach barrachd is £1 millean gu eaconomaidh
an eilein. Tha e a’ toirt obair do faisg air 30 duine
agus—is dòcha an rud as cudthromaiche—tha
barrachd is 260,000 duine a’ tighinn a-staigh gu
Àros gach bliadhna. Tha sin a’ sealltainn na hùidhe a tha aig daoine ann an rudan a thaobh ar
cultar is ar cànan.


I begin by making a link between education and community and also between education and business. Community and business need to support education, which is where they look for people who are ready for the market and for workers for the years to come.

Fourteen years ago, I and some friends were giving evidence to the board of Highlands and Islands Enterprise about setting up a cultural tourism project. At that time, HIE could not understand what a cultural tourism project was—indeed, I believe that it was the first time that such a thing had been mentioned. HIE knew about tourism based on history, and after much debate it allowed us to set up a centre on the Isle of Skye based on history, and after much debate it was established, and we got support. I am making the point that the understanding of Gaelic tourism moved forward in quite a short time. Today, the Åros project brings in more than £1 million to the economy of the island. It employs almost 30 people and—perhaps most important—more than 260,000 people come to Åros every year. We see the interest that people have in our culture and our language.

That centre was Åros in Portree. When we raised the question again five years later, the board of Skye and Lochalsh Enterprise had been established, and we got support. I am making the point that the understanding of Gaelic tourism moved forward in quite a short time. Today, the Åros project brings in more than £1 million to the economy of the island. It employs almost 30 people and—perhaps most important—more than 260,000 people come to Åros every year. We see the interest that people have in our culture and our language.

The main things that link the business together are Gaelic, Gaelic music, the island’s culture and history. Three weeks ago, I was listening to the First Minister at the top tourism award ceremony—the thistle awards—in Edinburgh. Among other things, the main link is between education and business. The main link is between education and business. The main link is between education and business. The main link is between education and business. The main link is between education and business.
things, he said how important tourism was for Scotland. To begin with, he had listened to children from the Tollcross Gaelic unit, who opened the evening by singing a Gaelic song. Thereby, people were able to understand the part that Gaelic plays in Scottish tourism today.

Gaelic is important to the economy of this island. More than 80 people are employed by Sabhal Mòr Ostaig and the businesses connected with it. In Broadford, Media nan Eilean produces Gaelic programmes. In Isleomsay in Sleat, there is a whisky company and an estate with a hotel where Gaelic is the first language. There are Gaelic teachers in the schools and there are staff who deal with Gaelic both in the council and, as I said, at Áros in Portree. That can be seen not only on this island but throughout the Highlands.

However, things could be better than they are. At the weekend, I was at a reception in this part of the island, at which I found out that the University of Stirling has done some research—under the conservation and development in sparsely populated areas project, or CADISPA—on what people think ought to be done to develop the Sleat area. The main thing they said was for people to consider cultural tourism.

On education, I will give you a simple example to illustrate the situation as I see it. I have two children, of six and nine years of age. They were both fluent in Gaelic when they went to primary school, but their language regressed shortly after they started, and they began to speak English at home. With some surprise, I asked them why that was happening and they said that they used English as their language of play.

That came about because they are at a bilingual school and, when they are outside the classroom, they are among children who speak only English. They see English as so strong and attractive in comparison with their own language. They have no television programmes or suitable books and there are no videos, DVDs, PlayStation games or anything of that kind. The situation is so bad that my children are using books printed in English with Gaelic words pasted on top of the English, with the same pictures as were in the book originally.

There is not enough money for Gaelic education. In my opinion, more money and more education services are needed as soon as possible. The English language is so strong that it dominates every other language. If France has to spend thousands of euros to protect its language from English, what chance do we have with the English language is so strong that it dominates every other language. If France has to spend thousands of euros to protect its language from English, what chance do we have with the other languages? We must consider getting such things under way immediately. As a group that is involved in the Gaelic world, or if I were the Government of the day, I certainly would not want our legacy to be that we left things too late. Thank you.
There is an opportunity for us to attract back people who have left a teaching career, particularly women who left to have children. We should give them the opportunity. Things are already happening, such as providing distance learning for people so that they do not have to leave their area to go to the University of Strathclyde to do a year learning how to teach. That is useful. We also need to get equality in learning materials for Gaelic teachers, so that it is not more difficult for them to deal with a class than it is for English teachers.

Mr Macintosh: I welcome what you have said; you have made a number of practical suggestions about things that we could do to meet the needs of teachers.

Who should be in charge? At the moment, Bòrd na Gàidhlig has been given that role. Is that the way forward? Do we want a Gaelic plan for teacher training to be drawn up as part of a national programme or strategy?

Màiri Bremner: Tha mi a’ smaineachadh gum feum sin a bhith againn. Nan toireadh Bòrd na Gàidhlig sùil mhionaideach air a’ chuis, agus cuideachd air na beachdan a tha a’ tìghinn a-staigh agus na puingeann a chaithd a thogail a thaobh luchd-teagaisg, bhiodh sinn a’ fàcinn gu bheil na puingeann sin flor. Bha mi fhèin a’ teagast aig aon am, agus airson teagast tro mheadhan an Gàidhlig bha agad ris a h-uile rud a bha ann eadar-theangachadh. Nam biodh co-ionannachd againn ris a’ Bheurla bhiodh na stuthan againn, ach chan eil iad againn. Nan toirt an cothrom do Bhòrd na Gàidhlig an-dràsta, dh’thaoadh iad sùil a thoirt air sin, ach dh’fhêuimadh iad airgead a bharrachd airson a h-uile eisimpleir a tha ann, agus tha beachdan a’ tìghinn bho na daoine fhèin cuideachadh le teagast tro mheadhan na Gàidhlig. Tha cothrom an eile ann cuideachd, le bhith a’ toirt luchd-cuideachd a tha fileanta anns a’ chànan a-staigh dha na sgìrean againn. Ghabhadh dòighean mar sin feininn mu thimchearlain-gàinneadh luchd-teagaisg gu am faighinn sinn seachad air sin.

Following is the translation:

I think that we need that. If Bòrd na Gàidhlig were to examine the matter carefully, including the opinions that have been received and the points that have been made about teachers, it would see that those points are true. I myself was a teacher at one time, and if you are teaching through the medium of Gaelic you have to translate everything. If we had equality with English we would have the materials that we do not have now. If the opportunity were given to Bòrd na Gàidhlig now, it could consider the issue, but it would need more money to do everything that has been mentioned. Teachers themselves have expressed the view that they want help with Gaelic-medium
we have overcome that difficulty. Methods such as those could get around the lack of assistants who are fluent in the language. There are other opportunities too, involving bringing into our schools classroom teaching. There are other bodies such as the universities, the colleges, the General Teaching Council for Scotland and the further and higher education funding council.

Màiri Bremner: Dh’fhèumadh na buidhnean sin uile a bhith a-staigh air, còmhla ri còmhradh sam bith a bhiodh aig Bòrd na Gàidhlig. Cha bhiodh Bòrd na Gàidhlig aach a’-òrdanachadh na feadhainn aig a bheil an t-eòlas air dè tha a’ tachairt ann an saoghal foghlaím.

Following is the translation:

All those bodies would have to be involved, as well as discussions taking place with Bòrd na Gàidhlig. Bòrd na Gàidhlig would co-ordinate only those who have the knowledge about what is happening in the education world.

Mr Macintosh: I have a question for Donald MacDonald. You have children who are aged six and nine. What will happen when they move on to secondary school? What sort of support will there be? Do your children have a view on their Gaelic education future?

Donald MacDonald: Fadaidh mi eisimpleair a thoirt seachadh air sin. Direach an t-seachdain a chaidh, bha mi a’ bruidhinn ri cuideigin a ghluais dhan eilean à Manchester tri bliadhna air ais. Dh’ionnsachadh i Gàidhlig agus tha i fileanta. Tha dithis chloinne aice, agus tha an tè as sine a’ dol a dh’Àrd-sgoil Phort Rìgh. Rinn iad co-dhùnadh, an dithis chloinne aice, gun déanadh an leanabh seoil Beurla an àite Gàidhlig, airson nach robh an atharrachadh agus gum bi iad ann airson ar cuid chloinne.

Following is the translation:

We should be aware that Bòrd na Gàidhlig itself cannot do all that. Bòrd na Gàidhlig would have a specific responsibility for co-ordinating matters, but there are other bodies such as the universities, the colleges, the General Teaching Council for Scotland and the further and higher education funding council.

Lord James Douglas-Hamilton: You have made a large number of points and it would be extremely helpful if you were able to frame amendments before we reach the stage at which we can improve the bill, if you have time to do so.

You have heard evidence about the use of high technology and videoconferencing for distance learning. Do you, too, regard such technology as a useful means of promoting and advancing the cause of Gaelic in areas where only a few people aspire to learn the language and where there may be a dearth of teachers? Can you give the committee and the minister any useful advice on that?

Màiri Bremner: Leis a h-uile cint, feumaidh sinn teicneoladas ùr a chleachdadh. Leis a’ bheagan a thathar a dèanadh mar-thà, tha Gàidhlig a’ dol air feadh an t-saoghail agus tha cothrom aig feadhainn a tha fada agus farsaing air feadh an t-saoghail eisteachd ri Gàidhlig. Mar as motha a ni sinne fheum dhen teicneoladas sin, is ann as fheàrr a tha e. Nì e cuideachadh mòr.

Following is the translation:

We must certainly use the new technology. With the little that is already being done, Gaelic can travel all round the world and people from far and wide the world over have the chance to listen to Gaelic. The more we make use of that technology, the better. It will prove a great help.

Lord James Douglas-Hamilton: Have you any comments on the draft guidance that has been issued? What constitutes “reasonable demand” for Gaelic?

Màiri Bremner: Tha mi fhìn a’ faireachdainn, agus tha mi a’ smaoineachadh gu bheil an còrr a’ dol leam, gum biodh còmhair dh’fheumadh airson na rudan sin bheil mi airson feuchainn air na rudan sin bheil mi airson feuchainn air na rudan sin.
bhliadhna a chaidh seachad le aon phàiste.
dh’fhosgail anns na h-Eileanan an Iar air a’ ceathrar chloinne.
Tha fios agam air aon aonad a mheadhan na Gàidhlig far a bheil iarrtas ann le bheil iadsan a’ toirt seachad foghlam tro na Gaidhealtachd air a dhol sìos bho sin agus gu chloinne, ach tha mi a’ tuigsinn gu bheil Comhairle a’ beachdachadh air iarrtas far am biodh còignear chloinne, ach tha mi a’ tuigsinn gu bheil Comhairle na Gàidhealtachd air a dhol sìos bho sin agus gu bheil iadsan a’ toirt seachad foghlam tro mheadhan na Gàidhlig far a bheil iarrtas ann le ceathrar chloinne. Tha fios agam air aon aonad a dh’hosgail anns na h-Eileanan an Iar air a’ bhliadhna a chaidh seachad le aon phàiste.

Following is the translation:

I personally feel, and I think that the others agree with me, that five people is reasonable. We were thinking about demand from five children, but I understand that Highland Council has lowered that number and is providing Gaelic-medium education where there is demand from four children. I know of one unit that opened in the Western Isles last year with one child.

Lord James Douglas-Hamilton: I want to ask you a question that I asked other witnesses earlier. How would you like the use of Gaelic to be extended in the courts of Scotland? Your answer would help us in our deliberations, although I appreciate that you might require some time to consider in what circumstances the use of Gaelic in the courts would be most appropriate.

Màiri Bremner: Mar-thà, tha cothrom againn Gàidhlig a chealachadh mas ann mar sin a tha sinn ag iarraidh anns a’ chuirth ann an Loch nam Madadh, ann an Loedhahas agus ann am Port Rìgh. Bu mhath leinn gum biodh an cothrom sin air a thòirt ann, ach dh’heumaist obair mòr a dhèanamh a thaobh sin. Mar cuideigin a bha a’ suidhe airbhainn mar bhrìtheamhan, chunnaca mise dè cho riatanach ‘s a tha Gàidhlig, a chionn ‘s gu math tric tha daoine a tha anns a’ chuirth gachach agus tha an t-eagl o rra. Ma gheibhheadh iad cothrom bruidhinn nam cànán fhéin, bhiodh e a’ déanamh feum mòr dhaibh. Iarradh mi air Dòmhnall Màrtainn beagan eile a chur ris.

Following is the translation:

Already we have the opportunity to use Gaelic, if that is what we want, in court in Lochmaddy, in Lewis and in Portree. I would like that opportunity to be included in the bill, but a lot of work would have to be done on that. As someone who sat as a magistrate, I saw just how essential Gaelic can be, because often people who are in court are hesitant and frightened. If they got the chance to speak in their own language, that would be a great help to them. Dòmhnall Màrtainn will say a little more on that.

Dòmhnall Màrtainn: Bheir sinn dhubh am fiosrachadh sin. Chanaillinn dìreach aon rud. Chan eil sinn a faicinn gu biodh iarrtas mòr sam bith airson sin; thu chluich na Gàidhlig cho modhail co-dhìù nach ann tric a bhiodh iad anns na cúirtean. Ach tha e uabhasach cuideachdach gu bheil an cothrom ann do dhuine sam bith a tha a’ dol mu choineimh a’ bhrìtheimh—mar Mhàiri Bremner no duine sam bith eile—no siorram, an cànán a tha iad fhèin air a shon a chleachadh.

Following is the translation:

We shall send that information to you. I would say only that we do not see there being a great demand for that; Gaelic speakers are so well-behaved that they would not often have to appear in the courts. However, it is really important that there should be an opportunity for any person who is going before a magistrate—such as MÀiri Bremner or anyone else—or a sheriff, to use the language of their own choosing.

The Convener: You are a law-abiding lot in the first place.

Dr Murray: In your written evidence, you suggest that the criteria in section 3(3) should be replaced by the need to “take account of the extent to which” the functions of public bodies “should support the development of the Gaelic language and culture within their areas of operation”.

How do you see that working in practice? Your suggestion is more vague—would that not make it easier for bodies to argue against fulfilling their responsibilities?

12:15

Dòmhnall Màrtainn: Airson mineachadh dhubh an doigh air an robh sinn a faicinn an t-suidheachaideach, ghabaidh mi eisimpleir na Pàrlamaid. Dh’antaich a’ Phàrlamaid—agus tha i ri moladh gun do dh’antaich i—gum biodh poileasaideach Gàidhlig ac, agus mar sin tha e comasach dhuinn a bhith a’ cleachadh na Gàidhlig an seo an-diugh. Nam biodh aig a’ Phàrlamaid chòmbhach a dhèanamh, agus mar sin a bhiodh in ann an iondachadh a thoradh an stiùridh a tha anns a’ bhan air-drasta, ma dh’fhaoideachd nach biodh an suidheachad a tha aig a’ Phàrlamaid cho laidir. Chan eil sinn a smaoineachadh gum biodh iad a’ tighinn dhon cho-dhùnadh sin, agus tha sinn a’ smaoineachadh nach leigeadh iad a leas poileasaideach Gàidhlig a bhith ac.

Air sgàth ‘s gu bheil na brìthainn a tha sinn a’ moladh a’ ceangal nan amasan aig a’ bhuidhinn—mar na seirbhisean a tha a’ bhuidheann a’ toirt seachad—ri dé do cho cudromach ‘s a tha a dhàbhsan a bhith a’ gabhal uallaich an cànán a bhrosnachadh, tha sin a’ toirt a-staigh barrachd bhuidhnean agus ga dhèanamh nas fhása do bhuidhnean gabhal ri planaichean Gàidhlig a bhith ac.

Ach tha e uabhasach cuideachdach gu bheil an cothrom ann do dhuine sam bith a tha a’ dol mu choineimh a’ bhritheimh—mar Mhàiri Bremner no duine sam bith eile—no siorram, an cànán a tha iad fhèin air a shon a chleachadh.
We do not believe that if the Parliament had to make an assessment within the guidelines that are provided—with how important it is for the body to have the services ombudsman?

Dr Murray: Your example of the Scottish Parliament illustrates the point that the problem is not where people are willing; it is where people or bodies are unwilling to have a Gaelic plan or to support Gaelic. Do you have any views on dispute bodies are unwilling to have a Gaelic plan or to support Gaelic.

Dòmhnall Màrtainn: Chan eil sinne gu pearsanta a’ faicinn càil ceàrr air an t-suidheachadh a tha an-dràsta air a dhealbhachadh anns a’ bhile, far a bheil a hainministear, aig deireadh an latha, a’ tighinn gu co-duinadh gum biodh Bòrd na Gàidhlig a gabhail ri rud a tha buidheann phoblach ag iarraidh a dhéanamh an àite an rud a bha Bòrd na Gàidhlig a’ sìùleachadh a dhéanadh iad. Tha an hainministear ann an suidheachadh far a bheil e a’ déileigeadh ri tòrr de chuspairean den t-seòrsa seo, agus bidh eòlas anns an roinn air dhè a bhiodh eìfeachadh airson déileigeadh ri sìùleachadh den t-seòrsa sin.

Chan eil sinne gu pearsanta a’ smaoineachadh gum bu chòir neach air leth a bhith ann aig an ire seo. Ma bhios tòrr de dhùilghheadasan ann, is dòcha gum bu chòir dhuinn tighinn air ais thug aig an bhiadhna no dhà, ach chan ann airson toiseachadh. Bu chòir dhuinn direach gabhail ris na structaran a tha againn an-dràsta.

Following is the translation:

To explain to you how we see the situation, I shall give the example of the Parliament. The Parliament agreed—it is to be commended for agreeing—that it would have a Gaelic policy, and that is why we are able to use Gaelic here today. We do not believe that if the Parliament had to make an assessment within the guidelines that are in the bill at the moment, its position would be so strong. We do not think that it would come to that conclusion and we think that it would not have to bother having a Gaelic policy.

Because the wording that we recommend links a body’s functions—such as the services that it provides—with how important it is for the body to take responsibility for promoting the language, it would include more bodies and it would make it easier for bodies to accept that they have to have Gaelic plans.

I shall give another example. According to the wording of the bill, the Western Isles Tourist Board, for example, could come to the conclusion that it did not need to bother with a Gaelic plan, because the majority of people who deal with the Western Isles Tourist Board are not Gaelic speakers but people who come from England and from other parts of Scotland, Europe and the world, and who do not speak Gaelic.

Dr Murray: Your example of the Scottish Parliament illustrates the point that the problem is not where people are willing; it is where people or bodies are unwilling to have a Gaelic plan or to support Gaelic. Do you have any views on dispute resolution? Are you content that the final arbiter should be ministers, or should the final arbiter be a languages ombudsman or the Scottish public services ombudsman?

Dòmhnall Màrtainn: Chan eil sin ann a’ bhile, dh’fhaodadh e a bhith gum biodh Bòrd Turasachd ann Eilean Saur, mar eisimpleir, a’ tighinn gu co-dhùnadh nan leigeadh iad a leas plana Gàidhlig a bhith aca, air sgàth ‘s nach e luchd na Gàidhlig a tha anns a’ chuid mhòr a tha a’ déileigeadh ri Bòrd Turasachd ann Eilean Saur, ach daoine a tha a’ tighinn às Sasainn agus àiteachan eile ann an Alba, anns an Roinn Eòrpa agus air feadh an t-saoighail, aig nach eil Gàidhlig.

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29 NOVEMBER 2004

Mr Ingram: On the face of it, the board with its new functions will supersede a lot of the work that your organisation has done down the years. How do you see yourselves working in association with the new board? Are we going to go down the line that Donald MacDonald talked about, of trying to develop more economic opportunities using Gaelic? How do you see your mission following the establishment of the board and the new regime?

Màiri Bremner: A bharrachd air a bhith an sàs anns na bliadhnaichean a chaith seachadh ann a bhith a’ cur air a dhiathadh ann a bhith a' cur air bhadhadh. Tha mi a’ fearr le foilseachadh aon obair a bhith a’ mheadrainn fhèin, agus a bhith a’ brosnachadh an ìre seo. Tha mi a’ fheumadh a bheil a bhith a’ mheadrainn fhèin, agus a bhith a’ brosnachadh an ìre seo.

Màiri Bremner:

Following is the translation:

May I make a couple of points first? I was reading and listening to the evidence that you took a fortnight ago, including for example the views of Stirling Council, which was on the opinion that it would have to hire a member of staff to draw up a plan. I do not think that that is appropriate, sensible or fitting at this stage. A plan can be drawn up in many ways, and a member of staff does not have to be hired specifically for that purpose. Perhaps it is likely that public authorities that do not want to have anything to do with supporting Gaelic will find excuses, and the biggest excuse they will find, I believe, is that it will cost too much and that they can therefore have nothing to do with it.

We have examples of councils in the south of Scotland coming to an agreement with, for example, Argyll and Bute Council for specific specialist education services. An officer from Argyll and Bute gives advice to those other councils. I think that there are plenty such examples that could be followed.

I am quite certain that the Executive is aware that more money must be put towards Gaelic development. That is no surprise; it often happens. It happened, for example, when the Executive created a national park. When the National Parks (Scotland) Act 2000 went through Parliament, the Executive had to provide money for that. We are aware that what the Gaelic Language (Scotland) Bill will give us at the end of the day means that more public money must be put towards those developments if the thing is to work effectively.

Following is the translation:

As well as being involved in promoting secure status in years gone by, CNAG was greatly involved in attracting teachers. We had an initiative called “Come and teach”, which is still ongoing. CNAG was very much involved in encouraging young people to take up a variety of activities connected to Gaelic. We have also strongly encouraged businesses throughout the community, and we have encouraged the
community to move forwards and make great strides for Gaelic.

I envisage CNAG doing more and more of that kind of work in the years to come. We are currently undertaking a detailed study of CNAG itself, and we shall receive that report at the beginning of next year. We shall be looking at the ways in which we can go forward, but I see a role for CNAG in continuing with and building on the work that it has been doing in addition to encouraging and promoting secure status. I shall ask Dòmhnah Màrtainn, as chief executive, to say more about that.

Dòmhnah Màrtainn: Mar a thuirirt ar cathraiche, tha sin mothaichail gum bì atharrachaidhean anns na diastasanach anagainn. Sin an t-adhòbhar a dh'antaich am bord-stiùridh anagainn gum biodh sgrúadh air a dhèanamh air de na diastasanach a chu bho a bhith air Comunn na Gàidhlig, de na h-amasan a bu chòir a bhith againn agus de na structaran a bu chòir a bhith againn ann a bhith a' lìbhreachadh an rud a tha na buidhnean maoineachaidh ag iarraidh oirnn. Aig deireadh an latha, cha bhi CNAG ann—no buidheann sam bith eile—mura h-eil na buidhnean a tha a' toirt dhaibh airgead deònach airgead a thoirt dhaibh. Chan eil dòigh ann air an urrainn Bòrd na Gàidhlig, aig an ire aig a bheil lad an-dràsta, a h-uile càil a tha mar dhleasamhan orra anns a' bhile a dhèanamh. Mar sin, tha sin a' faicinn gur e an dòigh air am bi an uisdeachadh ag obair gum bi Bòrd na Gàidhlig a' toirt seachad deòrich air Bòrd na Gàidhlig mar CNAG airson iomadaich seirbheis agus pròiseact.

Thairis air na bliadhnaichean, tha Comunn na Gàidhlig cuideachd air a bhith a' faighinn cùmhnant bliadhnhail bho lomairt na Gaidealtaichd sin na Eilean Airson air a bhith a' lìbhreachadh diastasanach lomairt na Gaidealtaichd òran na Eilean a thaobh Gàidhlig agus cultar ann an sgìre na Gaidealtaichd agus nan Eilean. Ma tha lomairt na Gaidealtaichd agus nan Eilean deònach a leantainn air adhart leis an sin, bidh CNAG ann. Mura h-eil, cha bhi, ach tha sinn lèin dochais gum bi, bu chóir dhomh a ràdh.

Following is the translation:

As our chairman said, we are aware that there will be changes in our responsibilities. That is why our board of directors agreed that a study should be done on what responsibilities we ought to have, what aims we ought to have and what structures we should have in place for delivering what the funding bodies ask us to deliver. At the end of the day, CNAG would not exist—and nor will any other organisation—if the bodies that provide the funding were not willing to do so. At the stage that it is currently at, there is no way that Bòrd na Gàidhlig can do all the things that it is charged with doing in the bill. We envisage, therefore, that the way things will work is that Bòrd na Gàidhlig will award contracts to bodies such as CNAG for a variety of services and projects.

Over the years, Comunn na Gàidhlig has had an annual contract from Highlands and Islands Enterprise for fulfilling Highlands and Islands Enterprise’s responsibilities in relation to Gaelic and culture in the Highlands and Islands area. If HIE is willing to continue with that arrangement, CNAG will be there to do it. If it is not, we will not be, but I have to say that I fully hope that we shall.

Donald MacDonald: Anns na bliadhnaichean rì tighinn, bidh obair mhòr rì dhèanamh anns na coimhearsnachdach a thaobh na Gàidhlig. Thairis air na bliadhnaichean a chaithd seachad, airson dìofair adhbharan—cìon luchd-obraich, cìon airigid, ge bith dè an t-adhòbhar a bha ann—chan eil sin air a bhith a’ déanamh uibhir anns a’ chomhearsnachd ‘s a bu thol leamsa faicinn. Tha mi a’ smàoineachadh gum bi obair aig Comunn na Gàidhlig ri dhèanamh anns na bliadhnaichean rì tighinn ann a bhith a’ bhosnachadh na Gàidhlig aig an ire sin. Bu thol leuma cuideachd ceangal nas dluithe agus nas làdirlaith faicinn eadar Comunn na Gàidhlig agus na boidhean poblach—gu h-àrraid na buidhnean iomairt—airson a bhith a’ toirt Gàidhlig a-staigh gu gniomhachasan air feadh na Gaidealtaichd.

O chionn dà bhliadhna air ais, chaithd rannsachadh mòr a dhèanamh air feadh na Gaidealtaichd leis a’ bhòrd turasachd. Nuair a thàinig iad dhan Eilean Sgitheanach, is e an dàrna gearan bhu mhotha a bha aig luchd-turasau mòr dheidhinn turasachd a bhain ean seo cho beag fios a bha aig daoine air an eachdraidh agus an cultar. Tha sin air tachairt air sgàth ‘gu bheil daoine a’ gluasad bho sgìre eile a-staigh dhan eilean seo agus a’ ghabhail thairis gniomhachasan turasachd. Chan eil càil ceàrr air an sin, ach is e an rud a tha againn ri dhèanamh ar cànagn agus ar cultar a chumail beò. Saoilidh mi gu bheil obair aig Comunn na Gàidhlig ri dhèanamh ann sin fhathast.

Following is the translation:

In the years to come, there will be a great deal of work to do in the community in relation to Gaelic. In years gone by, for different reasons—lack of staff, lack of money, or for whatever reason—we have not done as much in the community as I would like to see being done. I think that Comunn na Gàidhlig will have work to do in the years to come in promoting Gaelic at that level. I would like to see a closer, stronger link between Comunn na Gàidhlig and the public authorities—particularly the enterprise bodies—in bringing Gaelic into businesses throughout the Highlands.

Two years ago, a major research project was conducted throughout the Highlands by the tourist board. When it came to the Isle of Skye, the
second most common complaint that tourists had about tourism in this island was how little knowledge people had about the history and culture. That has come about because people move to the island from other areas and take over tourism businesses. There is nothing wrong with that, but we have to keep our language and culture alive, and I think that Comunn na Gàidhlig still has a job to do in that regard.

**The Convener:** I thank Comunn na Gàidhlig for its work over the years. I am a layperson outwith the area, but I have been very aware of the organisation for many years. It has done a tremendous job in helping us to arrive at the present position.

I will play devil’s advocate a little. In the homeland areas—the Highlands and Islands—one can see the arguments for taking particular lines on Gaelic and Gaelic rights. One can see issues in Glasgow, Edinburgh and areas where Gaelic has retreated over the years. However, Dumfries and Galloway Council’s submission says:

“It is essential that the requirements of this legislation do not result in the Gaelic language being artificially imposed on areas where there is little or no demand for it.”

In several parts of Scotland, Gaelic has not just retreated, but has not been part of the tradition in anything like the recent past. On the contrary, some areas have had a solid Scots tradition; Shetland, too, has its own tradition. Given that, is there a case for any exemptions from the bill for such areas? I accept that that is not the central point but, in some such areas, an element of saying, “Do we really have to bother with this?” is emerging. I am interested in your thoughts about that as the Gaelic promotion organisation.

**Dòmhnall Màrtainn:** Chan eil sinn a’ fàcinn gu bheil ciall sam bith ann a bhith a’ comharrachadh a-mach dhà no tri âiteachan nach bu chòir tighinn a-staighd dhan bhile. Tha e a’ dol an aghaidh an rud a tha am Prioirm Mnìstear agus ministearan eile air ràdh mu dheidhinn an cànán a bhith air fhaiscinn mar phàirt de dhualchas Alba—is e sin an rioghachd air fad.

Chan eil teagamh nach eil a leithid de dh’âiteachan ann. Cha’idh Dùn Phris is Gall-Ghaidhealaibh agus Arcaibh a chlachdadh mar eisimpleirean, ach tha mise a’ tuiginn gu bheil còrr is 900 duine a’ fuireach ann an sgìr Dùn Phris is Gall-Ghaidhealaibh a tha ag ràdh gu bheil iad comasach air a’ Ghàidhlig a bhruidhinn, no gu bheil ùidh aca anns a’ Ghàidhlig agus gun urrainn dhàibh a leughadh no a sgìobhadh. Is e deagh air fad a tha sin de choimhearsnachd. Tha fhios agam nach eil iad a’ fuireach còmhla, ach nam biodh iad a’ fuireach còmhla ann an aon àite ann an aon choimhearsnachd, is dòcha gum biodh iad airson a dhol chuin na comhairle agus seirbhisean Gàidhlig fhaighinn. Bhiodh e an uair sin an urra ris a’ chomhairle a inntinn a dhèanamh an àird air robh e comasach dhaibh sin a dhèanamh taobh a-staigh nam pròmhapsasan, am maoineadadh agus na polieasaidhean eile a tha Comhairle Dhùn Phris agus Gall-Ghaidhealaibh a’ cur air adhart.

Tha sinn a’ smaoineadadh gur e an rud as ciallaiche an rud a tha air a mhineadhach anns a’ bhile—gum bu chòir dha na planaichean cánain aig na buidhean poblach gabhail a-staighd dè an ire de sheirbhisean Gàidhlig a bu chòir gach buidheann a thiorat seachadh. Bidh sin a rèir na h-àireimh de dhaoine a tha anns an sgìre agus dè na feumalachdan a tha anns an sgìre sin airson a’ chàin.

**Following is the translation:**

We do not think that there is any sense in stipulating two or three places that ought not to be included in the bill. That goes against what the First Minister and other ministers have said about the language being seen as part of the heritage of Scotland—of the whole country.

There is no doubt that there are such places, and we have heard Dumfries and Galloway and Orkney being given as examples, but I understand that there are more than 900 people in the Dumfries and Galloway area who say that they are able to speak Gaelic or that they are interested in Gaelic and are able to read or write it. That is a fair number for any community. I know that those people do not all live together, but if they lived together in one place and in one community, perhaps they would want to go to the council and to get Gaelic services. It would then be for the council to make a decision based on its priorities, its funding and the other services that Dumfries and Galloway Council provides.

We think that the most sensible thing is what is explained in the bill—that public authorities’ language plans should include the level of Gaelic services that each authority should provide. That will depend on the number of people in the area and the need for the language in the area.

**The Convener:** The representations have come full circle to the European charter, with which we began. Does anyone want to raise anything else?

**Lord James Douglas-Hamilton:** I record our gratitude to Dr Farquhar Macintosh for his spirited intervention on every conceivable occasion in the past 10 years to defend the interests of Gaelic.

**The Convener:** That is a good point on which to finish.

I thank everyone who has given evidence, not least Comunn na Gàidhlig. The session has been extremely useful and the committee has picked up many useful insights and information. If witnesses want to add anything to their evidence, they
should feel free to contact us. I have no doubt that we will have other communications with them during our scrutiny of the bill.

Meeting closed at 12:30.
Present:
Ms Wendy Alexander  Robert Brown (Convener)
Lord James Douglas-Hamilton (Deputy Convener) Fiona Hyslop
Rosie Kane (Committee Substitute) Mr Kenneth Macintosh
Mr Frank McAveety Dr Elaine Murray

Apologies: Ms Rosemary Byrne, Adam Ingram

Also present: Alex Neil

The meeting opened at 9.49 am in Committee Room 8, City Chambers, George Square, Glasgow.

Gaelic Language (Scotland) Bill: The Committee took evidence from—

Panel 1
Dr Michael Foxley, Vice Convener, The Highland Council
Bruce Robertson, Director of Education, Culture and Sport, The Highland Council
Iain Morrison, Vice Chairman, Art and Leisure Committee, Comhairle nan Eilean Siar
Norman Macdonald, Vice Chairman, Policy and Resources Committee, Comhairle nan Eilean Siar

Panel 2
Dawn Corbett, Head of Corporate Policy, Glasgow City Council
Christine Higgison, Head of Primary Schools, Education Service, Glasgow City Council

The meeting closed at 11.53 am
Scottish Parliament

Education Committee

Wednesday 1 December 2004

[THE CONVENER opened the meeting at 09:49]

Gaelic Language (Scotland) Bill:

Stage 1

The Convener (Robert Brown): Good morning and welcome to this meeting of the Education Committee, which is on furlough in Glasgow today. We are pleased to see so many people in the audience, who have come to listen to the evidence and the debate. As we are in public session, will people, including me, ensure that their mobile telephones and pagers are turned off because, apart from anything else, they interfere with the operation of the sound equipment.

We have apologies from Rosemary Byrne and Adam Ingram. Contrariwise, we have in attendance Rosie Kane and Alex Neil, whom I am pleased to welcome. I invite them to declare any interests that may be relevant to the committee’s remit. Do you have any interests to declare, Rosie?

Rosie Kane (Glasgow) (SSP): No, Robert, I have nothing to declare. Unfortunately, however, I will have to leave early because of a meeting on other business this afternoon. I apologise for that in advance.

Alex Neil (Central Scotland) (SNP): I have nothing to declare.

The Convener: It sounds like going through the customs.

We have taking evidence this morning from local authorities, particularly from representatives of Highland Council and Western Isles Council, or Comhairle nan Eilan Siar. I hope that I pronounced that right, but I am sure that I did not. From Highland Council, I welcome Dr Michael Foxley, the vice-convener, and Bruce Robertson, the director of education. From the Western Isles Council, I welcome Iain Morrison, the vice-chair of the arts and leisure committee, and Norman Macdonald, the vice-chair of the policy and resources committee. We have the councils’ written submissions, but we will, as usual, invite the representatives to make introductory comments. We start with Highland Council.

Dr Michael Foxley (Highland Council): I am here as the vice-convener of Highland Council, which is committed to a major revival of Gaelic language and culture—the indigenous language and culture of the Highlands. We face significant challenges in our commitment to Gaelic and we need resources. However, the issue is not just about financial resources, but about political will and the winning of hearts and minds.

Just to give the matter a personal edge, I should say that both my Highland grandparents could read, write and speak Gaelic, as can my wife, who is a Gaelic-medium primary school teacher, and both my children are in Gaelic-medium primary education.

We are looking forward to the Gaelic Language (Scotland) Bill. I think that, in many ways, the future for Gaelic largely rests on the bill and on this committee. The committee of experts in the Council of Europe will be back in Scotland in 14 months. They were critical on their previous visit, but we hope that the situation will have significantly improved when they next visit.

I will sum up what we regard as the advantages of Gaelic. The first advantage is in educational attainment. For example, people who go through Gaelic-medium primary education do better in English than do those who go through English-medium primary education. Speaking Gaelic opens a window to an extremely rich culture, which has been here for 2,000 years. Substantial job opportunities are available through Gaelic not only in the Highlands, but throughout Scotland. Finally and most important, we are committed not only to bilingualism, but to multilingualism. We want bilingualism to lead to people in Scotland in 20 or 30 years being able to speak a number of languages—for example, English, Gaelic, French and Spanish.

Bruce Robertson (Highland Council): Thank you for inviting us to give evidence, convener. I am the director of education, culture and sport for Highland Council. As such, I am responsible not only for advising the council on policy development for the Gaelic language, but for the delivery of a range of aspects on the language. I am responsible for Gaelic in pre-school education, primary and secondary education, and continuing and adult education. I chair a national implementation group on the secondary curriculum, which is charged by the Minister for Education and Young People to develop information and communications technology solutions for the secondary curriculum. I am a member of the General Teaching Council for Scotland and I have been active nationally on the development of different modes of Gaelic teacher training. Gaelic is core business for Highland Council and for me, as director of education, culture and sport. Gaelic is certainly not peripheral for us.

Tormod Dòmhnallach (Comhairle nan Eilean Siar): Bu thoil leam taing a thoirit dhuibh airson a’
Thank you. The committee is four is the appropriate sustainable number of demand for it. In the Highland Council area, relation to education, where there is appropriate words that includes legal status, particularly in example? implications are there for schools and courts, for authorities can deliver at this time? What practical rights agenda? How do they relate to what your views about equal validity, secure status and the mean. The first of those is secure status and equal council, to working with the Executive and Bòrd na Gàidhlig country. We hope that we can look forward, as a foundation of the renaissance of Gaelic. Gaelic is important not just for the Highlands, but come and present our evidence. The subject of which will be beneficial for the Gaelic language. Gaelic-medium education, but perhaps it should go beyond that in relation to legal status and examine the position of Gaelic as perhaps my colleague can amplify that point. school, to working with the Executive and Bòrd na Gàidhlig to bring forward the bill's provisions, which will be beneficial for the Gaelic language.

The Convener: Thank you. The committee is serious about making the best job that it can of the bill. However, we are struggling with getting to the heart of a number of concepts and what they mean. The first of those is secure status and equal validity, which have been requested for Gaelic by a number of witnesses. Particularly with the councils, we want to dig down a little and find out what that means to the reality of providing resources and what is delivered. What are your views about equal validity, secure status and the rights agenda? How do they relate to what your authorities can deliver at this time? What practical implications are there for schools and courts, for example?

Dr Foxley: We want the bill to contain a form of words that includes legal status, particularly in relation to education, where there is appropriate demand for it. In the Highland Council area, appropriate demand is deemed to be four—that is, four is the appropriate sustainable number of children who want to receive a Gaelic-medium education. Other models have been discussed elsewhere—between four and five children, for example. Where there is a sustainable demand for Gaelic-medium education from parents and children within a community, they should have the right to receive it. The costs involved are nothing like as great as some people make out, but perhaps my colleague can amplify that point.

Bruce Robertson: The council deliberated on the issue for some time and, although we are pleased with the bill, we would like it to state clearly at the start that Gaelic has legal status as one of Scotland’s languages. That would be a welcome and powerful statement, particularly from a new Parliament.

Beyond that, the bill considers carefully the issue of Gaelic-medium education. I suggest that there should be some planning between the wording of the bill and the draft education guidance that is being considered just now. A carefully worded line or two is needed in the bill to make a statutory link to the education guidance and, in particular, to the Standards in Scotland's Schools etc Act 2000. Some security for parents needs to be established.

The bill looks at Gaelic-medium education, but perhaps it should go beyond that in relation to legal status and examine the position of Gaelic as an additional language in Scotland, in particular as an additional language in our schools, so that a greater number of young people and possibly adult learners might be in a position to learn to speak the language and therefore grow the foundation of the renaissance of Gaelic.

Tormod Dòmhnallach: Tha sinn dhen bheachd gu bheil a’ Phàrlamaid agus an Riaghaltas ùr a tha againn ann an Alba air an cothrom seo a ghabhall airson neartachadh a dhéanamh air càn an a tha cho sean rì gìn a tha anns an rioghachd againn. Tha sinn a’ coinhead air adhart, mar chomhairle, gu bhith ag obair cómhla ris an Riaghaltas agus ri Bòrd na Gàidhlig airson nan rudan a thathas a’ nochdadh anns a’ bhire a thoirt gu bull. Chan eil teagamh sam bith againn nach bi am bile math dhan chànan agus dhan dùthaich againn air fad.

The Convener: I am now, but I was not before.
that, people should have legal rights with regard to the language. That would be a big step forward, especially in situations such as education, as Dr Foxley said. I think that we need to look closely at the situations where such rights would be implemented and other situations where it is not so easy for that to happen. It is very important that Gaelic should have legal status. Perhaps we are not looking for equality with English at this stage, but if we get rights and the issue is raised, there will be a difference in the way in which public bodies use the language and equality will come through that. We think that that might be the way forward.

iain Moireasdan (Comhairle nan Eilean Siar): Dh’antaichinn ris na thuirt Tormod Dòmhnallach. Bu chòir gum b’ urrainn do dhaoine bruìdhinn na Gàidhlig ma tha iad air a shon. Mar chomhairlichean, tha sinn air a bhith a’ cur air adhart taobh na Gàidhlig airson ionadach bliadhna. Is e rud math a tha ann am Bòrd na Gàidhlig fhad ‘s gum faigh e taic gu leòr bhuainn fhin agus bhon Rìghaltas, gus am b’ urrainn dha dèanamh nan rudan a dh’fheumas dèanamh airson a’ Ghàidhligh a chumail beò.

Following is the simultaneous interpretation:

I agree with Norman Macdonald. People ought to be allowed to speak Gaelic if they want to. As councillors, we have been promoting Gaelic for many years. The bill is a great thing as long as there is support from ourselves and the Executive to do what needs to be done to keep Gaelic alive.

The Convener: We follow clearly the argument that education is central to the matter and my colleagues will pursue one or two points about that, but I would like to stick briefly with the issue of legal status. From what you say, I take it that there is an important distinction between legal status and equal status. Against the background of resource difficulties, can you give me practical and relevant examples of situations in which legal status might have a meaningful impact—I mean things that councils would do through contacts with social work departments or whatever—and of how things could be delivered with the current resource levels for Gaelic translation and so on?

10:00

Tormod Dòmhnallach: Tha eisimpleir gu math connspaideach air a bhith againn ann an cuid a dh’aiteachan thairis air na bliadhnaichean, agus is e sin soighnichean-thraithe dá-chànanach. Tha cothroman ann airson soighnichean dá-chànanach air feadh na dùthcha. Chan eil e a’ déanamh dragh sam bith do dhaoine nuair a thig a thig a-nadh airson soighnichean gan toirt an sin.

A thaobh chosgaisean an lùib sin, ma dh’fheumas ughdarasan ionadail a bhith a’ cur an ãirid soighnichean-thraithe co-dhùi, cha chosg e mòran a bharrachd soighnichean dá-chànanach a chur an ãirid. Bu chòir dhùinn coimhead air sin, chan ann a-mhàin anns a’ Ghàidhealtachd agus anns na h-Eileanan ach a-mach as na sgìrean sin, mar a thathar a’ déanamh anns a’ Chiumhrigh, ann an Èirinn agus ann an dùthchannan eile. Bhiodh sin a’ toirt a’ chànain do aire an t-sluaigh ann an dòigh a tha a’ ciallachadh rud dhaibh agus ann an dòigh a tha folaiseach air fearsan air na dùthcha. Cha bhiodh cosgais mhòr sam bith a lùib sin a bharrachd air na tha e a’ cosg mar-thà. Bhiodh e a’ toirt inbhe dhan Ghàidhligh ann an dòigh a tha a’ ciallachadh rudeigin do dhaoine aig deireadh an latha. Sin eisimpleir eile a bharrachd air foighlam cothrom a thior do dhaoine a bhith a’ cleachdadh a’ chànan dùthchail.

Following is the simultaneous interpretation:

Bilingual Gaelic road signs are a good example from the past few years. There are opportunities for establishing bilingual signs throughout the country. Having such signs does not make any difference for people who have come from overseas if they have maps telling them where places are. Bilingual signage does not put them off. The cost to local authorities of putting up such signs will not be much more than the cost of putting up monolingual signs. We want those signs not just in the Highlands, but throughout the country, which happens in other countries such as Wales and Ireland. Bilingual signs raise the status of Gaelic for the people and mean something to the people in an obvious way. I do not think that much more cost would be involved, and status would be given to the language in a meaningful way. Apart from education, that is another example of giving people the opportunity to use the language.

Dr Foxley: It might help if I give a couple of practical examples of costs from my area. West Lochaber has been involved with the erection of bilingual signage from the mid-1980s. The council’s policy is to erect such signs at times of replacement and the costs are precisely the same in most circumstances as costs for the existing signage. Lord James Douglas-Hamilton will know the area well. Arisaig, Mallaig, Morar and Acharacle are either Gaelic or Gaelic-Norse words with the odd letter of a difference. If signs are replaced on such a model, replacing like for like, additional costs are zero.

There is strong support for a programme of upgrading trunk road signage. Unlike our policy in the council, which is that if there is only one letter different, the original Gaelic will go up, as most people can cope with “Malaig” with a missing “I” or “Mòr” with an accent, the policy of using both
languages—although we are talking not exactly about English, but about anglicised versions—and having much bigger signs will mean that costs are greater.

I turn to education and the example of the small rural primary school in Acharacle, which originally had three teachers. When there was substantial demand initially—in 1992, there were 12 children in the first year—an additional teacher was employed, so the school became a four-teacher school. Over time, it settled down to having two Gaelic-medium and two English-medium teachers. The superficial cost of the unit for two teachers plus support might be significant, but the additional cost of Gaelic medium is one teacher. The resource issues and all the training issues need to be considered, but the specific issues with such examples are relatively small.

The Convener: I want to press you slightly for examples. It is clear that education is central and signage is a fairly obvious matter. In the council's view, are there any other areas in which there will be implications from according legal status to Gaelic?

Bruce Robertson: We need to set the Gaelic language in the community context. For example, if a young person in Acharacle, which Dr Foxley cited as an example, is educated through the medium of Gaelic, when that youngster goes through the school gate, there must be a social and economic context for them in which they can use the language.

One or two people do not understand fully the economic benefits of progressing towards legal status and of having the signage that Dr Foxley and our colleagues from the Western Isles have mentioned. We have examined examples of the economic benefits that Gaelic brings throughout the Highlands. We owe it to the young people throughout Scotland who are educated through the medium of Gaelic to ensure that they have a much better community, social, political and economic context in which to live, grow and prosper by giving Gaelic the status that we feel it deserves.

Tormod Dòmhnallach: Ma choimheadadas sinn ris a thaobh chòrachaean agus a thaobh inbhe laghail, chì sinn gu bheil còrachean aig daoine a thaobh iomadach cuspail eile mar shlàinte is rudan den t-seòrsa sin air feadh na dùthcha. Tha beachd ann ma tha an aon chòir aig daoine gum bi an aon ire de sheirbhies aca a thaobh slàinte air feadh na dùthcha, ach chan ann mar sin a tha e. Tha mi a’ smaoineachadh gum bu chùir dha na còrachean a thigeadh tro inbhe laghail airson na Gàidhlig a bhith, anns an aon doigh, a rìr nam feumalachdan ann an àiteachan sònraichte agus gum biodh e a rìr dè ghabhadh a líbhreachd le buidhnear sònraichte anns a’ choimhearsnachd.

Chan eil mi a’ smaoineachadh gu bheil eadar-dhealachadh sam bith ann.

Tuigidh mi gu bheil daoine iomagaineach mach duine inbhe laghail a bhith aig Gàidhlig anns na cùirtean nuair a thèid daoine gu lagh. Nam b’ urrainn do dhúine ann an àite sam bith anns an rioghachd a ràdh gu bheil iad airson fainn a thoirth seachadh ann an Gàidhlig, tuigidh mi gum biodh daoinne draghail dà-rìribh nuair a thoigh tìr iomadhach an lùib sin, ach chan ann mar sin a leigeadh a leas a bhith. Tha mi a’ smaoineachadh gu bheil e a rìr nam feumalachdan a tha ann agus a rìr dè tha reusanta, agus tha mi a’ credisinn gum biodh Bòrd na Gàidhlig agus an Riaghaltas fhèin gu mòr an lùib dè bhios ceart agus cothromach anns an t-seagh sin.

Following is the simultaneous interpretation:

We should consider the issue in terms of rights and legal status. People throughout the country have rights on many other issues, such as health. There is an opinion that the same level of health service should be available throughout the country, but the situation is not like that in reality. The rights that come through legal status for Gaelic should be similar; they should be given according to the needs of different places, groups and communities and according to what is available.

People are worried about the legal status of Gaelic in court. It should be possible to give evidence in Gaelic in court. People are worried that that will be costly, but it does not need to be. The rights should be different, depending on the needs in different places. Bòrd na Gàidhlig and the Executive will be greatly involved in deciding what is right and proper on that issue.

The Convener: Before we move to other issues, do members have any more questions on rights and secure status?

Dr Elaine Murray (Dumfries) (Lab): I have a question about education. The draft Gaelic-medium education guidance that the Executive produced this year states that authorities that are in receipt of a Gaelic-specific grant should set out

“A commitment to deliver Gaelic medium education as an entitlement at pre-school and primary wherever reasonable demand exists.”

You have argued that the term “reasonable demand” ought to be defined in the bill rather than be left to local authorities to interpret as they feel appropriate in their local circumstances. In my area, Dumfries and Galloway Council does a lot to support the Scots language, which has many historic and cultural links with the area. The council is concerned that if it is required to put more resources into Gaelic, that will dilute some of the resources that it provides for measures to support Scots. Let us say that there are four
children in the region who want Gaelic-medium education. Given that you want to beef up the bill, what argument would you present to my colleagues in Dumfries and Galloway that those children should be entitled to that education?

Bruce Robertson: We recently responded to the consultation on the draft guidance and we have provided copies of the response to the committee clerk. Our response indicates that we would advise the Parliament and the Scottish Executive that it would be remiss of them to leave it for councils that are in receipt of Gaelic-specific grant to draw up language and educational plans. That would leave an opportunity open, right from the first base, for councils that do not wish to recognise the bill to do nothing. There is an important decision to be made on the Gaelic authorities should prepare plans.

In relation to reasonable demand, we have stated in our responses to the consultation on the draft bill and the draft guidance that a link needs to be made between the two documents. Highland Council has interpreted reasonable demand as four pupils. However, far more important than the need to provide a raw figure is the need to look at local circumstances. For example, if there were four pupils but absolutely no youngsters in pre-school looking to enter primary and secondary education in a local community, the claim for reasonable demand would not be well founded. There needs to be a carefully worded analysis of what reasonable demand is. Highland Council would be happy to forward some detail on that to you, if that would help.

The Convener: It would be very helpful if you were able to do that. Thank you.

Bruce Robertson: We also suggest that there is a need to recognise—I return to what Dr Murray said about Dumfries and Galloway—the differences between locations such as the Western Isles, the Highlands and Argyll and Bute and areas of Scotland where Scots or Doric is the chosen language. We would not say that Gaelic must be taught at all costs and against all other languages; there needs to be a first step. In this case, that is about Gaelic, but I would like the Parliament to recognise the rights of other languages in Scotland. That is extremely important.

Tormod Dòmhnallach: Feumaidh sinn sgaradh a dhéanamh eadar fothglam tro mheadhan na Gàidhlig agus Gàidhlig mar dàrna cuspair, no Albais mar dàrna cuspair. Tha eadar-dhealachadh mòr eadar an dàrú. Bhithinn a dhùchas gum bi togail air an obair a thathas a dhéanamh a thaobh Gàidhlig agus a thaobh nan cànanan eile ann an Alba. Chan eil mi a smaointeachadh gu bheil sin a ciàllachadh gum biodh am bile a toirt ghoireasan air falbh bho chànan no cuspair-foghlaim sam bith eile le bhith a toirt Gàidhlig air adhart, mar dàrna cuspair no mar fhoghlafram tro mheadhan na Gàidhlig. Tha an inbhe agus an stòras gan cur gu fhoghlafram choilinn co-dhiù.

Following is the simultaneous interpretation:

We should make the distinction between Gaelic-medium education and the learning of Gaelic or Scots as a second language. There is a big difference between the two. Children learn no matter what language they receive their education in: that is a different subject. As Mr Robertson said, we ought to consider not just Gaelic, but other languages. However, the bill is about Gaelic only and I hope that the work that has been done regarding Gaelic and other languages will be built on. I do not think that the bill means that resources will be taken away from any other language to provide Gaelic-medium education or the opportunity to learn Gaelic as a second language. The funding is being put into children's education anyway.

Dr Murray: I would like the representatives of Highland Council to expand on something that they say in their evidence. Your written submission states:

"Responsibility for the delivery of Gaelic education should remain as it is and not sit with the Bòrd."

What particularly is your concern regarding the bòrd?

Bruce Robertson: We have one or two concerns. First, is the bòrd, as it is currently constituted and staffed, in a position to do anything other than advise on Gaelic developments? I suggest that it is not. It is certainly not in a position to assure the quality of education delivery. Secondly, it is important to retain Gaelic in the main stream of education policy. If there is a suggestion that the bòrd would have a responsibility for quality assurance, strategic development and overseeing the delivery of Gaelic, that would put Gaelic out on a limb compared to many other subject in the school curriculum. For Gaelic, that would be dangerous.

Highland Council suggests that there is a good, productive role for the bòrd in drafting the Gaelic language plan, advising on the nature of Gaelic education developments and overseeing the plans that councils will submit. However, the day-to-day operational delivery and quality assurance needs
to be left to the local authorities, Her Majesty's Inspectorate of Education and a range of Government bodies such as Learning and Teaching Scotland and the General Teaching Council for Scotland. We must not ghettoise Gaelic education and we must be aware of the danger that that might happen.

10:15

**Tormod Dòmhnallach:** Tha mi ag aontachadh gu ire mhòr ris na thuirt Mgr MacDhonnchaidh. Bu chóir an t-aon uallach a bhith air an Riaghaltas, mar a thuirt Mgr MacDhonnchaidh. Ged a shaoileas mi gu bheil e ceart gum bi uallach a bhith a' dèanamh an dleastanais a thaobh bhith a' dèanamh cinnteach gu bheil ùghdarrasan ionadail a' coinionadh an dieastanais a thaobh foghlaim tro mheadhan na Gàidhlig agus foghlam 'Gàidhlig, tha mi a' smaoineachadh gu bheil còir aig an uallach a bhith aig an Riaghaltas, mar a thuirt Mgr MacDhonnchaidh.

Following is the simultaneous interpretation:

I agree. At the end of the day, the responsibility for Gaelic should be the same as the responsibility for education in general. I think that it is right that the bòrd should have some responsibility. Local authorities have to fulfil their duties, but the Executive should have responsibility at the end of the day.

**Dr Murray:** You have raised a number of issues around access to Gaelic-medium education, adult learners and Gaelic as a second language. Do those matters need to be dealt with in the bill or are they matters for guidance?

**Dr Foxley:** They are matters for on-going guidance and development. On Dr Murray's earlier question, reasonable demand is an issue that we have discussed at length in the Highlands. We would be greatly concerned about having the bill define reasonable demand. To come back to the original question, if there is one family in your area that wishes to access Gaelic-medium education, I do not think that anybody would say that that was reasonable demand. However, if parents in the area have voluntarily set up a playgroup and are looking to expand into Gaelic-medium education and we are talking about fairly significant numbers—perhaps 20 or 30 children using the service over a period of time—I think that most people would see that as being reasonable demand.

I would also have a problem with defining reasonable demand in the bill because of an issue with which we are struggling in the Highlands, which relates to the small primary schools in areas where, despite the fact that there are still a substantial number of indigenous Gaelic speakers, the roll of the one or two-teacher school may not be high enough to lead us to expect that there would be around four Gaelic-speaking pupils a year. Furthermore, as you can imagine, in a school that size, with just one or two teachers, there is an issue about whether one would have two composite classes of primaries 1 to 7, with one being taught in Gaelic and one in English.

The part-time Gaelic-medium education pilot scheme that is running in Kilchoan is in its third year and we are examining other models. We would have concerns about making a hard definition of reasonable demand and saying that there should be at least five children who wish to be taught in Gaelic. As I said earlier, bilingualism and multilingualism bring benefits and Scotland should be encouraging that.

**Bruce Robertson:** One of the weaknesses of the consultation on the bill and on the draft education guidance is the fact that having Gaelic as a second language has not been recognised as presenting a huge opportunity for development across Scotland.

We regularly consult parents in the Highlands. A few weeks ago, we finished a round of consultation in which we asked parents for their views on Gaelic-medium education and on teaching Gaelic as a second language, in the same way as French or Spanish are taught. There was huge interest in and commitment to the latter option.

If we are to arrest the decline in the number of people speaking Gaelic and grow a base on which the language can flourish, the opportunity of enhancing the language by teaching it as a second language in schools, adult education centres and evening classes should not be undervalued and I strongly recommend that we consider that carefully. There is a huge opportunity, not just in traditionally Gaelic-speaking areas, but throughout Scotland.

**The Convener:** It is about supporting the hinterland.

**Iain Moireasdan:** Tha sinne gu math fortanach anns na h-Eileanan Siar, oir faoaidh a’ chlann a dhol dhan chròileagan tron Ghàidhlig an toiseach, agus an uair sin dhan sgol, far am faigh iad a’ Ghàidhlig tron sgol. Ach saoilidh mise gu ann nuair a thèid iad dhan àrd-sgoil a bhios iad a’ leigill seachad Ghàidhlig agus a’ dol air ais dhan Bheurla a-rithist. Feumaidh sinn feuchainn ri rudeigin a chur a-steach dhan àrd-sgoil airson toirt orra a bhith a’ bruidhinn na Ghàidhlig.

Following is the simultaneous interpretation:

We are fortunate in the Western Isles, because children can be educated through the medium of Gaelic at pre-school level and when they start
school. However, when they attend secondary school they tend to revert to English. We need to take action at secondary education level to encourage pupils to speak Gaelic.

Fiona Hyslop (Lothians) (SNP): The Highland Council submission makes a fundamental point about the principles of the bill when it emphasises the quality of education. The submission says that the Standards in Scotland’s Schools etc Act 2000 should be amended. The witnesses from Highland Council might want to consult their legal department on this point, but do they think that in order to secure a strong basis in the 2000 act we might need to reconsider the bill’s long title, which refers to the bòrd’s ability to issue guidance? Section 9 is confused, as you say. Do the witnesses think that, if section 9 is to be broadened to cover all Gaelic education, it should exclude Gaelic-medium education? What is your view on the bòrd’s ability to determine guidance on basic education through the medium of Gaelic, given that it will not necessarily include education specialists?

Bruce Robertson: I will consider your first question, which raises an interesting issue. There is a danger that the Gaelic Language (Scotland) Bill is running in parallel with proposals to make further definitions in relation to the 2000 act, as I said. Highland Council thinks that at the minimum there should be a statutory link between the two pieces of legislation. I do not know how that might be done; we can take advice and I am sure that the committee will do so too. My professional view is that it would have been better if the bill had been all-encompassing. However, we must work within the limitations of the 2000 act. It would be a fundamental error and a lost opportunity if no connection were to be made between the bill and the 2000 act.

Dr Foxley: We will take up Fiona Hyslop’s offer and speak to our legal department about a form of words that might cover the situation, if that is helpful.

Tormod Domhnallach: Tha mi a’ smaoineachadh gun aontaich sinn gum bu chòir ceangail gu math dìuth a bhith eadar Achd Inbhean ann an Sgoiltean na h-Alba etc 2000 agus am bile air a bhail sinn a’ bruidhinn an-diugh, agus bhiodh e na b’ fheàrr nam biodh tòrr a bharradh anns a’ bhile mu fhoghlam. A thaobh comas a bhith aig Bòrd na Gàidhlig comhairle a thoirt dhan Riaghaltas a thaobh ghnostaichean foghlam, bhiodh e gu math farasta dhan bhòrd sin fhailghinn, oir tha eòlaichean gu leòr air feadh na dùthcha a thaobh foghlaim agus leasachadh cànan. Bhiodh e comasach gu leòr dhan bhòrd an t-eòlas sin fhailghinn mas e’s gum biodh stòras agus maoineachadh ceart aig an-wor thion sin a dhéanamh. Chan eil teagamh sam bith agam mu dheidhinn sin.

Following is the simultaneous interpretation:

We agree that there should be a link between the bill and the 2000 act. There should be a lot more about education in the bill. Fiona Hyslop asked whether the bòrd should give advice; that should be quite straightforward as long as the bòrd has the resources and the money to allow it to do that. The bòrd will be quite familiar with the country and its needs.

The Convener: I am told that people at the back of the room are having difficulty hearing the proceedings. I am sorry about that; the acoustics are not as good as they might be. Perhaps we could all raise our voices a little so that the sound penetrates to the back of the room. The Gaelic interpreters in the booth are telling me that they would appreciate that too.

Lord James Douglas-Hamilton (Lothians) (Con): I have a question about videoconferencing. It was mentioned in earlier evidence that reasonable demand constitutes four pupils. If you had one, two or three pupils—perhaps in the south of Scotland—would you be willing to support working up the use of high technology? The minister said in evidence to us that he was interested in that and I understand that a working group of his officials is working on it. It might be possible to provide opportunities that do not exist at present. Would you be willing to co-operate with that and have input in the process?

Bruce Robertson: I chair the group to which you refer, which is a national secondary curriculum implementation group. The minister has asked us specifically to advise him on the preparation and delivery of a range of materials using new technologies. It goes back to the point that my colleague from the Western Isles made: there is a reasonable foundation for Gaelic-medium education in primary school, but there is not the same opportunity in secondary schools.

Recently we agreed to commission a number of pieces of work in the social subjects in the secondary curriculum based on the new technologies, including videoconferencing. We in Highland already use videoconferencing between schools. Gaelic is one of the subjects for which we use it, but we also use it for subjects such as Spanish. It can be a useful vehicle, and the examination passes are normally very good. Again, we need to put a number of things in place relating to the nuts and bolts, such as timetabling and ensuring that a teacher is in place. Videoconferencing is part of the solution.

Online learning opportunities are a major part of the solution, but parents will tell you that such a way of working can never replace the one to one between a teacher and a pupil. Once an online secondary-based curriculum is in place, a protocol
must also be in place to ensure that there is a subject specialist at the other end of the technology to advise the young person. If one person in Mallaig High School is doing advanced higher physics through an online learning package, they will need a physicist to advise them on the scientific issues and somebody to help them with the language. The technology on its own is not the solution; it is part of a package.

Tormod Dòmhnallich: Tha cothroman sònraichte ann a thaobh teicneolàis agus bidh na cothroman sin ann ann an àm ri teac. Thatha a’ cleachdadh nan cothroman sin cheana, chan ann a-mhàin airson a’ chànanach ach airson leasachadh a dhèanamh air an astar a tha eadar daoine gus daoine a tharraing ri chèile. Tha cothroman ann sin a dhèanamh airson Gàidhlig is foghlan tro mheadhan na Gàidhlig is foghlan Gàidhlig anns an fharsaingeachdach. Mar a tha am bann leathanach ga libhrigeadh a mach air feadh na dùthcha, is ann as fhéarr a bhios an teicneolàis agus is ann as motha a bhios cothroman ann.

Ach feumaidh sinn cuimhneachadh gu bheil taic ri chur ri pàrantan na cloinne, a bharrachd air a’ chloinn fhèin, nuair a tha an clann ac a’ dol tro fhoghlam, gu sònraichte foghlan tro mheadhan na Gàidhlig. Is e dòigh eile a bhith a cur taic ri pàrantan a bhith a’ cleachdadh an teicneolais sin, a tha an ire mhath anns a’-hile uile dachaigh an-dìugh. Chan eil againn ach togail air sin. Tha cothroman sònraichte ann an-dìugh nach robh ann a-riamh roimhe seo.

Following is the simultaneous interpretation:

There are certain opportunities as far as technology is concerned. Those opportunities are being used already not just in relation to language but in order to overcome the distance between places. There are opportunities as far as Gaelic-medium education is concerned and in education in general. The more the technology is distributed throughout the country, the better. Also we have to remember that parents have to be supported as well when children are going through education, particularly Gaelic-medium education. Such technology is another way of giving parents support. The technology is in every house nowadays and we ought to pick up on that. There are opportunities that never existed before.

The Convener: Support for the parents is an important point.

Mr Kenneth Macintosh (Eastwood) (Lab): I want to ask a couple of questions about teacher supply and training, which you have highlighted in your submissions and which have been highlighted elsewhere as well.

On the issue of quality of teaching, we had the opportunity to visit Portree Primary School and Portree High School. I went into the infants class at the primary school and it was impressive to see non-Gaelic-speaking children in a totally Gaelic environment understanding everything that the teacher was saying. I was equally impressed by how good the teacher was. As the father of a primary 1 pupil, it is worth commenting that I was impressed not only with the quality of the Gaelic but with the quality of the teacher. I think that her name was Mrs Mac Donald.

Teacher supply and training are not covered by the bill, but it is clear from your evidence and the other evidence that we have heard that they are crucial to the future growth and survival of the language. Will you comment on the work that has been done to address teacher training and supply and the problems that you face? What more could be done?

10:30

Dr Foxley: Teacher training and supply have been, and still are, critical issues. The place to start is the careers service—that does not require additional resources. I circulated a leaflet that we produced about career opportunities in Lochaber—I hope that it reached the committee. We produced that leaflet because there was no information available in the local careers office, apart from an excellent general guide that was produced by Comunn na Gàidhlig. The careers service needs actively to go out and promote the job opportunities that are detailed in that small leaflet. Those opportunities are significant, given the growth that has taken place in recent years and the potential for great expansion in the future but, to be frank, that promotion is not happening. Children in high schools and primary schools—and, importantly, their parents—are not being advised that if they are able to speak two languages their chances of a good, secure, well-paid job in the Highlands are substantially greater. We would like that simple message to go out, and we have been trying to get it out for a number of years. That work is about using existing resources better.

On primary education, Bruce Robertson will talk in more detail about the training initiatives that are under way, but we have been saying for years that the potential to produce up to 20 teachers per year is grossly inadequate. Some research that we did two or three years ago showed that we need to produce at least 30 teachers at primary level. The situation at secondary level is, frankly, a national disgrace. At the committee’s meeting on Monday morning, members heard from Norman Gillies of Sabhal Mòr Ostaig. He was with me at a meeting in Morar in 1994, after the primary unit was established there, when we highlighted the need, for secondary teachers at Mallaig High School. Ten years on, there are no Gaelic teachers at that school, and I must share part of the blame for that
failure. The Gaelic-medium unit at Morar is a spectacular success, accounting for 80 per cent of the roll in that primary school, but there is no follow-up when pupils move on. There are ways to deal with that, and over lunch I spoke to Norman Gillies about what Sabhal Mòr Ostaig can do. With a limited amount of resources, in the form of finance and manpower, it could roll out courses as of next summer.

This year, Lews Castle College has finally managed to produce a course. Three years after the announcement by the then minister, it has finally received the funding and resources to deliver the course. That is three years in which opportunity was lost. Some rather negative evidence was given on Monday morning about the impossibility of this work, but all that is needed is the provision of training locally—I will ask Bruce Robertson to come in on primary schools—and links with places such as Lews Castle College and Sabhal Mòr Ostaig, where one can get immersion. We are trying to get teachers who are Gaelic speakers to transfer to Gaelic-medium education, to get teachers who have no Gaelic to learn the language and to deal with all the variations in between. The task is not as Herculean as is made out, but we need to face it.

Before I finish, I emphasise a point that Bruce Robertson made. There is a lot of dependence on videoconferencing and IT but there must be human beings at the other end: a specialist adviser and someone who can speak Gaelic. We have had one or two failures in which the videoconferencing links and technology have worked fine but there has not been anybody at the other end to help the pupils to learn. In such cases, pupils end up sitting in front of a television like robots. We must twin-track the two issues and work with the universities and so on promote Gaelic teaching, those potential teachers will be lost. Let us not miss out on the good opportunity that we have.

**The Convener:** All the little boys and girls whom we met at Portree Primary School wanted to be Gaelic teachers. That is all to the good.

**Bruce Robertson:** Let us sign them up.

**Tormod Dòmhnallach:** Tha a’ chaidh fheidhann a chaidh tro fhoghlam tro mheadhan na Gàidhlig a-nis a’ rùghinn na ñ-ire far a bheil iad fhèin a’ coimhead airson an èòin a dhèth chànan. Tha sinn an dòchas gun tèid cuibhreann a' chaidh tro fhoghlam tro mheadhan na Gàidhlig. Ach, mar a bhruaidhinn sinn na bu tràithead, tha aon rud ann a tha a’ toirt dith misneachadh fiù ’s do chloinn a tha a’ dol tro fhoghlam tro mheadhan na Gàidhlig anns a’ bhun-sgoil. Chan eil a chlann air am bogadh anns a’ chànan eadar 12 bhliadhna dha’aois, nuair a ruigeas iad an árd-sgoil, agus an ire far a bheil iad a’ dol dhan oilihgh. Tha mi a’ smaoineadhach gur e sin am beàrn as motha an-dràsta. Nam b’ e ’s gum faighheadh daoine misneachadh aig an ám sin, bhiodh tòrr a bharrachd a’ dol an sàs ann a bhith a teagasg tro mheadhan na Gàidhlig. Is e an trioblaid a bhiodh mòran fhoghlam tro mheadhan na Gàidhlig. Feumaidh sinn brosnachadh agus misneachadh a thoirt dha daoine gu bheil na cothroman mòra sin ann.
Following is the simultaneous interpretation:

The first ones to go through Gaelic-medium education are now reaching the stage at which they want to teach, and I hope that a good proportion of them will be involved in teaching. As was mentioned earlier, it is discouraging that, when they reach high school at the age of 12, they are not immersed in the language until they go to university. The biggest gap is between 12 and their leaving school. It would be very encouraging if more were involved in teaching. The lack of teachers for Gaelic-medium education is a problem throughout the country. We must really encourage people to realise that there are big opportunities there.

Mr Macintosh: The draft bill was not designed to deal with Gaelic education, which has been added to the bill as introduced. Should we amend the bill again or possibly even suggest that some funding be diverted? I am not saying that the bill again or possibly even suggest that some opportunities there.

Bruce Robertson: I deliberately used the expression that the lack of teacher supply is the “biggest single obstacle” that the Gaelic language faces. I think that there should be a fairly strong statement about that. I go back to the 2000 act. If, through the consultation process that is continuing at the moment, there could be a link between teacher supply and that piece of legislation, that would be very helpful for all of us.

Tormod Dòmhnallach: Nuair a chaidh an dreachd bhile a-mach gu conailtradh, cha robh ionramadh sam bith air foghlam ann. Mar sin, tha sinn mothachail agus taingeil gu bheil an Riaghaltas air sin a ghabhail a-steach an dèidh na h-ionairt moire a chaidh a dhèanamh. Bhithar a’ faireachdainn nach robh an achd 2000 a’ collionadh na bha daoine a’ smaoinneachadh a b’ urrainn dhi a thaobh na Gàidhlig. Bhiodh e math nan gabhadh ceangal a dhèanamh eadar am bile agus an achd 2000, gu sònraichte a thaobh a bhith a’ trèanadh luchd-teagainisg, agus nan robh maoinneachadh agus stòras a chur ann a réir sin.

Following is the simultaneous interpretation:

When the draft bill came out for consultation, there was no mention of education and we are very thankful that the Executive has taken the matter on board. People did not recognise that a great effort has been made on that issue. It would be very good if a link could be made between the bill and the Standards in Scotland’s Schools etc Act 2000, especially on the issue of teacher training funding.

Dr Foxley: The Council of Europe report, for which a committee of experts came over to Scotland in January 2003, says: “The options for Gaelic chosen by the UK under articles 8 (1) (a) to (c) are the most ambitious available”.

Moreover, the report points out that “Gaelic is a particularly endangered language, and Gaelic-medium education is seen as crucial to its survival” and that the undertaking for primary and secondary education has been “only partly fulfilled”. Indeed, it was found that, in secondary education, there was a “considerable lack of consistency and substantial gaps” in Gaelic provision and that the “overwhelming majority of Scottish schoolchildren learn next to nothing about Gaelic history and culture, a failure that tends to lead to reinforcement of the” most “damaging negative stereotypes presented” sometimes “in the mass media”.

The report’s key point is: “The shortage of trained teachers ... constitutes a substantial barrier to language maintenance ...”

The committee of experts will return in January 2006.

I am not sure whether all the aspects that we have been discussing should be in the bill; however, there are limits to what Highland Council and our colleagues in Comhairle nan Eilean Siar can do. We were hoping that, through the committee, the Scottish Parliament would send out a message to bodies such as the careers service and the universities that they should take the issue seriously. In the past, people who wanted to undertake teacher training very often had to leave their home and family and go to Jordanhill College of Education or the University of Aberdeen. We think that demand can be met if we can overcome what might be called a funding glitch, provide not spectacular but relatively limited resources to roll out training courses locally and promote Gaelic-medium education as a career opportunity. We would appreciate the committee’s assistance in delivering that.

The Convener: I am very surprised to hear that all the courses at the Nicolson Institute are taught in English. Is there no Gaelic-medium secondary education in the Western Isles?

Tormod Dòmhnallach: Is e glè bheag, mas e càil idir, a tha ga dhèanamh mar fhoghlam tro mheadhan na Gàidhlig anns an ard-sgoil. Thathas
The other allied matter is whether Nuair a tha a' Phàrlamaid a' Does Western Isles Council chance of success in the Parliament. out clearly if such amendments are to have any bill, because those issues will need to be thought amendments on proposed improvements to the you wish to reflect on it, send us draft helpful if you could say a little bit about that and, if the members be directly elected. It would be understand that it has been requested that half of suggested that members of the bòrd should have ethnic diversity and that Sabhal Mòr Ostaig should take account of experience, culture and Isles requested that the bòrd appointments system appointments criteria? We note that the Western feel that the bill should set out any particular question about the bòrd, the criteria for appointments and the form of elections. Do you wish to comment on that now?

Lord James Douglas-Hamilton: I have a question about the bòrd, the criteria for appointments and the form of elections. Do you feel that the bill should set out any particular requirements for direct elections and the appointments criteria? We note that the Western Isles requested that the bòrd appointments system should take account of experience, culture and ethnic diversity and that Sabhal Mòr Ostaig suggested that members of the bòrd should have a communicative knowledge of Gaelic. Moreover, I understand that it has been requested that half of the members be directly elected. It would be helpful if you could say a little bit about that and, if you wish to reflect on it, send us draft amendments on proposed improvements to the bill, because those issues will need to be thought out clearly if such amendments are to have any chance of success in the Parliament.

10:45

Dr Foxley: Do you want us to comment on that now?

Lord James Douglas-Hamilton: Perhaps you could say a little, and we can await your proposals in due course.

Dr Foxley: If the bòrd has eight members it will be somewhat small and will not reflect certain important key interests. I am thinking in particular of people who are Gaelic learners who, in a large way, will be the future, rather than native Gaelic speakers. There is also the key constituency of the church.

A lot of developmental issues are involved. Although it is important that the bòrd consists of Gaelic speakers, we do not see that as an overwhelming factor, because the key to the survival of the Gaelic language is ensuring that developmental issues are tackled head on successfully. The other element that has been discussed by us as a council is that as well as having appointments to quangos, we should have direct elections to them. We will come back on that in more detail if it would help.

Lord James Douglas-Hamilton: To have some chance of success, all the implications will need to be thought through, which I am sure you accept.

Dr Foxley: The other allied matter is whether the roles and functions of existing Gaelic organisations need to be reviewed as Bòrd na Gàidhlig becomes more important after the bill is passed. We have looked at elements of that.

The Convener: Does Western Isles Council have anything to say on that?

Iain Moireasdan: Nuair a tha a’ Phàrlamaid a’ cur bòrd sam bith air bhonn, mas e Bòrd na Gàidhlig no bòrd eile, tha daoine an-còmhnaidh a’ fhaighneachd carson a chuireadh an duine sin no an duine seo air a’ bhòrd. Nan robh taghaidhean ann airson a’ bhùird, dh’fhaoadadh daoine fhaoicinn gun robh làmh aca ann an cò a bha air a’ bhòrd agus na bha iad a’ dol a dhèanamh.

Following is the simultaneous interpretation:

When the Parliament sets up a board—not just Bòrd na Gàidhlig but any other board—people ask, why was that person elected to the board? If people are elected to boards, at least we have a say in who is on them.

The Convener: It would be useful if you could elaborate your thoughts on important issues such as who the electorate would be. That could be done later, if you want to think about it.

Lord James Douglas-Hamilton: I have questions on another issue. I understand that Western Isles Council has suggested that all public bodies should produce language plans. Could you comment on that? What is your view of the opinion of Dumfries and Galloway Council, which called for flexibility?

Tormod Dòmhnallach: Tha sinn a’ cur taic ris a’ bheachd gum bu chóir dileananas a bhith air a h-uile buidheann phoblach plana-cànan Gàidhlig

Following is the simultaneous interpretation:

There is very little. Gaelic is taught as a subject like any other subject, but there is great trouble with the Gaelic medium in high school. We have to find a solution to the problem, but the situation has existed right from the very start. The campaign for Gaelic-medium primary education, which we are starting to see the fruits of, has not followed through to high school. We need more resources and more equality at high school level, but that raises more complex questions.

Lord James Douglas-Hamilton: I have a question about the bòrd, the criteria for appointments and the form of elections. Do you feel that the bill should set out any particular requirements for direct elections and the appointments criteria? We note that the Western Isles requested that the bòrd appointments system should take account of experience, culture and ethnic diversity and that Sabhal Mòr Ostaig suggested that members of the bòrd should have a communicative knowledge of Gaelic. Moreover, I understand that it has been requested that half of the members be directly elected. It would be helpful if you could say a little bit about that and, if you wish to reflect on it, send us draft amendments on proposed improvements to the bill, because those issues will need to be thought out clearly if such amendments are to have any chance of success in the Parliament.

10:45

Dr Foxley: Do you want us to comment on that now?

Lord James Douglas-Hamilton: Perhaps you could say a little, and we can await your proposals in due course.
Having read what Wendy Alexander said about this matter, I should say that we do not want money to be spent on a vast pile of plans that would just gather dust on shelves in local authorities and public agencies. If there is a fairly rational approach, consisting of a range of templates, it should be much easier for a Gaelic speaker or an equal opportunities officer in an organisation to take roughly appropriate templates from elsewhere and adjust them accordingly. That is the way in which we see the process developing.

Dr Murray: Concern was expressed in the Finance Committee about the possible cost of the plans. As both of your organisations have already produced draft plans, perhaps you could provide us with some costings.

Alex Neil: The bill makes provision for public organisations to produce language plans, and there is an issue about the powers over bodies for which Westminster reserves responsibility. However, many of the non-governmental organisations in the private or profit-making sector and in the voluntary sector will be of greater importance in this regard than some of the public agencies will be. For example, some charities could carry information in Gaelic as well as in English, even if they do not produce a language plan. Similarly, you have mentioned road signs, but much road-maintenance work is now done by private organisations such as Amey. It might be possible to impose a contractual obligation on such companies to have signs in Gaelic.

Do you think that the börd should have wider grant-giving powers to facilitate charitable organisations’ adoption of a Gaelic language plan or production of signage and documents in Gaelic?

Bruce Robertson: I know that the phrase “voluntary sector” covers a huge range of bodies, but, increasingly, it, working in partnership with local government, local enterprise companies and so on, is delivering services on our behalf through service-level agreements. In the Highlands, a prime example of that is in pre-school education.

Alex Neil: Is it in your language plan that provision for Gaelic will be built into service-level agreements as a matter of course?

Bruce Robertson: I was coming to that. Highland Council is quite clear that service-level agreements and contracts that are issued by the departments of the Scottish Executive should contain the sort of commitment that you are talking about. Further, I think that Bòrd na Gàidhlig is well placed to carry out an advisory role in that regard. Your question is a good one and I think that the issue needs to be considered in the final legislation.
Dr Foxley: To give another example, Highland Council has a service-level agreement with HOST, to which we were giving £500,000 a year, part of which was for the promotion of Gaelic language and culture in leaflets. However, the response has been somewhat patchy at times.

I circulated to members some examples where we have used Gaelic—both the language and cultural links—such as for the Sunart oakwoods initiative. It is not about blind duplication of the two languages; it is about giving a sense of place through the leaflets. With a formal body such as HOST, it should be possible to state in the service-level agreement that we expect there to be an appropriate measure of Gaelic language and culture, as Bruce Robertson described; then it is up to the private businesses that are part of the tourism group. Places such as Ireland and certain parts of Canada make a great deal of the sense of place, and a significant segment of the tourism market is interested in going to such places. Whether private businesses want to take advantage of that is down to them, but we certainly feel that where public funding goes in, the responsibility should be there. That is one of the areas in which Bòrd na Gaidhlig would see us being active.

The Convener: What was the public body to which you referred? Was it HOST or something like that?

Dr Foxley: HOST is the Highlands of Scotland Tourist Board.

The Convener: Thank you.

Tormod Dòmhnallach: Chan eil cus agam ri chur ri sin.

A thaobh nam buidhnean saor-thoileach, tha mi a' smaoinneachadh gum bu chordh dhaibh taic fhaghinn airson na h-obrach a dh'fheumas iad a dhèanamh airson Gàidhlig a dhèanamh mar phàirt den obair aca. Gu math tric, feumaidh iad sin a dhèanamh airson iomadaich cuspair eile co-chdhiù. Mar sin, chan eil mi a' smaoinneachadh gum bi uallach mòr sam bith ann dhaibh. Chan e gin dhe na buidhnean saor-thoileach nach fheum gabhail a-steach co-ionannachd agus iomadaich cuspair eile nuair a tha iad a' sìreach taic bho bhuidhnean poblach airson na h-obrach aca anns an fharsaingeachd.

A thaobh na roinne priobhaidaich, tha mi a' dol le Dr Foxley gu bheil buannachd mhòr ann dhan roinn priobhaidaich ann a bhith gan ceangal ann an suidheachaidhean far a bheil e freagarrach dhaibh plana-càinain a bhith aca. [Briseadh a-steach.]

Following is the simultaneous interpretation:

Voluntary bodies ought to get support for the work that they have to do in relation to Gaelic, which they often have to do, with other things, on their own. That should not be the case. All voluntary bodies should get support when they seek to support public bodies in the general work that they do. As Dr Foxley said, it is a great advantage if the private sector can link up with that work where it is possible for it to do so. [Interruption.]

The Convener: Sorry. The interpreter is finding it difficult to hear Mr Macdonald. I ask him to speak into the microphone.

Tormod Dòmhnallach: Tha mi ro fhada air falbh bhuaithle. Tha mi an dòchas gum bi seo nas fheàrr.

A thaobh nam buidhnean priobhaidaich, ma chi iad gu bheil buannachd gu bhith ann dhaibh, thig iad gu math aithghearr an sàs ann an gnothaichean Gàidhlig mar a tha a' tachairt ann an dùthchannan eile. Chan eil teagamh sam bith mu dheidhinn sin.

Following is the simultaneous interpretation:

If private bodies see that there will be a benefit for them, they will quickly join up as far as Gaelic is concerned. There is no doubt that that happens in other countries.

Ms Wendy Alexander (Paisley North) (Lab): I will ask a couple of questions about funding. The suggestion of templates that are heavyweight, middleweight and lightweight is a helpful one. I assume that the £10,000 estimate in the financial memorandum is for a lightweight language plan. However, I do not want to pursue that issue.

Are the bill and the new draft education guidelines likely to have implications for other funding streams, such as the Gaelic-specific grant? How should the committee think through those issues?

Bruce Robertson: The Gaelic-specific grant is well established in Scotland; I suggest that, to a certain extent, it is too well established. It would be wise, as part of the development of Gaelic, for Bòrd na Gaidhlig and the Scottish Executive to examine the whole basis of the Gaelic-specific grant, which should be aligned closely to the plan of a local authority or agency.

Highland Council has been proactive in developing Gaelic across the piece, not only in education—although it is clear that education is the biggest spender. The council is in receipt of just under £1 million of specific grant, but we spend £2.7 million on Gaelic. That is our decision. It would probably be wise to review the rationale of the specific grant, align it to plans and take a view on the difference between development funding and core funding.
Mr Frank McAveety (Glasgow Shettleston) (Lab): I have a brief supplementary to Wendy Alexander’s question. She mentioned the status of language plans—heavyweight, middleweight, lightweight, and so on—and the cost figures. When it was suggested that £10,000 might be at the lighter end, the witnesses from Highland Council looked puzzled. It would be helpful to get an approximation of the cost; I know that we will get the detail. We have had submissions from local authorities in which they have suggested that the cost of preparing the language plans will be excessive—even though it will represent only a miniscule percentage of their overall budget. It would be interesting to find out what you think.

I have a further wee supplementary about connecting language plans to outcomes. Over the years, the Gaelic-specific grant has not necessarily had the kind of outcomes that one would have hoped it would have. How do we obtain new developments from those grants? Some guidance on the cost of that would be useful. What might the incentive for existing teachers to retrain as Gaelic-medium secondary school teachers look like—both the incentive to them as individuals and the materials that would be required? That is not absolutely core to the bill, but it would be helpful if we could explore that issue in the context of the wider financial implications.

The Convener: The witnesses are getting some homework to do after the meeting. I hope that they can get back to us on some of the issues.

Bruce Robertson: Indeed, we can. In 2002, I conducted a survey across all local authorities in Scotland and I have some statistics from that. I can update those from the management review group, which is a national group in which all local authorities come together.

The Scottish Executive is committed to having 53,000 teachers in post by 2007. The figures that we are talking about pale into insignificance in comparison to the cost of that. There are major issues for the General Teaching Council for Scotland, as well as for local authorities and the Executive, in providing incentives and in establishing parity with other areas of the school curriculum in which there are shortages. There are some difficult issues for us to tease out.

The Convener: The specific issue is the lack of Gaelic-medium education in secondary schools. I remain surprised that, in Stornoway, in the Western Isles, there is no Gaelic-medium secondary education to any significant extent. We saw some in Portree and there is some in Glasgow, but there is clearly a big gap. Any observations on how we might fill that gap would be useful.

Ms Alexander: I have a supplementary question, which is another request for written evidence, building on what Ken Macintosh said about the supply of teachers and thinking through the financial implications of the bill.

Uniquely, your two authorities have a sense of parental demand for Gaelic-medium education. You also have a definition of “reasonable demand” against which to measure that parental interest, and knowledge of how many people are currently teaching in Gaelic. The 2003 workforce survey suggests that there are only 153 Gaelic-medium primary school teachers and 26 Gaelic-medium secondary school teachers in the whole country. You might be able to quantify for us the gap that exists—at least, in your areas—between the number of teachers at primary and secondary levels and the supply that might be needed to meet “reasonable demand”, according to the definition that you discussed earlier. That would be helpful.

Both councils have mentioned the importance of creating routes for existing teachers who have Gaelic to retrain as Gaelic-medium teachers and of having available a range of teaching materials that would allow them to make the transition.
Dr Foxley: We will come back with the exact figure, but Bruce Robertson and I both thought that the initial cost of preparing the plan amounted to a few thousand pounds—between £2,000 and £5,000, roughly—of officials’ time, but we will flesh that out. On top of that is the cost of implementing the plan. In an area in which there is little or no interest in Gaelic-medium education, because the numbers are not there, implementing the plan might just be a question of having available more books that are written in Gaelic in the library. There will be a range of costs.

It would be useful to have evidence from an authority that believes that there is little demand in its area on what it thinks it could reasonably supply. For example, Highland Council and our predecessors both at district and regional level were promoting Gaelic long before we had a Gaelic development officer—it was just part of other officials’ responsibilities. If that was the case in Highland until relatively recently, many authorities will not need to employ a Gaelic development officer; promotion of Gaelic should just form part of the role of existing officials and services. It will take up their time, so it will have a cost, but Bruce Robertson and I will do a bit more work on that and come back to you with specifics and on what we think about implementation. As with the teachers situation, I think that much of the issue is to do with displacement and substitution; the cost will be much less than some people fear.

The Convener: I am conscious of time. I assume that Western Isles Council can supplement that information from its point of view, although it is perhaps fair to say that Mr Robertson’s other role gives him a wider perspective.

Tormod Dòmhnallach: Tha sin ceart.

Cha leig e a leas a bhith a’ cosg a leithid de mhìltean dha buidheann phoblach airson plana-càinainn Gàidhlig na lùib, gun chosgaisean mòra a bàidh a’ chalair. A dh’aindeoin ‘s gu bheil sinn air a’ chuid mòr den mhadainn a bhios a' bruidhinn air Gàidhlig. Cha d’fhéadfadh a h-àiteadh ann far a bhith a bhith a bhith air. Bheir sinn a' chùlachadh mionaideachd sin air ais dhan chomataidh.

Following is the simultaneous interpretation:

That is correct.

I do not think that it will cost any public body thousands of pounds to implement a Gaelic plan. Much of the creation of a Gaelic plan has to do with people who are already in place and in work—they have a duty to create strategies and plans. We will come back to you with evidence on that.

The Convener: There are a few issues that we must deal with as we wind up. Frank McAveety has an important question.

Mr McAveety: Many of the submissions that we have received have been about the need to understand not just Gaelic’s role as a language, but the role that it plays in culture and in expressions of identity and self-worth. Some of the submissions have had different tones.

My question follows up on the committee’s visit to Skye. It is about how we operate the system in practice. In addition to the lack of provision, there is the challenge of the context in which people are able to use the language, which faces not just children of secondary-school age. Both councils have submitted views on broadcasting. Although that is a reserved matter, the fact that the spend falls within the Executive budget means that there is an opportunity to consider digital development. Will you explore that further?

For the record, I express my appreciation of the poetic sensibility of Western Isles Council’s submission, which refers to a "national Gaelic policeman sent out by the Executive to browbeat recalcitrant organisations to sing from the Gaelic hymn sheet."

I thank you for that, notwithstanding the mixed metaphors and my bitter experience of being chased from playing football by Gaelic policemen on the streets of Glasgow 30 years ago. How does broadcasting relate to cultural expression? How might one discuss the bill assist in further opening up the debate that Executive ministers need to have with UK ministers?

The Convener: Thank you for that quick question.

Tormod Dòmhnallach: Tha mi duilich, ach tha eagal orm nach bi an fhreagairt càil nas giorra.

Thairis air na 30 bliadhna bhon a stèidhicheadh Radio nan Eilean, mar a thòisich e, agus Radio nan Gàidheal mar a tha e an-dìugh, tha craoladh air eadar-dhealachadh mòr a dhèanamh ann an coimhearsnachd aghus ann an saoghal na Gàidhlig. A dh’aindeoin ‘s gu bheil sinn air a’ chuid mòr den mhadainn a chosg a’ bruidhinn air Gàidhlig ann am foghlam, cha bhi Gàidhlig mar chànan maireannach no coimeasachd mòr a bhfeidhich air sinn féin a bhfeidhich air chòrd mòr den mhadainn a’ chosg ann a bhfeidhich air sinn féin. Feumaidh an cànan a bhith stèidhichte anns a’ stèidhicheadh anns a’ chòrd mòr den mhadainn a bhfeidhich air sinn féin a bhfeidhich air sinn féin.

Thairis air na 30 bliadhna bhon a stèidhicheadh Radio nan Eilean, mar a thòisich e, agus Radio nan Gàidheal mar a tha e an-dìugh, tha craoladh air eadar-dhealachadh mòr a dhèanamh ann an coimhearsnachd aghus ann an saoghal na Gàidhlig. A dh’aindeoin ‘s gu bheil sinn air a’ chuid mòr den mhadainn a chosg a’ bruidhinn air Gàidhlig ann am foghlam, cha bhi Gàidhlig mar chànan maireannach no coimeasachd mòr a bhfeidhich air sinn féin a bhfeidhich air sinn féin.

Feumaidh an cànan a bhith stèidhichte anns a’ stèidhicheadh anns a’ chòrd mòr den mhadainn a bhfeidhich air sinn féin a bhfeidhich air sinn féin.

Gun teagamh sam bith, bidh telebhisean digiteach againn air feadh na dùthcha ann am beagan bhliadhnaichean. Bheir sin cothroman sònraichte a thaobh craoladh tro mheadhan na Gàidhlig na lùib, gun chosgaisean mòra a
bharrachd na dh’heumas a bhith air a chur an sàs ann co-diù. Feumar tòiseachadh a’ beachdachadh agus ullachadh a dhèanamh airson sin an-diuigh.

A’ dol air ais dhan chuspair air an do bhruiddhinn sinn roimhe mu dheidhinn ciamar a bheirear misneachadh do dhaoine a tha a’ cleachdadh a’ chàinain, tha craoladh tro mheadhan na Gàidhlig a’ toirt chothrom an sònraichte mar-thà dhaibh airson am beòshlaint a dhèanamh agus taic a chur ris an teaghlachean. Tha an dà chuspair cudthromach dha-rìribh. Ge air bith dè an dòigh anns an tèid a dhèanamh, feumar rèiteach a dhèanamh air an sgaradh a tha ann an-dràsta eadar Riaghaltas Lunnainn, air a bheil an t-uallach airson cumhachdan craolaidh, agus Riaghaltas na h-Alba, air a bheil an t-uallach airson a’ mhaoineachaidh. Feumar dòigh air choreigin air sin a rèiteachadh.

_Following is the simultaneous interpretation:_

I do not think that the answer will be any shorter.

In the 30 years since Radio nan Eilean—Highland radio, as it is called today—started, broadcasting in general has made a great difference at community level in the Gaelic world. We have talked about education a great deal, but Gaelic will not last in education alone; it must be based in the community and strengthened in the culture.

Broadcasting is important to Gaelic development. There is no doubt that, in a number of years, digital television will be broadcast throughout the country and will provide special opportunities for Gaelic broadcasting without incurring huge costs. We need to think about that today and prepare for it from now.

To return to the need to encourage people to use Gaelic, there are already opportunities for people to make a living in Gaelic broadcasting. We need to settle the split between the broadcasting powers that are in London and those that we have in Scotland.

_Bruce Robertson:_ There are two dimensions to this; I will talk about the wider dimension. There is a wonderful Gaelic cultural renaissance among young people in the Highlands and Islands—it is now cool to carry a fiddle. The fèisean movement has been enormously successful in bringing genuine interest and activity in Gaelic culture. As a consequence of that, it is leading scores of young people to make a living in Gaelic broadcasting. We need to think about that today and prepare for it from now.

_Tormod Dòmhnallach:_ Chan eil beachd làidir againn air sin. Gu ire, mar a thuirt sinn cheana mu dheidhinn ballrachd Bòrd na Gàidhlig, is dòcha nam biodh rud beag a bharrachd neo-eìsimileachd ann gun dèanadh sin a’ chuíos.

_Following is the simultaneous interpretation:_

I do not have a strong opinion on that. We were talking before about the membership of Bòrd na Gàidhlig and perhaps it would be better if there were a bit more independence there.
more detail your proposal for greater incentives for adult learners? We have heard a lot about funding for education authorities and the like, but do you have specific ideas for providing greater incentives to adult learners?

Secondly, the economic benefits were mentioned earlier, and I think that you suggested that you had assessed some of the economic benefits. It would be helpful if you could say a brief word about that and supply us with some additional follow-up.

Bruce Robertson: What we had in mind was the sort of incentive that would take a fluent speaker back into a full-time learning environment. We know that there are many fluent speakers who cannot travel, because of their circumstances, to urban centres such as Glasgow, Edinburgh and Aberdeen to further their training. One of the incentives that we could give them, to help them to grow in confidence, would be to help them to access training. Similarly, Government-sponsored agencies such as Careers Scotland could take proactive steps to encourage adult learners into Gaelic. Finally, people could get advice about the job opportunities that such learning might open up to them. That is the sort of thing that we had in mind for people who want not simply to go to an evening class to learn the language—we are not talking about that—but who want career and economic benefits through lifelong learning experiences.

Dr Foxley: Perhaps I can answer the question about economic benefits by giving a couple of examples. The figures for vacancies always surprise me. At present there are 21 jobs in Lochaber, and they are all well-paid permanent jobs. There are eight vacancies and 50 opportunities coming up. In any other context, that would be a major economic initiative. That is one of the messages that we need to get out.

The committee was at Sabhal Mòr Ostaig on Sunday night and Monday morning. I think that, without Sabhal Mòr, the Sleat peninsula would be a backwater of holiday homes, and there would not be too many of those either.

There is a wider point that we should consider. I have been a doctor now for more than 30 years, but I was astonished by the ability to absorb language that my first child had at the age of two—it was quite remarkable. He is a bright kid, but he is not exceptional in any way, and I was able to throw in a bit of French as well, with my poor O level. If we are able to train people so that they have a multilingual brain at an early stage, they might leave Gaelic-medium primary school or a primary school where they have learned Gaelic as a subject and go out into the world and spend the rest of their lives in South America, but their ability to pick up Spanish so that they can work there will be far greater, and their economic opportunities will also be much greater.

I will leave you with one little fact that I learned at Sabhal Mòr at lunch time. I found out from Sabhal Mòr researchers that people from ethnic minorities are more likely to speak Gaelic and to send their children to Gaelic-medium education. In fact, the Chinese Scottish population has almost double the percentage of Gaelic speakers that the white Scots population has. The same is true in the Indian and Pakistani communities, although there it is not so strong. The issue is the ability of people from such backgrounds to understand the benefit of multilingualism. I feel strongly that we need to pursue that in Scotland, because it will give us an edge over the rest of the UK, which, frankly, just shouts at everybody louder in English.

Tormod Dòmhnallach: Dh’aontaichinn ri sin cuideachd. Chan eil teagamh sam bith ann, agus thathar a’ gabhail ris air feadh an t-saoghal, gu bheil comas cánain sònraichte aig clann òg suas gu naoi no 10 bliadhna a dh’aois. Leis gu bheil iad ag ionnsachadh cánain ann dòigh nach ionnsaich inbhirh, tha mi a’ smaoineachadh gu bheil cothrom sònraichte an aig an àm sin.

Ach tha cunnart ann cuideachd, gur dòcha gum faigh a’ chlann dìth misneachd nuair a thèid iad dhan àrd-sgoil mura tèid togail air sin agus mura h-èilear a’ leantainn air adhart leis an oidhirp agus leis an fhoghlam a fhuir a’ iad. Gun teagamh, tha a’ chlann a tha a’ dol tro fhoghlam tro mheadhan na Gàidhlig a’ soirbheachadh anns a h-ule cuispair nuair a ruigeas iad ire àrd-sgoil agus ire oilitheadh. Chan eil teagamh sam bith nach iad cothroman cosnaidh sònraichte aca aon uair ’s gun tòisich iad a’ dol an sàs ann an gnìomhachas sam bith, ge air bith am biodh iad a’ cleachdadh Gàidhlig no nach biodh.

Following is the simultaneous interpretation:

I agree with that. Throughout the world, it is accepted that children up to nine years of age have a special ability to learn language in a way that adults cannot. There is an important opportunity at that age, but there is also a danger that kids might be discouraged when they go to high school if there is no continuity in the effort to educate them through Gaelic. There is no doubt that Gaelic-medium kids succeed in all subjects at high school and university and will have exceptional career prospects, whatever language they use.

The Convener: Thank you very much. Although the session went on for rather longer than we had intended, it was very useful. The evidence that we received was good stuff. We are grateful to the representatives of Western Isles Council and Highland Council for giving us their time this morning. We will take account of your evidence in
our deliberations on the subject. We have given you a number of homework items, and I would be grateful if you could come back to us as quickly as you can reasonably manage on the substantive requests that have been made.

We were going to take a two-minute break, but the clerks are anxious for us to press on, as some people have to leave us shortly. We will quickly change panels.

I welcome—without the benefit of headphones in this instance—the representatives of Glasgow City Council. We are pleased to have with us Dawn Corbett, the head of corporate policy, and Christine Higgison, the head of primary schools for the city’s education service. We are keen to take the perspective that you can share with us on your Gaelic-medium primary school units and secondary school unit. Perhaps Glasgow City Council can be described—only in this context, I hasten to add—as a middleweight authority.

Do you want to say anything to kick things off? If so, I ask you to be reasonably brief. I think that we have not received a written submission from you.

Christine Higgison (Glasgow City Council): No, our evidence came through our policy and resources committee as part of the council’s response to the consultation on the draft bill.

As the convener said, I am the head of primary schools in Glasgow and have responsibility for the development of Gaelic-medium education in the city. The two main council departments that deal with Gaelic are our education services and cultural and leisure services departments.

Glasgow has been heavily involved in Gaelic-medium education since the time of Strathclyde Regional Council, which was the first council to set up a Gaelic-medium primary unit and, subsequently, a secondary unit. When Glasgow City Council came into being in 1996, parents asked us to look at the further development of Gaelic-medium education. Working in conjunction with an advisory group, we produced a development plan that took account of pre-five, primary, secondary and adult education. In addition, our cultural and leisure services department provides for adult learners and works with An Lòchran to develop the cultural facilities in the city.

Dawn Corbett (Glasgow City Council): Christine Higgison has covered education and cultural and leisure services. If the bill becomes an act, there will be wider implications for the council.

In the previous evidence-taking session, there was a lot of discussion about the costs of the plan. I have tried to look at some of the costs that could arise outwith education services, although I do not underestimate the difficulties of doing so. Obviously, the content of the plan will to some extent be determined by the resources that are available. Therefore, it was rather like estimating the length of a piece of string, but I have brought some information, which may or may not be of assistance to the committee in identifying what the costs would be. The only guidance that we have so far is in the financial memorandum, which lays out the core components of a Gaelic plan. It suggests a cost of up to £20,000 for each authority for signage and letterheads. We can incorporate changes to letterheads with minimal cost by changing them incrementally. However, I understand from colleagues in land services that in 25 locations throughout Glasgow a major route comes into the city and there is a sign indicating that it is Glasgow. If we replaced those signs for the purposes of promoting the language, that would cost between £20,000 and £25,000.

The financial memorandum states that up to £10,000 will be available for letters, press notices and advertising. The council’s budget for recruitment and public notices is £2 million per annum. There is also to be an allocation of up to £10,000 for printed translations and interpretation at meetings. It is hard to gauge what the demand for that will be, but at present it is negligible. So far this year, we have had four requests for translated information about council services—for the district court, the registrar’s office, environmental health services and one other that escapes me. We generally receive about half a dozen requests for translation per year. Based on the cost of dealing with those requests, if that number went up to 100, it would cost about £10,000. That does not give a lot of clarity, but it gives the committee an idea of where the council’s responsibilities outwith education might lie.

The Convener: The witnesses from the Highlands and Islands made much of the need for a rights-based approach—they talked about equal validity, secure status and so on. The Gaelic community in Glasgow is significant, although it is obviously not as dominant as it may be in the Western Isles. What is your view on secure status and equal validity in the Glasgow context? Do you attach any meaning to those words? What would you have to do and take into account?

Christine Higgison: A considerable number of people with a Gaelic background live in Glasgow. The city was a traditional area of employment for people from the Highlands and Islands in past years. There are also people who have an interest in developing Gaelic as an indigenous language and who would therefore support the request for secure status for the language. However, Glasgow City Council has a policy of inclusion and must respond to the needs of the many people from other ethnic minority groups who live and work in the city. Therefore, we would still need to take...
account of people whose first language is Urdu, Punjabi, Chinese or whatever. The number of asylum seekers in Glasgow has increased the number of languages and cultures in the metropolitan environment. Nevertheless, the Gaelic language must be regarded as an indigenous language in Scotland. While we need to provide for other languages and cultures, they are not in danger of dying out throughout the world, which is the difficulty with Gaelic in Scotland. Therefore, Glasgow City Council supports the desire for secure status for the language because of the need to keep the language living.

**The Convener:** Do you support the call for what might be described as equal validity with English, which has overtones beyond those of the call for secure status?

**Christine Higgison:** As we made plain in our response to the consultation on the draft bill, the council supports the call for equal status.

**The Convener:** To come back to where we began, what does that mean in practice in Glasgow? We can see some of the implications for education services, which we will come to in a moment, but what about other services?

**Christine Higgison:** Obviously, Glasgow is not the same kind of environment as those in the Western Isles and the Highlands. We would give opportunities to people within the city who requested that status. However, there would be implications for every council service if they were to respond to requests for any correspondence to be dealt with in Gaelic. That would have considerable implications for the city, but it is nevertheless the will of those whom we have consulted through the Gaelic advisory group that the council should support secure status.

11:30

**The Convener:** Is that the view of the council as well as of the Gaelic advisory group? Does the council have a policy?

**Christine Higgison:** I do not think that we have a policy. We commented on the Gaelic Language (Scotland) Bill during the consultation.

**Dr Murray:** What was your reaction to the draft guidance that was issued by the Executive in September this year? The guidance says that those “authorities in receipt of the Specific Grant for Gaelic education should set out ‘a commitment to deliver Gaelic medium education as an entitlement at pre-schools and primary wherever reasonable demand exists’”.

How does Glasgow City Council interpret the phrase “reasonable demand”?

**Christine Higgison:** Glasgow City Council has developed pre-five and primary education considerably during the past eight years. We had the Gaelic-medium unit and we have been able, until now, to meet the demand from any parent in the city—or from some of the councils outside the city that might have asked for only one or two children to receive education through the medium of Gaelic. As a result, we were asked to develop an all-through Gaelic school. The primary school opened about four years ago with a pre-five unit, and so far we have been able to take in all the children for whom a place has been requested.

We have reached the stage at which, to continue to provide that education, we will need to be able to provide other accommodation for the pre-five and primary elements. We have other pre-five elements throughout the city and, at the moment, we can meet the demands of any parent who wants pre-five education for their child. There is sufficient space within the secondary education unit, but we are doing a consultation exercise on a school for pre-five, primary and secondary education, or an all-through school. The council is considering that at the moment and the matter will go to committee in a couple of weeks. We will then get the views of elected members on the results of that consultation.

We are happy to provide for any parent who wishes their child to be educated through the medium of Gaelic at any of those levels. That is what we wish to maintain. The authority is in receipt of Gaelic-specific grant, which we have used to develop Gaelic-medium education from a small unit. In 1996, there were about 70 pupils in the primary unit and there are now about 171 in the primary school; there were no places for children in pre-five education and there are now 100 part-time pre-five places. We have also continued to develop secondary education needs in Hillpark Secondary School.

**Dr Murray:** Some respondents to the consultation suggested that the bill should give a specific right to Gaelic-medium education. What are your views on that? From what you have said, it does not sound as though you would have a great problem in fulfilling that at present.

Should the bill include other measures to support Gaelic, such as support for adult learners and for Gaelic as a second language?

**Christine Higgison:** Support for adult learners is made available through the cultural and leisure services department and through a Gaelic-specific grant. In the past, about three or four secondary schools in the city had demand from Gaelic learners for the teaching of Gaelic as a second language, but since the development of Gaelic-medium education in Glasgow, we have not had that demand. We have considered the implications for Gaelic language in the primary school, which is the equivalent of modern languages.
Our difficulty is that we do not have sufficient staff to teach through the medium of Gaelic. Other local authorities throughout the country would also find it difficult to provide education through the medium of Gaelic. As my colleague said, there are implications not just for financial resources, but for human resources in terms of how many teachers are available. If we go ahead with the all-through school approach in Glasgow, that would enable schools in other authorities in west central Scotland to access the benefits of Gaelic-medium education for their children. That might be a way of supporting other local authorities.

**The Convener:** I think that I am right in saying that the secondary Gaelic-medium unit that I visited teaches only certain subjects, rather than the whole curriculum, through Gaelic.

**Christine Higgison:** That is right. That is one reason why parents have requested an all-through school that will develop Gaelic-medium education across more subject areas. Moreover, the children in Gaelic-medium education cannot access the full curriculum in English-medium education because they must take two to three periods a week to develop their Gaelic. The fluency issue for children is such that they are heavily involved in developing their Gaelic when they are in primary. However, if that is not continued beyond primary, their Gaelic stagnates. Their development must be kept going and the best way of doing that is to use Gaelic to teach other subject areas.

The difficulty lies in having enough subject specialists who can teach their subject through the medium of Gaelic. We have had difficulty in recent years in recruiting such teachers. We feel that that situation may be about opportunities for career development for secondary teachers. The provision of an all-through school in the central belt may encourage people to regard Gaelic-medium education as a way not only of continuing career development, but of helping to enhance the development of children’s Gaelic education.

**Mr Macintosh:** Although its path has not been difficult, Glasgow City Council should be praised for its development of Gaelic-medium education. Glasgow is at the forefront, because it had the first Gaelic-medium primary school and it now has the first Gaelic-medium secondary. That is fantastic, particularly because Glasgow is outside the Gaidhealtacht.

I want to pick up on the point about the rights and status of Gaelic. Has Glasgow City Council had difficulty in interpreting individuals’ rights to access services from the local authority through the medium of Gaelic?

**Christine Higgison:** I am sorry, but I am not clear about that.

**Mr Macintosh:** Perhaps a couple of examples that we heard in evidence will help. We heard about people not being able to register in Gaelic with the Driver and Vehicle Licensing Agency and to get a licence with their name in Gaelic. We also heard that the Royal Mail has refused to issue stamps in Gaelic. It is obvious that you have a well-developed Gaelic education policy that can meet demand throughout the city, but are there other areas along the lines that I have indicated that have caused interpretation difficulties?

The examples that I gave illustrate the point about Gaelic having equal status. The issue is not just about providing a blanket of security by sending out the message to the Gaelic community that Gaelic has a future, but about people’s rights when they ask a local authority for services through the medium of Gaelic. Has that aspect ever been a practical problem?

**Christine Higgison:** Not as far as I am aware. One of the things that the council realised when it responded to the consultation paper on the bill was that, if the bill achieved secure status for Gaelic, the council would have to accept its responsibility to respond to people who wished a response in Gaelic. The council has accepted that it would have to develop such provision. Again, as well as having financial implications for the council, that would have resource implications. I appreciate that my colleagues from Highland Council talked about having Gaelic development officers in the council already, but that is because their council serves an area in which there is a great demand for Gaelic from the local population. Glasgow City Council is aware that it would have to develop its approach if the language were to be given secure status. Dawn Corbett might want to add something.

**Dawn Corbett:** I cannot think of a specific instance of a practical problem arising and I do not recollect a discussion in that context in relation to the bill. However, we have responsibilities under the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000. An ethnic group can have cultural and linguistic characteristics, so if someone required a service in Gaelic we would have to bear those responsibilities in mind.

**Mr Macintosh:** I just wanted to explore the practice, as opposed to the potential for difficulty. What difficulties do you face in supplying teachers to meet the demand for Gaelic-medium education? Perhaps you do not have any difficulties.

**Christine Higgison:** We do not have particular difficulties at the start of a new session, because we now take on probationers, which has been a tremendous help. We try to encourage probationers where necessary and we are happy to offer them primary school posts. That approach ensures that we do not lose people who come
through Gaelic training. Before probationers had the opportunity automatically to take up a post for the year after they completed their course satisfactorily, they would look for any job and if they found one in English-medium education they might well be lost to Gaelic-medium education. We have worked with other authorities in the west central belt to try to ensure that probationers are given opportunities. Given the growth of Gaelic-medium education in Glasgow, we have been able to take on the people who have been seeking posts.

However, outside that window or during the year when we need supply teachers to cover absences it is almost impossible to find people—there are just not enough of them. At secondary level, it is almost impossible to find anyone outwith Gaelic history or geography. The social subjects appear to be the areas in which most of those graduates are qualified, so it is very difficult to find someone to teach mathematics, chemistry or computing, for example.

Mr McAveety: Eight or nine years ago, when you embarked on the strategy, could you see its potential? A key message in the submissions of a number of folk is that Gaelic is an opportunity rather than a burden. How do you deal with the questions that might be raised in the city about the language development needs of other ethnic minority groups? There are competing challenges and such comments have been made by one or two people, but not by the majority. Other ethnic minority groups have been extremely supportive of Gaelic. Glasgow Gaelic School is in an area that has a high ethnic minority population and the school has built close links with the community. Of course, through its bilingual units and asylum seeker projects Glasgow provides considerable support for children from other ethnic minority groups. The international school provides opportunities to learn Punjabi and Urdu, for example, and we support the development of Cantonese, in particular in the primary sector in the Garnethill area. Many opportunities are provided for the development of the languages of people in the city. Obviously the council wants to develop that further if there is demand from those groups.

Lord James Douglas-Hamilton: Should the bill set out particular requirements of members of the bòrd?

Christine Higgison: In what way?

Lord James Douglas-Hamilton: The question relates to the call for some members to be directly elected and to Sabhal Mòr Ostaig’s request that members should have a communicative knowledge of Gaelic.

11:45

Christine Higgison: If people are to be involved in developing the language, Sabhal Mòr Ostaig is correct to say that some involvement in the communicative language is needed. Whether members need to be indigenous Gaels is another matter. If the language is further developed, even people with a Gaelic background may not have the language and may therefore be regarded as learners. The council has not taken a view on whether elections should take place.

The Convener: The council has not taken a view on direct elections.

Christine Higgison: We have not.

Lord James Douglas-Hamilton: Would you support all public bodies producing language plans?

Christine Higgison: Yes. If the language is to be taken forward, maintained and developed, the public bodies, which can develop it more successfully, need to have plans.

Lord James Douglas-Hamilton: Does it follow that you wish, although UK bodies do not come under our jurisdiction, that we should express a view to such bodies that operate in Scotland on whether they should produce language plans for their work here?

Christine Higgison: Any body that provides work in Scotland—regardless of whether it is a UK or European body—needs to be subject to the same responsibilities as is any other public body in the country.

The Convener: The position of UK bodies is open to question. We have asked for a background note on that, to make the situation clearer.

Ms Alexander: I dealt with financial issues with the first witness panel. I will not ask you a specific question; I simply invite you to comment on any financial aspects of the bill.

Dawn Corbett: I think that you were out of the room when I spoke initially about some of the costs that the council would probably have to meet for signage, advertising, interpreting and translating as part of the language plan. The amount that is allocated in the financial memorandum contrasts with the costs that may be incurred. For example, the financial memorandum allocates £10,000 for communications, but our advertising budget is £2 million, so a £10,000 contribution to that would be relatively small. However, we do not receive resources from elsewhere to translate materials, so the allocation would naturally be welcome.

Christine Higgison: In authorities such as Highland Council and Western Isles Council, much
has already been developed. The heavyweights may have much in place. One finance issue is that middleweight and lightweight councils would have to build up to that. Those councils would initially require support for development.

As for £10,000 for consultation, Glasgow City Council could spend £10,000 to consult on the development of a Gaelic school. If we consulted all interested parties throughout the city on a plan that would affect not only education services and cultural and leisure services, but every other service, £10,000 would not begin to cover the cost. To meet its requirements, the council would have to increase its staffing, because it has no council officer who could develop Gaelic. That has implications for efficient and effective government.

Fiona Hyslop: You indicated that you support a statutory right to Gaelic-medium education. Unfortunately, we have not seen your written response on the draft bill—I am sure that the clerks will forward it to us—but the draft bill did not refer to education. Are you comfortable with section 9, or do you think that the bill now blurs the edges between the responsibilities of Bòrd na Gàidhlig and those of education authorities, which are responsible for the quality of education under the Standards in Scotland’s Schools etc Act 2000? Do you feel comfortable with Bòrd na Gàidhlig having a responsibility to issue guidance on Gaelic-medium education? Do you agree with Highland Council that there should be a more explicit connection between the bill and the Standards in Scotland’s Schools etc Act 2000?

Christine Higgison: I certainly agree that the connection should be more explicit. The draft guidance on reporting that was issued does not appear to have any link with the bill. I also agree with Highland Council that the responsibility for education lies within the jurisdiction of education authorities and that Gaelic-medium education is an important part of that. As a member of the management review group, to which Bruce Robertson referred, I know that education authorities have close links with Bòrd na Gàidhlig. We wish to continue to develop those links.

Fiona Hyslop: Other witnesses have suggested that disputes over whether a language plan that was submitted to the bòrd was acceptable should be referred to an independent review mechanism. Do you have any views on that?

Christine Higgison: I agree with Highland Council that there are sufficient ombudsman opportunities already. Obviously, elected members would be concerned if the bòrd were to make statements that conflicted with the policy of their local council.

Fiona Hyslop: How should such disputes be resolved?
EDUCATION COMMITTEE

EXTRACT FROM MINUTES

26th Meeting, 2004 (Session 2)

Wednesday 8 December 2004

Present:
Ms Wendy Alexander Robert Brown (Convener)
Ms Rosemary Byrne Lord James Douglas-Hamilton (Deputy Convener)
Fiona Hyslop Adam Ingram
Mr Kenneth Macintosh Mr Frank McAveety
Dr Elaine Murray

Also present: Alex Neil

The meeting opened at 9.47 am in Committee Room 5.

Gaelic Language (Scotland) Bill: The Committee will took evidence from—

Meri Huws, Chair, Welsh Language Board

Meirion Prys Jones, Chief Executive, Welsh Language Board

The meeting closed at 11.18 am
Scottish Parliament

Education Committee

Wednesday 8 December 2004

[THE CONVENER opened the meeting at 09:47]

Gaelic Language (Scotland) Bill:
Stage 1

The Convener (Robert Brown): Good morning. I welcome you to this meeting of the Education Committee. As we are in public session, I ask everyone to ensure that their mobile telephones and pagers are turned off.

We are continuing to take evidence at stage 1 of the Gaelic Language (Scotland) Bill. We are pleased to welcome Meri Huws and Meirion Prys Jones, the chair and chief executive, respectively, of the Welsh Language Board. They have considerable knowledge to impart to us in this area.

We are grateful to you for your introductory paper, which deals clearly with a lot of the issues that we have been considering in the context of Gaelic. I ask you to say a few words of introduction.

Meri Huws (Welsh Language Board): Bore da. My name is Meri Huws. I have been the chair of the Welsh Language Board for the past three months. I was appointed to start on 1 September by the Minister for Culture, Welsh Language and Sport. My colleague, Meirion Prys Jones, has been the chief executive of the board since April, although he has been a member of the staff of the Welsh Language Board since 1994.

We sit here, interestingly, one week after the announcement that the minister of the Welsh Assembly Government will disband the board as it stands and absorb the functions of the Welsh Language Board into the Welsh Assembly Government. I have been the chair of the board for three months, but I was a member of the original board, which was set up in 1993 following the passing of the Welsh Language Act 1993. I am, therefore, in the unique position of having been there at the inception and at the next stage of evolution. I stress the fact that we are talking about a process that has taken 10 years and that is evolutionary, not necessarily revolutionary. Language planning is an evolutionary process.

Why are statute and the board important in Wales? Statute was important in giving a status and prestige to the language. That was also important in winning hearts and minds—a subject to which we will return when we respond to your questions. Why is the board important in Wales? Over the past 10 years, the existence of the Welsh Language Board has taken the language out of the political arena so that it is no longer a political football. That has been important. We have been able to focus on language planning without the Welsh language being knocked around as a political rugby ball—as it would be in the Welsh context. The board has also given us an opportunity to innovate and experiment and to establish interesting small and large-scale developments, to which we will refer later.

Returning to the issue of status, I believe that the board has given the language a profile throughout Wales. It is important to stress that Wales is not a homogenous country. There are pockets where the Welsh language has traditionally been alive and is still alive, and there are areas in which the Welsh language has not been used for more than a century. We are not talking about a homogenous Welsh nation who are all using the Welsh language. Having a board that can respond to local needs and requirements has been incredibly important.

We congratulate you on the Gaelic Language (Scotland) Bill. The Welsh Language Board has been impressed by the work that has gone into it. We are more than happy to take your questions and discuss issues.

The Convener: Thank you. I will kick off by getting into the definitional stuff about secure status, equal status, equal validity and all that kind of thing. The issue has been raised with us by many witnesses, but it is difficult to pin down. You have a lot of experience of working through the implications of those concepts. It strikes me that one of the big differences—even accepting the non-homogenous nature of Welsh—is the fact that 21 per cent of the Welsh population speak Welsh, whereas only 1.16 per cent of the Scottish population speak Gaelic. There is a difference in kind, which imposes a number of constraints on us. Do you have any observations on the difference that that reality on the ground might make?

Meirion Prys Jones (Welsh Language Board): Meri Huws touched on how important the concept of status is for a language. It has made a big difference in Wales. People see that we are trying to develop a bilingual nation on the basis of that status. In Wales, it has been stated that both languages should be treated on the basis of equality. The issue of the exact status of the Welsh language is, legally, rather difficult; however, we are agreed on the concept that both languages should be treated equally.

As you say, in Wales, 21 per cent of the population speak Welsh, whereas just over 1 per
cent of the Scottish population speak Gaelic. However, that 21 per cent is not spread equally across Wales; it varies from areas in which 90 per cent of the population speak Welsh to areas in which less than 2 per cent speak Welsh.

We have dealt with that matter by saying that Welsh has the same status as English throughout Wales, but in practical terms, how we interpret that through our language schemes and all our other schemes links with the linguistic nature of the area. For example, the provision of language schemes in an area in which 90 per cent of the population speak Welsh will obviously be much greater than it is in areas in which 2 per cent of people speak Welsh. That reflects the level of service that the public can expect to receive from public bodies in specific linguistic areas. It is a matter of horses for courses in respect of schemes and all the other plans with which we work. The symbolic value of status as a concept is the same throughout Wales, but the practical application of measures differs according to the linguistic nature of the area.

The Convener: Does the language’s status not translate into rights? Perhaps that is the issue with which we have most difficulty. If Welsh has equal status, I presume that certain rights flow from that status. There is the issue of the availability of Welsh for talking to public officials, for example. What does that mean in areas in which fewer resources are available, never mind any interest or desire to facilitate people speaking Welsh?

Meri Huws: At the beginning, I stressed that the process has been evolutionary, and recognising that is important. Rights can drive provision—we have seen that happening in Wales, but not in a revolutionary way. As people have requested services, services have grown at a far greater rate over a period—we are talking about 10 years—in areas of Gwynedd, for example, in which there is a high preponderance of Welsh speakers. Meirion Prys Jones has mentioned that matter.

However, in areas of south-east Wales in which there is not that intensity of Welsh speakers, the process has been very slow. Recognising that people are asking for such services has been a useful driver for those services, which gradually respond. We can point to numerous examples of local authority services in which such awareness did not exist 10 years ago, but does now. Rights can be used to drive service provision and service planning, but things happen slowly. We must stress that developments have been slow even in Wales, where the picture is very different from the picture in Scotland. Statute has been used gently to drive the development of services.

Meirion Prys Jones: Our legislation is based not on the concept of rights, but on the concept of providing a service for Welsh speakers. That links back to the availability of that service and how that availability is structured. If a person walked into an office in Caernarfon, they could expect to receive a service face to face in Welsh, but if they walked into an office in Newport—where the population of Welsh speakers is much smaller—the person in the office would say, “I might not be able to provide that service now, but I can arrange for it to be provided.” That is quite a different situation if we are considering the concept of rights.

The Convener: On the measurement of progress, you rightly say that we are talking about a process of around 10 years since the Welsh Language Act 1993 was passed. Can that progress be measured? I am talking not only about the increase in services—which, I presume, is not too difficult to pin down—but about a change in logistics, the numbers of people who speak Welsh, the extent to which people are fluent in Welsh and so on. Have targets been set or achieved that you can tell us about?

Meri Huws: We can point to certain indicators, the first of which are the latest census figures. We are starting to see the tail end of a gradual decline moving up. In quantitative terms, the number of young people who go through the Welsh-medium education system and the number of people who are slowly picking up public services through the medium of Welsh can be considered. The qualitative change in attitudes towards the Welsh language that has occurred in Wales can also be considered, although that is far more difficult to do. I referred to the Welsh language having been taken out of the political arena of contention through statute and the board. I speak as someone who was there at the beginning in 1993 and who is still there in 2004-05 when I say that there has been an immeasurable qualitative change throughout Wales.

10:00

Fiona Hyslop (Lothians) (SNP): What you say is important, because we are concerned that if we provide rights, the demand might escalate all of a sudden from day one. Will you explore that issue further? Will you also speak about the related issue of rights to education? Obviously, the education provision in the two countries is at present disparate, but what might we expect? What happened in the evolution of rights to education in Welsh? Was that process as slow and as evolutionary as progress on the general status of the language was?

Meirion Prys Jones: At present, there is no statutory right to Welsh-medium education. We dealt with that situation through the language scheme system, by asking each local education authority, of which we have 22, to agree with us a Welsh education scheme that outlines what the
Welsh-medium provision will be in its area for the next three to five years. We agreed schemes with the 22 authorities about two years ago. Each scheme states that parents have a right to education in Welsh for their child within that local authority. However, the schemes do not specify how far children might be expected to travel, although it must be a reasonable distance. That is the only element of rights that we have in relation to Welsh-medium education. Generally in the 22 schemes, parents have access to Welsh-medium education, although children in some authority areas might have to travel some distance.

**Fiona Hyslop:** Is there anything in your education legislation to support the local authority schemes, or are they voluntary schemes that are agreed with the Welsh Language Board?

**Meirion Prys Jones:** They are not voluntary schemes; they are statutory. The authorities must agree a scheme with us alone. Therefore, although the Minister for Education and Lifelong Learning agrees school organisation and authority plans with authorities, the Welsh-medium education schemes are statutory ones that the authorities must agree with us.

**Mr Kenneth Macintosh (Eastwood) (Lab):** We are trying not to introduce a confrontational approach. How much conflict have you had and how many cases have been raised in the past 10 years as a result of individuals pressing for services and using their rights under the Welsh Language Act 1993?

**Meirion Prys Jones:** Throughout the process of agreeing and rolling out language schemes and Welsh education schemes over a period, we have had little resistance or reaction. People realise that the process is evolutionary and that it makes sense that the provision of services should reflect the linguistic nature of the area. People have seen the process as a job that needs to be done and they have done it.

We have been unhappy with the way in which some bodies have dealt with the agreed targets in the schemes and we have had discussions with those bodies. We have inspected three organisations in the past 10 years. The end of the process would be to draw an organisation to the relevant minister’s attention, but we have not had to do that with any organisation.

**Mr Adam Ingram (South of Scotland) (SNP):** Your submission suggests that we ought to write into the bill something about the practical implementation of equality. Are you suggesting that the bill is at present not sufficient to carry out the types of measures that you have carried out in Wales? For example, your legislation gives you the statutory authority to discuss with the local authorities and agree that they should provide rights to Welsh-medium education.

**Meirion Prys Jones:** You should consider writing that into legislation and identifying what you mean by the language’s statutory status. It is a good idea, but we have not looked at it too carefully. We have had little reaction to that element from the public. They have accepted the statement that both languages should be treated on a basis of equality, and we have moved on from there. It is a good thing that that statement is in statute and that we have the legislation on language schemes, which is an important driver, but much of the other work that we do has much more impact than the bit that is linked to legislation. Community development work and the work that we do on education are in many ways more important.

**Mr Ingram:** Is that not because it is a given that equality of status is written into the law?

**Meirion Prys Jones:** That phrase is not in our legislation.

**Meri Huws:** Your task is to consider proposed legislation. With my external perspective as chair of the board, I stress that the value of the statute has been in leverage rather than statutory implementation and recourse to statute and case law. Ten years ago, that would have surprised us in Wales, but the impact of the legislation has been the leverage that it has given for shifting opinion over a period rather than in enabling legal challenge.

**Meirion Prys Jones:** Initially, the question that we were asked most often was, “What if somebody doesn’t implement a scheme?” We had that question time and again, but nobody asks it any more. We have not got to the point of a legal challenge, so people have seen from our actions, the implementation of schemes and the way in which they have been rolled out sensibly that there is no need to ask that question.

**Alex Neil (Central Scotland) (SNP):** One of the issues with which we are grappling is the distinction between bodies that are devolved to the Scottish Parliament and those that are reserved to Westminster. The BBC is an obvious example, but there are many others. In Wales, what is your relationship with Westminster-based bodies? Do they comply with your requirements or have you not tried to make them comply?

**Meri Huws:** The relationship could be described as interesting.

**Alex Neil:** How would you define that?

**Meirion Prys Jones:** The Welsh Language Act 1993 provides that any body that is based outside Wales but provides services in Wales is required to have a scheme, and many of them do; many of
them respond positively to the scheme. Some are a bit slower than others, but we prompt them and ask them questions. Usually we tell them what the scheme is and what they have agreed, and then they do it.

Alex Neil: Are there any major offenders? We want to pinpoint them now.

Meirion Prys Jones: We will tell you that in private.

Meri Huws: I stress that the process of implementing the language schemes has been evolutionary. It has been a matter of holding hands rather than taking a heavy-handed, statutory approach. There are many public bodies that, even now, 10 years down the road, are still grappling with their first language schemes—there are more than 300 schemes at the moment—but we are using a carrot rather than a stick.

Dr Elaine Murray (Dumfries) (Lab): The Welsh Language Act 1993 was passed by the UK Government, which probably makes it rather easier to require compliance. We have been investigating what legislative powers the Parliament has to force organisations that are not devolved, such as the Department for Work and Pensions or the Inland Revenue, to come into line with the bill and we are still seeking advice on that. Two years ago, the National Assembly for Wales brought in its own national plan. How will Westminster-based organisations interact with that? Will the plan have any effect on future development?

Meirion Prys Jones: Not as such, because the plan is for the promotion of Wales as a bilingual country. The 1993 act is still in force, so we use the act to pick up the bodies outside Wales. There is obviously a linkage between the two elements, but we still use the act to ensure that the Department for Education and Skills, for example, provides services for us.

Dr Murray: So you would be able to ask the Department for Work and Pensions to produce bilingual materials? That is within your power.

Meri Huws: In August, the DWP launched the language scheme, which was one of the first events that I attended, if I remember rightly.

The Convener: What about what we might describe as private public bodies—bodies that provide services under public-private partnership arrangements, for example? Do you get involved with them or do you get at them at the other end of the scheme, through the local authority?

Meirion Prys Jones: The 1993 act stipulates that if public bodies contract out to third parties, those third parties are included within a scheme. In each scheme, there is a part that deals with contracting out.

The Convener: Let us move on to education. Ken Macintosh wants to pursue some issues on that.

Mr Macintosh: You have answered my first question, in that you have said that there is no statutory right to Welsh-medium education in Wales. However, you say that local education authorities draw up plans on a statutory basis. I am trying to work out the difference between the situation in Wales and what you suggest in your submission that we should adopt here. We are not seeking to establish a right to Gaelic-medium education, but we are suggesting that the plans that are drawn up should help to promote Gaelic-medium education. Why do you think that the present wording is not strong enough? You suggest that local authorities must be expected to do more than just “react positively”. What does the 1993 act provide for that our bill would not provide for? Why would stronger wording make a difference?

Meirion Prys Jones: As regards the statutory position, there is no education act that establishes a duty to provide Welsh-medium education. That is why we have linked such provision to a part of the 1993 act that refers to schemes. The scheme is a statutory element, but that is slightly different from having an education act that stipulates a duty to provide Welsh-medium education.

We have not said to local authorities that they should provide something that is reasonable; we have said that they must plan over a period by examining their data and the demand from parents and identifying whether there has been a demographic shift. After taking all those elements into account, they should say, “This is the provision we need,” and then go out to consultation on that, so that the public can see what the plans are. We discuss the final scheme with the authorities. We feel that that has more rigour as a planning process. The public can expect that there will be a scheme that will follow a certain format, ask certain questions and provide a certain number of reasonable and practical targets to which we and the local authority will agree. We think that your wording could mean that the rigour of such a system would be lacking.

Mr Macintosh: It is the process of drawing up the statutory plans and having consultation and public involvement that is the most important element.

Meirion Prys Jones: Yes.

Meri Huws: The statutory requirement to plan is what is important. It has proved to be a real strength in the Welsh system. That goes back to the notion of language planning.

Mr Macintosh: You are talking about a statutory requirement to plan as opposed to a statutory
There was not an initial shortfall. You have a different problem. We may be, but it is our responsibility to ensure that teaching as a profession through the medium of Welsh is marketed as an attractive proposition. Therefore, we are putting plans in place to ensure that there are sufficient teachers in the primary and secondary sectors. We had an initial threshold, but we did not have an initial problem—that problem has emerged in recent years because there are not enough Gaelic-medium teachers. What was your experience? Did you have enough Welsh language teachers? How did you increase the number of pupils and teachers in Welsh-medium education?

Mr Macintosh: One of our biggest hurdles is the lack of teachers. I suspect that one of the reasons why the Executive has not yet introduced a right to Gaelic-medium education is that it would be difficult to meet the demand in some areas because there are not enough Gaelic-medium teachers. What was your experience? Did you have enough Welsh language teachers? How did you increase the number of pupils and teachers in Welsh-medium education?

Meirion Prys Jones: When it comes to language planning, making sure that we have enough teachers is the basic premise for success. In some ways, our situation is different from yours because we are lucky in that we have quite a number of Welsh people who speak Welsh on a daily basis.

Therefore, on the recruitment of teachers—the Welsh have been very good at being teachers and we have produced many teachers in the past century and a half—we were able to ensure that we had a sufficient number of teachers initially, in both the primary and secondary sectors. Increasingly, however, we have started to run into the problem of success, which means that there has been demand for more Welsh-medium education and there are not sufficient teachers. Therefore, we are putting plans in place to ensure that teaching as a profession through the medium of Welsh is marketed as an attractive proposition. However, we are in a slightly different position from yours when it comes to speakers.

Mr Macintosh: I see that. Who took the lead in meeting that shortfall of teachers? I assume that there was a shortfall, but perhaps there was not. Did the Welsh Language Board intervene actively or did the UK Government instruct the teaching colleges to increase the output of Welsh-medium teachers?

Meri Huws: There was not an initial shortfall, but over the past 10 years, we have seen demand outstrip supply. The forces for change definitely came from the Welsh Language Board, but initial planning and education provision happened hand in hand with the UK Government. That happens now on a regular basis with the Minister for Education and Lifelong Learning in the Welsh Assembly Government.

Discussions are on-going about the funding of places for teacher training, and about support for scholarships for those who wish to continue studying through the Welsh medium so that they can go into further and higher education. So there was a partnership with the UK Government initially, but also with the further and higher education sectors when they saw the need to address the shortfall.

Mr Macintosh: Did you draw up a plan for the bodies in Wales that are in charge of teacher training? Did they have a Welsh language plan, into which you had input, part of which stipulated an increase in the supply of Welsh language teachers?

Meirion Prys Jones: The Welsh Language Board is a strategic planning body; it does not go into that kind of detail. It is the role of the Minister for Education and Lifelong Learning to ensure that there are sufficient numbers of teachers. We have discussions with the minister, then the minister contacts the colleges and stipulates how many teachers she wants to be trained.

We have a language scheme in every FE and HE establishment that refers to their provision. However, making sure that there are sufficient numbers of teachers is a mainstream issue in overall planning and the system ensures that there are enough teachers. Although we have an interest in that area, we do not take responsibility for it in the planning process.

Mr Macintosh: It sounds as if teacher supply has not been a problem, so perhaps my questions are irrelevant in your case. It does not sound as if you have had the problem that we are experiencing now, which is that we just do not have enough Gaelic-medium teachers.

Meri Huws: You have a different problem. We had an initial threshold, but we did not have an initial problem—that problem has emerged in pockets. Our present problem relates to early-years education because of the huge demand.

Mr Macintosh: You made an interesting point about the importance of Gaelic-medium teachers being seen as mainstream and normal, rather than a niche or a backwater. That point was also raised with us when we were in Skye. What is your experience on that point with regard to Welsh-medium education? You obviously have a far greater number of Welsh-medium teachers. Are they all part of the mainstream? Are they all seen simply as teachers—there being no differentiation...
between English-medium and Welsh-medium teachers—or is Welsh-medium education seen as a specialist area?

Meirion Prys Jones: The situation is different: a quarter of primary schools in Wales teach through the medium of Welsh, so Welsh-medium teachers account for a substantial part of the teaching force. Even so, we must keep on reminding the education system that Welsh-medium education is a part of it. There is a tendency to drift towards dealing only with the English part. Welsh-medium schools have to an increasing extent been integrated into the system. The fact that they form a substantial chunk of the education system in Wales makes a difference.

Dr Murray: You said that although you initially had sufficient Welsh-language teachers, demand is now outstripping supply, particularly in the early years. How might that be tackled? Will it be done by encouraging more Welsh speakers to go into teaching, or are you considering training non-Welsh-speaking teachers to speak Welsh? One view that has been raised with us is that people should see having Gaelic as an advantage for their career. Is there now a perception in Wales that speaking Welsh is a career advantage?

Meirion Prys Jones: There are two issues there. I will start with planning for the required number of teachers, which involves a mixture of trying to persuade more people to go into the teaching profession and of giving linguistic skills to non-Welsh speakers. We are building on a base, increasing the number of people who follow that route. There is an element of planning to ensure that we have a sufficient number of teachers.

On the second issue, there is a growing impression in Wales of the advantage of being bilingual in the workplace. There are now much more data available about the advantages of being bilingual. Recent research has shown that people in the workplace with bilingual skills earn 10 per cent more than people who are monolingual, although that does not apply to individual posts. On the psychology of bilingualism, people are starting to understand that there are advantages in being bilingual. The language scheme system underpins that by giving status—if not necessarily financial status—to posts where people are able to work bilingually. We promote and perceive that development as dealing with bilingualism, not with Welsh. We are talking about people who have skills in two languages.

Alex Neil: The evidence of Highland Council, which is by far the most advanced local authority when it comes to existing provision, indicated that for it to be possible to deliver Gaelic-medium education, a minimum of four pupils was required. There would, of course, be exceptions in very small schools. In rural areas, say in mid Wales and parts of north Wales, has there been difficulty with the level of demand? What level of demand would you regard as reasonable before you insisted on Welsh-medium provision?

I have a further question, on ministerial responsibility. Here, we have a Minister for Education and Young People and a Minister for Tourism, Culture and Sport. The Minister for Education and Young People introduced the Gaelic Language (Scotland) Bill. It is arguable that the minister with responsibility for culture should be responsible for it. What are the lines of reporting into the ministerial structure of the Welsh Assembly Government?

Meri Huws: I will pick up on the second question, to start with.

Alex Neil: Is that the easy one?

Meri Huws: Yes—I was just hoping you would forget the first one.

We report directly to the Minister for Culture, Welsh Language and Sport, who is our sponsoring minister. He appointed me, for example, and he appoints the board. During the period of the Welsh Assembly Government, a positive relationship has been established with the Minister for Education and Lifelong Learning and, increasingly, with the Minister for Health and Social Services, because another area of concern is that health professionals need language skills. The issue is not to whom the person should report: what is really important is the commitment of the Scottish Executive or the Welsh Assembly Government to the notion of language planning in a bilingual nation.

Through the board and through the role of the chair we have been able to raise awareness and keep discussions going between ministers. The main issue is not to whom matters are reported but that a dialogue is kept going. I keep on using the word so it is becoming boring, but the process is evolutionary: it is about step-by-step incremental change.

Meirion Prys Jones: One of the main planks of the Government’s policy document on a bilingual Wales is mainstreaming. Therefore, it is an issue for each minister. Every year each minister has to provide a report on how they have dealt with issues that relate to Welsh. The fact that such information is collected enables us to see how matters are moving forward across all the ministries. That link is quite strong.

Meri Huws: It is a patchy picture, to be fair.

Meirion Prys Jones: We generally do not touch on demand. We ask authorities to ensure that provision is available; how they structure provision in individual schools and for individual pupils is up to them.
Alex Neil: But if I am a parent and have the right to demand, in our case, Gaelic-medium education, there must be a balance between my rights to demand and the state’s resources to provide it.

Meirion Prys Jones: If a parent in Wales wants Welsh-medium education for their child, they can receive it. Of course, in some areas it depends on how far they are willing to send their child on a bus. We certainly do not stipulate any numbers or the sizes of schools or anything. We would be on dangerous ground if we went too far into that.

The Convener: That is a significant difference from the position in Scotland. The language is much more geographically concentrated in Scotland, so such provision might be more difficult.

Mr Frank McAveety (Glasgow Shettleston) (Lab): Will you be strengthened by the decision of the Welsh Assembly Government to bring the quango into the Government? Do you see that as an endorsement of more proactive development of the language? A question that has been raised with the committee is whether responsibility lies with the board or with the minister. Who makes the final decision? If individuals move in and out of posts there might not be a consistent approach. That is probably a fairly loaded question, but I am interested to hear the answer.

The Convener: You are perhaps intruding on private grief.

Meri Huws: No. It is okay.

I will start. We will have two perspectives, as I am speaking as a board member who was there 10 years ago and remains today.

Having a board in Wales has been crucial, as it has enabled the language not to become too much of a political football. A mediating body has been in place that can generate dialogue, keep the ball moving and take innovative steps through small-scale and large-scale schemes to address a specific need. Had the Welsh Language Board not been in existence over those 10 years I think we would not have seen the growth that we now see in the census figures.

There is an element of personal grief, but 10 years down the road it is sensible to start to mainstream that which has been gained into the Welsh Assembly Government. As chair, I have a real concern that the Welsh language could again become a political football. I do not think that we would have made the progress that has been achieved without the board at arm’s length from the Government. The change that has occurred in Wales has been achieved in a gentle, rational manner.

The Convener: It has given you a space to operate in, which you would not otherwise have had.

Meri Huws: Absolutely.

Meirion Prys Jones: I find it rather strange that a body that had eight staff members 10 years ago now has nearly 80 spread over three offices. With this process, a pressure group evolves into a language board and then, because elements are mainstreamed, the whole thing becomes important enough to be made a part of the Government.

10:30
Fiona Hyslop: I want to return to demand. I have been very interested in the comments that have been made so far. The committee has been asked to consider whether one of the plan’s criteria should be the potential for use rather than demand. What has been your experience of areas in which less Welsh is spoken? Is there any merit in making a criterion for driving the plan the potential for use rather than what the demand might be?

You said that, despite the fact that the Welsh Language Act was passed in 1993, the Department for Work and Pensions has only just introduced a Welsh language scheme. What was the timescale within which different bodies or authorities had to introduce schemes?

Meirion Prys Jones: I will pick up the second question of how we have dealt with bodies. At the beginning of the process, three members of staff were responsible for dealing with Welsh language schemes. However, given that there are at least 2,000 public bodies in Wales, we were faced with a mammoth task. As a result, we prioritised the bodies and decided that we should deal first with the local authorities, because they have such an interface with the public. I should point out that we have to work with the Assembly, which issues a notice that tells us the bodies that we should ask to introduce schemes. That means that the timetable for introducing Welsh language schemes is also linked to political will.

We have gradually worked our way through what we perceive to be the most important bodies and, as Meri Huws has pointed out, we now have 300 schemes. By now, we have probably hit most of the public bodies that have an influence on the language. I acknowledge that the process has been slow and we have only recently gained additional staff to monitor schemes and to deal with grievance schemes. That has quickened the process. Initially, we felt that it was a good idea to agree some good schemes, get them up and running, find out whether they were practical and had a good public reception and move on from there.
Meri Huws: That partly answers the member's first question about the interface between demand and potential for use. That issue is difficult to unpick because, with the introduction of Welsh language schemes and the need for more bilingual teachers, potential for use has created demand, which has then slowly generated more potential for use. It is difficult to divide those aspects in a formulaic way. In one respect, we are talking about an act of faith, in that a demand will lead gently to a greater potential for use.

Fiona Hyslop: I take it that the elements of demand and potential for use are addressed in the consultation process for proposed schemes and in the schemes themselves.

Meri Huws: Yes. They go hand in hand and are monitored. Indeed, it is important to point out that over a period of time we gently monitor the schemes and move things along.

Fiona Hyslop: But is there any statutory wording about demand and potential for use?

Meirion Prys Jones: No. We have simply linked them together.

The Convener: I want to get some feel of the pattern of Welsh-language education. In our travels around Scotland and during our evidence-taking sessions, we have had to probe what is meant by Gaelic-medium education. We have learned that in some cases it means that most subjects are taught in Gaelic, whereas in other cases one or two subjects are taught in Gaelic and the rest is taught in English. That has given rise to issues such as what happens to Gaelic learners and to people who come to live in the area but who cannot speak the language. I believe that you said that about 40 per cent of primary schools in Wales are Welsh-medium. I assume that that means that Welsh is used in the same way as English is used in schools in England and in the bulk of schools in Scotland to teach everything. What happens across Wales in that respect?

Meirion Prys Jones: About a quarter of primary schools and a fifth of secondary schools are Welsh medium. In primary schools, there are two streams: one is children who come from Welsh-speaking homes, the other is children who arrive and join the immersion education process. The vast majority of those schools will teach 50 per cent or more—some teach 90 per cent—of the curriculum through the medium of Welsh. We do not have a range of options. There is an understanding that schools will have to teach in Welsh—on average it is about 65 per cent plus. People realise that contact time with the language is necessary if the immersion process is to work well.

In Welsh-medium schools, education is Welsh only until the age of seven. Then, between seven and 11, it is about 65 per cent Welsh-medium education, on average. At secondary school level, there are many more options. Some schools teach everything through the medium of Welsh; others teach some subjects through the medium of Welsh; in some, children have the option of learning either in Welsh or in English; and there are English-medium schools.

The Convener: Is that based on parental and individual choice? Are there options to have non-Welsh, purely English streams, or is that something that you discourage and that does not happen? How do you deal with the choice element?

Meirion Prys Jones: It generally depends on where people live. In an area where a high percentage of the population speak Welsh, the village schools will be Welsh schools. In areas where there is more of a linguistic balance, there will be more choice.

The Convener: Is Welsh the language of the playground, especially in predominantly Welsh-speaking areas? We have heard that, even in Gaelic-speaking areas, English tends to be the language of the playground. There is a difficulty in there not being a Gaelic milieu in which to operate. Do you have that problem, or is Welsh sufficiently vibrant to be the language of the playground in Welsh-speaking areas?

Meirion Prys Jones: In the north-west of Wales, Welsh is the language of everyday use among the children as well as the adults. However, you must remember that there are no areas in Wales where there are not people who are non-Welsh speakers. Therefore, in nearly all the schools in Wales, some pupils arrive unable to speak Welsh. There is a linguistic mix.

The status of Welsh as the language of the playground is an issue in Wales, especially in areas where a high percentage of the children in Welsh schools are from non-Welsh-speaking homes. How much can we expect from them? It is a rather difficult issue to deal with. We would encourage the use of Welsh in the playground, but innovation is needed to get children from English-speaking homes who have learned Welsh at school to use Welsh when they are not with the teachers. It is not an easy issue to deal with.

The Convener: You said that there is an issue in nursery school and pre-school arrangements. Do you give much support to parents? The evidence that we have received from Gaelic-speaking areas is that it is important to encourage non-Gaelic-speaking parents to learn—or, at least, be supportive of—Gaelic. Do you do much to encourage the surrounding milieu, such as what happens at home, by providing support for parents...
and extracurricular activities with a Welsh perspective?

**Meirion Prys Jones:** That touches on something we wanted to talk about—how we can support the infrastructure outside legislation and education. We are concentrating on children aged nought to seven and their parents, as language transmission in the home is a big issue in Wales at the moment. Where both parents speak Welsh, there is an 80-plus per cent chance that their children will speak Welsh; where only one parent speaks Welsh, the likelihood is about 40 per cent. Through a project called Twf, we are providing support and advice for parents about how they can raise their children bilingually, especially in homes where only one parent speaks Welsh. We are starting to provide that advice and guidance before children enter education and even before they are born.

Through our grant-making powers, we support Mudiad Ysgolion Meithrin, which is the Welsh-medium pre-school playgroup association. We fund that organisation to the tune of £1 million a year to establish an infrastructure to ensure that there is provision for parents and small children. From the age of six months until the age of two, the children attend its parent-toddler groups; then, from age two to age three and a half, they go to nursery groups. A big investment is made in that pre-school provision. As part of that, we work with the Further Education Funding Council for Wales, to ensure that there is provision for parents who want to learn Welsh with their children. That is a growing element, and there is a realisation that we need to do more of that.

We are trying to put together a package that supports those periods in a child’s and an adult’s life that are very important in terms of the use of language. That is outside legislation; it is something that the Welsh Language Board, with the full support of the Assembly Government, has recognised as an important area for development.

**Meri Huws:** Meirion Prys Jones has spoken about children aged between nought and seven. The other group that is crucial is the 13-plus group—the potential parents. You talked about changing the milieu, convener. That has occurred in Wales over the past 10 years: it is now cool to speak Welsh. The board has had to be innovative in working with youth organisations and in—to use a horrible phrase—marketing the language and making it attractive. That has been done through various campaigns and it has been targeted through pop music, sport, and so on. We are targeting the potential parents of the future and, in the process, educating the parents of today. The nought-to-seven age group is crucial, but the 13-plus age group is becoming increasingly important for us.

**The Convener:** You mentioned that you have undertaken some projects and pilot schemes. The committee might find it interesting to have some details of them—not just now, but as a follow-up in writing, if we can trouble you in that direction. Would that be possible?

**Meri Huws:** Absolutely. Yes. You might want to get on a plane and come down to look at some of the projects. That might be useful. We can describe them and give you written evidence on them, but seeing some of those projects at work may be interesting for you.

**The Convener:** I feel a trip to Wales coming on.

**Lord James Douglas-Hamilton (Lothians) (Con):** I would be most grateful if you could answer three questions. The first relates to the operation of the courts. In Scotland, most of the requests to have cases—whether civil or criminal—heard in Gaelic come from the Western Isles or the north-west of Scotland, although there are calls for the provision to be extended. How does it work in Wales? Is Welsh used throughout your courts system? If so, is it a matter for request? What are you recommendations for us?

**Meri Huws:** The pattern would have been similar in Wales 10 years ago. Requests for Welsh-medium court hearings would have been made mainly in the north-west and the south-west. Under the legislation, a person has a right to have their case heard through the medium of Welsh; however, that takes us back to planning. Their case may not be heard the following Monday; it may be necessary to bring in provision. If someone in Cardiff wants their case to be heard through the medium of Welsh, that will be planned into the court timetable for a time when a Welsh-medium judge or jury can be brought together.

The process has been gradual, and the provision has not hit the courts system hard. Prior to the introduction of the legislation, there was real concern that there would be a huge increase in the number of people requesting Welsh-medium hearings; however, there has not been such an increase. It has been a very slow process.

**Lord James Douglas-Hamilton:** Would it be fair to say that there has been a gradual extension of the use of Welsh in the courts, that it has not been a particularly contentious issue and that it has happened on an evolutionary basis?

**Meri Huws:** Absolutely.

**Lord James Douglas-Hamilton:** And it is now an enshrined right in legislation.

**Meri Huws:** Yes.
demand for the use of information technology in the teaching of the Welsh language—for example in outlying parts such as Anglesey and the north-west? Or are those areas covered, so that it is not a problem for you at all?

**Meri Huws:** We have evidence from post-16 education, in which the use of technology is being explored. Meirion Prys Jones described the face-to-face provision in the primary school sector, but we are starting to experiment in the more specialised subjects, certainly in post-16 education. Various institutions are getting together to use videoconferencing and other technologies and to develop bilingual distance-learning materials. The fact that the materials are not Welsh-medium only, but bilingual, is important. That is 10 years down the road from statute. Incremental change, rather than huge step changes, has occurred.

**10:45**

**Meirion Prys Jones:** We are committed to using technology, because we can see that if a minority language is to be promoted, technology plays an important part in its status. Last week, we were pleased to launch with Microsoft the first Welsh interface, so that everything that is seen on a computer screen can be in Welsh. Welsh is the first European language for which Microsoft has created such an interface. Investing money and expertise in information technology has been one of our priorities.

**Meri Huws:** That is very much about status. The one audience that has become very excited by the Microsoft development is the primary education sector.

**Lord James Douglas-Hamilton:** Do you expect a gradual and steady process of using technology more?

**Meri Huws:** Yes.

**Lord James Douglas-Hamilton:** Is it your function or that of the minister to give guidance on good practice? Is guidance given throughout Wales? If so, does it work well?

**Meirion Prys Jones:** We see providing guidance as an integral part of our role. As we deal with language schemes and the use of Welsh by public organisations, giving guidance is part of the process. When we discuss a scheme with a public body, we explore what other bodies have done in similar circumstances. We use that element of developmental work to lead a body to its final scheme. Guidance is an integral part of the process.

**Lord James Douglas-Hamilton:** Is the minister involved? Does he supplement that?

**Meirion Prys Jones:** The minister will say in general terms, “This is a good thing and these are good examples,” but the practical level is down to us.

**Lord James Douglas-Hamilton:** In the main, the minister leaves guidance to you.

**Meirion Prys Jones:** Yes.

**The Convener:** You touched on resources. One issue in Scotland is limited Gaelic resources, especially for teaching subjects such as physics and maths. Is that a problem with Welsh, or are the number of speakers and other resources sufficient to make that not a difficulty?

**Meirion Prys Jones:** It is not easy, especially for some specialised subjects in the secondary sector. We have about 60 secondary schools that teach through the medium of Welsh, which means that X number of teachers must be planned for each area in each year. We do not hit all targets in all subjects. For example, about two years ago only one maths teacher was being trained for the Welsh-medium sector. It can be problematic but, in general, schools tend to be resourceful and to find people who can do the job.

**The Convener:** I meant not so much teacher resources as written materials.

**Meirion Prys Jones:** They are a problem. Year-on-year investment is made through the Qualifications, Curriculum and Assessment Authority for Wales, which has a budget of £2.5 million a year to provide resources for the school education sector.

The problem is that there is no chance that those resources will ever be as good in the Welsh-medium sector as they are in the English-medium sector, so we must be systematic and ensure that each subject has provision. Some provision is excellent. Reading books, novels and the provision for small children are extensive and good, but it becomes more difficult as we go up the age range.

**Mr McAveety:** Another issue that the committee has explored is the potential cost of the initial development of language plans. We have had fairly contested submissions about the relative costs. Your paper identifies standard approaches that can be encouraged, such as templates. I wonder about notional costs to local authorities. Can you give us an idea of the cost of reasonable implementation in what we have termed areas of high and low usage of Gaelic? That would be helpful in our deliberations.

**Meirion Prys Jones:** Cost was debated prior to the passing of the Welsh Language Act 1993. We and the Government came to the conclusion that no estimated cost should be attached to the production of language schemes in Wales,
because that is a mainstream issue that should be subsumed within each local authority’s budget. Therefore, we have not gone through the process of identifying costs. Obviously, the cost varies from local authority to local authority, depending on the level of provision. However, it is accepted generally that, in the process of democracy, more provision needs to be made in areas with more Welsh speaking. Councils in areas with more Welsh speaking are happy to provide that extra resource and provision. We cannot help you to identify a cost figure. The provision is seen as part of the normal process of governing the country.

Mr McAveety: Our evidence is that people are worried about the cost and that that might be used as an argument not to respond positively. Has cost been a problem? I accept that most local authorities subsume the costs in their normal budgets and that the sums are not massive. However, there are different views about the cost, because some local authorities have different views on how to consult and engage with their communities. Did people come to you for advice on how to develop schemes? What advice did you give to reassure them?

Meirion Prys Jones: Initially, there was a discussion about the cost, but we overcame that by having a reasonable discussion with each authority. They came to us and said, “Do we need to translate all our documentation when only 2 per cent of our population speak Welsh?” We said, “No, you have to be totally reasonable about this. You have to assess, in your context, how much use will be made of the documents, and what kind of response you will get from the public.” If 90 per cent of the population speak Welsh, the population will expect everything to be in English as well as Welsh, so you can turn it round both ways. The discussion is reasonable and on-going. We still have discussions about how much material local authorities and public bodies should produce bilingually, and we are totally reasonable about it in terms of the impact that that has on the use of Welsh.

In relation to advice and guidance, we have had 10 years of experience of dealing with public bodies, and we take a hands-on approach by saying, “How do we help you?” We take templates, we give them good examples, and we discuss what the level should be before we get to the final scheme. Often, we discuss three, four or five different drafts before anything comes to the public arena.

We are in the process of reviewing how we undertake that process, and we are thinking of simplifying it. If there is anything that we can do to assist you, we would be happy to do it. We are interested in making the process as electronically based as possible. The ideal is that someone gets the program on their computer, they have as many options as we think are reasonable, and they click on one and it is there. They go through all the parts of the scheme and at the end they print it out. That is the ideal, and we are working our way towards it.

The Convener: I am not sure what size these documents are, but it might be useful to see one of the schemes, particularly if it is in English.

Meirion Prys Jones: They are always bilingual.

The Convener: It might be useful to see one from a middle-range area that is not heavily Welsh speaking, so that we can see the implications of schemes for areas in which English is predominantly spoken.

Mr McAveety: Another aspect is the development of the language. The challenge of wider developments such as television and global communications, particularly in relation to the post-13s, has been mentioned. How beneficial has your relationship with broadcasting been in sustaining and developing Welsh? Are there any lessons from that for Scotland?

Meri Huws: The post-13 culture and environment is multifaceted. We acknowledge that broadcasting is a component of that, but it sits alongside sport, pop music and youth organisations. We must address all those sectors and work hand in hand with the providers. Broadcasting is important, but other parts of the youth experience, particularly sport and music, are as important. At present, we are sponsoring a pop music tour, with the aim of raising awareness that Welsh is cool. We work with young farmers clubs, which is proving to be an important relationship. We take a multifaceted approach that raises awareness across the board to make Welsh acceptable.

Meirion Prys Jones: The status that a broadcasting system gives to a language is vital. Without it, language promotion would be poor. Obviously, resources are an issue. We have one channel that broadcasts mainly in Welsh, but it is becoming increasingly difficult to hit all the target audiences with one channel. The evidence is that young people seem to watch less television and to use the computer and websites more. We continually monitor patterns of usage and try to hit all the targets. Broadcasting plays an important part.

Lord James Douglas-Hamilton: The evidence that we received from Highland Council suggests that Bòrd na Gàidhlig should have 12 members, with half of them directly elected from Gaelic communities and representing interests from education, community development, broadcasting, the voluntary sector, business, arts and culture, learners and so on. Is there a demand for
elections to the Welsh Language Board? What range of expertise is expected on the board and what are the numbers on it? What would you think if elections to the board were to become a serious proposition in Scotland?

**Meri Huws:** You will probably get different perspectives on that from us. Initially, the Welsh Language Board had 12 members, which was a large board. At present, the board has eight members, which is a useful number. We reached that balance organically, through the ministerial appointments process. Surprisingly, there is demand among people from a broad range of interests to become members of the Welsh Language Board. We have board members who have learnt Welsh and some from ethnic communities in Wales who applied to be members. I would not worry too much about social engineering; the important point is that the people who are on the board wish to be there. However, I advise you not to have too large a board.

**Lord James Douglas-Hamilton:** Is the issue of elections to your board under consideration?

**Meri Huws:** That issue has been superseded by the decision of the Minister for Culture, Welsh Language and Sport to bring us into the fold.

**Meirion Prys Jones:** Elections to the board have never been a major issue and they do not take place for any other board.

**Lord James Douglas-Hamilton:** So it has not been a major political or party-political issue.

**Meirion Prys Jones:** No.

11:00

**Dr Murray:** It is clear that the pattern of Welsh speaking is quite different from the pattern of Gaelic speaking. I do not know which area of Wales has the lowest density of Welsh speakers or what that density is, but in many parts of Scotland—including the area that I represent—well under 1 per cent of the population speak Gaelic. Concern has been expressed by Dumfries and Galloway Council and others that if we allocate resources to encourage people to speak Gaelic, that will take resources away from other functions such as the promotion of Scots, which is much more widely spoken in that area. What do you think the minimum requirement of a language plan should be in an area that has a low density of Welsh speakers?

**Meirion Prys Jones:** We have many areas with a low density of Welsh speakers. The best thing would be for us to send you a copy of the scheme so that you can see in detail what is expected. In such areas, the process involves our ensuring that there is basic provision so that we know we can provide the service if somebody wants it. It is a question of working that through to ensure that the facility is available.

**Dr Murray:** If you could send us a copy of the scheme, that would be helpful.

I do not know what your annual budget is, but you mentioned an increase of £16 million over three years and you said that you have 80 staff in three offices. Bòrd na Gàidhlig will be a much smaller organisation, with a budget of £4 million to £5 million. How effective do you think it can be in helping to develop language plans?

**Meirion Prys Jones:** The Welsh Language Board had 27 to 30 staff for most of its life and it was very effective during that period. In the past two years, we have been lucky enough to get additional funding to increase the size of the board but, of course, we have an increased range of tasks to undertake. We have moved much further into community development. The board’s budget is £13.5 million, but for most of its life we had a budget of about £6 million.

**Mr Macintosh:** You mentioned your role in influencing the UK bodies that operate in Wales. Do you have any contact with non-public bodies such as national voluntary organisations or private companies? Do you go to them with advice on implementing Welsh language schemes or do they come to you?

**Meirion Prys Jones:** The legislation does not encompass the private or voluntary sectors.

**Mr Macintosh:** It does not, but I imagine that you have a role and could advise companies and, in particular, voluntary sector organisations. I am trying to find out the extent to which that happens.

**Meri Huws:** It happens extensively—again, that has developed during the past 10 years. The convener talked about creating the milieu, and the voluntary sector and—increasingly—the private sector are approaching us. We have worked with bmibaby, Ikea and the supermarket chains. The relationship is interesting. Companies approach us, but often they do so because the public have asked them to respond as a result of the increased level of awareness. In a way, it is a push-me-pull-you relationship. As soon as one or two large private sector bodies respond and put up signs, it is surprising how much demand that creates on other private sector bodies. We are seeing that in the supermarket sector and, slowly, in the voluntary sector, which recognises that it wants to offer service users a service that is appropriate to Wales. That is happening not through statute, but through gentle pressure.

**Mr Macintosh:** There has been no resistance, as far as I can see, in the experience that you have described this morning. Whatever the fears at the beginning, 10 years ago, there has been no
resistance to your plans to develop Welsh. Public and private bodies have worked with you cooperatively and your most important role has been in implementing the schemes. There has been little conflict. You have not described any situation in which there was reluctance to work with you in partnership to reach a satisfactory conclusion. Am I right?

Meirion Prys Jones: That has been the case in the public sector. We have had some hiccups in terms of monitoring some schemes, but in general people see the process as an evolutionary one. Looking back over the history of Wales, it can be seen that, over the past 10 to 15 years, there has been a huge change in people's attitudes towards the language. For example, in research that we conducted recently, 88 per cent of people were supportive of the language and 66 per cent wanted more to be done. People view the language as part of their heritage and their emotional make-up and they want to be much more supportive of it than they have been. That view is supported by the Assembly Government, which has published a document that says that it wants to create a bilingual Wales. That is the context within which the public bodies are operating.

A number of public and private sector bodies are coming to us for guidance, but I would not say that there is an absolute deluge coming through the door. Organisations are afraid of the cost and of what they might be told to do. Over a period of time, however, some of the market leaders have begun to say that they want to operate in a way that is based on local economies and they are using the language to do that. Ikea has signs in three languages in its store in Cardiff and we are working with Boots, which wants to have bilingual signs in all its shops in Wales.

There has been a shift in what the public want. Right across Europe—the board has many European links—there has been a shift in attitudes in favour of minority languages. People are starting to say that, in this world of globalisation and the dominance of English, we want to have our own identity so that we can identify ourselves and other people can identify us. A language is a marker. That permeates through many of the elements that we deal with.

The Convener: The question of sound language planning principles is touched on in your advice to the Bòrd na Gàidhlig. Could you elaborate on what you mean by that?

Meirion Prys Jones: We understand much more than we did, say, 30 years ago about the building bricks that are needed to ensure that minority languages survive. In terms of language planning, we have identified what those are.

What is important is the process. I talked about language transmission in the home, which we know is an important element. We know that the education system and dealing with young people are important, as is the link between language and the economy. We know about the importance of those factors, but the issue is about having the resources that we require to enable us to deal with those elements that have an impact on people's daily lives.

You mentioned that you intend to have a plan for the Gaelic language. That is an extremely important element. We put together our first plan in 1996 and our second plan in 1999, and the Government produced a plan in 2001. You can see the emphasis that we have placed on language planning and on ensuring that all those elements are taken into account.

I mentioned the European context. We chair the network of European language boards. The process of planning is becoming obvious across Europe. All the minority language boards are starting to identify what areas we need to work on and in which areas we need to co-operate.

Work that has been undertaken by Bòrd na Gàidhlig can be shared across languages. You have tried one thing, the Catalans have done something else, the Basques have done something else again and the Finns have done something different; we can all benefit from everyone's experience. We are in a much better position now to support minority languages than we were 30 years ago.

The Convener: The issue of context is interesting.

Fiona Hyslop: Do you have to do anything as a result of the committee of experts' report on the European Charter for Regional or Minority Languages, or did you get a clean bill of health?

Meirion Prys Jones: I do not want to sound smug, so I had better be careful, but it was found that we were more or less doing everything that we were expected to do. The committee wanted us to re-examine certain things, such as services in hospitals, but we got a reasonable number of boxes ticked.

The Convener: Thank you. The session has been useful in pinning down some of the issues involved. If, on reflection, you want to come back to us on anything, apart from the homework that we have given you to take away, that would be useful. Thank you for your attendance.
EDUCATION COMMITTEE

EXTRACT FROM MINUTES

27th Meeting, 2004 (Session 2)

Wednesday 15 December 2004

Present:
Ms Wendy Alexander
Ms Rosemary Byrne
Fiona Hyslop
Mr Kenneth Macintosh
Dr Elaine Murray

Robert Brown (Convener)
Lord James Douglas-Hamilton (Deputy Convener)
Adam Ingram
Mr Frank McAveety

Also present: Alex Neil

The meeting opened at 9.52 am in Committee Room 2. Gaelic Language (Scotland) Bill: The Committee took evidence at Stage 1 (Day 5), from—

Panel 1: Bòrd na Gàidhlig
Duncan Ferguson, Chairman
Allan Campbell, Chief Executive
Robert Dunbar, Member

Panel 2: Scottish Executive
Peter Peacock, Minister for Education and Young People
Douglas Ansdell, Bill Team leader
Steven McGregor, Bill Team member
Jim Logie, Divisional Solicitor, Office of the Solicitor to the Scottish Executive

Gaelic Language (Scotland) Bill: The Committee agreed to discuss the scope of its Stage 1 report at its next meeting.

The meeting closed at 1.05 pm
1943

15 DECEMBER 2004

Gaelic Language (Scotland) Bill:
Stage 1
10:55
The Convener: Item 2 is evidence at stage 1 of
the Gaelic Language (Scotland) Bill. I welcome
witnesses from Bòrd na Gàidhlig: Duncan
Ferguson is the chair, Allan Campbell is the chief
executive and Robert Dunbar is a member of the
bòrd. We have heard evidence on the bill from
other organisations and are pleased that the kingpins of the set-up are before us. I understand that
you want to make some initial comments to start
our deliberations.
Duncan Ferguson (Bòrd na Gàidhlig): Thank
you. I am conscious of the fact that you have just
had a tortuous session, as you said. We are
pleased to be here. You will not be surprised to
hear that we will make our presentation in Gaelic. I
am aware that simultaneous translation facilities
are available to members.
Duncan Ferguson continued in Gaelic:
Madainn mhath. Seo an triùir againn a tha a’
riochdachadh Bòrd na Gàidhlig an-diugh. Is mise
Donnchadh Fearghasdan, cathraiche a’ bhùird,
Ìleach, fear a thàinig air ais gu Gàidhlig—a recycled Gael, mar a chanas iad rium corra uair—
agus cuideachd tha mi nam cheannard aig Àrdsgoil a’ Phluic. Còmhla rium tha ceannard Bòrd na
Gàidhlig, Ailean Caimbeul, a bha airson iomadach
bliadhna na mhanaidsear aig a’ BhBC, agus an
uair sin airson 11 bliadhna na cheannard air
Comunn na Gàidhlig. Bha e an sàs cuideachd
anns a’ bhuidhinn a chuir air dòigh an aithisg
“Cothrom Ùr don Ghàidhlig”, às an tàinig Bòrd na
Gàidhlig, agus tha e air leth fiosraichte mu
dheidhinn leasachadh Gàidhlig. Air an taobh eile
tha Canèidianach Gaidhealach, Rob Dunbar, a
bha a’ teagasg lagh ann an Oilthigh Ghlaschu
agus a tha a-nis na leughadair ann an Ceiltis agus
lagh aig Oilthigh Obar Dheathain.
Tha an triùir againn an seo an-diugh, agus bu
toil leam taing a thoirt dha na buill air fad agus do
dh’oifigearan na comataidh airson na rinn iad gu
ruige seo ann a bhith a’ trusadh fianais agus a’
faighinn fiosrachaidh mu choinneimh a’ bhile. Tha
fhios agam gun robh feadhainn de na buill shuas
anns an sgìre agam fhèin anns an Eilean
Sgìtheanach; bha mi duilich nach do choinnich mi
ribh aig an àm sin. Tha fhios agam gun do thadhail
sibh air Sabhal Mòr Ostaig, Bun-sgoil Phort Rìgh
agus Àrd-sgoil Phort Rìgh. Leis an sin, fhuair sibh
deagh fhios mu dheidhinn foghlam Gàidhlig fo aois
sgoile, aig bun-sgoil, aig àrd-sgoil agus aig àrd ìre,
agus bidh sinn a’ tighinn air ais gu foghlam, tha mi
cinnteach, anns a’ chòmhradh a bhios againn andiugh. Tha mi a’ smaoineachadh gu bheil e

1944

iomchaidh a ràdh gun d’fhuair sinn deagh
naidheachd an-dè is Comhairle Baile Ghlaschu a’
dèanamh co-dhùnadh gum bi sgoil Ghàidhlig
acasan airson sgoilearan bho trì bliadhna a
dh’aois gu 18. Tha mi a’ smaoineachadh gur e
deagh naidheachd a tha sin.
Tha sinn a’ bruidhinn ribh aig àm a tha air leth
dòchasach airson na Gàidhlig. An dèidh
bhliadhnaichean far an robh sinn a’ strì airson
mion-chànan tha sinn a’ faireachdainn a-nis gu
bheil sinn aig ìre far an urrainn dhuinne, a’
cleachdadh na Gàidhlig, a bhith feumail gu
soirbheachas na h-Alba gu lèir, agus gu dearbh gu
h-eadar-nàiseanta. Leis an sin, tha mise a’ toirt
taing dhuibhse airson a’ chothruim a tha sibh air
toirt dhuinn an-diugh a bhith a’ bruidhinn ribh,
agus gu bheil sinn aig ìre far a bheil am bòrd a’
toirt sùil air dè tha a’ dol a thachairt anns na
bliadhnaichean a tha romhainn. Aig coinneamh a
bha againn ann an Dùn Èideann an-dè, bha sinn
a’ bruidhinn air smaoineachadh farsaingeachd a’
chuain—sin a’ Ghàidhlig a tha agamsa air “blue
sky thinking”.
A’ tionndadh gu gnothaichean an latha an-diugh,
mar a thuigeas sibh, tha Bòrd na Gàidhlig air a
bhith a’ leantainn na h-obrach air deasachadh Bile
na Gàidhlig (Alba) gu dlùth bho thoiseach cùise.
Nuair a nochd an dreachd conaltraidh den bhile
an-uiridh, dheasaich am bòrd tagradh gu math
mionaideach mar fhreagairt air a’ chonaltradh sin.
Bha sinn air leth toilichte, nuair a nochd an
dreachd as ùire den bhile, gun robh an Riaghaltas
air èisteachd a thoirt dhan mhòr-chuid de na
puingean a thog sinn, agus tha sin a’ fàgail a’ bhile
seo a-nis gu math nas treasa ann am beachd a’
bhùird.
Tha sinne air a bhith a’ conaltradh leis an
Riaghaltas mun dreachd as ùire seo cuideachd,
agus tha sinn air a bhith ag èisteachd gu
dùrachdach ris an fhianais a tha sibh fhèin air a
bhith a’ cluinntinn bho dhiofar bhuidhnean, nam
measg Bòrd na Cuimris, a tha an sàs ann an raon
a tha gu math faisg air an obair againne, agus tha
fhios agam gun d’fhuair sibh deagh fhios bhon
bhuidhinn sin. Tha am bòrd air leth toilichte an
cothrom seo a bhith againn an-diugh a chur ris an
fhianais a fhuair sibh gu ruige seo, agus tha
fiughair orm gun tèid againn air freagairtean a
thoirt dhuibh a riaraicheas ceistean sam bith a tha
agaibh fhathast.
Aig fìor thoiseach a’ ghnothaich, dh’iarrainn dà
phuing a thog sinn anns an fhianais sgrìobhte a
chuir sinn thugaibh a dhaingneachadh mar bhunait
air an t-seòrsa feallsanachd a tha aig a’ bhòrd a
thaobh a’ bhile, agus mar sin cuideachd a thaobh
na fianais a gheibh sibh bhon bhòrd an-diugh.
Is e a’ chiad phuing sin gu bheil am bòrd air a
mhisneachadh gu mòr le Bile na Gàidhlig (Alba)
mar a chaidh sin a chur fa chomhair Pàrlamaid na

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235


Three people are here to represent Bòrd na Gàidhlig, of which I am the chair. I am from Islay; I am a Gael who came back—I am sometimes called a recycled Gael—and I am the head teacher at Plockton High School. I am accompanied by the chief executive of Bòrd na Gàidhlig, Allan Campbell, who was a manager at the BBC for many years and thereafter was chief executive of Comunn na Gàidhlig for 11 years. He was also involved in the group that put together the report, “A Fresh Start for Gaelic”, which led to the establishment of Bòrd na Gàidhlig. He is very knowledgeable about Gaelic. On my other side is a Canadian Gael, Rob Dunbar, who used to be a senior lecturer in law at the University of Aberdeen and is now reader in law and Celtic studies at the University of Aberdeen.

I thank the members of the committee and the clerks for their work in gathering evidence and information in relation to the bill. I know that some members went to the Isle of Skye. I am sorry that I did not meet you when you came to my part of the country. I know that you visited Sabhal Mòr Ostaig, Portree Primary and Portree Secondary School and received a lot of information about Gaelic education at nursery, primary and secondary levels, and on up to the highest level. I am sure that we will return to education in our discussion. Yesterday, we received the good news that there will be a Gaelic school in Glasgow for pupils from age 3 to age 18. That is great news.

We are talking to the committee at a very hopeful time for Gaelic, after many years of striving to secure its status as a minority language. We are at a stage now at which we can use Gaelic, which will contribute to the success of Scotland as a whole. Therefore I thank the committee for giving us the opportunity today to talk to you. The bòrd is at the point when we will consider what will happen in the years to come. At a meeting in Edinburgh yesterday we talked about the width of the ocean—that is my Gaelic equivalent of blue-sky thinking.

Turning to today’s events, members will understand that Bòrd na Gàidhlig has been following closely the work and the preparation of the Gaelic Language (Scotland) Bill from the start. When the draft consultation appeared last year, the bòrd presented a detailed submission to that. We were very happy, when the new draft appeared, that the Executive had been attentive to the points that we made. The bill is now much stronger than it was.

11:00

We have been listening carefully to the evidence that the committee has heard from different groups, including the Welsh Language Board, which is involved in an area that is very similar to our work. I know that the committee received good information from the Welsh Language Board. The bòrd is happy to have the opportunity to add to the evidence that the committee has so far received and I hope that we can give the committee suitable replies to its questions. At the start, I would like to raise two points that we raised in our written evidence to the committee. I will cover them as the basis of the bòrd’s philosophy on the bill and the evidence that the bòrd will give the committee today.

First, the bòrd is greatly encouraged by the Gaelic Language (Scotland) Bill as it was presented to the Scottish Parliament. The bòrd is strongly of the opinion that we are at a threshold at which strong legislation is suitable for Gaelic, which is what the Gaelic community is searching for.
for. The bòrd believes that the bill can create and increase confidence and self-esteem in the Gaelic community, which will have a great impact on the strength of the language in Scotland and throughout the world.

Secondly, the bòrd is very hopeful that success will emanate from the debate on the bill, and that good will such as was evident in the way the Executive tackled the answers and opinions that have come forward in the debate will be shown. I hope that that will create legislation that will be helpful to Gaelic. That is how it should be. It is an important part of the remit of the bòrd that we should give advice and opinions to ministers on matters relating to Gaelic. Among the strengths of the bòrd are that the Gaelic community from throughout Scotland is represented on the bòrd, and that we offer a wide vision of the philosophy and work of the bòrd. As some people would say at the start of a shinty game, “Alea iacta est.” I know that it will please the convener to hear some of the work of the bòrd. As some people would say that Gaelic is one of the historic languages of Scotland and that it should be recognised in such matters relating to Gaelic. Among the strengths of the bòrd are that the Gaelic community from throughout Scotland is represented on the bòrd, and that we offer a wide vision of the philosophy and work of the bòrd. As some people would say at the start of a shinty game, “Alea iacta est.” I know that it will please the convener to hear some of the work of the bòrd. As some people would say that Gaelic is one of the historic languages of Scotland and that it should be recognised in such matters relating to Gaelic.

The three of us are ready and willing to answer the committee’s questions. I hope that we will give vision to the committee with our answers and we thank you for listening to us.

The Convener: Thank you. I echo your thoughts about Gaelic-medium education. In my modest capacity as a Glasgow member I have visited the Gaelic primary school and the secondary unit in recent months, and consider Gaelic schooling to be very worth while.

I will begin with the status of Gaelic which, as your submission rightly says, is of considerable symbolic importance. We heard about that from the Welsh Language Board last week and from individuals. Like you, we have struggled with what phrases such as “secure status”, “official language” and so on mean in practice. I am interested in your suggestion that the principle of equal validity might be a way forward in that it would give symbolic recognition to Gaelic without tying people down to too-detalled requirements in respect of legal rights and duties that will flow from that principle. There could be acknowledgement that Gaelic is one of the historic languages of Scotland and that it should be recognised in such a way. Will you elaborate a little on any difficulties in or advantages to that approach?

Duncan Ferguson: Mar a thuir thu, tha e air leth cuithromach gum bi na briathran a tha air an cleachdadh anns a’ bhile seo a’ ciallachadh tòrr dhan mhòr-shluagh, agus gu h-àraidh do dhaoine le Gàidhlig. Mar a chithead anns an tagradh againn, thug sinn sùil air inbacadh dòigh a theigeadh mun cuairt air seòr ans gum bòd dha na briathran feumail. Iarraidh mi air Rob Dunbar, a tha eòlach air lagh nam mion-chànan, beagan fiosrachaidh a thoirt dhuibh mun dòigh a chaoidh sinn mun cuairt air seòr.

Following is the simultaneous interpretation:

As you say, an important point is that the words that are used in the bill will mean a lot to the public—especially to people who speak Gaelic. Members will see from our submission that we have considered many ways in which we could make those words useful. Rob Dunbar, who is very familiar with the language, will give members information about how we did that.

Robert Dunbar (Bòrd na Gàidhlig): Tapadh leat, a Dhonnchaidh, agus tapadh leibh uile airson an cothorm a thoirt dhuin a bhith an làthair an-dugh. Tha na h-aon thròbaildean air a bhith againn leis na facail seasamh inbhe, inbhe ofigile, inbhe àraidh dhan Ghàidhlig no inbhe fhòireimid a dòigh air chòrighein. Mar a sgirobh sinn anns an fhianais sgrìobhhte againn, chan eil ciall sònraichte anns an lagh—lagh na h-Alba, lagh Bhreatainn no lagh eadar-nàiseanta—air cùlaibh gín de na facail sin, agus mar sin tha iad dualtach teagamhan a thogail. Bha sinn gu math draghail mu dheidhinn sin cuideachd. Tha e cuidhomach a bhith cho soilier ann an acheadh sam bith mòr chì na mìdh. Mar sin, tha sinn a’ tuigseinn nan duilghheadasain sin.

Ach anns a’ chìad dol-a-mach, ge b’ e có na facail a mholas sinne no duine sam bith eile, bu mhath leum car às dha na teagamhan mu bhuaidh nam facal agus gu seachd àraidh dhan cheist air biodh gín de na facail sin a’ cruthachadh chòraichean a’ Ghàidhlig a chleachdadh ann an àite sam bith le duine sam bith, ge b’ e suidheadhach na Gàidhlig ann an diofar cheàrnaidhean dhen dùthaich.

Is e fear lagha a tha annamgsa agus cha chreid mi gum biodh a’ bhuaidh sin aig gin dhe na facail sin, air inbacadh adhobhar. An toiseach, mar phrìonnsabail mineachaidh anns an lagh, feumaidh cùirt, no duine sam bith a tha a’ làinmhiseachadh reachadas sam bith, a bhith a’ mineachadh fhacal a réir nan structaran aca fhèin, agus tha am bile gu math soilierach eil e a’ cruthachadh chòraichean idir. Tha sin gu math soilierach ann an deasbadan a tha sinn a’ cumail an-dràsta, ann am bun-notaichean an Riaghdhaltais air cùlaibh a’ bhile agus cuideachd bhon structar. Tha an structar aig teis-meadhain a’ ghnothaich. Tha dòigh ann gu planaichean Ghàidhlig a dhealbhadh a bhiodh rianachadh agus imeachadh do dhiofar sgìrean, agus nam biodh facal eile a’ cruthachadh cóir laghal airson a h-ùile seirbheis a bhith tro mheadhan na Gàidhlig, cha bhiodh cìil sam bith ann an siostam phlanaiseach a chur air dòigh. Mar sin, tha mi a’ smaointeinn gum biodh cùirt sam bith, no duine sam bith, gu math leisg ann a bhith a’ toirt mineachadh sin dha na facail.
Cuideachd, mar phrìonnsabal laghail, feumaidh córachean a bhith air an collionadh, agus chan eil e comasach seirbhisean a thoirt seachadh anns gach àite air feadh na dùthcha tro mheadhan na Gàidhlig. Chan eil e luchd-bruidhinn na Gàidhlig gu leòr ann; is e sin aon de na cnapan-starras a motha. Fùi ’s nam bhitheamaid a’ bruidhinn air co-ìonannachd Gàidhlig agus Beurla ann an sgìrean mar na h-Eileanan an lar, bhiodh e dòirbh an-dràsta fhèin a h-uile seirbhies a thoirt seachadh tro mheadhan an dà chàinain air stèidh cho-ìonann, le gainneadh luchd-obraich a tha ag obair anns an roinn phoblaich. A rèir sin, tha mi a’ smaoineachadh nach biodh e comasach an ciall sin a thoirt gu facal sam bith a chleachdaimh anns a’ bhile.

Ach a dh’aindeoin sin uile, bha sin a’ feuchainn ri bhith a’ seachnadh cuide dha na dùthchheadasain sin co-dhiù. An àite a bhith a’ cur rudeigin air beulaibh a’ bhile a dh’abradh gun robh seasamh oifigeil no co-ìonannachd oifigeil aig a’ Ghàidhlig—rud nach eil e g’ aig a’ Bheurla, feumaidh sinn aideachadh—b’ fhéarr dhuinn prìonnsabail mineachaidh a chur anns a’ bhile a bhiodh a’ toirt stiùireadh do bhuithdeann sam bith no do dhuine sam bith a tha a’ làimhseachadh a’ bhile air ciamar a bh’ choir dhaibh a bhith a’ déiligeadh leis an dealastasan a theòd a chruachadh fo na poileasaidhean agus fo na sgeamaichean Gàidhlig.

Tha mi a’ smaointinn gun robh sinn direach a’ feuchainn ri ràdh tro na facail co-ìonannachd creideis, no “equal validity”, nach bu choir do dhuine sam bith a bhith a’ coimhead air na sgeamaichean Gàidhlig agus na córachean—no co-dhiù na cothroman—a bhos aig luchd-bruidhinn na Gàidhlig a thaobh sheirbhisean poblach no a bhith a’ làimhseachadh iarrtasan reusanta mar sin ann an doigh nach eil làn deagh rùin, mar gum biodh, seach droch rùin.

Air cùlaibh nan deasbadan seo uile tha an t-eagal a tha aig luchd-bruidhinn na Gàidhlig. Tha thios agaimne gu bheil an t-uabhas dhaoinne anns an dùthaich aig a bheil deagh rùin dhan Gàidhlig, ach feumaidh sinn aidheachadh cuideachadh gu bheil cuid de dhaoinne ann an dòthainn a’ bhàthadh—chan ann direach air a’ Ghaoldachd, ach air a’ Ghaoidhealtachd agus anns na h-Eileanan an lar cuideachd—aig a bheil mi-rùin no droch rùin air a’ Ghaoidhlig. Cha bu choir poileasaidh agus lìbhrìgheadh poileasaidh a bhith stèidhichte air—mar a cha’inn fhìn ris—crannach deagh rùin no droch rùin nan seirbhisean a tha a’ toirt seachadh sheirbhisean. Mar sin, tha mi a’ smaointinn gu e prìonnnabalan mineachaidh, seach prìonnnabalan farsaing, air beulaibh a’ bhile aon dhe na dòighgean air adhart agus aon dhe na dòighgean a-mach às an staing anns a bheil sinn leis na facail a tha a’ dol air adhart agus air ais fo bheulaibh na comataidh.

Following is the simultaneous interpretation:

I thank the committee for the opportunity to give evidence.

We have had the same problem with words. As our submission says, phrases such as “official status”, “special status” and “formal status” do not have a special meaning in legal terms in British or international law. Therefore, they tend to raise doubts, which we were quite worried about. It is important to be clear about the meaning of words in legislation, and we understand such difficulties.

I would like to dispel doubts about the effects of the words that we would recommend. The words should create rights to use Gaelic in any place at any time. I am a lawyer and do not think that such an effect would be created by any of words that have been used. I will give a legal explanation. Anybody who uses legislation must explain words according to their structure. Rights would not be created, which is clear in the debates that we are having, in the Executive’s accompanying documents and in the structures that are at the centre of the plans. There is an essential and appropriate way of developing Gaelic for many regions. If other words could create a legal right to give services using Gaelic, there would be no tie and no point in making plans. Any court or any person would be quite lazy to give such definitions. As a legal principle, we must give rights to achieve rights. For many reasons, it would be impossible to provide services everywhere in the country using Gaelic—a major setback to doing that is that there are not enough Gaelic speakers in many places. Even if we were talking about equality in places such as the Western Isles, it would be difficult at this point to provide every service using Gaelic on an equal footing, especially for people who work in the public sector. Therefore, we should not give that meaning through the words that are used in the bill.

In spite of that, we have been trying to avoid some of the difficulties. Instead of putting something in the bill that says that Gaelic has official status—which, I have to say, English itself does not have—or official equality with English, we would prefer that there be an explanatory principle in the bill to give guidance to any group or person using the bill on how to deal with the duties that will be created under the Gaelic policies and schemes. We are trying to say through the words “equal validity” that nobody should look at the Gaelic schemes and at the rights—or the opportunities—for Gaelic speakers in relation to public services, or handle reasonable demands, other than with good will.
Many people feel good will towards Gaelic, but we also have to confess that there are many people in different places—not only in the lowlands, but in the Highlands and in the Western Isles—who feel bad will towards Gaelic. Policy and delivery of policy should not be based on a lottery of good or bad will on the part of those who deliver services. Explanatory principles will be important in helping us through the situation that we are in and through the confusion over words.

The Convener: Thank you very much. You have made the point that to be guided “by a principle of generosity and good will to the language and the aspirations of its speakers”—as the implementation of Welsh language schemes has been—is a good principle.

Lord James Douglas-Hamilton: I understand that the bòrd will work with other bodies that have a remit for developing education. I presume that you will give them guidance. Are you happy with that?

Duncan Ferguson: Tha sinn air a bhith a’ bruidhinn ris a’ mhinistear mar-thà mu dheidhinn seo agus tha sinn gu math toilichte a bhith ag obair gu h-àraidh còmhla ri comhairlean ionadail mu dheidhinn an seòrsa foghlam a bhiodh iad a’ toirt seachad agus na seirbheisean eile a bhiodh iad a’ déanamh. Tha sinn gu math cofhurtail le sin, agus tha sinn a’ sullachadh gu h-àraidh gur e ri co-obrachadh a bhios sinn. Tha e cudromhach mar phrionnsabal againne gum bi sinn ag obair le comhairle. Tha ionadach comhairle—21 dhiubh mar-thà—an sàs ann am foghlam Gàidhlig gu ire air chòireigin. Leis an sin, chan eil sinn a’ tòiseachadh aig “ground zero”, mar a chanadh tu. Tha sinn a’ dol a bhith a’ togail air na rudan a tha a’ tachair mar-thà, ach cuideadh a’ toirt stiùir agus comhairle dha na chomhairle conversean sin air an dòigh a bu chòir dhaibh a bhith a’ toirt seachad sheirbheisean, agus gu h-àraidh foghlam.

Following is the simultaneous interpretation:

We have been talking to the minister about that; we will be happy to work with local councils on education and other services that they provide and we hope that there will be co-operation. One of the principles will be that we will co-operate with many councils. Twenty-one councils already work with Gaelic-medium education, so we will not be starting at ground zero, as one might say, but will build on what has been happening. We will give advice and direction to councils on how they should provide services, especially education.

Lord James Douglas-Hamilton: Are you confident that, through the use of good guidance, you will get United Kingdom bodies and private sector bodies to co-operate where there is a reasonable case to be made.
It is true that groups have said that Gaelic does not have the same status as Welsh; they will still say that. However, after a good few years of Gaelic development, I am confident that we will convert most of them, and that the way in which they approach Gaelic will change.

Duncan Ferguson: I will ask Rob Dunbar to answer that question.

Robert Dunbar: Tha mi a’ smaointinn gu bheil sinn aig aire gu math iosaol ann an dòigh. Mar is trice, bìdh buidhnean a’ smaointinn gum biodh e uabhasach fhéin doirbh seirbhisean a thoirt seachad tro chànanan eile, ge b’ e cò an cànain a bhios sin, agus is e sin pàirt dhèn duilgheadas. Chan eil mòran cleachdaidh againn ann an Alba no ann am Breatainn air fad, seach anns a’ Chuimrigh, ann a bhith a’ toirt seachad seirbhisean tro chànanan eile. Air an adhdbhar sin, bìdh daoine a’ smaointinn gu bheil an rud anabarrach fhéin neo-àbhaisteach agus cuideachd dulich, ach tha sinn a’ faicinn anns a’ Chuimrigh nach ann mar sin a tha e.

Is ann à Canada a tha mise, agus sin mar a bha cuisean nuair a bha mi fhin òg. Bha a h-uile duine a’ smaointinn gum biodh e uabhasach fhéin doirbh seirbhisean a thoirt seachad tro mheadhan dà chànan, agus aig toiseach gnothaich bha, ach a-nis tha eachdraidh gu math fada ann an Canada agus anns a’ Chuimrigh, mar a bhios againne an seo leis na planaichean. Às dèidh beagan bhiadihnaichean, tha mi cinnteach gu bheil buidhnean ann an roinn phrìobhaidh agus bhuaidh chànanach agus bhuaidh na seirbheisean tro mheadhan dà chànanach na poileasaidhean Gàidhlig a dhealbhachadh—agus bidh fios aca an uair sin gu ghabh cuisean a dhèanamh aig prìs reusanta agus eòiachdach gun a bhith a’ cur cus dhùilheadasan air na buidhnean sin idir.

Tha pàirt cudthromach aig Bile na Gàidhlig (Alba) agus aig an dòigh dealbhachadh a bhios againne gu sìos e isòmhileann a thoirt seachadh agus a shealtainn do dhaoine gu bheil e comasach agus nach eil e cruaidh ann an dòigh sam bith. Tha mi a’ smaointinn gum cruthachadh sin sìos eadar-dhealaichte timcheall air lìbhreachaidh seirbhisean a bheir buaidh chan ann dìreach air seirbhisean tro mheadhan na Gàidhlig ach air seirbhisean tro mheadhan chànanan eile far a bheil feum aig buidhnean na seirbhisean sin a thoirt seachadh, ge b’ e cò an cànain a bhheil sinn a’ braithdha. An uair sin, bidh sinn ann an suidheadach mòran nas hafa agus mòran nas tuigsiche air na spàna-starra ach cuideachd air na cothroman a bhios ann.

Following is the translation:

It is true that the bill does not have the same aims as Welsh legislation. Wales is working towards being a bilingual country in a few years; we cannot establish such aims here. However, we and the Gaelic community are aware that when the bill becomes law, the Gaelic situation will be stronger and more encouraging than it has ever been. By building on the foundation of consultation with other bodies throughout the country, we will bring it home to them that Gaelic is in a new world now.

It is true that groups have said that Gaelic does not have the same status as Welsh; they will still say that. However, after a good few years of Gaelic development, I am confident that we will convert most of them, and that the way in which they approach Gaelic will change.

Duncan Ferguson: I will ask Rob Dunbar to answer that question.

Robert Dunbar: Tha mi a’ smaointinn gu bheil sinn aig iore gu math iosaol ann an dòigh. Mar is trice, bìdh buidhnean a’ smaointinn gum biodh e uabhasach fhéin doirbh seirbhisean a thoirt seachad tro chànanan eile, ge b’ e cò an cànain a bhios sin, agus is e sin pàirt dhèn duilgheadas. Chan eil mòran cleachdaidh againn ann an Alba no ann am Breatainn air fad, seach anns a’ Chuimrigh, ann a bhith a’ toirt seachad seirbhisean tro chànanan eile. Air an adhdbhar sin, bìdh daoine a’ smaointinn gu bheil an rud anabarrach fhéin neo-àbhaisteach agus cuideachd dulich, ach tha sinn a’ faicinn anns a’ Chuimrigh nach ann mar sin a tha e.

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It is true that groups have said that Gaelic does not have the same status as Welsh; they will still say that. However, after a good few years of Gaelic development, I am confident that we will convert most of them, and that the way in which they approach Gaelic will change.

Duncan Ferguson: I will ask Rob Dunbar to answer that question.
I am from Canada where, when I was young, people thought it would be awfully difficult to deliver services using two languages. At first it was, but now Canada and Wales have a long history of doing that. I hope that the same will happen with our plans here. After several years, private and national groups will examine the work that we have undertaken and local councils and other public bodies will produce bilingual policies. They will know then that services can be provided at a reasonable price and effectively without our loading too many difficulties on them.

The Gaelic Language (Scotland) Bill has an important part to play in showing people, for example, that it is possible and not too difficult to use Gaelic. The bill will create a new culture in the delivery of services that will affect not just Gaelic-medium services, but services in other languages. The bill will put us in a much better situation because we will learn not only about the difficulties, but the opportunities that will be available.

**The Convener:** We are perhaps drifting a little from the question that we began with and I am conscious of the time.

**Dr Murray:** First, I thank the bòrd for a particularly helpful written submission that dealt with some of the issues with which we have been wrestling.

During the collection of evidence, certain problems have been brought to our attention, including recruitment of Gaelic-medium education and Gaelic-language teachers, the lack of an established career structure and the problem of continuity of education to different levels when people have had primary Gaelic-medium education and then found that it is much more difficult to access Gaelic-medium secondary education. Another problem is that teaching materials are often photocopies of English teaching materials that have Gaelic superimposed on them rather than materials that are produced in Gaelic. How do bòrd members feel that, in conjunction with the bill, they can help to improve some of those conditions? It is obvious that you are not responsible for training teachers and so on, but how would you contribute to the improvement of the current position?

**Duncan Ferguson:** Is e glè bheag a dh’iarrainn a chur ris an sin, ach thèid a cuithromach a chomharrachadh na puing a bha aig Donnchadh MacFhearghais a thaobh na tha sinne a中俄 dhen őigrdigh an-dràste aodar a bhrun-sgoil agus an ard-sgoil. Tha sinne a中俄 dhas ri ochd às gach 10, agus tha sin a中俄 ciallachadh, nuair a ruigeas an őigrdigh sin an t-sliathamh bliadhna anns an ard-sgoil, gu bheil nas lughaagainn mu choineinneamh an fhreaghainn a dheighheadh, is docha, gu teagasg. Tha duilgeadas againn a中俄 sin, agus chan e duilgeadas a tha ann a theid a rìteach ann an cabhaig, ach is e duilgeadas a tha ann a dh’heumas sinn a rìteach. Ma a bha Donnchadh MacFhearghais ag ràdh, ni sinn sin le a bhithe a中俄 co-obrachadhe ionadan foghlaim agus leis an Riaghaltas cuideachd.

**Allan Campbell:** Is e glè bheag a dh’iarrainn a chur ris an sin, ach thà e cudthromach a chomharrachadh na puing a bha aig Donnchadh MacFhearghais a thaobh na tha sin a中俄 dhen őigrdigh an-dràste aodar a bhrun-sgoil agus an ard-sgoil. Tha sinne a中俄 dhas ri ochd às gach 10, agus tha sin a中俄 ciallachadh, nuair a ruigeas an őigrdigh sin an t-sliathamh bliadhna anns an ard-sgoil, gu bheil nas lugha againn mu choineinneamh an fhreaghainn a dheighheadh, is docha, gu teagasg. Tha duilgeadas againn a中俄 sin, agus chan e duilgeadas a tha ann a theid a rìteach ann an cabhaig, ach is e duilgeadas a tha ann a dh’heumas sinn a rìteach. Ma a bha Donnchadh MacFhearghais ag ràdh, ni sinn sin le a bhithe a中俄 co-obrachadhe ionadan foghlaim agus leis an Riaghaltas cuideachd.
I add to Duncan Ferguson’s important point about the number of children whom we lose from Gaelic-medium education between primary and high school. We lose eight out of 10 pupils, which means that by the time those young people reach sixth year in high school, we have many fewer people available for teaching purposes. That is a difficulty that cannot be sorted out quickly, but we have to sort it out. As Duncan Ferguson said, we will work it out through co-operation between us, education units and the Executive.

The Convener: I am conscious of time. The minister will give evidence in the not-too-distant future, so I ask members to be a little snappier with their questions.

Alex Neil (Central Scotland) (SNP): I will be brief.

My question is about an area that is not covered in your submission. You might be aware that, after considering the financial memorandum that is attached to the bill, the Finance Committee expressed some concern about resources. The assumption in the financial memorandum is that you will prepare 10 plans a year, at least initially. Have you given some thought to the criteria that you will use for prioritising in the early years and the likely resource implications? Secondly, are the estimates of the resources that the board will require in the early years satisfactory? Will you have sufficient resources to perform your statutory duties?

Duncan Ferguson: Tha sinn air a bhith a’ leantail beachdan Comataidh an lomhais gu math dìuth agus a’ smaointinn orra. Tha sinn a’ sùileachadh gum bi sinn ag iarraidh planaichean bhò 10 buidhnean gach bliadhna. Feumaidh sinn cuimhneachadh gu bheil buidhnean an sàs mu thàrr ann an cur air dòigh planaichean Gàidhlíg. Minichidh Allean Caimbeul beagan a bharrachd air sin dhuinn.

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Following is the simultaneous interpretation:

We have been following the Finance Committee’s discussions. We hope to ask 10 public authorities every year to prepare a plan. Some bodies have already been involved in preparing Gaelic plans, which will help us.

Allan Campbell: Air a’ chiad rud, a thaobh co mhead buidheann a dh’fhéumsach plana a dheasachadh agus cò iad, cha bhiodh e iomachaidh a bhith a’ comhairleachadh cò na buidhnean gu sònraichte a bhios air a bhith air a bhith an-dràsta a bhios am maasg nan ciad buidhnean ris am bi sinn a’ deiltigeadh. Bíd hinn a’ leantainn air adhart leotha airson dà adhbhar: an toiseach, gu bheil an obair sin a’ dol air adhart cheana; agus, anns an dara àite, gu bheil sin gu bhith na dheagh eisimpleir dha buidhnean eile. Am measg nam buidhnean leis a bheil sinn ag obair mu thràth, tha Comhairle na Gàidhealtachd, Comhairle nan Èilean Siar, Ughdarras nan Còiseanar agus buidhnean dhèin t-seòrsa sin.

Tha e cudthermoch a ràdh a-rìthist, mar a thuir Dionnachadh MacFhearghais na fu bràth air, nach eil sinn a’ tòiseachadh as ùr. Cha bhì leasachadh na Gàidhlig a’ tòiseachadh nuair a thig am bile a-steach dhan lagh. Cha bhì am bile acher a’ cur neart ris an obair a tha a bhith dol gu ruige seo agus bhidh e a’ ceangal nan sreangan ri cheile.

A thaobh chosgaisean, gun teagamh sam bith cha bhì airgead gu leòr gu siorraidh ma choinneimh na tha ri dhéanamh, ach tha deagh buhnait tòiseachadh againg leis an t-seòrsa airgid a tha air a bhith air a chomhairleachadh. Tha e cudthermoch a ràdh cuideachadh, mar a chuala sibh mu thràth bho leithid Comhairle na Gàidhealtachd, nach b’ e i na impidh air a h-ùile buidheann oifigear fhastadh no oifigeur a chur air an dileuadh an dara cuid airson sgeama Gàidhlig a dheasachadh no a chur an gniomh. Tha caochladh dhoighhean air sin a dhéanamh. Tha buidhnean a’ meugh an sin an-dràsta deas a sgilean a bha iad ann an bhuaidheann. Sin ann seòrsa co-obrachadh a dh’fhéumsach tachairt, agus sin mar a tha mise a’ faicinn na h-obrach a’ dol air adhart. Gabhaidh fiur obair mhath a dhèanamh le sporrann is dòcha nach eil cho mòr ‘s a dh’iarradadh, ach tha mi a’ smaoinichadh gan gabh an obair a chur air adhart.

Following is the simultaneous interpretation:

On the question of how many authorities we will ask to prepare a plan and which authorities they will be, it would not be appropriate to state which ones we will approach first. However, I can say with certainty that the bodies with which we are currently working will be among the first group, for two reasons: first, so that the work can continue and secondly, so that we can provide good examples for other bodies. We are working with bodies such as Highland Council, Western Isles Council and the Crofters Commission. That work will continue and set an example for others.

As Duncan Ferguson said, Gaelic development will not start anew when the bill is passed. The bill strengthens the work that has been done up to now and ties up the loose ends. We will never have enough money for what we want to do, but the money that has been earmarked will provide a good foundation. As Highland Council and others have said, public bodies will not be under pressure to employ Gaelic officers in relation to development or implementation. There are bodies
that we should work with such organisations—that is how I envisage that work will progress. Great work can be done with a purse that is not quite as big as we might like it to be.

**Duncan Ferguson:** Bith £1.4 milliean againn, ach cha bhi sin air a chleachdadh direach airson rianachd agus rudan biurocratach ach airson feum a dhéanamh airson leasachadh a’ chàinann. Tha sinn an dòchas nach e direach airson ofigearan no direach airson piosan påipèir a chur air dòigh a bhios an t-airgead air a chleachadh.

*Following is the simultaneous interpretation:*

The £1.4 million that will be allocated will be spent not just on employing Gaelic officers and on bureaucracy and producing bits of paper, but on developing the language.

**Mr Frank McAvety (Glasgow Shettleston) (Lab):** Witnesses from the Welsh Language Board said that the best approach is an incremental one and that a number of initial concerns in Wales—some of the evidence that we have received reflects similar concerns—did not materialise when the set-up had been established and constructive relationships had been developed. How do you envisage the bòrd’s role in creating a constructive relationships had been developed. when the set-up had been established and reflects similar concerns—did not materialise some of the evidence that we have received and that a number of initial concerns in Wales—said that the best approach is an incremental one

**Duncan Ferguson:** Tha sinn a’ suileachadh gur ann beag air bheag a bhios sinn a’ toirt a-staigh na buidhean a dh’fhéumas sgeamaichean no planaichean a dhéanamh dhùinn. Bhid sinn mothachail air dè cho làidir ‘s a tha a’ Ghàidhlig anns gach sgìre—is e “incremental” am faocal ceart, mar a thuirt thu—agus a’ gabhail ri mar a tha an suidheachadh anns na coimhearsnachd.

*Following is the simultaneous interpretation:*

We hope that, little by little, we will involve organisations in producing plans and we will be conscious of how strong Gaelic is in each area. “Incremental” is the right word; we will consider the situation in each community.

11:30

**Allan Campbell:** A-raithe, tha e cudromach gum foghlaim sinn bho eisimpleir na Cùimhrigh. Anns an dol seachad, bu toil leam a ràdh gum bi dulghéadas mòr againn ma chleachdas sinn am faocal “plana” faid an t-siubhail, thoireadh bidh sinn uile a’ dol iomrall. Bha an aon trioblad aig daoine anns a’ Chuimhrigh, ach thagh iad am faical “sgeama”, no “language schemes”. Tha mi a’ smaoineachadh gum bi sinn a’ moladh an aon rud an seo los gum bi e nas fhasa tuigsinn an t-eadar-dhealachadh eadar am plana nàiseanta agus na language schemes.

**Co-dhiù,** a’ dol air ais chun na ceiste, nuair a bhios planaichean Gàidhlig—no sgeamaichean Gàidhlig—gan deasachadh, bidh sin a’ tachairt ri linn aonta agus ri linn conaltraidh. Feumaidh conaltraidh a bhith ann eadar am bòrd agus a’ bhuidheann a bhios ga dhéanamh, agus eadar a’ bhuidheann sin agus an fheadhainn a tha a’ bhuidheann a’ fritheachadh. A-mach às an sin, thig aonta air na h-amasan agus air dè is urrainn dhan bhuidheann a dhéanmh leis a’ mhaoin a tha aige.

Tha e ubhasach cudromach cudromach a ràd gur e, mar a chanamaid ann am Beurla, “facilitation, not coercion” an fheallsanachd a tha aig a’ bhòrd. Tha sinn a’ moladh gur e gum bi sinn a’ cuideachadh rudan gu tachairt seach a’ sparradh rudan air duine sam bith.

*Following is the simultaneous interpretation:*

It is important that we learn from the experience in Wales. We will have great difficulty and go astray if we constantly use the word “plan”. In Wales people faced the same difficulty, so they chose to use the word “scheme”. We would like that word to be used, because it would enable us to distinguish between the national Gaelic language plan and Gaelic language schemes.

Gaelic schemes will be prepared through discussions between us, the organisation that will prepare the scheme and the people that the organisation represents. From those discussions will emerge agreement on the aims of the scheme and what can be done for the resources that are available. It is important to emphasise that the philosophy of the current bòrd is facilitation, not coercion. We should help in the preparation of schemes rather than just impose requirements on organisations.

**Duncan Ferguson:** A’ tighinn chun na dàrna ceiste mu òireamh ballrachd a’ bhùird, tha fhios agam gun tuirt Bòrd na Cùimrís gu bheil ballrachd de 12 ro mhóir. Thòisich sinn a’ chionadh a bhòrd agus a’ chobhadh fhèin sinn fhòir aon rud luach. Tha sinn a’ chionadh a bhòrd agus a’ chobhadh fhèin sinn fhòir aon rud luach. Tha sinn a’ chionadh a bhòrd agus a’ chobhadh fhèin sinn fhòir aon rud luach.

Following is the simultaneous interpretation:

Frank McAvety asked about the membership of the bòrd. The Welsh Language Board says that 12 members would be too many. Bòrd na Gàidhlig
started with six members and increased the number to eight. I am quite open-minded about the number to eight. I am quite open-minded about the number of skills that are currently reflected on the board, although perhaps people are not especially acquainted with finance. There should certainly be no more than 12 members.

Robert Dunbar: Am faod mi dìreach facal a ràdh? Tha deagh eisimpleirean againn bho Bhòrd na Cùimris agus tha mi a’ smaointinn gum bi sinn a’ leantainn orra sin. Tha cruth na h-aich Cùimris gu math coltach ri cruth a’ bhile againne agus tha mòran againn ri ionsachadh bho Chuimhrigh. Feumaidh an fheallsanachd a tha air cùilbhe leasachadh cànna sam bith a bhith gus piseach a thoirt air cleachdadh a’ chàinain anns a’ choimhearsnachd. Mar sin, anns a’ chid aol-a-mach, bidh sinn ag mas ag mas gu seachadh áraind air éifeachd nam poileasaidhean air cleachdadh is naidhich a thar bhi na Gàidhlig againn ann an coimhearsnachd. Bidh sinn ag mas air coimhearsnachd an anns an gabh leasachaidhean a dhéanamh gu h-éifeachdach agus gu simplidh, no nas simplidh na ann an sgirean eile. Tha sin gu math stèidhde aig Bòrd na Cùimris, agus tha mi a’ smaointinn gu bheil sin gu math cudthromach.

Cuideachd, gu ruige seo, anns an fhianais sgrobhbe a chuir sinn seachad gach cuid an t-seachd dain a chaidh mu dheidhinn a’ bhile agus aig toiseach na bladhna mu dheidhinn na ciad dreachd den bhile, tha sinn air a bhith a’ feuchainn ri bhith gu math reusanta agus, ann an dòigh, gu math cruthchail. A thaobh cuid dhe na duilgeadasan, feumaidh sinn cuimhneachd gur e Bòrd na Gàidhlig fhèin a mhol gum bu chòir cothrom a bhith aig na comhairlean naoidail agus buidheann poblach agh-againn a dhèanamh, mas e is gu bheil iad a’ smaointinn gu bheil air bòrd aig a bhith mi-reusanta ann a dòigh sam bith. Mar sin, tha sinn air a bhith ag éisteachd mu-thràth. Tha sinn a’ feuchainn ri bhith a’ nochtadh gu bheil sinn a’ dol air adhart ann an dòigh gu math reusanta. Tha sinn ag éisteachd chan dreachd ri feumalachd an luchd-bruidhinn na Gàidhlig ach ri teagamhan agus duilgeadasan nam buidheann poblach agus an riaghaltas ionadail an a bhith a’ libhrigeadh sheirbheisean tro mheadhan na Gàidhlig.

Following is the simultaneous interpretation:

The Welsh Language Board’s experience offers good examples for us to follow. The Welsh Language Act 1993 is similar in shape to the Gaelic Language (Scotland) Bill, so we can learn from the Welsh with regard to implementation. The philosophy behind Gaelic development is to secure improvement in relation to the use of the language in the community, so in the first instance we will aim to put in place effective policies on the use of Gaelic by organisations and in the Gaelic community. We will target communities in which such developments can be achieved more effectively and easily than in other areas. That is important.

As we said at the start of the year after we saw the first draft of the bill and in the written submission that we sent to the committee last week, Bòrd na Gàidhlig has tried to be reasonable and creative in considering some of the difficulties. Members should remember that the bòrd recommended that local councils and other public bodies confirm to ministers that the bòrd has not been at all unreasonable. We have tried to make progress in a reasonable way and we have listened not just to the needs of Gaelic speakers but to the doubts and difficulties that public bodies have in distributing Gaelic resources.

Mr McAveety: Your submission includes a section on enforcement and notes that the Welsh Language Act 1993 takes a different approach from that of the bill to securing parliamentary authority for ministerial intervention, should public authorities choose not to reflect the aspirations of the bill. In the latter part of your submission, you suggest that there should at least be a “fixed time scale” in which action must be taken by the bòrd or the minister—given how the bill is currently framed, it would be for the minister to intervene. How might that kick in?

Duncan Ferguson: Anns a’ chiaid àite, tha sinn an dòchas nach tachair sin ma tha sinn reusanta aig an toiseach. Cha tig sinn gu buidheann sam bith agus iarraidh sinn gu bheil iad a’ smaointinn gu bheil aig an dòchas nach tachair sin. Mar a thuirt cuideigin rinn mu thràth, aig a’ cheann thall bidh an t-ombudsman a lìbhrigeadh sheirbheisean nam buidhnean poblach agus an riaghaltaidh duilgheadasan, feumaidh sinn cuimhneachadh gur mhòran againn ri cruth a’ bhile. A chàiridh a feuchaineachd de na buidhnean poblach agus a dhèanamh a dhéanamh. Dh’fhaodadh an t-chàiridh de na buidhnean poblach a bhith aig an ombudsman a ghabh airseachadh airson sin, a bhith aig an toiseach. Cha tig sinn gu buidheann sam bith agus aisgarthachd airson sin a dhèanamh. Mar a thuirt anns an tagradh againn, aig a’ cheann thall bidh anns na de na bhàidh airson a bhòrd a chàiridh a bhòrd nam bheil aig an dòchas nach tachair sin.
cúisean chun na h-ire sin a-riamh bhon thòisich an lagh ann an ëileachd. Tha mi smaointinn gum bhitheamaid a’ leantail an eisimpleir sin.

Tha sinn mothachail air gum bi cumhachdan aig ministearan crioch a thoirt air easaonta nam biodh easaonta ann, ach chan eil e soilleir cuine a tha sin a’ dùnadh, mar gum biodh. Bhid cumhachd aig ministearan órdugh a thoirt seachad dhan bhuidhinn phoblach no beadh a chur air beulaibh na Pàrlamaid los gum bi cothrom aig a’ Phàrlamaid rudeigin a dhèananam, ach is dòcha nach tachraidh rud seach rud. Ann an suidheachadh mar sin, far a bheil a h-uile duine ann an sgleò gun aonta no co-dhùnadh aig a’ cheann thall, is dòcha gum biodh daoine buailteach cúisean fhàgail mar sin. Ged a bhidh cuid duallach easaonta fhàgail agus, is dòcha, beagan teas fhàgail anns a’ gho nthach, b’ fheàrr dhuinne an rud a thoirt gu crìch. Tha sinn a’ moladh sin.

Ach, mar a thuirt mi roimhe, tha sinn airson a bhith a seachadh shuidheachaidhean mar sin. Cha déan iad feum do bhuidheann sam bith—do Bhòrd na Gàidhlig, do ministearan no do bhuidhnean poblach.

Following is the simultaneous interpretation:

I agree strongly with Duncan Ferguson. No improvement would come of any campaign or disagreement between the bòrd and a public body. In Wales, nothing has ever reached that stage since the law came into effect. We would like to follow that example.

We are aware that ministers can bring an end to disagreement, if there is any, but it is not clear when that would happen. Ministers can give orders to a public body or bring the issue before the Parliament so that the Parliament can do something about it. Perhaps neither will ever happen. In such a situation, everybody would be in the clouds; there would be no agreement or conclusion. We would be likely to leave matters in a mist, which would also leave disagreement and some anger in the matter. If ministers were of the opinion that the public body was doing what it was meant to do, things could be settled, but we would like to avoid that situation, because it would not be of any use to anybody—us or the public bodies.

The Convener: It might be helpful for me to say to members that we have spoken indirectly to the minister and we will try to get him for about 5 minutes to 12, so I hope to finish questions to Bòrd na Gàidhlig at about 10 minutes to 12. I appreciate that that is fairly tight, but I ask members and witnesses to be crisp with their questions and answers if they can.

Mr Ingram: There is not much in the bill about Gaelic broadcasting. Would Bòrd na Gàidhlig be able to deal with broadcasting by having a plan for the BBC, or are there other means by which you would like to influence Gaelic broadcasting? It is clearly an important feature of the promotion of the language.

Duncan Ferguson: Bidh fhios agaibh gun taiming móran tagradhean a-staigh anns a’ chiaid dol-a-mach—aig a’ chiaid chonaltradh—a bha a’ togal air craoladh. Mar a thuirt mi na bu tràith, tha am BBC na dheagh eisimpleir, a chionn ‘s chan fheum am BBC a bhith a’ dèanamh càil a thaobh na Gàidhlig—no a thaobh sgeamaichean an-dràsta co-dhiù—ach tha e a’ toirt seirbhise dhunn tro mheadhan na Gàidhlig.

Tha riocadhadh aig a’ bhòrd air Seirbhise nam Meadhanaid Gàidhlig tron cheannard againn, Ailean Caimbeul. Leis an sin, tha seasamh againn ann an craoladh fon lagh, mar a tha an lagh an-dràsta. Mar a tha fhios agaibh, chan eil cumhachd aig Riaghaltas na h-Alba air craoladh, ach bu toigh lein smaoineachadh gum b’ urrainn buaidh a bhith againn air craoladh gu teagamh, oir tha craoladh cho fior bhunaiteach ann an toirt air aghaidh ar cànan.

Following is the simultaneous interpretation:

As you know, a lot of submissions to the initial consultation included points about broadcasting. As I said earlier, the BBC is a good example of a body that is not required to do anything about Gaelic but which has still given us an excellent Gaelic-medium service.

The board has a representative on the Gaelic Media Service—Allan Campbell. We have a standing in broadcasting, although, as the law stands, the Scottish Executive has no power over that area. However, we like to think that we would have some impact on Gaelic broadcasting, because broadcasting is basic for bringing on the language.

Allan Campbell: Tha a h-uile riogachd, mion-chànan is bòrd cànan ag aontachadh gum feum plana airson cànan a leasachadh agus a thoirt air adhart a bhith a’ toirt a-steach dà rud a tha bunaiteach: foghlaí agus craoladh. Tha iomadadh rud eile ann cuideachd, ach tha an dà rud sin bunaiteach agus tha sin fior airson Gàidhlig.

Feumaidh mi ràdh, às leith a’ chànan agus às leith coimhearsnachd na Gàidhlig, mura b’ e na rinn leithid am BBC fad iomadadh bliadhna airson a’ chànan, is dòcha nach biodh an cànan cho làidir an-diugh ’s a tha e. Mar sin, ged nach bh làidir mar dhèastanas ton phlana nàiseanta a bheir am bòrd air adhart fon bhile, ma tha am plana sin gu bhith dhà-ribh agus na phlana nàiseanta dhan Gàidhlig, feumaidh sinn sealtainn ciamar a tha craoladh gu bhith a’ cur ris a’ phlana. Bidh sinn
a’ dèanamh sin le bhith ag obair cuide ri Seirbheis nam Meadhanaian Gàidhlig.

Tha e cudthromach a ràdh aon rud eile. Tha am börd a’ cur a làn thaic ri amas Seirbheis nam Meadhanaian Gàidhlig airson seirbheis digiteach a bhith fo smachd coimhearsnachd na Gàidhlig. Tha sinn a’ faicinn sin mar rud a tha uabhasach bunaiteach ann a bhith a’ toirt air adhart amasan a’ bhiile agus amasan coimhearsnachd na Gàidhlig.

_Following is the simultaneous interpretation:_

Every minority language group and every language board would say that two things—education and broadcasting—are basic to developing the language. Many other things are involved, but those two things are important. I should say, on behalf of the language and the Gaelic community, that if it were not for what the likes of the BBC have done over many years, perhaps the language would not be as strong as it is. Therefore, although broadcasting is not part of the national plan for Gaelic that the board will develop as a result of the bill, I envisage that, if the plan is indeed to be national, we will have to consider how broadcasting adds to it. We will do that by working with the Gaelic Media Service.

The board fully supports the Gaelic Media Service’s aim for digital services. We see such aspects to the proposals? I think that it would be possible to allow an ombudsman to consider difficulties in delivering services in Gaelic. That could be done through a language commissioner or somebody similar. We have not recommended that, but there is such a person in Canada, which has a long history of such things. There are definite rights in each place. Canada has a very different legal and historical environment. If we were expecting a lot of complaints and trouble, thinking about a commissioner might be important and appropriate. However, from the example of Wales, which we will follow, we do not believe that there will be many problems. I do not think that there will have to be a separate office. I would prefer to spend money on delivering services than on establishing an office that will not have much work to do.

_Following is the simultaneous interpretation:_

As we said, I think that we are happy that we will not arrive at such a situation. However, if there were difficulties and disagreements, the usual course would be followed and the ombudsman should be involved. I think that we are happy to allow the ministers such powers. If that does not help, the matter should go to an ombudsman, but we are quite happy with the situation as it is.
example, there are instructions to the Government to have a fuel poverty or homelessness strategy. Would it be appropriate for the bill to require a teacher training strategy?

Thirdly, we heard from the Welsh Language Board about phasing in plans. If the bill is passed, what priority will you give to authorities? Will you phase organisations’ needs for plans, as was done in Wales? Will you produce guidance on plans? Do you intend to produce templates?

Finally, we have heard evidence that we should make a criterion for plans the potential to develop Gaelic, rather than the extent to which Gaelic is used. Places such as Dumfries and Galloway are concerned that the bill is an imposition when there is no demand. The criterion of the potential to develop Gaelic might help in my part of the country—I represent the Lothians—but it might be inappropriate in the Highlands and Islands. However, considering the extent to which the language is used might be too much of a cap and a ceiling. Would there be merit in considering a definition that combined the potential for development in areas of not much development with the extent to which the language is used?

11:45

Duncan Ferguson: Tha mi a’ toirt taing dha Fiona Hyslop airson tòrr cheistean.

Ag obair air ais, tha thu ceart gum bu chóir dhuinn a bhith a’ toirt sùil air dè is urrainn tachairt. Mar eisimpleir, tha an sgoil ann an Obar Phheallaidh a’ teagasg Gàidhlig ach chan eil an sgòil ann an Ceann Loch Gilb ann an Earrad-Ghaidheal. Air sàileabh eachdraidh, chan eil Gàidhlig air a teagasg ann an an aon sgire seach sgire eile. Leis a’ chruinn-eòlas sin, tha thu ceart gum bu chóir dhuinn sùileachadh gum bi an cànán a’ fàs. Mar a fhreagairg sinn mu thràth, bidh sinn a’ toirt sùil air chan ann direach ciamaar a bheir sinn a-staigh sgeamaichean airson bhuidhnean a tha an sàs an a’ chànan an-dràsta ach ciamaar a dh’haoidhadh sinn cohrom a thoirt do bhuidhnean nach eil a’ déanamh câil an-dràsta, is dòcha, anns na sgìrean far nach eil Gàidhlig làidir an-dràsta.

Dhèanaim a’ phuigh gu bheil luchd-ionnsachaidh air leth cudthromach. Ged a tha an àireamh luchd-bhuidhinn na Gàidhlig gu math iosal, tha fior úidh gu nàiseanta agus gu h-eadar-nàiseanta ann a bhith ga h-ionnsachadh. Leis an sin, ma dh’haoidhas ma clèachadh ma faicil a cleachd thu fhèin, tha potential fior mhòr ann airson ionnsachadh, ma bheirr eil a dhèanamh a stràid airson an dànaich a bhios sinn a bha iarrtas air dè is urrainn tachairt. Mar a fhreagair sinn mu thràth, bidh sinn a’ toirt a-staigh gu socair, mar a thachair anns an àird-sgoil, ach bu toil leam dìreach cur ris na thuirt Donnchadh mu dheidhinn nan gseamaichean.

I thank Fiona Hyslop for all those questions.

You are right: we should consider what can happen. For example, a school in Aberfeldy teaches Gaelic, but Lochgilphead High School does not. The teaching of Gaelic in one area but not another is a matter of history. You are right that we must be careful not to impose Gaelic on communities with no demand. However, we should expect and hope that demand will grow.

We said that we will consider having schemes for existing organisations. Perhaps we can work on organisations that do nothing at the moment or those in areas where Gaelic is not strong. Gaelic learners are important. Huge interest is felt in learning Gaelic, so there is potential—you used that word. Great potential for learning exists if people have the chance of a nightclass or an immersion course.

You asked too many questions—I do not remember them all.

Allan Campbell: Bheir Donnchadh MacFhearghais freagairt dhan cheist air luchd-teagaisg anns an àrd-sgoil, ach bu toil leam dìreach cur ris na thuirt Donnchadh mu dheidhinn nan gseamaichean.

Is e àladh a nì sinn. Bidh nan gseamaichean air an toirt a-staigh gu socair, mar a thachair anns an Chuirnigh. Chan eil mi a’ smaointinn gu bheil an còr dòigh a dhéanamh. Chan eil mi a’ rithist nach eil e na amas no na rùn aig a bhith a’ sparradh sgeamaichean air duine sam bith. Thèid na gseamaichean air adhart ri linn aonta agus conaltradh eadar sinn fhìn agus na buidhnearn. Bidh am bòrd a’ deasachadh liosta air có na buidhnearn leis a bheil sinn airson a bhith ag obair an toiseach, ach chan eil eil a liosta sin againn a dhéasachadh aig an ire seo. Gun teagamh, bidh sinn a’ deasachadh iùl dha na buidhnearn ach, ged a tha sinn air a dhéasachadh aird mu-thràth, chan eil sin deiseil againn a bharrachd.

A thaobh am bi sinn a’ toirt template de naoladh de phlanha dha na buidhnearn, bithidh. Bidh sinn a’ sealltainn dhaibh na planaichean aig buidhnearn eile a-chail, cha bhith sinn air gádha riutha. “Seo an rud a dh’fhéum a gach a dhéanamh.” An àite sin, theòr sinn riutha, “Seo an rud a tha feadhanich eile a’ déanamh. Dè a tha sìbh a’ smaoinneachadh a bhò chòir dhuiubhse a dhéanamh?” Is ann mar sin a bhios sinn ag obair cuide riutha.

Is e ceist uabhasach inntinneach am bhò chòir dhuinn a bhith a’ leantainn iarrtas a bhith a’ leantainn a’ cothruim iarrtas a leasachadh. Tha mise a’ smaoinneachadh gum feum pòsadh a bhith
ann eadar an dá rud. Nam biodh sinn ach a’ leantainn iarrtais—mar a thuirt cuideigin roimhe, nam biodh sinn a’ strì direach airson preservation den chànan—bhiodh sin a’ ciallabhach gum biodh i a’ fuireach mar a tha i, mar chrohan jam, agus gum biodh i gu bhith marbh. Mar sin, feumaidh sinn a bhith a’ coimhead air seòrsa de leasachadh agus airson pòsadh dhen dà rud.

Chanainn gu bheil aon rud eile ann a tha cudthromach. Tha mi fhin air a bhith ag eisteachd ris an fhianais a thug a’ chomataidh bhò thoiseach agus tha mi air Elaine Mhoireach a chluinnitn ionadach turas ag ràdh, “Dè tha dol a thachairt shios ann an Dùn Phris is Gall-Ghaidhséalbhall? Dè an ire aig am bi rudan air an sparradh air a’ chomhairle sin?” Tha mi a’ smaointinn gu bheil e cudthromach a ràdach nach bhiodh air a sparradh oirre.

Tha rudeigin uabhasach inntinneach eile—rud a tha misneachail—romhainn cuideachd. Nuair a chuirear an gniomh am plaí reusanta a thèid aontachadh eadar sinn fhin agus Dùn Phris is Gall-Ghaidhséalbhall, is dòcha gun tig an uair sin na daoine bho VisitScotland leis a’ phlana acasan. Bidh iadsan a’ coimhead air an t-uabhas dhaoinne a tha a’ tighinn à Eirinn a d’Alba airson saor-làthair agus bidh iad airson na daoine sin a bhrosnachadh. Nuair a thig iad siose gu ruigh Dùn Phris, bidh iad airson teacas tro mheadhan na bhrosnachadh. Nuair a thig iad sìos gu ruige Dùn Phris is Gall-Gaidhleadhaibh, chan ainmeachadh airson teagasg tro mheadhan na bhrosnachadh. Tha thu ceart gur e, tha mi a’ smaointinn 40 an oireachd is teacuis a thoil airson teagasg tro mheadhan na bhrosnachadh. Tha mi a’ cruthachadh airson a fháil a thug a’ chomataidh. Tha sin a’ cur bacadh air a bhith ann agus tha poisdh gu bhith a’ deol eadar na gseamaichean ag na bheidheachadh an t-earcach. Tha Chunair na Gàidhlig airson leasachadh eaconomach agus bidh a’ chomhairle deònach obhach tra a’ bhòrd bhàidh a’ coimhead air na h-aiseagan an phopunach. Nuair a thig an t-sìos gu ruige Dùn Phris is Gall-Gaidhleadhaibh, is dòcha gun tig an uair sin na daoine bho VisitScotland leis a’ phlana acasan.

Duncan Ferguson: Thig mi air ais chun na ceiste fior chudthromach a dh’fhàighnich Fiona Hyslop mu dheidhinn tidsearan anns an àrd-sgoil. Tha thu ceart gur e, tha mi a’ smaointinn, 40 an oireachd is teacuis a thoil airson teagasg tro mheadhan na Gàidhlig anns air an àrd-sgoil. Tha sin a’ cruthachadh airson teagasg tro mheadhan na bhrosnachadh. Tha mi a’ cruthachadh airson a bhith ann agus tha poisdh gu bhith a’ deol eadar na gseamaichean aig na bheidheachadh an t-earcach. Tha Chunair na Gàidhlig airson leasachadh eaconomach agus bidh a’ chomhairle deònach obhach tra a’ bhòrd bhàidh a’ coimhead air na h-aiseagan an phopunach. Nuair a thig an t-sìos gu ruige Dùn Phris is Gall-Gaidhleadhaibh, is dòcha gun tig an uair sin na daoine bho VisitScotland leis a’ phlana acasan.

Another interesting thing that is before us, which is encouraging, is that when a plan is put into action, it has to be reasonable. That is the sort of plan that would be agreed between the bòrd and Dumfries and Galloway Council. VisitScotland is also to come up with its plan. For example, it could say, “Many people from Ireland want to come to Scotland on holiday.” VisitScotland will want to encourage those people to come to Scotland. When its officers came to Dumfries and Galloway, they would look at things such as ferry links—in fact, VisitScotland might want to do something significant in that area. If that were to happen, Dumfries and Galloway Council would look at the opportunities that the VisitScotland plan offered and assess the economic benefit to the area. It would say that it should work with VisitScotland to get a benefit for the area from the VisitScotland plan. As things progress, a chemistry will have to develop between the different organisations—indeed, one could almost call it a marriage.

Duncan Ferguson: I will answer the important question on the subject of Gaelic-medium education teachers. The number of teachers is 40, which prevents subjects from being taught in Gaelic at secondary level. I share the member’s view that we need a special scheme to bring teachers in to the profession and to implement teacher training. Such a scheme could be offered to current teachers and to those who are entering the profession. One of the bòrd’s important aims and objectives is the training of Gaelic-medium teachers.
Fiona Hyslop: Does that need to be on the face of the bill? Does the Executive need to make a commitment to its strategy in that area, either in the Gaelic Language (Scotland) Bill or in the appropriate education legislation? We are dealing with that issue in our scrutiny of the bill.

Duncan Ferguson: Bhiodh e na bu fhreagarraiche ann an reachdas eile, chan ann anns a' bhaile. Tha am bile gu math farsaing air taobh na Gàidhlig. Is dòcha gum biodh e nas iomchaidhte a bhith ann an reachdas eile.

Following is the simultaneous interpretation:

It would be more appropriate if the provision were to be introduced in another piece of legislation, as the bill deals in general with the Gaelic language. That said, I hope that the provision can be included in another bill.

Ms Alexander: As most of the questions on matters of finance have been dealt with, I will follow on from Fiona Hyslop’s question. The bill does not make reference to the costs that would be involved if the provision of Gaelic-medium education were to increase. If the bill is successful, surely there is likely to be a rise in demand for Gaelic-medium education. What are the financial implications of such a rise in demand and how could additional demand be met?

Duncan Ferguson: Tha sinn an dòchas, agus cha mhòr gu bheil sinn cinnteach, gum faigh pàrantan misneachd às an achd a thogh bhaile agus gum bi barrachd iarrtais ann airson foighlaim tro mheadhan na Gàidhlig. Feumaidh sinn cuimhneachadh gu bheil cosgaisean a' dol sios air an taobh eile nuair a tha pàiste a' faighinn foighlam tro mheadhan na Gàidhlig a chionn 's nach eil iad a' faighinn foighlam tro mheadhan na Beurla. Tha thios agam gu bheil eadar-ama ann far nach eil e furasta sàbháladh a dhèanamh, ach bidh a' chomhairle a' sàbháladh airgid aig a' cheann thall—mar eisimpleir, ann an Sgoil Ghàidhlig Ghlaschu—or chàb thà a' chliann sin ann an sgol eile.

Following is the simultaneous interpretation:

I hope—indeed, the bòrd is almost certain—that parents will take encouragement from the act. We believe that many more parents will want Gaelic-medium education for their children. However, we must remember that, whenever a child goes into Gaelic-medium education, other costs go down. The child will no longer take up a place in an English-medium school. It is not easy to make financial comparisons. At the end of the day, however, Glasgow’s Gaelic school saves money for the council because the children who attend that school are not in another school.

Ms Alexander: Given our time constraints, I will not pursue the matter further. However, partly because we have been impressed by the quality of your evidence, I invite you to look at the late submission from Highland Council, which addresses the issue of Gaelic-medium education and where the additional costs may fall. The committee would welcome any comments that you might want to make in writing on the validity, interest and helpfulness of Highland Council’s suggestions on that subject. That would be helpful to the committee.

Duncan Ferguson: Is deagh beanchd sin agus ni sinn sin. Tapadh leat, Wendy.

Following is the simultaneous interpretation:

I thank Wendy Alexander for that suggestion. It is a good idea.

Mr Kenneth Macintosh (Eastwood) (Lab): Thank you for the quality of your written submission, which has been very helpful. Many of the questions that I wanted to ask on teacher supply and the bill’s potential have been asked and answered. I simply say, tapadh leat.

Duncan Ferguson: Tapadh leatsa, a Choinnich. Is math a rinn thu.

Following is the simultaneous interpretation:

Thank you, Kenny—very well said.

Allan Campbell: I intended to make one further submission to the committee and I apologise for not having not done so, as it will be helpful to you. I will submit a copy of some research that Bòrd na Gàidhlig commissioned about a year ago in partnership with the BBC. We asked Market Research UK Ltd to conduct an attitudinal survey, using a scientific, non-random sample, into attitudes to Gaelic in Scotland. We were hugely encouraged by the results, and I am sure that the committee and the Parliament will also be hugely encouraged. The research found that, broadly speaking, 80 per cent of people in Scotland support Gaelic and think that the language should be made available to children whose parents want them to learn the language at school.

The Convener: That is welcome. I am conscious of the fact that we have short-circuited the debate. I do not think that we have missed any key issues. If members have areas that they would like to pursue further, perhaps they could advise the clerks. Equally, if the witnesses from Bòrd na Gàidhlig have anything further to tell us or if they want to add to their evidence, I invite them to come back to us quickly. That offer is additional to the homework that we have given you, of course.

Duncan Ferguson: Tha direach aon phios fiosrachaidh agam a fhreagairt na ceist a bhith aig Fiona Hyslop. A rèir coltais, tha 60 tidsear ann a’ déanamh cuspairean tro mheadhan na Gàidhlig; chan e 40, mar a thuirt mi. Tha 40 tidsear Gàidhlig...
We thank you. I expected from the minister.

minute comfort break before we take evidence from Boyd Robertson. Mar sin, is fheudar Tha deagh ùghdarras airson sin, oir tha e air tighinn bho Bhoyd Robasdan. 

The Convener: I thank the witnesses.

Duncan Ferguson: We thank you. I expected that it would be absolutely terrible to be faced by 10 MSPs. Seeing our 300 pupils at assembly tomorrow will be a doddle by comparison. I thank everyone very much.

The Convener: I suspend the meeting for a five-minute comfort break before we take evidence from the minister.

11:56

Meeting suspended.

12:02

On resuming—

The Convener: I resume the meeting, with apologies to the Minister for Education and Young People for taking a little bit longer than expected. I am conscious of the time pressures on ministers. We are pleased to welcome Peter Peacock, who is supported by a number of officials.

We have one additional piece of information to correct an answer that we gave to Fiona Hyslop. The number of teachers in Gaelic-medium education is 60, not 40. There are 40 teachers in secondary schools, but the overall number who are involved in subjects that are taught through the medium of Gaelic is 60. The information comes from Boyd Robertson, so it must be true.

Duncan Ferguson: We thank you. I expected that it would be absolutely terrible to be faced by 10 MSPs. Seeing our 300 pupils at assembly tomorrow will be a doddle by comparison. I thank everyone very much.

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On resuming—

The Convener: I resume the meeting, with apologies to the Minister for Education and Young People for taking a little bit longer than expected. I am conscious of the time pressures on ministers. We are pleased to welcome Peter Peacock, who is supported by a number of officials.

We have a reasonable handle on many of the issues that arise from the bill and we want to bring back to the minister some considerations that have emerged in the process. I understand that the minister does not want to make an opening statement, which is helpful, so I will begin with a question about secure status, equal validity and other matters that relate to the status of Gaelic. We have had useful evidence about the meaning of those terms from the Welsh Language Board and, today, from Bòrd na Gàidhlig. Many people have argued that the bill should contain some sort of symbolic recognition of the language. Is that possible? Perhaps the bòrd’s suggestion of using equal validity as the basis might appeal to the ministerial team and officials.

The Minister for Education and Young People (Peter Peacock): I thank the convener for his helpful remarks about my opening statement.

I suspect that there are difficult legal aspects to the issue. The bòrd’s submission was extremely helpful in setting out clearly what lies behind its views on what it calls equal validity, a concept that is sometimes expressed as equal status, secure status or official status.

The bòrd’s written submission was good at balancing the Gaelic community’s concerns—which are based on historical experience of prejudice towards the language and the fact that many Gaels are suspicious about people’s real intent and whether they wish to help the language to move forward—with a recognition of the practical and legal difficulties. I felt that its arguments were very mature.

I very much share the feelings outlined in the bòrd’s paper that it is legitimate for individuals to aspire to use Gaelic as normally as possible in their lives; that Gaelic should not suffer from a lack of respect at individual and corporate level; that there should be parity of esteem for the languages; and that Gaelic is as legitimate a language as any other spoken anywhere in the world. Indeed, I strongly associate the Executive with the bòrd’s comment that we should approach dealing with the language with “generosity and good will”.

That raises the question whether we can accommodate such sentiments in the bill. We think that we can capture them in the bill’s guidance rather than in the bill itself. In expanding that point, I should perhaps differentiate between terms that are sometimes used interchangeably.

As the bòrd’s paper acknowledges, secure status is not a legal concept. Instead, it describes the broad range of measures that people want to secure the status of language. As for the term “official status”, the Executive has already made clear its belief that the language has such status and has introduced a variety of touchstones to support that. Indeed, a response to a parliamentary question at Westminster explicitly states that Gaelic has official status as a language in Scotland and the UK. The fact that we incur spending on the language; that there is a minister with responsibility for it; that various acts of Parliament refer to it; that the Gaelic Language (Scotland) Bill has been introduced; that we answer parliamentary questions in Gaelic; and that we have debates in Gaelic in the chamber points to its official status. We have tried to allude to that even more strongly in the bill’s long title.

As we believe that the terms “equal status” and “equal validity” are probably exactly the same legal concept, putting either into the bill somewhere beyond the long title—if I can put it that way—might have some legal effect or meaning. If I had included those terms in the bill, the committee would be asking me about their legal meaning and whether I could deliver on such a provision. The bòrd itself acknowledges that it is difficult to pin
down the legal meaning of those terms. For example, if a court interpreted “equal status” or “equal validity” as exactly what those terms say, it would have practical implications that could not be dealt with in the short term, as the bòrd recognises. Any provision in the bill that implied that the language should have exactly equal status with regard to public service delivery, the law of contract and all circumstances across Scotland might well be unenforceable.

Because of those legal difficulties, we have decided to try and capture in the bill’s accompanying guidance and the guidance on language planning all the sentiments about equal validity that the bòrd expressed so well in its written submission and to do so with a generosity of spirit towards the language. I point out that people will have to have regard to that guidance, which will capture what the bòrd and others want us to capture without getting us into any future difficulties with the court interpreting the provisions either in a very narrow way, which would not help Gaelic, or in a very broad way, which might mean that we would not be able to deliver the provision in public services, the courts, contracts or any other dimension of our lives.

We feel that we have set out the best formulation of the way in which we want to proceed. As I have said, we have tried to construct the long title in such a way as to allude to some of that spirit without explicitly setting it out in the bill’s detailed provisions and perhaps giving rise to all sorts of uncertainties and complications later on.

The Convener: It is fair to say that this is one of the most difficult areas to get a handle on, but the bòrd seems to recognise—as does the Welsh Language Board, from whom we heard last week—that using Gaelic as a normal part of life should be an aspiration rather than a practical aim. I do not think that either board intends that specific legal rights should flow to individuals from the principle of equal validity. They regard that principle as setting the direction of travel. Given that, I wonder whether the Executive would consider being guided by the bòrd’s point in its written submission about the principle of the Gaelic and English languages having equal validity. That is perhaps not something to respond to today, but we will probably all want to ponder it a little over the next week or two.

Peter Peacock: I am happy to reflect on that point, but I do not want to mislead the committee into thinking that putting the phrase “equal validity” into the bill would provide a simple solution or would be a panacea. I understand and accept the bòrd’s point about the symbolism of the phrase and the desire to have an aspiration. However, the challenge for me, and I suspect for the Parliament at the end of the day, is to consider what the legal effect of putting the phrase “equal validity” into the bill would be. If we included that phrase in the bill, we would get into huge legal complications, which is why we chose to go down the route that we did. However, we can perhaps ponder how we could capture the spirit of equal validity within the bill’s framework, if not necessarily within the long title.

The Convener: We heard from the Welsh Language Board that the Welsh Language Act 1993 managed to ensure that the English and Welsh languages were treated on a “basis of equality” through the use of the phraseology “so far as is both appropriate in the circumstances and reasonably practicable”.

Lawyers have a substantial ability to produce phraseology that could move us forward on the point of equal validity. We heard that no legal cases have arisen in Wales because of the wording in the 1993 act. There has been no need to interpret the “basis of equality” provision in practice and the bill’s phraseology has caused no difficulty; it has simply set the direction and is just there in the background.

Peter Peacock: I considered the Welsh example before we drafted the bill, partly because I wanted to be as helpful as I could in capturing the spirit of the principle of equal validity. Of course, there is a danger that the 1993 act’s phraseology could be interpreted as offering an opt-out from the principle of equality. In my earlier thinking, before the bill was drafted, I reflected in particular on the number of Welsh speakers compared with the number of Gaelic speakers, and on the distribution of Welsh speakers in Wales compared with the distribution of Gaelic speakers in Scotland. I thought that, on balance, we could achieve everything that people wanted to achieve without having a compromise formulation in the bill that might provide an opt-out for certain parts of Scotland in the future. I believe that, rather than use similar phraseology to the 1993 act’s, the best strategy is to use the guidance that will accompany the bill. I do not think that the context for Gaelic in Scotland is as strong as that for Welsh in Wales.

The Convener: I take that point. Does anyone want to come in on that issue, or are members happy to leave it and move on to other areas?

Fiona Hyslop: Will the minister comment further on the convener’s specific point about the potential for using the phrase “equal validity” in the bill?

Peter Peacock: If that phrase were put into the bill, it would have a legal meaning. If the phrase were taken literally, it would mean that the English and Gaelic languages would have to be regarded as being absolutely equal in all circumstances; they would have to have equal validity for usage in courts, public service delivery and all dimensions...
of our life. Frankly, we could not deliver such equality of status. The bòrd recognised that that could not be done in practice. Delivering equal validity status might be possible in certain pockets of Scotland because of the concentration of Gaelic speakers there, which would allow a high proportion of services to be delivered through Gaelic.

If the courts’ ultimate interpretation of the bill was that we had to deliver equal validity status across the board in Scotland, we simply could not do so; therefore, equal validity would be simply symbolic, because it would be meaningless in legal terms. Equally, the courts could interpret equal validity differently and could narrow the interpretation by finding that, because equal validity was not achieved in practice, Gaelic did not have equal validity. Frankly, rather than put ourselves in such a position, I believe that we should try to accommodate all the concerns by other mechanisms that we can put in place.

Fiona Hyslop: So the phrase “equal validity” could be defined broadly or narrowly in law, according to a court’s interpretation.

Peter Peacock: Yes. Frankly, I would rather have certainty on language planning in the bill and allow for greater flexibility in the guidance, which can use different language. The guidance must be such that people will have to have regard to it in their language planning.

The national language plan and the guidance on agency planning can also be used to express and capture some of those concepts. We can capture the spirit without giving ourselves the legal complications that would arise with specific provisions in the bill. Having said that, I am happy to reflect on the point that has been made, and to examine possible formulations that do not give us legal complications.

12:15

Mr Macintosh: Does the minister accept that the issue is not just about aspirations, but about the lack of confidence that the Gaelic community has developed over the years, which is stopping the development of Gaelic, particularly when coupled with the lack of Gaelic-medium teachers at secondary? That is stopping people pursuing the language for their children. What is needed is an element of comfort. Will he examine not only the equal validity argument, but the statement in the Welsh Language Act 1993? It does not introduce a rights-based approach; it is clearly qualified. We could take a practical step to give some comfort to the Gaelic community.

Peter Peacock: I understand the point. My worry is that applying the Welsh formulation in a Scottish context might have a different effect than it has in Wales, because of the number of speakers. It might become a way for people to opt out of their responsibilities, rather than to opt in, which is what we want to happen.

I take the point about people’s sense of injustice about the history of the language. As I recall, an act of the former Scottish Parliament referred to Gaelic having to be “abolishit and removit” from the land. There is a long history of prejudice towards the language. I hope that we are living in much more enlightened times. The very fact that the Parliament is debating the bill—which, I hope, will become an act of Parliament—taken with all the things that we are doing to strengthen and support the language, and the major decision that was taken by Glasgow City Council yesterday, with our financial support, to have a Gaelic secondary school for the first time in Scotland, are examples of the confidence that is beginning to grow.

We have to do an awful lot more, but we have turned the situation round significantly, and the bill will help further when it becomes an act of Parliament. We have to be careful that what we put in the bill does not prejudice the development of Gaelic in ways that we cannot anticipate. However, I will happily reflect on the proposition that has been made.

Lord James Douglas-Hamilton: I notice from the bill that “The Scottish Ministers must … approve the guidance with or without modifications”.

I have two questions on the guidance. First, would it be appropriate for the bòrd’s guidance to cover such issues as the best practices to be adopted by United Kingdom bodies and private sector bodies, such as Royal Mail? Secondly, could the guidance cover court cases? We know that the rules of the Court of Session cover the situation in the Western Isles and the north-west of Scotland. We wonder whether that is an appropriate area on which to give guidance.

Peter Peacock: There are several points there. On your point about the courts, when approached by the bòrd, the Scottish Court Service would have to consider having a language plan for its service. Within that context, the service would consider how it could provide equality for Gaelic in parts of the court service, hopefully on a wider basis than currently exists, and grant within its administrative practices equal validity to Gaelic in certain settings. For example, in the civil courts in Portree, Stornoway and Lochmaddy, people can conduct their case in Gaelic. Potentially, that could be extended through the Scottish Court Service’s language plan. In that context, the guidance that the bòrd issued would apply to the service and how it considered its language planning.
At the moment, I am not sure whether there will be a specific bit of guidance about the courts; I do not rule that out. In my view, the guidance that the bòrd establishes on language planning will cover a range of agencies and will invite them to consider a range of issues as they develop their language plans.

There is nothing to prevent the bòrd from engaging with UK bodies and inviting them to produce language plans. The guidance that it produces for language planning generally will be just as helpful to UK bodies. The bòrd has powers to assist voluntary sector and private sector organisations that might wish to develop language plans. To an extent, that is already taking place. The general guidance on language planning that will be available will help people to structure any language planning that they might want to undertake. The guidance that the bòrd issues will cover all those circumstances.

Lord James Douglas-Hamilton: We have heard how the Welsh Language Board intends to make use of the most modern innovations in high technology and videoconferencing. What is the prospective timescale for the group that you have set up to report to you on that subject? Its work will mean that the best use of videoconferencing and high technology can be progressed expeditiously in the best interests of those who wish to take advantage of it.

Peter Peacock: As you have indicated, during the course of the year, I set up a group to consider the advanced technology that is now available, to ensure that we could develop a range of education services—although the potential uses of the technology go beyond education. We want to be able to use modern technology to create a virtual secondary school, using video streams and so on. The director of education of Highland Council, who I think has given evidence to the committee during its evidence taking on the bill, is chairing that group, which includes representatives of the General Teaching Council for Scotland, Learning and Teaching Scotland and a range of local authorities. I am told that it hopes to start piloting services next year, in 2005. We will see where that takes us. We have given the group a budget to help it to get on with its work. From my point of view, the quicker we can make progress on that, the better.

On the wider responsibilities, the development of a virtual secondary school for Gaelic-medium education is giving us a better understanding of what we might be able to do in English-medium education to make classes, in particular at upper-school level, more viable than they might otherwise be. That is especially important given falling school rolls and the remoteness of some of our communities. The project is exciting and innovative and we hope that it will bring significant benefits in due course.

Alex Neil: I will ask about two aspects. You were right to refer to the small number of people who speak Gaelic in Scotland relative to the number of people who speak Welsh in Wales. As you will know, it is estimated that the difference between the number of Gaelic speakers who die and the number of Gaelic speakers who come on stream every year amounts to a net loss of nearly 1,000 Gaelic speakers. Has any assessment been carried out of what impact the bill—if it becomes law in its current form—will have on the number of Gaelic speakers in Scotland and, if not, do you intend to carry out such an assessment?

My second question is related, but different. You have no doubt had time to study the Finance Committee’s comments on the bill. What is your response to them?

Peter Peacock: On your first point, the worrying thing about the demographics of Gaelic is that, as you suggest, existing Gaelic speakers are dying out more quickly than new Gaelic speakers are emerging. However, it is encouraging that many more new speakers are emerging because of the rapid expansion of Gaelic-medium education in recent years. I do not have a precise numerical assessment of the bill’s impact, but it was stated explicitly that one of the purposes of setting up the bòrd was to grow the number of Gaelic speakers. The bòrd will work on what that means and will consider whether to set targets, how to achieve them and so on. I would expect further work to be done on that.

Alex Neil: Do you envisage that targets will be set?

Peter Peacock: To be honest, I do not have a view on that. The setting of targets could be helpful, and I am not against that in any way, but, equally, setting targets is not always helpful, because it can sometimes divert attention from other forms of activity. We just have to take a balanced view. The Executive has targets to grow the number of young people in Gaelic-medium education by, I think, 20 per cent by 2009—I will confirm that position for you. We have a target for Gaelic-medium education, but I hope that the bòrd will also be active in supporting others to enable people to learn Gaelic as an adult or at any stage as a second language, not necessarily through the medium of Gaelic. That will grow the numbers, too. We need to do more work on that and I am sure that the bòrd will keep the Parliament informed as we go forward.

The big constraint relates to teacher numbers, not the provisions in the bill per se. The bill cannot provide for getting more teachers into the system, which is the critical challenge that we face to
enable us to liberate the supply of young people who want to study Gaelic through the medium of Gaelic or by other means.

Obviously I paid attention to the Finance Committee’s report and discussed it with officials and representatives of the committee. We are confident that the figures that we gave the Finance Committee were as good as we could get them. I notice from the evidence that you have been taking from a range of bodies that there are different views about the costs of implementing the bill, particularly in relation to language planning. In the financial memorandum, we stated that the cost of creating a language plan would be £10,000. The evidence that you have taken from those who have created such plans is that the cost could be significantly lower. What the language plan will cost depends on what is put in it. We have scoped the cost from a range of nothing at one end right up to significant expenditure, depending on people’s aspirations in the short term. We thought that that was a fair way of representing the costs.

When we printed our headed paper and made it bilingual, we were going to reprint it anyway, so it did not cost us any more; there was a nil cost. When we change road signs that we were going to change anyway, to make them bilingual, there is no public expenditure. Therefore, costs can range from zero to however much we want to spend. I understand completely the Finance Committee’s anxieties about the potential for costs to escalate without the necessary transparency and scrutiny, as it saw it. The committee made a number of suggestions to ensure that we get out to parliamentarians the guidance on language planning during stage 2. We will be happy to do that if we can. Largely, the ability to do that relates to work that the bòrd is doing, and I am not going to commit it to providing the guidance at that stage, because it is complex and we want to ensure that it is right and that we do not mislead Parliament about it. Even if we do not get it produced for stage 2, we will get the principles of the guidance elucidated to the committee so that members can see what we mean about the nature of the guidance. It will not be a cost driver of itself.

The Finance Committee has also asked that, through the corporate planning arrangements between the Executive and the bòrd, we consider ensuring that we have clarity about what bodies will be approached to prepare language plans. We want to make that transparent, and we can do it as part of the corporate planning process. It has also asked us to consider applying to the bodies who are recipients of an invitation to create a language plan from the bòrd some sort of reasonableness test. By definition, public bodies cannot act unreasonably; they can be challenged if they do so. I am sure that that is a principle to which members adhere. Nonetheless, we will consider all the Finance Committee’s suggestions. I have an open mind on that. If its suggestions help to provide transparency and clarity, I am quite happy to consider them all. I will make that clearer when we come to the stage 1 debate.

Dr Murray: I turn to the issues of teacher supply and resource. We have heard evidence, of which you will be well aware, about the number of teachers who are able to teach in Gaelic medium and the number of Gaelic language teachers. Issues have also been raised about lack of career progression, which can be a disincentive to people becoming Gaelic-medium education teachers. Problems were also raised in relation to the continuation of Gaelic-medium education teachers. Children who have GME in primary school might not be able to receive it in secondary school and they are even less likely to be able to receive it in further and higher education.

We have also received evidence that the resources for Gaelic teaching are not really adequate—often, they are photocopies of English teaching resources with Gaelic superimposed on them. Can you tell us a little about how the Executive will address the issues of teacher supply and curriculum materials and whether you will consider any incentives to encourage teachers either to become Gaelic-medium education teachers or to learn Gaelic in order to be able to do some teaching in the medium of Gaelic?

12:30

Peter Peacock: It is clear to me that the key thing for us to do as we move forward— notwithstanding everything in the bill that will help to move Gaelic forward—is to keep redoubling our efforts to get more Gaelic teachers generally and more Gaelic-medium teachers in particular. If we do not do that successfully—this takes us back to Alex Neil’s point—we will not generate enough new Gaelic speakers to offset the number of Gaelic speakers whom we are losing and the language will be in serious trouble in the future. It is a critical element of what we need to do.

We have been doing quite a lot recently. We continue to tell the funding councils that this is a priority area for us and that they should fund places at the teacher training institutions for Gaelic-medium teachers. In 2005, we will run a recruitment campaign; I am just waiting for some advice from the local authority joint group that considers Gaelic matters in the local authorities, which are the employers of teachers. Once I have that group’s recommendations and action plan, I will be more than happy to spend money on ensuring that we raise the profile of teacher recruitment. There have been more graduates in Gaelic-medium education over recent years, but they have not all gone into Gaelic-medium teaching.
We are doing a range of things. A new part-time open learning course is being run by Highland Council and the University of Aberdeen, whereby people can stay at home and train to be a teacher over two years while they continue working. That is showing real promise, and I would like to see much more of that. A similar course is being run by the University of Strathclyde and other local authority partners, and another course is being run by Lews Castle College and the UHI Millennium Institute to produce more Gaelic-medium teachers. Additionally, Sabhal Mòr Ostaig has always had an interest in helping existing teachers to develop a higher level of language skill to allow them to teach in Gaelic.

As I have said, one of the problems is the fact that not all the graduates who are coming through the Gaelic-medium teacher training system are choosing to teach in Gaelic. There is a bit of attrition happening. That brings us back to your point. In the final analysis, it is a matter of personal choice for individual teachers on the basis of their career prospects. As Ken Macintosh hinted, one of the factors is a lack of confidence that Gaelic-medium education is for real and will be there in 10 or 20 years’ time. People need to know that we are serious about it and that we are going to invest in it; why would they choose to develop their career in that way if they were not sure of the future of it? Also, inevitably, because of the geographical distribution of Gaelic-medium schools and Gaelic-medium teaching units that are attached to schools, it is difficult for Gaelic-medium teachers to see a career path in the same way as English-medium primary school teachers, as the pupil numbers have not yet reached a level to allow that. Therefore, for a variety of reasons, people make individual career choices to go into English-medium teaching, which potentially enhances their career prospects.

The work that we have done recently, including the work on the bill, ought to give people confidence that we are deadly serious about promoting Gaelic. I hope that the things that we are doing to try to get more Gaelic-medium teachers are also giving people confidence. Additionally, we are discussing with local authorities guidance whereby we will require local authorities to set out clearly, under the terms of the Standards in Scotland’s Schools etc Act 2000, their plans for Gaelic-medium education; what they interpret as reasonable demand for Gaelic-medium education and how they will meet that demand; and what entitlement they will give at a local level to parents who ask for Gaelic-medium education. That is all designed to give greater strength to the system, to promote confidence and to encourage people to opt into Gaelic-medium teaching as a career.

The work that we have been doing on Gaelic-medium secondary education in Glasgow, to which I alluded earlier, is likewise designed to give more strength to the system—not just to create secondary school education in Gaelic, but to create in secondary school teaching a career structure in Gaelic-medium education that we have not had before. What we are doing with the Gaelic-medium virtual school—if I can describe it in that way—is also designed to promote that confidence. We are on the way on this, but there is still further to go. We need to keep our effort level up and encourage people to think about Gaelic-medium teaching as a career by creating the flexibility for people to train as teachers in a way that they have not been able to in the past.

All that work is in place and I want to keep pushing it forward, as it is the key to the future success of the Gaelic language. We must keep redoubling our efforts. I have no barriers in my mind about other things that we might need to do to help to finance changes in the way in which we recruit teachers, and so on. That is something that I am prepared to consider.

Your specific point about incentives takes us into challenging territory. Ultimately, it is not for me but for the individual local authorities, which are the employers, to decide on incentives. The difficulty with any incentive system within any recruitment pool is the fact that distortions are created in the marketplace. We have seen that recently in social work. Because certain local authorities have been offering cash incentives for social workers to work for them, there are now vacancies in other local authorities and people are moving back again after a period of time. It is not a certain process. Equally, in the wider education sphere, we have a shortage of teachers in maths, English, home economics and other subjects. If we started to incentivise wherever there was a shortage, all that we would do is lift the general salary levels; we might not impact on the marketplace. There are some real difficulties with that. However, some councils are considering offering incentives, and they are free to do so. Highland Council, among others, has been considering what it might do about that and will come to its own decision.

On your point about Gaelic resources, I suspect that I know where you got your evidence from—he keeps saying that to me, as well. However, what you say is not strictly true. There was a period when a lot of second-hand photocopied material was kicking around. That was not good enough, which is partly why we have been funding Stòrlann Nàiseanta na Gàidhlig to produce good Gaelic resources. On a number of occasions recently, when we have had bits of money that have not been spent on their original purpose, I have been able to boost the funding that Stòrlann receives for new books and other materials for Gaelic-medium
teaching. In the Gaelic-medium schools that I have
taken to be made in the recent past, I have seen good
modern, colourful materials that would not have
been there a few years ago. We need to keep
making progress in that way.

Part of the problem in the past—and I used to
receive representations about this—was that if a
Gaelic-medium unit in a school had photocopies
but the school had decent modern materials in
English, that made a statement about the value of
Gaelic-medium education. We are trying to sort
that, so that people do not see a difference
between the resources that are available for the
two. We need to keep moving forward on that.

Dr Murray: I would like to elicit your response to
what seems to be becoming the Dumfries and
Galloway question in relation to Gaelic. The
argument is made by Dumfries and Galloway
Council and others that very few people in
Dumfries and Galloway speak Gaelic or have a
Gaelic background. However, many of those who
now reside in the lowlands have ancestors who
came from Gaelic-speaking areas and might have
an interest in learning Gaelic or in learning more
about the Gaelic language because of that family
connection. What sorts of things might be in the
Gaelic plans of areas such as Dumfries and
Galloway?

Peter Peacock: That is a good question. I see
the potential for different approaches being taken
throughout Scotland. I have never been a believer
in ramming Gaelic down people’s throats, as that
would have the exact opposite effect to that which
we want, which is to encourage the growth of
Gaelic. I do not want there to be any counter
reaction because we are perceived as trying to
force people to do things against their will. I
foresee that the Gaelic language plan in the
Western Isles will be very different from the Gaelic
language plan in Dumfries and Galloway—if there
is one there—in the short to medium term.

It takes us back to the points that the bòrd has
made on the evidence of the BBC’s survey over
the past 18 months. The BBC has conducted a
survey of attitudes towards Gaelic. Over 70 per
cent of Scots have empathy with the language
even though they have no connection with it. They
recognise that it is part of Scotland and Scotland’s
heritage—it might be part of their own family
heritage without their being aware of it. There is no
animosity towards Gaelic. I hope that people in
Dumfries and Galloway or in other parts of
Scotland who do not currently have a strong
association with Gaelic will enter into the spirit of
the language as the bòrd set out in its paper about
validity. The paper talked about a generosity of
spirit and about recognising that there is an
empathy with the language.

The Gaelic plan in Dumfries and Galloway might
simply open up opportunities such as evening
classes for adults. It could provide opportunities
for people to develop a better appreciation of the
culture and learn about the structure of the
language and about all the poetry, literature and
music that flows from it. That would give them a
chance to share in the culture, which is much
more widely available than the language alone.

Dumfries and Galloway Council might want to
set out in its policies the option of offering Gaelic-
medium education where there is reasonable
demand. The council could then see what that
demand was and decide how it would go about
providing Gaelic-medium education. The council
might be able to use some of the modern
electronic mechanisms that are available to
connect kids and families who want to learn Gaelic
and use Gaelic-medium education to schools that
are delivering that education in the Highlands or in
other parts of Scotland. Alternatively, the council
could open up the range of resources through the
library service and allow people the choice to opt
in, which is not currently possible.

There are a variety of ways to use Gaelic. I was
even speculating yesterday that, as one heads
north out of Dumfries and Galloway, there could
be the odd bilingual road sign because one would
be heading in a direction where the language is
more widely spoken. I do not want to force people
into such measures, but there are all sorts of
opportunities to allow folk to opt in, to grow
appreciation of the language incrementally and to
grow the possibilities for people to participate in a
way that they want to. Those are a few thoughts
that are not very threatening; they are liberating for
people.

In 10 years’ time, if those measures were taken
in the first language plan, the second language
plan in Dumfries and Galloway could go
significantly further, depending on the reaction of
people in the area. If there were more Gaelic
speakers, a momentum would begin to develop,
as we have seen happen in the Highlands and
Islands. I hope that the next version of the
language plan would then go further and open up
those opportunities incrementally and strengthen
the language. That would allow people to feel
involved.

The Convener: The resources might be
improving, but we saw examples even in Portree
of exactly what has been described—the
translation of teaching materials from English. Key
problems with the more technical matters have yet
to be overcome in their entirety. For example, we
have to get the language in the teaching materials
right and not get academics to write them for
primary school pupils. Many issues are
outstanding, although progress is being made.

Peter Peacock: I am interested in what you say.
I know that we are making progress, but I will look
into those matters and I am happy to help to make more progress.

The Convener: Absolutely. Are there further questions on this crucial area?

Fiona Hyslop: Minister, you mentioned recently that the guidance to local authorities should contain information about Gaelic-medium education. Do you agree with Highland Council’s representations that there needs to be some kind of statutory connection between the bill and the Standards in Scotland’s Schools etc Act 2000 with regard to the delivery of Gaelic-medium education? The Welsh Language Board spoke about including information about Gaelic-medium education delivery in the bill. What are your reflections on that?

Peter Peacock: I will deal with those points in reverse order. I have thought very hard about what could be stated in the bill about Gaelic-medium education and I will return in due course to your first question about how we have tried to connect the 2000 act to the bill.

I have listened carefully to arguments about rights to Gaelic-medium education and what is meant by that. I have had many conversations about that, but I am no further forward about how we could establish those rights in a legal sense in the bill. It would be immensely complex legally to do that, hence the direction of travel that we have chosen. I have read some of the evidence that the committee received about rights to Gaelic-medium education. We have to ask questions about what those rights mean. Are they deliverable in the short term? Not delivering something that is stated in a bill is challengeable, so we have to be clear that such a provision is deliverable. Are we talking about rights at nursery, at nursery and primary, or at nursery, primary and secondary? Are we talking about rights at the tertiary level or in training situations? We have to be very clear about that before we put things into the bill.

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12:45

The biggest growth of Gaelic-medium education has been in primary schools, so would those rights be expressed at the level of the catchment area of an individual school? If a group of parents within that one catchment area asked for Gaelic-medium education for their children, would it have to be granted? All these positions would have to be considered. Could it be a cluster of schools or a group of clusters of schools that would be able to exercise the right, or would the rights just be given at the local authority level? There is a range of questions that would be difficult to answer in legal terms.

Some people also qualify rights immediately. They say that they do not want an absolute right to something; they want a qualified right to something when there is reasonable demand. We then get into questions such as who decides on what is reasonable demand. Do I decide that? Should it be put on the face of the bill? What number constitutes a reasonable demand? Should that be decided by regulation outwith the bill? Again, there is a range of complications. We looked at all of that and asked whether there is a formulation that we could put in the bill that would strengthen rights to Gaelic-medium education in the way that people want.

To address Kenny Macintosh’s earlier point, members of the Gaelic community have said that we can give Gaelic-medium education but we can just as easily take it away. There is a fear that people might be sending their children to Gaelic-medium education just when it is about to disappear. I hope that we have got beyond that and people believe that we are committed to doing this.

There are a lot of legal complications, which is why we have chosen the route that we have. The 2000 act gave us quite a lot of powers to move on with Gaelic-medium education. We have sought to use the powers in the 2000 act to issue statutory guidance to which people must have regard. I have done that and we are currently consulting local authorities. We are using the guidance to tell local authorities that they have to be explicit about their plans for Gaelic-medium education. As part of their reporting process, they have to determine what reasonable demand means in their area, and determine parents’ entitlement. That language is used in the guidance for Gaelic-medium education. I can use those powers to create all the circumstances that we need to make progress without getting into the legal complications that arise when we try to define everything in the bill.

We have also linked those powers to guidance powers that we are giving to the bòrd under the bill. In a sense, we are creating a bridge between the 2000 act and the bill. The bòrd will police that bridge and issue future guidance on Gaelic-medium education. Ministers will have to sign that guidance off, but the initiative will be with the bòrd to keep strengthening the provisions. That is a good way of handling these issues. We link the two pieces of legislation in that way and we can move on with Gaelic-medium education while giving local authorities some discretion in what they decide to do locally.

Fiona Hyslop: That is not quite what I meant although I appreciate your explanation. You are linking the two pieces of legislation by the guidance, which can be arbitrary, but I am trying to explore the statutory and legal linkage on the face of the bill. I am bearing in mind Highland Council’s concerns that pupils receiving Gaelic-medium
education should be receiving education that happens to be through the medium of Gaelic. The standards of that education should be determined by the education authorities and not necessarily by the bòrd, which has a far wider remit and does not focus mainly on education.

Peter Peacock: I am not sure that I am with you. We are linking the two pieces of legislation. I am sure that my officials or I can find the explicit reference to the 2000 act in the bill.

Fiona Hyslop: I am talking about the bòrd.

Peter Peacock: I am coming to that. Frankly, I have purposely given the bòrd more authority than we would give other non-departmental public bodies. That is partly because the Gaelic community has been flattering me by saying, “We can trust you, Peter, because you believe in Gaelic, but what about your successors? Are they going to be as committed as you are?” That is very flattering, but I am trying to make sure that the Gaelic community does not have to trust future ministers. I am giving the Gaelic community the initiative, and the bòrd will represent the community and have the power to initiate further guidance in the future. It will always have to sign that off with ministers, as no minister will have authority over the bòrd in the future. It will always have to sign guidance flying into schools without having some idea about what that guidance is, but the initiative should be with the Gaelic community. Therefore, the proposals are purposefully designed to strengthen its hand.

However, I would not expect the bòrd to behave in any way that cuts across matters in which local authorities have legitimate interests and for which they are responsible. From my work with the bòrd so far, I know that it wants to work in a spirit of cooperation with people and to take people with it—I hope that that came across in what the bòrd said earlier. I fully expect the bòrd to consult local authorities and the Executive on guidance that it wants to issue under the powers and to recognise that the educational expertise in such matters lies in local authority hands. However, in a sense, that is no different from what currently happens. We are simply putting the bòrd in a more powerful position in the equation. Ministers would normally have such a relationship with a local authority in any event, but the bòrd will arbitrate, police and support in a different way from what would otherwise be the case.

The Convener: We will move on to another subject.

Mr Ingram: Members of the bòrd suggested that education is one pillar on which development of the Gaelic language can be built. The other pillar that they highlighted was broadcasting. Of course, many legal and statutory issues to do with Gaelic broadcasting are reserved matters, but a number of submissions have suggested that we must do something about funding levels for Gaelic broadcasting, which is a devolved matter. There is a frustration at the split between reserved competence and devolved funding arrangements. What discussions about Gaelic broadcasting have you had with your counterparts in the United Kingdom Government? Did you consider including something in the bill about broadcasting?

Peter Peacock: You raise two or three issues. I completely agree with the point that you make about Gaelic-medium education being one pillar and broadcasting being another pillar. There are other pillars too, but it is clear that broadcasting is a major part of the future.

As you say, there are complex interrelationships between devolved and reserved broadcasting matters. However, I am very aware of concerns about the potential for a new Gaelic channel. Many discussions have taken place between Scottish ministers and their UK counterparts over a period of time to try to find a way through that matter. Patricia Ferguson carries the principal responsibility in the Executive for broadcasting in her tourism, culture and sport portfolio, and I know that her officials, the BBC, SMG and the Gaelic media service had discussions last month about these issues to try to move them forward. Further work has been commissioned as a result of that meeting to try to find the key that we are all looking for but have not yet quite found. We await the outcome of that work, but members can be assured that a lot of attention is being paid to trying to move the issues forward in a practical way.

That said, we did not consider putting specific matters to do with broadcasting in the bill, partly because we were not clear about what we could add to what is already in existence at the UK level by way of the statutory framework. The problem is not the statutory framework but practical answers to the funding streams and so on. We are earnestly trying to resolve such issues.

Mr McAveety: Submissions that we have received have dealt with your authority compared with that of the bòrd. The bòrd has said that one issue is how there can be intervention if a public body has not dealt with concerns that have been raised with it on meeting the aspirations of the bill. The bòrd suggested having a time limit within which bodies must respond, after which the minister could intervene. Would you feel comfortable having those powers or should the bòrd have them in future?

Peter Peacock: Ultimately, ministers should have a role in helping to resolve matters that the bòrd has not been able to resolve. That is an important role. If a language plan is created and the bòrd is dissatisfied with the way in which it is
being pursued, the bòrd will have the right to ask for reports on the matter. Depending on whether the bòrd is satisfied with the report, it can report the matter to me, after which I can either report the matter to the Parliament or issue a direction to the public authority concerned to take the actions that are necessary to implement the plan. It is right that those pretty strong powers should be held in ministerial hands. Given that the Executive has a huge set of relationships with local authorities and the public agencies that work at arm’s length from us, it is entirely appropriate that ministers should have those powers to bring about the progress that we want as a result of the bill. However, the powers will be used on the bòrd’s initiative, after it has brought the matter to our attention.

Fiona Hyslop: It has been suggested that the criteria for requiring an authority to develop a plan should include the potential to develop Gaelic rather than the more limited criterion of “the extent to which the Gaelic language is used”, which the witnesses from the bòrd described as a preservation approach.

Peter Peacock: That takes us back to the Dumfries and Galloway question. If we act only on the basis of the number of Gaelic speakers, we will stand still. One challenge is how we break out from the areas in which Gaelic speakers are concentrated at present. The bòrd will have to achieve a balance—it will have to have regard to the number of speakers in an area, but also to the representations that it has received and to the national policy of trying to make progress with the language. The issue is not purely about the number of speakers in an area; it is also about trying to create opportunities for more people to become Gaelic speakers, such as those that I described in relation to Dumfries and Galloway.

The key is to push out the boundaries incrementally, grow the number of speakers and, over time, move the territory from the Gaidhealtachd across more of Scotland, but we must do that sensibly and practically. As part of the bòrd’s decision on which bodies to approach, it will have to think in a sensible and balanced way not just about the number of speakers in an area, but about the potential for growing the number of speakers, which Fiona Hyslop mentioned.

Fiona Hyslop: We all have sympathy with that, but section 3(3)(a) talks about “the extent to which the Gaelic language is used”. We might want to reflect on that wording at stage 2.

Peter Peacock: That is only one of the criteria, as I recall. Point me to the section again.

Fiona Hyslop: Section 3(3)(a) mentions “the extent to which the Gaelic language is used”. That wording could be used as the lowest common denominator—an authority might decide not to do much because, regardless of anything else, hardly anyone speaks Gaelic in its area. We want to open up the criteria and introduce the notion of the potential to develop Gaelic. A wording change may be appropriate.

Peter Peacock: Under the further paragraphs in section 3(3), the decision will not be based only on the number of persons who speak the language, but on representations that are made to the bòrd on the use of the language and on guidance that the Scottish ministers give. As I said, my intention is that the language should grow incrementally. The section already embraces the thinking that you mention, but if there is an unnecessary limitation, I will happily reflect on it.

The Convener: I have a question on the money front. We have discussed the cost of the planning procedure, which will be minimal in the overall scheme of things, and we have heard evidence about the way in which mainstreaming over time will not add additional costs in the long-term. Whether mathematics is taught in English or Gaelic, the process should ultimately be the same. What money will be available from the Executive beyond the existing Gaelic development fund to deal with the bill’s development implications? I am talking about the funding not for the bòrd, but for the activities that the bòrd’s guidance will stimulate, which is probably the nub of the bill’s slightly longer-term financial implications.

13:00

Peter Peacock: You are right. Specific costs are attached to the bill and set out in the financial memorandum. I am keen that all the money should not be spent on the bureaucracy around preparing plans. I expect agencies themselves to pick up a large part of those costs, although there might be some dimensions to the plans on which they will be given some assistance. The key purpose of the money that will be available will be to encourage activity to grow and promote Gaelic.

Over the years, ministers have consistently responded to growth in demand for Gaelic spending in whatever dimension demand has arisen—hence the money that we give to Bòrd na Gàidhlig that it did not get three years ago. We also give money to Sabhal Mòr Ostaig and Stòrlann Nàiseanta na Gàidhlig and we provide specific grant funding for Gaelic-medium education—all that has been growing, as the area is one of ministers’ priorities. I expect further growth to be accommodated in the way that any change in overall expenditure is accommodated. We want there to be progress and we want the
language to develop, so we will make resources available as things progress, just as we would do in relation to other dimensions.

The Convener: The approach will emerge from the process, rather like local authority plans, rather than through announcements of further moneys during the passage of the bill—or do you anticipate making such announcements?

Peter Peacock: That is a nice invitation, but I do not anticpate making the specific announcements that you describe during the passage of the bill. We have put in place the budget that we think is necessary to implement the bill in the short term and when spending reviews come along—or as we adjust our priorities within spending review periods—we will make such announcements.

The Convener: I think that we all agree that the issue of teachers is central. Fiona Hyslop suggested that the bill could place a duty on the Executive to have a teacher training strategy. Whether or not that is the right approach, it is clear that there is a problem. A number of measures are being adopted, but can more be done? The policy will stand or fall on the success or otherwise of the approach to teacher training.

Peter Peacock: As I said, a range of measures are in place and I am waiting for advice on the recruitment strategy that we will have, which we will vigorously pursue. More broadly, our teacher workforce planning exercise, which we continually refine, considers all our teaching requirements, identifies shortages in particular areas and addresses supply needs—I mean “supply” in the broader sense—by approaching the universities to open up the number of places for teacher training. Our problem with Gaelic-medium education is not the number of available places but getting people to choose to work in that sector. I do not envisage any limit in the number of places at university for training Gaelic-medium teachers. We want to fund places, but the challenge is to get people to sign up for them. That is why we must consider recruitment.

We identify Gaelic as a specific element in the workforce planning exercise. We know about the long-term trends, retiral rates and age profiles for all the different parts of the workforce, so that we can plan ahead.

The Convener: There will be a need for association and partnership between the Executive, the teacher training establishments and the Highland Council and Western Isles Council in particular, to deal with the package of issues around promotion prospects, stability and so on. There should be a strong focus in the Executive on making that happen.

Peter Peacock: I agree. On the back of the recommendations that I am awaiting on the recruitment strategy, we expect to have deeper discussions about such issues than we might have had in the recent past with local authorities, teacher training institutions and the General Teaching Council for Scotland. The GTCS offers much interesting thinking about how we might make progress on those matters.

The Convener: It might be worth thinking about how the approach might be targeted, made more effective and given a bit more drive, because if it does not work, it will cause immense problems.

We have had a fairly wide discussion. If members do not want to raise further matters, I thank the minister for his attendance. I am conscious that the committee is eroding around me—a bit like the Gaelic language, perhaps. There are two more items on the agenda, but given that—[Interruption] May we have a bit of silence in the room, please? The committee is still in session.

Under agenda item 3 we were going to consider the scope of our stage 1 report on the Gaelic Language (Scotland) Bill, because we need to give the clerks a little guidance in advance of the drafting of the report, and under item 4 we were to discuss the committee’s forward work programme. However, given that we hope to meet next week, it would seem to be sensible to defer consideration of those matters until next week. Is that in order? Would it cause problems for the clerks?

Martin Verity: Not particularly.

The Convener: I ask members to give some thought in the meantime to priorities for inclusion in the stage 1 report, because we must give the clerks guidance before they draft the report during the Christmas recess, when we go off to eat mince pies and poor Mark Roberts will be stuck here writing the draft report.

Alex Neil: Will next week’s meeting be taken in private? If that happens, people such as me who are not members of the committee will not be able to participate.

The Convener: The committee has not yet made a decision on that. Item 3 would have been taken in public today, so I suggest that we consider the matter in public next week. After that we can consider what to do at future meetings.

I thank everyone for their patience and diligence. I wish everybody a—no, I cannot do that now; I will do that next week.

Meeting closed at 13:05.
Present:
Ms Wendy Alexander    Robert Brown (Convener)
Ms Rosemary Byrne     Lord James Douglas-Hamilton (Deputy Convener)
Fiona Hyslop          Adam Ingram
Mr Kenneth Macintosh  Dr Elaine Murray

Apologies: Mr Frank McAveety

Also present: Alex Neil

The meeting opened at 10.01 am in Committee Room 6.

**Gaelic Language (Scotland) Bill:** The Committee agreed the scope of its Stage 1 report.

**Items in private:** The Committee agreed to consider its draft Stage 1 report on the Gaelic Language (Scotland) Bill in public at its next meeting.

The meeting closed at 12.02 pm
Gaelic Language (Scotland) Bill:
Stage 1

11.43

The Convener: Item 5 is consideration of the scope of our stage 1 report on the Gaelic Language (Scotland) Bill. We do not yet have the report; I think that Mark Roberts has the job of producing a draft for us during the recess. However, a preliminary list of potential issues for inclusion in the report has been prepared. I invite members’ comments on matters that might be added to the list or taken on board, given the oral and written evidence that we have received. Members have read the large folder of written evidence that they received two or three weeks ago and will be in a position to make full comments or be questioned on the evidence at a later stage. Do members want to add anything to the list of issues?

Mr Macintosh: A useful summary was provided with the large folder.

The Convener: Absolutely.

Fiona Hyslop: The paper covers the issues that the committee has been pursuing.

Mr Macintosh: Do you have a spare copy of the paper, convener?

The Convener: It should be with the committee papers.

Fiona Hyslop: It might be helpful for the Official Report if you ran through the list.

11.45

The Convener: Everyone now has the list, so I do not think there is any advantage in my reading it out. The paper has been published so it is available if people want to see it.

I have one or two thoughts that might be relevant. The point came through clearly that there must be links between Gaelic-medium education at primary, secondary and tertiary levels. Funding is also an issue. That is not just about the funding of the bill per se, but about the need to support its provisions and the adequacy or otherwise of the Executive’s intentions in that regard.

There is also an issue about Gaelic-medium materials, which is touched on in item 4 in the list of issues. Linked to that is teacher promotion and incentives, which relates to how we can recruit more people and whether we can effect a step change. There is also the question of whether we consider the current demand for Gaelic or the potential of the language, on which a number of people have touched.

We have also to consider support for the family. If a child from a non Gaelic-speaking home is in Gaelic-medium education or is learning Gaelic, we have to consider allowing parents easy access to Gaelic and supporting them to understand what is taking place and how they can help their children, which is important. I would like to see reflected in the bill the principle of generosity and good will, which the Welsh Language Board cited and which would be a good theme for us to take forward. Do members want to raise other points?

Lord James Douglas-Hamilton: I want to raise a point related to viability and choice, on the use of high technology and videoconferencing. Pupils might be interested passionately in Gaelic, but if they are in a school where it is simply not viable to provide a Gaelic teacher—say if only one, two or three pupils are interested—such provision is not going to happen. Given that the minister has set up a working group, a paragraph on that should be included. It could come under choice and viability or the use of high technology.

The Convener: That could be done.

Fiona Hyslop: We are right to acknowledge the debate on the statutory right to Gaelic-medium education, which I support. We need to acknowledge that, in the evidence that we received, a large number of organisations argued in favour of that right, but the minister presented arguments for why he did not necessarily want to see such a right. That needs to be explored fully.

On the education side, we need to cover the points that Highland Council made about the educational drivers for guidance in relation to the Standards in Scotland’s Schools etc Act 2000 and the interaction between that act and the bill. I am not quite sure whether that fits with the arguments about the right to Gaelic-medium education; it is more about the interaction between the bill and the 2000 act. The comments that the minister made last week were particularly interesting. He is, in effect, doing in practice what we might want to do in law. We should explore that and in doing so focus on the good evidence from Highland Council.

The Convener: We will certainly have to reflect the rights issue one way or another. Everyone would agree that we are on about giving substance to the right. The law against the background of resources is another issue on which we will need to focus our minds.

Mr Macintosh: The list is pretty comprehensive. The emphasis that it puts on education reflects the fact that despite education being an addition to the bill it has dominated much of our discussion of it. The key point that I want to see reflected is that there is broad support for the bill. I do not know about other members, but when we started
considering the bill I thought that there would be much more dispute in the evidence that we took. I was pleasantly surprised by the fact that everyone who spoke to us—without exception—said that they support the bill and that it is a step in the right direction, although some said that it should go further.

The Convener: One or two written submissions took the opposite position.

Mr Macintosh: That is true. However, the oral evidence and the bulk of the written evidence were supportive of the bill. Given the arguments in the past about the right way to support Gaelic, that is an important point.

We need to explore whether the bill is intended to arrest the decline of Gaelic and to prevent it from dying out, or whether it is intended to encourage the growth of Gaelic. That has implications for the way Gaelic language plans will be interpreted across Scotland. Clearly, the first role of the bill is to stop Gaelic dying out. However, some people—including me—would like more emphasis to be placed on using the bill and the Gaelic language plans as vehicles for growing Gaelic throughout Scotland, including in areas where it does not have a strong tradition. Other than that, I am happy with the issues that are listed in the paper as issues that were covered in evidence.

The Convener: We have heard some evidence on potential use of the language.

Mr Macintosh: Yes. That is the second issue listed in the paper.

Fiona Hyslop: We are discussing the possible themes and content of the report. However, it would be good if the introduction included something on how the committee views the context of the bill and reflected the fragility of the situation, which our visits helped to emphasise. Everything else could flow from that.

The Convener: That is a helpful suggestion and reflects our conclusion in our discussions. What is the role of Gaelic? What is the context? I refer both to Gaelic’s position as a language and to the surrounding cultural milieu. There are a number of aspects that must be considered.

Alex Neil (Central Scotland) (SNP): It would be helpful for the committee to distinguish in its report between Gaelic-medium education and the teaching of Gaelic as an add-on language. In my view, availability of Gaelic as an add-on language helps and complements what we are trying to do, but should not negate the right to Gaelic-medium education. However, in many parts of lowland Scotland there is likely to be more emphasis on Gaelic as an add-on language than on Gaelic-medium education.

The Convener: The interrelationship between the two is an issue. Unless there is Gaelic for new learners, catchment of people will be limited to the small number of Gaelic native speakers. Some evidence suggests that we need both elements. There are several legs on which the strategy must stand.

We have received reports from the Subordinate Legislation Committee and the Finance Committee. I notice that the Executive has made an undertaking to the Subordinate Legislation Committee to require the national plan to come before Parliament in suitable shape, which is important. Parliamentary scrutiny of the plan will be relevant.

Lord James Douglas-Hamilton: It would be an important signal if the report contained recognition of the fact that Sabhal Mòr Ostaig, the Gaelic college, is a centre of educational excellence. It has developed enormously in recent years and is doing extremely well.

Ms Alexander: That is true. Given the fragility of the language, it is impossible to look to the Gaelic community to replicate in individual institutions all the areas of higher education research, teacher training and cultural development. It is inevitable that success will come from clustering activities in one institution, which should not be disadvantaged in funding as a result. The problem is that Sabhal Mòr Ostaig is obliged to cluster to have an impact, but the Executive does not have funding streams that reflect such clustering in other areas. A nod towards that would be helpful.

The Convener: Some people have suggested that everybody should be sent to the Gaelic college, whether from Glasgow or wherever. That would be impractical, but the idea of having a period of an entirely Gaelic scenario, if you like, for people who are going to be teacher trainers and so on seems to be valid. That might support people, given that things are not happening in quite that way at the moment.

Alex Neil: The first issue in the list in paper ED/S2/04/28/4 is going to be the trickiest for the committee to cover in the detail of its report. We have various demands for the language to have secure status, official status and equal status. The board recommended the idea—with which I have a lot of sympathy—of the language having equal validity, which would overcome many of the problems in the other options. That said, one of the points that the minister made last week was that Gaelic already has, in effect, official status simply because it is used officially by the Executive, local authorities, Parliament and other organisations. In the committee’s report you might want to distinguish between official status and the other three options of secure status, equal status and equal validity. The options are mutually
exclusive—if you go for one of them you cannot go for another—but they are all compatible with official status. You might want to record in your report the fact that the language has official status and consider whether it is right, necessary or appropriate for that to be stated in the bill.

**The Convener:** It is useful to define some of the terms. The Welsh Language Board was useful in that context. I am not entirely certain that Gaelic is an official language. For example, in the courts, there is a facility for translation when it is necessary, but I am not sure that people have a right to give evidence in their own language—that is, Gaelic—where appropriate, although it happens in some northern courts.

There is an issue about what official status means in practice. In the introduction to the bill, the objective is given of promoting and facilitating the language with a view to its gaining secure status, or words to that effect, so there is already a nod in that direction. My mind was turning to whether we could enhance that and cover the prestige element that the Welsh Language Board talked about.

**Alex Neil:** Bòrd na Gàidhlig’s contribution was helpful. The phrase “equal validity” would solve a lot of problems.

**The Convener:** We will have to form a view on that. The minister had qualms about the phrase, as he did with the other options. We have to be clear about what we suggest and its legal effect. There was a suggestion that we want to go for something reasonably substantial that does not create individual legal rights per se. Creating individual rights to do with education is another issue, but we do not want to go for something that suggests a vague and unspecified possibility of there being legal rights. We need to address the status issue, which I think members feel is the most important angle. Somewhere in there is the answer to the conundrum.

**Alex Neil:** One of the other issues that need to be clarified in the committee’s report relates to the powers to require United Kingdom bodies to prepare and submit Gaelic language plans. It is important to acknowledge that we are dealing with two categories of non-devolved body. One category includes straightforward UK bodies such as the BBC, which is a creation of Westminster and represents a reserved function. The other includes bodies that are in between, such as the Forestry Commission, which is a cross-border body that crosses devolved and reserved status. We have to ensure that we cover those bodies as well as the purely UK bodies.

**The Convener:** We did not explore that with the minister—perhaps we should have done so.

**Alex Neil:** The Forestry Commission is particularly important, given its role in rural life in Scotland, particularly in many areas where we are likely to see greatest use of Gaelic.

**The Convener:** We have to consider whether the fact that bodies such as the Forestry Commission were set up by UK legislation creates a different status for them—I do not know the answer. Perhaps we should see whether we can get guidance on that. UK bodies are referred to in the list of issues.

**Lord James Douglas-Hamilton:** It was helpful of the clerks to submit such a concise and excellent list.

**The Convener:** We will have a draft report early in the new year. I thank everyone for their attendance at this extra meeting. I am told that as I am a member of the SPCB I might be involved in authorising any Gaelic language plan that the Scottish Parliament would be required to produce under the legislation. I therefore have to make a declaration of interests in that context.
EDUCATION COMMITTEE

EXTRACT FROM MINUTES

1st Meeting, 2005 (Session 2)

Wednesday 12 January 2005

Present:
Ms Wendy Alexander Robert Brown (Convener)
Ms Rosemary Byrne Lord James Douglas-Hamilton (Deputy Convener)
Fiona Hyslop Adam Ingram
Mr Kenneth Macintosh Dr Elaine Murray

Apologies: Mr Kenneth Macintosh and Mr Frank McAveety

Also present: Alex Neil

The meeting opened at 10.14 am in Committee Room 2.

1. Gaelic Language (Scotland) Bill: The Committee considered a draft Stage 1 report and agreed to seek approval from the SPCB to translate the final report into Gaelic.

The meeting closed at 11.57 am
Scottish Parliament
Education Committee
Wednesday 12 January 2005

[THE CONVENER opened the meeting at 10:14]

Gaelic Language (Scotland) Bill: Stage 1

The Convener (Robert Brown): Good morning and welcome to this meeting of the Education Committee. I remind everyone that mobile phones and pagers should be switched off so that we do not have funny noises during the proceedings. The only item on the agenda this morning is consideration of our draft stage 1 report on the Gaelic Language (Scotland) Bill, in relation to which the committee heard evidence and went on visits before Christmas.

We have before us a draft report that has been prepared by the clerks, who have been working diligently over the Christmas holidays, for which we are grateful. I am bound to say, as always, that the report seems competent and it encapsulates many of the issues that the committee would want taken on board. However, I want to raise one or two points, as I am sure will other members.

I will first make a general point and we can have a general discussion before we move to stage-by-stage consideration of the draft report. My general point is on the status of the language. It seems to me that the Welsh Language Board and the Bòrd na Gàidhlig, which have the best insight into the way in which these things work on the ground, did not want a rights-based approach to be taken, but felt that there was symbolic and status value in there being greater recognition in statute of the Gaelic language’s standing. I do not know whether members agree that we want to reflect that in the report and adopt the relevant phraseology—I have prepared draft phraseology and will return to the detail later if members agree with that approach.

The issue is complex. Members might feel that we need to deal with the issue of individual rights as well as with rights relating to Gaelic-medium education. I have outlined what seems to be the sum of the best information and advice that we were getting from the most professional bodies in the field. I hope that members will be amenable to working along those lines. It seems appropriate for the committee, having heard all the evidence on this matter and being conscious of the historic difficulties that Gaelic has faced, to propose a generous approach—an approach of “good will”, as someone said in evidence. I say that by way of what I hope is a helpful introduction to the matter.

Do members have general comments on that issue?

Alex Neil (Central Scotland) (SNP): The report, for a first draft, is very good indeed, particularly on this area. We will hear your draft phraseology later, convener, but I think that where the report needs to be strengthened and clarified in relation to what you have just said is paragraph 26. Paragraph 19 makes a good point about the official status of the language. The Minister for Education and Young People made the point that the language has de facto official status which, to some extent, the wording of the bill reflects. However, people are not really talking about it having official status. I thought that the phrase “equal validity” sounded about right, given what we are trying to achieve.

Fiona Hyslop (Lothians) (SNP): I agree with the comments about the report as a whole, because the emphasis is right and it covers the areas of particular concern to the committee. Given that it is in draft form, it is very good. I agree with Alex Neil and the convener that we should make up front the positive statement that we want to move things forward from where they have been historically. I do not have with me the Official Report of the minister’s comments. I questioned him about equal status, which is about the right to use Gaelic everywhere, which is what people want to see, and the practical problems of having that as a legal definition. I also questioned him about equal validity. The use of Gaelic will be determined by the national and local plans. I asked him whether Gaelic will be of equal validity when it is used. I would be interested to hear your proposed wording, but there is a route into allowing us to make a firm statement to move the bill on from where it is, in cognisance of some of the evidence that we have heard about the practical difficulties.

The Convener: There may also be a timescale on these things. Whereas a particular provision may be appropriate now, the matter might have to be revisited in future. I suggest that the issue is not one for our consideration today but one for later in the process.

Lord James Douglas-Hamilton (Lothians) (Con): The draft report that the clerks have prepared is excellent. If I may, I will make two general points on it. My first point is that if support for Gaelic is a continuing process—which we all accept that it will be—once the bòrd is set up, a strong case could be put for an in-depth review of aspirations. Given that they may differ area by area, such information could be useful in focusing attention on where provision is most needed.

My second point relates to the use of high technology. The draft report is fine in this respect. The minister should have a high-powered working
group that will come forward with recommendations. The key point is that, where opportunity does not exist, for whatever reason, the best use of high technology should be made in order to provide opportunity and to enlarge the possibilities for those whose aspirations relate to Gaelic provision.

**Fiona Hyslop:** I take it that the convener is looking for comments on the general context of the report and on key issues. Later in the report, the debate that was held on whether the bill would preserve a fragile language is reflected along with the subject of the development and promotion of Gaelic. Perhaps we should reflect the committee’s views on those subjects earlier in the report, possibly in the introduction. I understand that our view is that we see the bill as being part of both those things. The point about the preservation of the language would be better made if it were done earlier in the report as part of the introduction.

**The Convener:** Fiona Hyslop is absolutely right. It is highly doubtful whether preservation of the language is ultimately sustainable at current levels of support.

Let us move to a page-by-page discussion. No particular problems should arise on pages 1 to 3, as they cover introductory stuff. Does any member have a comment on those pages?

**Lord James Douglas-Hamilton:** I have a comment on page 2, paragraph 8. That is where we could mention, in neutral language, the possibility of a further in-depth review of aspirations.

**The Convener:** I am sure that no one would disagree with that suggestion.

**Dr Elaine Murray (Dumfries) (Lab):** I have a comment on page 2, paragraph 8. That is where we could mention, in neutral language, the possibility of a further in-depth review of aspirations.

**The Convener:** I am sure that no one would disagree with that suggestion.

**Mr Adam Ingram (South of Scotland) (SNP):** Is it possible to get the statistics on the numbers of people who are undertaking Gaelic lessons? From my knowledge of my own area, I know that there is a substantial demand right across Scotland for learning the language. The statistics on language learning might give us an idea of the potential for expansion.

**The Convener:** We can endeavour to get them from Cli Gàidhlig, the learners’ group. It might have some statistics on the numbers involved.

**Mr Ingram:** That might give us some indicative figures for the potential in certain areas and help to flesh out some of the arguments that we are having.

**Dr Murray:** On that point, the potential is also limited by supply. There could be a lot of people who would like to learn Gaelic but are unable to do so because it is not available.

**The Convener:** Fiona, might your point about potential go in somewhere round about page 2?

**Fiona Hyslop:** I think so. At about paragraph 8, we start to ask what the previous context has been and what the future context should be and to express our view. I am happy to work with the clerks to come up with something.

**The Convener:** That would be helpful.

We have dealt with pages 1 to 3. The discussion of the legal status of Gaelic goes over two or three pages, but the introductory bit on page 3 is straightforward enough.

That takes us to pages 4 and 5. I think that Alex Neil is right that we want to introduce something at about paragraph 26. We can work on the wording, but the sort of thing that I want is: “The committee believes that the Gaelic language should be treated on the principle of ‘generosity and good will’.” I cannot remember who said that, but it is quite a good phrase

**Dr Murray:** I think that it was the minister.

**The Convener:** Was it? It might have been.

It would continue: “We were impressed with the view of Bòrd na Gàidhlig and the Welsh Language Board that recognition of the language in statute is symbolic and important in giving a status and prestige to the language and also important in winning hearts and minds. We noted this did not necessarily mean that service provision was driven by legal rights. The committee recommends that, for these reasons and on that basis, the status of the language should be more fully recognised in the bill.”
At this point, we are dealing not with amendments but with the direction in which we are going. Stage 2 is the point at which we need to spell out what that recommendation means practically. I am making a basic suggestion that can be worked on.

**Alex Neil:** I take your point that this is not the stage for amendments, but our discussion on status referred to “official status”, “equal status” and “equal validity”—I think that there was a fourth term, but I cannot remember what it was offhand.

**Fiona Hyslop:** It was “secure status”.

**Alex Neil:** Yes, we should include that. If you agree, convener, it might be useful to add one sentence saying that, of the options about which we have heard, equal validity came closest to what we believe that people are trying to achieve. That would not commit us to the exact wording for what we believe that people are trying to achieve. I do not think that anyone is suggesting equal status in the sense that, every time that something is produced in English, we have to have a Gaelic version of it. That is probably what “equal status” means in law, whereas, as a layman, I would interpret “equal validity” to mean that both versions of something that is produced in English and Gaelic are equally valid in law but there is no obligation to produce a Gaelic version every time that something is produced in English.

**The Convener:** I am not averse to the direction in which you are going. Perhaps we should consider the phraseology by taking on board your phrase and pondering over it until we finalise the report at our next meeting.

**Dr Murray:** I presume that the advice that the minister has received is that “equal status” and “equal validity” mean the same thing and would have the same legal consequences.

**Fiona Hyslop:** I do not think that they necessarily would do. Equal status would confer absolute rights, whereas equal validity relates to when the language is used. The bill is about determining when it is appropriate and reasonable for the language to be used, given the current or potential usage in the country.

**Dr Murray:** We might need to define the terms more precisely.

10:30

**Fiona Hyslop:** The draft report is accurate but, because the issue was a key part of our evidence-taking meetings, we should perhaps expand on it. The report does not quote the Bòrd na Gàidhlig submission, which I think helpfully ran through what the bòrd understands by “secure status”, “equal status” and other terms. Perhaps some beefing up of the references would help members who read the report before the stage 1 debate in the chamber.

**The Convener:** That is helpful. I was trying to get at that when I said that the Welsh Language Board produced quite a good account of the different options and its approach to them.

**Fiona Hyslop:** I think that the Bòrd na Gàidhlig did that.

**The Convener:** Both bodies provided useful evidence. We should perhaps consider what they said. The setting out of definitions would help people to understand the situation.

**Dr Murray:** If the bill were to contain a particular term, such as “equal validity”, it would be possible to amend it to include in the schedule a definition of the term, unless a legal definition already exists.

**The Convener:** We might be able to get some advice from our legal advisers, although their knowledge of the subject might be limited. We can inquire behind the scenes whether they might contribute anything.
Alex Neil: Elaine Murray made a good point, which might offer a response to the legal advice that the Executive has received. We are the legislators. If we decide to use a term such as “equal validity” we should define it in the legislation, so that there can be no doubt about its legal meaning.

The Convener: Oddly enough, comments that are made during the progress of a bill through the Parliament can have legal effect when there is ambiguity. One way of clarifying the situation might be for ministers to state that the term is intended to confer not rights but status and so on. That is just a thought.

We will come back to the matter next week, but our discussion has helped us to make progress. Is there general agreement that we want to go a little further on the recognition of the status of the language?

Members indicated agreement.

The Convener: We must come up with the phraseology for doing that effectively without tying the Executive up in unusual and unanticipated knots.

Alex Neil: I suggest that we include the convener’s suggested wording, which would helpfully pave the way to the additional sentences that will steer us towards something like equal validity.

The Convener: If there are no further comments about page 5, we move on to page 6 and the long section on education.

Alex Neil: I am not sure whether I should raise this point in relation to page 6. I thought that the section was exceptionally well drafted. I think that we all agree that there is a need for resources for more Gaelic-medium teachers, but I am not sure that we have put enough emphasis on the drop-out between primary and secondary education. Towards the end of the section on education, where we make recommendations, we need to say a bit more about the need to tackle the problem.

The Convener: I agree. I have been working on the phraseology of a sentence that could usefully be inserted at the end of paragraph 31, which ends the section on education. We should say something like, “While recognising the workforce supply issues, the committee recommends that stringent efforts be made to provide Gaelic-medium education at secondary level, particularly in areas where there are reasonable numbers of children being educated in the Gaelic medium at primary level.” We need to include a specific comment on the problem, because the whole thing falls down around our ears if it cannot be tackled. The detail of the issue is workforce supply and so on, but the concentrated resources of the Executive, Highland Council, the Western Isles Council and so on are needed to make things happen.

Alex Neil: Paragraph 30 makes the point saliently, but we may be able to add a bit to that, just to point out how important the issue is. The point was made by the minister as well as by the bòrd representatives that a lot of the good work that is being done in early-years and primary education is being undone because, by the time that a student has left secondary education, Gaelic has become a secondary language to them. That defeats the purpose.

The Convener: That is absolutely right.

Dr Murray: Like much of the rest of the report, this section is extremely well written. Reference is made in paragraph 28—which is especially important for the south of Scotland and other areas where very little Gaelic is spoken—to the fact that the crux of a Gaelic language plan will be the provision of education as a second language or to adult learners. I feel that that point could be made more prominently, as it is rather lost in the middle of paragraph 28. It relates back to the points that Adam Ingram made earlier about potential. If we are looking for the potential to develop the language in certain areas, we should perhaps highlight the importance of learning Gaelic as a second language for children and adults in some parts of the country.

The Convener: There are two issues involved in that. The first is the learning of Gaelic as a second language in the Gaelic-speaking areas; the second is the learning of Gaelic as a second language in other areas. The learning of Gaelic as a second language in Gaelic-speaking areas is dealt with in the cultural context bit, but the learning of Gaelic as a second language in other areas could be built on in this section.

Dr Murray: I would have thought that the Gaelic language plans that might emerge in places such as Dumfries and Galloway and East Ayrshire would be about the provision of Gaelic education for people who want to learn about the language and culture.

The Convener: Yes, I think that that is right.

Fiona Hyslop: The bill unintentionally confuses the two issues of Gaelic-medium education and the teaching of Gaelic as a second language. We must ensure that we separate those two issues in our report. Amendments may be lodged at a later stage that will help to clarify the positive support that exists for both of those. We should also reflect that distinction in the paragraphs in which we talk about the numbers of teachers. Two figures were given to us: 26 and 40. In the context of the supply of Gaelic teachers, those are the key figures.
The Convener: They relate to the number of secondary school teachers.

Fiona Hyslop: Yes. We were also given good evidence when we visited Portree that, even in secondary schools in which Gaelic-medium education is provided, it is not comprehensive and available for all subjects. It is very selective and people cannot predict which subjects they will be able to take Gaelic-medium courses in. That impacts on pupils' education and their choices; it is not just an issue of teacher supply and demand.

The Convener: That was echoed in the evidence that we received from the Welsh Language Board witnesses, who talked about the diversity of supply in Welsh schools. Many more options are available there; some of them are in Welsh and some are in English. It is much more mixed than an outsider might imagine. Gaelic-medium education at the secondary level is a bit more complicated than it is at the primary level.

Fiona Hyslop: Yes. It would be useful to talk about that in the report. We should check which is the authoritative number of teachers and the report should reflect the concerns that we have about Gaelic-medium education at the secondary level.

The Convener: That is right. The point is that we need to have the option of Gaelic-medium education in a wider number of subject areas, especially in secondary schools.

Fiona Hyslop: Especially in areas such as the Highlands and Islands. If the provision is fragile in certain aspects even in Skye, that reflects the extent to which we must place emphasis on the issue.

The Convener: The point was echoed in what we heard about the Nicholson Institute in Stornoway, where there is not as much Gaelic-medium education as one might have imagined.

Let us move on to page 7.

Fiona Hyslop: On the issue of supply, I was struck by the evidence that we have heard latterly from Sabhal Mòr Ostaig about—

The Convener: Which paragraph is that in?

Fiona Hyslop: The one about the supply of Gaelic-medium teachers. We heard about the step change that would be needed to address that. The evidence that we have received on that in the past few days from the Gaelic college will be helpful, if we agree with it. It states that, under the current circumstances, the supply is not going to meet the demand. A substantial change is needed. Although steps have been taken by the University of Aberdeen and others to help, through the provision of part-time courses and so on, we really need to take a more integrated approach. Sabhal Mòr Ostaig makes some positive suggestions. The committee will need to decide whether it agrees with those suggestions. We might put something in the report and, at a subsequent meeting, decide whether we agree with the steps that Sabhal Mòr Ostaig recommends. It is an illustration of the substantial step change that will be needed.

Dr Murray: Another way of dealing with the issue without making a legislative change to the bill—which is not what Sabhal Mòr Ostaig proposes—would be to refer to the college's suggestions as a way forward. We could include a paragraph outlining some of those suggestions.

Fiona Hyslop: I previously suggested that we might want to include in the bill something about the need for the Executive to produce a Gaelic-medium education teacher supply strategy. That has been done in previous bills on policy issues. It is for the committee to decide whether we want to lodge a legislative amendment. However, the context of the policy change needs to be emphasised strongly.

The Convener: In paragraph 36, the report states:

“Ultimately, it is the responsibility of local authorities, who employ teachers, to decide whether they need to provide incentives”.

The evidence that we have had from various directions suggests that there is a bitty sort of feel to the whole thing. It seems to me that there needs to be a high-level summit or something that will draw the strands together. The Executive is probably in the driving seat for that and should perhaps take a lead role in drawing the agencies together. It is doing some of that, but there are perhaps other things that need to be done.

Dr Murray: Given the power of the bòrd to produce a national Gaelic language plan, surely such issues should be part of the national plan.

Mr Ingram: I think that that is what the Gaelic college is suggesting. Its recent letter to us says that Bòrd na Gàidhlig should be charged with advising ministers on how to put together a co-ordinated strategy. I presume that, under the national plan, the local authorities, the minister and others will have to work together to address the teacher supply problem.

The Convener: That is right. The difficulty is that, although the bill is not an education bill, the duties of the bòrd, albeit with the amendment that was made to the draft bill, straddle the education field. The education authorities have some duties and the bòrd has others. The question is where the expertise lies. I know that we say that there should be teaching expertise on the bòrd—that is right. However, there is an issue to be got at about the relationship, for the Gaelic language plan process, between the bòrd and education, teacher
supply and all that sort of stuff in the more mainstream situation.

**Alex Neil:** I think that this section of the report is well drafted, although it needs slight changes. It might be useful to reorder the way in which we address each of the issues. The report tends to jump about from the shortage of teachers in primary schools to the problem of secondary schools, and so on. In the section on Gaelic education, it might be useful to start off with a paragraph stating that, although the bill is a Gaelic language bill rather than an education bill, if we do not get the education strategy right, the objectives of the bill will not be achieved. The report can say that a number of issues came up during the committee’s evidence taking and can then deal with them in this order: the pre-school education issue, which is currently dealt with at the tail-end of the education section rather than at the beginning, quoting and expanding on what the Welsh Language Board is doing on pre-school education; the issue of primary school education, which is primarily a shortage of teachers; the issue of secondary schools, which we have just discussed; and—as was mentioned in some of the evidence, although it was not given a lot of emphasis—the problem of higher and further education, to which we need to refer.

We can preface all that by saying that, although the bill is not an education bill, those issues will have to be addressed by the same minister if we are to achieve the objectives that are set out in the bill. If we adopt that approach and address the issues in that order, so that the reader can see the continuum through pre-school, primary, secondary, and higher education, that will set the bill in context.

**The Convener:** Yes, that is helpful. That is a logical layout.

**Fiona Hyslop:** I was struck by the strong evidence from Highland Council that reference needs to be made to the Standards in Scotland’s Schools etc Act 2000. We currently have one-way traffic. The bill is about the powers of the bòrd, but there will be a legal way in which we can connect the Standards in Scotland’s Schools etc Act 2000 with the bill. I know that the minister said that the Executive would be doing that in guidance, but we have to decide whether that would make the link strong enough or whether we should put something in statute. I am strongly of the view that we should put something in statute.

If the committee accepts that we need to make some connection between the two pieces of legislation, we should do so by referencing the Welsh Language Board’s proposals, so that the national plan refers to the minister dealing with teacher supply and rights to education. Local authority plans would also reflect some of the Welsh approach. We could do that within the context of the bill and shore up the educational responsibilities of local authorities in relation to the rights to education, which the bill probably could not confer, because the long title is about the bòrd. However, the education aspects are so critical that there needs to be a statutory link between the two pieces of legislation.

**The Convener:** As Alex Neil said, the situation is helped by the fact that the same minister has responsibility for both areas. Our concern is the technicalities of drawing them together.

**Fiona Hyslop:** But the ministerial remit might not be the same in the future; indeed, it was different in the past. The bill has to stand the test of time.

**Lord James Douglas-Hamilton:** I have a brief point on paragraph 36. In Scotland there seems to be a lack of enthusiasm for cash incentives, but there may well be a case for adding a sentence to paragraph 36 to the effect that good and persuasive presentation could be usefully advanced by local authorities. For example, Gaelic-medium classes might be smaller in size, with more individual attention to pupils. The importance of presentational aspects could be played up.

**The Convener:** We also received evidence on the difficulty with promotion rights and sustaining schools. A more stable position for the provision of Gaelic in certain schools and some security on promotion rights would be helpful and would underpin movement in that direction.

**Fiona Hyslop:** The issue is about career opportunities.

**The Convener:** Yes.

**Fiona Hyslop:** We need to touch on the supply, recruitment and training of teachers, then their retention and promotion.

**Mr Ingram:** There is also the issue of the back-up resources that are available to teachers. The lack of such resources puts off teachers and others from going into Gaelic-medium education, because of the amount of preparatory work that they have to do. There is a disparity between the resources that are available to English-medium education and Gaelic-medium education. Although we address that issue in the report, we should emphasise it if we are to address the supply problem.

**The Convener:** Gaelic-medium resources are dealt with in paragraph 42 and thereabouts. Such resources fit naturally into the framework that Alex Neil mentioned.
We have moved on to pages 8 and 9, on the same issues.

**Alex Neil:** Presentationally, it would be useful in this section to have paragraphs in bold, so that we have pre-school, primary and the other issues that Fiona Hyslop raised, ending up with paragraphs on resources and technology.

**The Convener:** I was going to make that comment in relation to a later section. Breaking the sections into smaller bits might be helpful.

The phraseology of paragraph 40 may be wrong, but we should stress the Scottish Executive’s lead role in the area. The recommendation on that is not strong enough.

**Lord James Douglas-Hamilton:** Paragraph 44 mentions using high tech to advance opportunities where they do not currently exist. Sabhal Mòr Ostaig said that that aspect was very important and I feel that there is scope to add one or two more sentences to the end of that paragraph.

**Alex Neil:** In addition, the report rightly points out that technology is a useful tool, not a panacea. The increased use of high tech in remote learning and so on might remove some of the pressure caused by the shortage of teachers, particularly in remoter areas. It might be worth making the point that greater use of such technology would overcome at least some of those problems.

**The Convener:** I am less enthusiastic about that suggestion, because it seems to go against our point that, although there could be videoconferencing, there needs to be a teacher at the other end. We do not want children simply to sit in front of a screen without being able to interact.

**Alex Neil:** I was thinking more about a teacher with three or four pupils who might be able to reach 12 pupils through such technology.

**The Convener:** Perhaps we should stress that point.

**Dr Murray:** Technology can assist in other ways. For example, the Executive used to have a website on the built environment that was aimed at primary schools and contained resources that teachers could download or send away for and then use in the classroom. If teachers are finding it difficult to get good-quality Gaelic-medium resources, it might be possible to produce and disseminate some reasonable-quality resources that they can download.

**The Convener:** The resource issue could be upgraded in the report. Paragraph 42 states:

“The Committee has heard anecdotal evidence of the poor quality of Gaelic medium resources”.

That evidence was more than anecdotal; we saw it for ourselves at Portree Primary School. Moreover, we heard evidence from other sources that was not anecdotal but showed what was happening on the ground. The issue is perhaps less significant than it was five years ago; however, it is still on-going and there are various ways of tackling it. For example, paragraph 42 mentions the national resource centre. Moreover, we must not forget the efforts of the Gaelic college and should remember that the Glasgow Gaelic schools have done quite a lot of work to develop their own resources. I suspect that the same thing happens in schools up in the north. That said, although a lot of work is being carried out, there are still some quite significant gaps, particularly in the more technical areas of secondary education.

**Fiona Hyslop:** At the Gaelic college, we heard about a major on-going project involving new technology. Perhaps we should say in the report: “We acknowledge that work is currently being carried out, but blah blah blah.”

**The Convener:** Did we hear any evidence about that project, or did we just pick it up in conversation?

**Dr Murray:** I do not think that there is anything about it in the *Official Report*.

**Fiona Hyslop:** There is another aspect to the resource issue. Obviously, it has implications for teachers. For a start, they will have to do extra work to prepare materials and the whole matter will have an impact on recruitment and retention. However, the more important issue relates to young children’s perception of the status and educational value of the language. Because they have to use second-class materials, they have the impression that the language is a paste-over job. This all brings us back to cultural context and the issue of value and validity. One strong memory of the visits was the teachers’ concern about giving youngsters the impression that their language was worth only a paste-over job in their school books. Obviously, that is not the case, but that message is being sent out.

**Ms Rosemary Byrne (South of Scotland)** (SSP): We could make a link in that respect with Learning and Teaching Scotland and the Scottish Qualifications Authority, which are mentioned in paragraph 39. It is important for such bodies to help with the production of proper resources. For example, Learning and Teaching Scotland provides not only resources but advice and Her Majesty’s Inspectorate of Education will be aware of the resources that are available in schools.

Schools with good Gaelic-medium education could pass on resources to other local authorities. We should add to the report comments about highlighting good practice where good resources...
are being used and the need to spread such resources to local authorities in other parts of Scotland that are developing Gaelic-medium education.

In addition, there should be a role for Learning and Teaching Scotland and the SQA in developing resources. As there is a higher in Gaelic, there must be resources. The provision of such resources must be part of the incentive for young people to continue Gaelic-medium education if they are going to get qualifications at the end of it. As well as doing a course in Gaelic that would lead to a higher, some people might prefer the broader Gaelic-medium education if the resources were there.

I do not know how we do it, but we need to say something about how to make people aware of existing resources and how to publish more within the current constraints. If we leave the matter to local authorities, they will not have the wherewithal to produce decent resources. National working groups produce education resources for various reasons. There would need to be a national strategy.

The Convener: Centres of excellence may emerge, with the critical mass in the Gaelic college, the new all-through Glasgow school and places such as that, where a lot of resources are produced. We are aware that, unlike with other languages, there is no hinterland where lots of things are published. Anything that is published generally has to be produced in Scotland; if it is not produced in Scotland, it is not produced at all.

Dr Murray: Agencies and non-departmental public bodies such as Learning and Teaching Scotland, the SQA and HMIE must also have Gaelic plans.

The Convener: That is a good point, which we should incorporate into the report.

Mr Ingram: We have not mentioned anywhere in our report the contribution that Gaelic-medium education is making towards achieving the national priorities for education. We received evidence to the effect that Gaelic-medium education is producing very good results in terms of pupil attainment. We have also received evidence that Gaelic-medium education is a good gateway to learning other modern languages. I would like that to be reflected in the report, particularly in the context of trying to encourage more people to go into teaching. We should emphasise that Gaelic-medium education is at the cutting edge of educational improvement in Scotland.

The Convener: I seem to recall that the evidence was a bit more mixed than that on the attainment front. Did we not get evidence from somewhere that there were problems in keeping up with other aspects of the curriculum if too much emphasis was given to Gaelic? Was that not an issue? I cannot remember where that evidence came from, but I have a feeling that the issue was mentioned. However, the point about the language facility is an important one and it should be reflected in the report.

Mr Ingram: I am pretty sure that the statistics indicate that attainment levels are higher on average in Gaelic-medium education. That may be related to pupil-teacher ratios, but it is still a point worth making.

The Convener: Okay.

Page 10 raises the issue of demand for a statutory right to Gaelic-medium education. The thrust of the substantial evidence, if I can put it that way, was that one understood where the demand came from, but that, in practice, because of the resource issues, a statutory right was perhaps not the best way to go—certainly not at this stage. I do not know whether the committee has a view about that. I can readily understand people’s support for such a right, but it seems to me that we must concentrate on sustainability rather than on the rights-based issue. Members may have other views.

11:00

Fiona Hyslop: We should have a section in the report entitled “The right to Gaelic-medium education”, as that was a substantial part of the written and oral evidence and is a matter of concern. Obviously, the bill has moved some way towards a recognition of that aspect because, initially, there was no mention of education at all.

I have concerns about the reference to the powers of the bòrd in the long title of the bill and the question whether it would be possible to include some reference to educational rights in that regard. I would like the bill to establish a statutory right to Gaelic-medium education if possible. However, I recognise the concerns about the sustainability and practical effects of that right. It is proper that the report should reflect the concerns that the minister articulated as well as the concerns about the point of a right if it cannot be met.

The Welsh proposals that are mentioned in paragraph 46 are useful. We could say that there needs to be a connection between the Standards in Scotland’s Schools etc Act 2000 and the bill in terms of the educational instruction that is produced, because it would not be right to leave that responsibility to Bòrd na Gàidhlig, which is not an educational organisation.

The Convener: Surely, in practical terms, that right could not be delivered in anything like the
near future in a large number of local authorities in Scotland.

Fiona Hyslop: That is my concern. It would be useful if we were to acknowledge that the local plans that will be agreed with Bòrd na Gàidhlig will reflect the access to Gaelic-medium education that is available in other local authorities. The Welsh route would be useful in that regard and would ensure that the plans were reasonable from the point of view of the local authority. However, we would require the local authority to state what the right to Gaelic-medium education was in that area. The wording that the Welsh use in that regard is particularly helpful, in that it places the right to Welsh-language education into the educational context, which is correct.

The Convener: Is that not a policy matter for Bòrd na Gàidhlig to develop over time? The issue is linked to resources; there are no two ways about it. I do not follow why it would be in any way helpful to put anything of that sort in recommendations at this stage.

Fiona Hyslop: If we do not, we are saying no to movement towards the right to Gaelic-medium education and we are saying that we do not think that such a right is appropriate.

The Convener: No, that is not what we are saying. We are saying that the production of proposals is a matter for Bòrd na Gàidhlig in light of what is practicable and reasonable, taking into account the differing situations in various local authorities. One would not exclude the possibility of there being further legislation, if that is the direction in which the issue moved.

Fiona Hyslop: Under the current legislation, this is a critical point. I agree with Highland Council that it would be incorrect from an educational point of view to leave the question of education provision to Bòrd na Gàidhlig. You are right in saying that, currently, such proposals will be a matter for Bòrd na Gàidhlig, but I think that local plans of councils and the national plans of the Scottish Executive should build a bridge between the responsibilities that local authorities and the Scottish Executive will have in relation to the provision of and right to Gaelic education.

Alex Neil: We need to make a clear distinction between the right to Gaelic-medium education and the right to be taught Gaelic, which are entirely separate issues. As I understand it, the Welsh have established a right not to Welsh-medium education but to be taught Welsh. Perhaps we should say that we aspire to reach within a reasonable period of time a position in which Gaelic-medium education is available throughout Scotland for those who wish it. I am not saying that, for example, the East Ayrshire education authority would have to make that provision within East Ayrshire; it might buy it in from North Ayrshire, Glasgow or wherever.

Mr Ingram: East Ayrshire has a Gaelic-medium school.

Alex Neil: Yes, it does. There is one in Kilmarnock. What I am saying is that we should state that, as an aspiration, we would like to be in a position in which Gaelic-medium education is available throughout Scotland for those who want it. However, I would have thought that being taught Gaelic as a language should be as much of a right as the right to be taught English as a language.

Dr Murray: We have to be careful about not creating a statutory right that we are then unable to deliver. People would then be able to take a local authority or whatever body to court because it had not fulfilled its statutory obligations. I am concerned because the resources are not there to ensure that everyone can be given the right.

Alex Neil: That is where the Welsh wording is useful.

Dr Murray: I do not know about that, because I interpreted the right to education in Welsh as meaning education using the Welsh language rather than education to learn Welsh. I am not sure that I interpret that in the same way as Alex Neil does.

Alex Neil: Perhaps for the purposes of our report we need to make the distinction between Gaelic-medium education and being taught the Gaelic language.

The Convener: Yes, it is quite obvious that the two are different. However, we have perhaps jumped the question of whether it is our job, or the job of Bòrd na Gàidhlig, to make detailed comments on that. After all, we are employing the bòrd to develop the language plans.

Fiona Hyslop: Can we not say that the national plan and the plans of local authorities will include information on how parents will access Gaelic-medium education in their areas? That may mean that some authorities will lay on transport to allow people to go to other areas.

The Convener: I do not think that there is any controversy at that level but, as Elaine Murray has said, we have to consider the ability to create meaningful rights if resources are in question—as they certainly are at the moment.

Lord James Douglas-Hamilton: Paragraph 48 says:

“Highland Council have adopted four pupils seeking Gaelic medium education as representing reasonable demand.”
My recollection of the answers that we received in evidence is that three to five persons constituted reasonable demand. I wonder whether it would be possible to check the *Official Report* on that point. What does or does not constitute reasonable demand is a crucial question. What we say in our report could determine how the matter is handled in future.

**The Convener:** My recollection is that the answers were more complicated; they considered sustainability. For example, if a family with four children was the only family interested in having Gaelic-medium education, the question arose over whether the interest could be sustained. Was that not part of the evidence?

**Lord James Douglas-Hamilton:** I think so, but it would help if our report contained a few more sentences on the issue of reasonable demand. The answers that we received were less than whole-heartedly emphatic. More explanation would help.

**The Convener:** I will try to summarise where we are. Fiona Hyslop spoke about expecting the Gaelic language plans to contain an indication of where we were going with Gaelic-medium education and Gaelic learner provision. That was a reasonable and obvious point and I do not think that there was any great disagreement on it. However, the question of rights—whether phrased as by the Welsh Language Board or in some other way—is still a big issue. I do not sense agreement round the table that we should go as far as to offer a right at this stage.

Because of my background in the law, I often approach issues from a rights-based position. In many instances, that is the proper way in which to approach issues. However, we have to consider resources—perhaps in the future if not now. Because of the resource problem, I am not clear that we can deliver a meaningful right now or in the medium term.

**Alex Neil:** I can see the problem with the word "right". However, perhaps we should go further—just as we did on the issue of status—and try to set an aspiration. Perhaps we should say that, within the foreseeable future, within a generation, or whenever, access to Gaelic-medium education should be guaranteed to every child in Scotland. That is not to say that it should be available in their own school—we are not saying that. However, it would be legitimate to have some kind of aspiration in the recommendations.

**The Convener:** That is reasonable. The question is what the driver is. In that regard, there is a distinction to be made. Is the driver an individual’s right to sue in the courts to vindicate their position or is it administrative provision that is made by ministers? Personally, I would be happy with the direction in which Alex Neil is going on that.

**Dr Murray:** That ties in with your point about the need for good will. If Gaelic-medium provision is stimulated by the ability to take somebody to court in an adversarial fashion, we will not get the good will towards the language that we are trying to encourage. It is a question of aspiration. Ministers should aspire to make improvements.

**Alex Neil:** I am sympathetic towards the idea of providing a statutory right to Gaelic-medium education, but the reality is that giving every child such a right might involve saying to a family that lived in Ayr that it had to go to Inverness. Although in theory children would have a statutory right, in reality they would not. If we talked about providing guaranteed access to Gaelic-medium education within a reasonable area within a generation, for example, at least we would be setting some parameters on what the minimum acceptable levels of provision would be.

**The Convener:** We could work up some phraseology on the basis of the position that we have arrived at on that. We will leave the matter for the time being. A lot of work remains to be done, but we have had a useful discussion.

On page 11, the education section ends and the cultural context section begins. I echo Alex Neil’s point: it would be helpful to have subheadings to distinguish between different issues. The first issue in this section is Gaelic’s status as the language of the home and the playground, the second is broadcasting and the third is culture and tourism, which we do not touch on and which should probably get a mention at some point.

On Gaelic as the language of the home and the playground, I think that we should use stronger language. Not only in Portree, but in Stornoway in the Western Isles, we heard that English had become the language of the playground. Obviously, it is not easy to reverse that, but things can be done to support non-Gaelic-speaking parents who want their children to learn Gaelic. We should mention specifically the support and encouragement that should be given to parents in that position. In addition to what such parents can do to help their kids, we need to consider what other measures can be taken to support Gaelic as the language of the home and the playground. It is for Bòrd na Gàidhlig to decide how that is to be done, but it is clear that, unless there is a Gaelic-speaking milieu, there are limitations on how far Gaelic can be sustained for the future as a vibrant and self-sustaining language.

**Alex Neil:** Although we did not take evidence from Sir Iain Noble, I can tell members that he is devising an awards scheme for the use of Gaelic in playgrounds in the Highlands and Islands. Such
initiatives are the best way of trying to turn round the situation.

Fiona Hyslop: It might be helpful if we could reflect the information that we got from Portree Primary School on the percentage of parents of children in primary 1 getting Gaelic-medium education who spoke Gaelic and the percentage of parents who did not. The number of such children whose parents did not speak Gaelic was quite striking.

Dr Murray: That might need to go in paragraph 52, which refers to the support that is required for parents who do not speak Gaelic.

The Convener: That is one of the aspects that I was referring to when I said that the report should include something on culture and tourism towards the end of this section. Cultural stuff such as Runrig is important, as is cultural tourism. We took evidence on a number of such issues—Frank McAveety asked a few questions about that.

Fiona Hyslop: In the cultural context, the language is partly a sustainability issue in such rural areas. It is an important issue, given that we want to encourage the dispersal of jobs and so on.

The Convener: That is one of the aspects that I was referring to when I said that the report should include something on culture and tourism towards the end of this section. Cultural stuff such as Runrig is important, as is cultural tourism. We took evidence on a number of such issues—Frank McAveety asked a few questions about that.

Fiona Hyslop: We heard some strong evidence on the economic case. I am trying to remember who gave that evidence; we might want to ask the clerks to check.

Dr Murray: There was some good evidence from Skye, in particular, about the development of Sabhal Mòr Ostaig and how related activity has created jobs and so on.

Fiona Hyslop: It is the symbiosis between the language and the economy that surrounds it that is creating that engine for development.

Dr Murray: If we are going to say something about the contribution of Scotland’s cultural heritage we must be clear that the comment does not relate to the whole of Scotland. Otherwise, we will start to hear the arguments from Dumfries and Galloway and so on that Gaelic is not part of the culture there.

11:15

The Convener: That highlights one of the difficulties with how we have taken evidence and compiled the report, which is that different situations exist in the Gaidhealtachd, or Gaelic-speaking areas, and the bulk of Scotland. A lot of what we are talking about refers particularly to Highland Council, Western Isles Council and perhaps, to a degree, Argyll and Bute Council.

Alex Neil: Perhaps we should add a section on lifelong learning, which relates both to the fact that the language of the playground is English and to the fact that when the kids go home the parents are speaking English. Although we did not take much evidence on that, we should refer to lifelong learning facilities in a paragraph under the cultural context. It is clear that night classes and the like should be encouraged so that parents and others can undertake to learn Gaelic. Anecdotally, I find that a lot of the interest in learning Gaelic comes from people in their 30s, 40s, 50s and beyond, and that should be encouraged.

The Convener: If there are no other points on the cultural context, which is covered in paragraphs 50 to 55, we move on to the section on other organisations, on pages 12 to 14.

This is a tricky section, which raises a number of complex issues to do with UK bodies and associated organisations, private sector bodies, independent and voluntary groups, and the use of Gaelic in the courts. Before the meeting, we heard in private some guidance on the legal issues that are involved, and we must take account of that because of schedule 5 to the Scotland Act 1998.

In committee, we heard evidence from the Welsh Language Board, which dealt with the matter in a different way because the Welsh Language Act 1993 is UK legislation. The Welsh Language Board works with all sorts of organisations and it made the point that, for the most part, it proceeds by persuasion rather than legislation. It has never had to take anybody to court. The central core of the matter is the relationship between the Gaelic bòrd and other bodies. We want there to be a responsive relationship; the issue is how to bring that about and whether there are legislative issues involved. It is within that context that we have to view the matter.

Alex Neil: In the light of the legal advice, I suggest that the section on other organisations probably needs to be rejigged. To summarise the legal advice, the way to do that perhaps involves the categorisation of agencies into agencies that are entirely devoted to devolved issues, which are not a problem; agencies that are devolved but have reserved responsibilities; agencies that are entirely reserved; agencies that are cross-border; and, in a separate category, the Food Standards Agency Scotland. The first and last categories are easy to deal with, because devolved agencies and bodies are already covered by the bill, and the FSA can be dealt with by a simple amendment. We should report that we encourage the Executive to lodge an appropriate amendment to ensure that the FSA—which is a particularly important
agency—is covered by the bill. The other three categories of organisation—wholly reserved, partially reserved and cross-border—are more of an issue. As I suggested in the private session before the meeting, we should invite the Executive to explore along with UK colleagues the possibility of producing, as appropriate, an order in council, while emphasising the point that was made earlier that the bodies in Scotland will in any case probably be prepared to prepare Gaelic language plans in co-operation with the bòrd and without compulsion. That should be the first line of attack. We would use any new powers under an order in council only in extreme cases, but it is worth saying that the Executive should pursue that.

My final detailed point is that paragraphs 57 and 58 should be withdrawn entirely because they snipe at people who gave evidence in good faith. The issue that is raised in those paragraphs is a debating point rather than a substantive one that has to be in the report.

**The Convener:** That can be dealt with as part of the rewriting exercise. I am sure that your point will be taken on board.

**Dr Murray:** I agree with Alex Neil that it would be helpful to summarise the legal advice that we have received in order to clarify some of the issues.

Perhaps we should set out different ways of dealing with the problem of agencies that do not come within the scope of the bill at present, such as the Welsh Language Board’s approach, the possibility of concerted action with Westminster, or the possibility that Sabhal Mòr Ostaig raised—to which Fiona Hyslop referred in the private session—of referring to the European Charter for Regional or Minority Languages. We may come to the conclusion that we should promote one of those possibilities over the others, but simply describing the different possibilities and their sources might be helpful.

**The Convener:** So we would include options that we might wish to consider.

**Dr Murray:** Yes. We could invite the Executive to examine them.

**The Convener:** If we forget the legalities of the matter, I see no reason in principle why the Scottish Parliament should not regulate, for devolved purposes, UK bodies that exist within its jurisdiction. However, I am conscious that such measures might have resource implications. The question is whether it is appropriate for the Scottish Parliament to impose on UK bodies measures that have resource implications. A number of issues would have to be teased out. Elaine Murray’s suggestion of encapsulating for the moment the range of possibilities would probably be an acceptable way for the committee to proceed. I am interested in members’ views on the matter.

**Mr Ingram:** I emphasise the convener’s point that the Welsh language is different in that UK legislation was involved and therefore all UK public bodies were covered. Certain UK public bodies or agencies in Scotland have proved in the past to be resistant to responding to the Gaelic community, such as the Royal Mail and other bodies of which we have been given examples. There is a strong case for something like the order in council that we heard about earlier, through which UK public bodies could be covered by the bill, with agreement from Westminster and Whitehall. Through that process, we could, I hope, deal with some of the issues about resource implications that the convener flagged up. We should get the ball rolling on that front.

**The Convener:** Somebody made the valid point that, primarily, the bill will impose on bodies an obligation to create a Gaelic language plan and that that can come out in the wash at a later point.

**Fiona Hyslop:** We must emphasise the context that the bill is about plans. There is too much expectation that the bill will mean that everything, as of day one, will have to be translated into Gaelic. The committee has a duty and responsibility to ensure that people understand that the bill is about development plans for Gaelic rather than translation plans, as some people think. That might also help to address some of the issues. Just as we expect the Scottish Executive to implement Gaelic development for devolved bodies, which we are pleased that it wants to do, so we expect the Westminster Government to support the use and development of Gaelic in its organisations. We need to give that steer.

We could pursue different legal mechanisms. We should ask the Scottish Executive to discuss with the Westminster Government that Government’s role and the potential to use orders in council or other legislative methods. The Executive will have to respond to our stage 1 report. That will be the appropriate time to give it the opportunity to comment. The committee could then decide how to proceed and whether amendments are required.

We should put in the report a recommendation for a requirement for the bòrd to have proactive discussions with agencies in Scotland. That would not place a duty or responsibility on UK bodies, but it would strengthen what we expect of the bòrd. Rather than just advising on request, it should be a bit more proactive in fulfilling its duties.

**The Convener:** That is valid.

**Fiona Hyslop:** Another issue is prioritisation. I was surprised at how few agencies the Welsh
Language Board deals with each year. It has an order for the organisations that it expects to produce language plans. If the bòrd’s experience reflects the Welsh board’s experience, some Westminster organisations will be much further down the line.

We should make it clear whether the committee agrees the principle that places such as the jobcentre in Stornoway should make provision for conducting activities in Gaelic. I think that we should agree on that. The committee is leaping to solutions before deciding whether it agrees in principle that it is right and proper for some activities that are conducted through UK Government departments to be affected, as our witnesses have said. If we are leaping to inviting the minister to produce solutions, it might be useful to state why it is important for some such bodies to be responsive.

The Convener: We should expect Westminster to be sympathetic. It is paradoxical that Westminster began the process of reviving the language, whereas legislation from the earlier Scottish Parliament—not ours—appears to show that it was doing its best to kill off the language.

Dr Murray: If we impose a legal requirement on Bòrd na Gàidhlig to be proactive in approaching UK bodies in the public, private or voluntary sector, we must recognise that that could have financial implications for the bòrd, which would have to be reflected in the financial memorandum. We would create an additional workload if the bòrd was expected to contact more than just the 10 or so organisations a year that are expected to produce plans. We must recognise that placing extra duties on the bòrd would increase its workload.

The draft report says:

“The Committee encourages Bòrd na Gàidhlig”.

I know that the draft report will be rewritten, so that phrase might not be in the next draft, but if the bill has not been passed, we cannot give the bòrd that encouragement.

Alex Neil: The report could say, “would encourage”.

Dr Murray: The wording must change a little.

Fiona Hyslop: Something could be put in the bill.

The Convener: The comment concerns Bòrd na Gàidhlig’s powers and duties and what we expect of its targets.

Lord James Douglas-Hamilton: I echo the convener’s point that the bòrd should form a responsive and persuasive relationship with relevant bodies, especially on practicalities.

To give Gaelic interests the best service, we must get the timing right for applying for an order in council. It would not be in the best interests of Gaelic interests if that were knocked back because evidence was insufficient. If and when clear evidence is identified of a problem and the need for an order in council, we should go for it with the Parliament’s and the Executive’s full support. If we go for it straight away, when it is unclear whether an absolute need exists, the danger is that we could be knocked back unnecessarily. We should go for an order in council when the case for it is at its strongest point.

Alex Neil: Would Michael Howard make it a manifesto commitment to support that?

The Convener: Thus sustaining logically your earlier support for research.

11:30

Alex Neil: I have one point for the clerks. The section of the report from paragraph 59 onwards relates to encouraging voluntary bodies, and I think that we should keep references to those issues. We have tended exclusively to discuss reserved bodies and so on, but I think that we should retain in the report something about encouraging voluntary organisations.

The Convener: That is right. I also suggest that the reference to the courts, from paragraph 62 onwards, is slightly different and might need to be put under a separate heading.

Lord James Douglas-Hamilton: With regard to the courts, there was a certain amount of evidence about the rules of court dealing with the matter already. I think that a little more background ought to be put in, because a lot has happened over the years that should be within the knowledge of the committee.

The Convener: Did we get total clarity about that in the evidence that we heard? I was not sure that we did.

Fiona Hyslop: Did we not ask the clerks to write separately to the court authorities to find out the background?

Lord James Douglas-Hamilton: I think that witnesses wanted the opportunities to be extended from the present position, but a certain amount of evidence was given about instances, particularly in the north-west Highlands and in the Western Isles, where cases had been heard in Gaelic.

Fiona Hyslop: I do not quite like paragraph 62. I do not think that it should be there. What should be there is a factual explanation of what currently happens and, as Lord James Douglas-Hamilton has said, of developments in the past.
Dr Murray: I think that that comment from Comann nam Pàrantaí was light-hearted, but I am not sure that that comes across in writing.

The Convener: The witness was referring to the law-abiding nature of the Gaelic community.

Dr Murray: Yes, but I think that it was a light-hearted remark.

Fiona Hyslop: It is not appropriate in the report.

The Convener: There is another aspect to the issue. If Gaelic is your first language—or indeed if any other language is your first language—expressing concepts and giving evidence to the best of your ability is best done in that language.

Fiona Hyslop: We had good evidence of why that is important, from a justice point of view, when we were at Sabhal Mòr Ostaig.

The Convener: We move on to the Gaelic bòrd itself, which is dealt with on pages 14 and 15 of the draft report.

Lord James Douglas-Hamilton: Paragraph 71 mentions strong educational expertise. There was evidence that there is a need for a percentage of Gaelic speakers at certain levels of ability, and there should be some recognition of that need for linguistic expertise as well as strong educational expertise.

Alex Neil: I agree with that. As the report is presented at the moment, it jumps out at you all of a sudden. That part of the report needs to be rejigged. The first few paragraphs deal primarily with the Welsh experience. I can see why we would want to refer to the Welsh experience, but the report gives the impression, for example, that the Welsh Language Board has been integrated into the Welsh Executive because of its success. In fact, the driver for that reorganisation of Government in Wales was the feeling that all the quangos should be brought into Executive departments. It actually had nothing to do with progress in the Welsh language. The Welsh Development Agency and the Wales Tourist Board are also being brought into the Executive, and that move is being driven by issues other than specific Welsh language issues.

I think that we need to rejig that part of the report, which should be along the lines of what the structure and operation of the bòrd should be, where we can learn lessons from the Welsh example, and what evidence we received. Witnesses argued for the bòrd to be independent of the Executive in Scotland. We need to quote that evidence and say whether we agree or disagree with it—I presume that the committee will agree with it. Although I am not one to argue for a quango, there might be a good case for one here. The structure of the bòrd is a separate issue and Lord James’s point about that was valid. The structure should reflect various strengths, expertise and skills including education, the examples that Lord James cited and, no doubt, others as well.

There are two angles on the matter, but I think that we need to take a different angle to that which is being taken at the moment.

The Convener: I agree with Alex Neil about the bòrd’s structure. The Welsh experience is relevant in the context of whether the structure of their board is suitable for us. Therefore, that part of the draft report should be rejigged. Paragraph 65, in particular, should go, particularly the stuff about the bòrd’s hypothetical “demise as an independent body”.

I do not think that that is relevant.

I do not agree that the Gaelic expertise of bòrd members and all that should be laid down in tablets of stone. It is pretty obvious that such expertise exists. If one member of the bòrd were not as expert in Gaelic as others, would that matter if they brought other qualities?

Alex Neil: We have been dealing with the Further and Higher Education (Scotland) Bill in the Enterprise and Culture Committee. One of the points that we made about the new merged funding council was that there should be appointees from outside Scotland to bring in international expertise.

The general point about the structure of the Gaelic bòrd is that it must reflect different strengths, skills and expertise. Lord James made that point and it was also made in evidence. We might want to say that consideration should be given to appointing people from outwith the Scottish Gaelic community and from other minority language areas to bring in outside expertise. We are trying to say that the board should be a dynamic, diverse organisation that can drive Gaelic forward.

The Convener: That is right. We know from opinion polls that there is 80 per cent support for more Gaelic, but that support would be quickly eroded if an insensitive approach were taken in non-Gaelic areas. It is important that that is recognised as we progress, and introducing a broader language expertise might be a way of doing that.

Alex Neil: We would not build that into the bill; we will just point it out to the minister who will be responsible for the appointment of bòrd members.

Dr Murray: I agree with many of the points that have been made about the Welsh Language Board. I did not like paragraph 64 terribly much because our task is not ironic. Like Alex Neil, I think that there is a case for getting rid of some
non-departmental public bodies and I am sure that the Executive will look at that in the context of efficient government. The Gaelic bòrd is an example of a body that should be independent at this stage. We do not want to give any impression that it is in an inferior position.

**The Convener:** So, in short, we want to stress the bòrd’s independence.

**Dr Murray:** The bòrd’s independence is important. We do not need to be too prescriptive about its composition. It is important that native Gaelic speakers and people with linguistic and educational expertise are represented, but we do not want to indicate that that is all that matters because other qualities that people might bring are equally important.

**Fiona Hyslop:** Are we okay to move on to discuss paragraph 71? I have strong disagreements and concerns about that paragraph that were reflected in some of the evidence from witnesses. The middle of paragraph 71 talks about “strong educational expertise among the ordinary members of the Bòrd to assist in ensuring that the quality of Gaelic medium education is equal to English medium education.”

I do not think that it should be the bòrd’s responsibility to manage the quality of education that people receive, whether in Gaelic or in any other medium. There is confusion between the provision of guidance by the bòrd and the provisions of the Standards in Scotland’s Schools etc Act 2000. Managing the quality of education should not be the bòrd’s role. This is no reflection on the clerks, but there is confusion about that area in this first draft of the report. Highland Council was absolutely right to say that HMIE and the 2000 act should determine the quality of education that people receive. The bòrd is responsible for advising on the development of the language. I seriously think that we need to make a connection with the 2000 act when it comes to the content of the local and national plans.

**The Convener:** The central point is still on the need for strong educational expertise among members of the bòrd. I think that we agree on that.

**Fiona Hyslop:** That is fine.

**The Convener:** It is about the reason that is given for that.

**Fiona Hyslop:** Yes, and I think that the reason that is given is the wrong reason, which reflects people’s confusion about the matter. Highland Council is absolutely right: we are talking about education, and there is a right to quality education, whether in the medium of Gaelic, English or whatever. It is not the bòrd’s responsibility to ensure that; that should be a statutory function executed under the Standards in Scotland’s Schools etc Act 2000. Whether the guidance connection in the bill is strong enough is open to debate—I think the connection should be stronger. Even if we simply take the bill as it stands, I do not think that we can provide the right rationale.

**The Convener:** It is the other way round: because of the importance of the vision of Gaelic-medium education as something to support and sustain the language, it is important to have strong educational expertise among members of the bòrd.

One or two people have made a suggestion about elections to the bòrd. I am not sure whether the committee has a view about that, but I thought that it was worth while raising the issue. I am not sure how that would be done. It is not quite like the national park boards, which act within geographical areas.

**Dr Murray:** It would be difficult to define who would be entitled to vote.

**The Convener:** It seems that there is not much support for such a suggestion. I am not sure whether we need to say that we do not particularly support that suggestion, or whether we could just leave it out.

**Fiona Hyslop:** We could say that it was raised as an issue but, as Elaine Murray said, the question is who would be eligible to vote.

**The Convener:** That problem would probably be insuperable in a practical sense. Is there anything else under that section of the report, on Bòrd na Gàidhlig?

**Members:** No.

**The Convener:** The next section of the report, comprising paragraphs 73 to 84, is on language plans.

**Lord James Douglas-Hamilton:** On paragraph 84, I think that parliamentary approval for the national language plan is important. I am very glad to see that included.

**The Convener:** The Scottish Executive has already given an undertaking on that. That is fine.

**Fiona Hyslop:** We should say that, then.

**The Convener:** Yes—in fact, we do. I am not sure that I quite followed the recommendation that follows, however.

**Alex Neil:** Would the plan be the subject of a statutory instrument?

**Mr Ingram:** Yes.

**Lord James Douglas-Hamilton:** Yes.

**Alex Neil:** I suggest that, if the plan is genuinely to be subject to parliamentary approval, it should
not be a negative instrument that is used, but a positive statutory instrument.

Lord James Douglas-Hamilton: It should be done by affirmative resolution.

Alex Neil: Yes.

Mr Ingram: I raised the matter at the Subordinate Legislation Committee and asked that committee to request that the Executive use the affirmative resolution procedure. We got confirmation of that.

I do not quite follow the bit that follows over the page.

The Convener: The point is that the affirmative resolution procedure should be used. We can reflect that appropriately, taking the advice of our resident subordinate legislation expert.

Do we have the stuff about the potential for the development of the language right?

Fiona Hyslop: Yes, but it is in the wrong place. We need to include that up front. Among our concerns, that is an important theme.

The Convener: It is. Do you mean "up front" in a section or "up front" up front?

Fiona Hyslop: Up front at the start.

The Convener: I think that, in practical terms, we have already agreed that.

Lord James Douglas-Hamilton: I am not certain whether this is the right time to mention this, but I think that we have missed an opportunity here. We have not recognised the Gaelic college as a centre of educational excellence. I do not know where that would best fit in, but I think that there should be some mention of the fact that the college has rapidly expanded in recent years and that it is providing an extremely good service, which is well recognised not just in Scotland but in Wales, Ireland and North America. Some recognition of its excellence somewhere in our report would be helpful.

11:45

The Convener: That could go in the section on education, perhaps in the resource bit. That general area would be as good a place as any.

I have slight qualms about the phraseology in paragraph 76. I thought that we should concentrate not on the ones at the bottom, such as the Dumfries and Galloways—if I may put that the wrong way—but the ones in the middle, such as the Perthshires and other areas where there is a greater potential for Gaelic and a greater traditional interest. I wonder whether the paragraph reflects that point. The phrase "such as Perthshire" might clarify it.

As there are no further comments on that area, we move on to the Finance Committee’s recommendations. Elaine Murray made a point earlier about what would happen if we brought in UK bodies. That is a valid point and perhaps it should be echoed in our report. I do not know whether the Finance Committee touched on the wider financial implications of the bill. It is one thing to produce the Gaelic language plans, but there must be resources to implement them. Replacing English-medium education with Gaelic-medium education should not be a cost in the long term, but it will be a cost in the short term. Putting more resources into Gaelic language plans might have implications, although I accept that the Executive has given a lot of support to the development of Gaelic in the relevant fund. I wonder whether we should refer to the possible wider financial implications of the bill and the need to resource the implications of the Gaelic language plans adequately over time.

Dr Murray: That could certainly be part of the narrative. Some of the funding that supported the aims of the Education (Additional Support for Learning) (Scotland) Bill was not mentioned in the financial memorandum to that bill. There is an expectation that the funding would be evident.

The Convener: There is an advantage to that approach. We expect the bill to be backed by appropriate resources over time to make its aims a reality.

Alex Neil: In paragraph 87, which is left hanging high and dry, as it were, there should be a round-off sentence recommending that the Executive revise the financial memorandum to take account of the points raised above, or something to that effect. That would cover the point that you have just made about the need to reflect properly the costs of implementing the bill, which is the purpose of the financial memorandum.

The Convener: Did not that point arise in relation to the Education (Additional Support for Learning) (Scotland) Bill, when we discussed whether that was the proper thing to do?

Fiona Hyslop: The Executive came back on it.

The Convener: Did it amend the financial memorandum?

Dr Murray: It came back with correspondence that clarified the way in which the financial implications—

Alex Neil: We should make a point about revising the financial memorandum, or whatever the phraseology is. When we pass the bill we should know how much its implementation will cost.

The Convener: It might be helpful for the Executive to make a statement as to the resources
currently going into the area and how much it anticipates going into the area in future.

**Alex Neil:** There is a presentational point about paragraphs 85 and 86. At every other point where the committee has made a recommendation, the text is bold. I suggest that we put in bold the phrase in paragraph 85:

“The Committee support the Finance Committee’s recommendation.”

We should also put in bold the phrase in paragraph 86:

“The Committee support wholeheartedly the Finance Committee’s recommendation”.

**Fiona Hyslop:** We also had evidence from organisations and public bodies to the effect that they thought the cost would be far more than £10,000. We should reflect that evidence. In the wording that we have just discussed we are asking the Executive to respond to issues and concerns about the financial memorandum. We should also ask it to make a statement about what the costs will be to public bodies in implementing the plans. We should reflect that important evidence. We had the likes of Highland Council saying, “We do not think that the plans themselves will be the expense,” whereas we heard a different view from other bodies where things were still in development. We should accurately reflect the concerns that witnesses raised and invite the minister to respond to them.

**Dr Murray:** Stirling Council in particular, I think, said that it would need a Gaelic officer to implement a language plan but, to be honest, that point is debateable. If we are to reflect that evidence, we should also reflect Highland Council’s evidence, which indicated that the financial memorandum provided a reasonable assessment of the cost.

**Fiona Hyslop:** We should reflect both views.

**Ms Wendy Alexander (Paisley North) (Lab):** I apologise to the sound engineer that I have no card, but I forgot to keep it when I took off my coat.

I agree with Fiona Hyslop that our report should record the evidence that we heard about what a language plan for a big authority might cost. Glasgow City Council is probably the best example, because its officials testified to us and because it is such a large authority. As I recall, the work that Glasgow City Council had done suggested that the cost might be £85,000.

However, the overwhelming message that we heard from the Gaelic community was that such cost issues should not be a bar to the bill. Indeed, Highland Council found that, the deeper its commitment to the language had grown, the easier it became to mainstream it. We should record Glasgow City Council’s evidence but set it in the context that such concerns should not be a bar to action because, paradoxically, when the language is mainstreamed, the additional costs may not increase proportionately.

**The Convener:** We also heard evidence that it was likely that language plan templates could be developed for perhaps three different sorts of authorities.

**Ms Alexander:** Exactly. Different templates will be given to small, medium and large authorities.

**The Convener:** Once those three templates have been produced, it should be possible to use them in all the other authorities. In that way, the production costs could be significantly lower.

**Fiona Hyslop:** Our report should include those points, which will help to emphasise the fact that the bill is about language plans.

**The Convener:** Okay. We can reflect those comments.

If members have no other points on the financial memorandum, let us move on to the report’s conclusions.

To be honest, I did not like the tone of paragraph 90. As it stands, the report ends up a bit negative, whereas most people took a positive view of the bill, which they regarded as a mechanism that will provide a step change that will go a long way towards supporting the language’s long-term future. Rather than adopt the current apprehensive tone, we want to say that we are confident and positive about the bill. I entirely accept that the bill’s success will depend on the resources that are put in. I suggest that we say something like, “Most witnesses thought that the bill will provide a framework in which the language can be secured and can prosper.” That would lead into the sentence in paragraph 88, which states that the committee “recommends that Parliament supports the general principles of the Gaelic Language (Scotland) Bill.”

That might give a degree of proper coherence to the end of our report.

**Lord James Douglas-Hamilton:** I agree.

**Fiona Hyslop:** Paragraph 90 contains the important point that there will be real problems if we do not get the education policy right. We should be positive about the bill in its own context, but the emphasis in the paragraph is absolutely correct. We need some consensus on how to present that point. Perhaps instead of saying that our primary concern lies not with the bill itself but with education policy, we could emphasise that most of the evidence was supportive of the bill, which we view as a positive step, but it would be remiss of us not to mention our serious concerns.
about the implications of education policy for the language’s sustainability and future development.

The Convener: That is true, but Scottish Executive ministers and officials have made quite strong statements of their commitment to the direction in which the bill is travelling. In that context, given the qualifying notes that we have added as we have gone through the draft report, I think that we should end our report on a confident note.

Lord James Douglas-Hamilton: I suggest that we insert a sentence to the effect that the committee believes that there should be a continuing commitment to ensuring that the purposes of the bill are realised in the years to come. The bòrd might have problems in particular areas, but such problems should melt into insignificance provided that the matters that we have highlighted are focused on.

The Convener: That is very good. We should take that line.

Dr Murray: I am concerned not so much about policy implications but about resource implications. My concerns relate to whether resources will be made available. Given that the Executive has indicated its willingness to legislate, the issue is not one of a lack of desire on the part of the policy makers to have the appropriate legislation, but whether the Executive puts its money where its mouth is.

Another issue concerns whether it is possible to grow the number of Gaelic-medium teachers and so forth sufficiently to fulfil the aspirations in the bill. The issue that we should highlight is that of resources—I think that Lord James was also making that suggestion.

Fiona Hyslop: Potentially, the question is one of policy and resources. Obviously, resources are absolutely key. If that was the strong theme that emerged in our evidence taking, it would be wrong if we did not reflect it in our conclusions. We need to get the pitch right.

The Convener: That is right. I commend the broad line of the changes that have been made. Although we have got a good bit of it right, the clerks and I will have another shot at it, if we may. We will come back to the committee on it.

We touched on the issue of the European charter earlier. Should we reconsider what we are saying about where reference to the charter should come in the bill?

Fiona Hyslop: It is important that the comment is made in context. We should make a factual reference to the charter up front in the report.

The Convener: That is my point.

Fiona Hyslop: During our pre-meeting, I asked for further legal advice from the Parliament’s lawyers about the context of the charter in relation to other bodies, particularly Westminster bodies. It might be helpful if we were to wait until we hear what the lawyers have to say on the subject.

The Convener: We should also note in our introduction that the United Kingdom has signed up to the charter.

Fiona Hyslop: That should be said right at the beginning, when we set the context of the report. We have had correspondence from Comunn na Gàidhlig and the Gaelic college on the subject of how we could usefully include a reference to the charter in amendments that are made to the bill. We might want to reflect on that point before next week’s meeting.

The Convener: That takes us to the end of the draft report. Do members have anything further to suggest that might have been missed out of our discussion?

Members: No.

The Convener: That indicates the thorough nature of our review of the draft report. In that event, we will return to our consideration of the draft report next week. Mark Roberts has all the work of trying to make sense of our discussion and comments today and of producing a revised draft report. We wish him well in that regard.

Do members agree that approval be sought from the Scottish Parliamentary Corporate Body for the translation of the report into Gaelic? It seems highly appropriate that we do so.

Members: No.

The Convener: At the beginning of the meeting, I omitted to welcome everybody and to wish you all a happy new year. I hope that everyone had a good break.

Meeting closed at 11:57.
EDUCATION COMMITTEE

MINUTES

2nd Meeting, 2005 (Session 2)

Wednesday 19 January 2005

Present:
Ms Wendy Alexander
Ms Rosemary Byrne
Fiona Hyslop
Mr Frank McAveety
Robert Brown (Convener)
Lord James Douglas-Hamilton (Deputy Convener)
Mr Kenneth Macintosh
Dr Elaine Murray

Apologies: Adam Ingram

Also present: Alex Neil

The meeting opened at 9.49 am in Committee Room 4.

Gaelic Language (Scotland) Bill: The Committee agreed a final draft Stage 1 Report and agreed that any outstanding minor changes be circulated to members for approval.

The meeting closed at 12.30 pm
Gaelic Language (Scotland) Bill: Stage 1

The Convener: Item 4 is further consideration of the committee’s stage 1 report on the Gaelic Language (Scotland) Bill. Following the discussion that was held at our last meeting, members have before them the second draft of the report.

Before we discuss the report in detail, I want to raise a matter that I have thought for a while we have not dealt with properly. I refer to the question whether the report should include a reference to the European Charter for Regional or Minority Languages, given that the United Kingdom is a signatory to the document and has obligations under the charter. Although the charter does not have any direct applicability in domestic law, it is part of the context of the bill and I suggest that it would be desirable for the report to include a reference to it.

I have discussed the matter briefly with the clerk. It would appear that the reference would best be made in the section that deals with the status of Gaelic. I suggest that it would helpful if, at some point after paragraph 32, we were to insert a section on the charter. After some introductory stuff we could say, “The committee recommends that the Scottish Executive consider an amendment to place a duty on Bòrd na Gàidhlig to advise Scottish ministers of progress against the requirements of the European Charter for Regional or Minority Languages.” Are members happy with the direction and detail of that suggestion?

Alex Neil (Central Scotland) (SNP): I am entirely happy with the direction, but I have one issue to raise. As the convener knows, the bòrd is concerned purely with Gaelic, but the charter refers to a number of other minority languages in Scotland, including Scots. I wonder whether the proposed paragraph would be consistent with the rest of the bill, including the long title. If Bòrd na Gàidhlig were to be given statutory responsibility to report on the minority language charter, it would be given a responsibility for Gaelic plus, which may not be consistent with the rest of the bill.

The Convener: The intention behind the suggestion is for the responsibility to relate only to Gaelic. We are not dealing with Scots and we have heard no evidence about Scots. Different issues may be involved, but others would come to them in due course. In the context of the bill and of the bòrd, it is clear that the responsibility would relate only to Gaelic.

Alex Neil: Perhaps we should make that clear in the wording.

The Convener: Yes, that could be done.

Mr Macintosh: May I clarify the proposed wording, convener? Did you say that “a duty” should be placed on Bòrd na Gàidhlig?

The Convener: That is the suggestion. I think that it results from the view that was expressed by Highland Council, which is reasonably knowledgeable on the subject. The duty would relate to the functions of the board and that, after all, is what the bill is about. Members may have different views on the subject, but that is the suggestion that we have received.

Mr Macintosh: I agree with the gist of what you said. I simply wonder whether the proposed wording is too strong. Perhaps it would be better to use the expression “places a responsibility on”.

The Convener: It is just a duty to advise ministers of progress; no one can sue on it—it is not that kind of duty.

Fiona Hyslop: The proposed wording is perfectly appropriate. It reflects the advice that we received by e-mail from Margaret Macdonald, who was at our last meeting. We asked her to have a look at the issue in the context of whether we should include a reference to the charter. She says that she thinks the responsibility lies on the bòrd already, but that it would be possible to state it on the face of the bill.

That is the context into which the suggestion to place a duty on Bòrd na Gàidhlig fits. The suggestion is in keeping with the comments that we received about the relationship between the charter and the bill.

The Convener: Perhaps I should make some introductory remarks about the way in which we should deal with the draft report. We must finish the report and have it published by Wednesday of next week. If we cannot finalise the report today, we have a certain amount of time in which to clear any remaining bits and pieces. Members can either remit their suggestion to me or exchange e-mails on the subject. It is highly desirable for us to sort out the report today if we can. If we cannot, some time has been held in reserve.

Unless members have any general comments to make, I propose that we take a page-by-page approach to the report. The introduction on page 1 is fine. I have a minor point that relates to page 2; I understand that the census figures may be wrong and perhaps, for the sake of accuracy, the clerks will check them.

Mr Frank McAveety (Glasgow Shettleston) (Lab): May I add something? I am concerned about the phraseology of the title, “The State of
Gaelic”. Should we use such a term? Is it not both pejorative and open to interpretation?

The Convener: Should we use something like “The Future of Gaelic”?

Fiona Hyslop: The position?

Mr McAveety: The status? The condition? I do not know, I am just asking the question.

Fiona Hyslop: We go into the issue of status later in the report. “State” makes it sound as if Gaelic is in a bit of a state.

The Convener: “Position” means the same as “state”. It would not advance things if we were to use that word.

Mr McAveety: We could look up the thesaurus. I just think that “The State of Gaelic” sounds pejorative. Some people might argue that that is not the case, but we should not use the term.

Fiona Hyslop: Perception is reality, Frank.

The Convener: Given that the section covers a number of issues that relate to striving to develop and protect the language, why do we not call it “The Future of Gaelic”? Surely that is more aspirational?

Mr McAveety: Okay. That is a better use of language.

Lord James Douglas-Hamilton: Much better.

The Convener: Good point.

Mr McAveety: I am a man for autonomy.

Fiona Hyslop: We want to say that the bill is not just about preservation, but about development. Given that we state in previous paragraphs how grim the situation is and how fragile the language is, I suggest that we reword paragraph 12. In the second sentence, which starts with “This wording”, I suggest that we say, “This wording is critical, as the committee believes that it focuses simply on preservation of the current situation and the committee believes that promoting the future development of the Gaelic language should have equal emphasis.”

The Convener: That seems all right to me.

Alex Neil: On a minor point, in the first sentence of paragraph 12, there is a “the” missing before “Committee”.

Fiona Hyslop: I realised that when I read it just now.

Given that we are saying that the situation is grim and the language is fragile, we should not overemphasise preservation. We recognise that it is important to preserve the language, but we want to ensure that the future is confident as well.

The Convener: I am happy with that suggestion, which seems to attract the committee’s support.

We are paying particular attention to the recommendations, but we might want to check them once we have finished going through the text. Are there any comments on pages 3 or 4?

Fiona Hyslop: Paragraph 18, in the section entitled “Official Status”, contains the phrase:

“The functions conferred on the Bòrd by this Act are to be exercised with a view to securing the status of the Gaelic language.”

There is an issue about what “securing” means. Does it mean simply maintaining the current position? That comes back to the difference between preserving and promoting the language. I am not saying that we should mention that here, just that it is a point of reference for later on.

The Convener: That is right.

Fiona Hyslop: That quotation from paragraph 18 is a quotation from the bill. We are not misquoting—it is accurate—but perhaps the phrase takes us to the nub of the issue that we are trying to wrestle with on secure status. Securing the status means securing the current status, but we are not happy with the current status.

The Convener: Perhaps we could use the phraseology “securing the status in the future”.

Fiona Hyslop: We are quoting the bill in paragraph 18, so it would not be appropriate to change that sentence. However, we should flag up the issue for when we get to the parts of the report on validity and status.

The Convener: Give me credit—the long title could ultimately be amended to reflect more genuinely what we want. That may be an issue at the end of the day. I am not quite sure what you are suggesting, Fiona.

Fiona Hyslop: To be fair, the minister said that he would do that; we have quoted him later in the report.
Mr McAveety: He said that he would ponder that issue.

Fiona Hyslop: We should request that he does a wee bit more than ponder.

The Convener: The pondering relates not only to the terminology of the bill, but to the phraseology of the long title, which is not unimportant.

Fiona Hyslop: Yes. That is where the quote comes from. I do not want to change paragraph 18, but it occurred to me when I read it that that is the nub of the issue.

Mr Macintosh: The bill has two purposes: one is to secure the language and the other is to promote it. The point is that the language is in almost terminal decline and is not secure. Securing the language is actually quite important.

Fiona Hyslop: Yes, but we should not leave it at that.

Mr Macintosh: Absolutely, but there are two messages, one of which is that we want to prevent further decline. We need both messages. The phrase “secure status” is terminology that has been used a lot. We are one step ahead of the game in talking about promoting the language, whereas people are worried, with every reason, because the language is not secure.

The Convener: The difficulty is that the long title mentions not secure status, but “securing the status as an official language”, which is not quite the same thing.

Fiona Hyslop: Exactly. We should flag up that issue about the long title.

Mr Macintosh: Absolutely, but there are two messages, one of which is that we want to prevent further decline. We need both messages. The phrase “secure status” is terminology that has been used a lot. We are one step ahead of the game in talking about promoting the language, whereas people are worried, with every reason, because the language is not secure.

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The Convener: The difficulty is that the long title mentions not secure status, but “securing the status as an official language”, which is not quite the same thing.

Fiona Hyslop: Exactly. We should flag up that issue about the long title.

Alex Neil: Given that conversation, perhaps paragraph 22 should be changed slightly to read at the end, “and that the wording of the bill should reflect this as appropriate”.

The Convener: I am not sure what sentence you are referring to.

Alex Neil: Paragraph 22 states:

“The Committee believes that Gaelic already possesses the status of an official language of Scotland and that the wording of the Bill reflects this appropriately.

In the light of the discussion that we have just had, and given that the minister is pondering the wording, perhaps we should change that wording slightly to, “the wording of the Bill should reflect this appropriately.”

11:15

The Convener: That is a different point and I do not think that I agree with it. I think that the bill’s wording reflects the fact that Gaelic is an official language of Scotland; arguably, it does not reflect that the bill is intended to secure the future of the language. That is the point.

Fiona Hyslop: We could have a debate about the long title.

Alex Neil: Perhaps we should add the convener’s final point into paragraph 22 and use the word “should”.

The Convener: Perhaps we need a reference to the fact that consideration might be given to the phraseology of the long title and whether it adequately reflects the desire to secure the future status and development of the language, or something of that sort. Is that all right?

Fiona Hyslop: That sounds good.

Alex Neil: We could put that into paragraph 22.

Mr Macintosh: Perhaps we could change that once we have had a discussion.

The Convener: Okay. There is an issue there, without question.

Moving to page 6, I had a thought on the section on “Equal Status and Equal Validity”. I think that, at some point, the Welsh Language Board referred us to the bit in the Welsh legislation that uses the expression “as far as is reasonably practicable”; I think that was in one of the sections of the act as opposed to the long title. I wonder whether that wording might be detailed in the section on page 6. The Welsh wording is another formulation that might be worthy of consideration.

We move on to page 7.

Fiona Hyslop: The end of paragraph 31 says: “not necessarily in all situations”.

I do not think that we need that phrase. The sentence begins:

“In contrast, ‘equal validity’ indicates that both languages are equally valid where they are used”.

That should probably say “where and when” rather than just “where”. To say “not necessarily in all situations” seems a bit nonsensical. Obviously, we would say later that, in different parts of the country, depending on the different plans, Gaelic would be used and that when it is used it has equal validity.

The Convener: I may be wrong, but I think that that sentence in paragraph 31 is trying to get at the fact that it is not necessary to have Gaelic available in all situations.

Fiona Hyslop: That is a different issue. That is in relation to the content of the plans, which will be different from area to area. However, I just do not think that we need the phrase:
“not necessarily in all situations”.

I would take it out.

Alex Neil: It is confusing.

Mr Macintosh: I was not here for the discussion last week, I am sorry to say. However, I have read it and, despite all the subsequent discussion, my conclusion is that I am not sure that I agree with that sentence. The phrase “equal status” implies that Gaelic and English must be equally available; in contrast, the phrase “equal validity” indicates that both languages are equally valid where they are used. I am not sure, despite all the discussion, that that is the conclusion. That is one interpretation of the two phrases, but there is clearly difficulty about interpreting those phrases.

I do not know whether the committee had this discussion at its previous meeting, but I wonder whether it would be possible to make a statement that shows that the committee believes—I imagine that this is the committee’s view, but members can tell me whether I am wrong—that the arguments in favour of some sort of official recognition of the language are important. In other words, we need to send out a sign to the Gaelic community to have confidence in their own language, because it will develop and we are going to try to give them that confidence. The lack of such a clear statement in the bill is undermining that aspiration.

This suggestion is perhaps quite radical, but I wonder whether we could make a statement of equality but put in a caveat. We could say that our position is that the two languages are equal but that does not mean that all citizens have the right to access all public services in Gaelic whenever they want, because that would be impractical. Cannot we say something to that effect? In other words, cannot we state clearly that we think that the languages should be regarded equally but that we also recognise the practical difficulty of citizens in Dumfries or wherever else in Scotland demanding services across the board in Gaelic? We could indicate that by using a phrase such as “where reasonable”, or “where this is practically possible”. “Reasonable demand” is the phrase that is used in education.

The Convener: That is why I referred to the Welsh Language Board’s evidence, which mentioned something like that.

The underlying question is, what is a legal right? A legal right, in common parlance, implies a legal ability to vindicate the right through court action of some sort. I think that it is reasonably clear that that is not what the committee is suggesting. A legal right can also be vindicated by public sector, ministerial or local authority action. The division goes right across all sorts of things in health and safety legislation and all of that. Some rights are secured by ministerial action and other rights are secured by the ability to sue in the courts. As long as we make it clear that we are not trying to create under the bill—leaving aside other issues for later—a specific right to sue, that is the essence of what we are trying to say, is not it? How we formulate that is another matter.

Dr Murray: I, too, have some difficulty with the wording of paragraph 31. Although it says what equal validity means in contrast to what equal status means, that was not the minister’s understanding of equal validity. He had obviously been advised by his officials that equal status and equal validity were, basically, the same thing. Last week, we discussed the possibility of including in the bill a statement that both languages should be equally valid when they are used; however, that might need to be strengthened by some sort of definition in a schedule to the bill.

Fiona Hyslop: That is right. That is what we agreed last week.

Dr Murray: I do not think that that is reflected in the wording of paragraph 31.

Fiona Hyslop: No. I also made a note that equal validity needed to be defined as when the language is used: that is what Ken Macintosh is trying to get at. If that is what we mean, we should not only say that in the report but there should be something about it in the bill.

The Convener: I do not think that, at this stage, the committee wants to sign itself up to a specific phrase.

Dr Murray: No, but a suggestion could be made.

The Convener: Equal validity may or may not mean what is stated in paragraph 31, but that is not the issue; we are trying to get across the concept. We are urging the minister to recognise the committee’s desire and the desire of the Gaelic community in that regard. I do not believe that it is beyond the wit of the legal officials in the Executive to reflect that concept in a form of words.

Lord James Douglas-Hamilton: I support the concept that Ken Macintosh proposes. As a non-practising advocate, I am of the conviction that what the words “equal status” would mean in practice would be unknown until the matter was tested in the courts. It is an unknown area, and what we are seeking is supportive encouragement that is not seen as being oppressive.

Mr Macintosh: That is exactly it. To be fair to the minister, he was equally supportive of that idea. However, as an Executive minister he had to take a far more cautious line because he cannot allow the Executive to make an uncosted commitment. If the phrase—accidentally or otherwise—created a commitment to deliver every
public service in Gaelic wherever that was demanded, that would be asking the minister to go too far.

I agree with the convener that we could come up with a form of wording. We could make a statement that addressed the point and include a caveat. Perhaps we, like the minister, need to think about how we might do that.

The Convener: We will do, but for the purpose of the stage 1 report we should not be tied to specific words. We are not experts, and we would need legal guidance on the definitions anyway if it came to it.

Paragraph 31, as drafted, is not quite what we want to say—we are all agreed on that. Some reference needs to be made to the use of the phrases “equal status” and “equal validity”. We might be able to say that equal validity might indicate that both languages were equally valid, but that would be a matter for interpretation by the courts. That was Lord James’s point.

The committee would want to accept that, at this stage, any such formulation should not confer rights on individuals as opposed to duties on public bodies. We might want to say something along those lines to confirm that.

Somebody said that we should include an interpretation section on what we mean by our phraseology. If we want, we can define our phraseology, in legal terms, to mean particular things. The minister can also confirm in the debate on the bill that the provision is not intended to create rights, and that would be taken into account in any legal case that were to arise, would it not?

I think that we need to take those points into account and say that although the committee is not thirled to any particular phraseology, it believes that we ought to respond to the legitimate aspiration of the Gaelic community to have included in the bill a statement of confidence about the future of the language and its standing in Scotland.

Perhaps we should leave it at that. It is a tricky point and we will have to circulate our proposed wording to the committee. May we ask the clerks to work on that in the context of those comments? I hope that they were helpful.

Alex Neil: I agree with what you say, but may I add a point? The Enterprise and Culture Committee is dealing with the Further and Higher Education (Scotland) Bill and we had a debate with the minister and his legal advisers on fees. We were specifically advised by both the parliamentary legal advisers and the Executive’s legal advisers that one cannot rely on a ministerial statement in the chamber holding any sway in court. The provision must be clearly written into the bill rather than our relying on a ministerial statement in the chamber, which, according to the advice that we received, has no legal status.

The Convener: I take that point, although my understanding is that ministerial statements have legal status in situations of ambiguity.

Fiona Hyslop: A statement can be presented, but it is not definitive.

The Convener: It might be helpful if I put on the record the reference that we are after. Section 47 of the Government of Wales Act 1998 provides that the Welsh Assembly must, “so far as is both appropriate in the circumstances and reasonably practicable”, give effect “to the principle that the English and Welsh languages should be treated on a basis of equality.”

That is a slightly different formulation, but I think that it would be worth while including it in our report in the interest of fullness. Its phraseology is circumscribed by practical considerations.

Mr Macintosh: The main thing is for the idea that you mentioned to be included. I am sure that the clerks noted down that idea, but it was that the bill gives public authorities a duty rather than conferring on individuals a right to sue.

The Convener: That is helpful. We will have to finalise the wording, which we will do via e-mail when we have another formulation, but we have the framework. That was a helpful discussion, if I may say so. Are there any other comments on the section about status? Members will remember that at that point we bring in the reference to the European Charter for Regional or Minority Languages.

The section on Gaelic education begins on page 7.

Fiona Hyslop: Paragraph 36 says that we interpret the reference to Gaelic education in section 9 of the bill to mean not only Gaelic-medium education but the teaching of Gaelic as a second language. Should we add that we ask the Executive to reflect on any amendments that would clarify that?

The Convener: It is part of the bill, so I think that that would be reasonable.

Mr Macintosh: Are there any amendments to clarify?

Fiona Hyslop: We have not got to that stage, but the matter is confusing enough for us to say something about it in our report and if there is a simple way to clarify it in the bill we should ask the minister to reflect on that.
The Convener: The balance of that paragraph is not quite right. I wondered whether the committee would accept, “The committee also recognises the vital importance of Gaelic-medium education in securing the future of the language, but interprets the reference to Gaelic education in section 9 of the bill as relating to the teaching of Gaelic as a second language, both to adults and children and young people, as well as to Gaelic-medium education.” At the moment, the paragraph downplays Gaelic. Is that agreed?

Members indicated agreement.

The Convener: Are there any points about pages 9, 10 or 11?

Fiona Hyslop: My point probably fits in around paragraph 50. I do not think that we have included a reference to the problems that part-time students face and the implications that that has for the supply of teachers. In some universities, it is more difficult and expensive for students to study part time. On Skye, there is the grow-your-own policy, which seeks to identify people in the community who could go away to study. I noticed that reference to that seemed to be missing.

The Convener: Are you talking about the difficulty that teachers experienced in going to Skye for a period to study at the Gaelic college?

Fiona Hyslop: No, I am talking about the problems that people from the Highlands and Islands experience when they go to do the part-time course at the University of Aberdeen, for example. The people concerned are often older students, such as mothers with families. That is a problem not just with Gaelic courses; there are more general concerns about funding for part-time students.

11:30

The Convener: Do we need to go into that level of detail in our report? Although I do not deny the validity of your point, it sounds as if it would be fiddly to fit it in.

Fiona Hyslop: I am not saying that it is a major issue, but it is one of the practical barriers to encouraging more people to go into teaching.

The Convener: Do you have a phraseology that you would like to suggest?

Fiona Hyslop: Not off hand.

The Convener: We could put in a sentence on that. The clerks will do that.

Mr McAveety: In line 2 of paragraph 50, the word “in” is missing. It should be inserted after “a step change”.

The Convener: Okay.

I have a couple of points on paragraph 49. Firstly, the phrase “Gaelic medium education teachers” seems tautologous; the phrase should be “Gaelic-medium teachers”. Secondly, we have dodged the question of how to bring together all the recruitment and retention stuff. Perhaps we should have something about that at the end of paragraph 50; I am not quite sure where to put it. There is no doubt that we are right to say that it is for local authorities to provide incentives. Although the bòrd will have to do certain things, it will not be in charge of education per se. Perhaps we could say: “The committee believes that the Scottish Executive must retain the lead role in the drive to recruit and retain more high-quality Gaelic-medium teachers and urges that this issue continue to be addressed urgently at ministerial level.” In some respects, that is the central point of that part of the report. Does the committee agree?

Members indicated agreement.

Mr Macintosh: Should that go before or after paragraph 49?

The Convener: There is a question about where it would be most convenient to put it.

Fiona Hyslop: As it is a fairly strong statement, I think that it deserves a paragraph on its own.

The Convener: It is a recommendation. Perhaps it would fit in earlier on in the report.

Mr Macintosh: We want to ensure that it is not contradicted by paragraph 49, which begins “Ultimately, it is the responsibility of local authorities”, so it should follow paragraph 49.

The Convener: You are right: it should go after paragraph 49.

Mr Macintosh: In effect, we are saying that the Executive has that strategic duty.

The Convener: Absolutely.

Mr McAveety: Instead of saying that it is local authorities’ responsibility to provide incentives, could we say that that is their key role? That would work better, given that we will have just made a strong statement about the Executive’s role in the development of Gaelic-medium education.

Mr Macintosh: We are putting that statement after paragraph 49, rather than before it.

Mr McAveety: Okay; we will leave paragraph 49 as it is.

Fiona Hyslop: Paragraph 52 does not really make sense. The first sentence should read: “The Committee whole-heartedly supports this view and believes that pupils receiving Gaelic-medium education should receive a quality standard of education that happens to be in the medium of Gaelic.” I do not think that we need the Hawaiian
example. We are reinforcing the evidence that Sabhal Mòr Ostaig gave us. Our point is about quality standards. We go on to support Highland Council’s arguments and to say that there needs to be a connection with the Standards in Scotland’s Schools etc Act 2000.

The Convener: You are suggesting that we should knock out the bit about Hawaiian speakers. I agree that it does not add anything.

Fiona Hyslop: I do not like the statement that “the quality and standard of education must not be compromised in the wholly valid drive to increase the number of Gaelic medium teachers”, because it implies that we do not think that teachers are meeting the right standard at the moment. I do not want us to say that in the report, as I do not think that it is the case.

The Convener: Some reference is made to the difficulties that the emphasis on Gaelic can cause for other parts of the curriculum.

Fiona Hyslop: That comes later on in the report. We should take out the Hawaiian example and just stop paragraph 52 after the first sentence.

The Convener: I do not like the phrase: “should be receiving education that happens to be in medium of Gaelic.” That does not sound quite right.

Fiona Hyslop: The issue is that those pupils should receive a quality standard of education. The emphasis is probably right when you say it, but it does not read well on the page.

Lord James Douglas-Hamilton: When we were at Portree Primary School, we heard evidence that much more support was needed for Gaelic-medium teachers, but we were told that only certain subjects were taught in the medium of Gaelic.

Fiona Hyslop: That comes later on in the report.

Lord James Douglas-Hamilton: That implies that everything should be in the medium of Gaelic, and that is certainly not what is happening at present. It is quite a big leap.

The Convener: Should not we say something like “receiving education in the medium of Gaelic wherever possible”? I do not think that we can say that education should always be in the medium of Gaelic, because there are resource issues.


Mr McAveety: That would be better.

Fiona Hyslop: The issue is about standards, and the standard is an educational standard, not a Gaelic standard.

The Convener: Your suggested phrase was something about receiving a quality standard of education.

Fiona Hyslop: Yes. The issue is that, regardless of whether somebody is being taught in English or in Gaelic, every child deserves to receive a quality standard of education. That is important because it is a reference that ties into the Standards in Scotland’s Schools etc Act 2000.

The Convener: Let us not lose that reference. That is the way to put it: regardless of whether education is in Gaelic or in English, it ought to be of high quality. However, there is still the other point about education in the medium of Gaelic across the curriculum wherever possible in Gaelic-medium schools.

Fiona Hyslop: I think that that is right, but it probably fits in later on in the report, because we mention the evidence that we received in Skye about the limited range of the curriculum.

The Convener: Is that manageable?

Martin Verity: Yes. Do you want to delete the sentence that starts with “Furthermore”?

Fiona Hyslop: I would delete it.

The Convener: It does not add anything. The phraseology that Fiona Hyslop suggested earlier begins to give us the picture.

Mr Macintosh: We could put it the other way round. We could say that there is no evidence to suggest that there has been any lack of quality. In fact, if anything, the anecdotal evidence is that Gaelic-medium education is of a very high quality.

Dr Murray: Except on the issue of materials. There was evidence that, although the achievements of Gaelic-medium pupils were no less good, they were struggling with fewer resources. That is referred to later in the report.

Fiona Hyslop: That is the important point. The materials and content are as much the responsibility of the local authority, under the Standards in Scotland’s Schools etc Act 2000, as they will be the responsibility of the bòrd. I do not think that the bòrd should necessarily act as an inspectorate of education for materials.

The Convener: I support the view that that sentence should perhaps just go. I do not think that it adds anything to the report. There is a case for saying that, because of the rarity of Gaelic-medium teachers as a resource, those that we have are of very high quality and have considerable commitment.

Fiona Hyslop: I do not think that we need to go into that. By putting a reference to that in the report, we are trying to ensure that there is an educational standard and to make the point that
there is education legislation that needs to be upheld.

**The Convener:** I think that members agree that we should redo the phraseology to reflect our view that, whether it is in Gaelic or in English, there should be high-quality education. We are talking about the standard of education and we shall knock out the second sentence in that paragraph and move the reference to having Gaelic across the curriculum in Gaelic-medium schools to a later part of the report.

We move to page 12.

**Fiona Hyslop:** In paragraph 54—

**Mr Macintosh:** Can anyone explain paragraph 54 to me?

**Fiona Hyslop:** Well, the provision already exists. That is why we need to change paragraph 54, which reflects the reference to the guidance on Gaelic in the Standards in Scotland’s Schools etc Act 2000 that is already in the bill. We need to move the reference to the quality of education five lines down, to where we mention what we think the Executive should consider presenting as an amendment to the bill. We need to say something along the lines of "to strengthen the role and responsibilities in the provision of Gaelic in the Standards in Scotland’s Schools etc Act 2000". That leaves it open to suggestions that might come from the minister or from members of the committee in future. We are reflecting the fact that responsibility for standards in education ultimately lies at the door of local authorities, as directed by the Standards in Scotland’s Schools etc Act 2000 and as inspected by HMIE.

Members will remember that the minister said in his evidence that he is confident that the guidance is sufficient and that a statutory reference is not needed in the bill. It was put to him that a future minister might not be so supportive of Gaelic. He confessed that he probably should not have told us this, but the people in the sector seemed to think that, as a minister, he was doing the right thing in producing guidance. I do not think that we should rely on that for any future legislation or any future minister.

**The Convener:** I am not sure that I have got to the nub of the problem. When the matter was discussed previously, I thought that there was a more substantial point. The position is that the Standards in Scotland’s School etc Act 2000 will be amended by the bill so that there will be a requirement for education authorities to have regard to the guidance from the bòrd. That seems to link the bòrd to the framework of the 2000 act, which refers to progressive education across the board, improving standards and getting the context right. I am not sure what we can say to strengthen that by further amendment.

**Mr Macintosh:** I do not understand the change that is being suggested. The draft report states that the bòrd has to refer to the Standards in Scotland’s School etc Act 2000, but it is being suggested that there should be an amendment to say that the 2000 act should apply to the bòrd.

**Fiona Hyslop:** That is what Highland Council suggests. It has suggested some amendments to us, and that is what it thinks should happen. There should be a reciprocal arrangement, whereas currently the traffic is one way.

**Mr Macintosh:** Is that definitely the case? I am not sure that it is.

**Fiona Hyslop:** Yes, it is.

**The Convener:** Could we go back a stage and recommend that the minister might care to look more closely at the relationship between the 2000 act and the bill to ensure that they interface adequately? Would that be all right? We should think about the matter further.

Members indicated agreement.

**The Convener:** Paragraph 56 refers to the national resource centre. My understanding is that a lot of the development of material is done by individual teachers in, for example, the Glasgow Gaelic School and schools in Skye and elsewhere and by the Gaelic college. Should that be reflected in the text?

**The Convener:** Paragraph 56 refers to the national resource centre. My understanding is that a lot of the development of material is done by individual teachers in, for example, the Glasgow Gaelic School and schools in Skye and elsewhere and by the Gaelic college. Should that be reflected in the text?

The paragraph states that the committee recognises that

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“this is not a universal picture and welcomesthe word “welcomes” is missing—
“the work done by the national resource centre”.
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We should say instead that there are “various organisations involved in the support of Gaelic, including the national resource centre, the Gaelic college and individual schools”, or words to that effect.

My impression is that a lot of work is done by individual teachers who strike out on their own and produce resources, and developments spread to other areas by way of good practice, if things work well. We should recognise that work because without it Gaelic provision would be manifestly worse than it is.

Are there any other comments on page 12?

**Lord James Douglas-Hamilton:** The Gaelic college could be recognised as a centre of educational excellence that has developed enormously. That would help.

**The Convener:** I think that that is done by the existing phraseology.
Page 13 covers technology, in which Lord James has an interest. I do not know whether he has anything to say on the matter.

**Fiona Hyslop:** On paragraph 61, I think that we should stop the first sentence after “Gaelic medium education”. I do not think that what is said after that is accurate. The sentence up to that point states:

“the most common theme in the written submissions made to the Committee was a demand for a statutory right to Gaelic medium education”.

I am not sure that the thrust of the written submissions was that that should be the same as “the statutory right to Welsh medium education”.

**The Convener:** You are right. That phrase confuses matters.

**Fiona Hyslop:** If we make that change, we could state in paragraph 62 that some submissions said that such a right should be similar to the Welsh situation, but then state “However, the Welsh Language Board clarified that”.

**The Convener:** Okay. We will move on to page 14.

**Fiona Hyslop:** Is “deliverability”, in paragraph 64, a word? I suggest that the third line should instead state that the committee “recognises the Scottish Executive’s concerns over the” ability to deliver such a right in practice.

**The Convener:** That is certainly more elegant.

**Fiona Hyslop:** We should try to be more explicit about what we are saying where we currently use the phrase “the language learning process” at the end of paragraph 64. I suggest that the second sentence should read: “However, the committee believes that the establishment of such a right should be a commitment and aim”—rather than an aspiration—“of the national plans and all local plans from education authorities.” That is what we mean. All local authorities should have a Gaelic language plan eventually, but they might not all have such a plan in phase 1, as Bòrd na Gàidhlig has said that it will require 10 public bodies each year to produce a Gaelic language plan.

**The Convener:** I am not quite sure whether that is what we mean. I like a good bit of the phraseology that you use—I have made similar written comments—but I think that your suggestion takes over the function of the Bòrd na Gàidhlig, whose job it is to say whether, to what extent and at what point one moves forward through the process.

**Fiona Hyslop:** I am not saying that we should take over that function; I am suggesting that we should say that the establishment of such a right should be a commitment and aim of the national and local plans.

**The Convener:** Are we saying that there should be a statutory right to Gaelic-medium education across the country in every local authority in the land? Maybe we will say that, but I am not entirely convinced that that is quite what we are saying at this point.

**Alex Neil:** I think that I made a suggestion about this matter last week. The word “right” is the one that gets us into difficulty because it suggests something statutory and, as I think Ken Macintosh suggested, relates to the ability to sue and so on. However, I think that we agreed last week that, as an aspiration, we should try to ensure that everyone in Scotland has access to Gaelic-medium education. That means that, for example, East Ayrshire could provide that facility for East Ayrshire, North Ayrshire and South Ayrshire and that North Lanarkshire might provide it for South Lanarkshire. However, if you build in the word, “right”, it sounds as if people could go to court and sue North Ayrshire Council because it is not providing Gaelic-medium education in every school in North Ayrshire. I do not think that any of us are suggesting that that would be a realistic proposition in our lifetime.

We should be aspiring to be in a position—in 15, 20 or 25 years’ time—to ensure that people who want Gaelic-medium education have access to it. That is not to say that it would be provided in the school or local authority area of their choice, of course.

**The Convener:** Do members of the committee accept that as the aspiration? I think that Alex Neil put it in a helpful way.

**Mr Macintosh:** I have no difficulty with what Alex Neil is saying, apart from the fact that the section in the report that we are discussing is headed “Statutory right to Gaelic medium education”. A lot of people are hung up on the issue of there being a right to Gaelic-medium education and we have to say, one way or another, where we stand on that issue. While I agree with Alex Neil that we are going down the route of developing greater access and that we believe that people should have a right to access a school that provides Gaelic-medium education—not necessarily in their local neighbourhood—and that local authorities, working together, have a duty to provide some sort of reasonable access, it is important to state that we are not endorsing the creation of an absolute right, which is what some people are pushing for.
The Convener: That is essentially what Alex Neil was saying.

I will try to divide the issue up. First, do we accept Fiona Hyslop’s suggested phraseology for the first sentence of paragraph 64?

Members indicated agreement.

The Convener: Secondly, we need a phraseology along the following lines: “The committee believes that a right of access to Gaelic-medium education throughout Scotland should be an aspiration for the future as the language planning process moves forward.”

Fiona Hyslop: Fine, but could we say that the language planning process should be reflected in the national plan and all local plans from education authorities?

The Convener: There is a point at which we might begin to instruct the Bòrd na Gàidhlig instead of laying out the high-level strategy. I do not know whether your suggestion adds too much to the paragraph.

Fiona Hyslop: Well, perhaps it does. It is not unreasonable for the Parliament to say to the bòrd that it expects the national plan and all local plans to reflect that aspiration. We are not prescribing when, where and the extent to which the aspiration must be met; instead, we are simply giving the direction that we expect all plans to reflect the aspiration.

Alex Neil: Your wording is very good and is not too prescriptive.

Mr McAveety: Perhaps the last two lines of paragraph 64, which say:

“the establishment of such a right should be an aspiration for the future depending on the development of Gaelic through the language planning process”

meet that requirement. Much of the evidence that we received on this issue suggested that people did not want an oppositional perspective but instead wanted the language planning process and the bòrd’s work to provide encouragement. In fact, I felt that the Welsh Language Board’s submission showed that, although people thought that a confrontational approach might have been taken to the development of the Welsh language, a spirit of co-operation emerged instead.

The Convener: My only concern is the phrase “depending on”, which is why I wanted to end the paragraph with “as the language planning process moves forward”. Some progress is being made on the matter and we should show our commitment to that instead of leaving the sort of ifs-and-buts tone of the current phrase.

I think that my suggestion hits the fulcrum of the committee’s views. Although I take Fiona Hyslop’s point that the aspiration should be reflected in the plans—which might happen anyway—I believe that that is to all intents and purposes implied in the current wording and does not need to be stated explicitly. In any case, we are talking about the aspirational thing, so the matter is relatively weak as these things go.

Fiona Hyslop: Why do we not follow your suggestion about the language planning process with the clause “and therefore we would expect it to be reflected in national plans”? At least that points to a tangible end result. Anyone who is not involved in the language planning process might wonder what it means to them. We need to make it clear that we expect the local plans to have—

The Convener: The point about the language planning process seems almost superfluous, because the issue centres on the national and local plans.

Fiona Hyslop: Exactly.

The Convener: I do not see your point.

Fiona Hyslop: If we refer to all local authorities, we are making it clear that we expect all local authorities to reflect the aspiration in their plans. However, that does not necessarily mean that every local authority will make a commitment to do so from day one. We know that. I just think that we need to be a bit more explicit.

The Convener: I do not think that I agree with you. My suggestion hits the fulcrum of the committee’s views; I accept that it does not entirely reflect your view, but perhaps it reflects other members’ views a little more accurately. I believe that what I have proposed hits the sense of the meeting, if I can use that Quaker expression in such a way. Obviously, I am happy to consider any amendments, but I feel that my approach is reasonable.

Are members happy with that?

Members indicated agreement.

The Convener: If members have no other comments on page 14, we move on to page 15.

Someone made a point about the importance of intergenerational transmission—in other words, learning from your granny. We have reflected that cultural-economic aspect to a degree, but I wonder whether we could add something more along those lines. The process of learning the language in the home and transmitting it down through the generations provides a far more solid basis for the language than simply learning it in school. Although the phrase “intergenerational transmission” sounds a bit cumbersome, it encapsulates the idea quite well. Does anyone have any objections?
Fiona Hyslop: I cannot remember the figures, but I recall being struck by the situation in primary 1 at Portree Primary School. Not all the children in Gaelic-medium education have Gaelic-speaking parents; support is needed not just for parents who are native Gaelic speakers but for parents who are learning the language.

The Convener: I think that we have specifically made that point in paragraph 71.

Fiona Hyslop: Yes, but I want to make it clear that we are talking about both.

The Convener: I am sorry—could you repeat that?

Fiona Hyslop: We want to support non-Gaelic-speaking parents whose children are learning Gaelic. However, the question is whether Gaelic-speaking parents should also receive support. They seem to have been left out.

The Convener: You are right. Intergenerational transmission somewhat implies that over a number of years Gaelic has been discouraged in popular culture in some Western Isles Council and Highland Council areas. People regard it as a sign of failure if someone speaks Gaelic instead of being linguistically competent in English.

Fiona Hyslop: Perhaps you should try to capture that intergenerational transmission idea, which we can then link to the point about parents in paragraph 71.

The Convener: Yes, I think that we can do something there.

Dr Murray: I am not quite sure whether the phraseology is the best, but I would say that children in GME in many parts of Scotland—Glasgow and Edinburgh, for example—are unlikely to have Gaelic-speaking parents. We need to be quite strong on the point about support for non-Gaelic-speaking parents, who are probably the majority in most areas of Scotland.

The Convener: I am conscious of the fact that we have sometimes not made the distinction between Gaelic-speaking areas, where a significant number of people speak Gaelic, and other areas, where it is an unusual minority occupation, as it were. We need to draw that out a little bit in this context.

Mr McAveety: Could we avoid the phrase “intergenerational transmission”? It sounds like an illness. I do not want to sound like Roy Jenkins trying to draft a report here but, in language terms, it—

The Convener: I know. I take your point.

Mr McAveety: We should be reasonably subtle.

Fiona Hyslop: Make it simple.

Alex Neil: I thought that that phrase was widely used in Shettleston. [Laughter.]

Mr McAveety: Many languages are used in Shettleston.

The Convener: It does not necessarily mean exactly what it sounds like it means, does it?

Mr McAveety: It is not for broadcast.

The Convener: Let us turn to page 16.

Mr Macintosh: I thought that we were missing an opportunity to go a bit further than we have done on page 16.

The Convener: On the economic value of Gaelic?

Mr Macintosh: I was thinking more about the Scottish Executive’s role. Although broadcasting is a reserved matter, the budget for Gaelic broadcasting is devolved.

The Convener: Yes. That is a good point.

Mr Macintosh: Control over Gaelic broadcasting effectively lies in Scotland. We cannot legislate in non-devolved areas, but we could certainly ask the Scottish Executive to clarify its role in Gaelic broadcasting and Bòrd na Gàidhlig’s role in advising the Executive in that respect. We are missing an opportunity if we simply say that “broadcasting remains a reserved issue”.

All the decisions on Gaelic broadcasting are taken here. Therefore, Gaelic broadcasting should be part of the Gaelic language strategy.

The Convener: That is a valid point. We have always accepted that education and broadcasting were the two legs on which the development of the language mostly stood.

Mr McAveety: I agree with Ken Macintosh. There are two fundamental issues here. First, we should ask more strongly about the progress that has been made to find appropriate funding to meet the development needs of Gaelic broadcasting. In blunt terms, there is not a lot of money, and it falls into different categories of Executive spend. Some areas of Executive expenditure find things disproportionately difficult in comparison with others.

Secondly, we are moving into an area that is governed by broadcasting legislation at the UK level, and there are some major issues relating to the BBC’s charter. Although I acknowledge that there is a remit for UK ministers, decisions at that level can impact on Scotland in relation not just to
public broadcasting but to commercial broadcasting. It is about the role that broadcasters play, particularly given the development of digital transmission. Perhaps we should focus on the progress that has been made in establishing appropriate funding for Gaelic broadcasting in Scotland. The funding is devolved, but matters under UK broadcasting legislation are reserved. There is also the issue of progress on the opportunities that digital transmission could open up in making Gaelic more available. One idea is essentially that folk can plug into digital to—

The Convener: So this is about transmission and the review of the BBC charter.

Mr McAveety: There is a real opportunity here, which might allow ministers to respond collectively and in a more appropriate way than might have been the case in the past.

Lord James Douglas-Hamilton: When I was minister with responsibility for education, I was always told not only that Gaelic had an economic value, but that its encouragement was of great benefit to the Gaelic community. Encouragement increased the self-confidence of people whose first language was Gaelic, for example when they applied for jobs. If Gaelic was encouraged, people who had the language were much more able to get the jobs that were suited to their aptitudes, abilities and inclinations. The overall benefit of that to the Gaelic community is worth recognising.

The Convener: That is a good point, although we did not hear a lot of evidence on that area. I have slight concerns that we have not fully reflected the possibilities of that bit of the bill, but I do not think that we have an awfully strong evidence base on which to say much more. However, I take the point on board.

Fiona Hyslop: I thought that Ken Macintosh’s wording was good. Was he not trying to—

The Convener: What wording?

Mr Macintosh: I suggested asking the Scottish Executive to clarify its role and Bòrd na Gàidhlig’s role in Gaelic broadcasting.

The Convener: We are mixing up two issues. Rightly or wrongly, I noted that we wanted to take on board Ken Macintosh’s and Frank McAveety’s comments—I reflect the lack of dissentients and of boos during that discussion. James Douglas-Hamilton’s comment deals with a separate issue that falls under the heading “Economic value of Gaelic”. The point about self-confidence was also valid and the committee agreed with it.

Do members have anything more to say about broadcasting?

Members indicated disagreement.

12:00

The Convener: We will revise the phrasing reasonably substantially to cover what members have said. Mark Roberts will be burning the midnight oil after the committee’s efforts today.

I am not altogether satisfied with the section on the economic value of Gaelic, but we did not have much evidence on which to go further. Is that subject dealt with adequately?

Members indicated agreement.

The Convener: The next heading is “Other Organisations”. Pages 16 and 17 deal with UK bodies.

Alex Neil: The accuracy of some of what is on page 17 needs to be tightened. What is said is based on what Margo Macdonald—we should emphasise that that is the legal adviser and not the MSP—told us.

Mr McAveety: So the information is much more accurate.

Fiona Hyslop: The adviser’s name is Margaret, not Margo.

Alex Neil: We need to be sure that the report is accurate. I will point out two or three places in which more accuracy is needed. Paragraph 79 says:

“The Bill as introduced refers to public authorities with mixed reserved and devolved functions (for example, local authorities) or public authorities with no reserved functions and the Scottish Parliamentary Corporate Body.”

A similar comment will apply to item ii in paragraph 80. I understood the legal advice to be that the key point about reserved bodies that have a mixture of reserved and devolved functions is that the bill can apply to the devolved functions of cross-border agencies and reserved bodies. We can tell any body that has a devolved responsibility, “You must do this.” The wording does not reflect that and we need to tighten it.

The Convener: I thought that that was mentioned somewhere, but I cannot see it.

Alex Neil: You may remember that five categories of body were described. The bill clearly applies to the wholly devolved body with purely devolved functions. It also applies to the devolved functions but not to the reserved functions of cross-border bodies with reserved and devolved functions and of reserved bodies with a mixture of reserved and devolved functions. The Food Standards Agency Scotland is in a category of its own. That can be dealt with fine, because it just requires an amendment to the bill, according to the legal advice.

If we wanted to extend the bill’s scope to cover reserved functions that were undertaken in
Scotland, an order in council would be required under section 5 of the Scotland Act 1998 for a reserved body and under section 89 of that act for a cross-border body. We need to tighten the accuracy and explain the situation a wee bit better on page 17.

The Convener: The missing core relates to bodies with reserved and devolved functions. It is probably right to say that we can do things with devolved functions, but not with the rest. Is that all right?

Alex Neil: It is fair to say, as the bottom of page 17 does, that we can cover the reserved functions of cross-border agencies or reserved bodies in Scotland if we obtain an order in council.

That brings us to the next point, which James Douglas-Hamilton made. The bòrd should try to work in co-operation in relation to reserved functions. An order in council would be necessary only when such co-operation was not forthcoming. The wording on page 18 needs to be changed.

The Convener: I, too, have noted that. I will make a suggestion about paragraphs 83 and 84. Paragraph 83 states:

"The Committee encourages Bòrd na Gàidhlig, under the functions in section 1(2) of the Bill, to work with those UK public bodies that deliver key public services in Scotland in a cooperative manner to find ways to improve their Gaelic provision".

That is fine, but we should go on to say, "and believes that legal sanctions—which have never had to be used in Wales—would always be a last resort." Would that cover the point?

Alex Neil: I think that there should be another sentence in there. We should say, "This is based on the assumption that there would be co-operation from the relevant reserved bodies." We have to get two-way co-operation. I am sure that the bòrd will co-operate with cross-border agencies and reserved bodies. The issue is whether all the reserved bodies and cross-border agencies will co-operate with the bòrd. Although we cannot build it into the bill, we should express in our report a hope that the bodies will co-operate with the bòrd.

Fiona Hyslop: The way the paragraph reads just now suggests that the order in council would always be used as a last resort as a legal sanction. The Westminster Government and the reserved organisations might in a spirit of co-operation want to find ways to improve their Gaelic provision as a positive step forward. We should not say anything that implies that the order in council will always be used as a legal sanction. Westminster and reserved bodies might agree to do something as a matter of course, as housekeeping. The emphasis of the report should be that seeking an order in council is a legal mechanism and is not necessarily always a legal sanction.

The Convener: The phraseology that I suggested covers that, because it knocks out the reference to the order in council. I wanted to add another recommendation using the phraseology, "The committee also believes that it is anomalous that the bill, unlike its Welsh equivalent, does not apply to all public bodies operating in Scotland, both reserved and devolved. It urges the Scottish Executive to seek a formal undertaking from Westminster that bodies under its control will co-operate with the spirit of the bill." That does not get us into orders in council, which might be necessary later, but it develops the partnership aspect and gives a bit of a push to some of the people who we have heard have not done what they should have done. Would that be okay?

Alex Neil: That is fine, but we are not talking only about bodies under the sole control of the UK Government but about bodies under shared control of the UK Government and the devolved Administration. We need to ensure that we cover both.

The Convener: My phraseology covers that as it refers to "all bodies operating in Scotland, both reserved and devolved", which is a general phrase. Are members happy with that? I appreciate that we are touching on the edges of the constitutional settlement, but it is important. I was struck by the oddity that the Welsh Language Bill, which the UK Parliament passed, applied to UK bodies, whereas the Gaelic Language (Scotland) Bill did not, because of the division between the Scottish Parliament and UK Parliament in that context.

Alex Neil: We could add in a sentence saying that this is the arrangement pending independence.

The Convener: I thought that I had hit the fulcrum of the committee’s thoughts on that.

Mr McAveety: I note with interest that Alex Neil did not include a date.

The Convener: It is an aspiration.

Mr McAveety: Or an obsession.

The Convener: We move further down page 18 to private and voluntary sector organisations and courts. Is that bit all right? I think that it probably is.

Paragraph 88 refers to the right to use Gaelic in a court. I wonder how members feel about adding the phrase, "It is in fact an essential component of the administration of justice that people should feel comfortable in the language used." That might not be quite right, but we could have something along those lines. It is about someone who is a Gaelic speaker, or a speaker of any other language,
understanding the nuances of what they are trying 
to say more readily in their own language than in 
another language.

**Fiona Hyslop:** We got evidence of that from 
Sabhal Mòr Ostaig.

**The Convener:** Yes. For what it is worth, we 
also got it from the body that dealt with English as 
an additional language when we discussed the 
Education (Additional Support for Learning) 
(Scotland) Bill.

**Alex Neil:** On your previous amendment to the 
paragraph on cross-border bodies, I take it that we 
are leaving paragraph 84 as it is.

**The Convener:** Yes. We will check that it runs 
together all right.

**Mr Macintosh:** I did not understand paragraph 
84 until Alex Neil repeated the explanation that 
was given to the committee last week. Currently, 
the paragraph stands out, because the reader 
wonders why the bill should encompass the Food 
Standards Agency Scotland. It is perhaps worth 
while explaining that the agency is a unique body.

**Alex Neil:** In law, the Food Standards Agency 
Scotland is a Government department rather than 
an agency or quango. Apparently, it is the only 
body of its kind that has that status.

**Mr Macintosh:** We might want to prefix 
paragraph 84 with something like “Recognising its 
unique standing under the constitution”.

**The Convener:** The issue that arises, perhaps, 
is whether the Food Standards Agency is a mule 
that cannot breed and produce other bodies of the 
same kind.

Let us move on to page 19.

**Mr Macintosh:** I thought that I was unsure about paragraph 
90. I thought that the statement that the Minister 
for Education and Young People made to the 
committee was stronger than the evidence from 
the Welsh Language Board. This is not an 
important point, but it seems a bit strange to quote 
the Welsh Language Board, which has just lost its 
independent status and been taken back into the 
Welsh Assembly Government. The board’s 
evidence is not particularly impressive, given that 
Wales seems to have changed its mind on the 
issue. The minister, on the other hand, made a 
strong statement to the effect that he wanted to 
set up Bòrd na Gàidhlig because not all future 
ministers might be as sympathetic to Gaelic as he 
is. The minister’s statement was very clear.

**Alex Neil:** I thought that we had agreed that the 
section on Bòrd na Gàidhlig should not start with 
the example of the Welsh Language Board for the 
very reasons that Ken Macintosh has outlined.

**Mr Macintosh:** The Welsh Language Board 
does not provide a very strong example.

**The Convener:** The language in the paragraph 
has been turned round since last week. Ken 
Macintosh’s point is absolutely valid, but the 
Welsh Language Board’s evidence uses some 
good phraseology, which is in some ways better 
than the minister’s.

**Mr McAveety:** Perhaps we could incorporate 
both elements. We could say that we welcome 
Peter Peacock’s comments about the need to 
provide an assurance that a government body will 
articulate the needs of the Gaelic community. We 
need some phraseology for that—I am afraid that 
none comes to mind—to strengthen the 
paragraph. However, I agree that there is a 
dichotomy between paragraph 90 as it stands and 
the decision, which was understandable in the 
Welsh context, to bring the Welsh Language 
Board under the control of the Welsh Executive.

**Lord James Douglas-Hamilton:** When we met 
the chief executive of the Welsh Language Board, 
we got the impression—although he did not say 
this to us—that the decision to bring the board in 
house was contentious.

**Mr Macintosh:** But the decision was still taken. 
Assuming that people do not act irrationally, we 
must assume that there was some evidence for 
that decision.

**The Convener:** In this context, I think that it is 
valid to refer to the experience of the Welsh 
Language Board, at least in its developmental 
phase. We need some phraseology around that, 
but it should go further down the page, after the 
comment from the minister.

**Fiona Hyslop:** We should refer to the historical 
context. The Welsh Language Board was set up 
some time ago. To a great extent, we are playing 
catch-up, in that we are only now establishing a 
language board. I think that we should mention 
the Welsh Language Board at the start of this section 
on Bòrd na Gàidhlig.

**The Convener:** Currently, the draft report does 
not present the issue fully, but the argument is that 
the Welsh Language Board is being mainstreamed 
now that it has developed the language base to a 
certain stage. Having been in existence for a 
number of years, the board has got the language 
up to the desired level. On any view, that is not the 
position of Gaelic.

**Alex Neil:** On a presentational point, I suggest 
that we need headings for the different 
subsections of this section of the report. If we had 
a heading about the bòrd’s independence from the 
Executive and another heading about the bòrd’s 
structure and membership, the reader would find it 
easier to identify the issues.
The Convener: That would be helpful.

If members have no more points on page 19, let us turn to page 20.

Lord James Douglas-Hamilton: Paragraph 101 states:

“Although the Committee accepts it would be desirable for members of Bòrd na Gàidhlig to have some knowledge of Gaelic, it does not believe that this should be prescribed in statute”.

I sought to make the slightly different point last week that some members of the bòrd should have specialist expertise in Gaelic and Gaelic-medium education. We need not specify numbers, but the appointments to the bòrd would be subject to criticism if no members of the bòrd had specialist expertise in Gaelic or Gaelic-medium education.

Fiona Hyslop: I think that we already make that point at the end of paragraph 101, which refers to the need for “particular educational expertise.”

The Convener: However, particular educational expertise is currently given just as an example rather than as a requirement.

Mr Macintosh: Lord James’s point is that there is a difference between saying that all members should have some knowledge and saying that some members should have expertise.

The Convener: There are various ways of reflecting that. Some people said that every member of the bòrd should be a fluent Gaelic speaker—or words to that effect. We rejected that position because it might exclude people with expertise whom we would want to include. Most members of the bòrd will be fluent Gaelic speakers, but that does not mean that there cannot be one member who is not fluent but brings other skills. In addition, someone on the bòrd should specifically have expertise in education. I think that that was Lord James’s point.

12:15

Lord James Douglas-Hamilton: No, that point is covered by paragraph 99. I am quite happy with paragraph 99, which says that the bòrd should have “educational expertise among its members.”

However, I am talking about specialist expertise in Gaelic and Gaelic-medium education. If there is no one on the bòrd who has such expertise, I think that the Gaels will feel that they have been let down.

The Convener: You are suggesting that there should be someone on the bòrd with experience of Gaelic-medium education.

Fiona Hyslop: We can change paragraph 99 to recommend that the bòrd should include members who have effective expertise in Gaelic-medium education.

The Convener: That is probably a better way of putting it.

Dr Murray: We could include in paragraph 99 the need for specialist expertise in the language. Paragraph 101 comes at the matter from the wrong direction. There is obviously a need for some members of the bòrd to be fluent Gaelic speakers, as Lord James says, but we want to make the point in paragraph 101 that we would also welcome people with other areas of expertise.

Mr Macintosh: I suggest that we add “including Gaelic-medium education” at the end of paragraph 99.

The Convener: Paragraph 101 seems to be all right per se; the question is what is missing from paragraph 99.

Alex Neil: Rather than have paragraphs 98, 99 and 100, would it be better to have one paragraph that calls on the minister to ensure that when the bòrd is appointed its membership reflects a mixture of expertise and experience, including for example experience in education and in speaking Gaelic? We should also build in expertise in minority languages outwith Scotland and the UK, so that there can be an international perspective. I think that one of the witnesses from Bòrd na Gàidhlig was Canadian and had a background in minority languages. We talked about the European charter for minority languages. I am not suggesting that this should be a statutory requirement, but it might be useful for the bòrd to include someone who has experience of minority languages in other parts of Europe.

The Convener: I agree. The phrase would be “educational expertise such as”—

Alex Neil: Such as education and the other areas of expertise that we mentioned, but we should make it clear that the list is not exhaustive.

The Convener: The words “such as” would indicate that what followed was an illustration. Shall we make that amendment?

Mr Macintosh: I thought that we had already got quite close to what we wanted. Nothing is lacking in the wording that we have. We are not stipulating that the bòrd must include someone who has experience of minority languages. That would be desirable, but it is not necessary. However, we are strongly recommending that someone on the bòrd should be an expert in Gaelic and that someone on the bòrd should be an expert in education, including Gaelic-medium education. Those are two strong commitments. We are also rejecting the proposal that every member of the bòrd must speak Gaelic. We must make all three points but we must certainly make
the last point, which rejects a specific recommendation that was made to us.

The Convener: We should have another go at the wording, because there is a lack of coherence in how the points are coming through. Ken Macintosh’s suggestion would make the points in a more focused way.

Martin Verity: We can revise paragraphs 98 to 101.

The Convener: Yes.

Alex Neil: We know what we are trying to achieve; the question is how we present it.

Lord James Douglas-Hamilton: I venture to suggest that the clerks have the expertise to do that.

The Convener: We move on to page 21.

Lord James Douglas-Hamilton: In paragraph 105 we say that there is a case for “developing language plans for areas where Gaelic is less widely spoken but where there is a potential for use”. Could such areas be identified by an in-depth survey? I am not sure whether such a survey has been carried out.

Fiona Hyslop: That is the nub of the matter. As we said, if everything is limited by the current demand, we will not tap into the potential demand and we will simply make provision to meet existing demand rather than to develop for the future.

The Convener: I think that the phraseology is all right, to be honest. I take the point about research. We had some evidence about research and watching the census figures, but I do not think that it is central to the point.

Ms Alexander: The bold section in paragraph 105 ends with the words “potential for use”. Might it help if we substitute that with the phrase “potential demand”? That would leave research separate.

Fiona Hyslop: I disagree with that. The whole point is that we want to move away from the concept of demand, which refers to the current demand, to use, which might mean future use.

Mr McAveety: What about “future demand”, then?

Dr Murray: We are trying to say that the early tranches of Gaelic plans should cover not only those areas where there is a high level of Gaelic speech already, but some of the areas that had a Gaelic tradition in the past but which have very little in the way of Gaelic at the moment.

The Convener: That is why I suggested Perth and Kinross. It is in the middle of Scotland and it has a lot of Gaelic place names. I think—I do not know, because I do not have detailed local knowledge—that there is probably a demand and a potential there.

Ms Alexander: We could use “demand and potential”.

Fiona Hyslop: Yes.

The Convener: We move on to page 22 of the draft report. Under paragraph 114, there might be an issue about whether an outline of the parameters of the guidance to Bòrd na Gàidhlig would be in the bill. I am not sure whether that is of major significance. The issue is how far we should go in the bill in specifying what the outline of the parameters of the guidance should be. Would we appreciate clarification from the minister on the extent to which the parameters would be in the bill and the extent to which they would be in subordinate legislation?

Members indicated agreement.

Alex Neil: In paragraph 110, we refer to the review of the Gaelic language plans every five years. Should we not be a bit more specific in paragraph 111 and recommend that the Executive review the national plan every five years? In a sense, the board will be reviewed every three years as part of the comprehensive spending review and will no doubt also be subject to quinquennial review, so to review the national plan any more often than every five years is, to be frank, unproductive. Perhaps we should make the two recommendations consistent.

The Convener: I am advised that, in fact, the recommendations are consistent, because the Scottish Executive’s performance review of the board is five-yearly anyway.

Alex Neil: Should we build that in, then? Some organisations in Scotland are getting reviewed to death.

The Convener: The draft report says that the plan should be reviewed “at regular intervals”; do we want to say “five-yearly intervals” specifically?

Mr Macintosh: We did not hear much about the time of review.

The Convener: I do not think that we want to say it. How about adding “five-yearly” between “possibly” and “at the same time as”?

Members indicated agreement.

The Convener: That gives an element of clarity.

We move on to page 23. In paragraph 118, we have not quite taken on board the point about funding. It is about the funding not just of the plans but of the development of Gaelic. I know that we have said that it will be mainstreamed over time and there will be no extra costs in the long term,
but in the short term, there clearly will be. At the end of paragraph 118, we could say something like, “The committee believes that it will be necessary to invest continued and probably increased funding in Gaelic language development in future.” That is an implication of the bill that we have not entirely written into the report.

Mr Macintosh: I have a separate point. The end of paragraph 116 talks about “language plans as, it will be seen as, as in Wales”, That needs to be corrected.

I was not overly impressed by Glasgow City Council’s evidence on costs, nor by its bid for financial support for Gaelic plans, which was in huge contrast to Highland Council’s evidence that it does not need any money. I was more impressed by Highland Council than I was by Glasgow City Council, which was making up figures—it said that if it had a consultation, that might cost £50,000.

It would be totally unfair to give none of the money for Gaelic to the councils that have introduced a policy and which are doing a lot for Gaelic, while giving a lot of money to the councils that are not doing anything for Gaelic. I am not saying that Glasgow City Council is not doing an awful lot for Gaelic—it has a Gaelic-medium education secondary school and tremendous commitment. However, the idea that we should give more money to those councils that have yet to show any commitment is slightly unfair. Councils that have shown a commitment to Gaelic should not be penalised for making those difficult financial choices early on, but the report seems to imply something else.

The Convener: The councils that have developed Gaelic policies have taken advantage of the Gaelic-specific grant. Therefore, funding has already gone into the development of Gaelic.

Mr Macintosh: Possibly, but we did not take a huge amount of evidence on that issue. Our report should state that the funding ought to be balanced fairly. At present, the report seems to endorse the view that the councils that have a long way to go in developing a Gaelic policy should receive more funding from the Executive than the councils that already do a lot for Gaelic.

The Convener: I do not read the report as saying that, but other members may have different views.

Fiona Hyslop: From what I remember from last week’s meeting, the point that we wanted to capture was that we received different evidence from different local authorities. We wanted to compare and contrast, but particularly to emphasise Highland Council’s view—which was basically that upfront funding is needed—rather than say anything about who should get how much. Ken Macintosh is right that, in public policy, bad performance is too often rewarded with more money than good performance is. However, we do not want to discuss that issue in the report. We can compare and contrast the evidence that we took on the issue, but we should reflect that Highland Council stated that the scare stories of some organisations about the bill’s cost implications might not be true.

The Convener: Paragraph 118 states:

“The implication of this is that for some public authorities there could be a need for upfront funding”.

If we knocked out the words “for some public authorities”, that would make it a bit more general. However, it seems to me that Ken Macintosh and Fiona Hyslop are reading a bit too much into the paragraph.

Mr Macintosh: I do not want to pick on Glasgow City Council, which was the first council to develop a Gaelic-medium education secondary school and has done a huge amount for Gaelic, which required financial commitment. However, we should make it clear that we want a fair allocation of funds to local authorities. We should say, “The implication is that for public authorities there could be a need for upfront funding, but this should be distributed fairly.” I am not sure whether we need to discuss the point about rewarding.

Fiona Hyslop: That is right, but it would be wrong of us not to reflect in the report the different evidence on the costs that we received from local authorities. We do not have to pass judgment on that, but it would be wrong not to reflect the differences.

The Convener: In the paragraph in which we quote from Glasgow City Council’s evidence, we state that the costs could vary.

Fiona Hyslop: Could we not quote Highland Council as well?

Ms Alexander: Ken Macintosh offered a solution, which was to state, “The implication of this is that there could be a need for upfront funding before the normal costs of Gaelic provision can be mainstreamed into normal operations. The distribution of additional available funds must be done on a fair basis.” That captures both of the distinct points.

The Convener: We should bear it in mind that none of that is recommendation. The point in paragraph 119 about saving costs by using a template in different authorities is relevant.

That brings us to the end of the report. I do not think that we need to go back to the recommendations because we have dealt with them. Are there any other comments?
Mr McAveety: Well done.

The Convener: I report that, unsurprisingly, the Scottish Parliamentary Corporate Body has approved the translation of our report into Gaelic. Oddly enough, the report on the matter to the corporate body said that the alternative option was not to translate the report into Gaelic, which seemed a bit bureaucratic.

Our report will be published next Wednesday, which is 26 January, after which we will proceed to stage 2. I thank members for that session, which was lengthy but useful and which has led to a reasonable report.

Meeting closed at 12:30.
SUBMISSION FROM CLÍ GÁIDHLIG

Tha mi a’ sgrìobhadh leis a’ bharail aig buidheann cothruim is adhartachaidh na Gàidhlig Clí Gàidhlig air Bile na Gàidhlig (Alba), mar a chaithd iarraidh orm leis a’ bhùird stiùiridh a’ coinneachadh ann am Peairt air 30.10.04.

Anns an fharsaingeachd tha Clí Gàidhlig a’ cumail taic ris a’ Bhile agus ris na h-amasan aige mar a tha iad air am mineachadh ann an ro-ràdh a’ Bhile fhèin.

Tha sinn a’ mothachadh is a’ moladh mar a tha am bile air a neartachadh bho ire na dreachd comhairleachaidh a rèir meall mholaidean ann am fianais Clí Gàidhlig do Riaghaltas na h-Alba air 17.12.03. ’S iad sin: gun rachadh a’ Ghàidhlig ainmeachadh mar chànan oifigeil; gum bi mineachadh nas fhosgailte is sgriobhaidh na Gàidhlig a ghabhail a-staigh anns a’ mheudachadh àireimh a bhios fa-near do Bhòrd na Gàidhlig; agus gun rachadh a chur mar riatanas air buidhnean poblach fo bhuaidh an Achd gun uillich iad planaichean cànain.

Tha sinn a’ moladh cuideachd mar a tha fhoghlam Gàidhlig (anns na trì modhannan air an ainmeachadh fo 10.1) ga thoirt a-staigh dhan Bhile. Gidheadh, tha Clí Gàidhlig a’ moladh fhathast gum bi còir reachdail air foghlan stàite tro mheadhan na Gàidhlig air ‘ainmeachadh ann an Achd na Gàidhlig fhèin.

Ged a tha sinn mothachail gu bheil am Bile a’ daingneachadh na Gàidhlig mar chànan oifigeil ann an Alba (Ro-Ràdh), chan eil e fhathast a’ dearbhadh gum bi co-ìonannachd inbhe aig a’ Ghàidhlig ris a’ Bheurla.

Tha sinn a’ moladh gun tèid a leithdhe cho-ìonannachd inbhie a dhaingneachadh gu soilleir anns an Achd gus am bi cint ann gum bi an aon seasamh aig rudeigin air a ràdh no air a labhairt anns a’ Ghàidhlig nam biodh seo air a bhreugnachadh le rudeigin anns a’ Bheurla no ann an cànann sam bith eile a dh’fhaodar meas mar chànan obrach ann an Alba; gus an tèid an aon aire is meas is urram a thoirt do dh’iarrtas no tagradh a thèid a dhéanamh tron Ghàidhlig seach tro chànan eile.

Tha sinn cuideachd a’ moladh a-rithist gun iomradh a thoirt air cultar anns an Achd (1.2b agus 1.3c), rud a bhiodh na annas am measg reachdas cànain an t-saoghail.

Chan eil seo ri ràdh nach fhaoidh no nach bu chòir do Bhòrd na Gàidhlig dualchas is cultar is ealain na Gàidhlig a bhrosnachadh a leasachadh, ach nach biodh e iomchaidh dha a leithdhe thaic a chur ri gniomhan cultarach nach cuireadh ri meudachadh luchd na Gàidhlig o ri misneachadh cleachdadh na Gàidhlig no ri cothrom air a’ Ghàidhlig, airidh ged a bhiodh iad air taic bho bhuidhnean eile air adhbharan eile.

A thaobh Pàipear-Taice 1 dhen Bhile, tha sinn a’ moladh fhathast gum feum aire a bhith ga toirt do dh’iomadachd eòlais is chultaran is dhùthchasann ann a bhith a’ suidheachadh ballrachd Bhòrd na Gàidhlig.

Is mise le meas,

Pam Talbot
Cathraiche
Clí Gàidhlig
30.10.04
I am writing with the views of Clì Gàidhlig, the Scots Gaelic access and promotion organisation, on the Gaelic Language Bill (Scotland), as instructed by the Management Board that met in Perth on 30.10.04.

In general, Clì Gàidhlig supports the Bill and its aims as explained in the introduction to the Bill itself.

We note and commend that the Bill has been strengthened since the consultative draft stage according to the block of recommendations in Clì Gàidhlig’s evidence to the Scottish Executive on 17.12.03. They are as follows: that Gaelic should be named as an official language; that there should be clearer / more open explanation as to [what is meant by] "culture"; that Gaelic reading and writing should be amongst the competences to be measured by Bòrd na Gàidhlig; and that it should be compulsory for public bodies under the powers of the Act to prepare language plans.

We also commend that Gaelic education (in the 3 named ways under 10.1) has been introduced to the Bill. However, Clì Gàidhlig still recommends that legal rights for state education through the medium of Gaelic should be named in the Gaelic Act itself.

Although we note that the Bill confirms that Gaelic is an official language in Scotland (Introduction), it does not yet confirm that Gaelic will have equal status with English.

We recommend that this sort of equal status is ratified clearly in the Act so that there is a certainty that anything said or spoken in Gaelic will have the same standing, if it should be contradicted by something in English or in any other language that could be considered a working language of Scotland, so that the same attention and respect be given to requests or applications that are made in Gaelic rather than another language.

We also recommend again that it would [seem] unusual for the Act not to make reference to culture (1.2b and 1.3c), something that [is found] in other language legislation in the world.

This is not to say that Bòrd na Gàidhlig must not or should not promote and develop Gaelic heritage, culture and arts, but that it wouldn’t be appropriate for the same type of support to be given to cultural activities, that would not be given to the increase in number of Gaelic people [speakers] or to encouraging the use of Gaelic or to access to Gaelic, worthy although they would be of support from other organisations for other reasons.

Vis-à-vis Schedule 1 of the Bill, we still propose that attention needs to be given to knowledge [experience], culture and ethnic diversity when appointing members of Bòrd na Gàidhlig.

Pam Talbot
Chairperson
Clì Gàidhlig
30.10.04

SUBMISSION FROM COMHAIRLE NAN EILEAN SIAR

Since Comhairle nan Eilean Siar was established in 1975, as an all-purpose authority, it has consistently championed the Gaelic cause on many fronts. The Comhairle has attempted to create a strong Gaelic ethos within the Western Isles but recognises that nationally the Scottish Executive has a huge role to play in the revitalisation of Gaelic.

Comhairle nan Eilean Siar broadly welcomed the Draft Gaelic Language Bill of October 2003 and acknowledges that the Scottish Executive has taken cognisance of the representations from the Gaelic community in that the Gaelic Language (Scotland) Bill, published in October 2004, has been strengthened. The following submission from Comhairle nan Eilean Siar highlights the areas of the Bill which the Comhairle feels will enhance the proposed legislation and meet the full aspirations of the Gaelic community in the Western Isles and throughout Scotland.
Secure Legal Status for Gaelic

Gaelic can legitimately claim to the Scotland’s oldest living language and continues to play a fundamental part in Scotland life, being partly responsible for the creation of our unique national identity. In March 2000, the UK government signed the Council of European Charter of Regional or Minority Languages and this Charter was subsequently ratified in July 2001. Although ratification of the Charter has conferred a certain improved status on the Gaelic language, the forthcoming Gaelic Act must ensure that Gaelic enjoys equal validity with English and removes, once and for all, the confusion that continues to exist in relation to the legal and official status of Gaelic within Scotland. For example, there is even yet, intense debate in certain areas about the legal validity of bi-lingual road signs. These sterile debates would become a thing of the past if Gaelic was given "equal validity" or "equal status" with English.

Bòrd na Gàidhlig

Comhairle nan Eilean Siar commends the Executive for strengthening the powers of Bòrd na Gàidhlig in relation to its ability to require, approve and monitor language plans and its powers to issue guidance, including guidance on Gaelic education. However, there is still some apprehension that Bòrd na Gàidhlig will find itself, in future, in the position where it alone is responsible for the welfare of the Gaelic language. The Scottish Executive must be totally supportive of the Bòrd and the establishment of Bòrd na Gàidhlig should not be an excuse for the Executive to abdicate its own responsibility in relation to Gaelic. Bòrd na Gàidhlig can be effective in its own right but without genuine and wholehearted long-term support from the Executive, it is difficult to envisage that Bòrd na Gàidhlig alone can meet the needs and aspirations of the Gaelic community in Scotland.

It is imperative also that Bòrd na Gàidhlig be given not only the power to carry out its allocated functions but also the resources to deliver them. The MacPherson Taskforce Report – Revitalising Gaelic: A National Asset recommended £10 Million as a minimum initial budget for the development and support of the language. If Bòrd na Gàidhlig is to achieve the goals set out for it by the Scottish Executive, an adequate yet substantial budget must be provided to effectively orchestrate the revitalisation of the Gaelic Language.

National Gaelic Language Plan

Comhairle nan Eilean Siar fully endorses the creation of a National Gaelic Language plan by Bòrd na Gàidhlig in consultation with the Scottish executive. Too often in the past strategies for supporting the Gaelic Language have been well meaning but lacking cohesion and clarity. To meet the aspirations of the Gaelic community, radical, bold and positive steps are needed now, to safeguard the language in the 21st century. The development of a streamlined, co-ordinated and properly resourced National Gaelic Language plan is essential, without delay, and a strong Bòrd na Gàidhlig is the only body capable of producing and delivering this. Again, it is important that the progress and successful delivery of a national language plan can only be achieved with the support and goodwill of the Executive and the Scotland Parliament. The National Gaelic Language plan must not, however, be a "toom tabard" but a holistic strategy with targeted objectives. It is important, also, that Bòrd na Gàidhlig is not cast in the role of a lone, national Gaelic policeman sent out by the Executive to browbeat recalcitrant organisations to sing from the Gaelic hymn sheet. Comhairle nan Eilean Siar acknowledges that other authorities may view it as a pioneer authority for the development of Gaelic, and indeed Comhairle nan Eilean Siar publishes its Gaelic Policy in the summer of 2004 and a copy has been circulated to Committee Members. The Policy clearly indicates the Comhairle’s main aims in relation to the Gaelic language and culture within the Western Isles and forms the basis for future language planning. Comhairle nan Eilean Siar further recognises that not all local authorities in Scotland will have the necessary expertise and experience to develop language plans and it would be willing to consider, in conjunction with Bòrd na Gàidhlig extending support or assistance to these other authorities.
Gaelic Language Plans

Comhairle nan Eilean Siar welcomes the powers invested in Bòrd na Gàidhlig enabling them to request any public body in Scotland to prepare and implement a Gaelic Language plan. In furtherance of the efforts to revitalise Gaelic, it is very important that all, major, national public bodies and agencies in Scotland should be required to develop and produce Gaelic Language plans or policies in co-operation and with assistance from Bòrd na Gàidhlig. Enhancing the status of Gaelic on a national scale will only be effective if all named national bodies and organisations have a statutory duty or obligation to produce language plans or policies. This will raise the profile of Gaelic, provide a psychological boost for speakers and learners of the language and will widen the range of contexts in which Gaelic can be used. It is not essential for all bodies to have the same type of language plan or policy but it is important that each national organisation or agency should have some type of Gaelic Language plan in order to normalise the use of Gaelic in public life. Bòrd na Gàidhlig have a crucial role to play in not only assisting public bodies and agencies to devise their language plans but also to monitor the effectiveness of the implementation of these plans. Comhairle nan Eilean Siar are, in conjunction with its Community Planning Partners, developing a Gaelic Language Plan for the Western Isles. The planning process has been endorsed by Bòrd na Gàidhlig, and when complete the Plan could be used a template for other organisations.

Gaelic Education

The key target for all those who wish to see Gaelic prosper and flourish is to see an increase in the number of Gaelic speakers. The best way to achieve this, it is widely held, is through Gaelic medium education. If Gaelic is to thrive and survive it is essential for Gaelic medium education to grow exponentially. It is, therefore, essential that Bòrd na Gàidhlig has a role to play in advising education authorities and the Scottish Executive on plans for Gaelic medium education arising out of the Standards in Schools Act 2000. For the Standards in Schools Act 2000 to be effective, the Scottish Executive must ensure that education authorities comply with the Act to ensure that the expansion and increase in numbers and quality of Gaelic medium units continues. The Scottish Executive should work closely with Bòrd na Gàidhlig to monitor that education authorities are meeting the National Priorities in Education in relation to Gaelic medium education. Comhairle nan Eilean Siar cannot emphasise enough the importance of ensuring that sufficient teachers are available to meet the current and anticipated demand for Gaelic Medium education. Comhairle nan Eilean Siar appreciates the steps that have been taken to date to increase the supply of Gaelic Medium teachers, but it is an area that requires constant monitoring and investment.

Gaelic Broadcasting

Although Gaelic broadcasting is not included in the Bill, Comhairle nan Eilean Siar believes that broadcasting has a pivotal role to play in the regeneration and revitalisation of the Gaelic Language. It is desirable and in the national interest, on grounds of social justice and cultural diversity, that the Gaelic speaking audience should be served by a broadcasting system appropriate to the 21st century. With the imminent switch off of the analogue system and the migration to the digital system, it is hugely important that funding should be made available to create a Gaelic digital television channel. It would be a powerful endorsement of the Scottish Executive’s commitment to Gaelic if innovative strategies were devised to provide some financial resources for a Gaelic digital television channel from the Edinburgh purse to augment the funds already provided from Westminster.
Anns an airsaineachd tha Comhairle nan Eilean Siar a cuir failte air dreach Bhile na Gàidhlig bhon Sultain 2004 agus a toirt finear gu bheil Riaghaltas na h-Alba air tigse agus aithneachadh a dhèanamh a thaobh ríchadhadh bho choimhearsnachd na Gàidhlig ann an dàimh agus gu bheil Bile Canan na Gàidhlig (Alba) a chaidh fhoilseachadh anns an t-Sultain 2004 air a neartachadh gu mòr. Tha a fhreagairt a leanas bho Comhairle nan Eilean Siar a soilleachadh na rooinean den Bhile dar a bheil a’ Chomhairle a faireadhainn gu bheil feum air neartachadh an reachdas a thàtar a tairgsge gus coinneachadh ri lann amas an coinhearsnachd na Gàidhlig anns na h-Albanna a larn agus da rìeabha air feadh Alba.

Inbhe Laghail don Chànan

Tha e comasach don Ghàidhlig a bhith a deasadh a chòir mar an cânán as sine a tha beò ann an Alba agus a tha fhathast a cluiche pàirt bunaiteach ann a beatha na h-Alba ann a bith ann am pàirt co-cheangailte ri bith a cruthachadh ar gné nàiseanta. Anns a’ Mhàirt 2000 chuir Riaghaltas Bhreatainn an ainm ri Cùmhnant Eòrpach air mion-chànan agus cànanan roinneil agus choisd aontaichd ris a chùmhnhait ann an luchair 2001. Ged a chaidh aontaichd ris a chùmhnhait agus a tha seo air inbhe nas fhéarr a thoirt don chànan na Gàidhlig feumaidh bac na Gàidhlig déanmh cinteach gu bheil an Gàidhlig fhathast a’ faighinn an aon inbhe ri Beurla agus a tha a cuir as an uair agus gu h-uile don a m-chint a tha leantainn ann an dàimh ri inbhe laghail agus inbhe oifigeil a thaobh a Ghàidhlig an taobh a staigh Alba. Mar eispìire tha fhathast deasbad làidir ann an cùid de dh’ìleachd a thaobh inbhe laghail air soighnichean rathaidean da-chànanach. Cha bhithheadh brith sam bith aig an deasbadan sin nam b’e ’s gu faigheadh Gàidhlig ann an aon chòir ris a Bheurla.

Bòrd na Gàidhlig

Tha Comhairle nan Eilean Siar a’ moladh Gàidhlig agus a’ cuir an làn thaic ri cruthachadh Bòrd na Gàidhlig ann an dàimh ris an choimeas gu planaichean cânán iarraidh an aontaichd agus a measadh agus na cumhachdan a thaobh seòladh a thòirt seòladh, a toirt a steach seòladh air fhoghm Gàidhlig. A dh’aindeoin sin, tha fhathast teagamh annu air Bhòrd na Gàidhlig a thoirt a’ chànan na h-Alba. Feumadh Riaghaltas na h-Alba a bith gu tur taisceil don Bhòrd agus a stèidheadh Bòrd na Gàidhlig chan fearm stèidheadh Bòrd na Gàidhlig a bith na leisgeul do Riaghaltas na h-Alba air aithneachadh le seòladh a thoirt seòladh air fhoghm Gàidhlig. Tha a’ Bòrd na Gàidhlig a bith fhathast a chòrinnt a’ chànan. Mar eispìire tha Bòrd na Gàidhlig a’ dol a chòrinnt a’ chànan air Gàidhlig ann a thèid a chuir roimpe le Riaghaltas na h-Alba feumaidh cuidseid comasach a’ thoirt a dhìon ann an linn anns a bheil sinn beò. Annd an Aithsigs Mhic a’ Phearsain “Ath-Bheothachadh Gàidhlig a Neamhnaid Nàiseanta” chaidh moladh chan e mhàin gun tàid cumhachd a’ thoirt do Bhòrd na Gàidhlig airson na deastanais a’ chòillachadh ach an stòras mu choinneimh sin gus a bhith airson le Gàidhlig gu dòigh. Ann an Aithsigs Mhic a’ Phearsain “Ath-Bheothachadh Gàidhlig a Neamhnaid Nàiseanta” chaidh moladh chan e mhàin gun tàid cumhachd a’ thoirt do Bhòrd na Gàidhlig airson na deastanais a’ chòillachadh ach an stòras mu choinneimh sin gus a bhith airson le Gàidhlig gu dòigh. Ann an Aithsigs Mhic a’ Phearsain “Ath-Bheothachadh Gàidhlig a Neamhnaid Nàiseanta” chaidh moladh chan e mhàin gun tàid cumhachd a’ thoirt do Bhòrd na Gàidhlig airson na deastanais a’ chòillachadh ach an stòras mu choinneimh sin gus a bhith airson le Gàidhlig gu dòigh. Ann an Aithsigs Mhic a’ Phearsain “Ath-Bheothachadh Gàidhlig a Neamhnaid Nàiseanta” chaidh moladh chan e mhàin gun tàid cumhachd a’ thoirt do Bhòrd na Gàidhlig airson na deastanais a’ chòillachadh ach an stòras mu choinneimh sin gus a bhith airson le Gàidhlig gu dòigh.

Plana Nàiseanta Gàidhlig

Tha Comhairle nan Eilean Siar a’ cuir air lann thaic ri cruthachadh Plana Nàiseanta Gàidhlig le Bòrd na Gàidhlig ann an co-bhonn do Riaghaltas na h-Alba. Anns an lunn a chaidh seachad bhiodh roinn eileachdann a thaobh taic a thoirt do Gàidhlig stèidheadh air deagh rùn ach cha robh iad soilleir na ann an dòigh sam bith co-òrdanaichte. Gus coinneachadh ri amas an coinhearsnachd na Gàidhlig feumaidh ceumannaich ur laidir a gabhadh gu sàrran na gànan a dhìon anns an linn anns a bheil sinne beò. Tha e deatamach gu tèid Plana Nàiseanta Gàidhlig a leasachadh ann a’ dòigh co-òrdanaichte agus gu dèanadh an bheul is e Bòrd na Gàidhlig a bhios làidir an aon bhuidhean a tha comasach air seo a dhèanamh gu bheul rìcreiseadh.
A rithist tha e cudthromach gu bheil an adhartas agus an libhrigeadh gu bheil an adhartas agus an libhrigeadh air Plana Nàiseanta Gàidhlig air a chiolionadh le taic agus deagh rùin bhon Riaghaltas agus Pàrlamaid na h-Alba. Chan fheum Plana Nàiseanta na Gàidhlig a bhith air a cheilichadh mar “toom tabard” ach mar ro-inleachd slàn le rùintean agus targaidean. Tha e cudthromach cuideachd nach eil Bòrd na Gàidhlig a bhith a fhiaicinn mar an an Phoilis Nàiseanta Gàidhlig a th’air a chuir a-mach leis an Riaghaltas gu buidhean mi-dhéoneach a tharr a staigh a bhith seann an aon òran Gàidhlig. Tha Comhairle nan Eilean Siar a’ toirt fainnear gu faodadh ùghdarrais eile a bhith gu faisinn aig toiseach cùisean leasachaidh na Gàidhlig, agus gu dearchbha thà Comhairle nan Eilean Siar air Poileasaidh Gàidhlig fhioilleachadh am bliadhna agus chaidh leith-bhreac a chaiteachadh gu Buil a’ Chomataidh. Tha am poileasaidh a’ mineachadh gu soilear prìomh amasan na Comhairle ann an dàmhair ri cânain agus cultar na Gàidhlig anns na h-Àireamhnachd an iar agus bithidh e air a cheilichadh mar bhon-stèidh airson deailbhadh cànan a’ chruinn ann an àm air teuchd. Tha Comhairle nan Eilean Siar cuideachd a’ toirt fainnear nach bi an eòlas no an comas aig cuid de dh’ughdarrais eile an Alba ann a bhith ag uillichadh plaiceachan c’-ànair tha e deònach ann an cò-bhonn ro Bòrd na Gàidhlig taic agus cuideachd a thòirt do na buidhncean sin.

**Planaiscean Cànan Gàidhlig**

Tha Comhairle nan Eilean Siar a’ cuir fàilte air na cumhachdan a chaidheadh air Bòrd na Gàidhlig gus cothrom a thoirt dhaibh iarraidh air buidheann sam bith ann an Alba Plana Gàidhlig ullachadh agus a ghnìomhadh. Tha e air leth cudthromach gu bheil gach buidheann mor nàiseanta ann an Alba a’ leasachadh agus a toirt a thòirt a thairgnis plaiceachan Gàidhlig neo poileasaidhean Gàidhlig ann an co-obrachadh agus le taic bho Bhòrd na Gàidhlig. Ann a bhith a cuir ri inbhe na Gàidhlig aig ire nàiseanta bith e eìfeachdach ma bhithsas gach buidheann nàiseanta air a airnmeachadh a deilistanas reachdail gu planaiscean neo poileasaidh Gàidhlig ullachadh. Togaidh seo inbhe na Gàidhlig, bheir e togail inntinn mhor do luchd-labhairt agus luchd-ionnsachaidh a chànan agus leudaidh e a’ h-àiteanach anns an àirde Gàidhlig gus an tèid Gàidhlig a tharr a steach do bheatha phoblaich na h-Alba. Tha deilistanas air leith sònraichte aig Bòrd na Gàidhlig, chan ann a-mhàin a thaobh a bhith a toirt taic do bhuidhean poblach ann a bhith a leasachadh agus ag ullachadh na plaiceachan cànan a cheilichadh a thòirt a bhith a measadh cho eìfeachdach s a tha na plaiceachan air a cuir a ghnìomh. Tha Comhairle nan Eilean Siar, ann a’ cò-bhonn le Luchd Com-pàirt Dealbhadh Coimhearsnachd a’ leasachadh Plana Cànan Gàidhlig airson na h-Eileanan an Ìr. Thug Bòrd na Gàidhlig taic don dòigh dealbhadh agus nuair a bhios am plana deiseil bhiodh e comasach do bhuidhean a cheilichadh mar bhunait airson plaiceachan aca fein.

**Foghlam Gàidhlig**

Is e prìomh thargaid a-n fheadhainn a tha airson Gàidhlig fhiaicinn a leudachadh gum bhitheadh eòrmaimh luchd-labhairt na Gàidhlig air a meudachadh. Is e an dòigh a’ s fhèarr gu fheoc a chiolionadh tro foghlam meadhann Gàidhlig. Ma tha Gàidhlig gu bhi maireannach agus gu bhith buan tha e deatamach gun tèid foghlam meadhán Gàidhlig a leudachadh a-rèir an iarrais a th’ann. A rèiste tha e deatamach gun bheil a dleasdanais aig Bòrd na Gàidhlig ann a bhith a toirt comhairle do dh’Ughdarrais Foghlam agus do Riaghaltas na h-Alba air plaiceachan airson foghlam troinmh meadhain na Gàidhlig ag eòrma thoir a-mach bh’ Achar Ìmhbeann ann an Sgoiltean 2000. Airson Achar Dan ann an Sgoiltean 2000 a bhith eìfeachdach feumaidh Riaghaltas na h-Alba dhéanamh cinteach gu bheil Ughdarais Foghlam a coinneachadh do Achar a thaobh leudachadh agus ardachadh eòrmaiman agus inbhe na h-Aonadan Meadhain Gàidhlig. Bu chóir Riaghaltas na h-Alba a bhith ag obair gu dòuth le Bòrd na Gàidhlig gu dèanamh cinteach gu bheil an t-Ughdarais Foghlaim a’ coinneachadh ri Prìomhchasain Nàiseanta Foghlaim ann an dàmhair ri fogham tro meadhain na Gàidhlig. Feumaidh Comhairle nan Eilean Siar cudthrom a chuir air treànaidh luchd-teagaisg gu dèanamh cinteach gu bheil tidsearan gu leòr ann mu choineamh an iarrais ghnàthaichte airson Foghlam tro meadhain na Gàidhlig agus an iarrais ris a bhith dùil anns na bliadhnanach a tha romhainn. Tha Comhairle nan Eilean Siar mothachail air a chumann ann e a chaidh a ghabhail gu ruis seò gu bhith a meudachadh eòrmaimh luchd-teagaisg, a’ chumair pàill gheur a chumail a’ chumair air an t-suidheachadh agus maoinneachadh lochaidh a bhith fa chomhair.
Ged nach eil craoladh Gàidhlig air ainmeachadh anns a Bhile tha Comhairle nan Eilean Siar a creidsinn gu bheil dleasantais sònraichte aig craoladh ann a bhith ag ath-bheòthachadh cànan na Gàidhlig. Tha e ion-mhiannaichte agus tha e ann an uidh nàiseanta ann an dàimh ri ceartas sòisealta agusiomadachd chultair gum biodh luchd-labhairt na Gàidhlig a’ faighinn seirbheis bho siostam craolaidh a tha iomchaidh anns ann linn anns a bheil sinn beò. Le siostam analogue a’ dol gan a chuir dheth a dh’aithghearr agus a glasasad gu siostam digiteach tha e air leth cudthromach gum bi maoin air a’ dheàanamh airson cruthachadh seannail telebhisean digiteach Gàidhlig.

Bhitheadh e na shàmhla cumhachdachd na nochadh Riaghaltas na h-Alba an cheantair ri Gàidhlig le bith a long ri-innleachdan ùr inntinneach gu stòras a thoirt a thaobh seannail telebhisean digiteach Gàidhlig bho spòran Dhùn Èideann gus a chuir ris a mhaoin a tha mar tha air an toirt seachadh le Riaghaltas Lunnain.

SUBMISSION FROM COMANN NAM PÀRANT

’S e buidheann taice a tha ann an Comann nam Pàrant (Nàiseanta) do phàrantan aig a bheil clann aig a h-ule ire de dh’ fhoghlam tro mheadhan na Gàidhlig. Tha gach sgire ann an Alba far am faighhear foghlam tro mheadhan na Gàidhlig air a riochdachadh air a chomataidh aig Comann nam Pàrant (Nàiseanta).

Tha Comann nam Pàrant a’ deanamh toileachais ris a’ chothrom seo fhanais a thoirt do Chomataidh an Foghlaim mu na priomh cheistean a tha ag èirigh à Bile na Gàidhlig (Alba) agus cothrom na beàthinn agus a chuir ris a’ chothrom na beàthinn am an dàimh.

Chuir sinn freagairt don Phàipear Comhairleachaidh air Dreach Bile na Gàidhlig agus tha sinn mothachadh gun a chuir a’ chòthrom seo fhanais a thoirt do Chomataidh an Foghlaim na Gàidhlig air a riochdachadh air a chomataidh aig Comann nam Pàrant (Nàiseanta).

MAR SIN BU CHAOMH LEINN NA PUINGEAN A LEANAS A THOGAIL:

1. Còirichean phàrantan airson Foghlam tro Mheadhan na Gàidhlig

Ged a tha am Bile mar a tha e an dràsta a’ toirt cead do Bhòrd na Gàidhlig comhairle a thoirt seachadh air Foghlam Gàidhlig Chomunn na Gàidhlig a thàinig eil eil a’ toirt chòirichean do phàrantan air Foghlam tro Mheadhan na Gàidhlig, agus chan eile a’ toirt a-steach anns a’ choirichean do phàrantan air Foghlam tro Mheadhan na Gàidhlig agus chan eile a’ toirt a-steach anns a’ choirichean do phàrantan air Foghlam tro Mheadhan na Gàidhlig.

Tha sinn ag iarraidh gun tèid atharrachadh a dhéanamh ris a’ Bhile gus cóir phàrantan air Foghlam tro Mheadhan na Gàidhlig a thoirt gu ire a-réir molaidhean Chomunn na Gàidhlig air Thèarainn ann an 1999; ’s e sin ‘Ughdarrasan Foghlaim a bhith a’ liubhart foghlaim tro mheadhan na Gàidhlig aigh a h-ule ire far a bheil iarraithe reusanta’ Tha sinn a’ gabhail ris nach bi e furasta aig amannan ‘ iarraithe reusanta’ a mhineachadh agus mar sin gum bu chóir do dh’ Ughdarrasan Lonadail comhairle a ghabhail bho Bhòrd na Gàidhlig air a’ cheist seo.

2. Co-ionannachd

Bu chóir do Bile na Gàidhlig gabhail ris a’ phrionnsabal gu bheil Beurla agus Gàidhlig co-ionnan ann an Alba. Bu chóir mineachadh a bhith anns a’ bheil gu bheil Gàidhlig na cànan oifigeil ann an Alba agus ann am prionnsabal gum bi Gàidhlig agus Beurla co-ionnan ann a bhith a’ lbhrigeadh sheirbheisean poblach.
Comann nam Pàrant (Nàiseanta) is a parental support organisation for parents who have children attending any level of Gaelic medium education. All areas where Gaelic-medium education is provided are represented on the management committee of Comann nam Pàrant (Nàiseanta).

Comann nam Pàrant welcomes this opportunity to give evidence to the Education Committee on the main issues arising from the Bill and for the opportunity to voice our opinions.

We responded to the Consultation on the Draft Gaelic Language Bill and we recognise that the Executive have to some extent taken the views expressed by the Gaelic Community at that time on board. However we are strongly of the opinion that the Bill does not yet meet the needs of the Gaelic Community and that it is not strong enough to ensure the future survival of the Gaelic Language.

Therefore we feel that the following issues require to be addressed:

1. Parental Rights to Gaelic Medium Education

Although the Bill as proposed will permit Bòrd na Gàidhlig to advise on the provision of Gaelic education, it does not give any parental rights to Gaelic medium education, nor does it include the important areas of pre-school, community or higher and further education. There will not be a significant rise in the demand from parents for Gaelic education until they can be assured that they are committing their children to a system of education that is legally established as part of the Scottish education system and given the same support as accorded English medium education.

We therefore ask that the provisions of this Bill be amended to include the rights of parents to Gaelic Medium Education in accordance with Comunn na Gàidhlig’s Equal Status recommendations in 1999; that is ‘Education Authorities make provision for Gaelic Medium Education at every level at which reasonable demand exists’. We accept that ‘reasonable demand’ may be difficult to quantify and may vary according to area and therefore suggest that Local Authorities take advice from Bòrd na Gàidhlig on this issue.
SUBMISSION FROM COMUNN NA GÀIDHLIG

INTRODUCTION

1. Comunn na Gàidhlig “CnaG” is grateful to the Education Committee for inviting us to submit both oral and written evidence to the Committee on its consideration of the general principles of the Gaelic Language (Scotland) Bill. This written submission outlines CnaG’s views on the principles of the Bill and identifies areas where we feel further consideration should be given by the Committee to propose relevant amendments to the Bill which will, in the words of the First Minister, “provide a Gaelic Language Act which will meet the aspirations of the Gaelic community”.

2. The aspirations of the Gaelic community, in relation to secure status for the language, have been clearly articulated on two occasions over the past seven years. Firstly in 1997/98, when CnaG undertook extensive consultations throughout Scotland during the preparation of the Draft Brief for a Gaelic Language Act which was based on the recommendations of an earlier Report in 1997 entitled “A Secure Status for Gaelic”. The Draft Brief was published and presented, (along with a petition supported by 10,000 signatories) to the Executive in 1999, following an earlier request to CnaG by the then Minister for Gaelic at the Scottish Office, Calum Macdonald MP to prepare a Draft Language Act. More recently in January 2004, the unprecedented response to the Executive’s Consultation Document on a Gaelic Bill resulted in over 3,400 responses being received. It should be noted that the vast majority of these supported the provisions of CnaG’s original proposals for Secure Status. The responses were the subject of analysis in a Report prepared for the Executive by Professor Richard Johnstone of Stirling University in June 2004.

3. CnaG welcomes the changes which the Executive have taken on board in the current version of the Bill. However, we believe that a number of key issues still need to be addressed if the resultant Act is to provide the kind of effective language planning
A: Written submissions in support of oral evidence to the Committee

mechanism, which has been instrumental in halting the decline of Welsh speakers in Wales and Gaelic speakers in Eire. Our concerns can be summarised under the headings of Equal Status; Rights of Gaelic Users (particularly in relation to Gaelic Medium Education); Application of Gaelic Language Plans to non-Scottish bodies (but which exercise substantial public service functions in Scotland); Gaelic Broadcasting and the incorporation in the Act of the relevant undertakings agreed by the Government in respect of Gaelic under the European Charter for Regional or Minority Languages.

EQUAL STATUS – SECTION 1 OF THE BILL

4. One of our main concerns is the absence in the Bill of recognition of equal status between Gaelic and English. We believe that the Bill should specifically state that Gaelic is an official language in Scotland and will, in principle, be treated equally with English in the conduct of public business, through the language plans required of public authorities. This principle recognises the importance which the Executive has placed on the Gaelic language and culture being "important to all of Scotland and is a unique part of our culture and heritage". CnaG has consistently argued for Gaelic to be accorded the same status as Welsh in terms of the Welsh Language Act 1993. This would, in the case of Gaelic, give effect to the principle that so far as is appropriate and practicable Gaelic and English will be treated on the basis of equality, in the provision of public services. If it is possible for the Welsh Act to have the wording "so far as is both appropriate in the circumstances and reasonably practicable to the principle that in the conduct of public business and the administration of justice in Wales the English and Welsh languages should be treated on the basis of equality” it should be possible to have a similar provision in a Gaelic Act. It is interesting to note that the Welsh Language Board recently reported that “today, those who feared what a statutory Language Board might do, based on the principle of what is both appropriate in the circumstances and reasonably practical” are in agreement that this is an acceptable method of promoting the language. This approach is generally regarded as one which provides the necessary flexibility and sensitivity in offering a realistic solution which takes account of local circumstances, the need to provide official support for the language and the likely demand for services in Gaelic. We do not advocate one solution to all public authorities’ language plans throughout Scotland, since circumstances are different throughout Scotland and this should be reflected in language plans.

5. We believe that unless the Bill is strengthened along the lines suggested we will continue to have confusion and uncertainty in what is actually meant by “the functions conferred on the Board by this Act are to be exercised with a view to securing the status of the Gaelic language as an official language of Scotland”. We can provide the Committee with examples of where Gaelic speakers have been denied reasonable requests to obtain services from public bodies through Gaelic because of the absence of a clear position on the legal status of Gaelic. Response from such bodies have been along the lines of “the language does not have legal status” or “does not have equal validity with English unlike the situation in Wales”. It is unlikely that the present wording in the Bill will compel bodies which hold these views to change their minds in the absence of a more definitive requirement as we suggest. When the Bill was published in September, the Minister Peter Peacock MSP said that “this Bill will make it easier for people to use Gaelic and ensure that public bodies – such as Councils and Health Boards – have to take the needs of Gaelic speakers into account”. This aspiration can only be met by the inclusion of a more robust statement on the status of Gaelic to take account of the needs of Gaelic speakers along the lines of the Welsh Language Act.

6. The Committee will be aware that the UK Government's ratification of the European Charter for Regional or Minority Languages provides the same status for both Gaelic and Welsh (i.e. both languages come within the provisions and undertakings of Part III). We urge the Committee to recognise that in the interests of equity, the same degree of parity accorded to Gaelic and Welsh in the context of the Charter, should also apply in relation to domestic legislation and similar provisions as already apply for Welsh should now be accorded to Gaelic in the Gaelic Bill.
7. Under Section 1(2)(c) the Board is able to “advise and request other persons on matters relating to the Gaelic language”. However, this would appear to rule out other bodies since there is a reference in 1(2)(b) to “public bodies and other persons”.

8. After Section 1 3(c) we would suggest that there should be added “(d) the implementation of Guidance on Gaelic Education”.

**NATIONAL GAELIC LANGUAGE PLAN – SECTION 2 OF THE BILL**

9. Section 2(7) provides for Scottish Ministers to require the Bòrd to prepare and submit to them a new National Gaelic language plan. Under this Section there is no requirement for the Bòrd to review a National Gaelic language plan on a periodic basis and it will only be done when Scottish Ministers require the Bòrd to do so.

10. In order to be consistent with the requirement on public bodies to review their language plans no later than 5 years after the date of approval of the first plan we would recommend that the same provisions apply in relation to the Review of the Bòrd’s National language plan.

**GAELIC LANGUAGE PLANS – SECTION 3 OF THE BILL**

11. We welcome the significant amendments in this Section of the Bill as opposed to the provisions in the Consultation Document. The Bill provides Bòrd na Gàidhlig with the powers to invite a Scottish public authority to prepare a Gaelic language plan. This is in line with the practice adopted by the Welsh Language Board for Welsh language plans, and will result in a more effective, flexible and co-ordinated approach to language planning in public services.

12. We are unhappy with the criteria set out in Section 3 (3) concerning the issues which a Scottish public authority must have regard to in preparing their plans. We believe that in the first instance, Scottish public authorities should have regard to the provisions of The National Gaelic Plan. We would suggest that a more practical approach would be to require Scottish public authorities to take account of the extent to which their functions should support the development of the Gaelic language and culture within their areas of operation and that in conjunction with the guidance from the Bòrd, individual language plans will be drawn up which are appropriate to the authority’s circumstances and location. We are also concerned that there does not appear to exist a list of the Scottish public authorities which come within this provision in the Bill. Given that the list which appeared in the Consultation Document had a number of significant omissions we are anxious to ensure that all relevant public authorities come within the provisions of the Gaelic Bill. We also have to highlight the anomaly which will exist in relation to Whitehall Departments (such as The Inland Revenue, Job Centres, Department of Work and Pensions etc) and other similar public bodies such as Royal Mail, The Passport Office, DVLA etc with a presence in Scotland. It is our understanding that the Gaelic Language (Scotland) Act will not apply to these organisations, unlike the situation in Wales and Eire. It would be unfortunate if a major area of public administration in Scotland is excluded from producing Gaelic language plans, simply because of a "constitutional technicnally" caused through the Scotland Act 1998. This is a matter which needs to be addressed since it is inconsistent with the approach undertaken by the UK Government in relation to the application of the European Charter for Regional or Minority Languages. The omission of a significant section of Whitehall based Government Departments and public bodies from having language plans will undermine the work that will be done with the Scottish public authorities in the implementation of Gaelic language plans. In the Interpretation at Section 10 of the Bill, there is a reference to “a Scottish public authority with mixed functions” and we would seek clarification as to whether this wording allows Whitehall Departments with a presence in Scotland to be included under the Gaelic Bill. We would also ask for clarification as to whether the provision in Section 89 of the Scotland Act 1998 and Section L2 of Schedule 5 of the Act might be used to include Whitehall and English based bodies within the Gaelic Bill. It might also be appropriate for the Committee to consider whether it should recommend that the undertakings in the European Charter in relation to Gaelic should be incorporated in the Bill, as a means of fulfilling the Government’s obligations and intentions in relation to the implementation of the
Charter and to ensure that the Charter’s provisions in terms of rights for Gaelic users are not stronger than the provisions proposed for the Gaelic Act. Such an approach would provide a positive lead which other areas throughout Europe could follow in embodying the undertakings of the Charter within domestic legislation.

Gaelic Education – Section 9 of the Bill

13. The new provisions in this Section in respect of Gaelic education, while an improvement on the consultation document, fall far short of the aspirations of the Gaelic communities who have constantly asked for the legislation to confer rights on parents for Gaelic Medium Education where a reasonable demand has been made. In this respect the provisions of the Bill are very much based on the status and functions of Bòrd na Gàidhlig and very little is provided in relation to the rights of Gaelic users, unlike the Charter. We recognise the arguments put forward by the Executive in favour of endeavouring to provide some form of solution by the use of guidance under the 2000 Act with a formal role for the Bòrd in issuing such guidance. However, we must point out that the provisions of the 2000 Act have not proved very effective so far, a fact which was recognised by a number of local authorities during the last consultation process. The current draft Guidelines on Gaelic Education seem to be restricted to those authorities which obtain funding from the Scheme of Specific Grants and these are unlikely to prove any more effective than the original ones. We feel that a consistent approach should be adopted by the Executive and the necessary provision made within the Gaelic Bill to reflect the undertakings which the Executive are required to observe under the Charter in respect of Gaelic education at all levels. In its initial Report on the implementation of the Charter’s provisions the Council of Europe’s Committee of Experts commented as follows, in paragraph 192 of the Report, in relation to Education: “The chosen options require authorities to make pre-school, primary and secondary education available in Gaelic. The Committee of Experts interprets this undertaking as referring both to the teaching of the language and to Gaelic Medium Education. Furthermore, these must be made available without condition to all who request it throughout the territory in which the language is used”. In the long term, the solution to achieving substantial progress on Gaelic Education is to have it as part of the core curriculum at all levels throughout Scotland but this requires detailed planning in relation to teacher training, recruitment and investment. The Committee’s attention is drawn to a Report prepared by a CnaG initiated Working Group on Gaelic Education, under the Chairmanship of Dr Farquhar Macintosh CBE, which was submitted to the Scottish Office in 1994 and which made specific recommendations on A National Policy for Gaelic

Other Issues Not Included in the Bill

14. The funding of Gaelic Broadcasting needs to be addressed. Although the legislation for broadcasting, including Gaelic broadcasting, is a reserved power and within the province of the Westminster Parliament, an anomaly was created by the Scotland Act 1998, which made the Scottish Parliament responsible for funding Gaelic Broadcasting. Some mechanism should be found to ensure that the provisions of the Communications Act 2003, together with the new responsibilities given to the Gaelic Media Service, are adequately resourced, to provide a coherent and cohesive Gaelic broadcasting service

15. In order to take account of the commitments agreed under the provisions of the European Charter in relation to certain Courts for civil proceedings provision should be made in the Bill for the use of Gaelic, as appropriate, in both civil and criminal proceedings as well as other areas of Administration of Justice, such as tribunals.
16. Finally, it is suggested that the Executive introduce measures that would require the relevant Committee of the Parliament such as the **Equal Opportunities Committee** to scrutinise all legislation being approved by Parliament to ensure that the relevance of the Gaelic language and culture to each Bill being proposed by the Parliament, is considered.

Donald Martin  
Chief Executive  
Comunn na Gàidhlig  
Stornoway  
22 November 2004

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**TAGRADH BHO CHOMUNN NA GÀIDHLIG AIR BILE NA GÀIDHLIG (ALBA)**

**RO-RÀDH**

1. Tha Comunn na Gàidhlig “CnaG” taingeil gu Comataidh an Fhoghlaim airson an cothrom a thoir dhunn fianais làthaireach agus sgorbhde a thoir mar phàirt den rannsachadh ann am prionnsabalan Bile na Gàidhlig (Alba). Tha am fianais sgorbhde seo a’ mìneachadh beachdach ChnaG air prìomh prìonnsabalan na Bile agus a’ comharrachadh raointean far a bheil sinn a’ smaoineachadh gum bu chóir dhan Chomataidh tuilleadh beachdachadh a thoir gus moladh atharrachdhean ris a’ Bhile, a nì ann am braithran a Phriomh Mninistear, “a bheir dhuinn Aichd Ghàidhlig a choinnicheas árd-mhiann na coimhearsnachdan Gàidhligh”.

2. Tha árd-mhiann a’ choimhearsnachd Ghàidhlig a-thaobh inbhe thèaraithe dhan Ghàidhlig air a bhith air a chuir an cèill gu math soilleir dá uair thairis air na seachd bliadhna chaidh seachad. An toiseach ann an 1997/98 an uair a ghabh CnaG os làimh co-luadar air feadh Alba nuair a bhathar ag ullachadh Dreach lùil airson Aichd Ghàidhlig a bha bonntaichte air na molaidhean a bh’ann an Althisg a bh’air fhoillseachadh roimh ne sin sa bhliadhna 1997 leis an t-àinm “Inbhe Thèarainte airson a’ Ghàidhlig”. Chaidh an Dreach lùil fhoillseachadh agus a chuir air beulaibh chun Riaghaltas ann an 1999 (le atchoinge le 10,000 ainm), a’ leantainn a’ir iarrtas nas tràithe gu CnaG bhon Mninistear airson Ghàidhlig aig Oilfs na h-Alba aig an t-àm, Calum Dòmhnallach BP gus ullachadh Dreach Aichd Ghàidhlig. O chionn ghoirid anns an Fhaoilleach 2004, thuairidh 3,400 freagairt gu Pàipear Comhairleachd an Riaghaltas air Bile na Gàidhlig. Bu chóir a bhith mothaichail gun robh a chuid motha dhiubh seo a’ toirt taic ri na molaidhean a bh’ail CnaG airson Inbhe Thèarainte. Bha na freagairtean seo air an sgrùdadh ann an Althisg a chaidh a dheasachadh dhan Riaghaltas leis an t-Àrd Oll Rìdsear MhicIain à Oilthigh Shruighlea san Og Mhìos 2004.

3. Tha CnaG a’ cuir fàilte air na h-atharrachaidhean a tha an Riaghaltas air cuir ris na th’anns a’ Bhile an dràsta. A dh’aìdhneoin sin, tha sinn a’ faireachdainn gu bheil grunnan phriomh chuspairean fhiastach ri coimhead ris ma tha an Aichd gu bhith ëileachdach dha-thaobh dealbhadh ñàcan, rud a tha air a bhith na mheadhan mhòr ann a bhith a’ cuir stad air an lùghdachadh ann an áireamh luchd bruidhinn na Cuimris sa Chuímrigh agus luchd bruaidhinn na Gaeilge ann an Éirinn. Faodaidh na draghain a tha oirim an togail fo na cinn a leanas Inbhe Co-ionnan; Còirichean Luchd Cleachdaitdh na Gàidhlig (gù h-àraidh a-thaobh Foghlam tro Mheadhan na Gàidhlig); Planaichean Cànan Gàidhlig a-thaobh buideann taobh muigh na h-Alba (ach aig a bhail dìleas-dànan sònraichte san raon phoblach ann an Alba); Cràoladh Gàidhlig agus a’ toirt a-steach dhan Aichd na dha’aontaich air Riaghaltas a-thaobh na Gàidhlig fon Chùmhant Eòrpaich airson Mion Chànan agus Cànan Roinneil.
4. Se aon dhan na priomh uallaichean a th'oirn nach eil inbhe co-ionnan eadar Gàidhlig agus Beurla sa Bhile. Tha sinn den bheachd gum bu chóir don Bhile a rád gu mionaideach gur e cànán oifigeil an Alba a th'anns a’ Ghàidhlig agus gum bidh e, ann am prionnsabal, co-ionnan ris a’ Bheurla nuair a tha thar a’ déanamh gnothaichean poballach, tro na plaicichean cànán a th a riatanach do na buidhean poblach. Tha am prionnsabal seo ag aithneachadh an cuideam a tha an Riaghaltas air a chuir air cànán agus cultar na Gàidhlig a bhith “cudthromach do dh’Alba air far agus na phàirt sònraichte dhar duachas agus cultar”. Tha CnaG air a bhith ag argamaid gum bidh a’ Ghàidhlig air a h-atheachadh anns an aon dòigh a tha a Chuimris anns na h-aon triathan sa th’ann an Achd na Cuimris 1993. Bheireadh seo dearbhadh dhan prionnsabal, a-theachd na Gàidhlig gu dheidheadh, cho fada sa ghabhadh e bhith, a’ Ghàidhlig sa Bheurla déileigeadh riutha air bhunaid co-ionnanachd, ann uallachadh seirbheisean poballach. Ma tha e comasach dha Achd na Cuimris na bhrithan "cho faid sa tha e freagarrach anns an t-suidheachadh agus far a bheil e practaigeach gur phrinnsabal gur bu chóir don Chuimris sa Bheurla a bhith air an déileigeadh riutha air bhunaid co-ionnachd nuair a thar a’ dèanamh obair phoblach agus rianachd ceartars anns a Chuimris" bu chóir gum biodh e comasach dha n-aon uallaichean a bhith ann am Achd Gàidhlig. Tha e inntinneach faicinn gun tuirt Bòrd na Cuimris bho chionn ghoirid “an diugh, an fheadhainn air an robh eagal dè dhèanadh Bòrd reachdail na Cuimris, bonntaichte air a’ phrinnsabal dé tha freagarrach anns an t-suidheachadh agus practaigeach” ann an aonta gur e doigh a tha a seidh ghabhail ris airson brosnachadh a’ chànán. Tha an doigh seo san fharsaingeachd ghabhail ri sùbailteachd agus a bheir fainear an t-suidheachadh dha fhinneuchd air feumalachdan a ‘ghàirdeachd nead a bhith ghabhail toirt an aon ìre dè dìreach a tha na leanas a’ ciallachadh “tha na gnìomhan a tha an Achd seo a builleachadh air a’ Bhòrd rin coloreadh le sùil ri bhith a’ cur inbhe na Gàidhlig air stèidh thèaraigne mar chànan oifigeil an Alba”. S urrainn dhunnu eisimpleirean a thoirt don Chomataidh far an deach diùltadh do luchd bruidhinn na Gàidhlig iarrrtas reusanta seirbheisean fhailinn bhon bhuidhean poblach tro mheadhan na Gàidhlig air sgàths go sònraichte san reachdas, a tha an aon ràdh “nach et ilinbhe laghail” no nach eil “èileachdas co-ionnan le Beurla” “aon-coltaich ris an t-suidheachadh sa Chuimrigh”. Chan eil e coimhead coltaich gun toir na braithran a th’anns a’ Bheile an dràsta air bhuidhean aig a bheil na bealachd sin ann inntinnathairachadh air sgàths nach eil aon iarrrtas na làdir sa Bhile mar a tha sinn a’ moladh. Nuair a cha idh Bheile fholliseachadh sam t-Sultain, thuirt am Ministear Peadar Peacock BPA “leigidh am Bile seo e nas fhàsada dhaoine cleachdadh a’ Ghàidhlig agus déanamh cinnteach gum bidh bhuidhnean phoblach – leithid ughdarrasan Ionadail aghus Bòrd Slàinte a’ gabhail fainear feumalachdan luchd bruidhinn na Gàidhlig”. Chan urrainn dhan àrd-mhiann seo a choimheadh mar a theadh aig a bhith sa bhàn da bhàth air a iarrtas a dh’fhàd a bhith don Chuimris a’ chànan a bhith an uallachadh sa Bheurla don Bile chòir a dhàmhsaicheadh ann an àrd-mhiann air a’ Chànan a’ Chùmhrigh. 5. Tha sinn den bheachd mur a tèid am Bile a neartaichd mar a tharach a moladh bidh mi-chintnt a-thaobh dè direach a tha na leanas a’ ciallachadh “tha na gnìomhan a tha an Achd seo a builleachadh air a’ Bhòrd rin coleadhad le sùil ri bhith a’ cur inbhe na Gàidhlig air stèidh thèaraigne mar chànan oifigeil an Alba”. 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Chan urrainn dhan àrd-mhiann seo a choimheadh mar a theadh aig a bhith sa bhàn da bhàth air a iarrtas a dh’fhàd a bhith don Chuimris a’ chànan a’ Chùmhrigh. 6. Bidh a’ Chomataidh mothachail gu bheil daingneachadh Riaghaltas Bhreatainn air a’ Chùmhntan Eòrpach airson Mion Chànan agus Cànan Roinneil a’ toirt an aon inbhe do Gàidhlig sa tha e dhan Chuimris (t.s. tha an dà chànain a’ tighinn fo ualachdhean agus gabhail os làimh Pàirt III). Air sgàths cothromachd, a tha deatamach gun bheil an aon ire de cho-ionannachd air a thoirid don Ghàidhlig sa tha don Chuimris ann an co-theacs a’ Chùmhntan, agus gum bu chóir sin a bhith
air a chuir an cèill agus aithnearadh ann an reachdas an rioghadh dhan Ghàidhlig agus ullaichidhean coltach ri seo mar a th'ann an Achd na Cuimris.

7. Fo Earrann 1(2)(c) tha e comasach dhan Bhòrd “stiùireadh agus iarraidh air daoine eile air cuspairean co-cheangaithe ris Gàidhlig”. Ach, dh’fhaoadadh seo cumail buidhnean eile a-mach air sgàth’s gu bheilear ag ràdhe ann an 1(2)(b) gu “buidhnean poblach agus daoine eile”.

8. Às dèidh Earrainn 1 3(c) tha sinn a’ moladh gum bu choir na leanas a chuir ris: “(d) a bhuaidh a bhiodh aig stiùireadh air foghlaim Gàidhlig”.

**PLANA NÀISEANTA NA GÀIDHLIG – EARRANN 2 DEN BHILE**

9. Tha earrann 2(7) ag iarraidh airson Ministearan an Riaghaltas gus toirt air a’ Bhòrd ullaichadach agus cuir thuca Plana Cànan Nàiseanta Gàidhlig úr. Fon Earrainn seo chan eil feumalachd sam bith air a’ Bhòrd ath-sgrùdadh Plana Nàiseanta Gàidhlig bho am gu amagus cha tèid seo a dhèanamh nuair a dh’iarras Ministearan an Riaghaltas air a’ Bhòrd seo a dhèanamh.

10. Bu chòir ath-sgrùdadh Plana Nàiseanta Gàidhlig a bhi co-ionnan ri ath-sgrùdadh na Planăichean Cànan taobh stigh 5 bliadhna agus tha sinne moladh gum biodh na h-aon ullaichidhean ann airson Ath-sgrùdadh Plana Nàiseanta Cànana a’ Bhùird fhèin.

**PLANAICHEAN CÀNAN GÀIDHLIG – EARRANN 3 DEN BHILE**

11. Tha sinn a’ cuir fàilte air na h-atharraichidhean móir anns an Earrainn seo den Bhile an taca ri mar a bha na h-ullaichidhean anns a’ Phàipear Comhairleachadh a tha a-nist a’ toirt uighdarras do Bhòrd na Gàidhlig fachadh a thòirt do na buidhnean poblach gus Plana Cànan Gàidhlig fhoillseachadh. Tha seo mar a tha Bòrd na Cuimris a’ deanamh le Planăichean Cànana na Cuimris,agus adhbharachidh seo gum bidh doighhean obrach nas ëileachadh, sùbailte agus co-òrdanaichte gu deailbhadh cànan ann an seirbheisean poblach.

12. Tha sinn mi-dhòigheil leis an slat-tomhais a th’ann an Earrann 3 (3) a-thaobh na gnothaichidhean mòir anns an Earrainn seo den Bhile an taca ri mar a bha na h-ullaichidhean anns a’ Phàipear Comhairleachadh a tha a-nist a’ toirt uighdarras do Bhòrd na Gàidhlig fachadh a thòirt do na buidhnean poblach gus Plana Cànan Gàidhlig fhoillseachadh. Tha seo mar a tha Bòrd na Cuimris a’ deanamh le Planăichean Cànana na Cuimris,agus adhbharachidh seo gum bidh doighhean obrach nas ëileachadh, sùbailte agus co-òrdanaichte gu deailbhadh cànan ann an seirbheisean poblach.

Se ar tuiginn nach buin Achd na Gàidhlig (Alba) ri na roinnean sin, aon-coltach ris an t-suidheachadh sa Chuimrigh. Bhiodh e gu math mi-thortanach nam biodh prionmh raon de rianachd phobhair na h-Alba aik an cumail a-mach bhò bhith foolseachadh Planaichean Cànana Gàidhlig, air sgàths puin reachdas tro Achd na h-Alba 1998. Se cuspair a th’ann a dh’fhéumte coinhead ris air sgàths nach eil e a-rèir an t-slighe a ghabh Riaghaltas Bhreatainn a-thaobh cuir an gniomh.
Education Committee, 2nd Report, 2005 (Session 2) – Written evidence
A: Written submissions in support of oral evidence to the Committee
a’ Chùmhnant Eòrpach airson Mion Chànan agus Cànan Roinneil. Le bhith
fàgail a-mach grunn mhath de Roinnean an Riaghaltas agus buidhnean
phoblach bho planaichean cànan bidh sin a’ dèanamh dìmeas air an obair a
thèid a dhèanamh le na buidhnean poblach Alba ann a bhith a’ cuir an gnìomh
Planaichean Cànan Gàidhlig. Anns a mhìneachaidh aig Earrainn 10 den Bhile,
thathar ag ràdh “buidhnean poblach Alba le gnìomhan measgaichte” agus bhiodh
sinne ag iarraidh soilleireachadh a bheil na briathran seo a leigeal le Roinnean
Riaghaltas Bhreatainn aig a bheil oifisean an Alba a bhith air an toirt a-steach fo
Bhile na Gàidhlig. Tha sinn cuideachd ag iarraidh soilleireachadh an gabhadh
Earrann 89 de Achd na h-Alba 1998 agus Earrann L2 de Chlàr 5 den Achd a
bhith air an cleachdadh gus gabhail a-steach Riaghaltas Bhreatainn agus
buidhnean a tha stèidhichte an Sasainn a thoirt a-steach fon Bhile. ‘S dòcha
gum biodh e cuideachd freagarrach dhan Chomataidh beachdachadh am bu
chòir dhaibh moladh gum biodh na th’anns a’ Chùmhnant Eòrpach a-thaobh na
Gàidhlig a bhith air a thoirt a-steach dhan Bhile, mar dhòigh air coilionadh
uallaichidhean agus rùintean an Riaghaltas a-thaobh buileachadh a’ Chùmhnant
agus cuideachd airson a dhèanamh cinnteach nach eil an Cùmhnant Eòrpach
nas làidire na bhios an Achd. Le bhith gabhail an slighe seo dh’fhaodadh
rìoghachdan eile air feadh na Roinn Eòrpa an aon rud a dhèanamh gus a’
Chùmhnant Eòrpach a thoirt a-steach ann an reachdas ionadail na dùthcha
FOGHLAM GÀIDHLIG – EARRANN 9 DEN BHILE
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318

Tha na h-ullaichidhean ùr anns an Earrann seo a-thaobh foghlam Gàidhlig, ged a
tha iad nas fheàrr na bh’anns a’ Phàipear Comhairleachaidh gu math fad air
falbh bho miann na coimhearsnachdan Ghàidhlig a tha air a bhith an còmhnaidh
ag iarraidh gum biodh reachdas a’ toirt còirichean do phàrantan airson Foghlam
Tro Mheadhan na Gàidhlig far a bheil iarrtas chothromach air a dhèanamh. Tha
ullaichidhean a’ Bhile anns an t-seadh seo gu mòr stèidhichte air inbhe agus
obair Bhòrd na Gàidhlig agus chan eil mòran air a thoirt a-thaobh còirichean
luchd cleachdaidh na Gàidhlig mar a tha anns a' Chùmhnant. Tha sinn
mothachail dhan na h-argumaidean a tha an Riaghaltas air a chuir air adhart ann
a bhith feuchainn ri seòrsa de dh’fhuasgladh fhaighinn fo Achd 2000 le riochd
foirmeil aig a’ Bhòrd ann a bhith a’ toirt seachad seòladh air a sheòrs. A
dh’aindheoin sin, feumaidh sinn a ràdh nach eil na h-ullaichidhean anns an Achd
2000 air a bhith gu math èifeachdach thuige seo, nì a bh’air aithneachadh le
grunn ùghdarrasan ionadail nuair a bha an Co-luadar mu dheireadh ann. Tha an
dreach stiùireadh a th’ann an dràst airson Foghlam Gàidhlig air a
chuingealachadh gu na h-ùghdarrasan ionadail sin a tha a’ faighinn
maoineachadh fo Sgeama nan Tabhartasan Sònraichte agus chan eil e
coimhead coltach gum bidh iad càil nas èifeachdach nan fheadhainn a bh’ann
bho thùs. Tha sinne a’ faireachdainn gum bu chòir an Riaghaltas gabhail ri
dleasdanasan a' Chùmhnant taobh stigh Bile na Gàidhlig gus comharrachadh na
dh’fheumas an Riaghaltas gabhail os làimh fon Chùmhnant a-thaobh Foghlam
Gàidhlig aig an h-uile ìre. Mhol Comataidh Eòlaichean bho Comhairle na hEòrpa a rinn sgrùdadh air a Chùmhnant mar a leanas ann an Earrann 192 den
Aithisg aca a-thaobh Foghlam: “Tha na roinnean a th’air an taghadh a’ toirt air
ùghdarrasan foghlam roi-sgoile, a bhun sgoil agus an àrd sgoil a bhith ri
fhaotainn sa Ghàidhlig. Tha an Comataidh Eòlaichean a’ mìneachadh seo mar
gu bheil seo a’ ciallachadh an dà chuid teagasg a’ chànan agus Foghlam tro
Mheadhan na Gàidhlig. A thuilleadh air an seo, feumaidh iad seo a bhith ri
fhaotainn gun cùmhnantan sam bith gu neach sam bith a dh’iarras e air feadh an
rìoghachd far a bheil a’ chànan air a cleachdadh”. A’ coimhead nas fhaide air
thoiseach, se a’ Ghàidhlig a bhi mar phàirt den phrìomh churaicealaim aig an huile ìre air feadh Alba an dòigh air adhart gus am biodh deagh adhartas air a
dhèanamh ach tha seo ag iarraidh dealbhadh gu math mionaideach a-thaobh
trèanadh thidsearan, fastadh agus maoineachaidh. Tha aire a’ Chomataidh air a
tharraing gu Aithisg a chaidh ullachadh le Buidheann Obrach air Foghlam
Gàidhlig a chaidh a chuir air chois le CnaG, fo stiùireadh an Cathraiche Dtr
Fearchar Mac an Tòisich CBE, agus a chaidh a chuir a-steach gu Oifis na h-Alba


Education Committee, 2nd Report, 2005 (Session 2) – Written evidence
A: Written submissions in support of oral evidence to the Committee

ann an 1994 agus a rinn molaidhean sònraichte air Poileasaidh Nàiseanta airson na Gàidhlig.

CUSPAIREAN EILE NACH EIL AIR AN TOIRT A-STEACH FON BHILE

14. Feumaidh maoineachaidh Craoladh Gàidhlig a bhith air a thoir fainear. Ged is e cumhachd glèidhde fo Riaghaisal Bhreatainn a th'ann an reachdas craolaidh, a' toirt a-steach craoladh Gàidhlig, bha neo-chunbhalachd air a chruthachadh le Achd na h-Alba 1998, a rinn Pàrlamaid na h-Alba an urra ri maoineachadh airson Craoladh Gàidhlig. Bu chóir dòigh air choireigin a lorg gus dèanamh cinteach gum bidh ullaichidhean Achd Chonaltraidh 2003, cómhla ri na h-uallaichidhean ûr a th'air Seirbheis nam Meadhanan Gàidhlig air am maoineachadh aig ire reusanta, gus am bidh seirbheis craolaidh Gàidhlig math falainn ri fhaotainn.

15. Gus gabhail a-steach dealasan a chaidh aontachadh fo ullaichidhean a’ Chùmhnannt Òirpach a-thaobh feadhainn de Chùirtean airson cùisean sìobhalta, bu chóir ullachadh a bhith sa Bile airson cleachdadh na Gàidhlig mar a bhiodh iomchaidh, an dà chuid ann an dèiligeadh sìobhalta agus eucorach an taca ri raointean eile de Rianachd Cheartais, leithid tribunal.

16. Mu dheireadh, tha e air a mholadh gun toireadh an Riaghais a-steach ceuman a bheireadh air Comataidh Buntainneach na Pàrlamaid leithid Comataidh Co-ionannachd sgrùdadh an h-uile reachdas a dheidheadh aontachadh leis a’ Phàrlamaid gus dèanamh cinteach gum tèid cànan is cultar na Gàidhlig far a bheil sin riatanach dha gach Bile, beachdachadh air.

Dòmhnall Màrtainn
Céannard
Comunn na Gàidhlig
Steòrnabhagh

22 Samhain 2004

SUBMISSION FROM HIGHLAND COUNCIL

Executive Summary
The Highland Council congratulates the Scottish Executive on the revised draft of the Gaelic Language Bill and believes it provides a solid foundation on which to build. However, whilst we are pleased to note that the Executive has strengthened some of the key aspects of the Bill, there are still some areas which require further consideration, development and inclusion. These are considered in detail in the attached submission but, in brief, they can be summarized as follows:

General Points:
- Most importantly, Gaelic must be given legal recognition as one of the official languages of Scotland;
- The Bill does not currently provide for realistic and dedicated financial resources to be made available for the promotion of the Gaelic language. The funding of Bòrd na Gaidhlig is insufficient and, at a minimum, should be reviewed and revised after 4 years; increased funding should also be provided to local authorities such as Highland who are supporting and developing Gaelic language and culture in numerous ways within its remit but for which it currently receives no dedicated funding;
- The Bill must formalise the arrangements for funding Gaelic Broadcasting through the Scottish Block;
- The Bill should take cognisance of European directives, the Parliament should recognise and implement recommendations and directives put forward by The Committee of Experts on Minority Languages in relation to Gaelic. The UK Government signed the charter in March 2000.
Gaelic Education:
- The 2000 Standards in Schools Act should be amended through guidance to Education Authorities to ensure there is clarity on what constitutes “reasonable demand”
- The Bill must introduce specific measures to improve access to Gaelic Medium education;
- The Bill should introduce greater incentives for teaching Gaelic and for encouraging adult learners;
- Responsibility for the delivery of Gaelic education should remain as it is and not sit with the Bòrd.

Bòrd na Gàidhlige:
- It is essential for the Bòrd to be properly funded to carry out all its responsibilities under the legislation;
- The Bòrd must have powers to act to remove obstacles to Gaelic Education in the Gaelic Language Schemes of bodies such as Careers Scotland, Colleges etc.
- The Bòrd should have powers to require plans from public authorities within one year of asking and the authority to monitor and review that organisation’s progress in implementing its plan;
- Membership of the Bòrd should be increased from 8 to 12 to ensure it is representative of all interests and up to half its members should be directly elected;
- The range of public authorities required to produce plans should be increased.

1. It is right that Gaelic be recognised as one of the languages of Scotland in statute?

Gaelic should be recognised in statute as a national and official language of Scotland. As one of the Indo European Languages it is also one of the world’s most ancient languages. Gaelic and its associated culture play a central role in creating the special identity of the Highland area and a large part of the remainder of Scotland also. In order for communities across the country to protect, preserve, and develop the place of Gaelic in their everyday life the Language must be given legal status on a par with the English Language. The Bill should therefore make it clear that Scottish Gaelic is one of the official languages of Scotland, to clarify its status with agencies, individuals or community groups.

2. Should Bòrd na Gàidhlig (Alba) have the functions provided in Section 1 of the draft Bill?

The Bòrd must have a clear remit and be proactive in discharging the functions mentioned in the draft Bill. However, the Bòrd cannot undertake all these functions. A collaborative, partnership approach between all statutory and voluntary organisations, the private sector and at community level will be necessary if the role of the Bòrd is to be successful. Bòrd na Gàidhlig must have adequate power both to take action at its own hand and to instruct other bodies to act. Realistic and appropriate funding must be made available for these aims to be implemented effectively and efficiently. In addition, there are currently significant limitations on the Bòrd in relation to its functions, staff numbers and range and experience of its members. Assuming the Bill is enacted, a review would be required.

3. Should the requirements in sections 2 and 3 of the draft Bill be placed on Bòrd na Gàidhlig?

The primary responsibility of the Bòrd should be the production of a National Plan for Gaelic. This would set the basis for the development of Gaelic across all sectors, nationally. The National Plan should be reviewed every 4 years within a time frame which articulates with Local Authority and the Scottish Parliament terms of office. The Scottish Executive and the Bòrd must address the capacity issues outlined above which are required to deliver the Plan.

It should also be a key role of the Bòrd to offer advice, guidance and assistance to all the public agencies listed in the draft Bill to draw up and produce relevant, focused, Gaelic Plans with realistic and achievable objectives. The Bòrd should ensure that agencies engage in public consultation to provide opportunities to participate in drawing up these Plans. All Plans should be publicised and be widely available. Bòrd na Gàidhlig must have the authority to review the Gaelic plan of each
public agency in order to monitor its implementation, highlight achievements, examine shortcomings and exchange good practice.

In addition to the organisations listed in the draft Bill, the following agencies should be included; HMIe, Heritage Lottery Fund, Historic Scotland and Careers Scotland. Bòrd na Gàidhlig should prioritise the order by which public agencies are asked to consider formulating Gaelic plans – ensuring those with closest links to Gaelic communities producing initial plans to pioneer development.

4. Should Bòrd na Gàidhlig be given the powers in Schedule 1, paragraph 11 to the Bill?
Bòrd na Gàidhlig should be given the powers in Schedule 1, paragraph 11 of the Bill. These are considered routine and will enable the functioning of the Bòrd.

5. Are there other matters beyond those in section 5 (5) of the draft Bill that public bodies should have regard to in determining whether to prepare a Gaelic language plan?
The requirement for a wide range of public agencies and bodies across the country to prepare Gaelic Plans is welcome. The onus on agencies to consult in preparing their Plans and the responsibility on them to ensure the Plans are implemented is strongly supported. As mentioned above all the plans must be public documents and made available for distribution on request.

6. Should public bodies be required to consider whether it is appropriate to prepare and publish a Gaelic language plan describing the services they will offer in Gaelic?
All public bodies which Bòrd na Gàidhlig has requested to produce a Gaelic Plan, should be under obligation to do so within one year of receiving the request. Should they consider it not appropriate for their circumstances they must seek permission of the Bòrd to opt out from the obligation, setting out clear reasons for such a course of action.

7. Should the Bill provide for Bòrd na Gàidhlig to assist and advise public bodies in the preparation of Gaelic language plans?
It is crucial that Bòrd na Gàidhlig with its national remit provides advice, guidance, encouragement and assistance to public bodies to prepare Gaelic Plans. (see 3 above)

8. Should the Bill require Bòrd na Gàidhlig to prepare guidance on Gaelic language planning?
It is felt that many public organisations would find this helpful. It would also ensure a degree of consistency between organisations and effectively link the individual agency plans to the national plan for Gaelic. Therefore, to ensure focus and maintain an overarching vision, Bòrd na Gàidhlig should have the necessary powers to prepare the national guidance on Gaelic language planning.

9. Should Bòrd na Gàidhlig have a role in working and liaising with Education Authorities and the Scottish Executive on plans for Gaelic Education following the 2000 Act?
It is felt that Education is the most important vehicle through which the decline of the Language can be arrested and the route through which a renaissance in the language and culture can be promoted. Highland Council’s Gaelic Education Policy seeks to do just that. The 2000 Standards in Schools Act, does not state that it is a statutory requirement on Local Authorities to make Gaelic Education provision where a reasonable demand exists. This should be amended through Guidance to Education Authorities to ensure that there is clarity on what constitutes “reasonable demand”. The Highland Council strongly believes that responsibility for Gaelic Education and Gaelic Education developments should remain as part of the core remit of the Scottish Executive, HMIE, and Local Authorities. The role of the Bòrd however, should be advisory and out with the terms of the 2000 Education Act. However, it is envisaged that the Bòrd should usefully assist with the promotion and development of the teaching of Gaelic and Gaelic Education, as opposed to its actual delivery in the school situation.

The Bill must include specific measures to improve access to Gaelic Medium Education, in conjunction with any new Guidance to Education Authorities.

The Bill should introduce greater incentives for teaching Gaelic, in conjunction with any new Guidance to Education Authorities.
10. Would you like to comment on any other aspects of the draft Gaelic Language Bill?

1. Gaelic as a second language

The draft Bill does not make reference to Gaelic being taught as a second language in primary and secondary schools.

The Bill could also include details which could encourage adult learners.

2. Broadcasting

The legal and statutory obligations for Gaelic Broadcasting are the remit of the Westminster Government. When the Scotland Act came into being and the Scottish Parliament was established, the funding for Gaelic broadcasting was incorporated into the block grant, which the Westminster Government allocates to the Scottish Parliament.

Broadcasting and media play an extremely vital role in Gaelic development - linguistically, creation of employment, promoting a modern image of the language and culture, use of the spoken word, reinforcing confidence, the European dimension, the related arts and culture of the language and crucially present a positive image and appeal to youth. The draft Bill should therefore provide an opportunity to clarify funding relating to Gaelic broadcasting. Bòrd na Gaidhlig should also have a role in supporting and developing Gaelic Broadcasting in terms of the quality and quantity of radio and television outputs.

2 Culture

It is strongly felt that a responsibility to promote, sustain and develop the Gaelic Culture must be included in the Bill. The Language is strongly complemented by its associated culture and vice versa. Any erosion in the use of the Language will result in a weakening of the Culture. The literature, music and poetry of the Gael is of great interest to many people not readily associated with the Language and can motivate people with a determination to learn and become proficient in the Language. There is no better evidence to support this than the success of the Feisean developments of the last two decades.

3 Funding

Bòrd na Gàidhlig must be fully funded to carry out the tasks outlined in the Bill. Public agencies should also receive additional and adequate funding to action their Gaelic Language Schemes. There should be a review of the functions and funding of Bòrd na Gàidhlig every 4 years.

4 Membership, staffing and resources of Bòrd na Gaidhlig

The Bill provides a board membership of up to 8 plus a Chairperson, all appointed by Scottish Ministers. It is felt that a membership of up to 12 would be more appropriate and better reflect the dispersed nature of and variety of interest groups within the Gaelic community. Bòrd members should be representative of a wide range of interests including Education, Community Development, Broadcasting, the Voluntary Sector, Business, Arts and Culture, Learners, etc. It is also suggested that up to half of the Bòrd members could be directly elected from the Gaelic community on the model used by Ùdaras na Gàidhealtachd in Ireland.

The work of Bòrd na Gàidhlig is crucial to the future of the language. They have a major task to undertake and given the present staffing and financial resources there task will be difficult to fulfill within a reasonable timescale. Bòrd na Gàidhlig must have a remit to remove obstacles to Gaelic Education; this could be included in the Gaelic Language Schemes such as Careers Scotland, further education establishments and universities.

5. Staff Training and Recruitment

The Bill should ensure that students accessing teacher training, including those training for Gaelic, through distance learning and/or on a part time basis should have the same access to financial support as students following conventional courses.

Conclusion

The Highland Council congratulates the Scottish Executive on the revised draft of the Gaelic Language Bill. It provides a solid foundation on which to build and secure the future of the language. However, Gaelic communities have aspirations for the language beyond the details in the draft Bill. There are areas which yet, require further consideration, development and inclusion. Highland still firmly maintains and believes that realistic dedicated financial resources should be
awarded to local authorities who are supporting and developing Gaelic and culture in numerous ways within its remit. The Council also wishes to see that the expectations of the Gaelic community can be realised and fulfilled. This will be achieved if there is a robust Gaelic Bill, realistic resources, political support and good financial planning.

It is the responsibility of all - especially the Scottish Executive and the Parliament to be innovative and imaginary in the development of the Gaelic language. The Council believes that this proposed legislation must be credible, be of substance, if this is achieved, it could be the basis for a positive change of fortune for Gaelic within 21st Century Scotland – a Scotland of many cultures.

SUBMISSION FROM SABHAL MOR OSTAI G

BILE NA GÀIDHILG (ALBA)

Tagradh gu Comataidh Foghlaim Pàrlamaid na h-Alba

Ro-ràdh

Tha Bòrd nan Urrasairean aig Sabhal Mòr Ostaig a’ cur fàilte air foillseachadh Bile na Gàidhlig (Alba) agus a’ déanamh fughar rì a thoir a-steach na Achd. Tha am Bòrd gu ire mhòr air a mhìsneachadh leis na leasachaidhean a rinneadh air a’ Bhile às déidh a’ cho-chomhairleachaidh a chuirs an Rianghalsair air bhonn.

Laigsean anns a’ Bhile mar a tha e

Ged a thathar a’ cur fàilte air na leasachaidhean mòra a rinneadh air an Dreachd Bhile, tha Urrasairean na Colaiste den bheachd gu bheil laigsean bunaiteach fhathast ann:

1a) Thathar toilichte gu bheil gnothach gu bhith aig Bòrd na Gàidhlig ri foghlam (Earrann 9). Ged-thà, leis cho cudromach’s a tha e ann an adhartas foghlam na Gàidhlig, is mòr am beud nach eil guth sònraichte air ro-innleachd èifeachdach a thaobh bhile Luchd-teagaisg Gàidhlig.

1b) Thathar a’ moladh gun atharraichear Earrann 9 (1) mar a leanas "...foghlam Gàidhlig uile ..." gus nach toir Earrann 9 (5) a chreidsinn gu bheil an Earrann a’ deiligeadh ri foghlam sgolle a-mhàn.

2a) ‘S e briseadh dùil a th’ ann, ann a bhith a’ cnuasachadh cho rìatanach’s a bhios Plana Gàidhlig, gu bheil e mar fhiachaibh air a’ Bhòrd’s air na h-Uíghdárrasan Poblach spèis a thoir don ire gu bheil a’ Ghàidhlig a ir cleachdadh. [Earrann 3: (3), (a) agus (5) (a)].

Bhiodh e gu math na b’ rheumaile coimhead ris mar a dh’fhaoadadh obair Bhuidhnean Poblach sònraichte taic a thoirt do leasachadh na Gàidhlig.

2b) Tha am Bile a’ toirt air buidhnean poblach na Planaichean Gàidhlig aca ath-sgrùdadh taobh a-staigh 5 bliadhna. Ged a thathar mothachail gu bheil Earrann 2 (7) ag udheamachadh Ministeren na h-Alba gus iarradh air a’ Bhòrd plana ùr nàiseanta a chur fan comhair, tha e na chús longaidh nach tig air a’ Bhòrd am plana ath-sgrùdadh taobh a-staigh 5 bliadhna cuideachd.

2c) Tha Earrann 3 (6) ag iarradh air Úighdárras Poblach an Alba, ann a bhith ag ullachadh plana, co-chomhairleachadh a chuirs rì “daoine a tha e a’ meas a tha a’ nochdadh uidh sa phiana”. Thathar a’ moladh gum biodh e na bh’ fhosgarra’s nas fhollaisiche cuireadh poblach a thoir do dhaoine am beachdan a chur chun a’ Bhùird.
Thathar den bheachd gun gabhadh an dòigh aontachaidh a th' air a mhineachadh ann an Earrann 5 a leasachadh le bhith a' ceadaichadh a' Bhùird gabhail ri diùltadh bho Ùghdarras Poblach gabhail ri atharrachadh molta far a bheil am Bòrd ag aontachadh gu bheil deagh adhbhar diùltadh aig an Ùghdarras.

3a) Tha am Bile air a lagachadh leis mar a tha Ùghdarrasan Poblach am Breatainn aig a bheil pàirt mhòr ann an Alba (Earrann 3.1) air am fàgail às. Thathar a’ tuigsinn gur ann aig Pàrlamaid Westminster a tha freagart na ceiste seo agus thathar a’ moladh gun dèan Riaghaltas na h-Alba oidhirp gus a’ chûs seo a leasachadh.

3b) Thathar iomagaineach nach eil guth fhathast air siostam an Lagha.

4a) Tha e coltach gu bheil Bile na Gàidhlig (Alba) a’ dol an aghaidh cùmhnantan Achd na h-Alba 1998 leis mar nach eil guth ann air co-ionannachd chothroman.

4b) Thathar a’ moladh Ministearan na h-Alba a thoirt a-mach à siostam tagraidh an aghaidh breithneachaidh (Earrann 4) agus dòigh breithneachaidh neo-eiseimleach a chur nan àite.

4c) 'S mòr an laigse anns a’ Bhile nach eil e mar fhiachaibh air buill a’ Bhùird comas conaltraidh a bhith aca sa Ghàidhlig.

Moladh

Thathar a’ moladh an tuilleadh feart a thoirt a thoir air na cúisean a thogadh gu h-àrd.

ENGLISH TRANSLATION

Preamble

The Board of Trustees of Sabhal Mòr Ostaig welcomes the publication of the Gaelic Language (Scotland) Bill and looks forward to its enactment. The Board is particularly encouraged by the improvements made to the Bill following the consultation process undertaken by the Executive.

Weaknesses in the Current Bill

While welcoming the considerable improvements made to the Consultation Draft the Trustees of the College consider that fundamental weaknesses remain:

1a) The educational role afforded Bòrd na Gàidhlig (Section 9) is welcomed. However, and given its centrality to progress in Gaelic education, the absence of a specific reference to an effective Gaelic Teacher Education strategy is disappointing.

1b) It is suggested that Section 9 (1) be amended to read "... the provision of all Gaelic education ..." in order to counter the possible impression conveyed by Section 9 (5) that the Section refers only to school education.

2a) It is regretted that in determining the need for a Gaelic Plan the Bòrd and Public Authorities are required to have regard to the criterion of extent of use of Gaelic. [Section 3: (3), (a) and (5) (a)].

A more productive approach would be to require reference to the potential that the work of particular Public Bodies has to support the development of Gaelic.
2b) The Bill requires public bodies to review their Gaelic Plans within 5 years. While accepting that Section 2 (7) empowers Scottish Ministers to require the Bòrd to submit a new national plan it seems anomalous that the Bòrd is not required as a matter of course to review the plan within 5 years.

2c) Section 3 (6) requires a Scottish Public Body, in preparing a plan, to consult "persons appearing to it to have an interest". It is suggested that a public invitation to comment would be more open and accountable.

2d) It is suggested that the approval process set out in Section 5 would be improved by specifically permitting the Bòrd to accept a refusal by a Public Body to accept a proposed modification where the Bòrd accepts that the reason for rejection is valid.

3a) The necessary exclusion of British Public Bodies having a significant role in Scotland (Section 3.1) serves to weaken the Bill. It is appreciated that the remedy lies with the Westminster Parliament and it is suggested that the Scottish Executive press for action in this matter.

3b) The continued absence of a reference to the Judiciary remains of concern.

4a) The absence of reference to equality of opportunity in the Gaelic Language (Scotland) Bill appears to run counter to the terms of the Scotland Act 1998.

4b) It is suggested that Scottish Ministers be divorced from the appeals process (Section 4) and replaced by reference to an independent review process.

4c) It is a weakness in the Bill that it is not required of Bòrd members to have a communicative knowledge of Gaelic.

Recommendation

It is recommended that further consideration be given to the issues raised above.

SUBMISSION FROM THE WELSH LANGUAGE BOARD

Introduction

1. In our comments on the Consultation Paper on the Gaelic Language Bill in December last year, the Welsh Language Board made it clear that we strongly support the Scottish Executive’s decision to introduce for the first time specific legislation in support of the Gaelic language. We welcome this opportunity to give evidence to the Education Committee in their stage 1 consideration of this Bill. This is the second time that the Board has given evidence to the Committee: the first occasion was in January 2003, in the context of the Gaelic Language Bill introduced by Mr Michael Russell.

2. On that occasion, we submitted a long paper which offered extensive background on the Board’s work and vision, and on the position and status of the Welsh language in Wales, as well as offering some general comments on the previous Bill. As far as the work of the Welsh Language Board is concerned, we do not propose to repeat what we set out in that paper; instead, we will confine ourselves to commenting on the current Bill. In doing so, we will outline what we see as the strengths and weaknesses of the Bill as introduced; we will also allude to some practical ways of maximising the potential of the Bill once it has been enacted.

3. However, we should again stress that our comments are based primarily on our experience in promoting the Welsh language. We offer the Welsh language planning model for your consideration not as one that should be slavishly followed in Scotland,
but as a model that you might usefully continue to draw upon. Naturally, we are pleased that you have already given detailed consideration to the operation of the Welsh Language Act 1993 in drafting the current Bill. Generally speaking, the Bill as introduced is much less wide-ranging than the Welsh Language Act, but the key question, we suggest, is whether the Gaelic Language Bill when it is enacted will be wide-ranging and appropriate enough, not only to reflect the present circumstances of Gaelic in Scotland, but also to promote and facilitate its use in the future.

4. Purely from the restrictive point-of-view of the declared status of Gaelic, there are some aspects of this Bill which could be construed as being stronger than the Welsh Language Act. Firstly, it alludes to the official status of Gaelic; secondly, it specifies Gaelic culture and Gaelic education; and thirdly, it extends not only to the use, but also to the understanding, of Gaelic. The second and third provisions are encouraging, but we find the first more problematic because it is difficult to determine both the force and practical effect of the declaration in the preamble that the Act will be concerned with ‘securing the status of the Gaelic language as an official language of Scotland’, especially when this is read in conjunction with the statement in paragraph 19 of the accompanying Policy Memorandum that ‘“Official” is descriptive of the status of the language rather than a principle which confers rights to usage’. We believe that, in order to give some practical meaning to this declaration of official status, some equality principle should be introduced into the Bill. This could mirror the central principle of the Welsh Language Act (‘that in the conduct of public business and the administration of justice in Wales the English and Welsh languages should be treated on a basis of equality’), or it could relate to equal validity. Surely it should be stated explicitly somewhere that something done in Gaelic, in accordance with any Scottish public authority’s Gaelic language plan, should be equally valid as though it had been done in English?

**Bòrd na Gàidhlig**

5. We fully support the Bill’s fundamental provision to establish Bòrd na Gàidhlig on a statutory basis to oversee the development of Gaelic. Based on our experience, we venture to suggest that there will be a direct correlation between the effectiveness of the new Act and that of the statutory Bòrd, and that the Bòrd’s effectiveness will depend not only on adequate resources, but also on the commitment and cooperation of its partners, and in particular that of the Scottish Executive.

6. The Welsh Language Board has already proved that much can be achieved across several wide-ranging areas given adequate funding and effective partnership, and it is instructive to note that we have achieved far more as a result of our general function of promoting and facilitating the use of the Welsh language, than we have through our specific statutory functions relating to Welsh language schemes. What we mean is that our general function has proved in practice to be very far-reaching, not that our specific statutory functions have somehow proved inadequate. If Bòrd na Gàidhlig is adequately resourced from the outset, and the commitment and cooperation of its partners are evidenced and developed, we see no reason why the Bòrd’s effects and influence should not prove as far-reaching as ours.

**The national Gaelic language plan**

7. The production of this plan - and its subsequent implementation - has great potential: it will allow Bòrd na Gàidhlig to set out its strategy based on sound language planning principles; it will also allow the Bòrd to map out its action plan for implementing its strategy. However, while the plan is potentially strong, much will depend in practice on the attitude of the Scottish Executive, which is why we remain convinced, as we said in our response to the Consultation Paper on the Bill, that the plan should include a strong statement from the Executive on the part that it will play in the plan’s fulfilment. This is not, of course, a matter for the current legislation.
8. A new dimension was added to the position of Welsh in Wales when over two years ago the National Assembly Government reiterated its policy commitment to revitalising the Welsh language and creating a bilingual Wales, which led in December 2002 to the publication of the comprehensive document, *Iaith Pawb*, the Assembly Government’s national action plan for realising its objective of a bilingual Wales. This document sets out in detail the specific actions and initiatives for increasing bilingualism and strengthening the Welsh language. It also affirmed the Welsh Language Board’s central role as the national language planning body for Wales, and gave the Board a central role in delivering the Plan. To this end, the Assembly Government announced that the Board’s grant would be substantially increased (by a total of £16 million over the next three years).

**Gaelic language plans**

9. Paragraph 34 of the Policy Memorandum acknowledges that the concept of Gaelic language plans is drawn from the experience of the Welsh Language Act. However, it is important to appreciate that the Welsh Language Board’s role in overseeing the process of preparing and implementing Welsh language schemes is much stronger and much more detailed than that proposed for Bòrd na Gàidhlig in relation to Gaelic language plans. Four of the principal differences are the following:
- The Welsh Language Board has a clearly defined supervisory role, and is empowered to conduct statutory investigations into non-compliance.
- The Welsh Act extends to the administration of justice in Wales.
- It mentions Crown bodies, and *de facto* (as a result of a commitment given by the UK Government during the Parliamentary process leading to enactment) the Act applies to them in much the same way as it does to public bodies.
- It also extends to those public bodies which deliver a service to the Welsh public, even though these may operate on a wider GB or UK basis, and their headquarters are located outside Wales.

10. We fully appreciate that the Scottish Bill reflects Scottish circumstances, but we invite you again to study the Welsh model to see what more might be done to strengthen the specific provisions relating to Gaelic language plans. For example, we see no reason why the Bill should not extend to the administration of justice in Scotland, and why it should not also mention specifically the right to use Gaelic in Court. On the other hand, we understand why certain reserved functions (Gaelic language broadcasting, for instance) cannot be included in it at present.

11. It is encouraging to read in paragraph 79 of the Explanatory Note that the Scottish Executive has already identified a number of Scottish public bodies which have already said that they are ready to prepare Gaelic language plans. It might also be opportune now to begin to discuss the possibility of preparing plans, albeit on a non-statutory basis, with Crown bodies and public bodies serving Gaelic speakers, but based outside Scotland. Whatever the provisions of the future Act, without the willingness of public bodies to cooperate and make a commitment to its aims, the effectiveness of the legislation would still be constrained.

12. We commend the principle to allow Bòrd na Gàidhlig to give advice to Scottish Ministers and public bodies about Gaelic language plans. We also support the provision for the Bòrd to give advice to others relating to the Gaelic language generally. This latter function will, of course, ensure that Bòrd na Gàidhlig is able to extend its work beyond the public sector to the voluntary and private sectors, which impinge just as much, if not more, on the daily lives of Gaelic speakers.

13. As far as the content of the advice relating to Gaelic language plans is concerned, again we would invite Bòrd na Gàidhlig to draw on the Welsh model, and not only on what the Board did to establish its processes, but also on our continuing work to improve them. We are, in fact, currently reviewing all our procedures and guidance in this area, with a view to:
A: Written submissions in support of oral evidence to the Committee

- making the guidance simpler and more user-friendly;
- offering models and templates for preparing Welsh language schemes;
- making the procedures less process-driven and more service-driven, by taking an holistic view of specific sectors, such as health and care services;
- assessing the impact of our schemes on Welsh speakers in Wales.

14. If Bòrd na Gàidhlig were to include electronic models and templates as part of its advice on Gaelic language plans, then the process of their drafting could be greatly facilitated and a greater number could be implemented each year. To give a concrete example: we see no reason why Gaelic language plans for Scottish local authorities with similar concentrations and numbers of Gaelic speakers should not be virtually identical.

**Gaelic education**

15. It is very encouraging to see Gaelic education specified in the Bill. This, in itself, is an important recognition in the part education has to play in the language’s future. After all, there are two main reasons why minority languages decline: lack of transmission of the language in the family from generation to generation, and the availability of education only in the majority language. It is also encouraging to note, in paragraph 57 of the Policy Memorandum that the Scottish Executive subscribes to the view that Gaelic medium education is the key to the future of the language.

16. Nevertheless, the Welsh Language Board is still of the view that this aspect of the Bill should be strengthened by declaring, in some way, Gaelic education as a right, if sufficient demand for it exists. In view of the current uneven provision where demand exists, Scottish local authorities must be expected to do more than just ‘react positively’ (paragraph 65 of the Policy Memorandum) to such demand. If Gaelic medium education is the key to the language’s future, then there must be some statutory requirement to provide it, or to enable it to be provided. Where sufficient demand exists, Gaelic medium education should become to be regarded, as Welsh medium education is in Wales, as a normal part of educational provision, not as special treatment for the language.

**Conclusion**

17. Scottish considerations are central to the future success of this Bill when it is enacted, and the development of effective partnerships between the statutory Bòrd na Gàidhlig and organisations working in Scotland, particularly the Scottish Executive, will be paramount. Nevertheless, these partnerships will extend beyond Scotland, and we trust that the Welsh Language Board will be regarded as one of the principal partners in this category. With that in mind, we reiterate again our willingness to assist the Bòrd and the Scottish Executive in any way we can in the work of securing a better future for the Gaelic language.

Welsh Language Board
December 2004
SUBMISSION FROM AN COMUNN CELTTEACH – EDINBURGH UNIVERSITY

We are writing to you on behalf of Edinburgh University’s Comunn Ceilteach (Celtic Society), a group with more than 50 members which aims to promote the Gaelic language and culture.

Firstly we would like to express how pleased we are that the Executive has given attention to the language and to the Gaelic Language Bill which they initiated. We also support the amendments that were made to the draft Bill.

Unfortunately, we do not feel that the Bill is strong enough yet. No legal rights for Gaelic-speakers have appeared in the Bill and we are feeling that this is an extremely important issue. In our opinion, there should be equal statues between Gaelic and English in Scotland (as there is in Wales).
There should also be provision put on areas where more than 30% of the population speak Gaelic, so that Gaelic is encouraged and brought forward and this should appear in the Bill. A distinction should be made between the areas where Gaelic is spoken and the areas where it is not, vis-à-vis language planning. Bilingualism should compulsory in these areas.

Although we are happy that Bòrd na Gàidhlig has new powers to give advice on Gaelic medium education, we feel that the Bill is still extremely weak as far as the provision on (local) authorities to provide this sort of education if there is demand for it. We feel that there should be legal rights for parents to get Gaelic medium education for their children.

We also believe that there should Bòrd na Gàidhlig should have more power to be dealing with public bodies that do not fulfil their duty as far as language plans are concerned. Bòrd na Gàidhlig should be able to investigate and bring cases to law if they are not satisfied with the results of their investigation.

We observe that this Bill will not solve every difficulty that Gaelic will have in the future, but we are hopeful that we will have taken the first step and that the Bill will make the situation much stronger.

Many thanks for giving us this chance to bring our views and concerns to your attention.

An Comunn Ceilteach (the Celtic Society), Edinburgh University

SUBMISSION FROM AN COMUNN GÀIDHEALACH

1. The following constitutes the response of An Comunn Gàidhealach (ACG) to the Education Committee’s request for views from interested parties on the general principles of the Gaelic Language (Scotland) Bill.

2. ACG is a community-led organisation with over 3000 members, whose aim is to support and develop all aspects of the Gaelic language, culture, history and heritage at local, national and international levels. This is done through a network of regions and branches within and outwith Scotland. ACG also organises the annual Royal National Mod – the main Gaelic Festival that celebrates Gaelic language and culture in Scotland.

3. ACG welcomes the strengthened provisions of this Bill which are a significant improvement on what was contained in the draft Bill launched in October 2003 which formed the basis of the subsequent consultation process. However, despite these improvements, we have concerns about the updated provisions in this current Bill, and submit these now for the Committee’s consideration. In doing so, we recognise that the particular emphasis at the present time is on the general principles of the Bill, rather than precise amendments.

4. The first point we believe to be necessary for the Committee to consider in the context of the Bill is the value of the Gaelic language to Scotland’s national heritage. Gaelic has on more than one occasion been described in The Scottish Parliament as “a precious jewel in the heart and soul of Scotland”, and indeed, the Labour Party manifesto for the May 2003 election said “We recognise the importance of Gaelic as a unique part of Scotland’s national living heritage.” We believe that the language should also be looked on as an integral feature of Scotland’s distinctive identity. Therefore, in order to save and sustain the Gaelic language for the future benefit of Scotland, it needs to be developed not as a regional dialect or a cultural aspect of Scotland, but as a national asset for which we all have a responsibility, individually and collectively. This collective responsibility already stretches to areas like our environment, historic buildings, wildlife etc. irrespective of regional location. The Executive’s Policy Memorandum on the Bill (Para. 14) states that the Bill’s provisions apply “to the whole of Scotland in recognition of the fact that the Gaelic language is a language for all of Scotland and that Gaelic speakers are spread throughout the country.” We believe that the Committee should not lose sight of these key points when looking at all the provisions of the Bill.
5. While we accept that there is no “one solution fits all” approach to Gaelic throughout the country and have never advocated such, we do believe that since there is a spread of Gaelic speakers in all local authority areas of Scotland, the principle that all public authorities have a responsibility to support and develop Scotland’s national heritage should be reinforced in this Bill. Public authorities should be under an obligation to provide some form of support to develop the language – at the lower end of the scale that could include providing information as to learning opportunities/cultural activities/responses to communications in Gaelic (easy to provide at minimal cost with modern e-mail contacts with translators) etc. and at the other end of the scale it could include providing more extensive services through paid staff. Lower-end provision is possible with minimal thought, planning and effort, providing the will is there to do it.

6. As can be seen from the GROS Scotland’s Census 2001, every local authority area has Gaelic speakers (Orkney has 172, Dumfries & Galloway has 969) and while we would not expect areas like these to be high on Bord na Gaidhlig’s list of initial requirements for Gaelic Language Plans, we do not accept that such areas should do nothing for the language and for their small but nevertheless significant number of Gaelic residents. We also point out to the Committee that the proportion of Gaelic speakers who reside in the council areas of the Western Isles, Highland and Argyll & Bute – the areas traditionally identified as being Gaelic-speaking, is now 48% of Scotland’s Gaelic-speaking population. The majority of speakers now reside in the other local authority areas of Scotland, and that is of crucial significance when addressing the responsibilities expected of public organisations under this Bill.

7. We also draw the Committee’s attention to more recent figures from the GROS which predict changing population trends in Scotland. By 2018, the expected fall in population in the Highlands & Islands areas is Western Isles – 17%; Highlands – 4% and Argyll & Bute – 7%. Given the identified need to substantially increase the number of Gaelic speakers in order to secure the language’s future, these predictions make grim reading, particularly for the Western Isles, and should impress on the Committee the need for this Bill to make firm and urgent provision for measures that will lead to language security for Gaelic.

8. We are concerned that so much emphasis is given in the Bill to the principle of “demand” for public services in Gaelic. We believe that the stronger emphasis should be placed on the “needs” of Gaelic. As the Executive point out in their Policy Memorandum to the Bill, “The language is in a fragile condition and without official action its survival is in doubt.” Therefore, the action plan to save Gaelic and ensure its future prosperity must not be primarily based on the extent of public demand, but rather on what is “necessary” to increase the number of speakers and extend its range of use, a principle already applied to preserving the environment and our historic buildings. That is why all Scottish public authorities, including those based outwith Scotland but whose work affects Scottish people, should feel a measure of responsibility to support Gaelic and they can make an effort in various ways without undue expense, to make certain services available in Gaelic. We believe that once public services are made available in Gaelic, this will be an encouragement to Gaelic speakers to use the language more widely. This does not mean that we are advocating that all public authorities should make their full range of services available in Gaelic. A degree of reasonableness is needed so that services appropriate to their local situation could be delivered, in consultation with Bord na Gaidhlig. The main point here is that everyone should make the effort to provide, in exceptional cases, at least a minimal level of service, and in most cases, a lot more.

9. We believe that there should be a basis of equality between Gaelic and English in the delivery of public services. It is not enough to say that Gaelic should be recognised as an official language of Scotland. Legislation needs to remove the current confusion as to the status of Gaelic. We are aware of instances where lottery applications from Gaelic bodies to the New Opportunities Fund were refused because Gaelic did not have official status in Scotland, unlike Welsh in Wales, and yet the UK Government stated many years ago that Gaelic “enjoys equal validity with English.” This position needs to be clarified by declaring that in the delivery of public services, Gaelic will be treated equally with English.
10. We believe that the Bill should specify the specific areas of Gaelic services that will be expected to be included in Gaelic Language Plans e.g. plans compiled by local authorities should always include provision for **education services in Gaelic** from pre-school to High School. If such services are not currently provided, the plans should indicate an intention to provide/extend these. It should be possible to secure the broad outline of guidance on Language Plans from Bord na Gaidhlig while the Bill is under consideration by Parliament. It is understandable that local authorities might be concerned about the effect of Gaelic planning requirements on them under the Bill, in particular what might be required to be included in Language Plans. The range of services to be provided should therefore be specified (regard being given to the National Gaelic Plan), with the understanding that the extent of such provision will vary according to the local circumstances and location of such organisations.

11. We feel that Clause 9 in the Bill (Guidance on Gaelic education) is not sufficient to secure substantial progress in the area of Gaelic-medium education (GME). While the Education Minister’s recent guidance (17th September 2004) to local authorities on GME asking the 21 authorities who are currently in receipt of Gaelic specific grant to set out “a commitment to deliver GME as an entitlement at pre-school and primary whenever reasonable demand exists” is an encouraging indicator of a determination to develop GME, this falls short of the full force of effort required. The guidance issued, issued in terms of the Standards in Scotland’s School Act 2000 applies only to those local authorities (21) who have some form of Gaelic provision currently, but passes by the other 11 local authorities where in fact 12,046 speakers of Gaelic reside (13% of the Gaelic-speaking population of Scotland), who may not, under this guidance and perhaps under the current Bill, may be left with no prospect of receiving Gaelic education services in future. That cannot be seen as the best way of ensuring effective development in Gaelic education. We also feel it is necessary to draw to the Committee’s attention that previous guidance issued under the 2000 Act did not prove to be effective, and was largely ignored by local authorities, a failure conceded by the Executive some time ago.

12. Further, with particular regard to the provision of education in Gaelic, we remind the Committee of the Scottish Executive’s undertakings in terms of the European Charter for Minority and Regional Languages, and in particular Article 8 Para. 1 in its reference to the provision of education “within the territory in which such languages are used”. The evidence we have provided in Para. 6 of this letter should impress on the Committee that Gaelic is no longer a language of the Highlands and Islands alone and the provisions of this Bill should reflect the current situation and comply with the undertakings given by both the Scottish Executive and the Westminster Government in indicating their willingness to comply with the terms of the Charter.

13. We believe that rather than have Bord na Gaidhlig issuing guidance (to whom?) in relation to the provision (but not lack of provision) of Gaelic education, it is preferable to insert a parental right to Gaelic education in this Bill, subject to a reasonableness test that can be agreed with Bord na Gaidhlig. The suitability of Bord na Gaidhlig adjudicating on the “reasonable demand” appears to have been conceded already in the above Ministerial Guidance. The Committee will be aware that there are many ways in which education services can now be delivered, ranging from traditional classroom teaching to technological distance-learning methods, with a range of travel and cross-border local authority agreements possible in between these extremes, and accordingly ways can be found if the will exists to provide and fund Gaelic education services in Scotland. The shortage of Gaelic teachers remains a problem, but it is not insurmountable.

14. We welcome the Bill’s provisions in respect of the constitution and functions of Bord na Gaidhlig and the requirement on them to prepare and publish a Gaelic Language Plan. However, we feel that the membership of the Bord should be extended to include a wider representation from the Gaelic community, comprising some form of direct election from within the community, rather than the current system of Executive appointment, which leaves the Bord open to the perception that they lack an independent outlook in the exercise of their functions. We would therefore recommend to the Committee that a new clause be entered as Schedule 1 Clause 2 (1) (c) - 3 members to be elected from within the Gaelic community.
15. We also feel that some mechanism should be found while this Bill is under active consideration, to resolve the issue of Gaelic Broadcasting – still unresolved despite the criticisms made by the Committee of Experts earlier this year on the UK's application of the European Charter for Regional and Minority Languages. While the Gaelic community receives an excellent radio service from Rèidio nan Gaidheal, which brings Gaelic into many homes which otherwise would not hear the language, it is now necessary to create a Gaelic Television Channel. The appropriate funding mechanism for the newly-created Gaelic Media Services (GMS) should be agreed with the Westminster Government as a matter of urgency. The recent Council of Europe report said that "the UK authorities should as a matter of priority facilitate the establishment of a television channel or an equivalent television service in Scottish Gaelic." We recommend to the Committee that while they are taking evidence on the Gaelic Bill, they should take the opportunity to write to Tessa Jowell of the DCMS seeking the UK Government’s latest position on this matter, with a view to considering whether an appropriate provision for funding the Gaelic Media Services should be included in the Gaelic Bill.

We submit these views for the Committee’s consideration, and would of course be happy to provide verbal evidence or clarify any ambiguities in this report, as required.

Angus Macdonald
President
An Comunn Gàidhealach
22 November 2004

Gaelic Translation

16. Tha na leanas a’ tighinn bhon Chomunn Gàidhealach (ACG) fa chomhair iarrtas Chomataidh an Fhoghlaim a’ sireadh bheachdan bho dhaoine aig a bheil úidh beachdan a chuir thuca a thaobh prionnsabal coitcheann Bile na Gàidhlig (Alba).

17. Is e buidheann coimhearsnachd le còrr air 3000 ball a tha anns a’ Chomunn Gàidhealach, a tha ag amas air a bhith a leasachadh agus a’ toirt taic do gach taobh de chànan, cultair, eachdraidh agus dualchas na Gàidhlig aig iреan ionadail, nàiseanta agus eadar-nàiseanta. Bhí e a’ déanamh seo tro lìonra de roinn na bhàsachd aonad m’teanga mheuran taobh a-staigh agus taobh a-muigh na h-Alba. Tha ACG cuideachd a’ cuir air adhart am Mòd Nàiseanta Rìoghail – am priomh Fhèis Ghàidhlig bhliadhnail a tha a’ comharrachadh cànán agus cultair na Gàidhlig ann an Alba.

18. Tha ACG a’ cuir fàilte air bhrithran a’ Bhile a chaoidh a neartachadh agus a tha nam fior adhartas air bha anns an dreachd den Bhile a chaoidh a chuir air bhog san Dàmhair 2003 agus a bha na bhunair air a chòras coitcheann na h-Alba. Ge tà, a dhaindeoin, na-h-adhartas sin, tha draghan oirnn a thaobh na bhrithran na ghrùidh a bhith iòràichte a tha anns a’ Bhile seo, agus tha sinn a’ cuir nma draghan sin a-staigh a nis gus am bheil a’ Chomataidh a’ Chomunn Gàidhealach ann an Alban.

19. ‘Se a’ chiad phuing air am bu choir a’ Chomataidh beachdachadh an a’ Bhile luach cànán na Gàidhlig do dhualchas nàiseanta na h-Alba. Barrachd air aon uair ann am Pàrlamaid na h-Alba chaoidh a rádh gu bheil a’ Ghàidhlig mar “neamhnaid luachmhoir ann an cridhe agus anam na h-Alba”. Tha sinn den bheachd gum bu choir sealltainn air a’ chànan cuideachd mar phriomh phàirt de chruth shònraichte na h-Alba. Mar sin, gus cànan na Gàidhlig a dhion agus a chumail seasmhach chum buannach air an Bhile san a’ Chàrn, feumar a leasachadh chan ann mar dhual-chatrainn ionadail leo phàirt culturail de dh’Alba, ach mar stòras nàiseanta mu bheil uallach oirnn uile, fa-lèith agus cómhl. Tha an uallach fharsaing seo mu thàith a sìneadh a-mach gu raointean leithid ar n’-airainneachd, togalaichean eachdraidheil, eunlaith is eile, ge bith dè an sgìre anns a bheil sin. Tha Meòmhraichan Polleasaidean an Riaghaltais air a’ Bhile (Para. 14) ag rádh gu bheil briathan a’ Bhile a sìneadh “gu Alba gu léir ann a bhith ag aithneachadh gu bheil cànan na Gàidhlig mar
chànan do dh’ Alba gu lèir agus gu bheil luchd-labhairt na Gàidhlig air an sgapadh air feadh na dùthcha.” Tha sinn a’ creidinn nach bu chóir a’ Chomataidh sealladh air na priomh phuingean sin a chall nuair a sheallas iad rì lan-bhriathran a Bhile.

20. Ged a tha sinn a’ gabhail ris a’ bheachd nach e “aon fhuaingadh dhan h-uile” a thà fior a thaobh na Gàidhlig air feadh na dùthcha - gu dearbh cha b’ e sin a dh’ iarr sinn a-riamh – tha sinn den bheachd seach gu bheil raon fharsaing de luchd-labhairt na Gàidhlig anns gach sgìre riaghaltais ionadail ann an Alba, gum bu chóir don phrionnsabal gu bheil uallach air a h-uile riagh Baltas ionadail taic a thoirt aig a’ Bile, a bhith stèidhichte anns a Bhill.

21. Tha sinn cuideachd a’ tarraing aire na Comataidh a-nis a’ bhith stèidhichte a’ Bhile air fìor àrdachadh a bhith stèidhichte a chànan a bhith stèidhichte na sgìrean riaghaltais ionadail eile air feadh na h-Alba, agus tha seo air leth cudthromach ach na dùileachadh air ùghdarras fìor àrdachadh a bhith stèidhichte a’ Ghàidhlig.

22. Tha sinn cuideachd a’ tarraing aire na Comataidh gu a’ bhith stèidhichte na sgìrean riaghaltais ionadail eile air feadh na h-Alba, agus tha seo air leth cudthromach nuair a sheallas sibh rì na dheanamh sìth a bhith stèidhichte a’ Ghàidhlig.
riaghaltas ionadail na seirbheisean gu lèir aca a thoirt seachad anns a’ Ghàidhlig. Feumar a bhith reusanta airson gun tèid seirbheisean a tha iomchaidh don t-suidheachadh ionadail a sholarachadh tron Ghàidhlig, an dèidh comhairle fhaisghinn bho Bhòrd na Gàidhlig. ’Se a’ phuing a tha cuithromach gum bo chuirl a h-uile duine oidhirp a dhèanamh dhéanamh, gus seirbheisean, sa bheag-chuid de chùisean, co-dhiù ire as lughas, agus ’sa mhòr-chuid de chùisean, mòran a bharrachd, a thoirt seachad anns a’ Ghàidhlig.

24. Tha sinn a’ creidsinn ann a bhith a’ toirt seachad seirbheisean poblach, gum bu choir sin a bhith stèidhichte air bunaìt co-ìonannachd eadar Gàidhlig agus Beurla. Chan eil e gu leòr a’ ràdh gum bo chuirl a Ghàidhlig a bhith a h-airtneachadh mar chànan oifigeil ann an Alba. Feumaidh reachdas am mi-chint a tha ann an dràsda mu inbe na Gàidhlig a cheartachadh. Tha sinn mothachail air cùisean far an deach tagraidhean chun Chrannchur Nàiseanta (Ionmhas nan Cothroman Ùra) bho bhuidhnean Gàidhlig a dhiùltadh seach nach robh inbhe oifigeil a’ Gàidhlig ann an Alba, ann an coimeas ri Cuimris anns a’ Chuimrigh,agus a dhaindeoin sin thuirt Riaghaltas na RA o chionn fhada gu robh a’ Ghàidhlig a fhàighinn “cothornom co-ìonannachd ris a’ Bheurla.” Feumar an t-suidheachadh seo a cheartachadh le bhith a dearbhadh gum bi a’ Ghàidhlig agus a’ Bheurla co-ionann ann a bhith a’ toirt seachad seirbheisean poblach.

25. Tha sinn a’ creidsinn gum bu choir don Bhile ainmeachadh na raointean sònraichte de seirbheisean Gàidhlig a bu choir a bhith taobh a-staigh na Planaichean Cànan Gàidhlig m.e. bu choir gum biodh seirbheisean foghlaim anns a’ Ghàidhlig an còmhaidh air an ainmeachadh ann am planaichean riaghaltasan ionadail, agus sin aig iреan ro-sgoile gu Árd- sgoile. Mur a h-eil na seirbheisean poblach air an lòbaidh fer a bhith inbhe na Gàidhlig a cheartachadh. 26. Tha sinn a’ faireachdann nach eil Earrann 9 anns a’ Bhile (Stiùireadh a thaobh foghlam Gàidhlig) làidir gu leòr gus fìor adhartas shusbainteach fhaisghinn air foghlam tro mheadhan na Gàidhlig (FTMG). Ged a thuarsach misneachd o chionn ghoidh bho stiùireadh a chuir Ministear an Fhoghlaism a-mach (17 Sultain 2004) gu riaghaltasan ionadail a thaobh FTMG ag iarraidh air na 21 ùghdarrasan a tha an dràsda a’ faighinn bho Bhòrd na Gàidhlig a thaobh Planaichean Cànan fhad’s a tha am Bile a’ dol tron Phàrlamaid. Tha e furasta a thuigse gum biodh dragh air riaghaltasan ionadail a thaobh a’ bhuaidh a bhoich aithneachadh de stiùireadh FTMG orra fon Bile, gu sònraichte gu dé bu choir a bhith anns na Planaichean Cànan. Bu choir raon de seirbheisean a bhith air an ainmeachadh (is cinn teach gum bheath a’ gabhail aire co-dhiù ri Plana Nàiseanta na Gàidhlig), a’ thuigse gum biodh farsaingeachd riadhachd ag atharrachadh a-rèir suidheachaidh iomadail agus far a bheil na bhuithnean stèidhichte gu h-ionadail.
nach e cànan na Gàidhealtachd is nan Eileanan a-mhain a tha anns a’ Ghàidhlig a-nis agus
bu choir braithran a’ Bhile seo a bhith na fhaleas air an sin agus a bhith a-rèir na geallaidhean
a thug Riaghaltas na h-Alba agus Riaghaltas na RA seachad ann a bhith deònach ghabhail ri
braithran a’ Chùmhnhant. Tha sinn a’ creidinn anns a h-uile cùis, gus bu choir an Bile a bhith
co-dhiù cho làdir agus a tha braithran a’ Chùmhnhant ris an do chuirear a’inn an Riaghaltais a
thaobh na Gàidhlig. Tha sinn a’ moladh don Comataidh Aithis Comataidh Luchd-eòlais
(ECRL (2004) 1) a leughadh a thaobh mar a bu choir an RA an Cùmhnant a chuir an
gniomh, gu sònraichte Para. 197, 98, 207 & 210.

28. Tha sinn a’ creidinn an àite Bòrd na Gàidhlig a bhith a’ toirt seachad stiùireadh (cò dhà?) a
thaobh solarchadh (ach chan e dith solarchaidh) foghlam Gàidhlig, gu bheil e nis fheàrr
còir phàrant air foghlam Gàidhlig a bhith anns a’ Bhile, ach a-mhain gum biodh
deachtainn reusantachd ann a dh’antaichear le Bòrd na Gàidhlig. Tha iomchaidheachd
Bòrd na Gàidhlig a bhith a’ bhreithneachadh air “lrartas reusanta” mu thràth ri fhacinn ann an
Stiùreadh a’ Mhinisteir gu h-àrd. Bhid a’ Comataidh mothachail gu bheil iomadach doigh
ann seirbheisean foghlaim a thoir seachad an-diugh, a’ gurasad bho dhòighan thradiseanta
san t-seòmar-sgoile gu dòighean teigneach aig astar, agus raon de roghainnean siubhail
agus thar-chriochan ionadail comasach eadar na h-iomallan sin, agus mar sin is urrainn
dòighean a lorg ma tha rùn ann a bhith a’ solarchadh agus a’ maoineachadh seirbheisean
foghlaim Gàidhlig ann an Alba. Ged a tha dulgheadasan ann a thaobh gaineach luchd-
teachaisg, tha e comasach faighinn seachad air an sin.

29. Tha sinn a’ cuir fàilte air na tha anns a’ Bhile a thaobh bonn-stèidh agus dleastanasan Bòrd na
Gàidhlig anns a riathanas a tha orra Plana Cànan Gàidhlig ullamachd agus fhòilseachadh.
Ge ta, tha sinn a’ faireachdann gu faodar ballrachd a’ Bhùrid a leudachadh gus a bhith a’ toirt
a-staigh barraich riochdachaidh bho choimhearsnachd na Gàidhlig, a’ toirt a-staigh doigh air
choiregin air taghadh bhon choimhearsnachd an àite an Riaghaltas a bhith a’ cuir buill ann an
dreauichd, a tha a’ fàgail am Bòrd for shealladh taobh a-muigh nach eil iad neo-eisimeileach
ann a bhith a’ coileanadh an dleastanasan. Tha sinn mar sin a’ moladh don Chomataidh gum
bu choir earrann a chuir a-staigh mar Phàipear-t aic 1 Earrann 2 (1) - 3 buill gu bhith air
an taghadh bhio thaobh a-staigh coimhearsnachd na Gàidhlig.

30. Tha sinn cuideachd a’ faireachdann gu bu choir doigh a chòiregin a long fhad’s a thathas a’
sealltainn ris a’ Bhile seo, gus rèteachadh faighinn air Craoladh Gàidhlig – a tha thathast as
aonais fuasgladh a dhaindeoin an càineadh a rinn Comataidh Luchd-eòlais na h-Eòrpa air ma
bha an RA a’ coileanadh an dleastanasan fo Chùmhnhant Eòrpaich nam Mion-chànanan. Ged
a tha coimhearsnachd na Gàidhlig a’ faighinn fior sheirbhéis mhath bho Reidio nan Gàidheal,
agh a bheir a’ Ghàidhlig a-staigh a long airson Seirbhéis nam Meadhan Gàidhlig (GMS)
le Riaghaltas Westminster gu sgìobalta. Thuit aithisg Chomhairle na h-Eòrpa o chionn ghoidh
bmu ghoir gum bu choir “ügharrasan an RA mar ghausad eiginneach déanamh comasach gun tèid
teadal telebhisean aon leithid de sheirbhéis telebhisean a cruthachadh ann na h-Alba.” Tha sinn a’
omadach don Comataidh Chomataidh faid’s a tha iad a’ gabhail fianais a thaobh
Bile na Gàidhlig an cothrom a chuir a-staigh shealladh sgoirbhadh gu Tessa Jowell aig oifis DCMS gus
faighinn a-mach suideachadh Riaghaltas na RA an dràsta a a thaobh a’ chuspair seo, gus am
beachdaicheadh iad air am bu choir braithran iomchaidh a chuir dhan Bhide gus a bhith a’
maoineachadh Seirbhéis nam Meadhanan Gàidhlig.

31. Tha sinn a’ cuir na puingean sin chun Chomataidh gus am beachdaich iad orra, agus bhiodh
sinn toichte fianais bheòil a thathas a dhèan seachad neo soilleireachadh a dhèanamh air mi-chint sam
bith anns an aithisg seo, a-rèir feum.

Aonghas Dòmhnallach
Ceann-suidhe,
An Comunn Gàidhealach
ACG Branch aims - to develop the Gaelic language:

BENEFITS OF GAELIC - Important to our national heritage and Scottish identity. Gaelic speakers now live in all areas of Scotland therefore public authorities have a duty to provide the financial support required for the development of cultural activities, learning groups etc and especially in Gaelic speaking areas.

Gaelic should be treated on an EQUAL BASIS with English in the delivery of public services ie have official status in Scotland as Welsh does in Wales. The range of Gaelic services to be included in the language should be clearly specified in the Gaelic Language Bill.

Provision for education services in Gaelic, from pre-school to Secondary level should be clearly specified and where not already provided, intention to provide and extend these should be indicated.

CLAUSE 9 GAELIC MEDIUM EDUCATION  The Bill should incorporate the right of all parents to GMU for their children especially where Gaelic speakers reside.

BORD NA GAIDHlig - Instead of 5 members it should also include a member from each region to give wider representation. Also at present the Chairman is appointed by the Scottish Executive. We feel that an independent Chairperson should be appointed.

GAELIC BROADCASTING  - The issue of Gaelic Broadcasting requires urgent consideration - especially the setting up of a Gaelic Teleision Channel.

Christina Macdonald
Secretary
Dunoon Branch

SUBMISSION FROM AN COMUNN GAIDHEALACH - LOCH EWE BRANCH

I have been asked to respond on behalf of the Loch Ewe branch of An Comunn Gaidhealach regarding the above Bill. The main area of concern for this Branch is as follows:

Clause 9 (Guidance On Gaelic Education)

Too much emphasis is placed on Gaelic Medium Education which targets only a few children. Main stream Primary Schools should be required to include basic Gaelic language, culture and heritage education in the curriculum.

This should also include a history of the area, particularly in the Highlands & Islands. Families moving into the area are often not aware that Gaelic is available to their children until they reach Secondary School and by then it can be too late to generate interest.

Mairi MacNeill
Chairperson
Meur Loch Iu

SUBMISSION FROM AN COMUNN GAIDHEALACH – MANCHESTER BRANCH

On behalf of the Manchester Branch of An Comunn Gaidhealach may I make the following points:-

1. Gaelic is a National rather than a Regional asset. A language, even a minority one, is an important part of establishing the identity of Scotland as a whole.
2. Availability of public services in Gaelic will encourage use of the language. We do not suggest that all authorities make all services available in Gaelic, a reasonable level agreed with Bord na Gaidhlig is sought. We must be quite specific in the services we are requesting.

3. **Clause 9 on Gaelic Education** The Education Minister's recent guidance on "encouraging the intention to develop Gaelic Medium Education is too nebulous. Bord na Gaidhlig should be asked to be quite specific in each area. Some areas in which Gaelic speakers live have no access at all.

4. **Bord na Gaidhlig** should have its membership extended to more widely represent the Gaelic community. The current appointment by the Executive may lead to a lack of independence or at least the perception of such.

5. **Gaelic Broadcasting** Whilst Radio nan Gaidheal provides an important service, television within the home has a more powerful appeal to children especially. More Gaelic TV broadcasting at a popular time to all ages, but especially children would do much to promote the language's being seen as an integral part of their lives rather than a curiosity or optional extra.

I hope these comments are useful,

C.H. Laycock  
Hon Secretary

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**SUBMISSION FROM ANGUS COUNCIL**

**CONTEXT**

This response should be seen in the context of a Council which has been supportive of Gaelic Education since 1996. The Council approved in 2003 a Policy Statement and Policy Guidelines for Gaelic in the context of the European Charter for Regional or Minority Languages. Part of this policy relates specifically to Education – which, for practical purposes, applies subject to the Council’s ability to recruit and retain properly qualified staff.

The single most challenging issue about the provision of Gaelic Education has been for some time the absence of a sufficiently large pool of qualified Gaelic speakers. Although the intentions behind the draft Guidance are no doubt honourable, much of the advice contained with the draft Guidance will be no more than empty rhetoric if the Executive cannot take some steps to address this quite significant challenge. Angus Council would therefore respectfully suggest that the finalised version of the Guidance should be explicit in acknowledging the recruitment and retention difficulties which are currently being faced and the need therefore for Council policies and Council reporting to be undertaken within that context.

Much of the draft Guidance appears to be unhelpfully bureaucratic and appears also to be based on an assumption that education authorities are not to be trusted. The content could and should be significantly improved to be written in much more of a spirit of partnership.

**RESPONSES TO SPECIFIC CONSULTATION QUESTIONS**

1. **Do you agree that local authorities should be required to develop a policy statement to guide the development of Gaelic Medium Education in their area?**

   Yes – Angus Council already has such a policy. The draft Guidance at present is excessively prescriptive, however, and should be revised to acknowledge the need for each authority to prepare its policy in the context of its own situation.

2. **Are there any issues beyond those set out in the draft Guidance which local authorities should have regard to when developing a policy statement?**

   No.
3 Should standardisation to reporting on the development of Gaelic Medium Education under the Standards in Scotland Schools etc Act be introduced?

No: at a time when we are all being urged to cut down on bureaucracy, the contents of these reports should be kept to a minimum. Excessively prescriptive guidelines on matters such as this are the antithesis of the kind of approach now being espoused, eg through Determined to Succeed and in the context of repeated Ministerial exhortations to free Head Teachers from unhelpful bureaucracy: surely that same approach should apply to local authorities.

4 Are there any issues beyond those set out in the draft Guidance which local authorities should have regard to when reporting on Gaelic Medium Education under the 2000 Act?

No.

5 Should the draft Guidance apply only to those local authorities in receipt of Specific Grant for the development of Gaelic Medium Education?

If the Guidance can be re-written along the lines now being suggested in this response, then there is no reason why all local authorities should not be expected to comply with it. If, however, the Guidance remains in its current excessively bureaucratic and prescriptive format, then the fewer Councils who are burdened with that bureaucratic pressure the better.

6 Should Bórd na Gáidhlig have access to the reports produced by local authorities under the 2000 Act?

Yes.

7 Are there any further issues which you consider should be addressed in this draft Guidance?

No.

SUBMISSION FROM ANGUS AND PERTHSHIRE PROVINCIAL MOD AND Lochtayside Branch, AN COMUNN GAIDHEALACH

On behalf of the Angus and Perthshire Provincial Mod and Lochtayside Branch, An Comunn Gaidhealach I am instructed to convey our views on the Gaelic Bill to the Education Committee.

Gaelic is a national asset and gives Scotland distinct identity.

Gaelic should be treated on an equal basis with English in the delivery of public services. Gaelic needs to have official status in Scotland as Welsh has in Wales.

The Bill should specify the particular range of Gaelic services that will be expected to be included in the Language Plans. Education services in Gaelic should be available from pre-school to High School and a definite commitment to provide these, if not how available.

Clause 9 (Guidance on Gaelic Education)

While the Education Minister’s recent guidance on Gaelic Medium Education, with the intention to develop this, gives some encouragement, it falls short of what is required. In several areas of Scotland in which Gaelic speakers reside there is access to G.M.E. The Bill needs to include a parental right to G.M.E. and this can be agreed with BORD NA GAIDHLIG which has the authority to determine reasonable demand.

Gaelic broadcasting. Radio nan Gaidheal succeeds in making Gaelic available in many homes, but there are still areas where there is no reception. The Committee now needs to liaise with the
Westminster Government to create a Gaelic Television Channel. Gaelic speakers in every corner of Scotland will benefit from this facility.

We appeal to you to act now. The survival of Gaelic is in your hands.

Elizabeth C McDiarmid
Hon. Secretary

SUBMISSION FROM CITY OF EDINBURGH COUNCIL

1. **Introduction**
   1.1 The City of Edinburgh Council welcomes the opportunity to submit written evidence on the Gaelic Language (Scotland) Bill.

2. **Background**
   2.1 The City of Edinburgh Culture and Leisure Department already provides considerable support for Gaelic culture, traditions, heritage and identity. The Gaelic Language (Scotland) Bill is seen as a major reference point for informing and taking forward this programme of work.

   2.2 The City of Edinburgh Council supports Gaelic medium education through provision at Tollcross Gaelic Nursery and Tollcross Primary School. There is also Gaelic provision at James Gillespie’s High School. The development of this provision is reflected in the service plan and aligns with the National Priorities for Education. This provision is part of the wider improvement framework and strategy for school education in Edinburgh. The guidance provided by the Minister for Education and Young People on 17 September 2004 supports this commitment to Gaelic medium education.

   2.3 In May 2004, the Executive of the Council considered a report on the Provision for Gaelic Language. This was in response to the UK Government’s ratification of the European Charter for Regional or Minority languages in respect of Gaelic in Scotland. The recommendations included a commitment for the Council to prepare a Gaelic Language Plan if the Gaelic Language Bill is enacted.

3. **General principles**
   3.1 The general principles of the proposed legislation are welcomed. The provisions of the Bill will provide support and guidance in the development of the Gaelic language in a way that is appropriate for the City of Edinburgh.

4. **Support for key provisions set out in the Bill**
   4.1 The key provisions set out in the Bill and in particular, the aspects of the Bill outlined below, are supported:
      
a) **Definition of Gaelic culture.** The definition of Gaelic culture in the Bill provides flexibility to suit provision that is appropriate to requirements in Edinburgh and is adaptable to local needs.

b) **Definition of public bodies.** The simplification provided in the Bill (by not defining public bodies required to provide Gaelic Language Plans) is welcomed. It is hoped that this simplification will reduce the need for amendments to the legislation in the future.

c) **Provision of Gaelic Language Plans.** The additional detail provided by the Bill in relation to the production of Gaelic Language Plans is welcomed. In particular, the requirement for the Bòrd na Gàidhlig to publish a draft plan and to publicise the opportunity to make
representations and take those representations into account is supported.

The further detail provided in the Bill about the requirements for public authorities to prepare a Gaelic Language Plan, in particular, the timescales and rights of appeal, are welcomed. It is hoped that these arrangements will provide flexibility and sensitivity to local requirements so that plans are appropriate for Edinburgh and the Gaelic community within the city.

d) **European Legislation**. The consultation and subsequent report to the Council’s Executive commits the Council to supporting the requirements of the Gaelic Language (Scotland) Bill.

e) **Bòrd na Gàidhlig and Gaelic Medium Education**. The proposals for the advisory role of the Bòrd na Gàidhlig in relation to Gaelic Medium education, and the clear definition of the role of Scottish Ministers, is welcomed.

5 **Areas for clarification:**

5.1 Clarification is sought on the following issues:-

a) **Charges for provision of advice or other services**. These charges may represent an additional financial burden on authorities other than those outlined in the Financial Memorandum.

b) **Financial Memorandum**. The need for flexibility of provision is recognised in the Financial Memorandum. However, in practice, the guideline costs might be exceeded in some cases, depending on the complexity of Gaelic Language Plans and the requirements of the local authority. Assurances are sought that further funding would be available in these circumstances and that any new statutory burden will be fully matched by appropriate funding. Overall, the flexibility offered in the Financial Memorandum is welcomed.

SUBMISSION FROM CLANNGAIDHLIG

**Introduction**

ClannGàidhlig is a community-based group, which seeks to act as a voice for people within the local authority areas of East Renfrewshire, Inverclyde and Renfrewshire who have an interest in Gaelic language and culture. ClannGàidhlig welcomes the introduction of this Bill and the opportunity to provide comments on it to the Education Committee.

**General Comments**

✓ The changes which have been introduced since the original draft proposals published in 2003 generally serve to strengthen the Bill and enhance the likelihood of achieving the Executive’s policy objective of securing the status of the language and arresting the decline in its use.

✓ The Policy Memorandum and Explanatory Notes which accompany the Bill itself are helpful in clarifying the Executive’s intent. We welcome the positive commitment to revitalizing the language which is evident.

✓ It is acknowledged that the flexibility of approach which has been introduced is deemed necessary to gain acceptance from those public bodies which have expressed concerns about excessive bureaucracy. We are concerned, however, that this flexibility may be used by some as an excuse for inaction. A formal commitment to equality of status with English would eliminate the potential for conflict and give Gaels confidence that their language was being taken seriously.

✓ It is essential that the Bòrd is given backing by the Executive where resistance to its recommendations (e.g. on the requirement for Gaelic Language Plans) is encountered.

✓ By its nature, the Bill applies only to functions and bodies which lie within the competence of the Scottish Parliament. It is our view that the Executive’s policy objectives will not be
achieved unless action is taken to address this issue, for example through inclusion of provisions in Westminster legislation to extend the scope of the Bòrd’s powers to encompass ‘reserved’ issues such as broadcasting and the major public agencies which are active in Scotland.

- The inclusion of a role for the Bòrd with regard to guidance on the provision of Gaelic education is a step in the right direction. It seems unlikely to us, however, to be sufficient to address the critical issues regarding availability of teachers, secondary level provision and assuring provision in areas outwith the ‘heartland’ areas. The rights of parents to Gaelic-medium education for their offspring need to be strengthened and action on a nationally co-ordinated basis, across local authority boundaries, will be necessary to combat arguments of “insufficient demand” for GME provision.

- Section 9, as drafted, appears to cover only school-based education and this needs to be widened to cover all levels, including pre-school, tertiary and lifelong learning.

- We believe it is important that, when preparing Gaelic Language Plans, public bodies should be required to invite public comment on these, rather than simply “consult persons appearing to have an interest”. The same requirement should apply to Bòrd na Gàidhlig at Section 9 (2).

- It is difficult to find fault with much of the detail of the Bill - the test will be the extent to which the Executive and public bodies actively support its implementation. After years of much talk but little action, what we now require is a series of positive, practical steps that will revitalise and protect the future of the language, rather than a few symbolic but ultimately worthless gestures.
Às leth Comann Luchd-Teagaisg Àrdsgoiltean (CLAS), bu mhath leinn fàilte a chur air an adhartas a leughar anns an dara dreach de Bhile na Gàidhlig. Tha sinn gu sònraichte toilichte gu bheil foghlam air aite fhaighinn nach robh aige, gu h-ìongantach, sa chiad dreach.

A dh'aìndeoin an adhartais seo bu mhath leinn dragh no dhà a chur an cèill dhuibh. 'S e priomh adhbhar a' Bhile seo a h-uile taic a thoirt dhan chànan fàs agus ri linn seo, co-ionnanachd a stèidheachadh dhan chànan an coimeas ri côirichean luchd-labhairt na Beurla. Chan eil sinn a' faicinn mar phroifeasantaich, gu bheil an inbhe seo aig a' Ghàidhlig ann am foghlam aig ire na h-Àrdsgoile.

Ann an cuid de sgoiltean, tha a' Ghàidhlig mar chuspair air a libhrigeadh le bhith a' slaodadh sgoilearan a-mach a cuspairean eile. Tha seo a' dùsgadh theagamhan chan ann a-mhàn am measg phàrantan ach am measg thidsearan eile gu bheil foghlam Gàidhlig na eas-bhuannachd don chloinn.
ionnsachaidh dhan chànan. An dràsta, a dh'aindeoin 's gu bheil polasaidhean matha aig cuid a chòmhhairlean 's ann a rèir ùidh nan ceannardan féin a tha e an ire de thàic agus brosnachadh a tha ann an dìothar sgoiltean do chlasairchean luchd-ionnsachaidh. Tha seo fior a thaobh àrdsgoiltean agus bun-sgoiltean.

Chan eil an seo ach dà eicseimleir air mar nach eil foghlam Gàidhlig air gluasad air adhart cho coileanta ‘s bu chòir agus mar nach eil co-ionnannachd aig a' chànan ann am foghlam. Tha e cuideachd na annas dhuinn nach eil luchd ionnsachaidh fiù 's air an ainmeachadh sa bhile.

Tha sinne a’ moladh gu bheil cruaidh theum air conaltradh a stèidheachadh eadar CLAS agus an Riaghaltas gus na tha sgriobhte mu dheidhinn foghlam anns an dara dreach dhen bhile a leasachadh agus a neartachadh gu mòr. Tha sinn ag aithneachadh an àite a tha aig Bòrd na Gàidhlig a' chàir, anns an obair mhòir a tha romhainn uile gus ar cànan a shàbhaladh, tha àite bunaiteach agus fior chudromach aig foghlam. Chan eil seo ri fhaicinn sa bhile fhathast agus cha dèan am moladh lag gum b'urarinn don Bhòrd ‘stiuireadh a thoirt a rèir an uillachaidh a thaobh foghlam Gàidhlig’ mòran feum ann a bhith a' cur an gniomhann neòrsaichean riaghailtean cruaidhe, brighmhor, bunaiteach air a bheil feum aig foghlam Gàidhlig.

Bu mhath leinn am moladh a chur air adhart gun obraich an Riaghaltas, Bòrd na Gàidhlig agus CLAS dlùth còmha gus an àite a tha aig foghlam sa bhile a thogail 's a neartachadh.
On behalf of CLAS – The professional Association for Gaelic Secondary School Teachers, we would like to acknowledge the advancements that have been made in the second draft of the Gaelic Bill. We are particularly pleased that education now features more prominently.

Despite these welcomed advancements, we would like to express a number of concerns. The prime aim of this Bill is to fully support the continued growth of Gaelic and to, therefore, have secure status as is available for English speakers. As a profession we do not see evidence of Gaelic having equal status to English. In some schools, Gaelic is delivered by extraction from other subjects. Unfortunately, this arouses concerns among parents and teachers, with many viewing Gaelic as disadvantageous to children.

We recognise the pivotal role that Gaelic medium education has. However, the role of Gaelic (Learners) should also be prioritised. Currently, although some local authorities have a Gaelic policy, the availability and promotion of Gaelic (Learners) courses, in both primary and secondary schools, is determined by the interests of Headteachers.

Outlined are but two examples that demonstrate that Gaelic education does not have equal status within education. We are particularly perplexed that there is no reference to Gaelic (Learners) courses in the Gaelic Bill.

As a professional association, we would like to recommend that there is consultation and co-operation between CLAS, Bòrd na Gàidhlig and the Scottish Executive to greatly develop and strengthen the Bill’s references to education. Without diminishing Bòrd na Gàidhlig’s role in securing the survival of Gaelic, we would like to highlight the importance of education. This is not yet evident in the Bill and the recommendation that Bòrd na Gàidhlig would advise on educational matters is not sufficiently robust in compiling the support mechanisms necessary and fundamental to Gaelic education.
SUBMISSION FROM COISIR GHAILDILG ASTRAILIANACH

The following constitutes the response of Còisir Ghàidhlig Astràilianach to the Education Committee's request for views from interested parties on the General Principles of the Gaelic Language (Scotland) Bill.

I write in my capacity as Musical Director and Gaelic Tutor of Còisir Ghàidhlig Astràilianach (The Australian Gaelic Singers), as a Gaelic scholar and enthusiastic daily speaker of the Scottish Gaelic language, and as a human being who has found his sense of self and response to the world in the Gaelic language and music. I am not Scottish by either birth or legal nationality, though I am of direct Scottish Gaelic descent. If the Education Committee is to take anything from my own submission, I would wish them to be aware that the Gaelic culture now spreads beyond the lands of Scotland, though it is fragile yet and reliant on its sense of homeland to survive, and that the issue extends well beyond one of economic feasibility; while Gaelic has been quite correctly referred to in Scottish Parliament as "a precious jewel in the heart and soul of Scotland", it has also as a lively and vital culture been one of Scotland's gifts to the world. We Gaels in other lands now look to Scotland, to the culture that you hold in trust for the broader family of humanity. It is our culture as well, but you are the ones who must choose to nourish it at its source, or else to let it wither and die.

1. Therefore I would urge the Education Committee to consider the value of Gaelic and the Gaelic heritage not only to Scotland, but to Scotland's standing and place in world culture. In purely economic and international terms, I would point out that I am the leader of an established choir -- 22 years old and going strong -- performing entirely in Gaelic and continually promoting Scottish Gaelic culture on this side of the world, and we are only one of a growing number of international Gaelic choirs who come to Scotland at every possible opportunity specifically to participate in Gaelic events such as the annual Royal National Mod.

2. I support the establishment of a Bòrd na Gàidhlig on a statutory basis. I note its established intention as being to give advice on the provision of Gaelic services and education, but feel the Bill is weak on the matter of precisely to whom the Bòrd will be giving advice, and whether it has any capacity to provide advice or require specific responses in circumstances where Gaelic services and education are "not" being provided.

3. It is a concern that the Bill as it stands, while establishing Gaelic as an "official language" of Scotland, does not give the language equal status with English. Gaelic is left in a no-man's-land of being acknowledged, but without consequence and therefore easy to ignore. The Bill should grant Gaelic specific equal status with English as an official language of Scotland.

4. Tying provision of Gaelic education to the number of existing Gaelic speakers in an area does not seem a measure geared to increase the number of speakers of this language. If a large enough number of potential students exist to make provision of the service viable, isn't that a more guaranteed way of increasing the numbers and vitality of the language than by restricting the numbers in this way? Otherwise you ensure that the language remains diminished and marginalised.

5. Similarly, provision of funding for the Bòrd na Gàidhlig does not appear to be geared toward intended growth of its functions and capabilities, which would appear to be at odds with the stated purpose of the Bill. It is hoped that funding for BnG will increase as the Gaelic situation improves, but this should be provided for in the Bill.

I am certain that by this point in your history, Scots are tired of outsiders telling them how to run their country and their lives. Please allow me to make this submission not as a do-gooder or interferer, but as someone keen to share the task of raising Gaelic back to a sense of health and vitality.
I applaud the Scottish Parliament for its efforts to date in this direction. The very existence of this Bill proves how far-seeing and wise Scots can be.

leis gach deagh dhùrachd

Bran MacEachaidh
Fear-stiùiridh, Còisir Ghàidhlig Astràilianach
Sydney, Australia

SUBMISSION FROM COMANN NAM PÀRANT (DUN EIDEANN & LODAINN)

As Convenor of Comann nam Pàrant (Dun Eideann & Lodainn), the support group for parents of children in Gaelic Medium Education (GME) in the Edinburgh and Lothian area, I would have wished to submit a reply on behalf of our Group. However, having been informed only recently of this Consultation, there has not been time to allow the whole group to comment, and I therefore respond on behalf of myself and my family.

Our views on the Bill follow from our belief that only sufficient investment in GME can secure a future for Gaelic.

Other issues are also important to us, such as provision of a full range of language opportunities including media, public life, home and social interaction, so that our children can use and develop their Gaelic, but we will confine our comments to provision of GME, as this is the key issue where we are striving for improvement.

What worries us most is the severe shortfall in the number of children in GME. The 2,000 or so children in primary GME at present represent roughly one-third of the numbers needed to maintain the current Gaelic population. This “missing generation” extends up to late teenage years.

The one thing that is absolutely essential is for numbers to grow rapidly. For this to happen we need the barriers to GME to be removed, for we believe that sufficient demand does exist—we have seen this demonstrated in Edinburgh where spectacular growth has followed increase in provision. However many are still discouraged from selecting GME for their children by practical burdens which are much reduced by choosing a mainstream education.

Some of these barriers are as a result of what local authorities feel they are able, or willing, to provide in the form of access to, and support for GME, and both of these ultimately depend to a large degree on funding.

We have therefore have the following comments on the Bill:

1. The Bill does not provide the right to GME that we would wish. In practice, it appears unlikely that it will even provide a mechanism to clarify what level of demand would be sufficient to justify new GME provision.

Lack of access to GME imposes difficulties for individuals, such as when a parent moves to another area and a child who already has Gaelic is denied access to GME. It also halts the regeneration of Gaelic in new areas, as there are many disincentives which discourage local authorities from new GME provision.

What the Bill does provide is for the Bòrd to issue guidelines. These will in practice be similar to the Draft Guidance issued recently by the Minister for Education and Young People. We appreciate that the Guidance is not part of the Bill itself, but the draft shows the likely practical application that we can expect of the Bill.

These Guidelines require only those authorities in receipt of Specific Grant for Gaelic to publish a policy on GME. (There is a statement that future revisions may require all local authorities to issue a policy statement, but that is far from certain, and we note our concern that this Guidance could
even be weakened before it is finally issued.) This therefore at present gives no guidance to parents on what constitutes reasonable demand in areas where there is no current provision.

As far as the Bill itself affects the right to access to GME, although the Bòrd could, say, issue nation-wide guidance on reasonable demand, which would be helpful, the Bòrd’s decisions are subject to guidance by the ministers, and the Draft Guidance make it clear what the current Minister’s guidance is likely to be.

Therefore on this issue, there is little prospect that the Bill will remove barriers at present.

2. On support for GME where it is already provided, the Bill, (again together with the Draft Guidance, which appears to indicate how the Bill is to be used in practice) does a little better, we feel.

The Draft Guidance specifies that local authorities should publish their plans for provision of, and support for GME. This will at least provide guidance for parents as to what they can expect, and introduces a degree of accountability for service level provision to the Bòrd, also hopefully ensuring less variation among different authorities.

The Draft Guidance (Annex A) specifies that a minimum of two subjects should be available at Secondary level, which we welcome as a badly needed development. We hope this survives the review process.

On this issue there could be some benefit, though it remains to be demonstrated that these alone can remove sufficient barriers to selecting GME, particularly in light of the following.

3. It appears that local authorities will generally have to bear the ongoing cost of increased numbers and improved quality. (Specific Grant is intended to set up new services and provision, and is time-limited.)

Rapid growth can only happen when local authorities are rewarded and not penalised for increasing numbers entering GME.

With budgets always tight, local authorities are likely to be under pressure to either limit the rise in numbers, or restrict services such as transportation to balance the books. In either case, the effect is to put barriers in the way of those who might have selected GME, with a resulting inhibition of the recovery which appears, perhaps for the first time, to be within our grasp.

Without any arrangements in the Bill to provide central funding to local authorities for providing GME services, say, on a per-capita basis, local authority language plans are likely to be understated, and the national plan unlikely to be realised.

The language planning approach to securing the future of Gaelic appears to have merits. But without financial planning to back it up, little is likely to change.

The current role for Bòrd na Gaidhlig, and the Gaelic Bill as it stands, could provide some gains. Significant changes in approach are likely to be needed, however, to confer real power for change, in which event, naturally, we would whole-heartedly support the Bill.

Ian MacDonald
Convenor
Comann nam Pàrant (Dun Eideann)

SUBMISSION FROM COMHAIRLE NAN EILEAN SIAR EDUCATION DEPARTMENT

This submission from the Education Department of Comhairle nan Eilean fully endorses the corporate response submitted by the Comhairle, and makes some additional observations specific to Education.
Comhairle nan Eilean Siar has been at the forefront of Gaelic educational development since 1975, when the islands linked together as an administrative unit for the first time. One of the first steps taken was the establishment of a bilingual policy, covering all aspects of the Comhairle’s work.

Within education the policy has had a major impact at all levels from pre-school to secondary education. The Comhairle has consistently promoted Gaelic medium education among all client groups, and has a policy aspiration to provide Gaelic Medium education in all schools in the first two years of primary education. Historically, the Comhairle was the first in Scotland to champion the cause of Gaelic medium, with the innovative Bilingual Education Project, which operated from 1975 – 1981, and which laid the groundwork for later developments in Gaelic medium primary education. Likewise, the Comhairle was the first in Scotland to offer bilingual provision in secondary schools, in the context of an initiative taken by the Comhairle in 1983, when a two-year pilot project to teach Geography and History through the medium of Gaelic was introduced. This has now expanded in terms of the number of schools involved and the subjects taught.

The Education Department is very much aware of the need to raise awareness of the benefits of Gaelic medium education and participates in a multi-agency strategy with Comunn na Gaidhlig and Seirbhs na Meadhanan Gaidhlig to promote uptake.

The Comhairle’s provision of accommodation and other support to Storlann, the National Gaelic Resources Centre, is a further instance of the proactive role taken to support language development.

In this context, the Education Department welcomes the measures taken to strengthen the position of Gaelic.

**Secure Legal Status for Gaelic**

It is essential that the forthcoming Gaelic act ensures that Gaelic enjoys secure legal status, which would give it equal status with English, and would ensure that the position of Gaelic in education was not dependent on the prevailing political will at any given time.

**Bòrd na Gàidhlig**

In respect of Gaelic medium education, there is a necessity for Bòrd na Gàidhlig to be directed to work with the established inter-authority mechanisms in its devising of guidance.

It is, however, important, that there be a national co-ordinating function in respect of the promotion of Gaelic Medium Education. The proven success of Gaelic medium education in respect of raising attainment makes it incumbent on Scottish Executive to ensure that there is a national drive to promote uptake. At present, this is left to individual local authorities, and the considerable efforts made by officers do not carry the same clout as would a national campaign, especially if not led by those perceived to have a vested interest. Any such national campaign needs to be backed by the necessary structures and resources that increasing demand will require.

**Gaelic Education**

Authorities need to be left in no doubt that Gaelic has a significant role to play in meeting the aspirations of all the national priorities, and not just Priority 3, which makes specific reference to Gaelic.

November 2004
SUBMISSION FROM COMHAIRLE NAN SGOILTEAN ÀRAICH

Anns an Fharsaingeachd:

Tha Comhairle nan Gòiltean Araich, CNSA, a’ cur fàilte air steidheadadh Bhòrd na Gàidhlig, agus air an úidh a tha Riaghaltas na h-Alba a’nochdadh ann an Gàidhlig. Air sin a ràdh ge-tà, bu chaomh leinn corra phuingeantu a thogail:

Inbhe Thèarainte: Tha sinn faicinn Inbhe Thèarainte tuilleadh is iomchaidh agus ‘se briseadh dùil a th’ann nach eil e ri faicinn ‘sa Bhile.

Cairt Eòrpach nam Mion-chànanan: Chan eil e idir soilleir dhuinn gu bheil an Riaghaltas a’ coileanadh a dhleasdanas mu choinneamh an seò. Tha a’ Ghàidhlig fhathast air fhàgail gun taic oifigeil, agus gun Inbhe Thèarainte chan eil e soilleir gun tèid leasachadh air a’ ghnuthach.

Ombudsman: Tha CNSA ga faicinn iomchaidh Ombudsman a steidheadadh airson úghdarras neo-eisimeileach a bhith ann airson dhleasdanas an Bhile a chur an gnìomh.

Earrainn fa leth:

1) Bòrd na Gàidhlig: Tha CNSA, a’ cur fàilte air steidheadadh Bhòrd na Gàidhlig.

2) Plana-càrn Nàiseanta: Tha CNSA, a’ cur fàilte air plana-càrn Nàiseanta mar cheum chudthromach gus bun-steidh cothromach a bhith ann airson leasachadh na Gàidhlig.

3 - 8) Planaichean-càrnain: Tha seo cothromach gu leòr, ach gun barrachd neart bidh e tuilleadh is furasta deagh rùn a’Bhile a sheachadh. Tha CNSA air gu leòr cnapan-starra faicinn air feadh na dùthcha a tha a’ cur dàil air leasachadh na Gàidhlig. As aonais Inbhe Thèarainte, chan eil e col’ach gu tèid an gnothach atharrachadh.

6) Tha am Bile, mar a tha e an-dràsta, ro lag a thaobh cumhachdan ma’s e gun èirigh trioblaidean. Airson an laigse seo a cheartachadh, bu chaomh leinn gun tèid Ombudsman a steidheadadh mar úghdarras neo-eisimeileach, a bhiodh dèileagadh le buidheann sam bith a bhios ‘fàlligeadh a thaobh nam planaichean-càrnain.

9) Foghlam Gàidhlig: Bu chaomh leinn còraichean ann an lagh faicinn air feadh na dùthcha. An-dràsta tha na h-uile a’ crochadh air deagh rùn, as aonais bun-steidh seasmhach.

Anns an dealachadh bu chaomh leinn na leanas a dhaingneachadh:

Tha Comhairle nan Gòiltean Araich a’ cur fàilte air steidheadadh Bhòrd na Gàidhlig, agus air an úidh a tha Riaghaltas na h-Alba a’ nochdadh ann an Gàidhlig.

Inbhe Thèarainte: Tha sinn faicinn Inbhe Thèarainte tuilleadh is iomchaidh.

Cairt Eòrpach nam Mion-chànanan: Chan eil e idir soilleir dhuinn gu bheil an Riaghaltas a’ coileanadh a dhleasdanas mu choinneamh an seò.

Ombudsman: Tha CNSA ga faicinn iomchaidh Ombudsman a steidheadadh.

Taing,

An t-Oll, Alasdair MacMhaoirn
Cathraiche
CNSA
In General:

Comhairle nan Sgoiltean Àraich, CNSA, (The Council for Nursery Schools) welcomes the establishment of Bòrd na Gàidhlig, and in the interest that the Scottish Executive has shown in Gaelic. Having said that though, there are a number of points we would like to raise:

Secure Status: We see that Secure Status is more than appropriate and it is a disappointment that it is not to seen in the Bill.

The European Charter for Minority Languages: It is not at all clear to us whether the Executive is meeting its duties under this [agreement]. Gaelic is still left without official support and without Secure Status and it is not clear whether any improvement will be made in this matter.

Ombudsman: CNSA believes that it would be appropriate to establish an Ombudsman as an independent authority who would enact the duties of the Bill.

Separate Section:

3) Bòrd na Gàidhlig: CNSA welcomes the establishment of Bòrd na Gàidhlig.

4) National Language Plan: CNSA welcomes the National Language Plan as an important step to enable there to be a fair establishment for the development of Gaelic.

3 - 8) language Plans: This is fair enough, but without more power, it will be more than easy to reject the good will of the Bill. CNSA has seen enough obstacles throughout the land that have delayed the development of Gaelic. Without Secure Status, it is unlikely that this business issue will be resolved.

6) The Bill, as it is at the present time, is too weak as far as powers are concerned if any problem were to arise. In order that this weakness to be corrected, we would like to see the establishment of an Ombudsman as an independent authority, who would deal with any body which failed in connection with language plans.

9) Gaelic Education: We would like to see rights in law throughout the land. At the present time, everything depends on good will, without firm basis.

In summary, we would like to see the following ratified:

Comhairle nan Sgoiltean Àraich welcomes the establishment of Bòrd na Gàidhlig, and the interest that the Scottish Executive has shown to Gaelic.

Secure Status: We see that Secure Status is more than appropriate.

The European Charter for Minority Languages: It is not at all clear to us whether the Executive is meeting its duties under this [agreement].

Ombudsman: CNSA believes that it would be appropriate to establish an Ombudsman.

Dr. Alasdair Mearns
Chairperson
CNSA

SUBMISSION FROM COMMISSION FOR RACIAL EQUALITY

The Commission for Racial Equality (CRE) Scotland is pleased to respond to the Education Committee’s call for evidence on Stage 1 of the Gaelic Language (Scotland) Bill. The CRE is charged with three duties under the Race Relations Act (as amended) (RRAA):
• Working towards the elimination of racial discrimination;
• Promoting equality of opportunity and good race relations between persons of different racial
groups generally;
• Keeping under review the working of the Act.

CRE Scotland fully supports the need to develop and maintain initiatives to promote and sustain
Gaelic and is therefore fully supportive of the general principles of the Gaelic Language (Scotland
Bill). However, we wish to take this opportunity to draw the Committee’s attention to our concerns
about the lack of progress on the Scottish Executive’s commitment to introduce a National
Language Strategy.

Evidence shows that although over 60 languages are currently in use in daily life in Scotland they
go largely unrecognized. The lack of a National Language Strategy means that, at present, service-
providers are unable to ensure everybody in Scotland can access information and services and
education authorities are unable to determine what language support is required at a local level.

Since April 2001, the RRAA has placed a statutory duty to promote race equality on listed public
authorities including the Scottish Executive and local authorities. This duty means that listed public
authorities must have due regard to the need to eliminate unlawful racial discrimination, promote
equality of opportunity and promote good relations between people of different racial groups. The
CRE is of the view that in order to meet the requirements of this duty public authorities must
effectively address the language needs of all the people they serve.

The CRE firmly believes that in order to ensure an inclusive approach to all of Scotland’s language
needs the proposed National Language Strategy must be developed as progress is made on the
Gaelic Language Bill. Failure to do so could perpetuate the social exclusion of the most
marginalized members of Scotland’s ethnic minority communities. We would therefore urge the
Committee to question the Executive about the lack of visible progress on their commitment to
introduce a National Language Strategy.

If you would like further information about the CRE’s view with regard to the support and
development of languages in Scotland please do not hesitate to contact me at the address above.

Harriet Hall
Parliamentary and Public Affairs Officer

SUBMISSION FROM CROILEAGAN EUBHAL

I write, as secretary, on behalf of Cròileagan Eubhal, from North Uist.

We fully endorse all the oral and written evidence submitted by Comann nam Parant and would
highlight the issue of adequate dissemination of information to parents about GME - there is too
much ad hoc information available on the (now scientifically proven) evident advantages of having
a fully bi-lingual education, and too little publicity on the subject given to parents too late - parents
need to be informed when their child(ren) is 2, not 5.

It is essential that the political will is seen to make Gaelic pre-school and school accessible to those
who want it with adequate budgets in place - this really is the last opportunity to prevent Gaelic
language being lost to all but a few - our numbers in the Cròileagan tell us we have support; it is
now up to those who can to make it a reality for those who wish it- the financial cost in doing so is
very little for what will be gained for the future - please do not let us down.

Dorothy M MacVicar
Secretary
Cròileagan Eubhal
Uihbist a Tuath
SUBMISSION FROM DEMOCRATIC LEFT SCOTLAND

A chàirdean,

Democratic Left Scotland welcomes the general principles of the Gaelic Language Bill, together with the general strengthening of the proposals contained therein.

Against this background however, we would offer the following comments.

While we welcome the strengthened status of the language, and recognise that it may be felt that the specific proposals put forward regarding the status of the language are the maximum attainable, or most appropriate at present, we believe that the medium term key aim must still be that Gaelic and English are granted a status of equal validity. It is important therefore that the Bill as passed is not seen as final measure set in stone, but rather as a staged measure of progress towards this ultimate aim.

We welcome the establishment of the Bòrd na Gàidhlig on a statutory basis. A key element for the success of the Bòrd over the coming years will be a guarantee of sufficient funding to allow it to carry out its work. It is therefore important that sufficient provision is made for increasing the necessary funding as the workload of the Bòrd increases in line with improvements in the situation of Gaelic within Scotland.

Finally we support the provisions allowing the Bòrd to issue guidance to Local Authorities regarding Gaelic education. There is much good practice out there, and the Bòrd are best placed to hold the interest of Gaelic speakers at heart and advise on how this best practice can be generalised, extended and improved.

Stuart Fairweather

Convenor

Democratic Left Scotland

SUBMISSION FROM EAST DUNBARTONSHIRE COUNCIL EDUCATION SERVICE

Question 1

Is it right that Gaelic be recognised as one of the languages of Scotland in statute?

Yes, Gaelic is one of Scotland’s national languages. It is Scotland’s oldest indigenous language, and should be supported through Scottish, legal, statutory provisions. In order that Gaelic remains part of our future heritage, its status should be secured as an official language of Scotland.

Question 2

Should Bord na Gaidhlig have the functions provided in Section 1 of the draft Bill?

Yes, but we are disappointed that there is no mention of education or National Priority 3 in the Gaelic Language Bill.

East Dunbartonshire Education Service strongly supports the Gaelic Language Bill’s proposed granting of statutory recognition to the National Gaelic Plan and to Bord na Gaidhlig. The promotion of Gaelic through the field of education is not given prominence in the Bill, which we believe is pivotal to the functions of the Bord. The Gaelic Bill needs to make clear the Scottish Executive’s commitment to Gaelic Education.

Question 3

Should the requirements in sections 2 and 3 of the draft Bill be placed on Bord na Gaidhlig?

Yes. There is also an expectation that there would be associated national funding, fairly distributed, based on needs, and that the present system of annual bidding would cease.
Question 4
*Should Bord na Gaidhlig be given the powers in schedule 1, paragraph 11 to the draft Bill?*

Yes, these powers are as we would have expected.

Question 5
*Are there other matters, beyond those in section 5(5) of the draft bill that public bodies should have regard to in determining whether to prepare a Gaelic language plan?*

All areas are adequately covered.

Question 6
*Should public bodies be required to consider whether it is appropriate to prepare and publish a Gaelic language plan describing the services they will offer in Gaelic?*

The Bill places the duty on public bodies in Scotland to consider the need for Gaelic language plans, in relation to the services they offer. Under the direction and advice from the Bord, this ‘consideration of the need for Gaelic language plans’ must be a statutory obligation and not viewed as an option.

For education authorities, there should be no requirement to produce a separate plan, as education authorities currently outline plans for Gaelic, under National Priority 3, in their Statement of Improvement Objectives, which are submitted annually to the Scottish Executive, and are required to report on progress towards meeting the objectives set out in this plan.

As stated in the National Priorities for Education, education authorities report on the number of parental requests made for Gaelic medium education and on how these requests are met. After 2005, when there may be changes to the National Priorities, it should still be incumbent on Education Authorities to encourage Gaelic medium education.

Question 7
*Should the Bill provide for Bord na Gaidhlig to assist and advise public bodies in the preparation of Gaelic language plans?*

Yes, this advisory, supportive role is vital.

Bord na Gaidhlig should assist, advise and work with public bodies, although requirements on Education Authorities are already made clear through the Standards in Scotland’s Schools etc Act 2000.

Question 8
*Should the Bill require Bord na Gaidhlig to prepare guidance on Gaelic language planning?*

Yes, guidance and the use of standardised criteria would be helpful, especially in the form of a standard template for completion.

Question 9
*Should Bord na Gaidhlig have a role in advising Education Authorities and the Scottish Executive on plans for Gaelic medium education flowing from the 2000 Act?*

Yes there is a need for one body to offer advice and have a strategic role to guarantee consistency.

However, as stated above, the requirements on Education Authorities are already made clear through the Standards in Scotland’s Schools etc Act 2000. East Dunbartonshire Education Service currently meets all requests for Gaelic Medium Education which is offered at Primary and Secondary levels, and would wish these successful, workable arrangements to continue.

Question 10
*Would you like to comment on any other aspects of the draft Gaelic language Bill?*
B: Written submissions from organisations

Some general comments:

- We wish education and National Priority 3 to be given a prominent place in the Gaelic Language Bill.
- The Gaelic Language Bill needs to make clear the Scottish Executive’s commitment to Gaelic education.
- We advise that there should be public transparency as to how the membership of the Bord is formed.
- We would suggest that language plans used by public bodies should be updated more often than every 5 years.
- If the Gaelic Bill generates demand for Gaelic and we hope that it will, there must be strategic plans and funding in place to meet that demand.
- There are training, recruitment and staff development issues which require to be addressed.
- We need more recognition given to existing good practice and a national strategy developed for dissemination of good practice.
- Gaelic as a second language should be further promoted in secondary schools alongside more traditional choices e.g. French, German, Spanish and Italian.
- Gaelic Learners in the Primary School initiative should be further promoted.
- More funding for Gaelic broadcasting
- Objectives, tasks and timescales should be stated clearly in the Bill, so that young people and their parents / carers feel more secure about the continuity of Gaelic education in schools.

Summary

East Dunbartonshire Education Service is positive about the Gaelic Bill as a way to help halt the decline in the use of Gaelic. We also welcome the creation of the Bord na Gaidhlig and the statement from the Minister that Gaelic has official status and recognition.

East Dunbartonshire Education Service strongly suggests that the National Priorities for Education, as enshrined the Scotland’s Schools etc Act 2000, are the proper vehicles for the development of Gaelic.

SUBMISSION FROM FEIS ROIS

Feis Ros warmly welcomes the Gaelic Bill and congratulates the Executive in its historic move to normalise the Gaelic language and culture of Scotland.

We wish the Bill to enable and support the tuition and development of Gaelic language and culture to all the people of Scotland.

We wish to see the funding being made available for a widespread education programme to be offered by Local Authorities through Primary schools, Secondary schools, colleges and community education services.

The Bill should specify that Gaelic is an official language in Scotland.

Rita Hunter
Feis Rois Manager

SUBMISSION FROM GAELIC LANGUAGE PROMOTION TRUST

The Trustees of the Gaelic Promotion Trust would wish to congratulate the Scottish Executive for acknowledging the importance of the Gaelic language in Scotland and for taking steps to secure its continuation as a living language. However, having given the consultation draft of the Bill our most
careful consideration we are of the view that a number of matters require to be addressed by Ministers prior to their passing the Bill.

1. **Preamble:** It is felt that the preamble to the Act should contain a clear statement of the Acts objectives e.g. Is its purpose to save Gaelic as a living language by increasing the number of speakers. A clear outline of the Acts objectives would be of assistance in future interpretation and enforcement of the Act.

2. **Clauses 5 & 6 National Gaelic Language Plan:** There is no provision within these clauses to enforce their implementation. The vagueness and apparent lack of purpose in the language of the Act could be construed as tokenism on the part of the Legislature. The Trustee’s position is that for the proposed Act to be effective it requires to contain detailed and enforceable rights and obligations. In its current form, these clauses are rendered unenforceable by both the Bòrd and Ministers lack of power to enforce implementation of its various provisions. For example:

   **Clause 5(1):** There is a danger that decisions by public bodies as to whether or not they consider it appropriate to prepare and publish a plan made may be predetermined and governed by financial or other inappropriate factors.

   **Clause 5(3):** The fact that there is very little guidance as to what should be included in such plans is a weakness in the Act with resultant difficulties in enforcement inevitable.

   **Clause 5(5) & 5(6):** There is no provision in the Act stipulating that public bodies must publicise that they are going to determine the matter of whether or not it is appropriate to prepare and publish a plan. Clearly if there is no duty to inform the public it is unlikely representations will be received.

   **Clause 6:** While there is a duty on public bodies to advise the Board of the reasons for its determination where they consider it is not appropriate to prepare and publish a Gaelic language plan the Bill provides neither the Bòrd nor Ministers with the authority to alter any such determination. This is a significant weakness in the proposed legislation in that there is no mechanism by which the Bòrd or Ministers or indeed a member of the public can seek reversal of a determination. The only avenue open to individuals in the event of a public body failing to prepare and publish a plan appears to be Judicial Review, a costly process beyond the means of most. Furthermore, if a plan is published there is no provision for enforcement if the public body concerned does not go ahead with its implementation. The omission from the Act of a mechanism to enforce implementation is likely to result in a considerable shortfall in the number of published plans which are ultimately fully implemented.

Legislation requires powers, by way of clearly stated duties and remedies, to compel implementation of its provisions and the Trustees regard incorporation of such duties and remedies into the Bill as essential if the proposed Act is to be effective in achieving its aims.

3. **Gaelic Education:** The Trustees are extremely disappointed and concerned at the Bills failure to address the most important matter of Gaelic education. The future of Gaelic without doubt lies in children being given the opportunity to learn Gaelic. The Trustees are of the view that the right to Gaelic education must to be embodied in any legislation purporting to promote the use and understanding of the Gaelic language and the draft Bills failure in this regard is a critical shortcoming. While we support and commend the extension of Gaelic medium education in primary and secondary school the right to Gaelic education should not fall into the current “all or nothing” categorisation. At the present time, with the exception of a number of schools in the Western Isles, Gaelic language provision in primary schools is such that you require to be educated through Gaelic medium should you wish your child to learn Gaelic at all. There is no provision for learning Gaelic as a second language in mainstream primary schools. As the Gaelic medium education curriculum is geared towards children with no prior knowledge of Gaelic it can exclude fluent speaker children whose parents do not wish their children to be treated as learners in the first year of their education. The current provision also excludes children whose parents wish them to be educated in English but would like them to have the opportunity of learning Gaelic as a second language. The right of all children to be given the opportunity to learn Gaelic as a second language in primary schools, in the same way that they are given the opportunity to learn French,
a matter for which any legislation which aims to secure the future of Gaelic must provide. If legislation is to succeed in increasing the number of Gaelic speakers then it must also provide for Gaelic being available as a language of choice in secondary schools throughout Scotland. Such legislative commitment would of course require to be underpinned by long term financial provision. In addition, the critical level to which the availability of teachers qualified to teach both Gaelic medium and Gaelic language classes has fallen necessitates that teacher training, and the retraining of mainstream teachers, must be addressed as a matter of urgency. We would submit that their training could be undertaken by UHI establishments within the Highlands and Islands. This could deliver economic benefits, re-establish confidence and help reverse the drift of graduates from rural areas. Initiatives to reverse the decline of Gaelic in the heartland areas will be successful only if the economic circumstances of the area succeed in retaining population levels and improving job and career opportunities. The Scottish Executive have an opportunity now to kick start the catalyst of growth. It may wish to consider going further by dispersing the head offices of more government and civil service departments into the West Highlands and Islands and insisting that all who work in these establishments should be fluent Gaelic speakers. The creation of jobs, including senior positions, would reverse the migration of native Gaelic speakers who left for purely economic reasons. One can look to the enormous benefits to South Wales and the Welsh language of locating DVLA in Cardiff. We would therefore submit that if the Scottish Executive wishes to save Gaelic as a living language it is crucial that the administrative and executive functions of The Bòrd are located within the Gaelic speaking Highlands and Islands.

For such an initiative to succeed it will be necessary to sell the idea within the West Highlands and Islands and to Scotland at large by a properly funded PR campaign to demonstrate the benefits of bilingualism, underpinning cultural pride and reversing longstanding economic problems which have been endemic in the area for generations.

We enclose a schedule detailing other specific points which we are of the view should be considered during the debate stage of the Bill.

In the event that you wish to discuss any of the matters raised in this letter or the schedule attached a representative of the Trust would be happy to address you at a later date. Please do not hesitate to contact me in this regard.

Margaret Callan
Secretary
29 February 2004

Trustees:

Mary Sandeman, Chair                  Peter Macintyre
Bill Innes, Vice-chair                Dr Alfred Martin
Colin Clark, Treasurer                John F. Munro, MSP
Margaret Callan, Secretary           Norman Robertson
Robin Banks                              Ian Smith
Maggie Macinnes

Schedule

1. The preamble refers to “securing the status” of the Gaelic language. “Secure status” has no legal meaning in that this wording does not in itself confer rights or obligations. As such its use can be confusing if not misleading.

2. Clause 1(1): There is no provision in the Bill for the requirement or otherwise of members of Bòrd na Gaidhlig having Gaelic language skills. Consideration should be given to whether fluency in spoken Gaelic and literacy in Gaelic should be prerequisites of membership of the Bòrd.
3. Clause 1(2)(a): This clause is vague in that it does not state the areas of public life in which the Bòrd should be promoting the use and understanding of the Gaelic language. Furthermore, this clause could be interpreted as addressing only spoken Gaelic and not literacy.

4. Clause 1(3): This clause fails to address current low levels of literacy and should therefore be amended to incorporate reference to increasing levels of competency in reading and writing skills. Furthermore, the work "or" should properly be replaced by the word "and".

5. Clause (3)(b): This clause is vague in that it does not stipulate where the use of Gaelic language is to be encouraged i.e. in the public sector only or in all walks of life.

6. Clause 5(5)(c): It is somewhat contradictory that the Bill provides for the establishment of a specialist body (the Bòrd) to advise Ministers on matters relating to the Gaelic language and Gaelic culture (Clause 1(2)(b)) but, in respect of the Gaelic language plans central to the legislation, guidance given by Ministers with perhaps no knowledge of Gaelic language and culture is giving precedence over guidance of the Bòrd, whose advice must be approved by the Scottish Ministers.

7. Clause 6(2): This clause fails to provide for the eventuality in which Scottish Ministers may delay in making a decision on a plan and does not provide any time scale in which Ministers must carry out their duties.

8. Public Bodies: The inclusion of such a list and the omission from it of institutions such as Universities and the Scottish Courts Administration, is likely to cause difficulties in the future. Furthermore there will inevitably be difficulties in relation to bodies such as the Post Office and DVLA who are governed by Westminster legislation. Consideration also requires to be given to whether private companies should be subject to the Act.

9. Clause 9: There is a significant danger in attempting to define culture in this way. Native Gaelic speakers from the Western Isles for example are unlikely to share the same traditions, attitudes and ideas of learners of the language on the mainland of Scotland and as such the stipulation that such traditions etc. should be “shared” could prove restrictive.

SUBMISSION FROM GAELIC MEDIA SERVICE

S e seo freagairt Seirbheis nam Meadhanan Gàidhlig do iarrtas Chomataidh an Fhoghlaim airson beachdan bho bhuidhnean le com-pàirt ann mu phrionnsabalan coitcheann Bile na Gàidhlig (Alba).

1. Tha Seirbheis nam Meadhanan Gàidhlig mothachail gu bheil toradh nan co-chomhairlean a bha ann roimhe air fhacinn sa Bhile seo, agus a’ cur fàilte air na cumhachdan a bharrachd a thantar an dùil a bhios aig Bòrd na Gàidhlig gus freagairt air an àireamh mhòr de thagraidhean a thàinig a-steach sa chiaid ùne co-chomhhairleachaidh. Tha e imomaidh gum biodh cumhachdand Bòrd na Gàidhlig a’ gabhail a-staigh Alba gu lèir, oir ‘s e cànan nàiseanta a tha sa Gàidhlig, nach eil air a cuingealachadh ri roinneach sònraichte.

2. Tha an dòigh a tha na cumhachdand air an cur sa Bhile a’ sealltlinn gu bheil mothachadh gum feum dòigh Bòrd na Gàidhlig air a dhleastanasan agus a chumhachdand a choileanadh mothachadh a nochdadh air an fhior shuidheachadh cânanach, cultarach, sòisialta agus politeataigeach anns na diofar roinneach agus sgirean. Tha beag no mòr den Gàidhlig air a chleachadh ann an cultaran bearteach âiteachan cho fada bho chèile ri sgirean dùthchail Arcaibh, Siorrachd Pheairt, na Criochan agus na h-Eileanan Siar, agus ann am bailtean móra Ghlaschu, Dùn Èideann, Obair Dheat hain agus Inbhir Nis. Feumar Bòrd na Gàidhlig ughdarachadh le comas a bhith a’ déileigeadh ri suidheachaidh dhoifrachaidh ann an doigh shùbailte.

3. San fharsaingeachd, tha Seirbheis nam Meadhanan Gàidhlig a’ cur meas air an deaslach a tha Riaghaltas na h-Alba air a shealltlinn gus taic a thoir person mhiann aig mòran dhaoine an Alba gum bi a’ Gàidhlig air a cumail suas agus air a nearachadh. Le bhith a’ cur cumhachdand Bòrd na Gàidhlig ann an reachdas, a’ déanamh cinn teach gum bi a’ite aice
mar phriomh dràibheair poileasaidh poblach a thaobh na Gàidhlig, agus le bhith a’ cruthachadh dòighchein air neart practaigeach a thoirt do na ceuman sin, tha am Bile a’ fosgladh na slighe airson spionadh úr ann an ath-bheothachadh na Gàidhlig.

4. Ma tha amasan a’ Bhile a’ dol a shoibrheachadh, feumair inbhe cho-ionann a thoirt don Ghaidhlig mar chànan a tha ann an Alba ach cuideachd a bhuneas do Alba. Feumaidh i a bhith air a cleachdadh, air a cluinntinn agus air a faicinn an àiteachan poblach air feadh Alba; agus feumar a neartachadh sna raointean deatamach airson tar-chur eadar-gheinealach agus ionnachadh cànain – an dachaigh, an cròileagan, an sgòil-àraich, an sgòil agus na coimhhearsnachd anns a bheil i fhathast na pàirt air déanm na bheatha làtheil.

5. Mar sin, dh’fhèumadh leòr-sgrùdadh air Bile na Gàidhlig (Alba) rannsachadh a dhèanamh dòigh air a bhith airson spionadh ùr ann an ath-bheothachadh na Gàidhlig, a tha am Bile a’ bhrosnachadh, a’ dol a shoibrheachadh, bu choir dha a bhith coileanta.

6. Air fhacinn bhon t-sealladh seo, tha cion gearrtais bho Riaghaltas na h-Alba mu poileasaidh sam bith airson craoladh Gàidhlig a leasachadh, còmhla ri le leasachadh a’ Ghàidhlig is deachadh a bhios a bhith airson leasachadh na Cùimhris de dhèanamh, cultarach agus soscealta air an cu an gniomh sa Bhile, a’ comharrachadh poileasaidh gu mhòran feum no dochas airson nam bàthadh an t-aghaidh. Ged a bhoichadhadh anns an raointean eile a tha ag odirheachadh air a’ Ghaidhlig a neartachadh, bhiodh e air a lagachadh aig cion leasachadh ann an craoladh; air an làimh eile, nam fàgadh craoladh Gàidhlig cothrom, air leudachadh a’ chònachadh còmhla ri, agus co-ionann ri, iomartean eile, bhiodh air na beàthadh dha rèir.

7. Tha e fìor san t-saoghal sa bheil sinn beò, mur eil am meadhan as cumhachdaiche san t-saoghal ag obrachadh dhut, tha e ag obrachadh nad aghaidh. Aig an am seo, tha siostam craolaidh na RA a bhios a’ bhoichadh anns an aghaidh na Gàidhlig, oir tha cho deag de chraoladh Gàidhlig ann an-dràsta ‘s nach eil rian a bhios a bhith airson leasachadh agus ath-bheothachadh.

8. San t-seagh seo, tha e soilleir gu bhith feum air sianal telebhisein digiteach Gàidhlig a stèidheachadh a bhios na bhunait airson leasachadh nam meadan Gàidhlig san linn dhigitechean, an co-cheangal ri iomairtean eile a tha ag amas air cànain a chumail suas agus ath-bheothachadh.

9. Tha na briathran a leanas air an toirt bho thaobh-duilleig 59 de thagradh a’ BhBC chun a’ Phhasall Neo-eisimeicheach air Ath-sgrùdadh a’ Chlár, Dàmhair 2004 - The BBC’s role in representing the Nations and Regions. Tha e a’ sealltinn cho cudromach dhluath, eadhon eadar-obrachail, eadar leasachadh craolaidh agus floradh ars na Cùimhris. “Air isomadh dòigh, tha eachdraidh craoladh Cùimhris air a bhith na phàirt cudromach de eachdraidh a’ chànan fhèin a chuid as motha den fhìcheadadh linn, mar a thàinig rèidio agus an uair sin teileisean gu bhith air toiseach mar mheadhanan airson cultar a th-sluaigh. “S e dàimh ioma-fhillte, eadar-obrachail a tha ann: tha craoladh a’ sealltainn ann an iomadh dòigh staed a’ chànan agus a’ chulltair san fharasainneachad; tha e cudraidh a’ toirt buaidh air seasmhachd agus soibrheachadh a’ chànan.”

10. Tha a’ choimhhearsnachd Ghaidhlig a’ cur meas air craoladh Gàidhlig cuideachd – dheth fhèin agus mar stòras ro-chudromach ann an cumail suas agus leasachadh a’ chànan – agus air deasbad a chumail a’ dol thar càirr is deich bliadhna airson sianal teileisein shòr-raighthe dhaibh fein. Mar sin, tha e tàmaiteach nach rorob Riaghaltas na h-Alba, agus Ofis na h-Alba roimhe, ga theas iomchaidh gum bhith airson toiseach mar mheadhanan cultar ar t-sluaigh. “S e dàimh ioma-fhillte, eadar-obrachail a tha ann: tha craoladh a’ sealltainn ann an iomadh dòigh staed a’ chànan agus a’ chulltair san fharasainneachad; tha e cuideachd a’ toirt buaidh air seasmhachd agus soibrheachadh a’ chànan.”
11. The aim of the Maoin air leantainn is to provide meaningful work experience for 10 weeks, and the programme should be extended to 20 weeks a year by 2005. This would enable an extra 140 programmes each year at a cost of £12.8m. There are no programmes in Gàidhlig or Scottish Gaelic drama, but a little of the drama programme is run in the public service.

12. In 1998, the Maoin airle Maoin craoladh Gàidhlig air to the Scottish Parliament. However, this craoladh was not successful, and eventually the Maoin airle Meadhanan Gàidhlig was established by the DCMS and the DTI; it is managed by the BBC with the involvement of the Scottish Government.

13. The agencies are working hard to promote Gàidhlig, although at the same time the support for theרכה from the Scottish Office is decreasing. The Scottish Office is developing Gàidhlig while the agencies are working hard to maintain existing arrangements for Gaelic programmes.

14. So far, the BBC has made it clear that Gàidhlig must be part of the new service. It has received £12.8m from the Scottish Office, which is a great achievement. The BBC should be given the opportunity to develop Gàidhlig in the long run, and the agencies should be given the chance to develop the service.

15. The Scottish Government has asked the BBC to work on the service as part of the Scottish Parliament. This is a great opportunity for the agencies to work with the Scottish Office and to develop the service.

16. The Scottish Government has asked the BBC to develop the service in the long run, and the agencies should be given the chance to develop the service.

17. The Scottish Government has asked the BBC to develop the service in the long run, and the agencies should be given the chance to develop the service.
This is the response by Seirbhies nam Meadhanan Gàidhlig (the Gaelic Media Service) to the Education Committee’s request for views from interested parties on the general principles of the Gaelic Language (Scotland) Bill.

17. The Gaelic Media Service is aware that the current Bill reflects the outcome of earlier consultations, and welcomes the increased powers envisaged for Bòrd na Gàidhlig in response to the many submissions made in the first consultation period. It is appropriate that the scope of Bòrd na Gàidhlig powers should encompass the whole of Scotland, as Gaelic is a national language, not confined to particular regions.

18. The framing of these powers in the Bill shows awareness that Bòrd na Gàidhlig’s approach to discharging its responsibilities and exercising its powers will need to show sensitivity to the linguistic, cultural, social and political realities of different regional and local situations. Gaelic is found to lesser or greater degrees in the richly textured cultures of places as far flung as rural Orkney, Perthshire, the Borders and the Western Isles, and urban Glasgow, Edinburgh, Aberdeen and Inverness. Bòrd na Gàidhlig will need to be empowered so as to be able to deal flexibly with disparate situations.

19. In general terms, the Gaelic Media Service appreciates the commitment shown by the Executive towards supporting the aspiration of many people in Scotland that the Gaelic language be maintained and strengthened. By enshrining the powers of Bòrd na Gàidhlig in statute, ensuring its place as a key driver of public policy in relation to Gaelic, and by creating mechanisms to give these measures practical force, the Bill paves the way for a new dynamic in the regeneration of Gaelic.

20. For the aims of the Bill to succeed, Gaelic must be given parity of status as a language of, as well as in, Scotland. It must be used, heard and seen in public places throughout Scotland; and it must be strengthened in the crucial domains for intergenerational transmission and language learning - the home, the playgroup, the nursery, the school and the communities within which it continues to be a working language in everyday life.

21. A critical analysis of the Gaelic Language (Scotland) Bill would need, therefore, to examine how it, and other provisions for Gaelic which lie outside its scope, are likely to impact positively on the key forces, processes and situations which combine to either strengthen or weaken the Gaelic language in Scotland. In short, to succeed the Scottish Executive’s approach to language planning for Gaelic, which the Bill seeks to promote, should be holistic.

22. Seen in this light, the absence of any policy commitment by the Executive to the development of Gaelic broadcasting, in parallel with the educational, cultural and social developments facilitated in the Bill, reflects a major policy dysfunction which does not bode well for the future. Even if progress is made in other areas of endeavour to strengthen Gaelic, it will be diluted by the lack of development in broadcasting; conversely, if Gaelic broadcasting was enabled to develop in parallel with, and complementary to, other initiatives, the gains would be greater than the sum of all the parts.

23. The reality of contemporary life is that, if the most powerful medium in the world is not working for you, it is working against you. At present, the UK broadcasting system is working against the Gaelic language, because the current Gaelic broadcasting provision is too patchy to have critical mass and cannot make sufficient impact to counteract the prevalence and dominance in our homes of English language broadcasting.

24. In this context, there is a clear need to establish a Gaelic digital television channel which will act as a springboard for Gaelic media development in the digital age, to complement other initiatives aimed at language maintenance and regeneration. The experience of
Wales, which has enjoyed its own Welsh language channel since 1982, illustrates the importance of broadcasting in language development.

25. The following quote is taken from page 59 of the BBC’s submission to the Independent Panel on Charter Review, October 2004 - The BBC’s role in representing the Nations and Regions. It illustrates the complementary, indeed symbiotic relationship, between the development of broadcasting and the growing health of the Welsh language. “In many ways, the story of Welsh language broadcasting has been central to the story of the language itself for most of the twentieth century, as radio and then television have become the most powerful vehicles for popular culture. It is a complicated, symbiotic relationship: broadcasting in many ways reflects the condition of the language and wider culture; it also influences its survival and prosperity.”

26. The Gaelic community also values Gaelic broadcasting - in its own right and as a vital resource in the maintenance and development of the language – and has consistently argued for its own dedicated television channel for over a decade. It is, therefore, disappointing that the Scottish Executive, and the Scottish Office before it, did not see fit to index-link the Gaelic Television Fund established in 1992. Had that happened, the Fund would be £12.8m - instead of the current £8.5m - and the foundations and prospects for a digital Gaelic channel would be much stronger than they are.

27. The diminution in the value of the Fund has been reflected in a decline in the range, and quantity of programme output. In contrast to the situation ten years ago, rather than funding up to 200 hours of television programmes per annum, current funding can produce less than 140 hours of a reduced range of programming. There is now no Gaelic television news, no Gaelic soap, little drama, little scope for innovation nor for investing in co-production which can ultimately reduce programme cost.

28. In 1998, responsibility for the Gaelic Broadcasting Fund was devolved to the Scottish Parliament. Broadcasting, however, remained a reserved power, placing Gaelic broadcasting in a curious constitutional position. The Gaelic Media Service which now manages the Fund, was established under the Communications Act 2003 – framed by DCMS and the DTI; the Service’s members are appointed by Ofcom with the approval of the Secretary of State for Scotland; its funding comes through Ofcom from the Scottish Executive.

29. The UK government has additional responsibilities for Gaelic as a signatory in 2001 to the European Charter for Regional or Minority Languages, paragraph 1 a ii, “…to encourage and/or facilitate the creation of at least one radio station and one television channel in the regional or minority languages.” The BBC’s Gaelic radio service largely satisfies one of these elements. There is no Gaelic television channel, and it cannot be facilitated, created nor sustained without adequate funding.

30. The Scottish Executive should, therefore, ensure that Gaelic broadcasting is enabled to play a full part in Gaelic development. It should do so by restoring the Fund to its 1992 equivalent value - £12.8m - providing ring-fenced, index linked funding. The requisite resources are available in the Scottish block grant under the Barnett formula and should be allocated to Gaelic broadcasting as was envisaged by Ministers when the Fund was set up under the Broadcasting Act 1990. The Executive could also use its powers of advocacy at Westminster to ensure that sufficient additional government funding and public service programme resources, for example from the BBC, are provided within a robust, future proofed formula to establish and develop a Gaelic digital channel.

31. Bòrd na Gàidhlig has recently written to the First Minister in support of such an approach to Gaelic broadcasting. In that, they have the support of many other organisations which recognise the importance of this issue to the Gaelic community in Scotland in linguistic, cultural, social and economic terms.

32. Gaelic-medium education is widely acknowledged as a vital linch-pin in language maintenance and regeneration. A major piece of research published in May 1993 by
Glasgow Caledonian University, shortly after the expansion of Gaelic television which arose from the creation of the Gaelic Television Fund in 1992, showed that the new status accorded the language by this increased exposure on television was the single most significant element of Gaelic arts and culture which influenced positively parental choice of Gaelic-medium education for their children. This dynamic symbiosis must be recreated if a new wave of Gaelic development is to be generated and sustained. It can only happen in the world of multi-channel digital television if a dedicated Gaelic digital television channel is created.

The Gaelic Media Service will gladly supplement the views expressed here if the Committee so wishes.

John A MacKay
Director

SUBMISSION FROM GLASGOW GAELIC PRIMARY SCHOOL BOARD

Fianais-sgiobhte do Chomataidh an Fhoghlaim bho Bhòrd na Sgoile

As leth Bòrd na Sgoile Bunsgoil Ghàidhlig Ghlaschu, bu thoigh leam an cothrom seo a ghabhail gus fianais a thoir do Chomataidh an Fhoghlaim mu na priomh cheisteana a tha ag èirigh ã Bile na Gàidhlig (Alba). Ged a tha sinn a’ cur fàilte air na h-atharrachan a chaidh a dhèanamh air a’ chaidh dreach, bu mhath leam na molaidhean a leanas a chur air adhart:

1. Còirichean airson Foghlam tro Mheadhan na Gàidhlig

Ged a tha am Bile, mar a tha e, a’ toirt cead do Bhòrd na Gàidhlig comhairle a thoir seachad air foghlam Gàidhlig, chan eil seo a’ toirt còirichean do phàrantan airson Foghlam Tro Mheadhan na Gàidhlig. Bu chóir do Uighdarrasan Ionadail Foghlam Tro Mheadhan na Gàidhlig a thabhann far a bheil iarraidh sam bith ann.

2. Foghlam Fad-Beatha

Chan eil guth sa Bhile air feumalachdan foghlam nan inbheach. Chan eil siostam co-eagraichte ann, ach an sar-obair a tha ga dèanamh aig Sabhal Mòr Ostaig san Eilean Sgiathanach. Feum ar chòrthram foghlam inbhich a bhith a’ bhith ag Ùghdarrasan Ionadail Foghlam Tro Mheadhan na Gàidhlig a thabhann far a bheil iarraidh sam bith ann.

3. Planachain-cànain Gàidhlig

Ged a tha am Bile a’ toirt cead do Bhòrd na Gàidhlig iarraidh air ùghdarras poblach sam bith ann an Alba plana-cànain ullachadh, chan eil ionradh air na buidhnean poblach ann an Sasainn aig a bheil oifisean deasdanach ann an Alba. Bu chóir dhailbhais a bhith a-staigh air an reachd seo, mar a tha iad sa Chuimrigh.

4. Na Cùirtean agus Seirbhis a’ Cheartais

Bu chóir ionradh a bhith anns ‘ Bhile air còirichean dhaoine a tha a’ nochdadh ann an cuirt gus fianais a thoir tro mheadhan na Gàidhlig.

5. Maoineachadh freagarrach do Bhòrd na Gàidhlig

Feumar sùil gheur a thoir air maoineachadh Bòrd na Gàidhlig gus cinnt a dhèanamh gum faigh iad taic a cheadaicheas dhaibh an obair aca a choileanadh.

Seán Ó Gallchóir
As leth Bòrd na Sgoile, Bunsgoil Ghàidhlig Ghlaschu
30 Samhain 2004
On behalf of the School Board of the Glasgow Gaelic Primary School I would like to take the opportunity to offer evidence to the Education Committee surrounding the main issues that arise from the Gaelic Language (Scotland) Bill.

1. **Rights to Gaelic Medium Education**
   Although Bòrd na Gàidhlig will be able to advise on the provision of Gaelic education under the current proposal, there is no mention of the parental rights to Gaelic medium education. Local education authorities should be required to make available Gaelic medium education available whenever reasonable demand is demonstrated.

2. **Lifelong Learning**
   The Bill makes no mention of the needs of learning needs of adult Gaelic speakers. Current provision is piece-meal and largely uncoordinated, perhaps with the notable exception of the excellent work done at Sabhal Mòr Ostaig.

   Adult learning opportunities need to exist to:
   
   a. enhance the language skills of many current Gaelic speakers, and
   b. to bring to fluency the many Gaelic learners that exist

   Bòrd na Gàidhlig should be given the powers and resources to oversee the development and implementation of a strategy to address this.

3. **Gaelic Language Plans**
   Although the Bill allows Bòrd na Gàidhlig to request public bodies in Scotland to prepare a Gaelic language plan, this does not extend to English-based bodies that have offices and responsibilities in Scotland. These should also be taken account of in the Bill, as is the situation in Wales.

4. **The Courts and the Justice Service**
   There should be reference in the Bill to the rights of persons appearing in a Court of Law to make representation through the medium of Gaelic

5. **Sufficient Funding for Bòrd na Gàidhlig**
   The level of funding for Bòrd na Gàidhlig must be reviewed in order that they are sufficiently resourced to carry out their obligations.

Sean Gallagher
On Behalf of the School Board of Glasgow Gaelic Primary School
Paul Howell  
T3.40  
The Scottish Parliament  
Holyrood  
EDINBURGH  
EH99 1SP  

25 November 2004  

Dear Mr Howell  

GAELIC LANGUAGE (SCOTLAND) BILL  

On behalf of all involved in the Highland Festival (HF), I’d like to express the HF’s strong support for the Gaelic Language (Scotland) Bill with the establishment of Bòrd na Gàidhlig on a statutory basis being recognised as a major positive development by the HF.  

The Bòrd must of course be given autonomy to go about its business in a robust, but reasonable and conciliatory way, while subject to the same constraints under which all public bodies operate. Allowing the Bòrd to issue guidance with regard to Gaelic education is a commonsense approach, which should complement and co-ordinate, rather than contradict, the efforts of Local Authorities.  

While I welcome the funding being made available to the Bòrd, it is however essential that as Bòrd na Gàidhlig develops its role and the demand for and interest in Gaelic increases, particularly within the arts – one of the Gaelic culture’s great strengths, the financial situation mirrors its growth.  

There is no doubt that the Bill would be strengthened by the inclusion of a clause guaranteeing that Gaelic and English are treated on an equal basis but HF recognises that in the current political climate, the Bill, as it stands, may be the best option available for securing the future of the language.  

The HF wishes it well with its passage through the Scottish Parliament.  

Yours sincerely  

Alastair McDonald  
FESTIVAL DIRECTOR
Highlands and Islands Enterprise wishes to comment briefly on the Gaelic Language (Scotland) Bill as introduced on 27th September 2004. We have already provided detailed comments (7th January 2004) on the initial draft of the Bill, and more recently responded to a consultation on draft Gaelic education guidance.

HIE supports the principles behind the Gaelic Language (Scotland) Bill, especially the establishment of Bòrd na Gàidhlig on a statutory basis. The HIE Network has a long-standing interest in the conservation and development of Gaelic as a unique and precious cultural resource for the major part of the area that we serve. For many years we have co-funded the work of Comunn na Gàidhlig and have been satisfied that that organisation understands the concerns of Gaels and possesses major expertise in language development.

With regard to the Bill as introduced on 27 September 2004, we therefore endorse the comments provided to the Education Committee by Comunn na Gàidhlig in their submission of 17 November 2004. In particular we want to underline the necessity for inclusion in the Bill of a statement conferring an ‘official’ status on the Gaelic language, for example to the effect that it is an official language of Scotland. This is necessary in order to provide a signpost to which people can be directed in the event of obstruction of reasonable requests to introduce Gaelic development measures. It has been our experience that such obstruction is more often due to ignorance than hostility, but the current position on official status (laid out in the SPICe briefing) has not been adequate to counteract this ignorance. Reference within the Bill would not necessarily threaten of legal action for non-compliance, but rather act in a symbolic fashion to display the position of the Scottish Executive with regard to the language. This symbolism would underpin the efforts of the many organisations and ordinary people who are working hard to reverse the decline of the language.

We therefore commend the comments of Comunn na Gàidhlig to the Education Committee and look forward to following the further progress of the Bill through the Parliament.

David Smillie
Head of Culture & Heritage
Strengthening Communities Group
Highlands and Islands Enterprise
Iomairt Cholm Cille welcomes the [good] will of the Scottish Executive to enact the Gaelic Language Act and they are answering a demand for secure status for the language which Gaelic-speakers have been wanting for a long time.

The Initiative (ICC) is working to encourage better links and understanding between Gaelic and Irish speakers in Scotland, Northern Ireland and the Irish Republic and it is a good example of fruitful co-operation between minority language communities in Europe. With that, ICC recommends that the Bill bring the Scottish Executive to account under the Council of Europe's European Charter for Minority Languages, which the British Government ratified. ICC also asks that the Bill will also completely fulfil the recommendations of the European Charter vis-à-vis the duties that public and private bodies have in encouraging the use of minority languages.

ICC supports the establishment of Bòrd na Gàidhlig as a legal body and believes that European recognition, as outlined above, should specifically be in the Bill to stimulate more cooperation between minority language communities.
In different parts of the Bill, it appears that the Scottish Executive will have the last word and there is a danger that Bòrd na Gàidhlig will be weakened as a legal entity because of this. For example, Bòrd na Gàidhlig must observe advice from Ministers when the Bòrd asks public authorities to prepare Gaelic Language Plans: section 3 (3)(c). Again in section 8 (4) and 8 (5), The Executive can reject advice from Bòrd na Gàidhlig; and according to advice from the Bòrd which has been examined, Ministers can still ask the Bòrd to publish their advice in a way that is useful to Ministers. Vis-à-vis any advice on the education sector from the Bòrd, again they have to get permission from the Executive before they publish anything.

There is also provision on ICC that some public bodies can use section 3 (3)(a) as an excuse to create a Gaelic plan without much substance. It says: “In deciding whether to give a notice under subsection (1) to a Scottish public authority, the Bòrd must have regard to—

(a) the extent to which the Gaelic language is used by persons in relation to whom the 5 functions of the authority are exercisable,…”.

Also under sub-section (4)(a) of section 3 the Bill says: “A Gaelic language plan must—

(a) set out the measures to be taken by the Scottish public authority in relation to the use of the Gaelic language in connection with the exercise of the authority’s functions,…”. Again, public authorities could interpret this obligation in many different ways and the language plans of some of them could be valueless. ICC is aware that under sub-section (5), (6), (7) and (8) in section 3 are in place to protect against such things happening. But ICC still thinks that breadth of the Bill could let some public authorities create language plans will little substance.

Education is now part of the Bill, but as it will only up to the Bòrd to give out advice, and then only with permission from the Executive, it is not clear how the Bill can strengthen the situation of Gaelic Medium Education.

Iomairt Cholm Cille believes that there is much to commend the Bill, but there are sections in it, that appear, which are dependent on good will of public authorities in Scotland according to what they believe to be suitable steps when writing Gaelic language plans. Also, although it is quite clear that Ministers are now more supportive of Gaelic: if there were ever to be a change in the political disposition [towards Gaelic] as it is a lot of legal protection from the Executive that is not so supportive. Often the Scottish Executive has the last word.

ICC really commends the spirit and aims of the Gaelic Bill. There are some of the sections, however, that leave the issue do open that there would be the opportunity for some public authorities to interpret these sections and to establish language plans that are empty images. Also the situation of Bòrd na Gàidhlig is greatly independent of the good will of the Executive, if this good will changes to ill will what will happen to the powers of the Bòrd?

SUBMISSION FROM IONAD CHALUIM CHILLE ÎLE (ICCI)

Preamble

The Executive Board of Ionad Chaluim Chille Île (ICCI), in common with colleagues at the Gaelic College Sabhal Mòr Ostaig, welcomes the publication of the Gaelic Language (Scotland) Bill and looks forward to its enactment. The Board is particularly encouraged by the improvements made to the Bill following the consultation process undertaken by the Executive.

Weaknesses in the Current Bill

While welcoming the considerable improvements made to the Consultation Draft, the members of the Executive Board consider that fundamental weaknesses remain:
1) The educational role afforded Bòrd na Gàidhlig (Section 9) is welcomed. However, and given its centrality to progress in Gaelic education, the absence of a specific reference to an effective Gaelic Teacher Education strategy is disappointing.

2) It is regretted that in determining the need for a Gaelic Plan the Bòrd and Public Authorities are required to have regard to the criterion of extent of use of Gaelic. [Section 3: (3), (a) and (5) (a)].

A more productive/positive approach would be to require reference to the potential that the work of particular Public Bodies has to support the development of Gaelic.

3) The necessary exclusion of British Public Bodies having a significant role in Scotland (Section 3.1) serves to weaken the Bill. It is appreciated that the remedy lies with the Westminster Parliament and it is suggested that the Scottish Executive press for action in this matter.

Recommendation

It is recommended that further consideration be given to the issues raised above.

SUBMISSION FROM LOTHIAN GAELIC CHOIR

On behalf of Lothian Gaelic Choir, which actively supports the Gaelic language and culture, I would like you to consider the following points offered in response to the opportunity given by the Education Committee’s to submit views on the above Bill:

We are pleased that the Executive Bill now before the Parliament has been amended from the earlier draft which fell short of what was needed to meet the aspirations of the Gaelic community in Scotland. The Gaelic language is a most valuable component in Scotland’s national heritage and must be given appropriate support.

We support the statutory basis given to Bòrd na Gàidhlig in the Bill and the requirement to prepare a National Plan for Gaelic. It is most appropriate that they should have the power to require public authorities to prepare and implement Gaelic Language Plans. They should also be able to require education authorities to respond positively to reasonable requests to develop Gaelic-medium education at all levels together with adult learning of Gaelic in their own areas, and ensure that efforts to reverse the decline in the number of Gaelic speakers are fast-tracked.

It is really important that families with young children are supported in their efforts to educate their children in Gaelic, which not only helps them become Gaelic speakers but enhances their educational skills. The Bill should ensure that parents have a right to receive education in Gaelic _where there is a reasonable demand for this_, and that the Gaelic-medium education system is ultimately developed into a complete system of education encompassing pre-school, primary and secondary levels. We know that the decline of Gaelic was accelerated by the introduction in 1872 of an all-English system of education throughout Scotland which relegated Gaelic to being a second-rate language not appropriate for use in education. The Committee must ensure in this Bill that that wrong is remedied by effectively returning Gaelic to the mainstream education system of Scotland.

We believe that there should be a requirement on all Scottish public bodies including local authorities and those public organisations based outwith Scotland but whose work includes Scotland, to have _at least a minimum level of commitment to support Gaelic_, and a firmer requirement on organisations in areas like the Highlands and Islands to provide appropriate services in Gaelic as well as English. All these initiatives serve to promote the language in public life. Bòrd na Gàidhlig should be empowered to assist public bodies in preparing plans and also to specify relevant levels of commitment together with sanctions for non-compliance.
The Committee should also have regard to the summary of views submitted to the Scottish Executive after the earlier consultation on the draft Bill. Many people and organisations contributed to that effort and full account should be taken of their submissions. We also ask the Committee to take account of the UK Government’s undertakings in connection with the European Charter for Minority and Regional Languages and ask that the areas of non-compliance identified in the recent Council of Europe report be included in the Gaelic Bill. This would include the Government’s failure so far to fund a digital Gaelic Television Channel – a facility demanded by the Gaelic community for many years in order to complement the excellent radio service delivered by BBC Radio nan Gaidheal.

Christine Morrison
Choir Secretary

SUBMISSION FROM NORTH LANARKSHIRE COUNCIL

1. **Background**

Since 1996 North Lanarkshire Council has been supportive of the Gaelic Language, particularly Gaelic medium provision at early years, primary and secondary stages and a range of activities in informal community education. Meeting parental aspirations has been given a high priority. Links with other minority languages in Europe, particularly in Ireland and Wales, have also been strengthened.

2. **General Comments**

The council welcomes the Bill and considers that it will be an important step in strengthening the language and promoting Gaelic medium education. It is considered that the changes made to the Bill in response to the comments on the earlier Draft are appropriate. The checks which have been included will ensure that the demands made on public authorities are reasonable, taking account of their individual circumstances.

3. **Bord na Gaidhlig**

The council welcomes the establishment of the Bord on a statutory basis and considers the development of a national Gaelic language plan to be a vital responsibility. The overall functions of the Bord are demanding and it is essential for the Bord to be adequately resourced and staffed to meet these needs. Section 1(2).

4. **Gaelic Language plans**

It is important that the requirement on public authorities to prepare a Gaelic language plan takes full account of individual circumstances. These will vary not only across “different types of Scottish public authorities” but also within each type of public authority section 3(8).

5. **Guidance on Gaelic education**

Greater clarity is required in relation to section 9 given the existing roles of HMIE and Learning Teaching Scotland (LTS). In addition, it is not clear whether the Bord has the right to monitor provision under section 6 of the Bill.

It is considered that the disbursement of Gaelic specific grants to local authorities should be retained as a Scottish Ministers’ responsibility and that any role for the Bord should be consultative.

SUBMISSION FROM POBAL

POBAL, the umbrella organisation for the Irish speaking community in the north of Ireland, welcomes the Gaelic Bill and congratulates the Executive on its historic move to normalise the Gaelic language and culture of Scotland. It is appropriate for the Executive to continue to develop
its approaches to the protection and promotion of the Gaelic language through increased and strengthened legislation.

We feel that a new Gaelic Bill has the potential to clarify and unify existing legislation. It will make it easier for the Gaelic speaking community to understand and claim their entitlements and it will assist the state in fulfilling its duties effectively.

The Gaelic Bill should be strengthened in the following ways:

- The Bill should specify that Gaelic is an official language in Scotland.
- Gaelic should be treated equally with English in the conduct of public business within Scotland
- Justice systems should be included in the Bill
- Whitehall Departments with a presence in Scotland i.e.: IRS, Job Centre, DVLA, Royal Mail, should be covered by the Bill.
- Statutory right for state education through the medium of Gaelic should be enshrined in the Bill.
- S 3 (5) should be replaced with a requirement for Scottish public authorities to have regard to the extent to which their functions have the potential to support the development of the Gaelic language.

In relation to Bord na Gaidhlig, 

- The Bill should strengthen the role of Bord na Gaidhlig, so that its powers and duties are on a par with those of the Welsh Language Board
- Bord na Gaidhlig needs adequate resources to fulfil its role

SUBMISSION FROM PROISEACT NAN EALAN

PNE welcomes the progress towards the normalisation of Gaelic in Scotland and this opportunity to give evidence to the Education Committee on the main issues arising from the Bill.

Proiseact nan Ealan (PNE), is the national development agency for Scotland’s Gaelic arts. PNE designs, develops and delivers new arts and cultural initiatives at community, national and international level, a process which reached a landmark with An Leabhar Mor (The Great Book of Gaelic) launched by First Minister, The Rt. Hon. Jack McConnell MSP, in November 2002.

PNE responded to the Consultation on the Draft Gaelic Language Bill and whilst we recognise that the Executive have to some extent taken cognisance of the views expressed by the Gaelic Community at that time we are strongly of the opinion that the Bill does not yet meet the needs of the Gaelic Community and that it is not strong enough to ensure the future survival of the Gaelic Language.

EQUAL STATUS – SECTION 1 OF THE BILL

The Gaelic Language Bill should embody the principle of equal validity for Gaelic and English in Scotland. The Bill should specifically state that Gaelic is an official language in Scotland and will, in principle, be treated equally with English in the conduct of public business.
GAELIC LANGUAGE PLANS – SECTION 3 OF THE BILL

We welcome the significant amendments in this Section of the Bill as opposed to the provisions in the Consultation Document. The Bill provides Bòrd na Gàidhlig(BnaG) with the powers to request a Scottish public authority to prepare a Gaelic language plan in line with the practice adopted by the Welsh Language Board for Welsh language plans, and will result in a more effective, flexible and co-ordinated approach to language planning in public services.

However PNE is unconvinced by the criteria set out in Section 3 (5) concerning the issues which a Scottish public authority must have regard to in preparing their plans. We believe that in the first instance, Scottish public authorities should have regard to the provisions of The National Gaelic Plan. We suggest that it would be wise to replace Section 3(5) with a requirement for Scottish public authorities to have regard to the extent to which their functions have the potential to support the development of the Gaelic language and culture within their areas of operation and that in conjunction with guidance from BnaG individual language plans should be drawn up which are appropriate to the authority’s circumstances and location. For example, the Scottish Tourist Board would not fall within 3(5) but the Gaelic economy’s need for a 21st century tourist product with the Gaelic language, arts and cultural heritage at it’s heart should surely require them to have a Gaelic plan.

We also have to highlight the anomaly which will exist in relation to Whitehall Departments (such as The Inland Revenue, Job Centres, Department of Work and Pensions etc) and other similar public bodies such as Royal Mail, The Passport Office, DVLA etc with a presence in Scotland. It is our understanding that the Gaelic Language (Scotland) Act will not apply to these organisations, unlike the situation in Wales and Eire. It would be unfortunate if a major area of public administration in Scotland is excluded from producing Gaelic language plans, simply because of a “constitutional technicality” caused through the Scotland Act 1998

The Scottish Executive must also ensure that the cost to public bodies in relation to Gaelic plans be seen by them as positive developmental expenditure which meets its own cultural and social inclusion aspirations and that BnaG is adequately resourced for it to fulfil its remit

GAELIC EDUCATION – SECTION 9 OF THE BILL

PNE believes that not only should BnaG have a role in advising education authorities and the Scottish Executive on plans for Gaelic Medium Education flowing from the 2000 Act but also that the Gaelic Bill should contain a statutory right to state education through the medium of Gaelic for all children where reasonable demand is demonstrated and that specific provision is made in regard to Gaelic teacher training.

The Act should incorporate the relevant undertakings agreed by the Government in respect of Gaelic under the European Charter for Regional or Minority Languages. We feel that a consistent approach should be adopted by the Executive and the necessary provision made within the Gaelic Bill to reflect the undertakings which the Executive are required to observe under the Charter in respect of Gaelic education at all levels. In its initial Report on the implementation of the Charter’s provisions the Council of Europe's Committee of Experts commented as follows, in paragraph 192 of the Report, in relation to Education: “The chosen options require authorities to make pre-school, primary and secondary education available in Gaelic. The Committee of Experts interprets this undertaking as referring both to the teaching of the language and to Gaelic Medium Education. Furthermore, these must be made available without condition to all who request it throughout the territory in which the language is used”.

SUBMISSION FROM RENFREWSHIRE COUNCIL

1. Renfrewshire Council welcomes the introduction of this Bill and the opportunity to provide comments on it to the Education Committee.
2. The Policy Memorandum and Explanatory Notes which accompany the Bill itself are helpful in clarifying the Executive’s intent. We welcome the positive commitment to revitalising the language which is evident.

3. It is acknowledged that the flexibility of approach which has been introduced is necessary to gain acceptance from many public bodies which have expressed concerns about excessive bureaucracy.

4. The inclusion of a role for the Bord with regard to the guidance on the provision of Gaelic education is a step in the right direction. It seems unlikely to us, however, to be sufficient to address the critical issues regarding availability of teachers, secondary level provision and assuring provision in areas outwith the ‘heartland’ areas. Action on a nationally co-ordinated, cross-authority basis will be necessary to combat arguments of “insufficient demand” for GME provision.

SUBMISSION FROM SCOTTISH BORDERS COUNCIL

I attach the response from Scottish Borders Council to the Gaelic Language Bill Consultation Paper. In considering the response it should be borne in mind that the Gaelic language has played only a limited historical and cultural role in the Scottish Borders and is not used in the daily lives of its people except by a small number of Gaelic speakers.

However the Council is supporting the Gaelic language through a variety of ways:

- Providing a tutor for one pupil beginning Standard Grade Gaelic. The pupil studies this after school
- Providing community classes in Gaelic both at beginner and intermediate levels. There are between 35-40 adult students each year
- Placing in the Education Resource Centre at Melrose, Gaelic resources suitable for Primary schools. All primary schools have been informed about this resource. The schools have been encouraged where appropriate to consider Gaelic as one of the languages they might include in any Language Awareness course they do with pupils before embarking on French, which is the language most primary schools teach
- Organising Gaelic cultural evenings: lectures, story-telling, poetry readings and song
- Running children’s story-telling days
- Supporting when appropriate the ‘Gaelic in the Borders’ voluntary group
- Monitoring the work of Gaelic tutoring, by meeting regularly with tutors
  - Providing training opportunities for tutors.

The main thrust of our response is that the new Bord na Gaidlig could have a very important role to play in encouraging Gaelic in the areas such Scottish Borders by supporting the development of existing activities. However the promotion of Gaelic should not be imposed on public bodies, such as local authorities and it should be for them to decide whether or not to prepare a Gaelic plan.

David Hume
Chief Executive

RESPONSE BY SCOTTISH BORDERS COUNCIL TO THE GAELIC LANGUAGE BILL CONSULTATION PAPER

Question One

Is it right that Gaelic is recognised as one of the languages of Scotland in statute?

As an historic and living language within Scotland, Gaelic should be recognised as one of the languages of Scotland in statute.
Question Two
Should Bord na Gaidhlig have the functions provide in section 1 of the Bill?
Bord na Gaidhlig should have the functions set out in Section 1. However these functions should be carried out in a way that is not seen as an imposition. This would be especially the case in areas such as the Scottish Borders where the language has played only a limited historical and cultural role and is not used in the daily lives of its people except by a very small number of Gaelic speakers. Any imposition would be counter-productive to the aims of the Bill.

Question Three
Should the requirements in sections 2 and 3 of the draft Bill be placed on Bord na Gaidhlig?
It is considered that Bord na Gaidhlig should carry out the requirements in sections 2 and 3. However in the preparation of a National Gaelic language plan it is important that cognisance is taken of the variations within Scotland as to the significance of the language in the history, culture, and use by the people of areas. The Bord’s membership needs to be drawn from as broad a range of interests as possible and have a wide geographical coverage.

Question Four
Should Bord na Gaidhlig to be given the power in schedule 1, paragraph 11 of the draft Bill?
It is considered that Bord na Gaidhlig be given the powers in schedule 1, paragraph 11. However the phrase ".....may do anything..." should be changed to 'may participate in activities which are conducive or incidental to the exercise of its functions etc'.

Question Five
Are there other matters beyond those in section 5 (5) of the draft Bill, that public bodies should have regard to in determining whether to prepare a Gaelic language plan?
The position that a public body is to determine whether a Gaelic language plan is needed is welcomed. However it is considered that section 5(5) should also state that public bodies especially local authorities should only prepare a Gaelic language plan if in their view the language is significant to the history, culture or use by the people in their administrative areas. No language plan should be imposed on a public body. In all local authority areas Gaelic should be positively encouraged through education initiatives, and cultural and arts activities. There will be a clear need for the Bord to work closely with local authorities in this respect.

Question Six
Should public bodies be required to consider whether it is appropriate to prepare and publish a Gaelic language plan describing the services they will offer in Gaelic?
As mentioned in Section Five public bodies, especially local authorities, should only prepare a Gaelic language plan if the language is significant to the history, culture and use by the people in its administrative area. For this reason public bodies should not be required by law to produce Gaelic language plans.

Question Seven
Should the Bill require Bord na Gaidhlig to prepare advice on Gaelic language planning?
It would be helpful for Bord na Gaidhlig to prepare guidance on Gaelic language planning as this would encourage more public bodies to prepare plans. Also it is essential that in carrying out this task the Bord is sensitive to the importance or lack of importance of the language to history, culture and use by the people in its administrative area.
Question Nine
Should Bord na Gáidhlig have a role in advising education authorities and the Scottish Executive on plans for Gaelic medium education flowing from the 2000 Act?
Education authorities should have advice from Bord na Gáidhlig in terms of Gaelic Medium Education and Gaelic Language initiatives in the Primary School. However, this would be of an advisory nature and there should be no compulsion being placed on education authorities to provide either Gaelic Medium Education or Gaelic in the Primary Schools. The Council is concerned about the Minister for Education’s recent public statement that education authorities would be required to be pro-active in the provision of Gaelic medium education. If education authorities were forced to be pro-active, in terms of finding out interest, it may end up in raising expectations which in reality and practically could not be delivered.

Question Ten
Would you like to comment on any other aspects of the draft Gaelic Language Bill?
The Bord should as one of its main tasks look at innovative ways of promoting, encouraging and nurturing Gaelic in partnership with local authorities and other bodies in regions such as the Scottish Borders.

SUBMISSION FROM SCOTTISH GAELIC SOCIETY OF VICTORIA
I write to say that I agree with the general principle of the Gaelic Language (Scotland) Bill, and I fully support the establishment of Gaidhlig on a statutory basis. I believe that the Bill would be strengthened by the inclusion of a clause guaranteeing that Gaelic and English are treated on the basis of equal validity, but in the current political climate, the Bill as it stands, may be the best option available for securing the future of the language.

Uilleam Tait
President of the Scottish Gaelic Society of Victoria (Australia)

Our Society is celebrating its Centenary in 2005 and the passing of this Bill would certainly be an encouraging move for Gaelic speakers here.

SUBMISSION FROM SCOTTISH QUALIFICATIONS AUTHORITY

Contents

Section 1 - Introduction

Section 2 - Scottish Qualifications Authority’s Current Gaelic Provision

Section 3 - Comments and Questions

Section 4 - Conclusion

Section 1 – Introduction

The Scottish Qualifications Authority (“SQA”) welcomes the opportunity to submit evidence on the Gaelic Language (Scotland) Bill.

SQA and its predecessor bodies the SEB and SCOTVEC have a long history of support for and commitment to Scottish Gaelic. In addition to the provision of qualifications (as outlined below), SQA is responsible for maintaining and updating the publication “Gaelic Orthographic Conventions”. This valuable publication provides guidance on spelling conventions and usage which is widely used in education, publishing and broadcasting.
SQA supports in general the principles set out in the Bill subject to the various issues being further clarified as outlined herein. SQA has set up a cross-departmental steering group to ensure SQA considers seriously the terms of the Bill and undertakes any necessary preparation prior to enactment.

Section 2 – Scottish Qualification Authority’s Current Gaelic Provision

Qualifications:

The following qualifications are available:

Gaelic (Learners) National Qualifications at Access 3, Intermediate 1 and 2, Higher and Advanced Higher

Higher National Units (Various)

Gàidhlig National Qualifications at Access 3, Intermediate 1 and Higher and Advanced Higher

Higher National Units (Various)

In response to requests from the Gaelic-Medium education sector, since 1993 the following Standard Grade Examination Question Papers have been translated (subject to demand) in order that candidates studying these subjects in the medium of Gaelic may sit these examinations in the medium of Gaelic on the same date and at the same time as the (English-medium) national examinations in that subject:

Standard Grade Geography (Foundation, General and Credit)
Standard Grade History (Foundation, General and Credit)
Standard Grade Mathematics (Foundation, General and Credit) – no requests in the past 2 years
Standard Grade Modern Studies (Foundation, General and Credit) – no requests in the past 2 years.

The translation work is undertaken by current SQA Appointees, who must be Markers in their subject area and fluent in Gaelic. The translated question papers are then subject to independent orthographic scrutiny by an SQA-appointed Scrutineer. These Appointees are usually closely involved in Gaelic-medium education. The candidates’ scripts are then marked by the same person who did the original translation work, and should an appeal be submitted subsequently, the appeals evidence (which will be in Gaelic) is dealt with jointly by the translator and an Examiner.

As the number of candidates involved is relatively low (around 30), and the arrangements for Standard Grade relatively straightforward, centres are not required to submit separate entries for these candidates and no reference is made to Gaelic-medium examinations on SQA certificates. Should this provision be extended into other qualification areas, this model may require revision.

Publications:

At present, core publications, guidance and policy documents, marketing leaflets and support materials are provided in Gaelic on a request only basis.

Section 3 – Comments and Questions

1. Gaelic Language Plans
As a Scottish public authority, SQA is likely to be required to submit a Gaelic Language Plan (“Plan”) as set out in section 3 of the Bill and welcomes this provision. However, SQA also has the following comments:
i. It is noted that it is the intention of the Bòrd na Gàidhlig to adopt a graduated approach to requesting public authorities to introduce a Plan and that plans shall be phased over a number of years. SQA would however welcome further specific guidance as to when it is likely they will be required to produce a Plan.

ii. Section 3(7) states that the Scottish Ministers may by regulation make further provision in relation to the content of Gaelic Language Plans and section 3(8) states that those regulations may make different provision for different purposes or for different types of Scottish public authority. SQA is in favour of such further specification as to the content of the plans and it would welcome having specific provision made for SQA given the specialist nature of SQA’s functions. It would also be helpful if the Scottish Ministers could advise of the likely timescale for such regulations being enacted. In addition, section 8(1) provides for the Bòrd to issue guidance for Scottish Public Authorities and it would also be helpful to know of the intended timescale for such issue.

iii. Until such time as regulations are produced or guidance issued as to the exact content and scope of the Plan, SQA is unable to assess in full the implications of this Bill. SQA would therefore look for regulations/guidance on the intended scope of the Plan to be issued at the earliest opportunity. Section 3(4) of the Bill does not provide sufficient detail in this regard.

iv. SQA is in favour of the timescale (a minimum of 6 months) to prepare the Plan. In relation to the timescales set for measures to be taken as detailed in the Plan, SQA would welcome further guidance as to any restrictions in this respect to ensure implementation dates are in accordance with the Bòrd’s requirements.

2. Guidance on Gaelic Education

SQA is in support of guidance being issued by the Bòrd in relation to the provision of Gaelic education and the development of such provision. In addition, SQA welcomes the opportunity to be consulted on such guidance. However, further clarification is sought in respect of the following matters:

i. What is the intended scope of such guidance and are there any implications for SQA?

ii. When will the guidance be issued?

iii. Will this guidance also assist the preparation of the Gaelic Language Plan?

3. Further Questions

SQA would welcome a response on the following 2 key issues:

- Is it likely there will be a requirement for SQA (as part of their Plan) to extend the current Gaelic-medium provision?

- If so, what is the intended scope of such an extension? For example, will SQA be required to translate other assessment material and assessment support material into Gaelic?

An extension of the current Gaelic-medium provision will have financial and operational implications for SQA. Whilst the financial impact cannot be quantified until the intended scope of the Plan is known, SQA would appreciate guidance as to whether a significant amount of the costs are to be met through the Gaelic Language Development Fund or whether SQA will be expected to meet costs through its planned resources.

Extension of the current Gaelic-medium provision will have an impact on all operational areas of SQA including, but not limited to the following broad areas:

- Increase in the provision and translation of question papers, web-pages and other communications, policy documents, publications, arrangements documents, guidance, marketing leaflets and course materials.

- Increase in the number of appointees to translate and subsequently mark examinations. Such appointees must be fluent in Gaelic and SQA will need to be satisfied that there are sufficient
appointees available to deal with the extension of the current provision. The availability of such appropriately qualified individuals will require to be assessed.
- Increase in the number of Gaelic translators to translate publications.
- IT – existing systems may require to be modified to cope with additional quantities.
- Increase in staff resources, including appointment of Gaelic speakers where necessary.

4. Conclusion

SQA has had a long-held commitment to the Gaelic language and welcomes in principle the terms of the Bill subject to the full scope of the proposed Gaelic Language Plan being further specified. SQA welcomes the opportunity of becoming involved in all future consultations in connection with this Bill and would also welcome the opportunity to attend and provide evidence to the Committee at a future date.

November 2004

SUBMISSION FROM SNP (SKYE BRANCH)

A Chàirdean

Bile na Gàidhlig

Bu mhath le Meur an Eilein Sgitheanaich de Phàrtaidh Nàiseanta na h-Alba (SNP) am beachdan a thoir seachad air an dàrna dreach de Bhile na Gàidhlig.

Tha sinn toilichte gu bheil adhartas ri fhaicinn bho chaidh a’ chiad dreach foillseachadh, ach tha sinn diombach gu bheil an t-adhartas sinn fhathast ro bheag, agus tha eagal oirn gu bheil am bile fhathast cho uireasbhach is nach gabh amasan ionmholta a’ bhile a thoir gu buil le acfhainn a’ bhile.

Tha laigse bhunaiteach ann an sealladh a’ bhile a’ dol gu cnag na cúise – tha aire a’ bhile bho thùs gu éis air obair rianachd, agus chan ann air feumalachdan luchd-cleachdaidh a’ chàin, no, ann am facal, air daoine agus air an cuid chòraichean.

Tha sinn den bheachd gu bheil co-dhiù na leasachaidhean a leanas rianachd mus dèan am bile feum, air neo cha bhi ann dheth ach am ‘beul bòidheach’:

- Feumaidh am bile aithnachadh, ann an dubh is geal, gur e cân an aithnicichte oifigeil a tha anns a’ Ghàidhlig.
- Ged a tha a-nise iomradh air foghlam sa bhile, feumar aithnachadh nach ann a-mhàin aig ire bun-sgoile a tha na feumalachdan, ach aig aghire de dh’fhoghlam – bun-sgoil, árd-sgoil, foghlamadh, agus aig aghramh, agus aig aghramh-tadhail.
- Feumaidh am bile aithnachadh nach ann air feumalachdan luchd-cleachdaidh a bhòith, no, aig aghramh, agus aig aghramh-tadhail.

Tha e air leth neònah gu bheil siostam a’ Cheartaistí gun nochadh sa bhile seo. Tha e riathanach gum bi comhoim aig daoine Gàidhlig a chleachadh anns na cùisean-lagha agus ann an tribunalar cosnachd, etc. Bhiodh e reusanta gum feumadh duine sam bith a bhiodh airson Gàidhlig a chleachadh saudhathachadh sao iarrataidh a chur a-steach ro lèimh.

Tha mòran dhe na buidhneachair gur cântaidh na gur chuid an Gàidhlig agus an t-sluagh nach aig a’ tighinn fo chùram an reachdais seo. (Mar eisimpleir, Sochairraean Sòisealta, Peinnseanan, Oifis nan Cìsean, etc.) Tha e riathanach gun iorg Rìaghaltas na h-
Alba fuasgladh le Riaghaltas Bhreatainn. Math dh’fhaoideach gum faodadh Westminster iarradh air Parlamaid na h-Alba an reachas a làimhseadh tro rùn Sewell.

- Dh’fhaoadh am bile seo uallach ro mhòr a chur a’ chuir Ministear na Gàidhlig, agus tha eagal oirn gun adhbharach seol dàil, air neo gum fág seo fada cus cumhachd ann an lèamhan nan Seirbhiseach Stàite a bhios a’ comhairleachadh mhìninstearan ùra. Mholamaid gu làidir gum bu chòir beachdachadh air Coimiseanar no Ombudsman neo-eisimeileach a stèidheachadh gu deiligeadh ri tagraidhean mu obair Bòrd na Gàidhlig, air nòs an Commission for Racial Equality, no Oftel, etc.

- Bu chòir dha bhith soilleir sa bhile gum feum buill Bòrd na Gàidhlig a bhith comasach air an cuid gnothaich a dhèanamh tro mheadhan na Gàidhlig. Chan eil iomradh sam bith air comasan cânain buill a’ Bhùird sa bhile mar a tha e.

Chan eil san reachdais seo ach teiseach tòiseachaidh – ach feumaidh togalach a bhith stèidhte air bunait cheart air neo cha sheas e. Ma tha an Riaghaltas dha-rìribh ag iarradh, mar a tha sinne, gum mair a’ Ghàidhlig agus gun soirbhich leatha, lìonaidh e na tuill ghàbhaidh a tha san reachdais seo.

Iain MacLennan
Branch Secretary
Friends

The Gaelic Bill

The Skye wing of the Scottish National Party (SNP) would like to submit their opinions on the second draft of the Gaelic Bill.

We are happy that progress can be seen since the last draft was published, but we are indignant that this progress is still so small, and we are afraid that the bill is still so flawed that the worthy aims of the bill cannot be achieved through the bill's provision.

A fundamental weakness in the bill’s outlook goes to the nub of the matter - the bill focuses from beginning to end on administration and not on the needs of the language’s speakers, or, succinctly, on people and their rights.

We are of the opinion that the following amendments, at least, are essential before the bill can be of use. Otherwise we will have nothing but ‘sweet words’.

- The bill must acknowledge, in black and white, that Gaelic is a recognised official language.
- Although mention is now made of it in the bill, it must now be recognised that there are needs not just at primary school level, but at each level of education – primary, secondary, advanced education, higher education and lifelong learning. It is absolutely essential that local authorities be obliged, by law, to make every effort to establish Gaelic medium education where there is reasonable demand for it, as explained by Comann na Gàidhlig (CnaG) and Comann nam Pàrant etc. The bill must also make provision for the needs of learners outside the schools and perhaps specific mention should be made of SFEFC, SHEFC and colleges and universities.
- It is very strange that the Justice system does not appear in this bill. It is essential that people have the opportunity to use Gaelic in courts of law and in employment tribunals etc. It would be reasonable that anyone wanting to use Gaelic in such a situation would have to submit an application beforehand.
- Many of the most important public bodies in the day to day life of the people do not come within the scope of this legislation. (For example – Social Security, Pensions, The Tax Office, etc). It is essential that the Scottish Executive finds a solution with the British Government. Perhaps Westminster could ask the Scottish Parliament to handle the legislation through the Sewell resolution.
• This Bill could put a large burden on the Gaelic Minister and we fear that this may lead to delay, or that this will leave far too much power in the hands of the Civil Servants that will be advising new ministers. We would strongly recommend that a Commissioner or an independent Ombudsman be put in place to deal with claims concerning the Gaelic Board, in the same way as the Commission for Racial Equality, or Oftel etc.

• It ought to be clear in the bill that the members of the Gaelic Board must be able to conduct their business through the medium of Gaelic. There is no mention made of Board members’ language ability in the bill as it stands.

This legislation is just a start – but a building must be based on a proper foundation if it is to stand. If the Executive really wants, as we do, for Gaelic to endure and to succeed, it will fill the dreadful holes in this legislation.

Iain MacLennan
Branch Secretary

SUBMISSION FROM SORLEY MACLEAN TRUST

A charaid

Urras Shomhairle

Tha Urras Shomhairle a’ cur fàilte air adhartas a’ bhile agus ag aontachadh ris na puingean uile anns an fharsaingeachd.

Bu thoil le na h-Urrasairean an làn taic a chur ri freagairt an t-Sabhail Mhòir. Gheibh hear lethbhreadh den freagairt aca an lùb an litreach.

Leis gach deagh dhùrachd

Rùnaire
As leth Urrais Shomhairle
To Whom It May Concern

Sorley MacLean Trust – Gaelic Bill Response

On behalf of the Sorley MacLean Trust, the Trustees welcome the progress of the Gaelic Language (Scotland) Bill and agree with the general principles of the Bill.

The Trustees would like to add their full support to the response submitted by Sabhal Mòr Ostaig, which is hereby enclosed.

Secretary
On behalf of The Sorley MacLean Trust
SUBMISSION FROM SOUTH LANARKSHIRE COUNCIL

South Lanarkshire Council welcomes the opportunity to comment on issues arising from the Gaelic Language (Scotland) Bill. South Lanarkshire Education Resources submitted a response to the original consultation paper on the draft Bill and has also submitted a response to the questionnaire on the Financial Memorandum. The following comments on the Bill complement those submissions already made.

Policy Objectives of the Bill

The main provisions of the Bill, including the establishment of a Gaelic development body, Bord na Gaidhlig, are seen as positive measures towards the stated objective of securing the status of the Gaelic language in Scotland and of protecting and supporting the Gaelic language. The revisions to the Bill, following the initial consultation, indicate a recognition of the need for flexibility and balance in responding to the needs and wishes of the Gaelic community and ensuring that due account is taken of local circumstances and resources in meeting stated objectives.

The provision in the Bill for public bodies to produce a language plan is also outlined in a manner which recognises the potential complexity of such a demand and the need for measured responses on the part of e.g. local authorities in developing, with appropriate guidance, such a plan.

Bord Na Gaidhlig

We recognize the central role to be played by Bord na Gaidhlig, in particular in the development of a national Gaelic language plan, in providing advice to public bodies on the development of language plans, and the development of guidance on educational matters. It will be important, however, for the Bord to work in close partnership with public bodies and, in the education sphere of operations, with local authority education departments and representative development groups for Gaelic already operating on a nation-wide basis.

National Gaelic Language Plan

We strongly support the move to develop a national Gaelic language plan. This would be an essential context for the development of local plans and would enhance the overall quality and consistency of local plans across the country as a whole. The need for consultation with Bord na Gaidhlig has featured in the responses to the consultation from local authorities and the importance of partnership working in this critical first stage of development cannot be underestimated.

Appropriate resourcing, and funding, of Bord na Gaidhlig, to ensure a timely and quality provision of a national Gaelic language plan, are also crucial.

Gaelic Language Plans

It is encouraging to note that the language planning provisions of the Bill are drafted to provide for a wide degree of flexibility in determining what the content of local authority plans should be. This is in keeping with the spirit of recognising that local plans should meet the needs of the community and should be in keeping with the principles and values underpinning existing planning procedures.

The development of a language plan will, however, require officer resources and other costs: it has been estimated that it will cost in the region of £10,000 for a local authority to develop a Gaelic language plan. Thereafter there will be significant costs associated with the implementation of the plan, even if these are directed towards a core service delivery. Such costs will be recurrent. It is noted that authorities will be eligible for assistance towards these costs from a Gaelic Language Development Fund, managed by the Bord.

Gaelic Education

The Standards in Scotland’s Schools etc Act 2000 places a duty on authorities to publish an annual statement of improvement objectives, including reference to Gaelic education. While this requirement has been sufficient for our own authority to date, we note the intention to revise guidance to local authorities to ensure consistency in local authority reporting. We also note that
such guidance will reinforce and establish *locally determined entitlement* to Gaelic medium education. This last point is crucial as submissions on the Bill from the education sector have consistently drawn attention to the problems of resourcing local provision, and in particular the difficulties of expansion against an inadequate level of qualified teacher supply.

The financial and resource implications of the Bill will have a significant impact on local authority planning and provision. In South Lanarkshire’s response to the questionnaire on the Financial Memorandum, we commented on the lack of detail on the extent and nature of language plans and on the consequent resource demands made by them. Such proposals go beyond current budgetary provision and we are therefore not at this stage in a position to meet these costs from existing budgets.

Similarly, if the Bill successfully realises its objective of increasing awareness of and demand for Gaelic education provision, there would be significant additional costs incurred by the Council and by Education Resources in order to meet them.

**Conclusion**

In conclusion therefore, we support the spirit of the Bill and its principles; we welcome the broad powers given to Bòrd na Gàidhlig and are happy to continue in dialogue with them on the development of national and local language plans; we are supportive of the principles of flexibility inherent in the Bill and its acknowledgement of the varying local circumstances which will determine the scope of language plans and local provision.

We remain concerned, however, that the financial implications of the Bill’s implementation are still vague and would urge that central funding and support for local authorities is sufficient to enable the secure implementation of its principles.

**SUBMISSION FROM STORLANNA NAISEANTA NA GAIDHLIG**

- Stòrlann welcomes the changes made to the second draft of the Bill, in particular the inclusion of education in the Bill.
- Stòrlann welcomes the establishment of Bòrd na Gàidhlig on a statutory basis. While recognising funding constraints, we would suggest that a commitment be made to annual increases (in real terms) in the funding available to Bòrd na Gàidhlig, to allow it to carry out its functions and ensure the future of the Gaelic language.
- The role of Bòrd na Gàidhlig as regards education should be clarified. The Bòrd should be allowed to issue guidance on education but we would like to be clear on which aspects we should seek guidance from the Bòrd and which aspects will be led by local authorities. It is important that all agencies work together and that our efforts on behalf of Gaelic education are well co-ordinated.
- Stòrlann welcomes the proposal that all public bodies should produce a Gaelic language plan and will be happy to submit its own policy on Gaelic to Bòrd na Gàidhlig.

Murdo Maciver  
Chairman of Board of Stòrlann

**SUBMISSION FROM STRI NAN OILEANACH**

I would like to submit the following considerations in the call for evidence for the Gaelic Language Bill.

Cathy Mary Macmillan on behalf of STRI NAN OILEANACH
We welcome the Gaelic Bill and congratulate the Executive on its historic move to normalise the Gaelic language and culture of Scotland.

* However we do feel that this bill needs strengthened.

* The Bill should specify that Gaelic is an official language in Scotland.

* Gaelic should be treated equally with English in the conduct of public business within Scotland

* Bord na Gaidhlig needs more power.

* The Bill should provide Bord na Gaidhlig with the same powers as that of the Welsh Language Board.

* Justice systems should be included in the Bill

* Whitehall Dept. with a presence in Scotland i.e.: IRS, Job Centre, DVLA, Royal Mail, should be covered by the Bill.

* Bord na Gaidhlig needs adequate resources

* Statutory right for state education than medium of Gaelic.

* S 3 (5) Should be replaced with a requirement for Scottish public authorities to have regard to the extent to which their functions have the potential to support the development of the Gaelic language.

A further comment for evidence for Gaelic Bill

In Gaelic Heartland Comhairle nan Eilean Siar should be made to alter Gaelic Education Policy to make Gaelic education Mainstream, compulsory and priority, with english education as second choice.

Cathy Mary Macmillan
STRI NAN OILEANACH

SUBMISSION FROM UHI MILLENNIUM INSTITUTE

_UHI Millennium Institute welcomes the publication of the Gaelic Language (Scotland) Bill and, along with our academic partners, is encouraged by some of the changes made to the Bill following the Executive’s previous consultation process._

While welcoming the amendments already made to the Consultation Draft, UHI would like to reiterate some of its on-going concerns:

* Relative to Section 3.1, it would be hoped that consultation can be undertaken with the UK Parliament to ensure British Public Bodies active within Scotland comply with the spirit of the Gaelic Language (Scotland) Bill.

* It remains disappointing that, in Section 9, there remains an absence of a specific reference to an effective Gaelic Teacher Education strategy.

* The continued absence of any reference to the Judiciary remains an apparent anomaly.

* Along with our academic partner, Sabhal Mor Ostaig, we would encourage consideration of a reference to equality of opportunity within the Gaelic Language (Scotland) Bill.
SUBMISSION FROM VOLUNTARY ARTS SCOTLAND

We write in welcome support of the Gaelic Language (Scotland) Bill recognising that many of the opportunities to partake in Gaelic culture in general are generated by the work of volunteers in Scotland.

In line with many in the Gaelic community we appreciate the historic nature of the legislation but feel there are areas in which the bill can be strengthened.

- Gaelic should be designated an official language in Scotland and treated equally with English in the conduct of public business within Scotland, including the justice systems.

- Bord na Gaidhlig should be given the powers it needs to ensure that its work is as effective as possible. The Welsh Language Board is a good model in this instance. In then carrying out these powers Bord na Gaidhlig must have the right level of resources to do their work effectively.

- To assist consistency, departments that have a UK coverage with a presence in Scotland such as the Job Centre and Royal Mail, should be covered by the Bill.

- There is also a need to ‘future proof’ the legislation. As Gaelic is expected to strengthen and develop through the content of this Bill, demand may appear in areas not considered as significant currently. There is a need to be prepared to meet this demand so this is where the suggestion of S 3 (5) being replaced with a ‘requirement for Scottish public authorities to have regard to the extent to which their functions have the potential to support the development of the Gaelic language’, would become very important.

- Though the Bill covers public authorities rather than voluntary organisations, it would be good if consideration was given at some point to make funds available to organisations who would like to work more in the medium of Gaelic from getting a Gaelic name for their organisation to translating scripts, publications etc and training in Gaelic. There could be funding given to Bord na Gaidhlig for this purpose.

It is important to recognise that this is not just about speaking the language, as so much of the instrumental, song and dance traditions have relationships particularly with the rhythms of the language. For many, this cultural aspect is their first contact with the Gaelic language and how they choose to interact with it.

This Bill recognises the role that we have in preserving, conserving and passing on the traditions that come from Scotland. Hopefully in time there will be provision to support other aspects of our culture which have a unique home in Scotland so future generations can continue to enjoy the diversity of the world’s cultures.

Fiona Campbell
Network Officer
Voluntary Arts Scotland

SUBMISSION FROM WEST LOTHIAN COUNCIL

Gaelic Language Bill – response to Scottish Executive by 9th January 2004

Questions

1. Is it right that Gaelic be recognised as one of the languages of Scotland in statute?

Gaelic is a language of Scotland and should be supported in a way, which recognises and enhances its status. This is particularly pertinent for those areas within the highlands and islands,
which still actively support and encourage Gaelic activities within their communities. However, in West Lothian this is less significant. Only 0.36% of the population are Gaelic speakers (average 1.16% in Scotland). While this might suggest that there is a need to promote the language and culture of Gaelic to ensure that it is sustainable – it also suggests that for a large proportion of the population of West Lothian (which is multi-cultural) it is less important. Gaelic culture and language should be supported and encouraged – but not as a statutory obligation. It is not a native language of Scotland as a whole – and it may be that other languages are more dominant in particular areas.

2. **Should Bord na Gaidhlig have the functions provided in section 1 of the draft Bill?**

A Gaelic development agency could play a significant role in promoting the Gaelic language and culture but this should be a guidance rather than a statutory function which provides an advisory role for public bodies. The bord should not become an ‘enforcement’ body.

3. **Should the requirements in sections 2 and 3 of the draft Bill be placed on Bord na Gaidhlig?**

Yes – but with full consultation of stakeholders.

4. **Should Bord na Gaidhlig be given the powers in schedule 1, paragraph 11 of the draft Bill?**

The Board should be an advisory body, which is publicly accountable. The draft bill suggests that public bodies are accountable to the Bord in terms of preparing and publishing Gaelic language plans (or for providing appropriate reasons for not providing one). However, the Bord status is that it is not publicly accountable, but would still have the general powers to do anything which is conducive to exercising its functions.

5. **Are there other matters, beyond those in section 5(5) of the draft Bill, that public bodies should have regard to in determining whether to prepare a Gaelic language plan?**

Public bodies should be able to determine the relevancy of whether a Gaelic language plan is appropriate – they should not be compulsory.

6. **Should public bodies be required to consider whether it is appropriate to prepare and publish a gaelic language plan describing the services the will offer in gaelic?**

Community planning has become a statutory responsibility with a number of the bodies listed in Schedule 2 working together to provide strategic joint plans for the areas that they operate within (e.g. health boards, police, local authorities, Scottish Enterprise etc). The appropriateness of producing and publishing a Gaelic language plan should be considered by community planning partnerships for an area. Similarly, cultural strategies are being developed by local authorities, within the framework of community planning – and it is this joint approach to planning and implementation of services that is being promoted. The approach set out within the consultation paper doesn’t recognise the wider aspirations of joining up and integrating services.

7. **Should the Bill provide for Bord na Gaidhlig to assist and advise public bodies in the preparation of gaelic language plans?**

7 + 8 (below) The bord should have an advisory and guidance role.

8. **Should the Bill require Bord na Gaidhlig to prepare guidance on gaelic language planning?**

See above

9. **Should Bord na Gaidhlig have a role in advising education authorities and the Scottish Executive on plans for Gaelic medium education flowing from the 2000 Act?**
Encouraging the use of the Gaelic language and access to Gaelic cultural provision within a particular area should be determined by the need, the proportion of Gaelic speakers, educational value and benefits to tourism. The bord has a role to play in advising education authorities on plans for Gaelic medium education flowing from the 2000 Act. However, there should be no compulsion on Local Authorities to provide pre-school or school age Gaelic medium education. Not all councils will be able to provide a quality service, particularly within a context of teacher shortage and limited resources for classroom use. In addition, there should be no unrealistic timescale imposed on councils to meet requirements which cater for a small proportion of a council population to the detriment of best value. Models which support joint local authority provision should be continued.

10. **Would you like to comment on any other aspect of the draft Gaelic language Bill?**

Local authorities are on the list of public bodies who would have to prepare Gaelic language plans. Also listed are licensing boards, Children’s Panel Advisory Committee’s and housing – all of which are local authority functions. If Councils are being asked to consider whether to produce a Gaelic Language Plan they should do so for the population of potential clients / customers within their geographical area. It makes no sense to conduct several separate considerations. Local authorities are looking to integrate services and simplify the planning process – this would serve to complicate it.
C: STANDAD RESPONSES

60 individuals* sent in the following response:

I agree with the general principles of the Gaelic Language (Scotland) Act. I fully support the establishment of Bòrd na Gàidhlig on a statutory basis. However, while I believe that the Bill would be better for the inclusion of a clause which guarantees that Gaelic and English are treated on the basis of equal validity, I fully understand that in the current political climate, that the current bill, as it stands, is the best option available for securing the future of the language. I feel that the proposed arrangements regarding ministerial control over the Bòrd are commonsense. The Bòrd must be given autonomy to go about its business in a reasonable and conciliatory way, whilst being subject to the same restraints that all such public bodies are under. To do otherwise would, at one extreme, fatally weaken the Bòrd and in turn, the Language, and at the other, be perceived as allowing the Bòrd to ride roughshod over areas of Scotland with a weak Gaelic heritage. The Gaels understand what it is like to have another culture forced upon them, they would hate to do it to others. Allowing the Bòrd to issue guidance as regards Gaelic education is also a commonsense approach. I believe this will complement and co-ordinate, rather than contradict the, for the most part, excellent efforts of Local Authorities. Of course it would be nice if the Bòrd received a more generous amount of funding, but as stated earlier the current political climate does not allow for such an occurrence. Hopefully, in time, as Bòrd na Gàidhlig goes about its business and the demand and interest in Gaelic increases, then the financial situation will improve in hand in hand with the cultural and linguistic ones. Once again I would like to state that I agree with the general principles of this bill and would not like to see it fatally weakened. Suas leis a' Ghaidhlig.


29 individuals* and 1 organisation** sent in the following response in Gaelic (translation included):

Tha sinn a’ sgrìobhadh thugaibh às leth FÀS (Dùn Èideann), buidheann iomairt Ghàidhlig a tha stèidhte ann am prìomh-bhaile na h-Alba, an cois na gairm-fhianais a thaoibh Bile na Gàidhlig (Alba). Tha sinn glè tholichti gu bheil an Riaghaltas air Bile Gàidhlig a’ chur fo chomhair na Pàrlamaid. Ged a tha a tham Bile seo gu math nas fheàrr na an dreachd a chaidh a sgoileadh an uiridh, tha e fhathast ro lag. Chan eil am Bile a’ toirt chòraichean laghail do luchd na Gàidhlig mar bu chòir, gu h-àraidh a thaobh foghlaem tro mheadhan na Gàidhlig.

Gu sònraichte, tha sinn a’ moladh gu unath-leasaicheam am Bile anns na doighshean a leanas:

1. Bu chòir don Bhile dèanamh soilleir gu bheil inbhe oifigeil aig a’ Ghàidhlig ann an Alba, agus gu bheil co-îonnachadh eadar a’ Ghàidhlig agus a’ Bheurla ann an Alba.

2. Tha sin toilichte gu bì uallach laghail ga chur air a h-uile buidheann phoblach ann an Alba plana Gàidhlig a dhealbhadh agus a chur an gniomh (an aon seòrsa deastanais a tha air buidhnean poblach anns a’ Chuirnigh a rèir Achd na Cuimris 1993). Bu chòir don Bhile dèanamh soilleir gu e coillinnadh prionnsabal na co-îonnachadh eadar a’ Ghàidhlig agus a’ Bheurla amas nam planaichean seo (mar a tha Achd na Cuimris a’ cur an cèill gu soilleir), agus bu chòir liostadh de phriomh chuspairtean nam planaichean a chur anns a’ Bhile (fastadh, trèanadh, foillseachadh,iomhaigh chorporra, conaltradh leis a’ phoball etc.).
We are writing to you on behalf of FÀS (Edinburgh), Gaelic lobbying group based in the capital of Scotland, vis-à-vis the call for evidence on the Gaelic Language (Scotland) Bill.

We are very pleases that the Executive has introduced the Gaelic Bill to the Scottish Parliament. Although this Bill is much better that the draft that was distributed last year, it is still too weak. The Bill does not give legal rights to Gaelic speakers as it should, especially vis-à-vis Gaelic Medium Education.

We especially recommend that the Bill is developed in the following ways:

1. The Bill should make it clear that Gaelic has official status in Scotland and that Gaelic has equal status with English in Scotland.

2. We are pleased that there is legal provision that every public body in Scotland has to design and put a Gaelic Language Plan in place (the same type of responsibility that is placed on public bodies in Wales according to the Welsh Language Act 1993). The Bill should clarify that the aim of these plans is to observe the principle of equality between Gaelic and English (as affirmed so clearly in the Welsh Language Act), and that a list of the main topics [headings] of plans should be put in the Bill (recruitment, training, publishing, public image, communicating with the public, etc.).

3. Bòrd na Gàidhlig should have further powers (e.g. power to raise a legal case against a public body that does not fulfil its duties) to make public bodies observe their Gaelic plans. The Welsh Language Board has more power than Bòrd na Gàidhlig which is not at all acceptable.

4. There should be legal provision put on each [local] authority to provide Gaelic medium education if there is reasonable demand for it, and parents should have the legal right to get this for their children.

5. Gaelic speakers should have a legal right to use their language in a Scottish law court. Welsh speakers have these sort of rights according to the Welsh Language Act 1993 and it would not be at all fair to deny the same [rights] to Gaelic speakers.

We hope that these developments are to be seen. The bill is not strong enough at this time and Gaelic speakers will not be satisfied with it.

** Comataidh an Fhoghlaim

11 individuals* and 1 organisation** sent in the following response:

We welcome the Gaelic Bill and congratulate the Executive on its historic move to normalise the Gaelic language and culture of Scotland.

However we do feel that this bill needs strengthened.

The Bill should specify that Gaelic is an official language in Scotland.

The Bill should provide Bord na Gaidhlig with the same powers as that of the Welsh Language Board.

Whitehall Dept. with a presence in Scotland i.e.: IRS, Job Centre, DVLA, Royal Mail, should be covered by the Bill.

Bord na Gaidhlig needs adequate resources

S 3 (5) should be replaced with a requirement for Scottish public authorities to have regard to the extent to which their functions have the potential to support the development of the Gaelic language.

* Anne Frater, Christine & Amy Cunningham, Candelaria Dorso, David Ozzimo, Marcela Gaitán, María Inés Canseco Sabugo, Matias Prada, Nora Pascale and anonymous × 3

** CEOLAS
D: RESPONSES FROM INDIVIDUALS

SUBMISSION FROM SEONAIDH ADAMS

Bu mhath leam sa chiad dol a-mach mo thaic a chur ri bile sam bith a neartachas suidheachadh na Gaidhlig. Ach se mo bheachd nach eil a’ bhile a tha seo laird gu leor gus fhoir dhiofar a dheanamh dhan chuis. Mholainnsa gu h-araid gum bu choir rudeigin a bhith ann a chuireas impidh air comhairlean foghlaam tro mheadhan na Gaidhlig a dhion agus a mhacineachadh gu ire fhreagarrach. Bu choir na cumhachdan a bhith aig Bord na Gaidhlig suil cheart a chumail air an airgead a theid gu comhairlean ionadail mu choinneamh foghlam anns a’ chanain gus am faigh sgoilearan a h-ule cothrom is goireas a dhiheumas iad gus am foghlam choilionadh.

is mise, le meas
S. Adams

I would like, in the first instance, to express my support for any bill which strengthens the position of Gaelic. But, in my opinion, this bill is not strong enough to make a real difference to the situation. I would especially recommend that there be something in it to compel councils to safeguard and adequately fund Gaelic-medium education. Bord na Gàidhlig should have the power to monitor effectively the money which goes to local authorities for education in the language so that pupils get every opportunity and resource that they need to complete their education.

SUBMISSION FROM WILLIAM ANDERSON II

I believe that it is very important to retain and grow the popularity and use of the gaelic language, not to be taught in the place of Cockney or Oxford english, but to be taught with it. It is part of our heritage and should be retained. I am an American of Scotch-Irish descent and am trying to learn Gaelic. It is tough for me but I believe very important.

William K. Anderson II

SUBMISSION FROM SEONAID ANDERSON-WEISSMANN

I hope that Gaelic will be protected under this Bill.

Here in Australia we are trying hard to study the language, a long way from Scotland.

It would be a travesty if the Scottish parliament failed to protect it at its roots.

Suas leis a’ Ghàidhlig!

Seònain Anderson - Weissmann

SUBMISSION FROM ANONYMOUS (signature illegible in original submission)

I write to oppose the right to a Gaelic medium education.

Take the example of a two-pupil primary school on a small island in Orkney. One comes from Western Isles and her parents demand a Gaelic medium education. The other comes from Bangladesh and is struggling to learn English, and has never even heard of the existence of Gaelic.

I strongly object to forcing local authorities to provide Gaelic-medium education in those parts of Scotland where the language is not spoken. It would inevitably lead to discrimination against ethnic groups such as Asians, and being fluent in Gaelic but not being fluent in English would lead to
them being unemployable: this applies particularly to those whose family language is Urdu or Arabic of Vietnamese, etc.

It is more important to end discrimination against immigrants than to promote Gaelic. And it is more important for immigrant children to learn good English and to receive a vocation-oriented education than to learn Gaelic.
Abair briseadh-dùil a th’ anns an darna dreachd de Bhile na Gàidhlig. Chuala sinn nach roh bhòr mòran ùide anns an dreachd seo ged a bha còrr agus 3000 beachdan tighinn a-steach roimhe, agus chan e iongnadh a th’ ann an sin idir. Tha e soilleir gu leòr leis na rudan a tha sinn a’ faicinn (no nach eil sinn a’ faicinn) ann a’ Bhile nach eil Na Mandarinen a tha ag obair aig an riaghaltas gu firinneach ag iarraidh an cânan a shamhlachadh. Tha am bile seo cho lag, gun fheum, às dèidh 3000 beachdan làidir tighinn a-steach, carson am biodh duine sam bith a gabh ùidhe anns a’ bhile seo mura roh bhìg ag èisdeachd a’ chfadhl? ‘S urrainn dhuinn mòran phoileasaidhean soirbhheachail a dhealbhachadh a bha ag obair ann an ñiteachan bho Hawaii gu Israel ach dè bhì am feum a th’ ann an sin nuair a tha e follaíseach nach eil sibh a’ tuigsinn an suidheachadh no ag èisdeachd rinn? Mar sin, seo am fiosrachadh bunaiteach, a-rìthist:

A rèir sgrùdadh-sluaigh a rinn am BBC, tha an cuid as motha dhe na Albannaich a’ tuigsinn gu bheil Gàidhlig ann an treas meadhan beatha agus eachdraidh Alba, tha iad ag iarraidh a samhlachadh, agus tha iad deiseil agus deònach airgead a chosg airson sin a dhèanamh.

Ach, tha Gàidhlig a-nis aig “the tipping point” mar a tha iad ag ràdh. Bìdh e a’ bàsachadh nar beatha fhèin gun oidhirp làidir bhon choimhearsnachd fhèin AGUS an riaghaltas. Cha bìdh poileataics mar as àbhaist freagarrach idir an seo oir chan eil ach beagan ama air fhàgail. Chan eil fiu agus 10% anns an bile seo a tha feum oirn airson Gàidhlig a samhlachadh. ‘S e an ionmhas cultar Albann as luachmhora, as priseile a th’ ann an Gàidhlig. Dèanaibh rudeigin feumail, no rachaibh às an rathad.

Le meas,

Timothy Currie Armstrong

Sine Nic Anndrais
What a disappointment the second version of the Gaelic Language (Scotland) Bill is. We heard that there was not really any interest in this draft even though more than 3000 views [submissions] came in before, and that is no surprise either. It is clear enough with the things we see (or do not see) in the bill that the Mandarins who work for the government do not really want to save their [the] language. This bill is so weak, useless, after 3000 strong opinions being sent in, why would anyone be interested in this bill if they had not been listened to the first time round? We may design successful policies [based on those] which work in places from Hawaii to Israel but what use is that when it is clear that you do not understand the situation or listen to us? Hence, herewith the basic information again:

According to a poll which the BBC did, the majority of Scots understand that Gaelic is [right in the middle] central to Scotland’s history and life, they want its symbolism and they are ready and willing to spend money to achieve this.

But Gaelic is now at “the tipping point” as they would say. It will die in our own lifetime without a strong effort from the community itself AND from the government. Normally politics would not be at all helpful in this, as there is only a small amount of time left. There is not even 10% in this bill of what we need to save Gaelic. Gaelic is the most valuable, priceless asset in Scottish culture. Please do something useful, or get out of the way.

Timothy Currie Armstrong Shana Anderson

SUBMISSION FROM MÍCHEAL BAUER

I am glad to present my views on the Gaelic Language Bill as you requested. Here are the main points that I would recommend with regard to the development of the Bill:

1. Official Status
   a. It is especially important that the Gaelic Language Bill will establish the principle of [Gaelic as] official language. The lack of this principle has been hindering the way forward for a long time with many bodies – especially private bodies – answering that they will not do anything for Gaelic because it [Gaelic] had not been established in legislation as Welsh is in Wales.
   b. The Bill should particularly mention regions that are Gaelic (where there are hundreds of people fluent in Gaelic, say in the Western Isles and some of the areas of Highland Region) and to declare that Gaels have permission in these areas to use Gaelic in every situation of their lives and that these local authorities will have to offer them (say communication with the Council in Gaelic, forms in Gaelic, publications in Gaelic, bi-lingual police, NHS doctors who speak Gaelic, etc).
   c. The bill should also place a level of responsibility on large private bodies / organisations (such as water and electricity services, banks, supermarkets, etc) to use Gaelic in dealings with the community. No improvement will be achieved on the state of Gaelic without the chance for Gaels to use it.

2. Education
   a. This Bill should put responsibility on local authorities to provide GME where there is reasonable demand and this Bill should detail CLEARLY what reasonable demand means. It should also put responsibility on the Executive to make sure that regular prospectus [provision] is made to meet future demand for teachers so that local authorities can offer this.
   b. As dreadful reports were produced in the past that denounced GME at the second and third level, this Bill should declare that support is to be given to the principle of GME at each level – preschool education, primary education, secondary education, community education, continuing education and university and college education.
   c. This Bill, further to research which shows that children pick up language more successfully in a single language environment, should give full support to the principle of GME schools,

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82 A report by the Scottish Office Education Department 1994 that said that secondary level education was “neither desirable or feasible in the foreseeable future”.
instead of [Gaelic] units wherever possible. The Bill should also declare that GME should be available for after-school activities that are [not] linked with school or education in general, as this is where authorities can strengthen Gaelic outside school so that children don’t create an image of Gaelic as “something that you only do in the classroom”.

3. Compliance
Bòrd na Gàidhlig need more powers so that they can submit the National Language Plan and [enforce] local plans that were agreed in order to check and to make sure [that they comply]. A more elaborate plan won’t be of any use if people don’t comply with it. There is a good example to be seen in Welsh where Bwrdd yr Iaith Gymraeg [Welsh Language Board] has powers like this.

4. Illiteracy
The Bill should especially address the issue of Gaelic literacy and declare that it is the right of everyone to be able to read and write Gaelic – although there is no certainty, that illiteracy in Gaelic is so prevalent amongst Gaels.

I am certain that these views will be of use to you and I am looking forward to a strengthened Bill for the good of Gaelic and the good of Scotland

Micheal Bauer
A charaid chóir,

Tha mi toilichte mo bheachdan air Bile na Gàidhlig a chur an cèill mar a dh'ìarras sibh. 'S iad seo na priomh phuingean a mholaínn-sa a thaobh leasachadh na Bile:

1. Inbhe Oifigeil
   
   a. Tha e fa leth cudromach gun stèidhich Bile na Gàidhlig prionnsabal oifigeachd a' chànan. Tha dith a' phrionnsabail seo air a bhith a' cur cnapan starra ann an slighe adhartais o chionn fhada is ionadh buidheann - gu h-àraid buidhnean priobhaidreach - a' freagairt nach dèan iad dad airson na Gàidhlig air sgàth 's nach eil i stèidhichte san reachdas mar a tha a' Chuimris sa Chuimrigh.

   b. Bu chòir dhan Bhile seò iomradh sònaiche a dhèanamh air sgìrean fa leth Gàidhealtachd (far a bheil ceudad mòr fileanta sa chànan, can Na h-Eileanan Siar is cuid dhe na sgìrean ann an Roinn na Gàidhealtachd) is a chur an cèill gu bheil cead aig Gàidheil anns na sgìrean seo Gàidhlig a chleachadh anns a h-uile sùidheachadh am beatha agus gu bheil aig na h-ùghdarrasan ionadail seo a sholaradh dhaibh (can conaltradh leis a' chomhairle sa Ghàidhlig, foirmichean sa Ghàidhlig, foillseachaidhean sa Ghàidhlig, seirbheis poileis dà-chànanach, dotairean SNS aig a bheil Gàidhlig is msa). "

   c. Bu chòir dhan Bhile seo cuideachd ire de dh'ùllach a chur air mòr-bhuidhean priobhaidreach (leithid seirbheisean uisge is deailinn, bancannan, uile-mhargaidean is msa) a' Ghàidhlig a chleachadh ann an eadar-ghabhail leis a' choimhearsnachd. Cha dig piseach air cor na Gàidhlig gun cothroman aig na Gàidheil gus a cleachtadh.

2. Foghlam
   
   a. Bu chòir dhan Bhile seo uallach a chur air ùghdarrasan ionadail FTMG a sholaradh far a bheil iarrtas reusanta ann agus bu chòir dhan Bhile seo a chur an cèill GU MIONAIDEACH na tha ann an iarrtas reusanta. Feumaidh i cuideachd uallach a chur air an Rìaghaltas a dhèanamh cinnteach gun dèanar ro-shéalladh tric a' iarrtas luchd-teagaisg san àm ri teadh gum faod ùghdarrasan ionadail seo a sholaradh.
b. Air sgàth aithisgean sgriobail a chaidh an dealbhadh san àm a dh’fhalbh a bhiodh a’ càineadh FTMG air an dàrna is an treas ire, bu chois dhan Bhile seo a chur an cèill gu bheilear a’ cur taic ri prìonnnasbal FTMG aig gach ire - foighlam ro-sgoile, foighlam buns-goile, foighlam àsra-dgòile, foighlam coimhearsnachd, foighlam leantainnreach is foighlam oilithean is colaithean.

c. Bu chois dhan Bhile seo, stèidhichte air an rannsachadh a tha a’ sealltainn gun tog clann cánan nas soirbhheachaile ann an lâin-arainneachd a’ chànan, lân-taic a thoirt do phrìonnnasbal sgoiltean FTMG seach aonadan far a ghabh seo a dhèanamh. Bu chois dhan Bhile cuideachd iomradh a thoirt air FTMG ann an gniomhachdan às dèidh na sgoile a tha co-cheangailte ris an sgoil no ri foighlam san fharsaingeachd, oir ’s ann an-seo a b’ urrainn dha na h-ùghdarrasan Gàidhlig a neartachadh taobh a-muigh na sgoile gus nach tog a’ chlann dealbh air a’ chànan mar “rudeigin a nithear san t-seòmar sgoile a-mhàin”.

3. Gèilleadh

Feumaidh cumhachdan a bharrachd a bhith aig Bòrd na Gàidhlig gum b’ urrainn dhà gèilleadh le Plana Nàiseanta a’ chànan agus plataichean ionadail a chaidh an gabhail riutha a dhearbhadh is a dhèanamh cinnteach. Cha dèan am plana as snasailfe feum sam bith mur eil aig daoine gèilleadh ris. Tha deagh eisimpleir ri fhaicinn sa Chuimrigh far a bheil cumhachdan mar seo air Bwrdd ar Iaith Gymraeg.

4. Neo-Litireachd

Bu chois dhan Bhile iomradh sònraichte a thoirt air litireachd na Gàidhlig is a chur an cèill gu bheil e ‘na chois dhan a h-uile duine aig a bheil Gàidhlig a bhith comasach air a sgriobhadh is a leughadh - ged nach eil fios cinnteach, tha neo-litireachd ann an Gàidhlig ro phailt am measg nan Gàidheal.

Tha lân dòchas agam gum bi na beachdan seo feumail dhuibh agus tha mi a’ dèanamh fhìughar ri Bile neartachd airson math na Gàidhlig is math na h-Alba.

Is mise le meas mòr,

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1 Aithsge le Scottish Office Education Department 1994 a thuirt gu bheil foighlam air an dàrna ire “neither desirable no feasible in the forseeable future”
SUBMISSION FROM SUSAN BELL

Bu toil leam ràdh gu bheil mi toilichte faicinn gu bheil Riaghaltas na h-Alba a' beachdachadh air Gàidhlig ann am Bile na Gàidhlig. Tha an cànain feumach air taic oifigeil a bhios a' toirt cuideachadh 's inbhe dha na buidhnean 's coimhearsnachd a tha air a bhith brosnachadh a' chànan thairis air iomadh bliadhna. Nam bheachdsa, 's e bun-stèidh éifeachdach a th' anns a' Bhile.

Le dùrachdan,

Susan Bell

I would like to say that I am pleased to see that the Scottish Executive is looking at Gaelic in the Gaelic Bill. The language needs official support that will give help and status to groups and the community that have been promoting / encouraging the language over the many years. In my opinion, the Bill is an effective starting point.

SUBMISSION FROM CATRIONA BLACK

This is to say that as a young Edinburgh born and bred Gaelic speaker, running a small Gaelic business in the Capital, I want to see the language given as much legal status and support as possible. This is the least the government can offer, after centuries of neglect and outright hostility.

While the bill pays lip service to Gaelic's needs, these words are mere ornaments on a wall which lacks robust foundations. At its heart, the bill lacks an explicit statement that Gaelic and English are of equal legal validity in Scotland.

The Bòrd must have power to achieve its aims, and this includes the vital area of education. It also means that sufficient money must be provided to ensure that it is not hidebound by financial restraints.

I hope that these points will be taken into account

Leis gach deagh dhùrachd

Catriona Black

SUBMISSION FROM RONALD BLACK

You have asked for public views on the Gaelic Bill. Here are mine.

Firstly, a few words about myself. In a way I have been very lucky. I was born and raised in the local authority which for many years was the most supportive of Gaelic (Glasgow Council) and I now work for the large private company most supportive of Gaelic for many years (The Scotsman Publications Ltd). Therefore, although I was not brought up in a Gaelic-speaking environment and although I do not live in the Highlands I received a good education in Gaelic and I now work with Gaelic. It has given me a good life, where, I think, I can do good, and I very much wish that the same sorts of opportunities could be open to everyone in Scotland in the years to come. Both my daughters have Gaelic also and Catriona, aged 31, works in the Gaelic world as I do myself.

Now a word on how I view Gaelic. To me, it is a rich storehouse, packed with priceless jewels of every sort, and even if Gaelic is not spoken as a living language the storehouse will always be there, but we will have thrown the key away. This would be a great loss. For Gaelic links together communities, literature, song, stories, folklore, history, education, tourism and the media.

Languages are being lost all over the world. It is important that they are protected, for a monolingual, monocultural world is a sad and impoverished place, completely at the mercy of money men in which I have no faith whatsoever. The European Union has charged the Scottish
Executive with the duty of saving Gaelic for the good of all the people of Europe. This is a duty of care. There should be another bill establishing the sort of duty which the Scottish Executive has to other languages. The Executive has no specific duty of care to foreign languages such as Chinese and Urdu, for these languages exist in other countries, but it has a general duty to promote multi-culturalism and to do away with mono-lingualism and mono-culturalism, and thus racism and linguicism also. Scots lies halfway between Gaelic and the foreign languages regarding how, practically, it should be dealt with.

The Bill must make clear that Gaelic and English have equal status as the two official languages of the land. At the same time, the Bill should also make it an obligation upon the Scottish Executive to preserve and promote Gaelic. (It could also be specified, at the same time or in another bill, that the Scottish Executive has an obligation to preserve and promote OTHER community languages).

Gaelic speakers – myself among them – understand that racial prejudice is the same thing as linguistic prejudice. We make no distinction. It is extremely offensive to Gaelic speakers to see bodies engaged in race harmony, such as the Race Relations Commission, attacking linguistic rights rather than defending them. This Bill should make clear that linguistic hatred is equivalent to racial hatred, or if you prefer, that hatred of Gaelic is the same thing as hatred of Gaelic speakers and therefore that prejudice against Gaelic is racism. Gaelic speakers see prejudice against Gaelic as bullying of a minority language by speakers of a majority language and the Scottish Executive should be against bullying in any form.

The Bill must guarantee that funding will be provided to train a sufficient number of Gaelic teachers.

The Bill must give parents the right to Gaelic education for their children where that is reasonable. “Reasonable” must be defined. It must be clarified what obligations would be placed on a certain council (say, Borders council) to provide Gaelic education for those who wish it through cooperation with other councils who have Gaelic schools (such as Edinburgh) and through travel arrangements or through paying travel costs.

More detailed guidance is needed regarding language plans. Much of it pertains to the visibility of Gaelic: in streets, roads and public buildings. We should start with names where there is some difference between Gaelic and English: for example, where a town has a name which was originally Gaelic but now has an anglicised form, such as Auchencrow in the Borders or Auchendinny in Lothian. Every public body should have the following: Gaelic signs in the building/buildings/ on their street/road names; Gaelic letterheads; a Gaelic website; a Gaelic officer either full time, or having responsibility for Gaelic as part of their job description, who could speak to the Gaelic media and answer questions in or about Gaelic. A simple example: I was writing a Gaelic article the other day and I had to translate ‘The National Archives of Scotland’ into Gaelic. I translated it as ‘Tasglannan Naiseanta na h-Alba’, TNA. Is this the correct Gaelic title for this large national body or not? Do they know themselves?

The Executive have established Bord na Gaidhlig and that is good. In my submission on the first draft of the Bill I said that language planning professionals should be on BnaG. That has now been done and that is good. The powers of BnG should be stronger than specified in the present form of the Bill: especially in relation to ensuring that bodies have good language plans and that they implement them. In order to assist BnG and organisations, guidance in the Bill must be clear regarding the contents of a language plan.
But, over and above BnG, the Gaelic Secretariat of the Parliament must be strengthened. The Secretariat should be given formal authority in matters of Gaelic terminology and placenames. They should be given public money, and the authority to go out and seek funding, to create books and websites containing authoritative lists of specialised vocabulary and Scottish placenames.

The Bill should create a National Gaelic Research Institute similar to Scoil an Leinn Cheiltigh at the Dublin Institute of Advanced Studies, which is run by the Department of Education and not by any university. This must be in Glasgow or Edinburgh, because one of its prime functions would be as custodian of the resources in the School of Scottish Studies. The responsibility for maintaining and organising this national treasure for the people of Scotland should not fall solely on the University of Edinburgh. The Research Institute should work closely with the Secretariat of the Parliament because the Placenames Archive of the School of Scottish Studies is at present closed to scholars due to lack of funds.

The Bill must make abundantly clear that Gaelic is one of Scotland’s national languages, because that is what allows institutions to hold such precious stores of Gaelic heritage in Edinburgh. If Gaelic is not a national language of Scotland, that would put (say) the Gaelic manuscripts in the National Library and in the universities in the same position as the Elgin Marbles, which ought to be returned to the people to whom they belong. I want a united bi-tri/lingual Scotland which is multi-cultural and not an imperialist state where the Highlands are merely a vassal colony.

If all these measures were implemented I would be proud of Scotland and Scotland would be worthy to take its place beside the other countries of Europe which take pride in their heritage rather than trying to hide it as we have done for hundreds of years. Gaelic is a good thing which should be enjoyed by everyone in Scotland as I myself have done all my life.

One other point. I hope that members of the committee saw that we ran a series of Gaelic vox-pops in the Scotsman where our writers went to different towns the length and breadth of Scotland to ask people on the street what they thought of Gaelic and of the Gaelic bill. We found that 9 out of 10 people were completely in favour of Gaelic and any attempt to keep it alive; in places far away from the Highlands like Langholm this fell to 8 out of 10. These articles were very useful in allowing the ordinary people of Scotland, not often heard in matters such as these, to express themselves in a thoughtful and forward-looking way. I remember especially one man in the middle of Dundee who answered the question on Gaelic by looking around him and saying: "Of course I want to promote Gaelic. See this place? We could be in Birmingham!"

Ronald Black

A chairdean

Tha sibh ag iarraidh beachdan an t-sluaigh air Bile na Gaidhlig. Seo mo chuid fhin.

An toiseach facal na dha mu mo dheidhinn fhin. Ann an doigh, bha mi air mo bheannachadh. Rugadh agus thogadh mi fo arainn an ughdarrais ionadail as dilse dhan Ghaidhlig fad iomadh fichead de bhliadhnanach (Comhairle Ghaschu) agus tha mi ag obair an-diugh aig a’ chompanaidh mhur phiobhaideach as dilse dhan Ghaidhlig fad iomadh fichead de bhliadhnanach (The Scotsman Publications Ltd). Mar sin, ged nach do thogadh mi le Gaidhlig ‘s ged nach eil mi a’ fuireach air Ghaidhealtachd fhuair mi foghlaim math Gaidhlig agus tha mi ag obair an-diugh ann an Gaidhlig. Thug i beatha mhath dhomh far a bheil mi deanamh feum, saoilidh mi, agus bu sheachd toil leam gum bi na h-aon sheorsachan chothromain aig gach mac agus nighean mathar ann an Alba anns na bliadhnanach a tha romhainn. Tha Gaidhlig aig mo dhithis nighean cuideachd agus tha Catriona, aois 31, an sas ann an saoghal na Gaidhlig mar a tha mi fhin.

A-nise facal na dha mu dheidhinn mar a tha mi a’ faicinn na Gaidhlig. Leamsa tha i ’na taigh-storais beairteach loma-lan ulaidhean priseil de gach seorsa, agus mura bi i ga bruidhinn mar chanan beo bidh i ann fhathast - gu brath - ach bidh sinn air iuchair an taigh-storais a shadail bhuiann. Abair call! Oir tha a’ Ghaidhlig a’ ceangal choimhearsnachd, litreachais, oran, sgeulachd, beul-aithris, eachdraidh, foghlaim, turasachd, ’s nam meadhannan.
Tha cananan gan call air feedh an t-saoghail. Tha e cudromach gum bi iad air an dion, oir saoghal aona-chanananach aona-chultarach se saoghal bochd truagh a bhios ann, buileach fo spog luchd an airgid anns nach eil earbsa sam bith agam. Tha cuiridh na Roine Eorpa a' fagail mar dheastanas air Riaghaltas na h-Alba a' Ghaidhlig a bhalaadhach air sgath cuimheadh mar Shionais agus Urdu, oir na cananan sin beo ann an duthchannan aonach, ach tha dleastanas faisang aige gu bhith brosachadh ioma-chultarachd agus a' cur as do dh'aona-chanananach agus do dh'aona-chultarachd, agus mar sin do ghrain chinmidd 's do ghrian chanan cuideachd. Tha Albais leathach-shlighige eadar a' Ghaidhlig agus na cananan coimeach a thaoibh mar bu choir deiligeadh rithe gu prataigeach.

Feumaidh am Bile a dheanamh soilleir gu bheil Gaidhlig agus Beurla co-ionnan mar dha chanan oifigiall na rioghachd. Aig an aon am bu choir dhan Bhile a chur mar dheastanas air Riaghaltas na h-Alba a' Ghaidhlig a dhion agus a bhrosachadh. (Faodar, aig an aon am neo ann am bile eile, a chur an cell gu bheil mar dheastanas cuideachd air Riaghaltas na h-Alba cananan coimearsachd/teaghlach EILE a dhion 's a bhrosachadh.)

Tha luchd na Gaidhlig - agus mise 'nam measg - a tuigsinn gur e grain chanain an aon rud ri grain chinmidd. Chan eil sinne a' faicinn diofar eadar na dha. Tha e toirt tamait mhor do luchd na Gaidhlig an uair a chi iad bheidhean a tha an sas ann an daimh chinmidd, mar an Race Relations Commission, a' toirt ionnsaigh air coraichean canain seach ann dion. Bu choir dhan Bhile seo a chur an ceil gu soilleir gu e grain chan an agus grain chinmidd an aon rud - neo, ma thogras sibh, gu e grain don Ghaithlig an aon rud ri grain do luchd-bruidhinn na Gaidhlig, agus mar sin gu e gu e grain chinmidd a th' ann an grain don Ghaithlig. Tha luchd na Gaidhlig a' faicinn grain don Ghaithlig mar bhurraideachd luchd na canain mhoir air luchd bhig agus bu choir don Riaghaltas na h-Alba a bhith an aghaidh burraideachd anns gach riochd.

Feumaidh am Bile a' choir a thoirt do pharantan foghlam Gaidhlig fhaghinn dha'n cuid chloinne nuair a tha sin reusanta. Feumar "reusanta" a mhineachadh. Bu choir an dleastanas a dheanamh soilleir a bhios air ughdarras sonraichte (can Comhairle nan Criochan) foghlam Gaidhlig a chur air doigh do theaghlaichean a tha ga iarraidh tro cho-obrachadh ri ughdarrasan eile aig a bheil goilean Ghaithlig (can Dun Eideann) agus tro goireasann siubhail, no paigheadh air son cosgaiane siubhail, a chur air doigh.

Feumaidh am Bile dhanamh soilleir gu bheil Gaidhlig gu leor a threanadh. Feumaidh am Bile cudrom mor a chur coimhearsnachd. Mar eisimpleir, ged a tha torr ga cosg air S4C an t-uile na h-irisean beaga coimhearsnachd a tha gam foillseachadh anns a h-uile sirge, anns a bheil paitr agh gach duine sa choimearsachd - bho chill an t-sagairt suas sa chinnidh daoinn a leig seachad an dhuich anns gach buidheann air t-saoghail. Tha bhios airson iad a ghearradh a bheil cinn, gu sgriobhadh, gu bheil cinn-litreach, gu bheil eadh don Ghaidhlig 's gu bheil leagadh do mhuinntir a bhios air son coimearsachd na h-Alba a bhith ann an Ghaithlig a bhith a' tsofa a' coimeadh air aon air theughadh air son coimearsachd na h-Alba a bhith an aghaidh burraideachd a bhios air son coimearsachd.

Feumar stiuireadh nas mionaidiche a thoirt a chur air coimearsachd. Tha torr do pharantan air na bhosg air S4C anns a' Chuiridh ('s thin sa cudromach), chaidh innse dhomh gu e an rud a shabhaladh a' Chuiridh a' cheann thall na h-irisean beaga coimhearsnachd a tha gam foillseachadh anns a h-uile sirge, anns a bheil paitr agh gach duine sa choimearsachd - bho chill an t-sagairt suas sa chinnidh daoinn a leig seachad an dhuich anns gach buidheann air t-saoghail. Tha bhios airson iad a ghearradh a bheil cinn, gu sgriobhadh, gu bheil cinn-litreach, gu bheil eadh don Ghaidhlig 's gu bheil leagadh do mhuinntir a bhios air son coimearsachd na h-Alba a bhith an aghaidh burraideachd a bhios air son coimearsachd.
Steidhich an Riaghaltas Bord na Gaidhlig 's tha sin math. Anns an tagradh agam mu chiad dhreach a'Bhile thuir mi gum bu choir profeiseantaich ann an deilbh chanan a bhith air BnaG. Chaidh sin a dhanemadh a-nis agus tha siud math. Bu choir cumhachdan BhnaG a bhith nas treasa na chaidh ainmeachadh sa Bhile mar tha e an-drasta: gu sonraichte a thaobh deanamh cinnteach gun bi planaichean canain math aig buidhean 's guir cui r iad an gniomh iad. Gus BnaGagus buidhean a chuideachadh, feumaidh stiuireadh cinnteach a bhith anns a'Bhile a thaobh de bhios ann am plana-canain.

Ach cho math ri BnaG, feumar Runaireachd Ghaidhlig na Parlamaid a neartachadh. Bu choir ughdarras foirmel a thoirt don Runaireachd a thaobh bhrithrachas agus ainmean-aité na Gaidhlig. Bu choir airgead poblach a thoirt don Runaireachd, agus ughdarras a thoirt don Runaireachd a dhol a-mach a dh'iarraidh airgid, air son leabhrainneach aig laraichean-lin a chruthachadh anns am bi liostaichean ughdarrasach de bhrithrachas spisealta agus de dh'ainmean-aité na h-Alba.

Bu choir don Bhile Ionad Rannsachaidh Naiseanta na h-Alba a chruthachadh, coltach ri Scol an Leinn Cheiltigh ag Institiuid Ard-Lein Bhaile Atha Cliath, a tha air a ruith le Roinn an Fhoghlaim 's chan ann le olithigh sam bith. Feumaidh seo a bhith ann an Glaschu no Dun Eideann oir se fear de na priomh dhleasatanasan a bu choir a bhith aige curam a ghabhail de na goireasann aig Sgoil Eolais na h-Alba. Cha bu choir an t-ualach air faid a bhith aige Olthigh Dun Eideann air son ualaidh naiseanta mar seo a chumail a‘ dol agus a chur air do dhuine dhoigh do mhuinntir na h-Alba. Bu choir dhan Ionad Rannsachaidh seo obair gu dluth an comha ri Runaireachd Ghaidhlig na Parlamaid oir tha Tasglainn Ainmean-aitig aig Sgoil Eolais na h-Alba an-drasta a tha duinte do soiglearan do bhrigh cion airgid.

Feumaidh am Bile a dhanemdh gle shoilir gu i Ghaidhlig te de chananan naiseanta na h-Alba, oir se sin a tha toirt coir do dh'ionadan ann an Dun Eideann storasann chu beairt aicheadh dhualchas na Gaidhlig a bhith aca. Mur i a’Ghaidhlig canan naiseanta na h-Alba, tha sin a’ fagail (can) na lamh-sgriobhainnnean Ghaidhlig anns an Leabharlainn Naiseanta aig a bhith anns na h-oilthighsean 'nan Elgin Marbles, a bhith anns an t-ainmean a thuirt do dhaoine leis an leas iad. Tha mise ag iarraidh Alba aonachadh dha-thi/chananach ioma-chultarach fhacinn, 's chan e stait impireachdail aig a bhith a Ghaidhealtachd mar chothromaidh chlaoidhte.

Nan robh na tomhaisean seo uile air an cur an gniomh bhithinn moitie as Alba agus bhiodh Alba comasach air a h-aitte dligheach a ghabhail ri taobh dhuthchannan eile na Roinn Eorpa a tha a'gabhail moitie aca an dualchas a cha eisean a bhith ga shadail air chul na comhla marr bha sinne deanamh faid nan ceudan bhliadhnaich. Tha a’Ghaidhlig 'na rud math a bhith ann air leabhadh leis a uile de dhaoine ann an Alba a bheil eile a’ Ghaidhealtachd mar chothromaidh chlaoidhte.

Aon phuing eile. Tha mi an dosch na gach faca buil a’chomataidh gun do ruith sinne sreath vox-pops ann an Ghaidhlig anns an "Albannach" far an robh na sgrìobhadhairnean againn a’ dol gu dhoifar bhailtean air fedadh leud agus faide na h-Alba a dh’fhaghnaicheadh do dhaoinne air an t-sraid de am beachd aca air a’Ghaidhlig agus air ile Bhaile na Gaidheal. Thuair anns a-mach gun robh 9 a-mach a gach 10 de dhaoinne buileach aca an fhabh na Gaidhlig agus ann an fhabhar oidorp sam bith air a cumail beo; ann an aiteachadh fadh bhon Gheidhealtachd mar Langholm thuirt sinn gu 8 a-mach a 10. Bha na h-aitigealan seo uabhasach marr a thaobh guth muinntir chumanta na h-Alba, nach eil tric air an cluinninn eile a bh’ eile a da ghaidhlig am fhoilseachadh mar seo, a thogail ann an doigh a bha smaoineanteachail leirsinneach. Tha cuimhne agam gu sonraichte air uile de dhaoine ann am meadhan Dhun De a thugair a’ cheist mun Gheidhlig le bhith tuirt sinn mun cuairt ‘s ag radh: "Tha fios gu bheil mi air son a‘Ghaidhlig a bhrosnaichadh. Eil thu faicinn an aite seo? Dh’fhaoadhadh sinn a bhith ann am Birmingham!"

SUBMISSION FROM ALLAN BOLLAND

I write to submit my 100% support for ALL that CLI do in support of the Bill.
I am especially concerned at the omission of a legal right to Gaelic medium education and equality of status between Gaelic and English.

I am sure you would agree that I need not re-write everything offered by CLI and would therefore trust that you would accept this as full support for all they ask.

A A Bolland

SUBMISSION FROM DOUGLAS BREBNER

I wish to point out a problem I see with the bill as written. The problem is that since the Gaelic Language Board does not have the power to direct public bodies, then all disagreements will be referred to ministers which will likely produce a "very" large workload for said ministers, where they will be called upon to arbitrate every single small disagreement.

"When the National Health Service was established, Nye Bevan said that the echo of a bed-pan falling in a hospital should be heard in Whitehall. It became very obvious over time that prescription did not work. It would also not work if the echo of every dative case in Gaelic grammar were to echo throughout the Executive buildings in Edinburgh." -- MURCHADH MacLEÒID

It would be more sensible to follow the pattern set by the Welsh Language Board and allow the Gaelic Language Board to have certain powers which they can use of their own discretion.

It seems wasteful to go to the trouble of creating a Language Board and then not allowing it to do anything useful, especially since other Language Boards have been successful.

I hope that the Gaelic Language Board will be enhanced so it can do its duties without being micromanaged.

SUBMISSION FROM JANE BROWN

The right to have Gaelic recognised an equal to English is long overdue. The hypocrisy of sending troops around the world to protect others while denying indigenous people their own identity in their own country is surely as self-evident as it is ludicrous.

The Bill is a unique opportunity to rectify this, but it needs to be strong enough. There is no excuse for it to be otherwise. Gaelic takes nothing away from a speaker of English, or any other language. Bi-lingualism promotes positive self-confidence, an ability to open the mind to other possibilities - are these regarded as undesirable qualities?

The Gaelic language, native to many speakers, can none the less be learned by those lacking it, if they so choose, and many do learn it. (For many families like ours, 're-learn' is a far more appropriate term.)

And that is the crux of it - the right to the choice.

The fact that I don't choose to do many things that others do - such as burning myself under the Mediterranean sun, high-risk sports, wearing designer labels - does not mean I should deny them the opportunities to enjoy these. And yet, as the situation now stands, Gaelic is less recognised (despite being part of our very selves) than the right to enjoy a hobby.

How many other 'industries' with such potential for expansion within Scotland would be so ignored? The language can and will enrich financially, by providing employment, as well as enrich culturally.

I want my children (now in Gaelic Medium Education - and thriving on it!) to have the legal rights and recognition that their Gaelic-speaking grandparents should have had, and was denied them through colonial laws of suppression, long since outdated.
No-one in any political party should deny this most basic right any longer - the right of recognition of our own language, in our own country. This is the chance to put right a disgraceful anomaly in what is, after all, meant to be a democracy.

The Gaelic Bill must offer the legal right to Gaelic Medium Education, and equality of status between Gaelic and English. We are not asking for more than is due any English speaker (or other language) in Scotland, only equality. Denying these rights is indefensible, and ignoring them does not make them any less rights that should be granted.

Jane Brown

SUBMISSION FROM MATT BRUCE

A few comments on the Bill from someone living on Lewis and involved in a few community groups - an area where I hear gaelic spoken every day

1. Gaelic should be an official language in Scotland
2. The Bill should confer similar powers to the Welsh Language Board
3. Departments with retained functions should be covered by the Bill
4. There should be a requirement for local authorities to support the development of Gaelic

Matt Bruce

SUBMISSION FROM DAIBHIDH BYRNE

First may I thank you for taking the time to read through these submissions as I’m sure that this is one of the most time consuming tasks associated with being an MSP.

Anyway, though I am not yet a fluent Gaelic speaker I wish to add my voice to the current consultation process. The proposed legislation is, of course, most welcome and is an important step in a most noble direction. The bill, however, lacks the incisors necessary to achieve its stated aim – to halt and reverse the unnatural decline of the language. While other national language plans in Wales, Hawaii, New Zealand and Canada have been progressive and proactive, the Scottish Government seems largely intent on token, symbolic gestures. If the executive is serious in its intent then Bord na Gaidhlig requires the powers, and thus the budget, to make adequate provision for Gaelic.

What Scotland’s oldest language truly needs is a secure status on par with our other, also wonderful, national language. It should follow that the vast majority of public business can be carried out in Gaelic, should a person so wish. It is not unreasonable to expect all central government bodies, from Edinburgh and London, to be required to interact with their paymasters (the public) in Gaelic or English. The local public bodies in the Gaelic heartland areas should be required to be as Gaelicised as the people they serve i.e the majority. I think that ‘First language status’ for Gaelic in these areas is not unreasonable either - the language will not survive without being very strong in it’s heartland. This may sound radical but it is no more radical than French being the first language of France. Following these actions, I think we could expect to see a large number of private bodies following the public sectors lead. The area of councils out with the Gaidhealtachd, and without a large number of Gaels, is a difficult area. I would think that we should concentrate on the Gaelic areas first and then think about adequate provision from other local councils.

Education in Gaelic must be a right absolutely enshrined in law for all children in Scotland – for too long too many children have been cruelly denied the opportunity to be educated in their own language and culture. This happened to me and every time it occurs the language and culture die a little bit, and a child is cut off from their heritage. This is an absolute dereliction of human rights and it still happens to this day all over Scotland. It follows that Bord na Gaidhlig should have the funding to start a real teacher recruitment and training programme. Perhaps, just to get it started,
there could be special funding arrangements for trainee teachers - e.g. bursaries akin to those for health students.

Further, Bord na Gaidhlig should be responsible for the promotion of the language. The forthcoming legislation will be more successful with a higher level of awareness all over Scotland. There is a huge untapped interest in, and support for, the language, both at home and abroad, and any recovery process must access this very real enthusiasm. I suggest free or subsidised Gaelic courses for any Scot who wants them, especially for people without Gaelic in the Gaidhealtachd. Also, to foster academic endeavour, scholarships to institutions such as Sabhal Mòr Ostaig should be more widely available. Here, let us remember that Gaelic funding is also an investment - Scotland gains much financially, and of course culturally, through Gaelic's very existence. With proper planning even more could be made of this rich asset.

Of course all these measures are going to cost money but are we going to do this or not? Are we mature and forward thinking enough? If the answer is yes then let's get on with it and make sure we do it properly. The Canadian experience has shown that after initial public investment the process begins to maintain and create its own momentum. The difficult part is to be brave enough to have faith in that outcome. I believe that the benefits gained by the Gaelic community, the Highlands and Islands and the wider Scottish nation will far outweigh the relatively small costs associated with the measures necessary. The stewardship of Gaelic now lies firmly in your hands and the Education committee's as a whole - I, with the greatest of respect, request and require that you rise to this magnificent challenge.

Daibhidh S. Byrne

SUBMISSION FROM AONGHAS CAIMBEUL

A chairdean:

Mar iomadh neach eile, tha mi sgith a' labhairt molaidhean mun Ghaidhlig 's a' faireachdainn - gu - onarach - mura bheil sibh a’ tuigsinn a-nis os deidh Aithisg iomhola Mhic a’ Phearsain agus Aithist bhrèagha Mheek agus iomadh aithisg is coinneamh is co-labhaird (Is Ministearan Gaidhlig) eile, nach tuig sibh gu siorraidh.

Ach here, goes another tilt at the windmill.

Mar gach lus is craobh is anmhidh is duine (boireann is fireann, sean is òg) tha cóir aig a' Ghàidhlig a bhi beò. Mar a thubhairt an Diadhairse Òruidseach Rookmaaker uareigin mu dheidhinn na h-ealain - "Art needs no more justification than a tree" - tha sin cuideachd firinneach mun Ghaidhlig. Tha i airidh air a bhi beò direach a chionns gu bheil i ann, agus taisgte anns a chànan tha duachas agus cultar de dh'òrain 's de sgeulachdan 's bheul-aitthis 's de chuireamh is eile a tha dol air ais faisg air 2000 bliadhna. Nan rachadh sin air chail bhiodh mar gun sgriosadh sinn coille tean na h-àrainn a bhiodh annt a bhiodh agus mar pholasa eile a sgìos a rathad air a bheul. Ach chan eil an sin aig a bheul - mar eile a bhi beò o chionns gu bheil - fhasadh - a dh'ainnainn gach eadraidh is cogadh ann an eòin foghlam is eile a sgìos a rathad - còrr air 50,000 (s uas gu 100,000) fhasadh ga labhaird, no ga leughadh no na ga sgìobhadh.

Tha sìonar chloinne anns an taigh agam fhìn - aoisean 2, 4, 6, 10, 11 agus 18 a bruidhinn 's a cleachdadh na Gàidhlig mar chànan làithne nàdarr. A's aonais na Gàidhlig, 's e clann agus teaghlach eadar-dhealaichte a bhiodh annta - direach mar a bhithheadh iad nan rachadh cluar no sùil na cas a ghearradh o gach fear is tè diubh.

Tha comas agamsa 's aig mo bhean 's mo theaghlich ar cànann is duachas nàdarr a cleachdadh gu nac cuimhneachd bheil eile uile i bh' eolais am feidh e gu aon 's gu dhà a' Ghàidhlig - mar gheall air ghearradh ar aigh thuig aon air cheangal a bhi beò a bhiodh annta - ìle lahidh a bhithheadh iad an nan rachadh. Ach mar thia dhìn amach air a bhithheadh air dìreach a bhiodh a bhithheadh iad an nan rachadh. Ach mar thia dhìn air a bhithheadh air dìreach a bhiodh a bhithheadh iad an nan rachadh.
theaghlachan ’s mar nàbaidhean ’s mar choimhearsnachdan. Tha sinn crochte is ceangailte, a dheòin no dh’aindeoin, ri chèile agus direach mar nach b’urrain dhuint a bhi beò gun uisge no gun bhiadh, salidh mise gur e coimhearsnachdan - agus Alba - gu ma tj lag agus mi-fhallain (faisg air a’ bhàs) a bhiodh againn nan rachadh Frangais no Sionais no Beurla no Gàidhlig no eile a leigeil as.

Agus seo an rud - a-rithist direach mar lus ann an gàrradh, feumaidh tu cànán sam bith àrach ’s a dhion ’s uisgeachadh ’s altram: mura diun thu sin sgriosaidh teas an t-samhraidh mòr a’ gheamhraidh an lus. Agus sin mar tha cuidheachadh na Gaidhlig: fragile and at the point of death, not because of natural but because of unat ural - political and economic and educational and linguistic - consequences visted upon the language and its peope over the past sorry 1000 years.

Tha e riatanach gu seas Parlamaid na h-Alba - a tha a’ riodhachadh uile sluagh na h-Alba - suas airson nan rachadh Frangais no Sionais no Beurla no eile a leigeil.

Firm up the bill

Strengthen the educational requirements right across pre-school, primary, secondary, tertiary and life-long strands.

Make Gaelic a legitimate - really equal - co-ionnan - language with Beurla.

Press for fiscal and other policies that would favour Gaelic - and Gaelic learning - in all establishments especially within Gaidhealtachd areas (details provided on request!).

Don't buy into the scaremongering about areas being 'forced' to have all documents etc in Gaelic: the long-established arguments for INbhe Thearaine made it perfectly clear that it was about responsibility, not force - a responsibility that leaves no room for dodging out.

The general principle is easy to understand - always favour the weak over the strong, the marginalised over the advantaged. It's a Biblical principle and in this context it says this to the elected Scottish Parliament: represent the poor, not the rich, argue for Gaelic, not against it.

I would go this far - every single penny spent on Gaelic (even those that go to those I can't personally stand, in their suits and grand salaries) is money (a penny!) well spent. God, think of the millions on your Parliament bulding; think of the billions spent on legitimising the death of 100,000 in Iraq.

I could go on, in English and Gaelic and a few other languages, but better not for the state of my health.

Le no man's conscience be sullied in the cause of justice.

le gach deagh dhurachd

aonghas pàdraig caimbeul/

Angus Peter Campbell

SUBMISSION FROM MAOILIOS CAIMBEUL

Chan mi a’ smaoineachadh gu bheil gu leor neart sa Bhile fhathast. Tha mi a’ bruidhinn mar neach a bha a’ teagasg Gaidhlig do luchd-ionnsachaidh agus fileantaich ann an sgoll air cost an iar na h-Alba gu o chionn ghoidir. Ged a tha bhios e an urra ris na h-Ughdarrasan Ionadail spoiltean tro mheadhan na Gaidhlig a steidheachadh, ma tha iarrtas ann air a shon, bu choir cuideachd coimhead air inbhe na Gaidhlig mar chuspair (do luchd-ionnsachaidh) ann am bunsgoiltean agus ardsgoiltean.
An-drasta tha fada barrachd inbhe aig Frangais na tha aig Gaidhlig anns na h-ard-sgoiltean. Mar eisimpleir, anns an sgoil anns an robh mise, ‘s e Frangais am priomh chanan (a tha clann ag ionnachadh mar chuspair). 

Feumar Frangeis a dheanamh bho S1 - 4. Ach tha a’ chuis a thaobh na Gaidhlig saor-thoilich. 

Faodar Gaidhlig no Gearmailtis a thaghadh airson S1 - 2 agus an uair sin tha roghainn ann, mar a abhaist, aig deireadh na darna bliadhna. Ach ‘s e roghainn a th’ ann eadar saidheans, coimpiutaireachd, agus cuspairean eile agus Gaidhlig. Tha e soilleir nach eil cothrom na Feine aig Gaidhlig idir anns na h-ard-sgoiltean.

An-drasta tha e an urra gu mor ris a’ cheannard de thachras ann an sgoil. Cha bu choir de tha an dan dhan Ghaidhlig a bhith an urra ri ceannadan sgoile, a chionn faodaidh cuid a bhith taiceil ’s cuid nach bi. Seo priomh eisimpleir far am faodadh am Bile urdiofar chudromach a dheanamh.

A thaobh foghlan tro mheadhan na Gaidhlig, bu choir coir reachdail a bhith ann aig parantan FTMNG fhaotainn ma tha iad ga iarradh.

A thaobh Gaidhlig ann am beatha na duthcha, bu choir inbhe cho-ionnan a bhith agus Beurla, m.e. far a bheil bheidhnean poblach a’ deiligeadh ris a’ phoball. Bu choir Gaidhlig a bhith air a h-ainmeachadh mar aon de chuanan oifigeil na duthcha.

Bu choir aig a’ char as lugha na h-aon chumhachdan a bhith aig Bord na Gaidhlig agus a tha aig Bord na Cuimris. Chan e a-mhain na h-aireamh an a tha a’ bruidhinn canan (an-drasta) a thà cudromach. Tha an inbhe agus na h-aireamhan a b’ abhaist a bhith a’ labhairt canan cudromach cuideachd mar a thà am beairteas litreachais, oran, dualchais agus iomadh rud eile.

Tha mi gu mor an dochas gun teid am Bile a neartachadh. Tha fhios gur e seo an cothrom mu dheireadh a bhios ann rudaigin a dheanamh airson na Gaidhlig a thoirt ais gu bhith na cinnt an t-sluagh.

Maoilios Caimbeul

I do not think that the Bill is strong enough yet. I speak as one who taught Gaelic to learners and native-speakers in a school on the west coast of Scotland until very recently. Although Local Authorities will be responsible for setting up Gaelic-medium schools, if demand exists, the status of Gaelic as a subject (for learners) in primary and secondary schools should also be examined.

At present, French has a much higher status than Gaelic in secondary schools. For example, in the school in which I taught, French (taught as a subject) had priority. It was compulsory for children to do it from S1 - 4. But study of Gaelic was voluntary. Gaelic or German could be chosen for S1 - 2 and then a choice was made, as usual, at the end of the second year. But it was a choice between science, computing and other subjects, and Gaelic. It is clear that Gaelic does not get a fair chance in secondary school.

At the moment, it is down to the headteacher, for the most part, what happens in the school. The fate of Gaelic should not be left in the hands of headteachers, because although some are supportive, others are not. This is a prime example of a situation where the new bill could make an important difference.

As regards Gaelic-medium education, parents should have a statutory right to it if they wish it.

As regards Gaelic in the life of the nation, Gaelic and English should have equal status, e.g. when public bodies deal with the public. Gaelic should be named as one of the national languages of the country.

At the very least Bord na Gaidhlig should have the same powers as the Welsh Language Board. It is not just present numbers of speakers which are important. The past status and numbers of speakers of a language should be considered important also, as should its wealth of literature, song, heritage and many other things.
I very much hope that the Bill will be strengthened. This is certainly the last chance we will have to do something to bring Gaelic back as the language of the people.

Myles Campbell

SUBMISSION FROM IAIN CAMPBELL

I welcome the progress that the Executive have made over the last number of years in getting to the stage of producing a draft Gaelic Language Bill. I think that there is now some degree of optimism, at least in many of our young people, that Gaelic has a future in Scotland. However, I think the wording of the proposed Language Act needs to be strengthened to provide the legal and strategic framework to move beyond the current position where the Gaelic community and others are still fighting for our basic linguistic rights. In 2004 we should have moved well beyond this position. After all, if we really believe in one Scotland, many cultures then action should speak louder than rhetoric.

My points in regard to the draft Bill are as follows:

1. The weakness of the draft Bill is exposed in the first sentence by the words “…with a view to securing the status of the Gaelic language…” These words, as they stand, are only aspirational and do not provide the foundation required by the Gaelic community to move forward with confidence and secure in the knowledge that their linguistic rights are protected for the future. I would suggest that the wording is changed as follows, “…functions exercisable to enable the secure status of Gaelic as an official language of Scotland….” References elsewhere in the draft Bill to be updated accordingly. What is required is a clear statement of intent not some aspirational vision of a future that might or might not happen.

2. At Section 1 paragraph 3. An additional point to be added in relation in facilitating access to education – primary, secondary and tertiary – through either Gaelic medium or through core curriculum classes in English speaking schools.

3. At Section 2, paragraph 5(7). The Bòrd should be required to prepare a new National Plan at least once every 10 years with a review undertaken every 5 years. It would also be important that changes to strategic direction be informed by demand evidence for Gaelic language services from communities across Scotland. It is possible once increased confidence and capacity is apparent across our communities that changes will be required in how the Bòrd manages the delivery of services and the types of services required.

4. At Section 3, paragraph 1. It is unclear what the definition of a Scottish public authority is in practice. The definition as it stands could easily exclude many of the national public bodies operating in Scotland. I would prefer the wording to be “a public body providing services in Scotland”. Along with the change of wording I would like to see a clear definition provided in the reference papers attached to the Bill along with a listing of the key public bodies who would be expected to have a Gaelic Language Plan. That list would not preclude public bodies that would come to the fore in the future.

5. Section 9, Education. This new addition to the draft Bill is welcomed. However, it reads like a section that has been put together at short notice without much thought given to the strategic or the operational consequences of providing a Gaelic educational service that is fit for purpose and covers the age spectrum of young to old. The provision of a properly resourced educational service in areas of Scotland where demand exists or where demand materialises is fundamental to the survival of Gaelic. This means not only providing educational services through Gaelic medium per se but also through the core curriculum as a language on a par with French, Spanish or German. In my opinion if Gaelic had been part of the core curriculum over the last decade or so the numbers of Gaelic speakers would be in a far healthier state that the position today. Granted this will requires proper planning and resources along with an adequate number of teaching staff. The situation will not change overnight nor will there be a massive uplift in immediate resources required but the Executive working with the Local Authorities need to make a start along this long road.
6. Funding. No specific mention or commitment is given to financial resources in the draft Bill. I can understand why that would be the case but I think it is useful to put on the record that without a sustained level of resources to support Gaelic no real or sustained progress will be made. I think a commitment to maintain finance for Gaelic language services on a par with the Retail Price Index is a minimum requirement as I don’t want to see a repeat of the situation associated with the Gaelic Media Service where resources have diminished significantly in real terms since the inception of that service.

7. Linked to the above is the absence of any mention of broadcasting in the draft Bill. I realise that this is a reserved power but in the world of joined-up Government and Smart Successful Scotland it is surely not beyond the wit of Ministers and civil servants in both Edinburgh and Westminster to find a mechanism where Gaelic broadcasting is devolved to the Scottish Parliament. Broadcasting in all its facets is a key mechanism in promoting and ensuring the survival of Gaelic. Indeed it could be argued that without the broadcasting outputs from radio and television over the last twenty years or so Gaelic would be in a more critical situation that it is in at present. It is important to find a way to address this situation either through the Bill or through another mechanism. I hope you find these comments useful.

Le gach deagh dhurachd

Iain Campbell
Inverness
29 November 2004

SUBMISSION FROM JOHN CAMPBELL

The Gaelic Bill obviously needs to be strengthened.

1. There should be a clear and unequivocal statement of the official status of Gaelic.
2. There should be a clear intention to develop Gaelic in equal status with English.
3. There should be clear obligations on local authorities to provide Gaelic medium education.
4. There should be clear rights for parents to secure Gaelic medium education for their children.
5. There should be stronger powers given to Bord na Gaidhlig in relation to public bodies producing and implementing workable and realistic plans for Gaelic.
6. Big companies should have responsibilities to plan for Gaelic and these should be enforceable by Bord na Gaidhlig.
7. Broadcasting should be recognised as of strategic importance and not left out of the Bill as a matter reserved for Westminster. There should be a clear role for BnG or some other body accountable to the Scottish Parliament to keep the broadcasting ball rolling at Westminster.
8. There should be a clear statement of what a Gaelic language plan might contain.
9. There should be a very clear and strong statement on how the Bill would help with the stated aim of encouraging use of Gaelic within the family. At present there is no obvious connection between this aim and the actual substance of the Bill.
10. There should be a declaration of freedom from harassment for Gaelic speakers. This would end the abuse and harassment of Gaelic-speaking parents who are presently threatened with exclusion from health, education and social work services if they attempt to take the normal steps to ensure that their children have Gaelic as a first language.

In some cases parents have been told that their children will be taken into care if they are brought up with Gaelic as their first language. This reflects the covert policies of some councils who have the biggest percentages of Gaelic speakers within their areas.

This secret arrangement affects a range of agencies with responsibilities for children and is so well known that it makes legislation for Gaelic seem empty and superficial if its not addressed properly.

The fact is that even people employed within the field of Gaelic-medium education promote the false belief that English should be established as the childs first and main language and that Gaelic should be left to the schools to teach.
That is a bizarre but widely held view which receives no challenge or response in this Bill as it stands.

Everybody knows that Gaelic will not survive unless it is transferred naturally from one generation to the next. It is not enough that it is 'spoken' in families. It has to be the first and natural language of children. There is nothing in this Bill which addresses that.

11. There is no recognition of the learning needs of Gaelic-speaking adults. Literacy in Gaelic is extremely low -- less than third-world levels. Most Gaelic-speaking adults have had little or no education in their own language. It is not enough to talk about increasing opportunities to learn Gaelic. It has to be recognised that ALL Gaelic speakers have learning needs that should be addressed in legislation because the provision of services to meet those needs will be crucial to the survival of the language.

12 There should be a recognition that the situation for Gaelic is desperate and needs action now. There should be a clear and substantial funding in the Bill for emergency action to rescue the language by setting up nationwide literacy and adult learning programs, dealing with the shortage of teachers and engaging in practical steps at community level. Community language plans are what we need straight away. It is not enough to ask a local authority to produce its own 'plan'. We need workable plans aimed at reversing the decline of Gaelic in each community. We need funding to do that. Community language planning is the sine qua non of Gaelic survival yet there is nothing in the Bill that addresses this question directly.

Gaelic has been suppressed, attacked, eroded and its speakers deliberately targeted in continued attempts to stamp it out. There is nothing in this Bill which addresses that and offers it real protection and a chance to grow.

John K Campbell

SUBMISSION FROM DR DOUGLAS CHALMERS

I welcome the improvements in this latest version of the Gaelic Bill

As an economist, I would argue that a crucial aspect of ‘normalisation’ of the language is that over time it should become currency of the workplace, as well as of other spheres of use. It is important that the Bòrd therefore has powers therefore to strengthen good practice in this area.

With this in mind therefore, I would urge that with regard to the Bòrd’s guidance to public bodies, it should be able to address issues such as recruitment of Gaelic speaking staff, and staff training. They should also be able to address issues such as good practice from public bodies when dealing with members of the public, either in person, or through publications and the internet.

Any public subsidy to bodies in Gaelic speaking areas should be conditional on adequate attention being given by firms to the relevant local Gaelic language plans where appropriate. This should also be implemented with regard to government grants to private firms, of a size greater than micro level.

The importance of Gaelic language broadcasting cannot be overstated. It is important therefore that the Executive take prompt measures to ensure the impasse regarding a digital Gaelic channel is resolved as soon as is possible, which adequate funding being provided to improve digital and other broadcasting in the Gaelic language.
Finally the role of arts and culture in the general promotion of the language should not be understated. It is important that the Bòrd ensures adequate recognition to arts and culture in the adoption of its general strategies for progress of the language.

Dr. Douglas Chalmers  
Division of Economics and Enterprise  
Glasgow Caledonian University

SUBMISSION FROM DR JIM CHALMERS

I am told:

"The purpose of the Bill is to establish Bòrd na Gàidhlig in statute with the responsibility for overseeing the promotion of Gaelic and for developing a national Gaelic plan. The Bill also enables Bòrd na Gàidhlig to require public bodies to prepare Gaelic language plans."

While I am very sympathetic to the Gaelic cause, as an Orcadian I strongly feel that it would be entirely inappropriate to require my local authority to prepare a "Gaelic language plan". I understand that this would cost our Islands Council many thousands of pounds which I would strongly suggest could be better spent for the people of Orkney. I am not calling for a Norwegian language plan but suggest it would be more appropriate here than one for Gaelic.

Dr J S Chalmers

SUBMISSION FROM PETER CHAPMAN

I am writing in support of the above Bill. It would seem necessary that in order to progress Scotland's path to further independence that the importance of Gaelic cannot be either underestimated or overlooked. Gaelic forms an important part of Scotland's identity, indeed it could be said to be at the core of culture here in the Highlands and Island's. Providing it with a legal base and support is naturally a very important part of the process.

SUBMISSION FROM JOHN CHARITY

I would like to record my support for the general principles of the Gaelic Language (Scotland) Bill. I enthusiastically welcome the establishment of Bòrd na Gàidhlig on a statutory basis and the creation of a National Gaelic Language Plan.

I regret that the Bill does not provide for equal validity of English and Gaelic despite the wishes expressed by the Gaelic community in the consultation on the Bill (Policy Memorandum, paragraph 11).

I am pleased to acknowledge that funding for Gaelic has increased between 2000 and 2004/5 (SPICe Briefing, 12 November 2004, 04/81, page 25). I hope that parliament will further increase this funding to bring it in line with that recommended by the MacPherson report, 'Revitalising Gaelic – a National Asset (2000)', and thus provide Bòrd na Gàidhlig with a favourable financial regime under which to carry out its duties, particularly as the demand for its services increase.

I realise that Bòrd na Gàidhlig will have to work under the same rules as other public bodies. I hope, however, that it will have sufficient authority, without being subject to a time-consuming appeals process, to undertake its functions in a vigorous but constructive way.

The Policy Memorandum, (paragraph 14) states that: “The Bill’s provisions apply to the whole of Scotland in recognition of the fact that the Gaelic language is a language of all of Scotland and that Gaelic speakers are spread throughout the country”. I truly welcome this statement. However, it appears to be undermined by an emphasis in the bill on some authorities not needing Gaelic Language Plans at all, and the lack of substance in the contents of others – this being influenced
by the number of Gaelic speakers in the authority’s area (Policy Memorandum, paragraph 35, amongst others).

It seems to me that rather than encouraging an increase in the use of Gaelic, this mechanism only encourages Gaelic in the places that it is already apparent and by those bodies that already use it. Not only that; it is a perfect let-out clause for those who are against the provisions of the Gaelic Bill and who may, in part, be already responsible for its lack of use in the area or domain for which they are responsible. In these circumstances we have something of a self-fulfilling prophecy – ‘we have few Gaelic speakers, therefore we won’t support the language, we have few Gaelic speakers, therefore we won’t …’ - and so on.

There are number of government bodies whose headquarters may be in one town but whose remit extends throughout Scotland. It is important that the Gaelic Bill ensures that such bodies make full provision for its Gaelic ‘customers’ wherever they are in Scotland, and not claim that small numbers of Gaelic speakers in their home area mean that they need do little or do nothing. Take such a body’s publications and corporate identity as an example. There is a danger that under the proposed provision the position remains as it appears to be at the moment – at best, some Gaelic or bilingual provision is made for areas that are deemed to be ‘Gaelic-speaking’, and everything else, ie the greater part, is produced in English only. This takes no account of the fact that under this system, (i) the vast majority of material going into these ‘Gaelic-speaking areas’ is still, in fact, in English only and (ii) Gaelic-speakers or learners outwith these areas have no Gaelic provision at all.

My two oldest children, currently in high school, went through Primary Gaelic medium education, the youngest is still there. In the school, it is as though they are on a raft of Gaelic in a river of English; step outside the school and the river becomes an ocean. Even after twenty years of Gaelic medium Education being available, they are still unlikely to hear or see Gaelic being used in publications, museums, visitor centres and the like. If this situation is to change, the Bill should contain nothing that encourages some public authorities to claim that they do not require a language plan at all, or that diminishes the effectiveness of the contents of some of those that do come into existence.

I would like to refer further to Gaelic medium education. I welcome the news that the Minister for Education and Young People is minded to issue further guidance in relation to Gaelic medium education (Policy Memorandum, paragraph 60) and that the Bòrd is to have a role which may complement that of some local authorities. I also realise that were it not for local authorities like, for example, Highland Council, many children (including my own) would not have Gaelic. However, to my mind, the legal right for parents to choose Gaelic-medium education for their children where there is a reasonable demand, is still a glaring omission from the bill. The lack of such standing gives neither some parents nor some teachers’ confidence in the long term future of Gaelic medium education, and can undermine its status within schools. Too often Gaelic-medium classes are still regarded unsympathetically and as being ‘tacked on’ to the ‘proper’ (ie English medium) school.

The Policy Memorandum (paragraph 64) states that “A significant majority of consultation responses called for the Executive to introduce Gaelic education provision to the Bill and in particular for a right of access to Gaelic medium education”. The Executive also subscribes to the point of view that Gaelic medium education is the key to the future of the Gaelic language (Policy Memorandum, paragraph 57). The fact that, at the time of consultation on the Bill, there was not a consensus on what that right should include (Policy Memorandum paragraphs 64 & 65) does not in any way invalidate the principle of the proposition. No doubt that consensus could be achieved by discussion. I would hope that this is the path that the Executive would yet choose.

The Policy Memorandum (paragraph 14) states that “… the Bill has been drafted to ensure that its application is flexible enough to take account of the specific circumstances of different areas of Scotland and the different spheres of operation within which public bodies work”. Though I would not argue with this approach in principle, my worry, outlined above, is that this very flexibility may be used for procrastination or for the evasion of their responsibilities towards Gaelic by those who have shown the language no favours so far.
I have no doubt that the ‘Gaelic-was-never-spoken-here’ fraternity are tuning their voices throughout the land, even as this Bill is considered.

I would sincerely like to thank the Executive in bringing forward a Gaelic bill. I hope that these comments are useful.

Le gach dheagh dhùrachd

John Charity

SUBMISSION FROM IAN CLEMENT

The prohibition of the Gaelic language following the 1745 rebellion was enforced for one reason; the destruction of the Celtic culture. Although this was repealed, the bias against the language has continued, leading to the near-destruction of the culture.

I certainly support the general principles of the Gaelic Language (Scotland) Bill and very much support a Bord na Gaidhlig on a statutory basis. However, I feel that there must be a guarantee that Gaelic and English should be given equal validity.

If the Bord finds itself unduly fettered by ministerial controls, this, of course, would inevitably allow Celtic cultural destruction to proceed.

A flourishing Celtic community can only enrich that which is Scotland.

SUBMISSION FROM CRAIG COCKBURN

I have two comments on the above bill.

1. Page 4 of the SPICE briefing makes the note that:

"It is essential that the requirements of this legislation do not result in the Gaelic language being artificially imposed on areas where there is little or no demand for it. In an area such as Dumfries and Galloway there is no tradition of Scottish Gaelic, whereas the Scots language has long been an integral part of our history and culture. (Dumfries and Galloway Council 2004, para 1)."

My comment is this. Galloway has a history of speaking Gaelic until comparatively recent times. The claim there is "no tradition of Scottish Gaelic" in that area is plainly false as the following extract from the Wigton Book Festival website illustrates

Quote from http://www.wigtown-booktown.co.uk/fullarticle.asp?articleID=5

"Gaelic was once spoken throughout Scotland but endured in the South West in Galloway and Carrick till comparatively late...John MacInnes of the School of Scottish Studies, points out that in a visit to Arran in the 1960's the Gaelic speakers he met thought of then whole South Western coast as part of the Gaeltacht since they knew that Gaelic was their tongue in comparatively recent times."

Moreover as someone whose grandmother hailed from Dumfries, I have a keen interest in the local history and culture. It is important that Gaelic be provided there just as much as it is in other places outwith the Highlands. This need not be at the expense of Scots, not would I wish it to be so. Indeed the areas where people can readily access both cultures provides the opportunity for crossover, growth and diversification in each. This is no better demonstrated than by Robert Burns who died in Dumfries and who drew extensively from the Highland tradition and Gaelic musical repertoire to complement his Scots songs.
2. My second point is regarding the "Key Points" on Page 3 of the SPICE briefing where it is commented that: Bord na Gaidhlig can require Scottish Public Authorities to produce Gaelic language plans (taking account of the number of Gaelic speakers).

It is important to realise that whilst any local authority provision must take into such numbers, that a local authority should not simply state that its Gaelic plan is to send its citizens to a neighbouring authority which does have Gaelic provision and for the local authority to provide no Gaelic education whatsoever. This is the case in West Lothian where I live. For us it is completely impractical to send our three children to Tollcross. Not only are the travelling times excessive (over an hour each way by car at peak times) but it is completely out of the question to take a 5 year old, a three year old and a one year old in and out on the train to drop out eldest off and again to collect her when neither myself not my wife works in the City of Edinburgh council area. As a Gaelic learner myself, originally from Perthshire, my daughter has already expressed interest in learning about the history around her including the mountains near Callander which we can see from our home or on visits to Granny's in Perthshire.

Yet, in her current school she has already through nursery and Primary one received an introduction not only to French but also to Chinese, neither of which- to use the Dumfries council point - "have any history in this area". One would hope that if the Gaelic bill is to achieve real progress in revitalising the language that it ensures that councils which are able to give pupils as young as 4 access to a few words of Chinese could do at least as much if not more to Scottish Gaelic in order that said pupils can interpret the placenames around themselves and so that the pupils need not have a 2 hour commute each day to access Gaelic education. I have personally written to the school to ask them to provide an introduction to Gaelic and to illustrate the surprise that my daughter has learned more Chinese words at school than she has words of Gaelic. Several weeks later, I have yet to receive a response.

Whilst West Lothian is clearly some way off having a Gaelic medium unit, currently there is no Gaelic primary education that I am aware of in West Lothian itself. An appropriate balance would perhaps be to provide a few teachers who toured the county spending some time in each school to provide an introduction to the Gaelic language through the medium of English. This would give a basis for the permanent teachers in the school to then carry on using this introduction, complemented by a more general introduction to Gaelic culture and music. This would raise awareness and interest in the language locally and initially could result in additional pupils from West Lothian attending Tollcross school in Edinburgh but longer term could form the basis of a full time Gaelic education locally.

This is the sort of result I would expect the Gaelic language bill to have - access to Gaelic medium education should be appropriate to local needs but noone should be excluded from Gaelic education because it is inaccessible. Access to Gaelic education must be accessible, appropriate to demand and balanced such that Gaelic exists alongside the teachings of other cultures and languages and is not sidelined by them.

Craig Cockburn
Gaelic speaker (learner)

SUBMISSION FROM CAIRISTIONA COMBE

A Chàirdean,
Is mise Cairistiona Combe is tha mi teagaisg cùrsa bogaidh Gàidhlig ann a Colaiste Chille Mhearnaig. Bu toigh leam faicinn leudachadh mòr ann am foghlam Gàidhlig aig a h-uile ìre. Nuair a tha muinntir a sgìre ag iarraidh foghlam ann an Gàidhlig feumaidh na comhairlean sin a chur air doigh an àite faoidh iad a chur air doigh. Feumaidh Gàidhlig agus Beurla a bhi co-ionnan ann an Alba coltach ri Cuimris agus Beurla anns a Chuimrigh. Ged a tha mi toilichte gu bheil Bòrd na Gàidhlig ann tha mi an dòchas gum bhì taic guleòr aca nuair tha an obair aca a leudachadh anns an àm ri teadh.

le deagh dhùrachd

Cairistiona Combe
My name is Christeen Combe and I teach a Gaelic Immersion Course in Kilmarnock college. I would like to see significant expansion in Gaelic education at every level. When residents of an area want Gaelic education the councils must arrange this as opposed to they may make it possible. Gaelic and English should be equal in Scotland similar to the situation with Welsh and English in Wales. I am happy that Bòrd na Gàidhlig has been set up but I hope that they receive enough support in the future as their responsibilities grow.

SUBMISSION FROM ANNDRA SHEUMAIS COOK-JOLICOEUR

I am reluctant to be writing today despite the importance of the subject: the beloved language of my heart.

I am reluctant to be doing this concerning the Gaelic Bill because thousands of Gaels’ opinions on the draft Gaelic bill have been bypassed despite the fact that our opinions were very strong and clear. The draft bill was far too weak: the current Gaelic Bill is still the same.

I heard that the Committee members were unhappy regarding the small numbers of written submissions that they were receiving. But I, as a Gael, am much, much more unhappy than you about everything connected with the Gaelic Bill. I am angry.

But by hook or by crook I shall attempt to express what is wrong with the Gaelic Bill. There is no equality. That is it. That is what I want: EQUALITY.

The way in which the Gaelic Bill is written, it is some kind of joke. A joke by the authorities and the Civil Service.
Perhaps this is the way that politics goes. But if you are going to do nothing it would be much simpler to say so instead of letting on that you want to do something.

Perhaps we as Gaels shall have to go to court in order to get equality.

That is my opinion.

SUBMISSION FROM MIKE CORMACK

Although the initiative that the Executive has taken with the Gaelic Bill is to be welcomed, as it stands the Bill is incapable of delivering the desired end, that is, the stabilising, and ultimately the raising, of the number of Gaelic speakers in Scotland. To achieve this Gaelic has to be granted official legal status so that it is possible for Gaelic-speakers to live their life through the language. This means not just stronger powers in relation to education, so that Gaelic medium education is established as a right for all, but also that all Gaelic-speakers are able to interact with official bodies through the language. In particular, access to the legal system should be available through Gaelic. Increasing the power (and therefore the resources) of Bòrd na Gàidhlig is also necessary so that that body has the ability to make a real difference. There is no good reason why it should not have the same powers as the Welsh Language Board. The difference in the numbers of speakers of Welsh and Gaelic is not as relevant here as the more basic issue of human rights. The rights of speakers of minority languages have been recognised in this country by the United Kingdom's ratification of the European Charter for Regional or Minority Languages. However for this to have real meaning, much greater support is needed for Gaelic. As long as it is perceived by parents that parts of life are inaccessible through Gaelic, attempts at language maintenance will be jeopardised. With this Bill the Executive has recognised the importance of Gaelic to Scotland. It now needs to carry through the implications of this recognition and give the language adequate support.

SUBMISSION FROM EVELYN COULL

Although I myself feel that there has been progress made since the first copy of the Bill, I feel that there is still a lot of work still to be done yet so that we shall be satisfied with the situation. In my opinion the Bill needs to explain that Gaelic is an official language of Scotland. Bòrd na Gàidhlig needs to have greater powers than it has at present. We must look further at the example of Wales - Bòrd na Gàidhlig needs the same powers as the Welsh Language Board. And that's just the tip of the iceberg.

SUBMISSION FROM DEREK CRUICKSHANKS

Although I do not speak Gaelic myself I feel it would be a great shame should the language become a thing of the past. This I feel would eventually happen unless teaching of the language was not more widespread over Scotland. I find it strange to see that French & German is being taught to our primary school children rather than Gaelic. Whatever happened to holding on to Scottish heritage? I understand our children must learn foreign languages at some point of their learning process. However, would it not make more sense to teach Gaelic from pre-school onwards and teach foreign languages from the last two years of primary school and onwards?
While keeping communication and relations with our foreign counterparts is important, is keeping our national heritage not even more important? Ultimately it is our government’s choice.

Derek Cruickshanks

SUBMISSION FROM PROFESSOR MARIA EUGENIA CRUSET

De mi mayor consideración:

Me dirijo respetuosamente a Ud. a fin de brindar mi humilde apoyo al proyecto de ley que propone tomar el idioma gaélico como idioma nacional.

Mis estudios en el área me inspiran a esta acción. Nada representa mejor y expresa la originalidad de un pueblo que su idioma. Por esto es que, pidiendo disculpas por remitirlo fuera de término, adhiero firmemente al proyecto.

Sin otro particular, saludo a Ud. atentamente.

Prof. Maria Eugenia Cruset
Argentina

In my considered opinion:

I respectfully direct myself to you, in order to lend my humble support to this bill which proposes to accept Gaelic as a national language.

My studies in this area have inspired me to take this action. Nothing represents or expresses the originality of a people better than its language. For this reason, requesting that you excuse the lateness of this submission, I firmly adhere to the [principles of] the bill.

SUBMISSION FROM DR EOGHAN DENNEY

An tòiseach, bu toigh leam radh gu bheil mi toilichte gu bheil bile ann idir, agus gun robh e air a neartachadh bho’n chiad dreach. A dh’aindeoin sin, tha beàrran mòra ann fhathast, gu h-araid a thaobh foghluim agus inbhe laghail a'chànain.

Bu chòir do'n bhile a chur an cèill gu e cânan oifigeil a th'anns a'Ghàidhlig, agus gu bheil prionnsabal co-ionnanachd ris a'Bheurla ann.

Chan eil am bile a’déanamh soilleir fhathast gu bheil côir bunaiteach ann ri foghlum troimh mheadhan na Gàidhlig.

Feumaidh poileasaidh "zero-tolerance" a bhith ann a thaobh daoine a bhitheas a dhèanamh fanaid agus tèir air cânan agus cultur nan Gaidheal ann an clò (mar a chithear anns na paipearannaidheachd gu tric). Bu chòir do'n bhile a radh gu follaiseach nach eil sin taitneach no iomchaidh ann an Alba an diagh.

Is mise le meas,
Dr Eòghan Denney

Firstly, I would like to say that I am pleased that there is a bill at all, and that it has been strengthened from the first draft. Despite that, there are still large gaps in it, especially vis-à-vis education and the legal status of the language.

The bill should recognise that Gaelic is an official language and that there is a principle of equality with English in it.
The bill still does not make it clear whether there is a basic right to Gaelic medium education.

There must be a policy of "zero-tolerance" when dealing with people who mock and disgrace our language and the culture of the Gaels in print (as is often seen in newspapers). The Bill should clearly say that this is not acceptable or appropriate in Scotland these days.
RICHARD DEVERIA

Dear Mr Howell

With regard to your e-mail of 6 October 2004 calling for evidence on the Gaelic Language (Scotland) Bill, I welcome the opportunity to reiterate the points I have made elsewhere, most recently at the Mòd in Perth last month.

All the available experience indicates that successful language revival comes about through the initiative of private individuals, not through government legislation. Successful examples of language revival include the Faroe Islands, where the revival was led by people such as V U Hammershaimb, R C Effersoe and J Patunson. Other examples include Israel, where the Hebrew revival was led by Eliezer ben Yehuda, and South Africa, where individuals such as C J Langenhoven and Henning Klepper worked to promote Afrikaans.

What is not widely realised is that in order to develop a language, it is necessary not just to teach it and to put the language to practical use, but one has to develop a complete small parallel society with its own social structure. The three examples of successful language development cited above have all been largely autonomous communities. Here, the lack of Gaelic social structure was evident at the 2003 Mòd in Oban, where many of the events were compèred by Prof. William Gillies of Edinburgh University. Similarly in 2004 many of the events were led by Duncan Ferguson, Chairman and Allan Campbell, Chief Executive of Bòrd na Gàidhlig. The fact that the only Gaelic aristocracy we have is in academia and officialdom demonstrates clearly the lack of public confidence in the language and the virtual absence of its practical application.

It is reported that the Bill is based on experience in Ireland and Wales. Sad to say, our sister Celtic countries do not provide good examples of language revival. The policy of compulsory Irish in schools has been resisted for generations, while according to Mark Abley in his book Spoken Here, despite the passing of the Welsh Language Act and the expenditure of large sums on education and broadcasting in Welsh, the language is still not taken seriously by business. Language revival will depend on confidence, and confidence must come from the people who speak it.

This brings me to the observation that the public perception of Gaelic is inimical to the future of the language. It is that Gaelic is suitable for songs, poetry &c but not for serious purposes. It could even be argued that the Mòd is counter-productive, by reinforcing the view that the only thing people can do with their Gaelic is to sing in a choir, recite poetry &c. If the language is to survive, it is vital that confidence in Gaelic as a serious means of communication is built up in the heartland.

Over the years I have had some success in using Gaelic for wider purposes such as ordering meals in restaurants, booking accommodation, purchases in shops and ticket offices, and selling my own publications. I outlined a number of means of promoting Gaelic in my article in The Scotsman of 31 October 2003, which I have reprinted in the yellow leaflet enclosed. These included purchasing power, adult literacy, journalism and above all public speaking. To hold its own Gaelic must become a public language, and be recognised as a valid medium for public discussion on any contemporary issue. This in turn should lead to increased public confidence in the language in the coinhearsnachd, which should result in increased commitment towards inter-generational transmission.
A disturbing feature observable in the Gàidhealtachd which is being perpetuated by the Bill is the high degree of state dependency manifested by the Highland people on Gaelic matters. They want their children to speak Gaelic so rather than raise their children in it they ask for Gaelic medium education. Rather than hold meetings in Gaelic they ask for public money to be spent on broadcasting services. And now they look to the Executive again, for this Bill.

It is not within the power of the Executive to save Gaelic. If we wish Gaelic to survive, it is up to us to make the effort as private individuals, similar to that made in the 3 countries mentioned above. If we rely solely on the Government, no such effort will be made, and the language will continue to succumb to the pressures which have been acting against it for the last 200 years.

I hope this is some help.

Yours sincerely

Richard A A Devéria
Se muinntir na Gàidhlig a shàbhaileas i
Air ath-chló-bhualadh bho The Scotsman, 31.10.03

Tha a-nís beagan a chòrr air fichead bhliadhna bho théadh an glasadh Gàidhlig am foilais. Anns an àm sin, cha dh’adharras mòr a dhèaimhdir ann am fhoghlum is ann an craobh-thagrtachd, a ch’fhionn a dh’adharras g’fhèidh mòr.

Aig an àm sin tha muinntir na Gàidhlig a’coimirhead gu tradhsanta ris an Rìgh bhaltais air son taic a thòrt dhein chàinann. Rinneadh a’ chlaid òdhirn air “inbhe laghall” (mar a bha e air ainmeachadh) feighinn ann an 1981 le Donnchadh Stòrbheirt nach maireann, a thug e a-steach bheò anns a’ Phàrtròrmid ann an Lùnainn ga stiùrdadh.

Air 6 Meàr 2003 tha deasbhadh anns a’ Phàrtròrmid Albannach air bile le Micheil Russell, a stiùrdadh “inbhe thèaraiste” agus co-òrmeasachd dhinn Gàidhlig ion lagh. Nise, ag a’ Mhòd, tha am Pròrum Mòinteasair air Bile na hAlbann Gàidhlig a thòrt a-steach air son deasbhad.

Ach c’fhéidir mòran air fhein a bheil an fhianais gu solanlich a leithid seo de chruthachadh-lagha taic air son na ñàthain?

Sealltamaid air eisimpleirean ann an dò tha ann an èirinn. Ann an Êrinn, far an robh taic dhinn Gàidhlig ÒrRNA a’ stiùrdadh ùrigh air na neach-líadhchainn ann an 1922, thuig taic air son àth-chumhachadh don chàinann bheò air Riaghlasachd uile na hAlbann.


Ann an Dùthchtaidh nam Bascach anns an Òran, thuig a’ chàith bhaltais a-steach aird a son Bascach ùrachadh a’ bhaltais ann an 1882. Aoch a bhuachair air dhinn, bhoòn 18th bhòinn a’ chàith bhàn a’ chàith dhinn air a dh’adharr le urraichdàidh prìobhaidheach.

Eisimpleirean eile sa Afraga a-Deas, far nach robh Afrikaans gu brìdhinn an 1920sa a bheò anns a’ chòir ùrachadh dhòin duibeàil. As dèidh lèischdud bliadhna, anns an 1970sa, bha Afrikaans air dhòin a chàinann chudromach mhòra air a bhaltais mòr. Is doche ne a so eisimpleir air dhòin air a dh’adharrachadh càrnan sam bith an ghealaidh na Bèarra.

Tha na h-eisimpleirean seo a’ sealltair gu bheil mòran diùchann le urraichdàidh prìobhaidheach rìteach air son sòrachadh ùrachadh a thòirt an leasaichadh càrnan sam bith. Chan urrainn dhòinn a bhith an dìoll eadarinn an Rìgh bhaltais ar càrnan dhòinn.
Se na daoine a thága bruidhinn na h-eon daoine a thá comasach inbhé na cânain a theárnadh. Mar a scríobh an t-Uíghdar Éireannach Desmond Fenner (aon a'Bheurla) an aon Minoriry Languages Today: "Se an fhéadhamh a thá ga bruidhinn na h-eon daoine a thá comasach stad a chur air crionadh cánain.

"Chan eil buidheann sam bith comasach cánan a thá a’ crionadh a shábhalaithd mur eil iad ‘narm páirt de coimhhearsnachd na cânain fhéin. Gu h-áraid, air chòlán deagh-ghean no cù chinn freachdach a bhith n-e, chan urrainn don t-seasbha stàit a thagann ann-dùgh, far a bhell air cumhachd gu léir air a ghluideadh ann en eon àite sa mheadhain, bacadh a chur air crionadh mion-chàlainn. Cha ghabh a sàbhalaich ach leis a’ chómhearsnachd a thá a bruidhinn, agus cha tachair sin fhéin mur eil bhuil na cóimhearsnachd sin a’ miannachadh stad a chur air a’ chririodh.

Tha inbhe cánain sam bith a’ crochadh air mar a théid a cleachdadh. Ma bhios sinn ag iarraidh gum bi inbhé na Gaidheilig co-ìonna ann a bhfeadh, leumaidh sinn a cleachdadh cotach ris a’ Bheurla. Tha ceithir doilgean, air a’ chuid a’ chluichead, ann an gabh seo déanamh.

An toiseach, tha comais ceannach ’na dhóigh cudromach air cánain a dhion. Ma tha sibh ann a’ càidheal, tigh-osta no a leithid anns na h-eileanan, faighnichdhabh an gabh an gille-frithealaidh no a’ chailéag-frithealaidh urn-dùguigh sa Ghaéidhlig. Meudaichidh seo earrsa an obriurch agus inbhé na cânain agus eile a dh’hiad beagan de luach malaitreach.

A bharradh air sin, tha e cudromach gum feigh sinn aithneachadh air Gaidheilig mar chànan air son bruidhinn thollaiseach. Ma théid òraid a chéanamh sa Ghaéidhlig ag dinneach aig fosgladh tachartas carthanais no tachartas lonadail eile, thogadh seo inbhé na cânain a bharradh air earrsa intse.

An treas doigh a thà rìtarach air son earrsa anns a’ Ghàidhlig a thaoghail se litiriseachd thollaiseach. Ma tha sinn air son inbhé co-ìonna leis a’ Bheurla thagadh, tha e rìtarach gum tog sinn tre litiriseach anns a’ Ghàidhlig. Tha tre litiriseach sa Ghaéidhlig am measg inbhich gu math iomad an-dràsta.

Mu dheirreach thail, tha cothrom ann air son tuilleadh foiliseachdach agus naidheadacha. Tha ann pàipear-naidheachd seo a’ foiliseachd choinn bhiosmhor, ach chan e sin naidheadach dha-rìdh agus chan eil sinn a’ sùileachadh seo bho pàipear Dhùn Èideann. Tha pàipearann anns na h-òilean aig am bhile cuidbh Ghaéidhlig echo se An Gaidheal Ùr an aon phàipear a thà sa Ghaéidhlig air fed. Se pàipear an-asgaidh a th’ ann, agus a réir mo bharrachd chan eil e a’ làinmhearsachd chuspaireach connspeideach. Tha cothrom air son leasaichadh air-seo.

Tha mise an dóchas, ma théid na smaointeach seo a chur an gnìomh, gun éireadh earrsa thollaiseach sa Ghaéidhlig, gu tre gu coisneachd a’ Ghàidhlig aon inbhé ris a’ Bheurla. Is sin a bheir dhùinn anr-inbhé thèarairte. Achna cuireamaid ar munighinn ann an cruthachadh-lagha a-mhain. — RICHARD A A DEVÉRIA
It is the Gaelic people who will save it
Translation of “Se muinntir na Gàidhlig a shàbhaleas l”, Scotsman 31.10.03

It is now a little over twenty years since the Gaelic movement came into prominence. In that time, great progress has been made in education and in broadcasting, but despite this Gaelic is steadily declining.

At the same time the people of the Highlands traditionally look to the Government to give support to the language. The first attempt to obtain “legal status” (as it was called) was made in 1981 by the late Donald Stewart MP, who introduced a bill in the Westminster parliament proposing it.

On 6 March 2003 there was a debate in the Scottish Parliament on Michael Russell’s bill, proposing “secure status” and equality for Gaelic under the law. Now, at the Mòd, the First Minister has introduced the Gaelic Language Bill for discussion.

But where is the evidence that this sort of legislation will provide support for the language?

Let us look at examples in other countries. In Ireland, where support for Irish was official policy from the time of independence in 1922, the Gaeltachtai have declined. Support for the language came from the Government rather than from the people.

In the Faroe Islands, the Faroese National Union was established in 1889. The aims of the Union were to raise the status of the Faroese language and to work for the progress and self-sufficiency of the people of the Faroes.

In the Basque country in Spain, the government introduced an Act to promote Basque in 1982. But in addition, a substantial number of initiatives were undertaken by private individuals.

Another example is South Africa, where in the 1920s Afrikaans was only spoken in the rural areas. After 50 years, in the 1970s, Afrikaans had become an important commercial language in the cities. This is probably the best example of the progress of any language with respect to English.

These examples show that a great deal of effort by private individuals is necessary to achieve success in the revival of any language. We cannot expect the Government to secure our language for us.
The only people who are capable of securing the status of a language are the people who speak it. As the Irish author Desmond Fennel wrote in *Minority Languages Today*: "The only people who can stop a shrinking language group from continuing to shrink are the group themselves."

"A shrinking language minority cannot be saved by the actions of well wishers who do not belong to the minority in question. In particular, its shrinking cannot be halted by the action, however benevolent or intelligent, of a modern centralised state. It can be saved only by itself, and then only if its members acquire the will to stop it shrinking ..."

The status of any language depends on how it is used. If we wish the status of Gaelic to be equal to that of English, we must use it like English. There are four ways, at least, by which this may be done.

Firstly, purchasing power is an important way of securing a language. If you are in a café, restaurant, hotel or such like in the islands, ask if the waiter or waitress can take your order in Gaelic. This will increase the confidence of the employee and the status of the language, and it will give it some commercial value.

In addition, it is important that we obtain recognition for Gaelic as a language of public speaking. If a speech is made in Gaelic at a dinner or at the opening of a charity event or other local event, this would raise the status of the language as well as confidence in it.

The third way that is necessary to raise confidence in Gaelic is adult literacy. If we wish to achieve equal status with English, it is vital that we raise the level of literacy in Gaelic. The level of literacy among adults is very low at present.

Finally, there is an opportunity for more publication and journalism. This newspaper publishes a lively column, but it is not really news and we do not expect this from an Edinburgh paper. There are papers in the islands which have Gaelic columns but *An Gaidheal Ur* is the only paper which is entirely in Gaelic. It is a free paper, and to my mind it does not handle controversial topics. There is scope for improvement here.

It is my hope, if these ideas are put into practice, that public confidence in Gaelic will increase to the point that Gaelic will acquire the same status as English. That will bring us our secure status. But do not let us put our confidence in legislation alone.  

RAAD
SUBMISSION FROM DIANA DISLEY

It is one of the dangers of a democratic system that minorities are often unable to win. However, although Gaelic speakers are a minority, I feel it should not be forgotten that once Gaelic was the language of the majority, and as such should be promoted in as many ways as possible to enable more people to obtain access to it.

Bi-lingual road signs etc are a good step, but if people have not learned the language no real step forward will have been made. A legal right to Gaelic medium education and equality of status between Gaelic and English is surely of vital importance and should be included in the Bill.

Diana J Disley

SUBMISSION FROM SCOTT DOMHNALLACH

Bidh mi fada nur comainn nam biodh sibh na beachdan seo Bile na Gaidhlig a ghabhil a-staigh oir bha rudan cearr leis an t-siostam agam ro shin - tha fhios agam gur e an latha mu dheireadh airson bheachdan a chur air.

Tha mi ag aontachadh ris a mhòr-chuid dhèn Bhile agus tha mi cho toilichte gu bheil cothrom againn rudeigin math a dheanann a thoabh ar canan bhon taobh a-staigh ar Parlamaid.

Tha mi a’ smaoineadhadh gu bheil Bile na Gaidhlig fada ro lag mar a tha e an drasta agus tha e an urra ris a’ Pharlamaid Achd Gaidhlig a chuir air chois a tha freagarrach dha luchd na Gaidhlig agus dhan a h-ùile duine ann an Alba.

Tha da phuing shonraichte a dhith air a’ Bhile-

1) Tha mi den bheachd gum bu choir do coir reachdail air foghlam tro mheadhan na Gaidhlig a bhith aig a h-ùile duine a tha ga iarraidh ann an Alba, direach mar a tha e sa Bheurla a-nis.

2) Tha mi ag aontachadh ris a’ phrionnsabal mu co-ionannachd inbhe eadar Gaidhlig agus Beurla ann an Alba agus feumaidh Gaidhlig a bhith aig inbhe agus ire na bu airde air alteachain mar Na h-Eileanan an Iar agus agus a’ Ghaidhealtachd ’s nan Eilean air fad.

Tha Gaidhlig sonraichte agus araid agus femaidh bhull a’ Pharlamaid na leasachaidhean sin a chur ris a’ bhile oir tha part mhòr churomach dhan ar cultar ann an cunnart bais.

Moran taing airson an cothrom seo,

Le deagh dhurchd

Scott Domhnallach

I would be much obliged if you could include these opinions on the Gaelic Bill as there was something wrong with my computer till now - I know this is the last day for submitting opinions.

I agree with the majority of the Bill and am so happy that we have the opportunity to do something for the language within our Parliament.

I think that the Gaelic Bill is far too weak as it is at the moment and it is the responsibility of the Parliament to establish a Gaelic Act that is suitable for Gaelic speakers and everyone in Scotland.

The Bill is missing two specific points –

1) I think that everyone in Scotland who wants it should have a constitutional right to education through the medium of Gaelic, just as we have in English at the moment.
2) I agree with the principle of equality of status between Gaelic and English in Scotland and Gaelic must be given a higher status in places such as the Western Isles and the whole Highlands and Islands.

Gaelic is special and unique and MSPs must include the amendments to the Bill because an important part of our culture is in danger of dying out.

SUBMISSION FROM SEAN DORAN

My apologies for the brevity of my response to the present consultation as I have been extremely busy recently.

My native language is English and there is no Gaelic in my family but I think it is important for me to contribute to the present consultation because I have come to the conclusion that our society, including Governmental bodies, is not paying due regard to the needs of Gaelic-speaking people.

I have read the revised version of the Gaelic Bill which came out around September 2004 and I was relieved to see that it pays some attention to the educational needs of Gaelic speaking children. I think this is long overdue but, to be honest, I still do not think the Bill goes far enough. We have to recognise that some Scots are prejudiced against Gaelic speakers and our official institutions need to ensure that the Gaelic speaking population have their needs properly addressed.

I do not think that the language of instruction in a school (whether English or Gaelic) should be decided by a local authority. I believe the language of instruction in a school should be decided by the child and by the child's family. For this reason, I believe that when a child enrolls at a school the local authority should simply ask the parents of the child whether they wish their child to be educated in English or Gaelic, and it should be the responsibility of the local authority to provide for the family's request.

I hope I am not being too blunt, but I do believe that this issue has dragged on for far too long and we need to bring about an end to the inequality between Gaelic speakers and English speakers that exists in our society.

Sean Doran

SUBMISSION FROM RUTH DROBNAK

As a child brought up in the County of Angus I was fortunate to be able to study Latin and French, yet never given the opportunity to learn Gaelic - (until many years later in Sydney, Australia) - a fact which I have regretted all of my life. I therefore support any Bill which would ensure that Gaelic is never again marginalised, and that no child educated in Scotland in the future will ever be denied the right and opportunity to learn the native tongue of their forebears. Suas Leis a' Ghaidhlig, agus. Nollaig Chridheil is Bliadhna Mhath Ur dhuibh uile!

SUBMISSION FROM LEANDRO NICOLAS ESPECHE

A quien corresponda.

Como todos sabemos, la libre autodeterminacion de los pueblos es hoy por hoy, un derecho fundamental en esta sociedad de naciones, como asi tambien la aceptacion y el reconocimiento de las minorias etnicas, raciales, linguisticas y religiosas, sin importar que estas se encuenentre en Africa o en el reino unido de gran bretaña e irlanda del norte.

estas ultimas palabras no hacen mas que validar mi punto y el de muchahs tantas otras personas que como yo, quieren ver una escocia para los escoceses, por que estas se ha tranformado en la escocia moderna que dia a dia pierde un poco mas de su identidad.
una crán pensadora contemporana llamada Anna Arendt dijo, las peleas hay que darlas desde el lugar que cada uno ocupa en el campo de batalla. Dejen que Escocia enfrente a este mundo cada vez más uniforme con sus diferencias, dejen que su idioma, sus colores, su música sean símbolos de Escocia y no dos rayas blancas cruzadas en una bandera.

atentamente.
Leandro Nicolas Espeche.

To whom it may concern.

As everyone knows, the free self-determination of peoples is today a fundamental right in this society of nations. The accepting and acknowledgement of ethnic, racial, linguistic and religious minorities, are so important today that they are found in Africa or in the United Kingdom of Great Britain and Northern Ireland.

These final words do nothing more than validate my point and that of so many other people like me, who want to see Scotland belonging to the Scots, because it has been transformed into a modern Scotland which loses a little bit of its identity every day.

A great contemporary thinker called Anna Arendt said, fights have to take place where each person occupies in the battlefield. Let Scotland confront this continually more uniform world with its differences, let its language, its colours and its music be symbols of Scotland and not two white crossed lines on a flag.

SUBMISSION FROM IAIN AND SUSAN FORBES

My wife and I are parents of children in Edinburgh, and would like them to have access to Gaelic in their schools (primary and secondary) as a second language.

Provision of Gaelic in mainstream schools is poor across most of Scotland and rarely mentioned in connection with Gaelic Education. We are aware of the 'Gaelic language in the Primary Schools' (GLPS) scheme and the rapid expansion in some areas (4000+ children already) and seek mechanisms by which this and other worthwhile educational initiatives in Gaelic can be increased in magnitude to reach more children. Potentially, GLPS, could reach tens of thousands of children within a 5 year time span with the use of modest resources, far in excess of current projections for Gaelic Medium Education, and does not rely on finding Gaelic speaking teachers (volunteer teachers are given a Gaelic course which allows them to transmit their new knowledge to their pupils). Provision of GLPS is dependent on whether or not a particular local authority views the scheme as important.

It is surprising that the Gaelic Bill does not put any emphasis on education, and to remedy this situation, we would urge the Parliament to:

1. increase the powers of the Gaelic Board to take on some functions relating to Gaelic Education. These could include the ability to centrally coordinate and fund worthwhile educational projects (such as the GLPS scheme), rather than the current 'post-code lottery'.

2. increase the powers of Board to insist that local authorities commit to Gaelic Education at all levels (GLPS, Gaelic in mainstream secondary schools, adult learners and Gaelic Medium) within their language plan, where demand exists, and that the level of this commitment should be linked to the level of demand.

3. increase the powers of the Board to allow the Board to assess demand for all forms of Gaelic Education within each local authority area, including GLPS, Gaelic learners in secondary school, Adult learners, Gaelic Medium etc.

4. increase the powers of the Gaelic Board to allow it coordinate and fund national certificated courses for adults, to counter poor quality and patchy adult learners provision.
5. increase the powers of the Gaelic Board to allow the coordination and funding of educational support materials and facilities for all categories of Gaelic learners, including television, books, computer materials and summer schools.

We thank you for this opportunity to put forward our viewpoint on the Gaelic Bill as it presently stands.

Iain and Susan Forbes

SUBMISSION FROM JAMES FORBES

Two points I wish to make regarding the Gaelic Bill currently passing through Parliament:

i) A legal right to Gaelic medium education should be secure in law for parents who wish their children to benefit from Gaelic medium education.

ii) Equality of status should be enshrined in law between Gaelic and English and also between English and Scots and Scots and Gaelic.

James Forbes
(Elected member of the General Teaching Council for Scotland, writing in a personal capacity.)

SUBMISSION FROM WILLIAM FORD

An charaid,

I no longer live/ work/ pay taxes in Scotland. But retain an interest in the affairs of the gaelic language through my continuing membership of Clì Gàidhlg.

This understood, my comments on the gaelic Bill goes as follows.

1) legal right to gaelic medium education – in my opinion parents should have a legal right to a gaelic medium education for their child PROVIDED no additional cost falls upon the general body politic as a consequence, and,

2) equality of status between Gaelic and English. It depends what is meant by the words equality of status. If the words are to be read as equality in accord – keeping, well of course already in being for record of parliamentary proceedings. It might be worth exploring could the idea be extended to proceedings before the Courts. But surely the idea of dual-language road signs savours of the pretentious.

William L Ford

SUBMISSION FROM IRENE GARDINER

In order to preserve and expand Gaelic, I would like to take this opportunity to request that Gaelic is provided as a second language for all children wishing to learn, from nursery through primary and secondary schools, and with a follow on at further and higher education levels. I believe it is important to expand the work currently being done with children and others in the traditional Gaelic heartland. We should actively seek to include those in cities who have an interest in learning more about their culture and heritage, including the Gaelic language as a key foundation.

The Gaelic Board should be able to implement this as a long-term strategy with statutory powers. Adequate funding to ensure that the Gaelic Bill is effective will also be required.

Irene Gardiner
SUBMISSION FROM MALCOLM GIBSON

I am writing to voice my agreement with the general principles of the “Bile na Gàidhlig”, though I would be happier if gaelic were to be guaranteed equal legal validity. I would like to see the Bòrd with full autonomy and a clearly established budget and source of funds. It would be interesting to see it issuing guidance on education.

In general I am very pleased with these developments, but would be even happier if similar progress was seen in the status of Scots.

Le deagh dhùrachdan

Malcolm Gibson

SUBMISSION FROM MECHTHILD GRAEME

I am writing to you with regards to the above bill.

Gaelic has suffered widely through neglect, under funding and being ignored.

If we are serious about keeping this Scottish language alive and growing, then substantial and clearly defined steps have to be taken, which so far are not being put forward.

Several points are very important:

Gaelic should be an official language with equal status along side English. People should be given the right to use Gaelic and also have the choice of education through the media of Gaelic.

I am German and a Gaelic learner and know how beneficial it is to learn a second language and how attractive also the Gaelic culture is to people abroad.

It is important that the Bord na Gaidhlig does not just have the role of promoting, advising and producing a Gaelic language policy but also has decisive power.

Please consider my suggestions. This bill can be a great opportunity but without these changes, the Gaelic Bill will not have the necessary effect.

Mechthild Graeme

SUBMISSION FROM STEVEN GRAHAM

I would just like to say that I agree with the general principles of the Gaelic Language (Scotland) Bill, and that I completely support the establishment of Bord na Gaidhlig on a statutory basis. I believe the Bill would be strengthened by the inclusion of a clause guaranteeing that Gaelic and English are treated on the basis of equal status, but that in the current political climate, the Bill, as it stands, will probably be the best option available for securing the future of the language. The bord must be given the freedom to go about its business in a robust, but reasonable way, but must also be subject to the same constraints under which all public bodies operate. Allowing the Bord to issue guidance with regard to Gaelic education will also be a commonsense approach, which should complement and co-ordinate, rather than contradict, the efforts of Local Authorities, some of which are exemplary. I feel that the bord's knowledge on the subject will ensure that their advice will be very helpful. Although there has been a welcome increase in the Bord's funding i feel it would be to the country's benefit if they received more. It would also be only fair if their financial situation would improve as the country's linguistic and cultural situation improves.

Steven Graham
SUBMISSION FROM ALARIC HALL

I agree with the general principles of the Gaelic Language (Scotland) Act. I fully support the establishment of Bòrd na Gàidhlig on a statutory basis.

I feel that the proposed arrangements regarding ministerial control over the Bòrd are commonsense. The Bòrd must be given autonomy—and, one would hope, the funding—to go about its business in a reasonable and conciliatory way, whilst being subject to the same restraints that all such public bodies are under. Such arrangements, I believe, will enhance rather than detract from the present efforts of Local Authorities.

I would not wish, therefore, to see the bill weakened.

Alaric Hall

SUBMISSION FROM SIUSAIDH HARDY

This is an exciting time for Gaelic, and renders a unique opportunity to stave off the decline in Gaelic speakers and give official status to the Gaelic language and culture of Scotland.

It is also a time of great concern caused by doubt that perhaps this unique opportunity will be found lacking. In my opinion it is high time that Scottish Gaelic received recognition as the official language of Scotland with the same powers as that which the Welsh Language Board enjoys.

Bord na Gàidhlig should be empowered and given adequate resources to carry through any measures which the Bill advocates. Without financial back-up, the efficacy of the Bill will not be operative.

Gaelic should stand on the same footing as English in the conduct of public business in Scotland. It seems to me that a gap is now evident between the older people who are native Gaelic speakers and the young people of today who are trying to fill this breach. For Gaelic to survive, there is a statutory need for state education through the medium of Gaelic.

As co-ordinator of Sabhal Mòr Ostaig's distance learning course, an Cùrsa Inntrigidh, I am well-pleased that this successful course is doing something positive to meet the needs of Gaelic learners in the age-group of 20 to 60.

Despite this I am concerned that without sufficient power being given to Bòrd na Gàidhlig and this strengthened by the Executive it may be that all our efforts will have been in vain.

le deagh dhùrachdan
Siùsaidh Hardy

SUBMISSION FROM MAGIADH HARRISON

First of all, thank you very much for taking the time to read through these submissions - I am sure (or at the least I hope) you have a great many voices to listen to, and I understand that it is a difficult, if admirable, task.

I am not yet a fluent Gaelic speaker - in fact, I am an American citizen who is merely in the country to learn Gaelic - but all the same I wish to add my voice to the current consultation process. The proposed legislation is, of course, extremely exciting, and an important step towards an extremely important goal - and I understand that small achievable steps are perhaps more practical in politics than attempting sudden leaps which will unavoidably fall short of their aim.

Even so, however, this bill is not forceful enough a step towards its stated aim * to halt and reverse the unnatural decline of the language - to propell the language back onto the path of growth and health. While other national language plans in Wales, Hawaii, New Zealand and Canada have...
been progressive and proactive, the Scottish Government seems largely intent on token, symbolic gestures. If the executive is serious in its intent then Bord na Gaidhlig requires the powers, and thus the budget, to make adequate provision for Gaelic.

What Scotland's oldest language truly needs is a secure status on par with our other, also wonderful, national language. It should follow that the vast majority of public business can be carried out in Gaelic, should a person wish so to do. It is not unreasonable to expect all central government bodies, from Edinburgh and London, to be required to interact with their paymasters (the public) in Gaelic or English. The local public bodies in the Gaelic heartland areas should be required to be as Gaelicised as the people they serve - which is, after all, the majority. I think that 'First language status' for Gaelic in these areas is not unreasonable either - the language will not survive without being very strong in its heartland. This may sound radical but it is no more radical than French being the first language of France. Following these actions, I think we could expect to see a large number of private bodies following the public sectors lead. The area of councils out with the Gaelseachtachd, and without a large number of Gaels, is a difficult area. I would think that we should concentrate on the Gaelic areas first and then think about adequate provision from other local councils.

Education in Gaelic must be a right absolutely enshrined in law for all children in Scotland * for too long too many children have been cruelly denied the opportunity to be educated in their own language and culture. Every time this occurs the language and culture die a little bit, and a child is cut off from their heritage. This is an absolute dereliction of human rights and it happens to this day all over Scotland. It follows that Bord na Gaidhlig should have the funding to start a real teacher recruitment and training programme. Perhaps, just to get it started, there could be special funding arrangements for trainee teachers: for example, bursaries akin to those for health students.

Further, Bord na Gaidhlig should be responsible for the promotion of the language. The forthcoming legislation will be more successful with a higher level of awareness all over Scotland. There is a huge untapped interest in, and support for, the language, both at home and abroad, and any recovery process must access this very real enthusiasm. I suggest free or subsidised Gaelic courses for any Scot who wants them, especially for people without Gaelic in the Gaelseachtachd. Also, to foster academic endeavour, scholarships to institutions such as Sabhal Mòr Ostaig should be more widely available. Here, let us remember that Gaelic funding is also an investment - Scotland gains much financially, and of course culturally, through Gaelic's very existence. With proper planning even more could be made of this rich asset.

I, and all of my friends and colleagues within the country, believe that the benefits gained by the Gaelic community, the Highlands and Islands and the wider Scottish nation will far outweigh the relatively small costs associated with the measures necessary. The stewardship of Gaelic now lies firmly in your hands and the Education committee's as a whole - I, with the greatest of respect, request and require that you rise to this most magnificent challenge.

Magiadh Harrison

SUBMISSION FROM MICHAEL HILL

I am writing, along with hopefully many others, to express my views and recommendations for the Gaelic bill. Despite Gaelic being a minority language, as regards Scottish culture, heritage and history, Gaelic is a vital part of our nation, and as such, should be regarded an equal of English. In Ireland, an encouraging majority of people support Gaeilge and its vital role in culture, history and tourism, and in the future of the nation. This is the case regardless of people's abilities in the language itself. Gaelic must be seen as a relevant part of Scottish life, indeed for many it is a way of life, myself among them, but if the language is given a chance to thrive and take pride of place alongside Scots and English in our country, we will reap the benefits. The Bòrd na Gàidhlig is a vital new initiative, and must be given the power to work in the interests of Gaelic and our nation in general, to promote the language and culture, and sow the seeds for a secure future for the language. Steps must also be taken in order to create awareness of Gaelic culture in Scotland, just as with all our other cultures in the melting pot in which we now all live. The dismissal of Gaelic by previous Governments has been hugely detrimental, and in society, this has fuelled a derogatory
view of Gaelic, to the extent that some Gaels feel a great reticence to speak their language. This must be reversed. I have seen first hand the benefits Gaelic Medium Education has had on children's opinions of Gaelic, to the extent that there are children in Glasgow fluent in Gaelic, and proud to be bilingual, although their family and friends tend not to have the language. This if of no consequence to them, as they can happily co-exist with others knowing they have something different and richly rewarding to offer the world. Interest in Gaelic is certainly increasing, and as this interest grows, a system of promoting Gaelic around the country, particularly where interest in strong, or is expressed, should be implemented by Bòrd na Gàidhlig, working as any public body would. Perhaps as this interest increases, their funding can increase proportionally, for the Bòrd na Gàidhlig has plenty of innovative ideas which need the backing of funding. Personally, I would love to see a successful Gaelic Secondary in Glasgow, to reconcile and improve the skills of the Gaelic medium primary children, and ensure they have the language for life. This, working alongside the numerous night classes and playgroups across the country, will ensure the growth of Gaelic, like the growth of Cymraeg, and if one high school can prove its worth, perhaps we can work towards more across the country. There is a growing number of talented people wishing to pursue this profession, and through each of these steps, I, along with a huge number of people, believe that Gaelic can flourish. It has a relevant, growing role in our society, as we look back in order to find the way forward, and I urge the Government to realise the significance of this issue. The loss of Gaelic would be a national tragedy, and I sincerely hope a strong Gaelic bill can be the first big step in repairing past damage, and ensuring our diverse national heritage can thrive in the future, with Gaelic as a significant part of it.

Thank you for your time, and I await the coming parliamentary events with hopeful anticipation.

Michael Hill

SUBMISSION FROM GAVIN HUMPHREYS

Proposal for Gaelic Revival, in Relation to the Gaelic Language Bill

After a visit this summer to the Spanish city of Valencia I left feeling angrier than ever about Scotland's lazy attitude to protecting our own languages. It is well known that Spain is a country of more than one language – all official documents being translated into Castilian, Basque, Galician, and Catalan – but on top of this it values its dialects, such as Valencian. Local government in the Valencia region translates every important document into Valencian (actually classed as a dialect of Catalan, perhaps some would say with slightly less claim to language status than Auld Scots or Doric would have if compared) and all teachers and university lecturers must pass exams in Valencian to work in the autonomous community. Children in the region learn Valencian until they are twelve and then have the opportunity to continue, if they so wish. Similar, but stronger, schemes are followed in the autonomies with recognised languages.

When I got back from Valencia I found a booklet from the Scottish Executive entitled 'Preparing for Emergencies', which had been sent out to everyone around the country. A helpful scale to show how highly Gaelic is rated was the order form for more copies at the back. There was a choice of language, sixteen in all, amongst them Bengali, French, Somali, Vietnamese, Farsi, Gujarati and other such minority languages. Gaelic speakers must have come somewhere short of these in their importance to the government, as Gaelic did not appear. Only by visiting the internet site would you find that there does actually exist a Gaelic translation.

The Highland region's entire heritage is based on the Gaelic language and culture, and this is very slowly disappearing. I propose a stepped approach to achieve the same level of respect to the language as Valencian enjoys in Spain. First of all, all primary and secondary school teachers working in the Highlands and Islands should be offered opportunities to learn Gaelic. All teachers in training at university in Scotland should also be given the choice to learn the language included into their course. During the first ten years of the plan, knowledge of Gaelic should be considered as non-compulsory but preferred when schools are hiring new staff. Thereafter it must become obligatory for new school teachers to speak the language of the region. Future improvements, to expanding the scheme, could be made at the end of this period - such as to government and further education centres.
As I understand it, the Gaelic Language Bill has no remit on education. It seems to therefore have no power. Without this I simply can not see what affects it will have on the ground. However a plan such as the one above would bring back a bit of pride in the Highlands, and perhaps make Gaelic fashionable, as Galician, Catalan, or even Valencian, is with youngsters and students in Spain. I am a language student from the east of the Highlands, and with deep regret and shame I cannot speak my native language. I only hope this will have changed for my children, when I look to raise my own.

SUBMISSION FROM CATIE HUTTON

I am a parent of children who have gone through pre-school, primary and now Secondary Gaelic Medium Education, a learner of the language; I have worked for a number of years as a volunteer and now work in the Gaelic world. These are my comments on the above bill.

Parental rights regarding Gaelic Medium Education

The bill as it stands allows Bòrd na Gàidhlig to advise on the provision of Gaelic Medium Education, however it does not give parents the right to have their children educated through the medium of Gaelic. Gaelic pre-school is an extremely important area of the Gaelic world as in my experience it is from there that we find the motivated parents who then go on to learn the language (which helps in filling Gaelic posts such as teachers and Gaelic pre-school childcare workers), their children then go on to GM primary and they in turn access Sradagan and Feisan, whilst their parents often then sit on the local Comann nan Pàran. These same pre-school parents are often involved in or instigators in some form of community development. This bill does not appear to include the importance of the pre-school area, community or higher and further education. As well as that, as a parent of children who have gone through pre-school, primary and then secondary education it is extremely vexing to find although they will get some provision i.e. Gaelic as a subject they have to take ‘pot luck’ as to anything, if there is anything else provided in Gaelic in Secondary and to feel thankful that we are getting anything at all! As English speakers we continue to use the English language in a number of ways to allow our understanding of the language to develop and therefore speak like adults, we need this same process to allow our children to develop into adult Gaelic language speakers.

I know parents who have sent their children to Gaelic Medium Education had a late baby and have not sent that child to Gaelic Medium, not because they feel that their child received a bad education (quite the reverse) but because they do not have the same rights, therefore protection, that they have in English Medium and they are tired of having to raise and struggle for issues that the English medium parents take for granted. This lack of legal right to Gaelic Medium Education has resulted in a lot of wasted time and energy and has put new parents as wells parents who have previously accessed Gaelic off sending their children to Gaelic Medium Education. The main issues concerning parents (and coincidently also used as an excuse for not opening new Gaelic Medium Streams) is

Gaelic Medium Teacher Supply

This was an issue 15 years ago when my eldest went to Gaelic pre-school and still remains a major stumbling block. Although considerable pressure has been brought about for a number of years nothing has really be done to effectively address this situation because in reality we are relying on good will rather than the right to have our children educated through the medium of Gaelic. To address this situation we need to be given an equal status to English Medium Education.

Learning Support

I know of incidences where parents have been advised not to send their child to Gaelic Medium if it is thought the child might need more support (this happened to one of my close relations, although it transpired he did not in fact need support but was just taking his own time to develop! This child was lost to the Gaelic sector) other families have been advised to move their children to English
Medium. Only having the right to GM education will lead to this issue being addressed properly. We need to attract all families to GM and give them equal rights to GM education and GM learning support.

The culture of this county seems to think you have to be academically bright to be able to speak and converse in another language but in reality you can go to some of the poorest parts of the world and find people who have not had formal education speaking in 2, 3, or 4 different languages. We need a ‘mind change’ and this will not happen if Gaelic is not deemed as important as English because GM parents do not have the same rights.

Comunn na Gàidhlig Equal Status addressed this question in 1999 and included the rights of parents to Gaelic Medium Education at every level where there was reasonable demand. I would like to see this included in the new Bill so that the aforementioned points can finally be addressed effectively.

There are many examples I could give you of why we need the right to Gaelic Medium education both old and I’m sad to say recent incidents and that is why Gaelic parents need to have the same rights as English Medium Parents.

I am aware that there is a great reluctance to give Gaelic Secure status but in reality if the language is to progress and develop relying on ‘good will’ will not bring about the mind and cultural shift that is needed to develop the language properly. Only the power of the law will do that, a very recent non-contentious example would be. I was recently involved in helping to fund raise from one of the National Lottery Bodies. They offered to send us some materials for publicity, which we wanted to take up. They were helpful and offered to give us materials in English and Welsh because they have no choice but to produce it in Welsh, however because they did not have to produce it in Gaelic they did not and this is unlikely to change. Relying on political or other good will does not work. We need to have Secure Status to make us strong enough to survive and grow and help people take pride in their heritage, if the law is prepared to deem Gaelic worthwhile of its support the people will follow.

Finally, as a parent of children who are bi-lingual and who have benefited from this exposure to an other culture and language I firmly believe that it has helped them develop a pride in their own heritage as well as with their understanding and acceptance of other cultures, languages and ways of life, surely this is something that as a country we should be actively promoting. Perhaps when we can finally accept our own language and culture with good grace and proper support we will then learn to accept others with equal understanding.

Le dùrachd
Catie Hutton

SUBMISSION FROM KATE JAMES

Point Number One

“where reasonable demand is demonstrated” “where there is demand for provision”.

These reiterated points depend upon the public, in particular the parents of our children, being made aware that they have a right to demand this. Where people are made aware of the possibility of having Gaelic taught in their child’s school there is demand but without knowledge or information there can of course be little or no demand.

In Clackmannanshire, where I teach, some families send their children to Stirling to benefit from the Gaelic Medium Education that is available at Riverside primary school. This is probably happening in other areas too with families who are dedicated to Gaelic. Others take their children to Glasgow at weekends to attend classes there. The demand is there - it might not be vocal.
I am a Gaelic learner and as such offered an after school class last session to the Primary 1’s 2’s and 3’s. The class was called “An Introduction to Gaelic”. More than 40 children signed up to take part and to accommodate them all I had to ask a colleague to assist me. These children attended all 6 sessions and were enthusiastic and keen to learn.

In class I also taught some Gaelic songs, words and phrases to my own class (P1) and at the end of the academic year was approached by several parents who wanted to know what would happen to their child’s Gaelic lessons. With my head teacher’s permission and with the co-operation of the Primary 2 teacher I now take these children twice a week for Gaelic lessons.

This brings me to.

**Point Number Two**

- **Teaching Gaelic in the Primary school**

I might have missed it but I could see little in the bill that would produce the many teachers that would be and will be needed to teach Gaelic to all who demand it.

There are several; Primary school teachers, myself included, who would dearly love to become better involved in the teaching of Gaelic but who themselves are learners. This in itself debar them (us) from teaching in the Gaelic Medium unless the local authorities are prepared to second them to, for example, Sabhal Mor Ostaig, for intensive Gaelic education –An Cursa Comais. This would involve a one-year secondment and would be costly BUT where else will Gaelic speaking Primary teachers come from? All students of Gaelic do not wish to become primary school teachers as all Primary school teachers do not wish to become Gaelic speakers but for those who do surely provision must be made.

Alternatively, training for Gaelic Learning in the Primary School should be offered to those who are interested. This again takes about a year but involves only one day a week for about 20 weeks. The teacher is released from class one day a week to train in how to teach Gaelic to children aged 5 to 14 – and the beauty of this course is that the teacher does not need to be a Gaelic speaker or learner – he just has to have an interest in Gaelic.

Obviously this would not allow the teacher to take part in Gaelic Medium teaching but it would make Gaelic Education more available to children where there are no teachers available who can offer Gaelic Medium Education. Again the Local Authorities must be encouraged to offer this to interested teachers.

These are my points for you to consider.

Kate James

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**SUBMISSION FROM ANDREW MACAOIDH JERGENS**

I am descended from an t-Slioch nan Fuadachan, the people of the Clearances, and in honor of that heritage am doing my best at an advanced age of almost 70 to learn the language of my forebears. It is very encouraging to me to learn that the Scottish Parliament is considering a Gaelic Language Bill. Although I am a few generations physically removed from Scotland, I am none-the-less emotionally attached to things Scottish. So, I rejoice in the 1999 re-establishment of a Parliament, and I rejoice that some take seriously the language of our heritage.

As I am a Scottish "foreigner," a citizen of and resident in the United States, I realize it is easy for me to support something with which I shall have little direct contact. None-the-less, I provide my comments below, wishing my Gaelic were good enough to use in this context.
I agree with the general principles of the Gaelic Language (Scotland) Bill, and I support the establishment of Bòrd na Gàidhlig on a statutory basis. I believe the Bill would be strengthened by the inclusion of a clause guaranteeing that Gaelic and English be treated on the basis of "equal validity," but I understand political climates, and the Bill as it stands may be the best option available for securing the future of the language. I believe that the heritage of the language must be preserved, so I welcome any step in that direction. Often, as well, I know it falls to government to make such assurances.

I hope that the Bòrd may be given autonomy to go about its business in a robust, but reasonable and conciliatory way, knowing that it must also be subject to the same constraints under which all public bodies operate. Allowing the Bòrd to issue guidance with regard to Gaelic education may also be a commonsense approach that should complement and co-ordinate, rather than contradict, the efforts of Local Authorities. I follow news of these Local Authorities in my quarterly Cothrom and know that some are doing exemplary work.

While it would be nice if the Bòrd received a more generous amount of funding, I read that there has been a welcome increase in recent years. I know that funds are scarce everywhere and that responsible government must always make priority decisions. Perhaps as Bòrd na Gàidhlig goes about its business, and the demand and interest in Gaelic increases, the financial situation will improve hand in hand with the linguistic and cultural situation.

Andrew MacAoidh Jergens

SUBMISSION FROM CATRIONA JOHNSON

I have 2 children who have gone through GME in Edinburgh from Playgroup stage. We have been very impressed by the standard of teaching but feel very let down by the absence of a sound infrastructure to support families through this.

Having moved out of Edinburgh to North Berwick 2 years ago we pursued GME at the children's choice (they were 9 and 6 at the time and very settled at Tollcross). However, 2 years down the line we find that we are struggling to achieve a reasonable school/life/work balance - primarily due to the restrictions of public transport. A normal school day is rising before 6.30 to catch a train at 7.30 in order to be at school before the bell. After school, the earliest possible return train is after 4.30 and they reach home around 5.20. As you can imagine I could give numerous examples of particularly challenging experiences we have encountered in terms of conflicting priorities/ local v. school activities/ transport failures etc. and would be happy to expand on this..However, I will keep this as brief as possible.

When we started out in GME we could not have anticipated that we would face the issues we currently face and feel we must withdraw both children because the impact of these extended days, lack of flexibility and practicalities and demand on immediate and extended family has become too great for us to bear.

We are extremely sad to find ourselves in this position and I would offer the following recommendations to help avoid others going through this experience.

1 - That clearly defined minimum standards are set and applied regardless of which council area the children live in outwith Edinburgh ( at the moment I believe there is considerable discrepancy in how the councils interpret their responsibilities ) e.g. re transport/pupil support

2. Established formal communication between council officers from each area to ensure that they are all working from and toward the same aim- we encountered ignorance and apathy.

3. Greater cognisance of parental needs & impact of extended school day on children and families.

4. Regular evaluation and monitoring of how well/otherwise needs of families are being met by current provision.No-one has ever asked!
5. Access to services of a liaison officer to advise families in relation to rights/responsibilities etc. We got all sorts of conflicting advice and feel it was unfair to have to lobby East Lothian Council to try to come to some agreement re transport which was acceptable to the 3 families with children in East Lothian who attended Tollcross.

6. Greater access to/support with virtual learning and development of outreach services for children who attend local secondary after Tollcross (the requirement that children could be expected to travel 60 miles/day, 5 days/week, in order to access the equivalent of 2 double periods of Gaelic in S1 seems ludicrous).

7. Clearly, a proper strategy is required to forward plan as well as work towards meeting the needs of existing service users. This should be a national initiative.

Catriona Johnson

SUBMISSION FROM ANNETTE KERR

This Bill, in its current form, does not give the Gaelic language the same status as English and is therefore flawed. If one of the oldest languages of Scotland is to survive in any meaningful way it must be given equal status with English in every way.

The current proposals to encourage, facilitate and promote the language as a quaint and unusual part of Scottish life is patronising and half-hearted. At the root of all this is the amount of money it would cost to give the language the rights which it deserves. Surely, after centuries of discrimination against the language, it deserves the financial investment required to try to atone for those years of neglect, and positive discrimination against, a vibrant, historic and artistic part of our heritage.

The current proposals allowing Bòrd na Gàidhlig to enforce organisations, local authorities, etc. to produce Gaelic plans do not go far enough - these proposals should be much more clearly defined and the Bòrd must be given the powers to act. I also believe that 50% of the Bòrd membership should be elected by the Scottish people with the remaining 50% (and the election of Chair) being made by the Scottish Executive. Bòrd members should serve for a maximum of 4 years with 25% of the membership retiring each year commencing in 2005. If the Bòrd is to deliver the aspirations of those interested in the language it must be seen to be independent of the Executive.

Leis gach deagh dhùrachd

Annette Kerr

SUBMISSION FROM UILLEAM LAMB

A chàirdean chòir,

Bu mhath leam mo thaicsa a chuir ri beachdan Chomann nam Pàrant Nàiseanta a thaobh Bile na Gàidhlig. Gu seachd àraid, tha mi gu làidir dhen bheachd gum bu chòir do phàrant sam bith, ann an ceàrmachd sam bith dhen dùthaich sa, a’ chòir a bhith aig foighlam tro mheadhan na Gàidhlig fhaighinn airson a chuid chloinne.

Le deagh dhùrachd,

Uilleam Lamb

I would like to lend my support to the views held by Comann nam Pàrant Nàiseanta on the Gaelic Language. I am especially of the strong opinion that any parent should, in any corner of this country, have the right to Gaelic Medium Education for their children.

Kind regards,

William Lamb
SUBMISSION FROM PATRICK LANGAN

Where in this bill is the legal right to Gaelic medium education? This surely is the only serious means of ensuring the survival of our shared Gaelic language and heritage, a real part of the very essence of what it means to be truly Scots! The lack of the provision for equality of status between Gaelic and English also shows a woeful understanding of the needs and requirements for the survival of minority languages. The plight of Gaelic in the face of the hostile political and cultural encroachments of the English language used as a tool for political ambitions through the centuries into the affairs of Scotland is clearly a case in point. The active destruction and marginalisation of Gaelic up until recent times can not be unknown to members of the Scottish Parliament nor surely the reasons for that policy. In this context it seems truly incredible that when the opportunity arises to redress this a toothless bill of this nature should be offered.

The overwhelming dominance of English in the world today as a whole requires most languages to protect themselves from its powerful cultural and social influences. The recognition of a healthy, vibrant and diverse group of linguistic communities is part of the ideology of the new Europe and accepted as so in the most positive of senses. This protection is achieved through the legal status provided for national languages and reinforced through educational policies in relation to national languages in multilingual societies. The present realisation of the multilingual nature of most countries and states, and Scotland is certainly no exception, has meant that for real equality to be given to languages the necessity for legal status and educational equality has to be recognised and accepted if linguistic diversity in states is to be seen a unifying and not a divisive force.

This is the reality in a world where globalisation and internationalisation have accelerated, especially since the passing of the communist era, and market economies are under the dominant linguistic influences of English. If our own parliament fails to grasp this nettle either through ignorance of malice what hope is there for the Gaelic language not to mention any notion of intrinsic Scottish cultural and social values. The intentions of this bill can only be suspect if the originators of it weaken it from the outset, for it has to be assumed that they would have wished to do only the very best they could have for our Scots/Gaelic Language and culture.

The inclusive nature of our modern society, we are told, is at the very heart of our new Scottish democracy to deny Gaelic legal and educational inclusion would be the total negation of this idea. The use of this bill to pay mere lip service to the rightful aspirations of Gaelic would only reflect badly on the commitment of our parliament to other so called linchpins policies of the new inclusive and forward looking nature of the new Scotland.

The opportunity has not yet passed there is still time to reconsider this bill and amend it giving Gaelic its proper place in Scotland today. The future of not only Gaelic is at stake here but also the reputation of our parliament.

SUBMISSION FROM AILEEN LATONA

I have been studying the Gaelic Language, its culture, and history at the Falkirk College for a good number of years and have become fascinated in the Gaelic language – so much so, that I have been doing the Higher National Certificate in Gaelic.

I understand that the Scottish Parliament’s Education Committee are actively seeking the views of people with an interest in the general principles of the Gaelic Language (Scotland) Bill. I therefore wish to comment as follows:-

I consider it a very important factor that the “Bill” should have a clause stating “An Equality of Status between Gaelic and English”.

Furthermore I think that an important factor in the Bill should be “A Legal Right to Gaelic Medium Education”. These are, I believe, of prime importance to the preservation and continuation of the Gaelic language.

The Scottish Parliament should be proud of the fact that we still have a Gaelic language here in Scotland. It would indeed be a terrible tragedy if the Scottish Parliament did not pass a revised “Bill” – which would certainly help to preserve our wonderful language. It would give a great deal of encouragement to parents, and children who are learning Gaelic in our primary schools.

Aileen Latona

SUBMISSION FROM MARY LEIGHTON

My name is Mary Leighton (nee McIntosh). I have been learning Gaelic for the past two years at our local Forge Ahead Class in Auchintieck.

I wholeheartedly support learning Gaelic for anyone any age in Scotland. It is our language and we should be proud of it. It must not be allowed to die out.

M W Leighton

SUBMISSION FROM JIMMY LETHAM

Gaelic is part of our culture, it was spoken all over Scotland until a Scottish king came home with an English bride who couldn’t understand what was being said so the idiot king decreed that the English language of the day was to be spoken!!

It is essential, that the Gaelic language be brought back as a common spoken word and if any of the new immigrants complain well, that's too bad.

Jimmy Letham

SUBMISSION FROM ALISTAIR LIVINGSTON

Distortion of history- Scottish Gaelic as a mythical rather than historic language of Scotland

The proposal that the Gaelic Language (Scotland) Act should cover the whole of Scotland (not just those areas where Scottish Gaelic remains a central part of local heritage and culture) is based on the assumption that Scottish Gaelic was once spoken across the whole of Scotland. So that even in regions where there is no recent Scottish Gaelic language tradition or culture, Scottish Gaelic remains as a forgotten strand of culture and history.

However, by emphasising Scottish Gaelic as the underlying historic language of Scotland, there is a danger that a broader and deeper understanding of Scottish history will be ‘officially’ lost. This is especially true for southern Scotland.

The earliest recoverable language layer in southern Scotland is not Gaelic but a language related to modern Welsh. And variously described as Brittonic, Cumbric or Old Welsh. This language was spoken from at least 500 BC into the 12th and 13th centuries. It can be traced through place name evidence and gave rise to its own literature in the 6th century - of which the epic poem y Gododdin is the earliest example.

From the 7th century onwards, Old English speakers from the Anglian kingdom of Bernicia (later Northumbria) extended their influence north along the east coast to the Firth of Forth and west along the Solway Firth, reaching Whithorn in Wigtownshire by AD 700 and gaining territory in Ayrshire around AD 750 and the lower Firth of Clyde. An Old English poem ‘The Dream of the
Rood’, carved in runes on the Ruthwell cross in Dumfriesshire has been claimed as the earliest example of Scots literature and may be as early as AD 600.

In south-east Scotland, Old English evolved into Old Scots. There is no evidence that this evolution was interrupted by a Scottish Gaelic phase. Although the situation is more complex in south-west Scotland/Dumfries, Galloway and south Ayrshire, Old English settlements may have persisted, facilitating a similar language evolution.

In Galloway there is place name evidence for Gaelic. However, this was not Scottish Gaelic. It was a form of Gaelic which now survives as Manx Gaelic, which exists only as a revived language. This form of Gaelic was introduced by the Hiberno-Norse Gall-Gaels (foreign Gaels) in the 10th/11th centuries. It did not reach Galloway from Gaelic speaking Scotland.

Significantly, the Gall-Gael arrived as a ruling elite, replacing the Northumbrians as ruling elite in the lower-lying more fertile areas. The shift from Old Welsh to Galloway Gaelic has not been studied. It is likely that a detailed study of Galloway's Gaelic place names would show a ‘Gaelicisation’ of Old Welsh originals.

Finally, any suggestion that the existence of Gaelic in Galloway supports the claim that Gaelic was once the national language of Scotland runs counter to the historical fact that up until the death of Alan of Galloway in 1234, it was an independent kingdom. After the death of Alan, the ‘Community of Galloway’ chose Thomas, the illegitimate son of Alan, as their ruler to preserve the kingdom rather than see it divided between Alan’s three legitimate daughters (or rather their husbands). Scots king Alexander II responded by invading Galloway and defeating an alliance of Manx, Irish and Galwegian forces. The fact that there was Manx and Irish support for Thomas of Galloway against a Scottish invasion reinforces the links suggested between the ‘Gall-Gael of Galloway and their Manx and Irish Gaelic speaking neighbours. If Alexander II can still be considered a Scottish Gaelic king, then Scottish Gaelic influence in Galloway was external and enforced as late as 1235.

Even 100 years later, Galloway supported the claim of Edward Balliol (son of king John Balliol) to the Scottish throne out of loyalty to the Balliols as inheritors of the kingdom or lordship of Galloway. After Edward Balliol’s death in 1365, Archibald ‘the Grim’ Douglas became lord of Galloway. He built a castle at Threave on the river Dee to practically and symbolically demonstrate that Galloway was now a province of Scotland. Threave is a Brittonic place name, from y Tref, meaning ‘the settlement’ and can be traced back to at least the Roman era. Dee is also a Brittonic word, meaning ‘river goddess’.

The Gaelic of Galloway is assumed to have survived along the Galloway/ Ayrshire border into the 17th century. If this is so, this survival conflicts with the widely held belief that support for the Jacobite cause was strongest in Gaelic speaking regions. The south-west was the heartland of resistance by the Covenanters to the Stuarts. Support for the Reformation can be traced back as early as the 1530s, when Alexander Gordon of Airds of Parton (an Old English placename) in the north of Galloway had access to an illegal English translation of the New Testament. At secret meetings, there were readings from this text - which would not have been possible if local people were still Gaelic speakers.

Conclusion

That if, even in Galloway which is considered to have been a Scottish Gaelic speaking area, the historical claim that Scottish Gaelic was once the native tongue is untrue, then the broader claim that Scottish Gaelic was spoken across the whole of Scotland is revealed as a myth. Indeed, this claim requires a deliberate distortion of Scottish history to exclude the prior and continued existence of Old Welsh and Old English in the south of Scotland.

That many people across southern Scotland wish to learn and speak Scottish Gaelic in the belief that it is the ‘authentic’ language of their ancestors can only used to justify support for Scottish Gaelic at the expense of historical fact. Should the Gaelic Language (Scotland) Bill become an Act of the Scottish Parliament, myth will be legitimised at the expense of history.
SUBMISSION FROM DIEGO LONGUEIRA

Estoy de acuerdo en que el Gaélico Escocés se convierta en la Lengua Nacional de Escocia, atentamente.

Diego A. Longueira

I agree that Scottish Gaelic should become the National Language of Scotland.

Diego A. Longueira

SUBMISSION FROM IAIN MAC AN TÀILLEIR

A Chàirdean

Bile na Gàidhlig (Alba)

Bu toil leam na beachdan agam air a’ Bhile gu h-àrd a chur thugaibh anns an litir seo. Ged a tha mi nam öraidiche aig Sabhal Mòr Ostaig, tha mi a’ sgrìobhadh thugaibh mar neach priobhaideach.

Anns a’ chìd dol a-mach bu toil leam Pàrlamaid na h-Alba a mholadh airson a’ chìd dreach den Bhile atharrachadh ri linn imcheist is mholaidhean a thog ceann am measg a’ phoibail. Tha am Bile atharrachaidh nas fheàrr na a’ chìd dreach ach a dh’aindeochin sin tha uireasbhaidhean ann a dh’hfaodaadh a’imhreit a thogail anns an âm a tha romhairn no obair Bòrd na Gàidhlig a lagachadh ’s a chur an suarachas am measg luchd na Gàidhlig.

- Tha am Bile fhathast a’ cur cus uallaich air Ministearan a thaobh tighinn gu aonta ri Bòrd na Gàidhlig. Mholainn dòigh réiteachaidh neo-eiseimleach a chur air bhonn mar a th’ aig Canada agus Éirinn air nós Coimiseanair Cànanain no Ombudsman gus nach fhàgteadh cus uallaich air Ministearan a dh’hfaodaadh a bhith ùr anns an dreach ’s gus nach ghabhadh seirbhéis chatharrais air 0.7 na mholadh thuca fhein a dh’aindeochin eòlas Bòrd na Gàidhlig.

- ‘S math gu bheil am Bile a-nis a’ déanamh luaidh air foghlam, ach ’s mòr am beud nach eil guth air foghlam iar-sgoile no air tréanad luchd-teagaisg. Leis mar a tha a h-uile ire de shiohtam an fhoghlaim ag altachadh ri chèile, cha b’ uilear dhan Bhile sìul a thoirt air gnothaichean seachadh air foghlam ãrdsgoile.

- Tha e coltach nach eil am Bile a’ coimhead air còirichean luchd-cleachdaidh na Gàidhlig ach airaiream luchd-labhairt a’ chàinann ann an sginne sonraichte mar chuibhbreann den t-sluaigh. Tha na h-aon fhumhlachdan aig neach, eadar an ann ann aibhist a bhiheadh e/i no an Dùn Phrìs. Ann an dòigh tha feumalachdan luchd na Gàidhlig nas motha ann an sginne far nach eil a’ Ghàidhlig làidir timcheall orra, direach mar a dh’hfeummar còirichean dheonu dubha a dhìon ann an ìtachan far nach eil iad ach tearc. B’ hiach coimhead air reachadas an aghaidh gràin-chinnidh aird seallasanachd a’ Bhile seo fhein a stèidheadach agus a dhaingneachadh air tha gràin-chàrin dhùth-chàirdeach do ghràin-chinnidh.

- Mholainn do Phàrlamaid na h-Alba iarraidh air Pàrlamaid Bhreatainn sìul a thoirt air cor na Gàidhlig ach an reachdas Breatainnach achat am bi ùghdarrasan poblach Breatainnach air an aon ràmh ri ùghdarrasan poblach Albannach a thaobh a bhith a’ toirt seirbhéis choileanta do luchd na Gàidhlig. Ma tha cuideigin le Ghàidhlig airidh air seirbhéis fhaighinn sa Ghàidhlig bho lomairt na h-Alba carson nach fhagheadh eil seirbhéis eil seirbhéis a cheart cho cunbhalach bhan DSS?

Ged a tha an dreach seo den Bhile nas fheàrr ’s nas fharsainge na a’ chìd dreach, chan eil e idir follabaiseach gu bheil am Bile bonntaichte air eòlas no seallasanachd mu ath-bheothachadh mion-chàinann, ach air na ghabhas déanamh gu chus strì airson luchd na Gàidhlig a chumail sàmhach.

Mholainn gu dàrachdach dhan Chomataidh Reversing Language Shift le Joshua Fishman no The Green Book of Language Revitalisation le Hale is Hinton a leughadh airson am Bile seo a stèidheadachd air sàr chleachdaidhean is prionnaspalan a tha a’ soarbh budachd ann an
I would like to present you with my views on the above Bill in this letter. Although I am a lecturer at Sabhal Mòr Ostaig, I am writing to you as a private individual.

Firstly I would like to congratulate the Scottish Parliament for changing the first draft of the Bill because of uncertainty and recommendations that were highlighted by the public. The amended Bill is better that the first draft but despite this, there are deficiencies in it that could provoke a dispute in the future or that could weaken and make Gaelic speakers indifferent to the work of Bòrd na Gàidhlig.

- The Bill still puts too much responsibility on Ministers vis-à-vis agreeing with Bòrd na Gàidhlig. I would recommend setting up an independent mediation / advocacy method as they have in Canada and Ireland in the style of Language Commissioner or Ombudsman so that not too much responsibility / burden would be placed on Ministers that may be newly appointed and that too much power be given to them by civil servants inspite of Bòrd na Gàidhlig's knowledge.

- It’s good that the Bill now values education, but it is a great pity that there is no mention of further education or teacher training in it. Due to the way in which every level of the education system is interlinked, the Bill needs to examine issues beyond secondary school.

- Apparently the Bill seems to look at the number of speakers of the language in specific areas as a portion of the population, rather than the rights of Gaelic users. Each individual has the same needs, whether they are in Uist or in Dumfries. In a way, the needs of Gaelic speakers are greater in areas where Gaelic is not strong round about them, in the same way as the rights of black people need to be protected in places where there are not many of them. It would be worth looking at anti-racism legislation as the foundation and enforcement of this Bill’s philosophy, as language discrimination is very closely related to race discrimination.

- I would recommend to the Scottish Parliament that it asks the British Parliament to examine the right [should read “position”] of Gaelic in British legislation, so that will British public authorities will be in the same situation as Scottish public authorities in the provision of a full service to Gaelic speakers. If someone who speaks Gaelic is worthy of receiving service in Gaelic from Scottish Enterprise, why would they not receive the same level of service from the DSS?

Although the draft of this Bill is better and wider than the first draft, it is not at all clear if the Bill is founded on experience or philosophy of revitalising minority languages, but on what is possible to do without too much stress to keep Gaelic-speakers quiet. I would sincerely recommend that the Committee read Reversing Language Shift by Joshua Fishman or The Green Book of Language Revitalisation by Hale and Hinton to base this Bill on sound practice and principles that have been successful in other countries. Neither Scotland nor Gaelic are in an unusual situation compared with many other minority languages in Europe, and there are many lessons which we can learn from other countries which have completed this process.

SUBMISSION FROM IAN MACADAM

I am still studying Gaelic at an evening class on a Monday night here in Campbeltown. As a member of Cli Gàidhlig, I feel it is important that there is a legal right to Gaelic medium education and equality of stratus between Gaelic & English. Any help you give to this important matter will be very much appreciated.
SUBMISSION FROM UILLEAM MACCALUIM

This is my response to the Education committee’s consultation on the general principles of the Gaelic bill.

As a learner of Gaelic, I am very pleased that the Executive has introduced a Gaelic Bill to Parliament. Official status for the language through a language act is necessary for the development of Gaelic and Gaelic speakers have been campaigning for this for generations.

In a broad sense, I agree with the general principles of the Gaelic Bill and I am strongly of the opinion that the Bill, as introduced to Parliament, is much better and much stronger than the Executive’s consultation draft.

I would like to make the following points about the general principles of the Bill.

**Gaelic as an official language:**

I am extremely pleased that the Bill uses the word “Official” as I strongly believe that it should be clear in the Bill that Gaelic is an official language. This is of symbolic significance to Gaelic speakers. It is also of practical importance as it is common for official bodies which refuse to offer Gaelic services, to cite the excuse that “Gaelic is not an official language.” But, I would recommend that the Bill be amended so that it states clearly and simply that Gaelic is an official language in Scotland rather than speaking about “working towards a situation where Gaelic will be an official language” as is the present wording.

**Bòrd na Gàidhlig:**

I agree that Bòrd na Gàidhlig should be established as a statutory body and I agree with the responsibilities which have been allocated to it. It is important that Bòrd na Gàidhlig has sufficient funding and authority to fulfil its objectives and that it does not have to seek ministerial approval for every action it takes.

**Gaelic Plans for Official Bodies:**

- strongly agree that Bòrd na Gàidhlig should have the power to compel public bodies to formulate and implement Gaelic plans.
- A section of the bill should state that public bodies in Scotland should remain under the provisions of the bill even if they enter the private sector in the future. It should also say that any public body created in the future will come under the provisions of the bill.
- The bill makes no mention of public bodies such as the DVLA, DWP, The Inland Revenue, the Commission for Racial Equality (CRE), The Electoral Commission and TV Licensing, which do not come under the remit of the Scottish Parliament or Scottish Executive. Although the Scottish Parliament cannot legislate to make these bodies responsible, at the very least Bòrd na Gàidhlig should have a statutory obligation to work with these bodies and encourage them to establish Gaelic plans. The Committee should address this important question in order to ensure that Gaelic speakers have the opportunity to deal with these important bodies in Gaelic.
- The bill contains no objectives or principles for public bodies when creating Gaelic plans. If Gaelic language plans are to be useful to Gaelic speakers and to Reversing Language Shift, the following statutory objectives for Gaelic plans should be contained in the bill: to promote Gaelic, to increase to use of Gaelic and to raise the profile of Gaelic.
Moreover, these principles from part II of the European Charter on Minority Languages gives us a good example of principles for public body language plans which the bill could stipulate:

the need for resolute action to promote regional or minority languages in order to safeguard them;

the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;

to eliminate, ......, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it

Education:

The bill is not strong enough in educational matters. It is appropriate that Bòrd na Gàidhlig give guidance to local authorities on education but the bill ought also to establish a right to Gaelic-medium education (where a reasonable demand exists). Comunn na Gàidhlig has given a definition of "reasonable demand" in their reposts Secure Status for Gaelic(1997) and Secure Status for Gaelic – a Draft Guidance for a Language Act(1999) and I agree with this definition.

Back in 2000 at the time of the Schools Act the Executive said that there was no need to establish a right to Gaelic-medium education because Gaelic would be a "national priority" but nothing has changed since that time. Numbers in Gaelic-medium education are not increasing as they should, not many new Gaelic units have opened, parents of children in Gaelic-medium education are demoralised, the majority of people in Scotland do not even realise that Gaelic-medium education exists and local authorities ignore public demand. This situation will not change until a statutory right to Gaelic-medium education exists.

Bòrd na Gàidhlig should also have a duty to advise local authorities on Gaelic as a subject for learners in school over and above Gaelic-medium education provision. There is nothing in the Bill about Gaelic as a subject and I think that this is a deficiency.

Craoladh:

The bill should mention broadcasting. Although broadcasting is a reserved matter I believe that funding of The Gaelic Broadcasting Committee / Gaelic Media Service is under the control of the Scottish Parliament. For this reason, the bill should allocate more funding to Gaelic broadcasting and establish a funding formula linked to the rate of inflation for the Gaelic Media Service. I would also strongly recommend that Bòrd na Gàidhlig have a statutory obligation to give guidance to the Gaelic Media Service and to other broadcasters regarding language planning and development and that broadcasting form a part of the National Plan for Gaelic. This is important to ensure that broadcasting contributes to Reversing Language Shift in Scotland and that money spent on broadcasting is spent in an effective way (e.g. Gaelic used as the working language of the studio, it is of benefit to Gaelic-medium education and learners of Gaelic, it enhances the profile of Gaelic and attracts new learners and supporters to the language etc.).

I am delighted that legislation is, at last, to come into being for Gaelic and that the Scottish Executive has greatly strengthened the bill since the first draft was published. I am also delighted that the bill is a national bill, because Gaelic is a national language and it is of supreme importance that Gaelic be promoted in all parts of Scotland: there are strong historical reasons for this, and also Gaelic speakers live all over Scotland, most Gaelic learners live in the Lowlands and a demand for Gaelic services exists throughout the country.
In broad terms I agree with the general principles of the Gaelic Bill and I very much wish that the Committee and the Parliament pass it at Stage 1. I also hope that you recommend the amendments I have suggested.

I hope that my views will be helpful.

William MacCallum

A chàirdean,

**Bile na Gàidhlig (Alba)**

Is e seo mo fhreagairt dhan obair cho-chomhairleachaidh aig Comataidh an Fhoghlaim air bhun-phrionnsabalan Bile na Gàidhlig.

Mar neach-ionnsachaidh Gàidhlig, tha mi glè thoilichte gu bheil an Riaghaltas air Bile Gàidhlig a chur fo chomhair na Pàrlamaid. Tha inbhe oifigeil dhan chànan tro achd cànain deatamach airson leasachadh na cànain agus tha luchd na Gàidhlig air a bhith a’ déanamh ionairt airson a leithid fad ghinealachdan.

Anns an fharsaingeachd, tha mi ag aontachadh ri bun-prhionnsabal an Bile na Gàidhlig agus tha mi fada den bheachd gu bheil am Bile mar a chaithd a thoirt a-steach dhan Pràrlamaid tòrr nas fhéarr is nas treasa na an dreachd co-chomhairleachaidh aig an Riaghaltas.

Bu mhath leam na puingean seo a chur air adhart mu bhun-phrionnsabalan a’ Bhile.

**Gàidhlig mar chànain oifigeil:**

Tha mi fior thoilichte gu bheil am Bile a’ cleachdadh an fhacal “Oifigeil” oir tha mi fada den bheachd gum bu chóir dhà a bhith soilleir anns a’ Bhile gu bheil a’ Ghàidhlig na cànain oifigeil. Tha seo cudromach gu samhlachail airson luchd na Gàidhlig. Tha e cuideachd cudromach ann an seagh pragtaigeach oir gu tric bidh buidhnean poblach a tha a’ diùltadh seirbhisean Gàidhlig a thoirt seachad a’ cleachdadh na h-argamaid nach e “cànain oifigeil a tha anns a’ Ghàidhlig”. Ach, mholainn gun tèid am bile a bhith a’ chuireadh a’ Bhile gu bheil a’ Ghàidhlig na cànain oifigeil ann an Alba seach a bhith a’ bruidhinn mu bhith “ag obair a dh’ionnsaigh suidheachadh far am bi Gàidhlig na cànain oifigeil” mar a tha am bile an-dràsta.

**Bòrd na Gàidhlig:**

tha mi ag aontachadh gum bu chóir do Bhòrd na Gàidhlig a bhith air a stèidheachadh mar bhuidhinn reachdail agus tha mi ag aontachadh ris na dleastanasan a tha air an sònraichadh ann. Tha e cudromach gum bi maoineachdach gu leòr aig a’ Bhòrd gus na h-amasan aige a chollionadh. Tha e cuideachad cudromach gum bi cumhachd gu leòr aig a’ Bhòrd an obair aige a dhioganamh agus nach bi aca ri cead fhàighinn bhon Mhinitsear airson a h-ui le rud a ni iad.

**Planaichean-cànain Gàidhlig do bhuidhnean poblach:**

- Tha mi ag aontachadh gu mòr gum bu chóir cumhachd a bhith aig Bòrd na Gàidhlig gus toirt air buidhnean poblach planaichean Gàidhlig ullachadh agus a chur an gnoimh.
- Bu chóir earrann a bhith anns a’ bhile a tha ag ràdh gum bi buidhnean poblach ann an Alba fhathast fo ullachaidhean a’ bhile fuì’s ma théid an cur dhan roinn phriobhaidhich san àm ri teachd. Bu chóir dha cuideachd a ràdh gum bì buidheann phoblach sam bith a théid a chruthachadh san àm ri teachd fo ullachaidhean a’ bhile.
- Chan eil iomradh sam bith anns a’ bhile air na buidhnean poblach, leithid an DVLA, DWP, Oifis nan Cîsean Nàiseanta (*Inland Revenue*), an Coimisean airson Co-ionannachd
Cinnidh (CRE), Coimisean nan Taghaidhean (Electoral Commission) agus TV Licensing, nach eil fo smachd Pàrlamaid is Riaghaltas na h-Alba. Ged nach urrainn dhan Phàrlamaid laghan a dhèanamh a chuireadh uallaichean air na bhuidhnean seo, bu chóir co-dhiù dleasanas reachdail a bhith air Bòrd na Gàidhlig a bhith ag obair còmhla ris na bhuidhnean seo gus am brosnachadh gus poileasaidhean Gàidhlig a stèidheadhadh. Bu chóir dhan Chomataidh aghaidh a chur ris a’ cheist cudromach seo gus déanamh cinniteach gum bi comthom aig luchd na Gàidhlig déileagadh ris na bhuidhnean cudromach seo anns a’ Ghàidhlig.

• Chan eil amasan no prionnsabalann anns a’ bhile airson nam planaichean Gàidhlig do bhuidhnean poblach. Ma tha planaichean-cânain Gàidhlig gu bhith feumail do luchd-labhairt na Gàidhlig agus do dh’ ath-thilleadh gluasad cânain (Reversing Language Shift), bu chóir do na h-amasan reachdail seo a bhith anns a’ bhile airson nam planaichean Gàidhlig: a bhith a’ brosnachadh na Gàidhlig, a bhith a’ cur ri cleachadhadh na Gàidhlig agus a bhith a’ cur iomhaigh na Gàidhlig am follais barrachd.

A bharrachd air seo, tha na prionnsabalanan seo bho phàirt II de Chait Eòrpach nam Mion-chàñainean a’ toirt dhuinn deagh eisimpleir de prhornnsabalanan a dh’ faodadh a bhith anns a’ bhile airson phlanaichean-cânain do bhuidhnean poblach:

- the need for resolute action to promote regional or minority languages in order to safeguard them;
- the facilitation and/or encouragement of the use of regional or minority languages, in speech and writing, in public and private life;
- to eliminate, ......, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it

Foghlam:

Chan eil am bile làdir gu lèor air cuisean foghlaim. Tha e iomchaidh gum faod Bòrd na Gàidhlig stiùireadh a thoirt do chomhairlean ionadail air foghlam ach bu chóir dhan bhile còir air foghlam tro mheadhan na Gàidhlig (far a bheil iarrtas reusanta ann) a stèidheadachadh cuideachd. Tha Comunn na Gàidhlig air mineachadh a thoirt seachd air na faclan “iarrtas reusanta” anns na h-athisgean aca Inbhe Thèarainite dhan Gàidhlig (1997) agus Inbhe Thèarainite dhan Gàidhlig – Dreachd lùil airson Aichd Gàidhlig (1999) agus tha mi ag aontachadh ris a’ mhineachadh seo. Thuirt an Riaghaltas air ais ann an 2000 aig Àm Achd nan Sgoiltean nach robh feum air còir air foghlam tro mheadhan na Gàidhlig a chionn’ s gum biodh Achd na Gàidhlig a “priomh-amas nàiseanta” ach chan eil dad air atharrachadh bhoi uairsin. Chan eil aireamhan ann am foghlam tro mheadhan na Gàidhlig a’ dol am mead mar is còir, chan eil mòran aonadan Gàidhlig ùra air fosgladhadh, chan eil misneachadh sam bith aig pardhant le clann ann am foghlam tro mheadhan na Gàidhlig, chan eil fios aig a’ mhòr chuid ann an Alba gu bheil foghlam tro mheadhan na Gàidhlig fi’us ann agus chan eil eil na comhairlean ionadail ag èisteachadh ri iarrtasan an t-sluigaigh. Chan atharrach an suidheadachadh seo gus am bi còir reachdail air foghlam tro mheadhan na Gàidhlig.

Bu chóir dleastanas a bhith air Bòrd na Gàidhlig cuideachd a bhith a’ comhairleachadh ughdarrasan ionadail air Gàidhlig mar chuspair do luchd-ionsachadh anns na sgòiltean a bharrachd air foghlam tro mheadhan na Gàidhlig. Chan eil dad anns a’ Bhile mu Gàidhlig mar chuspair agus tha mi a’ smaoinichadh gu e uireasbhaidh anns a’ Bhile a tha seo.

Craoladh:

bu chóir iomradh a bhith anns a’ bhile air craoladh. Ged a thàraoladh fhèin na cùis glèidhte, tha mi a’ tuigisinn gu bheil maoinicheachadh airson Comataidh Craolaidh Gàidhlig / Seirbheis nam Meadhanaid Gàidhlig fo smachd Pàrlamaid na h-Alba. Air an adhbhar seo, bu chóir dhan bhile barrachd airgid a thoirt do chraoladh Gàidhlig agus formula maoinicheachadh ceangailte ri ire na h-atmhochd a stèidheadachadh airson an SMG. Mholaim gu làdir cuideachadh gum biodh dieastanas
reachdail air Bòrd na Gàidhlig a bhith a' toirt stiùireadh don SMG agus do chrholadairean eile a thaobh planadh agus leasachadh cànain agus gum biodh craoladh Gàidhlig mar phàirt den Phlana Nàiseanta airson na Gàidhlig. Tha seo cudromach gus dèanamh cinnteach gum bi craoladh a' cuideachadh le bhith ag ath-thilleadh gluasad cànain (Reversing Language Shift) ann an Alba agus gum bi an t-airgead a thathar a’ cosg air craoladh ga chleachadh ann an dòigh ëifeachdach (m.e. a chleachdas Gàidhlig mar chànain obrach anns an stiùide, a chuidicheas fhoghlam tro mheadhan na Gàidhlig agus luchd-ionsachaidh na Gàidhlig, a chuireas iomhaigh na Gàidhlig am follais barrachd agus a thàlaidheas luchd-ionsachaidh agus luchd-taic úra 7c).

Tha mi glè thoilichte gu bheil reachdas gu bhith ann airson na Gàidhlig mu dheireadh thall agus tha mi glè thoilichte gu bheil an Riaghaltas air am Bile a neartachd gu mòr bhon a thainig a’ chiaid dreach a-mach. Tha mi cuideachd glè thoilichte gu bheil am bile na bhile nàiseanta oir ‘s e cànain nàiseanta a th’ anns a’ Ghàidhlig agus tha e air leth cudromach gum bi a’ chànan ga brosnachadh air feadh na h-Alba: tha adhbhairan eachdraidheil làidir ann air a shon, tha luchd na Gàidhlig a’ fuireach air feadh na h-Alba, tha a’ mhòr-chuid de luchd-ionsachaidh a’ fuireach air a’ Ghalldachd agus tha iarrtas ann airson sheirbheisean Gàidhlig air feadh na h-Alba.

Anns an fharsaingeachd, tha mi ag aontachadh ri bun-phrionnsabalan Bile na Gàidhlig agus tha mi gu mòr airson’s gun aontaich a’ Chomataidh is a’ Phàrlamaid ris aig Ire 1. Tha mi cuideachadh an dòchas gum mol sibh gun teid am bile aitharrachadh anns na dòigh an dhiabhinn air bhu thràithe.

Tha mi an dòchas gum bi na bheachdan seo feumail dhuibh.

Le deagh dhùrachd,
Uilleam MacCaluim

SUBMISSION FROM SCOT MACCREAMHAIN

I will leave the areas of education, law and broadcasting to more expert opinion. I write simply as a Gaelic learner brought up in the Scottish Education System in the 1970s and 1980s and would like to express the annoyance I felt as an adult that not only was I denied as a child or teenager Gaelic-medium education, but was denied the chance to learn Gaelic even as a subject or learn anything of Gaelic culture and history. To be offered French or German at school and not even know the meaning of the place-names around you in Glasgow/Glaschu e.g Drumchapel from Druim Chapail (ridge of horses) is in my mind part of the reason Scottish youth are so disconnected from their surroundings and have so little respect for themselves or their neighbours.

My call is for bilingual place-signs to be put up where the present-day English term is a corruption of the Gaelic original. On roads, rail stations and street names. Accompanying this should be an education programme for the local communities explaining the reasons for it as well as opportunities to learn as adults. If this is a matter for local authorities then Bord na Gaidhlig should be given the powers to enforce this.

Le deagh dhùrachd
Scot MacCreamhain

SUBMISSION FROM CHAS MACDONALD

I would ask that the possibility be investigated of extending the definition of Public Bodies listed in the schedules of the Gaidhlig Bill be widened to include those bodies providing PPP services to local and other public authorities.

For instance, it is not at all clear, from the conversations I have had in recent weeks with education officials, that evening classes held in PPP facilities will attract the same level of goodwill as they do
in current local authority control. Gàidhlig evening classes particularly may suffer, especially in less well populated areas, if they have to meet class size, income, or other requirements. I have been involved in classes which have been terminated because the building owners did not think that sufficient numbers were attending to warrant lets and resources.

The state of Gàidhlig at the present time means that it is often difficult to generate classes of over ten on a consistent basis. This is for a variety of reasons, including personal lifestyles, not just a lack of interest. Implementation of solely financial criteria on class viability is likely to undermine efforts to revive the language where that touches adult learning (which also impacts upon parental learning of GME pupils).

Chas Mac Donald
PhD Researcher
Stirling Media Research Institute
University of Stirling

SUBMISSION FROM DONALD MACDONALD

I agree with the general principles of the Gaelic Language [Scotland] Bill so far as it goes, and support the establishment of Bòrd na Gàidhlig on a statutory basis. It is essential, however, that the Gaelic language have the same force and validity as English. Any watering down of Gaelic, or any show of lack of support will certainly be seen as a weakening of the position of Gaelic. Those of us who have seen the tremendous governmental support given to the French language in Quebec will understand that only a vigorous application of whatever statutory support is allowable can not only keep the status of a language from eroding but will ensure the security of its future. Gaelic must be encouraged at every turn. Every child in every Gaelic-speaking area must be educated in Gaelic with at least the same energy as English – in all subjects. Furthermore “Gaelic-speaking areas” must be expanded, and a Gaelic education guaranteed where numbers desiring it exist. Bòrd na Gàidhlig must be given the autonomy it needs to go about its business, and must be allocated the funding that it requires to secure the future of the Gaelic language for all time.

Donald Macdonald

SUBMISSION FROM DONALD MACDONALD (2)

I wish to make a few comments regarding the Gaelic Bill as follows;

1 Education (Section 9) - It is my strong opinion that the bill does not go far enough and falls short of the wishes and aspirations of the Gaelic speaking communities. There is a need for legislation that will strengthen parents rights to be given Gaelic Medium Education for children where there is demand and this bill does not provide for this. We need to see Gaelic Education as part of the core curriculum at all levels in areas where it is being asked for and where appropriate Gaelic only schools being set up.

2 Equal Status (Section 1) - Gaelic should be identified as an official language in Scotland and the bill needs to state this. This has been done successfully in Wales since 1993 with no adverse affect.

3 Although not in the Bill there needs to be further consideration given to the provision of a Gaelic broadcasting service and appropriate funding made available.

4 Further funding is needed to strengthen the language and to ensure that the opportunity of saving this part of our heritage is not lost. If funds are not made available now then in twenty years time we might not have the option and we would not want the legacy of the Scottish Parliament to be that they failed to recognise the need and grasp the opportunity.

Donald Macdonald
SUBMISSION FROM MARISA MACDONALD

Firstly, can I congratulate this Labour Government, and the Executive to the Government, on moving so steadily to normalise the Gaelic language and culture of Scotland. It is indeed an exciting time for us Gaels and we have watched and waited for this historic move for centuries. However I do feel that the Bill needs strengthening in some areas, if you would allow me to point out the following areas which I feel could be looked at within this Bill.

1. The Bill should specify that Gaelic is an official Language in Scotland. Every other country boasts in being able to recognise their official language, why shouldn’t we.
2. Gaelic should be treated equally with English in the conduct of public business in Scotland.
3. Bord na Gaidhlig needs more power to drive the Gaelic development agenda that is necessary if a revival of the current decline is to be arrested and reversed.
4. Justice systems should be included in this Bill.
5. The Bill should provide Bord na Gaidhlig with the same powers as the Welsh Language Board.
6. Bord na Gaidhlig also needs to be adequately resourced to enable them to fulfill the aspirations and expectations of the people of Scotland
7. Equal statutory rights for Gaelic Education.
8. S 3 (5) should be replaced with a requirement for Scottish public authorities to have regard to the extent to which their functions have the potential to support the development of the Gaelic language.

Leis gach durachd

Marisa Macdonald

SUBMISSION FROM MURDO MACDONALD

To those considering the Gaelic Bill at the Committee stage.

First can I complement the Parliament and the Executive for efforts on behalf of the Gaelic language? I know I am one of a multitude of non-Gaelic speakers who resent the loss of the language to ourselves and our immediate families. I welcome the Gaelic Bill as a profoundly important piece of legislation.

I do, however, feel that the Bill should specify that Gaelic is an official language in Scotland. I am simply puzzled that this does not seem to be the case. I am also puzzled that Bord na Gaidhlig is not being given the same powers as that of the Welsh Language Board. I feel similar puzzlement that Whitehall Departments with a presence in Scotland do not seem to be covered by the Bill.

The other point I would like to make is that while I welcome the interest shown by the Executive in Gaelic medium education, it seems eminently reasonable to me that such education should be a statutory right.

My best wishes for your deliberations.

Murdo Macdonald

SUBMISSION FROM NORMAN MACDONALD

The Bill makes no provision for a legal right to Gaelic medium education and for equality of status between Gaelic and English.

Norman E Macdonald
SUBMISSION FROM EILEEN MACEACHEN

Please could you take on board that while it would be great to be able to support a legal right to gaelic medium education some children already have been let down by a system that was not thought through to a time when there would not be the teachers to support the demand leading to children in secondary education being left for years of their education without teachers to the point where they have no hope of achieving their full potential and therfore if they had wanted to find employment in gaelic their grades would let them down.

To be able give Gaelic legal status you have to be able to educate the children coming through so that they can take on the positons that already are not being filled

Eileen Maceachen

SUBMISSION FROM IAIN MAC FHEARCHAIR

As a learner of the Gaelic language I find it incomprehensible why the Gaelic language is not given equal status with English in Scotland. We Scots should follow the example of the Welsh nation and enshrine the status of the language plus the right to education in the Gaelic tongue in law.

The Gaelic Language (Scotland) Bill is the right legislative instrument for this. As it currently stands, two of the major prerequisites to preserving the language and culture of Gaeldom are missing, namely the equal status with English and the right to a Gaelic medium education.

The Gaelic culture has contributed so much to the culture of Scotland and also to the UK as a whole that it should be cherished and protected in law. We should be very proud of our heritage and do everything to protect it.

Is mise le meas,

Iain Ediard Seamus Mac Fhearchair
Iain McKerchar

SUBMISSION FROM SEONAILD MACFHRAING

I have been broadcasting the only Scottish Gaelic radio programs throughout Australia for the last 7 years. Gaelic has been broadcast in Australia since 1986 and I am the last of the broadcasters. The Gaelic radio program is a small recognition of the fact that from the foundation of Western civilization in Australia, Gaelic was spoken by at least 50% of the population. Due to integration pressures the number of speakers has reduced dramatically and they are widely spread across the continent and in general out of contact with each other. Radio is one way to reconnect and reignite Gaelic in Australia.

However last year the Australian Federal Government stopped funding the national SBS Gaelic radio program. A huge reaction in meetings and letter writing by Scots and Gaels made no change to the decision. I have however continued the program on a voluntary basis with radio 3ZZZ which broadcasts only within Melbourne rather than Australia-wide. Nevertheless as we had with SBS, the program does go onto the internet each week (under the www.3zzz.com.au web site). This enables Gaels across Australia to connect in to Gaelic news, events and culture again.

The Australian government still uses Gaelic to prevent undesireables from entering the country when necessary.

It is very important to us in Australia for Gaelic to have a recognized legal status in the homeland. If Scotland does not legally recognize her own original native and royal court language then there are flow on effects to the former colonies – for example the opportunities for grants from the Australian Government and obviously support for a radio program with the national ethnic radio
station SBS. Also Gaelic still has a low profile even amongst Scottish organizations in Australia. There is for example some pressure for Scottish organizations to take over the 3ZZZ Gaelic program and remove the Gaelic content even though the program was justified at 3ZZZ only because it is based on a non-English language. (3ZZZ like SBS is an ethnic radio program with some support from the government. 3ZZZ also gets grants from the government for each language program and other broadcasting activities such as equipment and training. All broadcasters at 3ZZZ work on a voluntary basis whereas SBS broadcasters are paid. Ethnic radio is important in Australia now that we have a highly multi-cultural society.)

Without legal status Gaelic remains underground and under-trodden even in Australia. We hope for the day when Gaels have the right to use our own language freely and without impunity and we can hope that the language and culture will maintained and not be lost.

Tha sinn air bhith ag obair air son Gàidhlig a’ cumail beò ann an Astràilia troimh iomadh bliadhna. Chan ‘eil a’ Ghàidhlig eadhan air a teagasg ann ar sgoiltean na láitheansa ged a bha o chionn ach còig bliadhnaich deug. Mar sin tha mi an dòchas gun cuireadh sibh inbhe thearainteach air a’ Ghàidhlig. Tha e uabhasach cudthromach dhan na Gaidheil ann an Astràlia cho mór ris a’ bheil e anns an t-sean dùthaich.

SUBMITTED SEPARATELY

Latha math dhuibh

Air son a dhéanamh nas soillire is na h-argumaidean is brìgh-chainnteach a chur nas làidire is le nas motha neart, tha mi a’ sgriobhadh anns a rithist le mo bheachdan gu math fosgailte.

Potential benefits of legalizing (ie giving legal status to) Gaelic for us in Australia:

1. Gaelic can become an acceptable subject, approved by the Education Department, for teaching in schools including up to final year at high school as are the languages French, German, Japanese, Indonesian, Chinese and others.
2. We can give legal evidence, have bank accounts, passports and sign documents in our given Gaelic names instead of being forced to imply that we are English-based.
3. Scottish groups and other ethnic groups will not marginalize or silence us or insist on English only, but instead show appropriate respect for an older language and the original native Scottish national language which still lives today.
4. Commerce and business can be conducted in Gaelic. For example Bed & Breakfasts can advertise as Gaelic speaking (one already does in Australia) and proceed to do business in Gaelic when appropriate.
5. Gaels across the world with memories of the Clearances from 150 years ago, can rejoice that symbolically, wrongs have at last been righted.

Tha mi an dòchas gun gabh sibh seo ann an spiorad ceart agus gum biodh sibh bàighceil ris is ris a’ Ghàidhlig.

Le meas

Seonaidh MacFhraing

SUBMISSION FROM CATHERINE MACINTYRE (Translated from handwritten Gaelic)

I write regarding the Gaelic Bill and I am very pleased to see the second draft. I also hope that it will be successful.

I am pleased that some mention is made of education this time but I would like to say again that it is Gaelic education in the broadest sense which will bring about the revival of Gaelic. There is a need to develop Gaelic-medium education for children but Gaelic must also be promoted and information on the language and culture provided for people of all ages and abilities who have an interest in it.
Expansion of this sort would need many more teachers, with appropriate and highly developed skills and training, in schools and communities. Appropriate teaching materials would also have to be provided because it is education which will bring advancement of the language.

Catherine MacIntyre

SUBMISSION FROM DEREK MACKAY

The Gaelic Language Bill is far better than the first draft which was revealed to the public and that is to be applauded. However there are still weaknesses in the Bill, vis-à-vis how the right might mean "cor" (state/position) rather than "coir" (right) here of Gaelic could be developed.

In my opinion, the Bill does not give enough status to Gaelic in Scotland. It would be more helpful to the language if it were to be measured equally with English in more situations; it would be a great help if a section of the Bill would promise to strengthen the standing and status of Gaelic in this country.
I completely support the sections of the bill that explain the powers and responsibilities of Bòrd na Gàidhlig. It could be, however, that the working practices of the Bòrd, as outlined in the bill, will be too slow and unable to deal with contentious situations. It would be quite easy for any organisation to delay the production of a plan or to protest against the views of Bòrd na Gàidhlig – something that could greatly influence, for example, parents’ views as to whether they would put their children through Gaelic Medium Education.

The Bill also leaves [the situation of] the Bòrd, and also Gaelic itself, in the hands of Ministers on any issue at any time. It is not right that the abilities of Bòrd na Gàidhlig be restrained by political opinions of the day (as could happen quite easily under the influence of a Bill as it is [currently] written.) I would ask that the work of the Bòrd should be monitored by an independent body and more representative of the views of the Scottish people – something like the Education Committee of the Parliament, even – instead of one Minister on his own.

The first draft of the Bill was weak as far as Education was concerned. It is good that the Bill is now giving powers to Bòrd na Gàidhlig to advise local authorities on education matters, but the Bill is still rather thin on how the Gaelic education situation could be developed. Advice is all very well, but advice can be ignored. Responsibility laid on the local authority would be more powerful / effective and helpful to the language.

The Gaelic Language Bill has come a long way however, and as a starting point it is very good.

SUBMISSION FROM JOHN MACKENZIE

Firstly may I congratulate the Scottish Executive on its move to help develop Gaelic. However there are a few concerns I have.

Firstly I do not think the bill goes far enough, it doesn't appear to have teeth. Most of the wording is advisory which in todays business world means you can ignore it if you want. Most "public" bodies and large companies don't support Gaelic unless they are pressurised into doing so, even then some just ignore the pressure, wait for the fuss to recede and then carry on as usual. Bòrd na Gàidhlig needs to have more power to ensure that, not only public bodies, but privatised electricity companies, Royal Mail, DVLA etc who all operate in the Gàidhealtachd have a Gaelic policy. I do not wish to see a "Gaelic police" trying to enforce this but more power to the Bòrd to make these bodies more aware of the culture and heritage of the area in which they are working. All too often children going through Gaelic Medium Education only see evidence of Gaelic, outwith of the school, on road signs. The advisory side can be used to encourage people, some of whom have Gaelic but are self conscious of using it after many generations of being told that you're stupid if you do, to speak it in the normal workplace. The real revival will come when you get the communities to take pride in and start re-using Gaelic, especially to youngsters.

Secondly, following on from the above, I think it would be of benefit if Gaelic had official legal status, which would allow people to see that it is the same as English or Welsh, help remove the stigma and would make Gaelic more widespread, hence normalising it for youngsters to use.

Thirdly. Gaelic Medium Education should be a statutory right. Although not the only way to develop the language it is a major factor in reviving it.

Fourthly. Although not actually included in the bill, there is a great need for a Gaelic television service in keeping with the 21st century. As most youngsters are influenced in how they speak and act by television I believe that a major way forward in reviving our language has to be through access to more quality television programmes in Gaelic. Ideally this would be via a dedicated Gaelic channel but in the very least the budget for Gaelic TV needs to be increased dramatically to even bring it to the level it was at in 1991.

Is mise le meas

John Campbell MacKenzie
SUBMISSION FROM DR NIALL MACKENZIE

I have read the various published arguments in respect of "a legal right to Gaelic medium education" and "equality of status between Gaelic and English". I am an elderly person re-learning the Gaelic and live in southern England. English is considered to be a world language. Gaelic is not. But both have been important and essential to the development of the kind of social, cultural, and domestic society which the United Kingdom has now, and which it has inherited from the past.

To argue for or against any notion having to do with "equality of status between Gaelic and English" seems to me to be putting forward the view that a tall man has the same status as a short man or vice versa. I am unclear from what I have read exactly what is meant by "equality of status". In what respect do either men share or have, the same status? They are human, to begin with.

Of course, English and Gaelic are languages, each with a distinctive literature and grammar. The grammar - syntax and accidence - is an important guide to the characteristic richness of Gaelic. Educationalists who are experienced in teaching bilingual pupils know how more able such lucky pupils are in dealing with ideas and concepts in English.

Given the growth in the United Kingdom of a multicultural society, and the experience of teachers in that respect, the argument in any debate about "a legal right to Gaelic medium education" should be self-evident. So, if it is self-evident, it follows, as day follows night, that Gaelic should be accorded the same quality of status in Scotland at least, as English. In other words, the tall man is no more human than the short man. Gaelic is no less a language than English.

Dr Niall C. MacKenzie (aka: Niall Mac Coinnich)

SUBMISSION FROM ROBBIE MACKENZIE

I write regarding the Gaelic Language Bill and would like to show my concern about the equality of Gaelic and English. I think in Scotland today, Gaelic has a very important place and I would like to see that through the Bill and therefore our Scottish Parliament, that it should be given equal status to English. I see this being achieved through Gaelic Medium education and would campaign that this education becomes a legal right.

(Mrs) Robbie MacKenzie

SUBMISSION FROM ROBIN MACKENZIE-HUNTER

The organisation must be congratulated for the amendments made to the original draft of the Language Bill and I agree with the general principles of the Gaelic Language (Scotland) Bill. This is not a strong Act, however, and I can see that if passed in its present form, governance by Regulation based on a large number of amendments will be the order of the day

I fully support the establishment of Bòrd na Gàidhlig on a statutory basis, but there are a few issues which cause some misgiving.

1. Status: Although the Bill confirms that Gaelic is an official language in Scotland, it does not yet confirm that Gaelic will have equal status with English. The Gaelic Language Bill therefore, should embody the principle of equal validity for Gaelic and English in Scotland. The Bill should specifically state that Gaelic is an official language in Scotland and will, in principle, be treated equally with English.
2. Funding: The level of funding available to Bòrd na Gàidhlig must be addressed in order to ensure that it is sufficiently resourced to undertake its work. While it is acknowledged that to state a particular amount is the height of absurdity it should be possible to determine the level of funding required to establish a completely new organisation and apply, at the very least, an annual percentage increase based on the Consumer Price Index and the related cost of living. Within an Act of Parliament the application of such a formula should ensure, at least, that Bòrd na Gàidhlig will not die through starvation of funds either accidentally or by design.

3. Education: The right to Gaelic Education should be clearly set out in Legislation and not left to the manipulations of various bureaucracies. Whilst it is stated in Section 3.1 of the draft that Bòrd na Gàidhlig can require Scottish Public Authorities to produce Gaelic language plans, this is subsequently qualified in 3.3(a) by having to taking account of the number of Gaelic speakers in the Authorities area. Although 3.3(b) can be interpreted as allowing for the desires of parents to exercise the right to request that their children have access to a Gaelic education. It is not clear whether such a request would or could be out weighed by "the extent to which the Gaelic Language is used by persons...". There were no such requirements when I was at school in Scotland yet we all had to learn French. The obvious example is where there is only one Gaelic speaker in an area yet a number of non Gaelic speaking parents wish their children to have the benefits of exposure to a Gaelic Education.

The inclusion of 3.3(a) is bound to create difficulties not only because of interpretation but also in providing an escape clause by allowing a legal means of refusing to implement plans for Gaelic.

• Access to Gaelic education should be available and based on demand of parents within an area.

• It is noted that in the Scottish Parliament Information Centre Briefing Paper, that there is a reference to this using the 1997 CnaG Paper on Secure Status of Gaelic. "Local authorities should provide Gaelic education where the parents of five or more children request it". The Briefing Paper goes on to state "In the Bill this could be addressed through the language plans of local authorities, and there is specific provision in the Bill for the Bòrd to issue guidance on providing research and information services to the Scottish Parliament" While not wishing to be unduly prescriptive it is surely better to have the basics spelled out very clearly at the outset, and not left to misinterpretation, disappointment and charges of bias.

4. Census Data: As an additional comment, although outside the immediate brief, I have been disturbed to note that in the media and in general comment a great deal of emphasis has been placed upon the recent Census data concerning Gaelic, see also the tabulations in the SPIC Briefing Paper. If I’m not mistaken, this data would appear to be completely flawed in that it looked only at Gaelic speakers within Scotland. There was no question on Gaelic in the Census in England & Wales therefore no recognition has been given to the number of Gaelic speakers/learners who have been forced by circumstance to live in economic exile in other parts of the UK.

The Executive apparently accepts that Gaelic is a vital part of Scotland’s cultural identity. You have a Scottish Parliament, and for the first time in almost 300 years, almost masters of your own destiny. The Gaelic language as an integral component of the culture of Scotland is a major asset which should not be squandered, it does, however, require adequate support from government to allow it to flourish. Funding whilst of extreme importance does not replace the need for a government to demonstrate in a positive manner their strong will and determination to ensure Gaelic's future.

SUBMISSION FROM I MACKILLOP (Translated from handwritten Gaelic)

The Gaelic Bill, in its present form, gives me cause for concern, particularly in regard to Gaelic-medium education. The bill does not place enough of a responsibility on local authorities to
provide Gaelic-medium education because they want to save as much money as possible. It does not give legal rights to parents.

Also, is Gaelic going to have official status? Will Bòrd na Gàidhlig have sufficient power and authority to fulfil its role in every sense? As matters stand at present, I fear not.

I MacKillop

SUBMISSION FROM PATRICK MACLAINE

My name is Pat Maclaine and I am the Clan Maclaine of Lochbuie Commissioner for Argentina. I started learning Scottish Gaelic this year. All I can tell is that I am just fascinated with the Scottish Gaelic as I find it is a very much rich and complete language in what can concerns to words, verbs, and almost infinite ways of expressions.

I do support the Gaelic in Scotland and I will continue learning this lovely language for the next year. I also hope to be unless of a little contribution with the Scottish culture and with this grain of sand I enjoy knowing I am also putting my heart on this in order to perserve the culture and the language of my ancestors.

Slainte mhath

SUBMISSION FROM ALEX, AGNES AND ANN MACLEAN

The following should be noted:

a) It is of great importance to the national heritage, and gives our country great distinction in identity - its own language. (Part of the responsibility for any decline must be laid at the door of what appears to have been a deliberate Education Policy in the early 20th century). For instance, tourists are eager to hear the language as shown by their attendance at Gaelic musical events.

b) The language cannot be regarded as a regional dialect, as can be found elsewhere in the U.K., although there are, as in all other languages, regional variations, but as a national one - a consideration of place names alone indicates the extent to which Gaelic was used.

c) At one time Gaelic speaking areas might have been easily defined (i.e. areas where in most cases Gaelic would be a first language - my own parents from the islands of Coll and Lismore respectively having no English until they learnt it in school. Indeed there appears to be considerable evidence for bi-lingual pupils/students more readily mastering other languages). Now all local authorities must support/develop Gaelic by means of group learning, cultural activities, etc. to take into account the population shifts brought about by work availability. This would be done in conjunction with Bòrd na Gàidhlig to ensure that support is fairly distributed - i.e. more Gaelic speakers, more support.

d) The 2001 Census indicates that the traditional Gaelic speaking areas account for only half of the Gaelic speaking population. Therefore the other half deserves consideration from the rest of the local authority areas.

e) Gaelic should have parity with English in the provision of public services. Gaelic requires to have official status in Scotland cf. Wales.

Clause 9

This clause does not in its present form do enough to ensure adequate progress in the area of Gaelic Medium Education.

a) Gaelic Medium Education has been astonishingly successful (mainly in Primary school) where in a very short time, pupils, even those from non Gaelic speaking homes, are virtually
indistinguishable from those native speakers from the Gaelic heartland. It is imperative that some GME be made available for all who desire it for their children.

b) The disappointing element of GME is in Secondary Education where a lot requires to be done if the gains in primary are not to be lost.

c) There are still some areas of Scotland (having Gaelic speaking residents) with no GME. This is a situation requiring attention in order to safeguard reasonable parental rights to GME. Bòrd na Gàidhlig should be the body which will determine the definition of reasonable.

**Bòrd na Gàidhlig**

The constitution and functions of B na G are at present adequate but a means of extending the membership to include the wider Gaelic community should be investigated. Its present Executive appointment calls into question its independence in exercising its workings in the minds of some people.

**Gaelic Broadcasting**

Although radio i.e. Radio nan Gàidheal gives a good spread to the language in the age we live in, a Gaelic television channel is essential.

**SUBMISSION FROM CALUM MACLEAN**

The gaelic bill is still not strong enough, it must be a rights based bill.

Bord na Gaidhlig must be given the legal power and authority to insist that public bodies and private companies that have a visible and influential presence in the Highlands and Islands prepare and implement Gaelic Language Plans. There are too many opportunities within the proposed bill for these bodies to delay and avoid their responsibilities to the community.

Without this authority Bord na Gaidhlig will never be able to secure the status of the language.

There should be a right of access to Gaelic medium education at every level, primary, secondary and tertiary.

It is not adequate that children can be educated in Gaelic medium at primary level and then be required to transfer to English medium at Secondary level because there are no provision available within their community. Local authorities must not be allowed to discharge their responsibility to Gaelic by providing primary level Gaelic medium education only.

Calum Maclean

**SUBMISSION FROM ELSIE MACLEAN**

I made a submission when the first draft of the Gaelic Bill was published and would now like to make the following points:-

1. The status of Gaelic is not clearly defined within the document.
2. Gaelic should be treated equally with English in the conduct of public business within Scotland
3. Bord na Gaidhlig needs more power and adequate resources to undertake the tasks the Government expects of it.
4. Ultimately, the Government has responsibility for Gaelic and needs to support it, both morally and financially.

5. The Bill should provide Bord na Gaidhlig with the same powers as that of the Welsh Language Board.

6. Quite a few public organisations have been omitted from the list of those expect to consider a Gaelic language plan e.g. Crofters Commission, Royal Mai and DVLA.

7. I believe it should be a statutory obligation for public organisations to have Gaelic language plans.

8. There should be a statutory right to Gaelic-medium education where there is adequate demand and ‘adequate demand’ should be defined clearly within rural and urban contexts.

9. A much greater number of teacher-training places should be provided for Gaelic-medium teachers - very inadequate at present.

10. Legislation against individuals and groups who are racist towards Gaelic speakers.

Thank you for giving me the opportunity to comment.

Elsie Maclean

SUBMISSION FROM RODDY MACLEAN

I wish to make some comments regarding the Bill. In the first instance, I would like to say that it is a great improvement on the Draft Bill which was inexcusably weak. That is a testament to the manner in which the government has taken on board concerns in the community about the Draft Bill’s deficiencies, and it is to the government’s credit that they were willing to strengthen the Bill in various ways.

There are, however, some ways in which the Bill could, and should, be strengthened further before progressing through its later parliamentary stages, and I wish to outline these below:

1. There should be a separate section to the Bill which states that Gaelic is recognised as an official language of Scotland.

2. It should be stated clearly that the national Gaelic language plan is legally binding and that there will be a legal obligation on the Scottish Executive to implement it. It should be further stated that there is a legal obligation on the Scottish Executive to ensure the availability of sufficient levels of funding to ensure its effective delivery by Bòrd na Gàidhlig and other public bodies.

3. There should be specific reference in the Bill to ensure that Bòrd na Gàidhlig’s guidance to public bodies will include matters pertaining to recruitment and training of staff such that public bodies will be capable of delivering what is required of them under the Act.

4. Bòrd na Gàidhlig should be given extra powers of investigation and enforcement, similar to those given to the Welsh Language Board under the Welsh Language Act 1993.

5. Bòrd na Gàidhlig should be given a specific power, and responsibility, to initiate legal proceedings against public bodies that fail to discharge their responsibilities under the Act.

6. There should be a provision in the Bill which makes it incumbent upon the Executive that they liaise with Westminster to ensure the introduction of legislation which requires that all UK public bodies which function in Scotland adhere to, and are subject to, Bòrd na Gàidhlig’s national Gaelic language plan. This is a crucial matter, as under current provisions, UK-wide bodies which are active in providing service to the people of Scotland, appear able to sidestep the provisions of the Bill. Such a step would bring Scotland into line with the situation in Wales.
7. It should be made binding upon public bodies which disburse grants to private companies and community groups in the Highlands and Islands Enterprise area, with the exception of Orkney and Shetland, that they demand compliance with the provisions of the national Gaelic language plan before making monies available.

8. There should be a legal right for a person to choose to use Gaelic within the Scottish legal system, providing he/she gives appropriate notice to the relevant authority. This should not be based upon linguistic ability in either Gaelic or English, but upon the principle that a person should have a right in law to use his/her language, as he/she sees fit, and not be forced into using the language of the court’s choosing. This should apply, not only to the courts, but also to any administrative tribunal or any other judicial or quasi-judicial body.

9. The Executive should work with the Westminster government to ensure that funding is made available to improve the Gaelic broadcasting service. This should include a dedicated Gaelic television channel. There should be provisions in the Bill which are comparable to those which allowed for the creation of S4C in Wales.

10. Finally, I wish to make a point about rights in education. I have left this to last, not because it is the least important issue but because, in many ways, it is the most important. Parental rights are still neglected in the Bill. There should be a right in law for parents to choose Gaelic-medium education for their children anywhere in Scotland. Local authorities who fail to provide an opportunity for Gaelic-medium education should be liable to legal sanction, both from parents and from Bòrd na Gàidhlig, as the appropriate body protecting Gaelic rights in Scotland. There should also be a stated obligation on the Scottish Executive to ensure the provision of a sufficient quantity of well-trained teachers such that parental choice can be met.

I trust that my comments will be placed in front of the members of the Education Committee, and any other committee or parliamentary or government body considering the final drafting of the Bill.

SUBMISSION FROM SHEENA MACLEAN

A Charaid choir

Taing mhòr dhuibh airson an cothrom a ’ thoirt dhomh na puingean agam a chur ugaibh mu Bile na Gàidhlig. Tha iad anns a Ghàidhlig an toiseach agus an uairsin air an eadar-theangache dhan Bheurla.

An toiseach tha mi a’ smaointinn nach eil am Bile làidir gu leòr gus dèanamh cinnteach gum bi a’ Ghàidhlig tèarainte san òm rì teadh.

1. Còirichean phàrantan airson Foghlam tro Mheadhan na Gàidhlig

Ged a tha am Bile mar a tha e an dràsta a’ toirt cead do Bhòrd na Gàidhlig comhairle a thoir seachad air foghlam Gàidhlig chan eil seo a’ toirt chóirichean do phàrantan air Foghlam tro Mheadhan na Gàidhlig, agus chan eil e a’ toirt a-steach nan raointean cudromach mar fhoghlam fo aois sgoile, coimhearsnachd agus foghlam ãrd ire is ire adhartach. Cha ti gárdachadh anns an iarrtas bho phàrantan airson Foghlam tro Mheadhan na Gàidhlig gus am faigh iad dearbhadh gu bheil iad a’ cur an cuid chloinne do shiostam foghlaim a tha air a stèidheadachd gu laghail agus mar phàirt dhe shiostam foghlaim ann an Alba a tha a’ faighinn taic aig an aon ire ‘s a tha Foghlam tro Mheadhan na Beurla.

Tha sinn ag iarradh gun tèid atharrachadh a dhèanamh ris a’ Bhile gus còir phàrantan air Foghlam tro Mheadhan na Gàidhlig a thoir gu ire a-rèir molaidhean Chomunn na Gàidhlig air iubh Thèarainne ann an 1999; ’s e sin ‘Ughdarrasan Foghlaim a bhith a’ liubhartag foghlaim tro mheadhan na Gàidhlig aig a h-ùile ire far a bheil iarrtas reusantair’ Tha sinn a' gabhail ris nach bi e furasta aig amannan ’ iarrtas reusantair’ a mhineachadh agus mar sin gum bu chóir do dh’ Ughdarrasan Ionadail comhairle a ghabhail bho Bhòrd na Gàidhlig air a’ cheist seo.
2. **Co-ionannachd**

Bu chòir do Bhile na Gàidhlig gabhail ris a’ phrionnsabal gu bheil Beurla agus Gàidhlig co-ionnan ann an Alba. Bu chòir mineachadh a bhith anns a’ bhile gu bheil Gàidhlig na cânan oifigeil ann an Alba agus ann prionnssabal gum bi Gàidhlig agus Beurla co-ionnan ann a bhith a’ lìbhrigeadh sheirbhisean poblach.

3. **Planaichean-cànain Gàidhlig**

Tha am Bile ag ràdh gum faod Bòrd na Gàidhlig iarraidh air ùghdarras poblach sam bith ann an Alba plana-cànain ullachadh ach chan eil iomradh air na buidhnean poblach ann a Sasainn aig a bheil oifisean ann an Alba m.e Am Post Rìoghail, Roinn nan Cìsean agus Roinn Obrach is Peinnseanan agus tha sinn a faireachdainn gum bu chòir dhaibhsan a bhith a-staigh air an reachd seo.

4. **Na Cùirtean agus Seirbheis a’ Cheartaíos**

Bu chòir iomradh a bhith anns a’ Bhile air còirichean dhaoine a tha nochdadh ann a thoirt tro mheadhan na Gàidhlig.

5. **Bòrd na Gàidhlig**

Tha cóir aig am Bile an aon chumhachd a’ thoirt do Bhòrd na Gàidhlig agus a tha aig Bòrd Cànann na Cuimris.

Feumar coimhead ri maoineadachd Bòrd na Gàidhlig agus cinnt a dhèanamh gum faigh iad taic a chheadacheas dhaibh an obair aca a choileanadh.

Sìne NicIlleathain

Many thanks to you for allowing me this opportunity to outline my points regarding the Gaelic Bill.

Firstly I feel that the Bill is not strong enough to ensure the future survival of the Gaelic Language.

1. **Parental Rights to Gaelic Medium Education**

Although the Bill as proposed will permit Bòrd na Gàidhlig to advise on the provision of Gaelic education, it does not give any parental rights to Gaelic medium education, nor does it include the important areas of pre-school, community or higher and further education. There will not be a significant rise in the demand from parents for Gaelic education until they can be assured that they are committing their children to a system of education that is legally established as part of the Scottish education system and given the same support as accorded English medium education.

We therefore ask that the provisions of this Bill be amended to include the rights of parents to Gaelic Medium Education in accordance with Comunn na Gàidhlig’s Equal Status recommendations in 1999; that is ‘Education Authorities make provision for Gaelic Medium Education at every level at which reasonable demand exists’. We accept that ‘reasonable demand’ may be difficult to quantify and may vary according to area and therefore suggest that Local Authorities take advice from Bòrd na Gàidhlig on this issue.

2. **Equal Status**

The Gaelic Language Bill should embody the principle of equal validity for Gaelic and English in Scotland. The Bill should specifically state that Gaelic is an official language in Scotland and will, in principle, be treated equally with English in the conduct of public business.
3. **Gaelic Language Plans**

The Bill states that Bòrd na Gàidhlig will have powers enabling them to request any public body in Scotland to prepare and implement a Gaelic Language Plan but there is no reference to bodies which are based in England but also functioning in Scotland e.g. The Royal Mail, Inland Revenue and Dept. Of Work and Pensions and we feel that they must be included in this legislation.

4. **The Courts and Justice Service**

There should be reference made in the Bill to the rights of persons appearing in a Court of Law to make representation through the medium of Gaelic.

5. **Bòrd na Gàidhlig**

The Bill should provide Bòrd na Gàidhlig with the same powers as that of the Welsh Language Board.

The level of funding available to Bòrd na Gàidhlig must be addressed in order to ensure that it is sufficiently resourced to undertake its work.

**SUBMISSION FROM BARBARA MACLENNAN**

I would like to draw attention to the special educational needs of adults. Gaelic education for adults needs to be approached somewhat differently from other modern language teaching which rightly prioritises conversation. The ability to converse in Gaelic is often not the primary objective of adult learners, either because they already have that ability or because they do not need it.

Older generations of adults, coming from Gaelic-speaking families, were denied access to an education in Gaelic. Their spoken Gaelic may be quite fluent but they need something like literacy classes to enable them to read and gain access to the culture as expressed in poetry and song. Evening classes to reach Standard Level within one year would seem to be an appropriate provision for these adults. But such classes are not widely available.

Adult learners, without a family background in Gaelic, who seek access to Gaelic culture, need to be able to read and pronounce the words of Gaelic songs and poems. It is difficult to imagine situations where Gaelic would be their first choice of language for conversation. An approach prioritising grammar, spelling, pronunciation, and meaning, similar to that used for teaching classics which some of us experienced in order to read and translate Latin and Greek Poetry, would be quite appropriate.

Barbara MacLennan

**SUBMISSION FROM ALAN MACLEOD**

I welcome the strengthening of the published Bill as opposed to the draft. In particular I welcome the introduction of a section on education though I would wish to see a right conferred on parents to have their children educated through the Gaelic medium where a reasonable demand for this can be demonstrated in their area. This Bòrd should have a statutory duty of adjudication in this area subject to a right of appeal to Scottish Ministers.

While I accept that broadcasting is a reserved matter I feel that the Bòrd should have an involvement in Gaelic broadcasting.

In the functions of the Bòrd I would like to see reference to international involvement with other minority language bodies especially within the EC.

The Bòrd should have the right to offer advice to Scottish Ministers on the implications of any proposed or existing legislation on the welfare of the Gaelic language.
With regard to Bòrd membership I would like to see a duty imposed on Scottish Ministers when making appointments to have regard to the need for a reasonable balance of membership by age, geography, and between new and native speakers. It is, to me anyway, self evident that reasonable competence in the use of the Gaelic language should be a qualification for membership.

The rest of this submission refers to specific clauses in the Bill as indicated.

2.2 – Add a proviso that the plan should include targets and timetables for the implementation of the various plan objectives. This should apply also to plans prepared under section 5.

2.5 – Add a proviso that on approval of the plan by either 5a or 5b Scottish Ministers must make budgetary provision for the implementation of the plan.

2.7 – when a new plan is requested it should be clear that this does not suspend the existing plan pro tem.

4.7 The Bòrd should have a right to be consulted by Scottish Ministers on the grounds of appeal. I would also like to see a requirement on Ministers to inform Parliament of any such appeals and their outcome.

6.

6.2 revise to read A public authority shall report annually to the Bòrd who shall have the right to publish such reports showing progress in implementing the provisions of the authority’s Gaelic plan. The date for such reports shall be a matter of agreement between the Bòrd and the authority. The Bòrd shall have the right to lay out guidelines on the contents of such reports. Such guidelines shall include statistical and other conventions to enable comparison between reports year on year and authority by authority.

6.3 revise to read. The Bòrd shall be entitled to seek further information from any authority whom the Bòrd considers is falling short in its duty of reporting and/or implementing.

6.4 This clause should have an intermediate stage where the Bòrd advises the public authority of its concerns and consults with it on the contents of any proposed report to Scottish Ministers. Any failure by the authority to take remedial action within a reasonable time period should then lay on the Bòrd a requirement for it to report the authority to Scottish Ministers.

6.6 The Bòrd should have a right to be consulted at this point as well.

I would like to see provision for sanctions which could be taken by Scottish Ministers against serially delinquent public authorities - a second report to Scottish Ministers under 6.4 should start the sanctions process.

8.7 The must(line 22) and free of charge (line 22/23) opens a potentially bottomless pit on which some reasonableness cap should be available eg the reasonableness of the request or the amount of time required to conform to it,

SUBMISSION FROM DONALD MACLEOD

I agree with the general principles of the Gaelic Language (Scotland) Act.

I fully support the establishment of Bòrd na Gàidhlig on a statutory basis. However, I believe that the Bill should guarantee that Gaelic and English are treated on the basis of equal validity, but I fully understand that in the current political climate, that the current bill is probably the best option available for securing the future of the language.

The proposed arrangements regarding ministerial control over the Bòrd are commonsense, and workable. The Bòrd has to have autonomy to go about its business, whilst being subject to the same restraints that all such public bodies are under. To do otherwise could weaken the Bòrd’s
position in many areas, actually and politically, possibly harming the potential standing of the
Gaelic Language, and, conversely, be perceived as allowing the Bòrd to ride roughshod over
areas of Scotland with a weak Gaelic heritage. All Scots, and Gaels in particular, understand what
it is like to have another culture forced upon them, and would not wish to do it to others.

Allowing the Bòrd to issue guidance as regards Gaelic education is also a commonsense
approach. I believe this will complement and co-ordinate, rather than contradict the, for the most
part, excellent efforts of Local Authorities. Our family has three children who are benefiting from
Gaelic Medium Education, and it is clear to us, judging by the experience of other families, that
being bi-lingual allows a greater depth of understanding in what it means to be Scottish, where
Scotland stands, or should stand, in the world, and how social inclusion of many cultures, based
on a fresh and vibrant understanding of our own culture, must make Scotland a better place for all.
Some of our immediate family, Gaels all, are educated in Wales, and now, through the Welsh
language teaching and education model, feel more Welsh than Scottish, and this after only four
years - I am envious of the pride instilled in the pupils of that country in their country, at the most
basic of levels, where language and cultural studies can, and does, move the country forward as a
generation.

The Bòrd should have a more generous amount of funding, or access to funds beyond a given
level should circumstances, political will or necessity dictate. In time, as Bòrd na Gàidhlig goes
about its business, the demand and interest in Gaelic will increase, then the finance available has
to increase, to match our cultural and linguistic ambitions.

Once again I would like to state that I agree with the general principles of this bill and would not
like to see the provisions made weakened in any way, indeed would welcome a strengthening of
some points.

Le gach durachd

Donald MacLeod

SUBMISSION FROM KIRSTY MACLEOD

The following comments are general in nature and may be irrelevant to the exercise in hand. I am
happy for them to be placed in the public domain.

Reaction to the Bill :

1. QUANGO/PLANS
The Scottish Executive response to the collapse of the Gaelic language is the creation of a
toothless quango to draft and implement plans. This will assuredly finish it off.

2. OFFICIAL LANGUAGE STATUS
Lack of official language status is not a major cause of Gaelic’s demise. If official status were to
be granted, it would impose an expensive and bureaucratic obligation on society, ultimately
leading to resentment, ridicule and disinterest as the language withers away.

3. EDUCATION/MEDIA
There are insufficient Gaelic teachers with a proper command of the language to service even
current education demands. Standards of Gaelic on radio and television leave much to be
desired. Expansion of the language in this context should not be attempted.

4. POLITICAL ENVIRONMENT
The history of Gaelic language politics and education over 20 years demonstrates how damaging
even a limited “wider public interest” and “stakeholder” approach can be. The number of native
speakers has declined, the spoken quality of the language has been compromised and a wide
spectrum of Scottish society now feels entitled to decide its future – alienating the people at the
core of the language, its culture and expertise. In short, the language has been “dumbed down” by
Proposed alternative approach: certain home truths about the Gaelic language should be brought out into the open to form the basis for any future (targeted) support.

1. RURAL LANGUAGE
We should accept without any feeling of prejudice that Gaelic is a rural language. But we have lived in Britain for 250 years with the notion that towns and cities represent progress, wealth and sophistication and so Gaelic is still judged in terms of how it adapts to urban life and new technology. This demeans the language and its native speakers who see things differently. It is a miracle that Scottish Gaelic has survived the Industrial Revolution and the (on-going) effects of the urban bureaucracy and government of the British Empire. We should value the language for what it is – one of a handful of truly rural European languages existing within a highly industrialised First World country.

2. CULTURAL BASE
As a rural language, Gaelic is rooted in a specific culture dominated by crofting agriculture and fishing. The ability of a minority language to survive is largely based on the self-confidence of its speakers and so the future of Gaelic is absolutely dependent on the economic survival of these occupations. Current policies on agricultural support, crofting legislation and fishing regulation and growing interference from outside agencies, however, are undermining this tradition-based economy and society in a number of ways. Gaelic speakers will continue to abandon their language and culture if they feel their livelihoods and rights are insecure.

3. CORE LANGUAGE AREAS
The Gaelic language in Scotland is in danger of dying out very quickly. As a living and working language, it is mainly confined to key areas in the Highlands and Islands and is dependent on the survival of a real rural economy. Consolidation rather than expansion is essential given that the number of speakers has reached a dangerously low level. This is best achieved by concentrating on core areas and allowing those Gaelic speakers who have the best chance of keeping the language and culture alive exclusive access to funding and high quality Gaelic-medium education.

4. ROGUE POINT
The decision to teach Gaelic to a child is taken in the home and more often than not by the mother. Even allowing for the young age at which some children begin to attend nursery or playgroup, it is a fact that their first language has taken root in the home environment before they enter any arena where a language “policy” can affect their lives.

I do not feel that the Gaelic Language Bill, as it stands, will have any positive effect on this crucial decision. Funding should be made available in response to local choice as regards Gaelic medium education but it already rests with the Scottish Executive to provide the economic and social conditions within which Gaelic can and should flourish.

Mrs Kirsty Macleod.
NAN MACLEOD

I am given to understand that your interpretation of the alleged lack of interest in the outcome of your forthcoming discussions on the Gaelic Bill is that we are indifferent to that outcome.

Not so.

When we voted you in to represent us in the Scottish Parliament we were making a public declaration of our faith in you. We were, in effect, entrusting, with full confidence in you, to your care all that is precious in our country. Scotland has had a rich culture; her buildings and the varied artworks therein testify to the versatility of her people. Commendable efforts are made to preserve these - and I use the word 'preserve' advisedly. When something is no longer living one seeks to preserve it. What you are about to discuss in the Gaelic Bill is not something which no longer lives. But it is something which you can rejuvenate; it is a living language which has enriched Scotland - her literature, particularly - for generations and which is now wearying through lack of support.

We could not have been mistaken, could we, when we chose to wait quietly, confident of the announcement of your committed support, fiscal and constitutional, for the Gaelic language? Confident of your affirmed recognition that every person who wanted access to Gaelic education deserved, indeed had a right to, that education?

Or

'...cam ye here the fight to shun...?'

We look to you now to stand up and show that you have the courage and discernment - and the pride in your country - to fight for Gaelic and her speakers to have the rights which are her and their due. We look to you to eschew the feeble excuses of numbers and cost, to reassure us that your vision takes you beyond these carping objections towards a declaration that in Gaelic we have a priceless asset and that you are prepared to give it the help it so urgently needs.
I would be pleased if you would consider the following points concerning the Gaelic Bill (Scotland).

Though the Executive accepted some of the recommendations for the Bill, as it is at the moment there are still things missing. This includes a constitutional right to education through the medium of Gaelic and equality of status between Gaelic and English. Also, the official status of Gaelic is not at all clear. Although it is mentioned in the introduction as an official language in Scotland we cannot be sure as to what this means. Though mention is made of secure status it is not known what this would mean in practice. It would be far better if there was a separate section in the Bill confirming Gaelic’s status as an official language in a clear, straightforward way.

Though the Bill makes much mention of education it does not give simple legal rights to parents to obtain Gaelic medium education for their children. Neither does it make local authorities responsible for providing Gaelic medium education.

A simple section could be included in the Bill saying that it is the duty of local authorities to provide education through Gaelic in any place where there is reasonable demand for it.

There is also a danger that the power of the Gaelic Board will be weakened.

It would be easy enough to give the same power to the Board as that possessed by the Welsh Board through the Welsh Act 1993.

Why is that not in the Bill? Should we not get the same kind of support that they have in Wales?

Niall MacLeòid (NEIL MACLEOD)

SUBMISSION FROM ANDREW MACMILLAN

The Gaelic bill must give parents the security of knowing, that Gaelic Medium Education for their children is backed, promoted and protected by Government policy. To do this, it is essential that Gaelic Medium Education is on the same legal footing as that of English medium Education

Andrew MacMillan (concerned parent)

SUBMISSION FROM JANET MACMILLAN

Whilst welcoming the Gaelic Bill and the support it provides for the language, as a parent of a child in Gaelic Medium Education, I feel that the Bill does not go far enough to secure the future of GME.

Until we have secure status, GME will not be properly supported. What we need is a national strategy which covers GME from nursery through to higher education. This would standardise provision throughout the country, something which is badly needed, particularly in secondary provision. It would also mean that parents are not having to take a risk on a system of education which has no legal status.

I would urge the Executive to demonstrate their support for the parents and children who choose GME and to take this opportunity to put Gaelic Medium Education on the same legal footing as English Medium Education.

Mrs Janet MacMillan
SUBMISSION FROM C, I AND W MACNALLY

Please include in the new Gaelic Bill provision for:

1. "A legal right for Gaelic Medium Education"

2. "Equality of status between Gaelic and English"

The omission of these clauses will only lead to future divisions and controversy which can be in no one's interest.

Mr C.A.H Macnally
Mrs I. MacNally
Mr W.H. MacNally
A charaid chòir,

Tha mi a’ sgriobhadh gus leigil fios dhuibh mu na beachdan a th’agam air Bòile na Gàidhlig mar a tha e a’ seasamh an-dràsta.

Ma tha Riaghaltas na h-Alba dhà-rìreach bhith a’ toirt an cothrom as fheàrr dhan Gàidhlig gu bhith slàn agus fallain san àm ri teachd, feumaidh còir reachdail air foghlaím tro mheadhan na Gàidhlig a bhith aig gach ma thà a’ no nighean gu dearbh a ann an Alba.

Ach leis an fhóireann innse, cha dèan sin a’ chòis a-mhàin.

Air a’ Gàidhealtachd air fad, gu h-àraid anns na sgìrean far a bheil a’ Gàidhlig fhathast beò mar chànan na coinnhearsnachd leithid Na h-Eileanan an Iar bho cheann a tuath Leòdhais gu eilean bheag Bhearnaraigh, a’ gabhail a-steach Eilean Ile, Tiriodh, Liòsmòr, an t-Eilean Sgitheanach, Colbhasa, Diùra, Colla, Muile, Eilean I, Rùm, Eige, Loch Abair, Aird na Murchain - cha seas a’ Gàidhlig air a dà chas mura tèid foghlaím air fad tro mheadhan na Gàidhlig, bho na croileagan chun àrd-sgoiltean agus air adhart gu foghlaím àrd-lre san oiliuthgh no sa cholaiste, a chur air bhonn.

Chan eil mi a-mach air bun-sgoil an-siud, no ionad-gàidhlig eile an-seo, ach bu chóir a h-uile clann a tha a’ fuireach anns na sgìrean sin bhith a’ fàighinn an cuid foghlaím tro mheadhan na Gàidhlig.

Air an tìr-mòr, bho Dhùthaigh MhicAoidh a ann an Cataibh gu Druim Uachdair, feumaidh tòrr a bharrachd sgòiltean Gàidhlig a bhith ann - a’ gabhail a-steach Siòrrachd Fheàirt, Sgìre Aonghais, Siòrrachd Obar Dhèathan, agus ionadach sgìre eile far am bi gu leòr daoine gan iarraidh.

Bhíd Riaghaltas na h-Alba daonnan a-mach air a’ Gàidhlig mar phàirt mhòr phriseil ar dualchas an-dràsta agus san àm ri teachd. Gidheadh, cha lion beanachd brù, ’s e am beul a labhras ach an gniomh a dhearbhais.

Mar sin dhèth, ann an faclan goirid, tha co-ionannachd inbhe eadar Gàidhlig agus Beurla, agus còir reachdail air foghlaím tro mheadhan na Gàidhlig air fèadh Alba fhathast a dhìth air a’ Bhile. Feumaidh an t-airgead againn a thoirt a-mach à pòcaid Lunnaim - (’s ann le Riaghaltas na h-Alba a tha an coire airson sin) gus a’ Bhile a chur an gniomh.

Mise le meas,

Steaphan MacRisnìdh
I write to give you my views on the Gaelic Bill as it stands at present.

If the Scottish Executive is serious about giving Gaelic a strong and healthy future then it must make Gaelic-medium education a **statutory right** for every child in Scotland.

But, to be honest, this will not suffice on its own.

Throughout the Highlands, especially in areas where Gaelic is still the language of the community such as the Western Isles, from the north of Lewis to the little island of Berneray, and also Islay, Tiree, Lismore, Skye, Colonsay, Jura, Coll, Mull, Iona, Rum, Eigg, Lochaber, Ardnamurchan – Gaelic will not be strong unless the entire education system, from nursery to secondary school and on to university and college, is established through the medium of Gaelic.

I do not mean a primary school here and there, and the occasional Gaelic unit, but that every child in those areas gets a Gaelic-medium education.

On the mainland, from northern Sutherland to Drumochter, there must be many more Gaelic schools established – and including Perthshire, Angus, Aberdeenshire and many other areas where there is plenty of demand for them.

The Scottish Executive often says that Gaelic is and will be a precious part of our heritage. But actions speak louder than words.

Therefore, to summarise, **equal status between Gaelic and English** and a **statutory right to Gaelic-medium education throughout Scotland** are still **lacking** in the Bill. We must take our money from Westminster – (that is the fault of the Scottish Executive) in order to put the Bill into action.

Stephen MacRitchie

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**SUBMISSION FROM GORDON MACROBERT**

Gaelic as a community language is in a weak condition. The future of the gaelic language in scotland is not secure. In order to get the numbers of gaelic speakers who become fluent in their language to overtake the number of fluent speakers who are dying every year we must have more children learning through the gaelic language than is currently the case.

A legal right to Gaelic medium education and equality of status between Gaelic and English is the **minimum** that this bill must provide in order to see a year-on-year increase in the numbers of people who speak this Scottish language fluently in this country.

For Scottish politicians to put forward a piece of legislation that lacks these two crucial points would be extremely distressing for all those involved and interested in seeing the language survive then prosper.

This parliament has not had the best of starts to its life. ‘Sewell motions’ and a what is widely regarded as a lack of political integrity (‘we don't have an opinion on it’) over a raft of important issues from the executive and others are being balanced by the electorate against some of improvements the parliamentary legislation has made to Scottish life.

Don't give more power to the voice of those who say we should shut up shop and save the public the salaries from our parliament. It is not only the people who were against the parliament from the start who are now saying this but many who voted Yes/Yes and are now wondering why they voted as they did when our representatives are hiding behind Sewell motions or are legislating in 'half measures' over issues that had long been pressing the Scottish conscience. That was Westminster rule we expect these issues to be addressed in full by a Scottish parliament.

Gordon macRobert
I wish

1) a legal right to Gaelic medium education. Unless it is enshrined in law, I can see that Gaelic education could suffer from cost-cutting exercises.

On a larger scale, Gaelic could suffer from being a minority language in a world increasingly preoccupied with globalisation and environmental issues, where instant rapport is sought after. What a miserable world we will have if we sort out our economic and physical problems and then find that we have no culture between peoples; because once language goes, the culture dies too.

2) equality of status between Gaelic and English.

I send determined thoughts and strong wishes that the Gaelic Language (Scotland) Bill moves forward.

SUBMISSION FROM JENNIFER MARSHALL

Tha mise nam oileanach-làgh aig an oilthigh DhùnEideann, dh’ionnsaich mi a’ Ghàidhlig o chionn deich bliadhnaichean agus gu ruige seo tha mi air dà bhiadhna a chr seachad ag obair airson am Fèisean nan Gàidheal. Bha mi cuidicheam nam thidsear do luch-ionnsachaidh na canain ann an Cill-Fhinn ann an siorrachd Pheart airson tri bliadhnaichean. Bithidh mi a’ cleachdadh a’ chanan gach là.

Tha mi glè tholichte gum bi a’ Ghàidhlig mu dheireadh thall a’ faighinn cothrom air inbhe-thearainte fhaighinn, ach bu toil leam a epis fhaicinn a bhiodh nas làidire agus a bheireadh cóireachan gu luchd-bruidhinn na Gàidhlig a bharrachd air cumhachdan dhan a’ Bhòrd.

Tha am Bòrd agus na cumhachdan a tha’ aige feumail dhan a’ chanan agus tha mi toilichte gu leòr leis na tha’ aige ri ràdh mu dheighinn ughdarasan poblach seach gum b’fhèarr leam am facal “feumaidh” faicinn ann am fo-earran 6(5)(a) an àite “faoidh”. Tha mi den bheachd gu bh’ e fhèin feumail gum bi Ministearan na h-Alba a’ toirt ughdarasan phoblach gu aire a’ pharlaimid agus an còis sin gu aire an t-sluaiigh gach turas sa bhios iad a’ failnreachadh air an disasdananas a th’aca fon aich.

Ged a tha siud a’ cur beagan dragh orm, se tha cur iomgain mòr orm nach eil facal anns a’ bhile mu na daoine a tha a’ bruaidhinn a’ Ghàidhlig. Ma tha mise ag iarraidh seirbhisean fhaighinn troimh mheadhann na Gàidhlig có ris a’ bhruidhnes mòran airson inbhe a’ chanan mur a bhios i a’ togail meas a’ chanain am-measg muintir na h-Alba gu-leir. S e rathad cumhach cam, a th’anns an slighse seo gu inbhe théarainte. Se tha feum oirinn ach rathad rèidh leathanann a sheallais dhan an t-saoghal gu leir gu bheil pròis aig Alba anns a’ chanan aice.

Le Meas

Jennifer Marshall

I am a law student at Edinburgh University and I learned Gaelic ten years ago and up until now I have spent two years working for Fèisean nan Gàidheal. I was also a teacher for learners of the language in Killin in Perthshire for three years. I use the language daily.

I am very pleased that Gaelic will at long last get the change to have secure status, but I would like to see an act that is stronger and that gives rights to speakers of the language, further to the powers [already] given to the Bòrd.

The Bòrd and its powers are useful to the language and I’m happy enough with what they have to say about public authorities even though I would like to see the word “feumaidh” [must] in section 6(5)(a) instead of “faoidh” [may]. I believe that it would be really useful if Scottish Ministers brought local authorities to the attention of the parliament and also to the attention of the public each time that they fail in their duties outlined under the act.
Although this worries me a little, the thing that really worries me is that there is no word in the bill about people who speak Gaelic. If I would like to receive services through the medium of Gaelic, who will speak it with me? This bill will not do much for the status of the language unless it raises respect for the language among all the Scottish people. The road to secure status is narrow and twisty. We definitely need a straight wide road that would show the world how proud Scotland is of her language.

SUBMISSION FROM ANDREW MCHALE

Introduction

I welcome the introduction of the Gaelic Language Bill by the Scottish Executive and appreciate the opportunity to submit my views.

The desire for the Gaelic Language Bill to be accepted throughout Scotland, both in strong Gaelic speaking regions and also areas which claim to have no Gaelic speaking tradition, has led to the introduction of a Bill which falls short of the requirements of Gaelic speaking communities. The aim of the Bill is to secure the status of the Gaelic language as an official language of Scotland, yet it ignores the requirement for equal status with English. This is a one off chance to introduce effective legislation, which will assist in reversing the decline in the fortunes of the Gaelic language. There will be no political will to return to this Bill in a few years time, so it is imperative that the Bill that makes its way through Parliament is strong, effective, and adequately funded.

Gaelic Language Plans.

If the Gaelic Language Bill is intended as a National Bill, then it should be incumbent on all public authorities operating in Scotland to produce and implement a basic Gaelic language plan of minimum National standard. Public authorities serving more recognised Gaelic speaking communities should be expected to develop these plans further in those areas, as required by the community. The Scottish Executive must ensure that adequate resources are made available to public authorities to implement Gaelic Language Plans.

Gaelic Medium Education

The Bill as it stands, fails to give parents a legal right to Gaelic Medium Education (GME). Although GME has been available in Scotland for twenty years, the issue of teacher training has still not been addressed.

All to often supply cover for Gaelic Medium classes is provided by non Gaelic-speaking teachers.

Local authorities can cite a lack of Gaelic speaking teachers as a reason for not opening a new GME Department.

Local authorities are aware seven years in advance that secondary schools in a specific area will be receiving Gaelic Medium pupils, yet there is rarely provision of subject teaching through the medium of Gaelic. In some cases, there are no teachers in place to provide Gàidhlig as a subject at secondary level.

Provision of learning support teachers and speech therapists are virtually non-existent. Often when they are required, it is suggested that it would be better for the child if they were transferred to English Medium Education (EME).

It has become apparent that a legal obligation must be placed on those responsible, to address these issues and allow GME to expand. Failure to facilitate this expansion will be deemed as a...
failures of the Bill. The right to GME from pre-school to secondary level must have equal status with that of EME.

Bòrd na Gàidhlig

It seems that Scottish Ministers retain all the powers within the Gaelic language bill. This may leave Bòrd na Gàidhlig open to party political manipulation in the future. If The Bòrd are to be valued as more than a public relations office for the Scottish executive, then they require to have powers more in line with those of the Welsh language Board.

SUBMISSION FROM ALEXANDRINA MCINROY

As a ‘new’ Gael I am writing in response to the Consultation on the new Draft Gaelic Language Bill. The Bill has made many inroads into making the Gaelic language accessible to all but it has not gone far enough. The survival of the Gaelic language depends on making compulsory certain provisions for Gaelic education. I would like to echo Comann nam Pàrant (Nàiseanta) issues with the new Bill.

I would therefore ask that the Bill be amended

1 To include the rights of parents to Gaelic Medium Education and know they have the right in accordance with Comunn na Gàidhlig’s Equal Status recommendation in 1999: that is Education Authorities make provision for Gaelic Medium Education at every level at which reasonable demand exists.

2 The Gaelic Language Bill should include the principal of equal validity for Gaelic and English and should specify Gaelic as an official Scottish language. It should be treated equally with English in the conduct of public business.

3 The Bill states that Bòrd na Gàidhlig will have powers to request any public body in Scotland to prepare and implement a Gaelic Language Plan but no reference is made to those bodies that are based outside Scotland but function within Scotland.

4 There should be reference made in the Bill to the rights of persons appearing in a Court of Law to make representation through the medium of Gaelic.

5 The level of funding available to Bòrd na Gàidhlig must be appropriate to allow it to be sufficiently resourced to undertake its work.

I would be most grateful if you would consider the above amendments.

Alexandrina McInroy

SUBMISSION FROM JIM MCLEAN

This is a technical point, neutral on the merits and scope of the Bill.

In European law a "public authority" is a body that exercises state sovereign power over the citizen. It is distinct from a "public undertaking" which just carries on an economic activity (not necessarily for profit and possibly for partly social goals). In the Briefing Note, Caledonian MacBrayne (with which I have no connection) is mentioned as a public authority. It is not a public authority, it is a public undertaking.

To see the difference see the EC Utilities Directive, the new one (2004/17/EC) at Article 2.1. The difference is in what the body does, rather than in how it is constituted. An "authority" exercises the "coercive" (or the nurturing) power of the state. It does not just run a commercial or industrial activity that happens to be owned by the state.
There was good reason why the expression “public authority” was not defined in the Human Rights Act 1998. It was to allow the Act to be applied whenever the purposes of the ECHR required it to be applied.

But the Gaelic Language Bill is a specific measure giving duties to certain kinds of body and not to others. To interpret and apply it, we need to be able to tell for sure which Scottish public bodies are covered and which are not. So could we avoid the expression “Scottish public authority”, unless the intention is to apply the Bill only to those Scottish public bodies that are indeed Scottish public authorities.

Jim McLean
The Education Committee
The Scottish Parliament
Edinburgh EH99 1SP

Dear Committee Members

GAELIC LANGUAGE (SCOTLAND) BILL

The following comments are submitted in connection with the Committee’s gathering of evidence in relation to the Gaelic Language (Scotland) Bill.

I have previously served as a member of Comunn na Gàidhlig’s Working Group on Status, but have had no institutional involvement on matters of Gaelic policy since 1999, although I have published a range of academic commentaries on these issues since that time. My comments here are submitted in a entirely personal capacity.

III — Specific Deficiencies in the Draft Bill

In general, the draft Bill is vague in key areas and weak with regard to the obligations and powers it creates.

The preamble to the draft Bill, which states that the legislation has the aim of ‘securing the status of the Gaelic language as an official language of Scotland’, is useful, but it would be better to include a discrete section of the Bill that states this principle formally and clearly: ‘The Gaelic language is hereby recognised as an official language of Scotland’. Although largely symbolic, an explicit, formal statement would be immensely valuable in raising the perceived status of the language in both the public and private sectors.

Section 2, as it stands, appears to have little concrete meaning. There is no statement that the national Gaelic language plan thereby contemplated is to have any legal status or that anyone — Bòrd na Gàidhlig, the Scottish Executive, public bodies within the ambit of section 5(1) — is to be placed under any legal obligations in connection with this plan. I submit that this section should be amended so as to make clear that this plan is legally binding and that the Executive will have a legal obligation both to implement it and to make sure that sufficient funds are made available to ensure its effective delivery by others, including Bòrd na Gàidhlig. The Executive’s arguments in paragraph 33 of the Policy Memorandum, rejecting the explicit advice of Bòrd na Gàidhlig on this point, are singularly unconvincing.
Section 3 needs to be backed up by a clear listing of the areas which Gaelic language plans need to cover. This list could then be amplified in detailed guidance prepared by Bòrd na Gàidhlig. Key areas include hiring and training policies; publishing and publicity; corporate identity (including websites); and correspondence and interaction with the public. Most public bodies in Scotland have very little experience of bilingual operation and very little sense of how bilingualism might work in practice. Most of the Gaelic policies adopted by public bodies in Scotland to date (e.g. those of Highlands and Islands Enterprise and the Scottish Arts Council) would be unrecognisable as such in Wales, and would not begin to satisfy the requirements of the Welsh Language Act 1993.

Alternatively, a useful model in this connection is to be found in the Schedule to the Gaelic Language (Scotland) Bill introduced in the last Parliament, which enumerated in detail the matters with which public bodies were to make provision with regard to Gaelic: (1) response to external and media communications, (2) materials for internal and external use made available in Gaelic, (3) translation services, (4) certain Gaelic-only services, (5) designating a staff member with responsibility for Gaelic-related enquiries, (6) staff training and opportunities, (7) language requirements for appropriate posts and (8) other statutory functions and duties.

Section 5(a) must also be considered very carefully. This provision states that in determining whether to prepare a language plan, public bodies must have regard to 'the extent to which the persons in relation to whom the authority's functions are exercisable use the Gaelic language'. Given that the great majority of public bodies in Scotland have always operated as 'English-only' operations, and have never made any efforts either to make Gaelic-medium services available or to alert the Gaelic community to the availability of such services, many bodies may believe (in good faith or otherwise) that the persons they serve do not use, or wish to use, Gaelic. The draft Bill is expressly national in scope, even though only 1.3% of the Scottish population speaks Gaelic and the Gaelic-speaking proportion in many areas of the country is under 1%. In light of this, it should clearly not be open to public bodies to argue against the need to prepare Gaelic language plans on the grounds that the proportion of Gaelic speakers served is too low, i.e. on the order of 1.3% in the case of bodies serving all of Scotland. Of course, different levels of provision might be appropriate according to the level of demand in the community affected; this was an important principle of Comunn na Gàidhlig's recommendations Inbhe Thiarannite dhan Ghàidhlig/Secure Status for Gaelic (1997) and Dreach lit aitse Aichd Gàidhlig/Draft Brief for a Gaelic Language Act (1999). Thus, bodies serving areas with a significant concentration of Gaelic speakers (e.g. Western Isles and Glasgow) would be expected to do more than bodies in areas with very few Gaelic speakers (e.g. East Lothian).

One clear strength of the Bill is that it focuses on the situation of Gaelic today and not on distant history. This is the only sensible approach for development policy. At the same time, arguments continue to be heard that the Bill should not extend to parts of Scotland where Gaelic was not spoken centuries ago. This is simply not relevant: for example, if ten parents in a particular town (say Lerwick or Jedburgh) want Gaelic-medium education for their
children, it is of no moment that Gaelic was not widely spoken there a hundred or a thousand years ago.

Another crucial deficiency in the draft Bill is the lack of an appropriate enforcement mechanism with regard to Gaelic language plans. Bòrd na Gàidhlig is given considerably less power than the Welsh Language Board. For example, it is not clear what Bòrd na Gàidhlig can do if a public body fails to respond to a request to prepare a Gaelic language plan; 14(2) of the Welsh Language Act 1993 gives specific powers to the Board to deal with such failures. Similarly, although sections 17 and 19 of the Welsh Language Act give the Board the powers (a) to conduct investigations if it is felt that a body may not be implementing its language plan appropriately, and (b) to publish its findings following such investigations (‘naming and shaming’, as it were), Bòrd na Gàidhlig is given no such authority. The Welsh Language Act (in section 20(3)) also makes clear that the Welsh Assembly Government may initiate legal proceedings against bodies that are not fulfilling their obligations, but it is not made explicit that the Scottish Executive would have such power here.

Bòrd na Gàidhlig should be given the power to initiate legal proceedings against bodies that fail to meet their responsibilities, without having to take the matter to the Scottish Ministers. Further, as with the Official Languages Act 2003 in the Republic of Ireland, there should be a ‘private right of action’ for individuals and organisations that are adversely affected by such failures.

II — Omissions from the Draft Bill

Above and beyond these deficiencies in the current text, the draft Bill fails adequately to address several areas of significant concern to the Gaelic community. These include the role of Gaelic in (1) the education system, (2) the legal system, (3) broadcasting, (4) UK-wide government agencies and public bodies, and (5) the private sector.

(1) Education: The campaign for ‘secure status’ for Gaelic since the mid-1990s has been largely driven by concern among Gaelic organisations and parents of children in Gaelic-medium education that Scotland’s local authorities have been insufficiently proactive with regard to the provision of Gaelic-medium education, and that the absence of legally defined rights and obligations in this connection has led to both uncertainty and inaction.

In my view, the Bill should be amended so as to take in the recommendations of Comunn na Gàidhlig’s reports on secure status. As such, local education authorities should be required to make Gaelic-medium education available whenever and wherever reasonable demand is demonstrated.

Paragraph 65 of the Policy Memorandum accompanying the Bill endeavours to explain why the current draft of the Bill does not include such rights. I find this explanation unconvincing and unsatisfying. Although the modalities of satisfying parental demand may of course involve logistical complications of one kind or another, it is surely possible to devise an appropriate formula to make sure that provision suits demand. After all, a number of
countries, such as Canada, already guarantee minority language education rights of the kind sought here. The Executive states that ‘where there is demand for provision, local authorities should be required to react positively to this’, but its approach fails to make this a reality. We need a meaningful mechanism to put this requirement into law, and this Bill is the appropriate place.

(2) The legal system: The second striking omission from the draft Bill involves the role of Gaelic in the Scottish legal system. Under current Scots law (as established by Taylor v Haughney, 1982 Scottish Criminal Case Reports 360) Gaelic speakers are treated in the same fashion as Mongolian and Zulu speakers, i.e. if they lack sufficient competence in English, they may use their own language in court proceedings, but if they do speak and understand English, they must do so. (Since 2001 this rule has been relaxed in civil (not criminal) cases in three Hebridean sheriffdoms in which very few civil cases are filed, but to my knowledge this has not led to any meaningful increase in the actual use of Gaelic by litigants there.)

Given that all Gaelic speakers are now bilingual in English — as the direct and consequent result of government education policies pursued over many decades that would now be deemed illegal — the current rule amounts to a de facto prohibition on the use of Gaelic in Scotland’s courtrooms. The draft Bill appears to do nothing to alter this position, although it would appear that the Scottish Court Service, like other public bodies, would be required to develop a Gaelic language plan.

In contrast, under section 22 of the Welsh Language Act 1993, Welsh speakers in Wales have the right to use Welsh irrespective of their ability in English, and interpreters must be provided at state expense.

There is no conceivable distinction between the Welsh situation and the Gaelic situation. Welsh speakers are of course more numerous than Gaelic speakers, and form a higher proportion of the respective population, but the rule in Wales applies throughout the Principality, even to areas where the proportion of Welsh speakers is extremely low. Requiring litigants to give reasonable notice of their intention to use Gaelic would allow the Scottish court system to accommodate Gaelic speakers without significant difficulty.

In my view, the Executive should add a new section to the draft Bill in line with the Comunn na Gàidhlig recommendations and with the Welsh Language Act 1993. As such, any persons appearing before any court of general jurisdiction, any administrative tribunal or any other judicial or quasi-judicial body in Scotland should be entitled to use Gaelic, provided they give reasonable notice of their intention to do so. This right should apply without regard to any ability of such persons to use English.

Conversely, it would not be appropriate to leave such a fundamental matter to be negotiated between the Scottish Court Service and Bòrd na Gàidhlig in the course of preparing a Gaelic language plan for the Court Service. The right should be set forth in the Bill itself.

(3) Broadcasting: The draft Bill makes no reference of any kind to broadcasting. This is of course understandable in terms of the system of devolved and reserved powers put in place by
the Scotland Act 1998. Nevertheless, it must be made clear that as a result of this omission, and the continuing failure of Edinburgh and Westminster to reach a sensible allocation of responsibilities in this area, a key plank of the language revitalisation strategy proposed by Comunn na Gàidhlig has been removed. The principle underlying the Inbhe Thèarainne submissions was that an integrated set of policy interventions, including legislation to give Gaelic official status in Scotland, was needed as a matter of urgency if the language was to survive. Among the measures recommended was the establishment of a dedicated Gaelic television channel (a suggestion later urged by the government-appointed Milne Committee). The UK Government’s failure to take concrete measures to guarantee the prompt delivery of such a channel has been a crushing blow to the hoped-for revitalisation of Gaelic. Even if the draft Bill were revised and strengthened in accordance with the recommendations in this letter, the failure to take meaningful action on the Gaelic broadcasting front would mean that any progress would remain limited.

Once again, the treatment of Gaelic compares most unfavourably with the treatment of Welsh. In Wales, an integrated language planning programme, incorporating the inclusion of Welsh in the National Curriculum in 1988, the creation of the dedicated Welsh-language channel S4C in 1981 and the enactment of the Welsh Language Act 1993, has led to the revitalisation of the language at many levels, a revitalisation seen most impressively in the significant increase in Welsh speakers recorded in the 2001 census. Gaelic continues to decline in Scotland in large part because the UK Government and Scottish Executive have so far been unwilling to match the successful policies put in place for Welsh.

Although the role of the Committee and indeed the Parliament in this connection is perhaps limited, I urge the Committee to press the Executive and the Department for Media, Culture and Sport to produce a meaningful solution in this regard.

(4) UK-wide government agencies and public bodies:

In comparing the draft Bill with the Welsh Language Act 1993, we see another casualty of devolution. Because the Welsh legislation was a creature of the Westminster Parliament, enacted prior to devolution, its remit extends to all public bodies that are active in Wales, including national bodies like the Royal Mail, the Driver and Vehicle Licensing Agency and the Television Licensing Authority and arms of central government like the Inland Revenue, the Department for Work and Pensions and the Department for Media, Culture and Sport. As a result, all these bodies are required to draft and implement Welsh-language schemes that guarantee the provision of Welsh-medium services to the Welsh-speaking public in Wales. This means that Welsh speakers can use their language in accessing the full range of public services.

The Gaelic Bill, however, is much narrower in its scope, reaching only public bodies whose remit is confined to Scotland. This is highly unfortunate, not least because many UK-wide public bodies, such as those described above, play a key role in the daily lives of ordinary Scots. A Welsh-speaking pensioner can expect a Welsh-medium service in dealing with a
benefits application at her local post office; the Gaelic-speaking pensioner in Scotland will have no such entitlement.

The whole point of offering public services through the medium of Gaelic is both to ensure that Gaelic speakers may use their own language in dealing with the authorities and to provide structured, prestigious settings for the use of the language, thereby underpinning its continuing development and increasing the confidence of Gaelic speakers with regard to their use of Gaelic. If the most important and frequently accessed services continue to be offered through the medium of English only, Gaelic will continue to be marginalised and Gaelic speakers demoralised.

Although the role of the Committee and indeed the Parliament in this connection is perhaps limited, I urge the Committee to press the Executive and the Department for Media, Culture and Sport to produce a meaningful solution here, so that Gaelic language plans by all UK public bodies active in Scotland, thereby bringing Gaelic into line with Welsh.

(6) The private sector: The final major omission from the Bill is its failure to address the role of Gaelic in the private sector. Language legislation in other jurisdictions (e.g. Quebec and Catalonia) reaches the private as well as the public sector, and ever since the passage of the Welsh Language Act 1993, Welsh-language organisations have identified as a fundamental defect the omission from that Act of any provisions relating to the private sector. Indeed, a major campaign of civil disobedience has been launched across Wales in autumn 2004 seeking a new language act that would extend to the private sector. I urge the Parliament to draw lessons from the recent Welsh experience and develop creative ways of ensuring that Gaelic development is not narrowly confined to the public sector.

I suggest that the final Bill should add new provisions imposing reasonable obligations upon private companies with regard to Gaelic development. The UK Government and Scottish Executive already impose such obligations in a myriad of other fields (health and safety, environmental protection, trade union representation, discrimination on the grounds of race, sex and (by virtue of very recent regulations) sexual orientation and religion and belief), and reasonable obligations with regard to Gaelic would appear appropriate given their potential significance for the language’s health.

I offer two possible suggestions in this connection. First, the draft Bill might require that grants from public bodies (most obviously Highlands and Islands Enterprise and its network affiliates) to private companies over a certain size (perhaps 50 employees) should be conditioned on the development and implementation of Gaelic language plans by such private companies. Second, the Bill might give explicit authority to Bòrd na Gàidhlig to ask private companies over a certain size (perhaps 50 employees) to produce a Gaelic language plan.
Summary

For ease of reference, I summarise my principal recommendations with regard to the redrafting of the Bill:

- A new and discrete section of the Bill should state explicitly that Gaelic is recognised as an official language of Scotland.

- Section 2 of the Bill should be amended so as to make clear that the national Gaelic language plan is legally binding and that the Executive will have a legal obligation both to implement it and to make sure that sufficient funds are made available to ensure its effective delivery by others, including Bòrd na Gàidhlig.

- Section 3 of the draft Bill should be supplemented with a new provision, as follows: ‘The Bòrd’s guidance for public bodies shall address, in addition to any other subject it may deem fit, each of the following: recruitment of staff, staff training, publications, corporate identity (including websites), and dealings with the public (including oral and written communication)’. Appropriate definitions for these matters could be taken from the Schedule to the Gaelic Language (Scotland) Act introduced in the last Parliament.

- Bòrd na Gàidhlig should be given additional powers of investigation and enforcement corresponding to those in sections 14(2), 17 and 19 of the Welsh Language Act 1993.

- Bòrd na Gàidhlig should be given the power to initiate legal proceedings against bodies that fail to meet their responsibilities, as should individuals and organisations that are adversely affected by such failures.

- Local education authorities should be required to make available Gaelic-medium education whenever reasonable demand is demonstrated.

- Any persons appearing before any court of general jurisdiction, any administrative tribunal or any other judicial or quasi-judicial body in Scotland should be entitled to use Gaelic, provided they give reasonable notice of their intention to do so. This right should apply without regard to any ability of such persons to use English.

- The Executive should liaise closely with Westminster (including making appropriate financial guarantees) so as to bring about a significant upgrade of the broadcasting service provided for the Gaelic community, including (but not limited to) the prompt delivery of a dedicated Gaelic television channel. The revised Bill should include appropriate provisions in this connection, analogous to those which give a legal basis for the creation of S4C in Wales.

- The Executive should liaise closely with Westminster to ensure that legislation is introduced requiring the development of Gaelic language plans by all UK public bodies active in Scotland, thereby bringing provision for Gaelic into line with Welsh.
• Grants from public bodies to private companies over a certain size (perhaps 50 employees) in Gaelic-speaking areas should be conditioned on the development and implementation of Gaelic language plans by such companies.

I trust these comments will be useful and I hope that the Gaelic Bill will be amended along the lines recommended in this submission.

Yours sincerely

Dr Wilson McLeod
SUBMISSION FROM GILLIAN MCLUSKEY

I understand that submissions regarding the Gaelic Language Bill are required by 30th November and wish to make the following points:

Whilst I do not believe the Gaelic Language Bill goes far enough, I am keen to aid the survival of our language and accept that the general principles of the Bill and the establishment of Bòrd na Gàidhlig on a statutory basis is our best option at this time.

That being said, I am concerned at the proposed arrangements regarding ministerial control over the Bòrd. Obviously, as a public body the normal regulations and constraints will apply but it is imperative that the Bòrd is given the authority and autonomy to operate effectively in the promotion of the language. I believe that schools/education is the key factor in the survival of the language, and believe that the Bòrd could provide invaluable guidance and assistance to Local Authorities in formulating plans for the future.

It is always welcome news that funding has been increased but there is still a long way to go to redress the many years of abuse the language has suffered through discrimination and lack of support. Although it missed an opportunity in not attributing equal validity to Gaelic and English, it would be wonderful to think that the Bill might assist in changing attitudes and helping Gaelic find its proper place at the very heart of Scottish culture.

Gillian McLuskey

SUBMISSION FROM EILIDH MHOIREACH

As an older person, whose forebears would have spoken Gaelic in past years, I am enjoying the computer language course-An Cursa Inntrigidh-with CD's. I can learn the language in my own home, with my own allocation of time and with contact by other students and tutor on the Clas-fon Classes.

I am enjoying this very much.

It would be an immense loss if this interesting language was 'lost'. The spelling distracts learners until one realises the rules, and then the language is more logical and easier. Map reading of places names is a huge benefit. The tourists love hearing some Gaelic.

American friends enjoyed a boat trip up Loch Etive with the Gaelic Quoir--the highlight of their holiday. A magical experience for them.

I think choice and availability to learn this in school is important and availability of TV Programmes. These programmes are good, the sub-titles are necessary for many listeners but I can now follow quite a proportion of the text--and hope to be able to understand fully by the summer.

The Bill underpins the efforts to give a firm grounding to the language and ensure the present efforts thrive. However, the English Language is the Passport to the wider world and essential to everyone.

Eilidh Mhoireach

SUBMISSION FROM IAN MITCHELL

I think it is a disgrace that the new Gaelic Bill denies the people of Scotland a right to Gaelic-medium education, and to equality of status between Gaelic and English. I wish to make two specific points.
The first is that the uninvolved observer is forced to ask, why this discrimination against Gaelic is continued by a governing party which says it is committed to equality of opportunity? If Welsh has official status in Wales, then it cannot be due to any inability of a small county within the United Kingdom to decide on its own language policy. If a modern, regional language like Ny Norsk can be given secure status in Norway (see my book Isles of the North, pp. 249-250), why can an ancient language which once was spoken throughout most of modern Scotland, as Gaelic was, not be allowed to flourish on a basis of equality with English? (Ny Norsk is a semi-artificial language invented in the nineteenth century as an amalgam of all Norwegian country dialects. It is spoken by about 20% of the population.) The only answer I can give is that it is considered somehow "nationalist" to support distinctive Scottish cultural institutions (like St Andrew's Day). This is a disgraceful way to run a country, and the Scottish "Uncle Toms" who support it should be ashamed of what would, in a more balanced political environment, be considered needlessly and unattractively destructive. But perhaps the idea of culture does not resonate with the sort of half-educated technocrats manqués who are now in power in Scotland.

My second point is that Gaelic education helps achieve something which even the present government has said it wishes to achieve, namely a greater ease with languages other than English. The First Minister made this point recently on a trip to China, suggesting that Mandarin should be taught in schools in Scotland. That would be a good idea if it were to ADD to provision for learning SCOTLAND'S OWN LANGUAGES. I wrote a letter to the Herald at the time, making this point at greater length. I attach it underneath this. Thus it is not only culturally destructive to discriminate against Gaelic, it is also destructive in the sort of terms in which the First Minister says he thinks, i.e. commercial utility. If he cannot see that, then it is not only his cultural background which ought to give cause for alarm, but his powers of reasoning. Unless, of course, he is simply determined to discriminate against Gaelic willy-nilly, which is what I believe to be the case and why I say that this is a disgraceful Bill.

Ian Mitchell

SUBMISSION FROM PETER MURRAY

I believe more clarity should be provided in terms of definitions for e.g "reasonable demand", what constitutes a "Gaelic Development Plan", and also with regards to the onus and responsibilities placed upon local authorities and other public bodies. Also, the extent of the powers invested in Bord na Gaidhlig in terms of ensuring compliance should some companies and other bodies approach their responsibilities half-heartedly.

SUBMISSION FROM MICHAEL NEWTON

It is certainly an historic occasion for us to commemorate that a Gaelic Bill is now before the Scottish Parliament for consideration. Given the importance of this legislation, and fragile state in which Gaelic now finds itself, it is imperative that the Bill be crafted so that this becomes a day which we will celebrate with joy rather than rue with indignation.

Gaelic needs urgent attention, and it has fallen to this regretful state exactly because of the institutionalised discrimination that it has endured for the last four hundred or more years. This discrimination has resulted in the drastic decline of the number of native speakers, and the propagation of anti-Gaelic prejudice in many quarters. This decline and prejudice does not, however, provide a reasonable excuse for further neglect: the revitalisation of Gaelic should be seen as an integral part of the reintegration and reinvigoration of Scottish life.

Language revitalisation is a serious matter that requires professional expertise and a well-designed institutional framework. Scotland simply cannot afford is to allow Gaelic to endure further deprivation. There are a number of valid reasons that could be listed as to why Gaelic deserves to be finally given proper support and investment, but let me just mention a few:

1. According to recent studies, Scotland lacks the multilingual skills necessary in an international market, especially when Europe is becoming more tightly integrated. On the continent, school
children normally learn several languages in primary school, giving adult European linguistic skills far above the Anglophone average. Just as charity begins at home, so should multilingualism.

2. Understanding one's nation better and how its internal complexity mirrors patterns to be found in the rest of the world is an essential pre-requisite to being better international citizens. Nurturing Gaelic will encourage embracing diversity in general, rather than reinforcing Anglocentric homogeneity.

3. How can Scottish schoolchildren empathise with the plight of ethnic minorities (inside of and outwith the UK - refugees, etc) when the marginalisation of Gaelic within Scotland is given government sanction?

4. While Scotland has been vaunting the idea of ‘multiculturalism’ lately, this boast rings hollow when Scotland’s oldest indigenous language is languishing and not given equal status with English. The UK is a member of the European Union, which also vaunts its support for small languages, nations and cultures as a union of many diverse people.

5. Gaelic provides insight into Scotland’s history, culture, and identity simply not available through any other means. You must know who you are and where you come from to know where you are going, and Scotland will simply not understand its own past properly without addressing Gaelic.

6. Gaelic is a vital national asset which makes Scotland distinctive, and which draws the interest and admiration of people all around the world. It needs to be developed and sustained as an aspect of sustainable cultural tourism as valuable as anything else that draws visitors.

7. It is a matter of social justice that Gaelic finally be given the right to life. Gaelic speakers have made vital contributions to Scotland in all fields of human endeavour, but have dwindled in number exactly because they have suffered centuries of persecution and neglect. At a time when other European minority languages are taking advantage of new opportunities for righting past wrongs, it would be a shameful betrayal to leave the Gaels behind.

It seems to be a common assumption is that language is an either-or choice, but this is patently false, given that most people in the world are multilingual, and the growing evidence to demonstrate that children greatly benefit from this capacity.

The campaign for Gaelic is not the struggle to deny the utility of English and its place in the school curriculum; it is merely the struggle to provide Gaelic a fair chance and equal right to survive. It is not only entirely possible for schoolchildren to be able to speak English, Gaelic, and Scots - it is vital that this be allowed to happen. Just as Europe is strengthened by the ability of people to understand the languages and cultures of its neighbours, rather than fearing them and allowing misunderstanding to fester into mistrust, so too will Scotland be strengthened by nurturing the diversity of its traditions. To deprive Gaels of this right, regardless of where they live in Scotland, will be to deny the humanity of your own citizens and the legitimacy of their own culture.

Gaelic is not just a disposable inconvenience, it is a human right. To be provided basic services through the medium of Gaelic ought to be the right of anyone in Scotland, given that Gaelic speakers are free to move within its bounds (and, in fact, Gaelic speakers have been removed from the Highlands in large numbers), and Gaelic is native to Scotland and specific to it. It is simply exhausting and unjust for Gaelic speakers to have to fight to have their needs met on every single front, rather than having their rights protected once and for all in comprehensive legislation.

I therefore urge you to consider the following recommendations on the current state of the Gaelic Bill, in order that it be implemented in a manner as to achieve its aims:

• The Bill should explicitly state that Gaelic is an official language of Scotland and will be given status equal to that of English, so that no one in Scotland need fear that using Gaelic in any public business will cause them to be in any way marginalised or discriminated against.

• In using the Welsh Language Board as a successful model, and in making consistent for Scotland was has already been done in Wales, the Gaelic Language Board (Bòrd na Gàidhlig) should be granted the same powers as those granted in the Welsh Language Act 1993, adequate
resources to carry out its responsibilities, and the ability to ensure that all government bodies carry out their responsibilities to provide the necessary services and opportunities to the Gaelic-speaking community.

- Gaelic-medium education must be made available throughout Scotland wherever there is reasonable demand; the parameters of this demand and provision need to be made explicit and local education authorities made to adhere to them. In addition, the national curriculum needs to reflect the significant contributions made by Gaelic and Gaelic speakers to the history and national life of Scotland.
- Private sector business must also give proper attention to Gaelic, especially when operating in the traditional Highland area: the interface with the public must allow for Gaelic, as well as internal communications. Government sponsorship of private enterprise in the Highlands should allow pressure for Gaelic-specific considerations to be made.
- Gaelic must be available to all persons (regardless of their knowledge of English) in all courts of law, as stated in Article 9 of the European Charter on Regional and Minority Languages.

I look forward to hearing that justice has been done on these matters, and that the Bill will be a cause for celebration for future generations.

Michael Newton
Lecturer at Virginia Commonwealth University
PhD in Celtic Studies, Edinburgh University, 1998

SUBMISSION FROM TRACY NIC AN TOISICH

I am writing with regards to the above bill which I consider to be very weak.

People should be given the right to use Gaelic and also Gaelic should be an official language with equal status alongside English. After all it is Scotland's oldest language.

I feel that too much power is being given to the Scottish Ministers regarding what happens when Bord na Gaidhlig makes a decision on certain aspects, eg, Point 9 (3) "The Bord may issue guidance under subsection (1) only with the consent of the Scottish Ministers" basically no matter what Bord na Gaidhlig decides, the Scottish Ministers can disagree and change it completely.

Education through the medium of Gaelic should be a statutory right. The Scottish Ministers should also be encouraging parents to educate their child(ren) through the medium of Gaelic, and they should also be highlighting the fact that it is extremely beneficial to learn a second language at such an early stage in a child's development. I am a parent who's daughter has gone through Gaelic Medium Education from the age of 3 years, and am already seeing the benefits, not only does this make the child more confident, she is also speaking her native language, which will develop her language skills and she is learning about the culture that surrounds her. Surely every parent in Scotland should be encouraged to keep this language alive - at the end of the day the only reason why society does not think much about Gaelic is because the Government has not encouraged it.

This bill is a great opportunity to change the awareness of Gaelic, the future of Gaelic is in the hands of The Scottish Ministers and where better to start than with children who are of school age, because they are the future of this language. It would be a great pity if this opportunity is lost.

Le deagh dhurachd

SUBMISSION FROM MAIRI E NIC LEOID

A charaidean choir,

Tha mi a' sgríobhadh thugaibh leis a' bharail agam a thaobh Bile na Gaidhlig.
I am writing to you with my opinion regarding the Gaelic Bill.

Though I praise the work that the Executive has done with the Bill until now, I don't think the Act will be strong enough to be successful.

Though the Executive says that Gaelic is an official language, this must be strengthened in the Act itself by giving Gaelic the same status as English (as happened in Wales with the Welsh Act 1993).

I also recommend more power for The Gaelic Board itself (the same extent as The Welsh Board) and public bodies must prepare language plans.

Lastly, I recommend that a constitutional right to state education through the medium of Gaelic be included in the Act.

Mairi E NicLeoid

SUBMISSION FROM ANGUS NICOL

I INTRODUCTION

1. While this draft Bill is a definite improvement upon the previous consultation paper, it still fails, in my submission, to provide for what ought to be its prime object: the making of Gaelic into an official language. It is the want of such a status for the language that has, in large part, led to its very serious decline, and the fear persists, I suggest with reason, that unless it becomes an official language, in a way similar to the status enjoyed by Welsh, there is a danger that that decline will continue. I repeat what I said in my observations on the Consultation Paper, that there is an opportunity here which should not be missed, since to do so may result in the postponement for a substantial number of years of this essential object.

2. I go on to consider the clauses of the draft Bill and the Policy Memorandum.

II THE DRAFT BILL

The long title

3. Although this has been amended, in the right direction, it still makes it plain that the primary purpose of the Bill is that of establishing Bord na Gaidhlig, not of establishing the status of Gaelic as an official language. On this topic, I repeat the observations that I made regarding the Consultation
4. The explanatory document does not make it clear why clause 1 of the Bill does not include a provision on the following lines:

"1.- (1) From the date upon which this Act comes into force it shall be lawful to use the Gaelic language on all occasions and in all circumstances in which it is lawful to use the English language.

(2) Without prejudice to the generality of subsection (1) above, where any document is expressed in the Gaelic language it shall have the validity in law that the same document would have if expressed in the English language and it shall not be necessary for its validity to provide an English translation."

5. The second purpose is greatly improved by the removal of the words "where they consider it appropriate", in relation to the making of Gaelic language plans by public authorities.

6. The inclusion of guidance in relation to Gaelic education is a very welcome addition, but, in my submission, does not go far enough, since it suggests that while Gaelic education may be considered there is no intention actually to do anything about it (and see paragraph 22 below).

Clauses 1 to 8

7. It is a great improvement that Bord na Gaidhlig should be established as a statutory body.

8. The wording of clause 1(3) retains the expression "with a view to securing the status...." It is difficult to see why the wording could not be, for instance, "for the purpose of securing the status...." As before, there is a suggestion that it is not inevitable, nor considered inevitable, that those functions will achieve their objects.

9. However, if that wording is to remain, and I submit that it should be strengthened as I have suggested, this part of the Bill is greatly improved by the addition of the words "as an official language of Scotland". But see also paragraph 17 below.

10. Clause 2(5)(b) contains a lurking danger. It appears to have the possible effect of giving to the Scottish Ministers the power to rewrite any Gaelic language plan which Bord na Gaidhlig may make. All the Ministers would have to do would be to require an amended plan under clause 2(4) and then completely rewrite it disregarding the terms of the original plan. To do so would be within the provisions of the Bill. The result would be that the function of Bord na Gaidhlig as to language plans would be rendered nugatory.

11. Should there not be included in subclauses 3(3) to (5) a requirement that Bord na Gaidhlig and the public authorities concerned should publicise the opportunity to make representations, in terms similar to clause 2(2)(b)?

12. The following clauses, 4 to 8, seem reasonable. It is to be hoped that the monitoring structure will be used, and used with reasonable promptitude, otherwise there is a danger of implementation being gravely delayed.

Clause 9 - Gaelic education

13. This is a very disappointing provision, since it achieves nothing on the fact of it, and is capable of achieving nothing unless the Scottish Ministers specifically ask for it. It leaves the question of Gaelic education exactly where it is at present. Even if it should be invoked by the Ministers, since it is only guidance, they would clearly be free to reject it. This is another function of Bord na Gaidhlig which would be illusory and of no practical use.

14. As was mentioned in the Policy Memorandum, the key to the continued thriving of Gaelic is, in the long run, education. I have met children who are being or have been educated in Gaelic medium schools, or in Gaelic units, both learners and those whose first language is Gaelic. They
are enjoying it greatly and emerging bilingual. On the other hand I have observed that those who
did Gaelic in a non-Gaelic school environment had no incentive or reason to use Gaelic outside
the class-room, and usually lost all they had learnt within a year of leaving school. A great
opportunity is being lost here, by not making a specific provision for Gaelic education as of right at
all levels of education. Why should it not be a right?

15. Children absorb languages very readily, and it is little of no trouble to them to become
bilingual. (I can remember when I was in the Royal Navy out in Malta, a large number of our ship’s
company had their families out in Malta (those were the days of foreign commissions), and m any
of their children became bilingual, in Maltese, within a few weeks, through contact with Maltese
children, not by being taught, and acted as interpreters for their parents.)

The Policy Memorandum

16. Paragraph 15 of this document is something of a puzzle. It is, to begin with, entirely obvious
that the proposed legislation must start with the situation that currently exists. There is, after all,
no other possibility. However, the rest of that statement of policy appears to suggest that Gaelic
language plans will not contain any measures for the provision of services in Gaelic (nor is it clear
what "services" are referred to). I hope that I have misunderstood this statement. If I have not,
then it seems to negate the intention of the Bill.

17. The last sentence of paragraph 19 appears to be meaningless. If "official" is descriptive of the
status of the language, how is that status defined? Without a right to usage of the language, it can
hardly be official, nor have any official or other status. This statement of policy again appears to
negate the stated purpose of the Bill.

18. In paragraph 26, the last sentence is reassuring, but only if Bord na Gaidhlig is not subject at
time to the decisions and dictation of the Scottish Ministers.

19. Paragraph 33 also seems to contain a statement of policy which will give the Executive a
means of avoiding implementation of any Gaelic language plan.

20. Paragraphs 38 and 41 appear to have the effect, as policy, that Gaelic will be an official
language in some places and not in others, that Gaelic can, therefore, be used officially in some
places and not in others. That, in my submission, would have a very confusing result. For
instance, a company with its Memorandum and Articles drafted and lodged in Gaelic would still
have to provide English translations. More serious, a contract in Gaelic might be valid and binding
in, say, Portree, but not in Edinburgh, and similarly with a will or trust. There are many other
possibilities of anomaly. Can this really be what is intended?

21. In paragraph 47, it says that the Executive has been "unable" to develop the principle of
equal validity between Gaelic and English to be given effect in the Gaelic language plans, "for the
reasons set out below". The reasons (paragraph 50) are, in my submission, unconvincing, and, if
that policy is pursued, will do much to undermine the working of the Bill and the Gaelic language
plans. It seems also to be considered that there is no alternative to compelling the use of Gaelic
throughout Scotland. There is, however, the alternative of permitting its use, and where used
letting that use be official.

22. Paragraph 60, under the heading "Gaelic Education" is reassuring, but is not borne out by the
Bill. However, that may not matter if this is a present existing intention of the Minister for
Education and Young People and is carried out. It certainly is not an easy question. But the
success of Comhairle nan Sgoitean Airigh must shew that there is considerable scope for an need
of Gaelic education. It is really an essential, not merely an option. I am not suggesting that every
school in, for example, Galloway, should have a Gaelic unit, but that Gaelic education and Gaelic
medium education should be encouraged and fostered in areas where there is Gaelic, and where
Gaelic has seriously declined onlycomparatively recently (such as Argyll), and wherethere is a
resurgence of Gaelic. It should also beexended as and where Gaelic becomes stronger over
theyears to come.

23. The last sentence of paragraph 67 is reassuring.
General

24. In spite of the criticism in the previous pages, it appears to me that the new draft Bill is a significant improvement on the first draft, though does not reach the ideal. It is very much to be hoped that Bord na Gaidhlig and the Executive will monitor the situation closely in the years that follow, and will from time to time pass further legislation, primary and secondary, which will continue to strengthen the language and encourage not only its use but also the spread of its use. As the Policy Memorandum rightly says, Gaelc was the language of all Scotland. While it would be ridiculous to postulate a population of any part of Scotland in the centuries to come who spoke only Gaelic, a bilingual population is, I would submit, both feasible and desirable, and by no means unique in the world. Gaelic has an exceedingly rich culture and is a beautiful language; it must not be allowed to fade away like Latin, but must be encouraged to remain a living language.

Angus Nicol
28 November 2004
MV/IN/EM

Tuesday, 02 November 2004

Martin Verity
Clerk to the Education Committee
The Holyrood Parliament
Canongate
Edinburgh
EH99 1SP

Dear Mr. Verity,

Lord James Douglas Hamilton suggested I should drop you a line in connection with the new Gaelic Bill. I have been involved in Gaelic issues, as you may know, and live in Sleat in the south of Skye. I enclose a copy of a paper which I prepared recently on this topic. It has been circulated to Borda na Gaidhlig and quite a few other bodies/individuals who are interested in the subject. It goes perhaps somewhat beyond policies advocated by those involved in the Gaelic field hither to.

I would very much appreciate an opportunity to speak to you and or your colleagues on the committee dealing with the bill, if possible relatively early in the process before ideas begin to harden.

In particular you will see that I have advocated the concept of “first language status” for Gaelic in the areas where it is still alive and spoken, and I wonder whether it would be possible to weave this into the texture of the new bill. Half measures and palliatives will not in the end be sufficient to rescue Gaelic, and I do believe the proposal would (a) create a new mood of confidence in the outer isles which would strengthen the economy there, thus reducing the need for external subsidies, and (b) that Gaelic could turn out to
be a source of income for the Scottish Parliament if by any chance there is mileage in my suggestion that Westminster owes Scotland compensation for the centuries it spent in trying to eradicate Gaelic, on the basis of human rights.

I am in Edinburgh quite frequently and could visit Holyrood for a meeting or alternatively participate when you are in Skye, as I gather this is being planned.

Yours sincerely

Sir Ian Noble
THE STATE OF GAELIC IN 2004

Proposals put forward in the context of the
new draft bill for the Gaelic Language

Introduction

Although there has been some progress in protecting and encouraging Gaelic in recent decades, progress has been slow. Prospects for the future are not encouraging as the language continues to wither even in its strongest heartland areas. The “apparent” absence of concern among the gaelic public is a worrying sign, and the inexorable increase in the number of incomers almost everywhere in north west Scotland strikes at the heart of its status as a community lingua franca.

Gaelic is an important part of Scottish heritage. The Gaels gave Scotland its name, its present boundaries, and most of the icons by which it is internationally recognised such as kilts, pipes and tartan. There is therefore a very strong case for its survival, in heritage terms alone, and also as a “tool of economic renaissance” in many parts of the Hebrides, in conjunction with revitalising Scotland and its economy in a world context.

The language was hard hit for over a century, specifically from 1872 to the 1970’s by official Westminster policies aimed at its eradication, and also by brain drain at a wholly unacceptable level in the heartland areas of the Gaelic communities.

Despite the significant progress made in the last twenty or thirty years, it is suggested the time has come for a major step forward, one that is very carefully planned, detailed and determined, and sustained by a ground swell of overt public pressure from far and wide on a scale not hitherto contemplated.

Such community action is the best way to achieve results in a political context. Those concerned with the future of Gaelic therefore need to look for ways of mobilising support at grass roots level in every parish. A well planned PR programme, put together by top class professional experts, is an essential ingredient in this.

Proposals

1. **First Language Status** - Gaelic will not survive in the long run as “lingua franca” unless it is given official “first language status” in the areas where it is still widely spoken. That might mean the Western Isles, Skye, possibly Tiree, Islay, etc. It also will be necessary to find a way of achieving linguistic assimilation for incomers (or at least their children), as there is for example in the case of non English speaking immigrants into UK.

2. **Education** – First Language status implies that all education should be through the medium of Gaelic for everybody throughout primary and secondary education,
together with reading and writing in Gaelic and English. Everyone will of course still be able to speak English as they do in Scandinavia, Holland and elsewhere. Anyway English dominates TV, tourism and the family environment for many families. The important objective is that children of all incomers will grow up speaking fluent Gaelic and therefore can be assimilated. Optional Gaelic will never achieve this especially in mixed language schools where English will inevitably be the language of the playground.

3. **Government Employees** – First Language status also implies that the local authorities and other state bodies in the Gaelic areas will have to play a leadership role. For example they should undertake that over a measured period of say twenty years they and their local staff will gradually convert to Gaelic as first language, with hurdles annually over that period. That is to say their percentage of fluent Gaelic speaking staff would be expected to rise by a defined amount each year until the end of the twentieth year when Gaelic will have become the primary language of all staff, and also, it is suggested, the necessary language of all elected Council members, the police and the justice system.

4. **Enlarging the Gaelic Areas** – Provision should also be made for other communities in Scotland to benefit at a later stage from First Language Status likewise if they wish and subject to demonstrable community support, when there is a sufficient supply of Gaelic school teachers. When that happens, certain communities outside the present gaelic areas may well wish to have the same opportunity and the same intellectual/financial injection.

   Such communities should be asked to prove their enthusiasm by accepting a commitment to raise a financial contribution themselves from their own resources and from wider fundraising as well, to complement and justify the money being invested from public sources.

5. **Extra Funding** – The Holyrood Parliament could consider approaching Westminster for a contribution to the resuscitation of Gaelic which could be regarded as compensation for the damage inflicted intentionally on the Gaelic language and culture, and thus also on the Gaelic communities, by a policy over more than a century of trying to eradicate Gaelic. £1000 per capita in “the gaelic areas” would equate to approximately £40m. Why £1000 per capita? The value of a community’s language, heritage, culture cannot be easily quantified. If the fair figure is £10,000 per capita the compensation would be £400m! and what about those other communities in the eastern highlands, Perthshire, Argyllshire, Aberdeenshire where the language was indeed successfully eradicated? Do they deserve compensation for loss of their heritage too?

   If Westminster declines this request could it reasonably be raised in the European Court of Justice under human rights legislation?

   Models for such compensation policies can be found in Australia for Maoris and aborigines, throughout North America and elsewhere.
Any money from this source could be used for capital expenditure required to accommodate the above mentioned changes over a period of say ten years. The extra expenditure will also serve to pump prime the local economy in the gaelic heartland areas and thus create new jobs in those areas wherever First Language status has been introduced. This could conceivably include some urban districts (or alternative arrangements could be devised for the urban environment). No where needs such a capital injection more than the Western Isles today.

It will of course also be necessary for Holyrood to verify and demonstrate its own support for the survival and growth of Gaelic by making a longer term financial input on heritage grounds in the principal Gaelic areas.

6. **Gaelic Teachers** – It is strongly suggested that the Gaelic teacher training units in Glasgow and Aberdeen should be transferred to say two new Gaelic teacher training Colleges within the Gaelic heartland areas for four reasons.

   - It would be good for the students who will be able to use their Gaelic outside teaching hours, and in their family environment.

   - It would be good for the lecturers for the same reason.

   - It would create new jobs in areas where they are much needed.

   - Above all it will "reverse the brain drain" in those places and thus strengthen the intellectual and leadership framework of the communities concerned.

7. **Other Government Bodies** – The same principle could apply elsewhere. For example a higher learning centre could be set up on the lines of RSAMD (Royal Scottish Academy of Music and Drama), because of the richness of gaelic musical tradition. It should be located in one of the Gaelic areas, helping to stimulate the economy where it is needed and reverse the brain drain.

Other government departments could be transferred likewise, such as SNH which, since it stands for "conservation" should obviously set up a gaelic speaking office in one of the gaelic areas to supervise natural heritage policies in those communities, and SNH should employ exclusively Gaelic staff throughout the gaelic heartland areas.

8. **Effect on Local Economy and Brain Drain** - The extra financial expenditure in those long suffering communities, coupled with creation of new job opportunities for senior decision making people, will help to reverse the brain drain. There will also be a consequent surge in demand for Gaelic books, teaching materials, publishing and software, creating new entrepreneurial opportunities.

The inevitable international interest in the area which will follow from these policies will lead to other new initiatives, and the creation of even more jobs including senior ones, resulting in reverse migration especially by native people.
who have gone away. This will be altogether healthy for the economy of the islands, and make the area less dependent on public subsidies.

There is wide international evidence that communities whose language revives regain confidence and self respect, which in turn helps the local economy. Many industries could flourish in the Gaelic areas once the brain drain has been reversed and confidence re-established. The policy being proposed would therefore be a relatively inexpensive way of curing the endemic economic problems which have afflicted the Hebrides for at least two centuries. It would also enrich the cultural heritage of Scotland, attract publicity for the Hebrides and therefore thus also help the tourist industry.

The initiatives described above will further inspire “the missionary zeal” of native gaels returning to their homeland, which will add “immigrant vigour”.

9. **Research into Successful Models Elsewhere** – Visits to evaluate what has already happened in French Canada, Catalonia, the Faroe Islands Gwyneth in Wales and even Israel should be made by suitably qualified experts, preferably Gaelic speakers, without delay. In Gwyneth children are not allowed access to schools at all until they are fluent in Welsh.

10. **A Public Relations Programme** – Any such initiative will need to ensure strong promotional backing to ensure the communities involved are consulted, inspired and enabled, as well as being encouraged to articulate their support vigorously. Requirements will include a well funded PR campaign, put together by the very best professional experts. The campaign would include leaflets about the objectives and potential benefits of bilingualism, carefully worded public statements, and missionaries on the ground who have been well briefed and trained.

11. **Gaelic to Become Known as “Scottish”** - The term “Scot” originally applied to the Gaelic speaking people who came from Ireland. It appears that until around the sixteenth century the Gaelic language was generally described as “Scottish”. It later became known as “erse” i.e. (Irish) as a term of derision, when it became politically out of favour. Later it became known simply as “Gaelic”, as if it belonged to another world, outside the Scottish mainstream.

It is therefore boldly and possibly controversially suggested that the Gaels should from now revert to describing their language as “Scottish” rather than “Gaelic” in order to make it “mainstream” in Scotland strengthen its identification with the rest of the country. This means following in the footsteps of Ireland where Gaeilge is now known as “Irish”, and Wales where the original “British” language is now described as “Welsh”.

Of course this should not prevent or discourage the widening use of and support for Doric in other parts of Scotland where it too has suffered from enforced anglicisation.
Conclusion

Such a campaign will need to be waged and fought hard for. It will need detailed well thought out and determined action, as well as diplomatic handling. It will be specially necessary to get the tangible and vociferous support of the Gaelic community at grass roots level in order to strengthen the platform from which a political campaign can be launched.

The campaign should be based on “a claim of right” and on the implications of legislation relating to human rights elsewhere. Strong leadership and a good team are essential, and the clear vocal support of the wider community is fundamentally required.

Politics is the art of the possible. If you want a loaf it is often wise to start by asking for two. All the same the proposals listed above, while far beyond anything requested hitherto, could well turn out to be the minimum required to save Gaelic from slow but certain extinction at least in terms of a community language.

If action along these or similar lines is not taken, generations in the future will no doubt say that initiatives of the Scottish Parliament to rescue Gaelic were yet another case of “too little and too late”, and the leaders of the present Scottish government will be blamed.

Iain Noble
26th April 2004
I would like, firstly, to say that I welcome the Gaelic Bill greatly and look forward to its enactment and to its consequences and benefits.

I have already given many opinions on the Bill when it was in draft form and I stand by all of these. Although I am pleased that the bill has been strengthened in important ways since then, it is still not as strong as I would wish.

I do not want to repeat everything I said previously but I would like to reiterate a few points:

It should be necessary for all members of Bòrd na Gàidhlig to have “a working knowledge of Gaelic”. This is in no way intended to exclude people. This is merely a practical matter. Indeed, I feel that the Board members should have a wide range of experience, as they do at present.
It is important for the Bill to state clearly and strongly that Gaelic has official status in Scotland. That is to say that public services will be delivered in Gaelic as far as is reasonable and practical. And especially that, in Scotland, the same weight in law is given to that which is said in Gaelic as is given to that which is said in English. It is important to state this as some national British bodies oppose sensible measures which would support Gaelic on the grounds that they do not believe that Gaelic in Scotland has the same status and effect in law as Welsh does in Wales.

I am pleased to see that there is now some mention of education in the bill. It is important, however, that local authorities are all obliged to provide education in Gaelic when a reasonable demand exists. If this is not specified in this Bill it will have to be brought into another bill soon. Surely it would be simpler to include it in the current Bill. I also feel that it should be stipulated that Bòrd na Gàidhlig would have a duty to advise on the training of Gaelic teachers.

There should be no mention in the Bill of “Gaelic culture” as found in 2b and 3c. If culture is associated with the language then it should go without saying that Bòrd na Gàidhlig could be asked to advise on it and that they would be willing to do so. But many believe that “Gaelic culture” included things such as kilts and using lichens to dye clothes, things which have no connection with the language and on which Bòrd na Gàidhlig will have no view.

It is important that Bòrd na Gàidhlig are sufficiently funded.

Finally, I would like to say that this Bill on its own will not save Gaelic. It is not at all as strong as the Welsh and Irish equivalents. It is not strong enough. But I would press on with it without delay, I would propose it strongly and I would immediately begin development of a follow up bill to add more weight to it in the future.

Kevin Donnelly

SUBMISSION FROM BRIAN O’HEADHRA

There are a few points I would like to make regarding Gaelic language education in Scotland. These are:

There should be a college set up to teach Gaelic language teachers (primary and secondary levels).

- Teachers who teach through the medium of Gaelic should be given higher wages. This will attract Gaelic speakers to the posts. There is also more work involved in being a teacher through the medium of Gaelic as there is a severe lack of teaching materials in the Gaelic language. For example how many chemistry books are there available for, say, third year secondary students?
- More money should be spent on the publication of Gaelic language school books across the curriculum.
- Gaelic language classes should be compulsory (like English and Maths) in primary and secondary schools in the following areas: Highland, Western Isles, Argyll & Bute, Perth and Kinross. The other areas should have Gaelic classes on offer at all times.
- The Education Committee should look to Ireland and Wales to see how to keep our indigenous language alive.
- All schools in the country should have bilingual signage (inside and outside) and paperwork (forms and report cards, etc). Gaelic speakers live all around the country and not just in Gaelic ghettos!
- All councils should set up Gaelic classes for the community and actively promote these classes.
- All schools should teach ‘Scottish Studies’ as a compulsory subject. This would teach local history, culture and language. It would also inform the children of the language, history and culture of other regions of Scotland, eg Scots and Norse languages.
The Education Committee will need to be daring and innovative; not afraid to spend money (lots!) on readdressing the institutionalised anti-Gaelic policy over hundreds of years.

The Education Committee could make a public apology for the failings and outrageous anti-Gaelic policies of past governments.

There should be Gaelic medium primary and secondary education available to all people in Scotland with the Executive and Councils actively promoting this cause.

All primary and secondary schools in the Western Isles and inner Hebrides should be Gaelic medium only, without exception.

I understand that some of these points are quite radical but I feel this is necessary to give real equal status to Gaelic in Scotland; not the tokenism at present.

Leis gach deagh dhùrachd,

Brian Ó Headhra
A charaid chuir,

Tha mi tilliche fhascinn gu bheil an Ríghaithais air atharrachadh a thoirt air a’ chìad dhreach dhen Bhile Gàidhligh lapach a thug iad air adhart còrr as bliadhna air ais, ach mar a tha fallar an uair sin, tha am b孚, mar a tha e’ seasamh an-dràst, ro lag gus diofar shuimeil a thoirt air cor na cànain.

Dh’iarrainn sa gu sònraichte gum biodh am bile air a neartachadh gus cùraichean ras coinniche a thoirt de phàrantan a tha ag iarraidh an cuid chloinne oldeachadh sa Gàidhligh. Chan e loghian tro mheadhan na Gàidhligh an ion rud a tha a’ dol a shìthchaladh na cànan, ach far a bheil tarras reusanta ann air a shòrn, bu chòrr deastanais a chuir air comhaineon ioraide uis gus sin a sholtarachadh chiabh.

Bu mhiann leam fhathast athris shoileir fhascinn sa bhile a tha a’ toirt iabhche don Gàidhligh mar ìd dheth na cànanan ràiseanta ann an Alba, agus a-rachadh bhuaite sin gun dàinpolich an riaghaltas a’ Gàidhligh mar chànan oiligeil aig a bheil co-ionannach ris a’ Bheurla, mar a tha aig a’ Chumrìsa sa Chuirgnigh.

Tha mi tilliche fhascinn gu bheil an riaghaltas air barrachd airgid a thoirt do Bhòrd na Gàidhligh, ach tha mi fhathad mi-chinnsteach de na cumhachd a tha gu bhith aig a’ bhor agus dè an càrdeas a tha gu bhith easadar iad faoi san riaghaltas. Bu chòrr gum biodh farsaingeachd aig a’ bhòrd am Plana Nàiseanta airson na Gàidhligh (Earrann 2) a chuir an còill le taic airgid ismiachadh dha ròir, ach feumadh iad cudreachd cuil-laidh thu riaghaltas a tha deònach comhaidean agus buidhean pobail a chrionachadh sa ghearrasachadh mar a bheil iad a’ dèanamh an deastanais a theachd an leagh.

Tha sin a’ dèiligeachd ris na pàrimh dhraghain a tha omsa mu na laigiseach a th’ anns an dàreach den bhile sa, ach dh’iarrainn cudreachd gun toreadh Pàrlamaid na h-Alba sàimh don bhreac gum bu chòrr cùmichadh a thoirt do Bhòrd na Gàidhligh ann a bhith a’ dèiligeachd ri Westminster a theachd cuisean craoladh. Tha craoladh air fear dhe na cuspairean eile a tha cudromach ann an ath-bheithachadh cànan, agus ged nach eil gu mi-fhoranach deasianais aig Pàrlamaid na h-Alba airson a’ chuspair sin, tha e dealannach gum bi beagdhan coinneachais na Gàidhligh air am fileadh a-steach aig na h-irrain fraoagarrach agus gum fàighhear rìteachadh nas fhèarr air th’againn an-dràst airson craoladh Gàidhligh, gu sònraichte leis na moladh air a tha a’ bhuidheann riaghlaidh Ofcom air a thoirt air adhart airson prògrannan roinnneil agus an droch bhuaite a dh’fhaoaidh iad sin a thoirt air craoladh Gàidhligh.

Leis gach deagh dhùrachd,

Ailig O’Henley agus Sandra NicIomhair.
Dear Friend,

I am pleased to see that the Executive has amended the first draft of the feeble Gaelic Bill that they brought out more than a year ago, but as was true then, the bill - as it stands at present - is too weak to make any considerable difference to the state of the language.

I would especially request that the bill be strengthened to give more concrete rights to parents that want their children to be educated in Gaelic. Gaelic medium education is not the only thing that is going to save the language, but where there is reasonable demand for it, local councils ought to be obliged to provide it.

I would still like to see a clear declaration in the bill that gives status to Gaelic as one of the national languages in Scotland and, furthermore, that the executive confirm Gaelic as an official language that has equality with English, as Welsh does in Wales.

I am pleased to see that the executive has given more money to the Gaelic Board, but I am still doubtful of the powers that the board will have and what relationship they will have with the executive. The board should have scope to bring forth the National Gaelic Plan (Section 2) with appropriate funding, but they must also have backing from an executive that is willing to rebuke and punish councils and public bodies if they do not fulfil their legal duties.

That deals with my main concerns regarding the weaknesses that are in the second draft of the bill, but I would also request that the Scottish Parliament give consideration to the opinion that the Gaelic Board should be given power to deal with Westminster regarding broadcasting issues. Broadcasting is another subject that is important in language revitalisation and although, unfortunately, the Scottish Parliament has no remit in this area, it is essential that the opinions of the Gaelic community are woven in at the appropriate levels and that a better settlement than at present is achieved for Gaelic broadcasting, especially with the new recommendations for regional programmes that have been brought forward by the ruling body Ofcom and the detrimental effect that that could have on Gaelic broadcasting.

Best wishes,

Ailig O’Henley and Sandra NicIomhair
SUBMISSION FROM FERRY O’KILLIAN

Adhiero a la ley de oficialización del gaelico escoces como un irlandes-argentino cultor de ambos dialectos... siempre anhelo que Escocia tuviese la misma dualidad lingüística que Eire como símbolos ante el mundo, se que en el caso irlandes todavía es mucho lo que falta para recuperar mas aun su lengua, con mas razon Alba que dobla en cantidad de hablantes de idioma celta a la isla esmeralda!!!

A nivel local estoy brindando mi pequeño aporte dando clases de Irlandes y participo además del Coro Ceòlraidh de Argentina y a travers de mi otra actividad, la musica trato de usarla como medio de difusión de la cultura gaelica con grupos como Fingal, Lusmor y futuros proyectos por venir... De mas esta decir la estrecha colaboracion que mantengo con Guillermo Santana MacKinlay al respecto, siendo los cultores locales ya una pequeña comunidad...

Sin mas y Atte. los saludo y deseo la mejor suerte!!!

Ferry O'Killian

I, as a person of Irish-Argentinean culture and speaker of both dialects, agree that there should be an a law [to make] Scottish Gaelic official... I have always wanted Scotland to have the same linguistic duality as Ireland, to be symbols to the world, I know that in the Irish case there is still a lot to be done to revive their language further; even more so in Scotland where there are double the number of speakers of a Celtic language than on the Emerald Isle!!!

On a local level, I am doing my bit offering Irish classes and I also take part in the choir Ceòlraidh [the Muses] of Argentina and through my other hobby, music, I try to use it as a way of spreading the Gaelic culture with groups such as Fingal, Lusmor and there are future projects to come. . . In addition I should mention the cosy collaboration I have with Guillermo Santana MacKinlay in this regard, being the local cultural representatives of an already small community...

Without further ado and faithfully. I send you my greetings and with you the best of luck!!!

Ferry O'Killian

SUBMISSION FROM AMAIA ZULAIAK OROZKO

As a parent of children attending GME and committed supporter of the Gaelic language and culture, I am very concerned about any consultation and action taken by the authorities on the matter. I am however overwhelmed by the number of consultations that seem to have been happening during the last 12 months, and feel like being repeating the same comments over and over. I got the news about this consultation late and haven't had a chance to reply in a well informed way. In the case of few people replying to your consultation this time, and of the negative or positive nature of hose replies, It would be reasonable to take the former lot of replies to the Gaelic Bill consultation (deadline January 2004) as the reference to judge with. I strongly believe that Gaelic Medium Education is the pillar in helping a language to live, survive or even fight the threat of disappearing in the near future. I dream with a provision of all the schooling through the medium of Gaelic for my children. That chance is passed for some of the pupils already attending GME, but numbers at Nursery and Primary level are increasing, and the steps towards it happening should be taken. It is hard to believe that those parents involved in the first stage of GME (Primary School) wouldn't be interested in developing it at a Secondary stage. If we believe it is the best schooling option for our children during their first years, why shouldn't we believe it would be the same in the following stage. But there is little we can do about it if the authorities don't support or promote such initiatives.

The lack of official status for the Gaelic language has real implications when it comes to commitment and compulsion amongst public bodies responsible to, for example, provide GME. Parents should have a legal right to get GME for their children providing there is reasonable demand for it. Born na Gaidhlig should have more powers to make public bodies observe their Gaelic plans.
I hope that the weaknesses of the bill are acknowledged, and that if the Scottish authorities are serious about supporting and promoting the Gaelic language, more ambitious and committed legislation is approved.

Amaia Zulaika Orozko

SUBMISSION FROM BRIAN PATTON

I would like to offer the following points to be considered with reference to the Gaelic Bill.

1 In general terms, the Bill as it stands is not strong enough. Its provisions, if enacted, may arrest the decline in Gaelic, but will not really strengthen the language nor help it to develop in those parts of Scotland where it is currently not widely spoken.

2 I think therefore, that it would be better if its provisions were divided into those affecting the areas where it is spoken and those affecting the rest of the country, and worded accordingly.

3 With regard to individual sections, I would make the following points:-

3 (1) "Feumaidh" an àite "faodaidh".

3 (1) Many services in Scotland are now provided by private companies, in areas such as transport, health, power supply and housing. I would suggest that there should be added after the words "gu ùhgdarras poblach sam bith" the words "agus gu companaidhean ann an t-earran phirobhaideach le uailachadh air son seirbheisan poblach cudromach ann slàinte, còmhdal, taigheadas agus ionadan chur-seachad".

9(1) "Feumaidh" an àite "faodaidh".

9(3) Dubh an fo-earran seo as.

9(6) Fò-earran ùr. Ann an t-earran seo, tha na faclan "foghlam Gàidhlig" a'cur san aireamh foghlam anns na sgoiltean agus foghlam air son luchd-ionnsachadh inbheach.

10(1) Anns a'chiad fo-earran, cuir a-steach na faclan "nan daoine s tha a'labhairt, a'tuigsinn no ag ionnsachadh Gàidhlig".

Thank you for this chance to comment.

Brian Patton

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3 With regard to individual sections, I would make the following points:-

3 (1) "Feumaidh" an àite "faodaidh". "It must" instead of "it may"

3 (1) Many services in Scotland are now provided by private companies, in areas such as transport, health, power supply and housing. I would suggest that there should be added after the words "gu ùhgdarras poblach sam bith" to any public authority the words "agus gu companaidhean ann an t-earran phirobhaideach le uailachadh air son seirbheisan poblach
cudromach ann slàinte, còmhdaí, taigheadas agus ionadan chur-seachad". and to companies in
the public sector with responsibility for important public services health, transport, housing and
pastime centres"
9(1) "Feumaidh" an àite "faoidh". "It must" instead of "it may".

9(3) Dubh an fo-earran seo as. Delete this section from it.

9(6) Fo-earran ùr. Ann an t-earran seo, tha na faclan "foghlam Gàidhlig" a' cur san aireamh
foghlam anns na sgoltean agus foghlam air son luchd-ionnsachadh inbheach. New section. In
this section, the words "Gaelic education" add to the amount of education in schools and education
for adult learners.

10(1) Anns a'chiad fo-earran, cuir a-steach na faclan "nan daoine 's tha a' labhairt, a' tuigsinn no
ag ionnsachadh Gàidhlig". In the first section, add the words "of the people who speak, understand
or learn Gaelic."

Thank you for this chance to comment. A print copy of this e-mail is on its way to you.

SUBMISSION FROM RONALD S PIRRIE

I am writing to you with regards to the Gaelic Language (Scotland) Bill, and with specific reference
to concerns I have about the legal right to Gaelic medium education and equality of status between
Gaelic and English. Both of these are absolutely crucial with respect to conserving and nurturing
the Gaelic language. My own thoughts on these follow: -

1). A legal right to Gaelic medium education.

Two years ago, my wife and I moved down to Argyll from Aberdeen. In Aberdeen, there is an
active and successful Gaelic medium unit in Gilcomston primary school, to which, had we
remained in Aberdeen, our daughter would have been sent. There is no such provision in mid
Argyll and having moved to Ardrishaig in Argyll, less than 10 miles from Dunadd, the ancient seat
of the Dalriadan Gaels, I find this rather ironic.

I feel that, amongst other things, provision for all those in Scotland wishing to have the opportunity
to have their children educated through the medium of Gaelic, is an essential element in rescuing
the language. I emphasise all, because of the number of speakers of and interest in Gaelic
throughout Scotland – not just the highlands & Islands.

2). Equality of status between Gaelic and English.

This is another essential element required for the survival of the language. If Gaelic has equal
status, then it’s daily use in the Scottish Parliament and councils etc, would be an enormous boost
to the public profile of the language. Use of Gaelic for poetry and song is all very well, from a
cultural perspective, but use in the day to day business of running the country would act in synergy
with other elements.

Ronald S. Pirrie

SUBMISSION FROM FLORENCIA PONSSA

I'm writing from Argentina and I want to let you know I give all my support to the enforcement of a
law considering the gaelic language as the official language in Scotland.

Mrs Florencia Ponssa
Buenos Aires
Argentina
Education Committee, 2nd Report, 2005 (Session 2) – Written evidence
D: Responses from individuals

SUBMISSION FROM DANIEL PROHASKA

I hereby state that I, Daniel Prohaska, fully support the Gaelic language Bill.

Daniel Prohaska

SUBMISSION FROM MAIREAD RAMSAIDH

As a gaelic learner I have built a gaelic learners website at www.nocandhu.com and am interested in the promotion of Gaelic.

The greatest aids to my learning Gaelic have been

1. Local night classes
2. Immerson courses at a local college
3. Listening to gaelic speakers on Radio Nan Gael and on television.
4. Work place use of gaelic (ie. temporary work in gaelic childrens nurseries/schools, and in places which use Gaelic e.g. Commun na Gaelic offices etc.
5. Computer CD's and Gaelic websites.

Difficulties in learning gaelic have been:

1. Access to Gaelic.
   As gaelic medium schools have increased the provision for gaelic classes in English medium schools have decreased. This is a problem as it is quite common (as in our family) for there to be a great variation in Gaelic ability between family members. Not just between parents, but also among their children. Some brothers and sisters may speak and understand Gaelic while their siblings can't. We are moving to Gairloch where the Academy provides the choice of Gaelic medium for fluent speakers but also has classes in Gaelic for non-gaelic speaking children.

2. French.
   Our local schools (Balloch Primary and Culloden Academy) are actively dissuading children and parents from choosing Gaelic, and are instead heavily promoting French. This is not broadening access to Gaelic among the general non-gaelic speaking population, and is a separatist policy that corrals Gaelic speakers off from the bulk of Scottish children. The current pro-French stance in Scottish schools is effectively having an anti-Gaelic result. If we are serious about Gaelic as a national language this should be changed. French is growing like a foreign weed here and ousting our own native and rare tongue. Most Scots can understand some French but no Gaelic - that's a disgrace.

People can't take pride in something that they don't have - so give more Scots more Gaelic!

Is mise le meas

Mairead Ramsaidh

SUBMISSION FROM EFFIE RANKIN

I would like to add my voice in support of all efforts made on behalf of the Gaelic language. We in Nova Scotia often look to the tremendous advances made in Scotland with respect to language development; any efforts to sustain Gaelic in Scotland have a positive effect overseas and we are
encouraged by these latest moves. This bill is regarded by many as another positive step in the fight to save Gaelic—it could be the best available option at the moment.

Effie Rankin

SUBMISSION FROM PHYLLIS ROECH

Tha dhith oirnn rudan a chur ceart mu dheireadh thall. S’ann anns a’ cheud dol a mach feumaidh coir reachdail air foighlam tro mheadhan na Gaidhlig a bhith ann, agus a bharrachd air sin co-ionnachd inbhe eadar Gaidhlig agus Beurla. Tha seo riatanach airson an am ri teachd.

Phyllis Reoch

We really need to put things right at long last. Firstly there need to be legal rights to Gaelic Medium education and more over there needs to be equal status between Gaelic and English. This is essential for the future.

SUBMISSION FROM ALBERTO SANTIAGO RIVAS

One step to recover your own history is the full use of your language. For you is not the same as Irish history where was forbidden. I hope your wishes are accepted for Parlament.

SUBMISSION FROM SUSAN ROBERTSON

As the parent of a young child who is about to start a Gaelic medium education pre-School nursery (in Kilmarnock) I would like to respond to the Call for Evidence for the above Bill from a personal point of view. Although my husband and I are not Gaelic speakers ourselves, we are very pleased that from the age of three our daughter (and later her younger brother) is going to be able to access a bilingual education. I have studied modern European languages myself (to degree level) and believe that there are many academic, social and cultural benefits to be gained from learning other languages from as early an age as possible. Although our Local Authority (East Ayrshire) obviously supports Gaelic medium education at present, we strongly support the opinion of Comann nam Parant (Naiseanta) that the Bill should ensure parental rights to Gaelic medium education from pre-school to further/higher education level, as well as including community education and lifelong learning. Since we are about to commit our daughter, and later our son, to the Gaelic medium system we now want to feel confident that they will be able to continue in it for the duration of their formal education, and beyond, if they wish. Therefore we want to see Gaelic medium education legally established as part of the Scottish education system and accorded the same support as English medium education.

SUBMISSION FROM JOYCE ROBSON

I am submitting this written evidence on behalf of my mother Mrs Joyce Robson 71 years old, she lives in Ochiltree, Ayrshire. She has been learning Gealic for many years now and is presently at the local Forge Ahead centre in Auchinleck. The problem is that there has been no continuity or permanent provision in the local area. She has had to travel to classes in various areas just to be able to take part in learning Gaelic. These places have been; Cumnock, Ayr, Girvan and West Kilbride. Some have been only conversation classes with no teacher, while this is good she would prefer a taught class. She also supports learning Gaelic for everyone in Scotland.
I agree with the general principles of the Gaelic Language (Scotland) Bill, and support the statutory establishment of Bòrd na Gàidhlig. While the Bill is weak as regards a legal right to Gaelic medium education, it may be the best option available at present.

Dr Helen Ross
Department of Psychology
University of Stirling

SUBMISSION FROM CAILEAN SANDILANDS

A Chairdean,

It is encouraging that improvements have been made to the Bill from the initial draft at consultation stage. Further strengthening of the Bill is, however, required:

1. It should be stated within a discrete section of the Bill that Gaelic is recognised as an official language of Scotland with a status equal to that of English.

2. There should be a requirement on Local Authorities to provide Gaelic Medium Education where reasonable demand is demonstrated.

3. Section 5 (3) should be supplemented with an additional sub-section requiring public authorities to have regard to the extent to which they can, through the exercise of their functions, encourage the development of the Gaelic language.

Cailean Sandilands

SUBMISSION FROM DES SCHOLES

Sin agad e,

Tha mise a’ fuireach ann an Inbhir Narann, a’ite far an robh Gàidhlig fhathast ga chluinninn uaireannan air an t-sràid mhòir: chan eil ach 2% comasach ga bruidhinn, tuiginn no sgriobhadh a rèir an cunntas sluaigh mu dheireadh ach fiù’ s ann an 1881 bha 25 às gach ceud ga bruidhinn.

Airson Gàidhlig a’ cumail beò san àite bu choir am bile a bhith fada nas làidire gu h-àrraidh a thaobh fhoghlam. Tha clann anns an sgoil àraich ach chan eil dad ri fhaighinn as dèidh sin.

Ma thogras iad, bu choir a h-uile cothrom ’s ghabhas a bhith aig muinntir an àite a’chàin a thogail. Tha úidh aig daoine airson Gàidhlig ag ionnsachadh ’s a’ cumail beò ach càite a bheil na còraichean airson sin a dhèanamh?

Tha Gàidhlig beò ann an Inbhir Narann an diugh. Am bi e beò ann an 2054? Bhithidh - ma chuireas sibh ur taic thuice.

Le meas
Des Scholes

Here you are,

I live in Nairn, a place where Gaelic is still heard on the main streets sometimes: only 2% are able to speak, understand or write it according to the last census, but even in 1881 it was spoken by 25 out of every hundred.
In order to keep Gaelic alive in the place, the bill needs to be much stronger vis-a-vis education. There are children in the nursery school, but there is nothing available [for them] after that.

If they would like, there should be every opportunity available given to the people of the area to pick up the language. People are interested in learning gaelic and in keeping it alive, but where are the rights to enable them to do so?

Gaelic is alive in Nairn today. Will it be alive in 2054? It will be - if you lend it your support.

Des Scholes

SUBMISSION FROM JUDY SCOTT

I am writing from Sydney Australia where I, like many of my friends and associates, watch and try to keep informed of the ongoing struggle to manage the preservation of the Gaelic Language.

I am a representative of an enthusiastic group of people known as Còisir Ghàidhlig Astràilianach which even here on the other side of the world recognizes the beauty and cultural significance of the Gaelic Language.

We Support the general principle of the Gaelic Language Bill (Scotland) and the establishment of Bord na Gàidhlig but fear that alone will not be enough to prevent the demise of this direct link to the language of our heritage. We observe more effort being made to preserve buildings and battlefields than this living tongue of our own people, an observation recognizable even from this great distance. It is imperative that ‘the Bill’ be as strong as possible and give equal validity to Gaelic and English if there is to be any hope of preventing total destruction of the language. The Bòrd must be given autonomy to act swiftly and strongly in the interests of linguistic survival and not be constrained by the necessarily convoluted machinations of political and ministerial correctness. There is not enough time for political posturing to be an element of the dialogue. The Bòrd must have goodwill and total support to be allowed to act in our best interests or we the struggling supporters of Gaelic are lost before we start. It goes without saying that the Bòrd will be up to the task, certainly it will become evident very quickly if they are not. Look at how long all this has taken. What are the consequences of such lengthy procedures? Loss of irreplaceable resources I would suggest, loss of irreplaceable native speakers, loss of possible new native speakers.

Studies indicate there is a very small window of opportunity for a language to be rescued from the brink of extinction and that window is almost closed, the time and numbers are perilously close.

The exclusion of Gaelic speakers outside Scotland being accounted for in your statistics is worrisome but hopefully there will be a benefit in the unforeseen strength added to the groundswell of people recognizing more needs to be done.

The lobby for parents to have their children educated in Gaelic although they themselves have not had that privilege must be a consideration for ‘the bill’ to achieve its aims.

‘The bill’ must be strengthened and totally supported for any hope of this loss to be averted.

It is to be hoped that Bòrd na Gàidhlig is effective and efficient in fostering interest and respect for the Gaelic Language and that as the situation improves financial support will be raised to help meet the rising need for a very real national heritage programme. That is where political attention needs to be directed.

Le meas

Judy Scott
(President, Còisir Ghàidhlig Astràilianach)
SUBMISSION FROM STEPHEN SHARP

The revised Bill is an improvement on the original but in the main area where action is needed - education - the revised Bill still avoids the point. The briefing makes it quite clear that progress in Welsh and Irish has been achieved by introducing these languages into schools and giving pupils access to them at a young age when their ability to learn languages is at its highest. No amount of planning, reviewing plans or giving guidance on the development of plans is ever going to act as a substitute for this. What is needed is an obligation on every education authority to provide Gaelic medium education where there is reasonable demand and an obligation to define 'reasonable demand' in the local context. There should also be an obligation on the Scottish Executive to lay out what action it intends to take to ensure the supply of sufficient appropriately qualified teachers to provide this education.

The plans referred to in the Bill may be effective - it depends on whether the Bord uses its powers to require education authorities to do what I have outlined in the first paragraph and on how much support it gets from the Parliament where authorities prevaricate. But making these requirements explicit rather than leaving it up to the Bord to implement them means that there is a risk that there will be a plethora of words but no action.

Stephen Sharp
Education & Society
Moray House School of Education
University of Edinburgh

SUBMISSION FROM LINSEY SINCLAIR

I am a learner of gaelic, I come from the east end of Glasgow, a community where gaelic language was not often heard.

However as I grew up and became more interested in scottish history and took to the hills: I became more curious and began learning gaelic little by little.

I am currently based in Inverness and have 2 young children who are being educated in the medium of gaelic. I have no regrets, only that I never had these opportunities as a child myself.

I feel teacher training should be reviewed. Why are there still so few bi lingual teachers? Without them our children are not getting continuity in their gaelic education. Look carefully at the statistics - how many start ........how many complete?

I strongly feel that the bill should incorporate that parents have a right to access this medium. I feel that all public bodies should equally treat gaelic as they do english.

I feel that where possible place names, street names, banks, building societies, public conveniences, retail outlets, especially supermarkets (these are the places young children are exposed to almost daily) should be obliged to have bi lingual signs in their premises, on aisles and on their shelves at the very minimum! A branch of Tesco, a stone's throw from the Gaelic Medium Unit in Inverness, recently refurbished - no gaelic visible when completed. Kids and parents, relatives and friends with gaelic or learning it frequently shop here. What message does this give? Only equal status can bring about significant change.

There has been progress with books and learning materials, and importantly with dedicated schools and G.M.Units: but we should be so much further on.

Please consider the above when drafting this bill.

Linsey Sinclair
I write with my comments on the Gaelic Language Bill.

I agree with the general principles of the Gaelic Language (Scotland) Bill, and fully support the establishment of Bòrd na Gàidhlig on a statutory basis.

However, I believe that the Bill would be strengthened by the inclusion of a clause guaranteeing that Gaelic and English are treated on the basis of equal validity. Nevertheless, the Bill, as it stands, may well be the best option available for securing the future of the language.

I believe that Bòrd na Gàidhlig should be given autonomy to go about its business in a robust, but reasonable and conciliatory way. However, as a public body, the Bòrd should also be subject to the same constraints under which all public bodies operate.

The Bòrd should be encouraged to issue guidance with regard to Gaelic education - and this guidance should complement the efforts of Local Authorities, and other relevant Bodies.

The Bòrd should receive increasing amounts of funding as it goes about its business, and as the interest in Gaelic, and demand for Gaelic, increases.

Barbara I Smith

SUBMISSION FROM GEORGE STODDART

Whilst generally supporting the concept of a Gaelic Bill and the basic structure of the proposals (being the only option currently before us for saving the language), I have some reservations about the impact it will have on the living language.

The Bill is unlikely to achieve more than merely saving our language as some historical exhibit confined within the glass case of its current usage. We need to go much further to achieve real progress and to reverse the decline brought on by 250 years of repression and neglect. For the language to really live it requires two very important contexts:

1. No language can survive or develop without the foundation of a living cultural context. To achieve that the language must be the language of choice, the first language of that culture and the people in the geographical region where the culture resides.

2. For any language to survive and develop it requires its own economic context. Therefore economic development within the cultural area must be conducted through the medium of the language, and in parallel with the culture, rather than being based on imported models.

So Gaelic needs to become (in defined communities) the language of the playground, the language of the workplace and the first language of social discourse and entertainment.

Therefore I see the existing Bill as the first aid sticking plaster which will reduce the loss of blood, until proper treatment can be made available. That treatment – total health care for the language, its culture and the development of its unique economic model – must be a priority for the Scottish Parliament in the months and years ahead.

Following the Bill, wide ranging consultation will be required with communities (e.g. Western Isles, Skye, Wester Ross, Inner Hebridean Islands) where the language yet lives, weak though it is, and with other interested parties to shape the next, and much more critical, phase of regeneration.

Matters for discussion might include:

- Priority to be given to Gaelic medium education as the mainstream for all children in the area from an agreed date.
Education Committee, 2nd Report, 2005 (Session 2) – Written evidence
D: Responses from individuals

- Local government business to be conducted through the Gaelic medium after an agreed date
- New businesses after an agreed date to have a local cultural context and to use the Gaelic language
- A period to be established for existing businesses to convert to Gaelic medium
- Priority to be given to Gaelic medium entertainment
- Tourist attractions and information centres to use Gaelic as the first language with supporting translations
- Provision of Gaelic libraries and other cultural centres

Meantime more resources must be made available to aid those from all parts of the world who are interested to learn our ancient language. For example, there is significant demand within Central Scotland for beginners’ classes, and even greater demand for more advanced classes, but a distinct shortage of teachers able and willing to meet those demands. I have the greatest admiration for those few brave souls who do, with little support, the best they can to meet their local demands.

G. K. Stoddart

SUBMISSION FROM LUIS STUART-PENNINGTON

I am very pleased that the Executive has introduced the Gaelic Bill to the Scottish Parliament. Although this Bill is much better that the draft that was distributed last year, it is still too weak. The Bill does not give legal rights to Gaelic speakers as it should, especially vis-à-vis Gaelic Medium Education.

We especially recommend that the Bill is developed in the following ways:

1. The Bill should make it clear that Gaelic has official status in Scotland and that Gaelic has equal status with English in Scotland.

2. We are pleased that there is legal provision that every public body in Scotland has to design and put a Gaelic Language Plan in place (the same type of responsibility that is placed on public bodies in Wales according to the Welsh Language Act 1993). The Bill should clarify that the aim of these plans is to observe the principle of equality between Gaelic and English (as affirmed so clearly in the Welsh Language Act), and that a list of the main topics [headings] of plans should be put in the Bill (recruitment, training, publishing, public image, communicating with the public, etc.).

3. Bòrd na Gàidhlig should have further powers (e.g. power to raise a legal case against a public body that does not fulfil its duties) to make public bodies observe their Gaelic plans. The Welsh Language Board has more power than Bòrd na Gàidhlig which is not at all acceptable.

4. There should be legal provision put on each [local] authority to provide Gaelic medium education if there is reasonable demand for it, and parents should have the legal right to get this for their children.

5. Gaelic speakers should have a legal right to use their language in a Scottish law court. Welsh speakers have these sort of rights according to the Welsh Language Act 1993 and it would not be at all fair to deny the same [rights] to Gaelic speakers.

I hope that these developments will be seen. The bill is not strong enough at present and Gaelic speakers will not be satisfied with it.

Luis S Stuart-Pennington

Tha mi glè thoilichte gu bheil an Riaghaltas air Bile Gàidhlig a chur fo chomhair na Pàrlamaid. Ged a tha am Bile seo gu math nas fheàrr na an dreachd a chaidh a sgoileadh an uiridh, tha e
D: Responses from individuals

fhatast ro lag. Chan eil am Bile a’ toirt chòraichean laghail do luchd na Gàidhlig mar bu chóir, gu h-àraidh a thaobh foghalm tro mheadhan na Gàidhlig.

Gu sònraichte, tha mi a’ moladh gun ath-leasaichear am Bile anns na dòighne a leanas:

1. Bu chóir don Bhile dèanamh soilleir gu bheil inbhe oifigeil aig a’ Ghàidhlig ann an Alba, agus gu bheil co-ionnanachd eadar a’ Ghàidhlig agus a’ Bheurla ann an Alba.

2. Tha mi toilichte gum bi uallach laghail ga chur air a h-uile buidheann phoblach ann an Alba plana Gàidhlig a dhealbhadh agus a chrur an gniomh (an aon seòrsa dileastanas a tha air buidhnean poblach anns a’ Chuirmrigh a rèir Achd na Cuimris 1993). Bu chóir don Bhile deànamh soilleir gur e coilionadh prionnsabal na co-ionnanachd eadar a’ Ghàidhlig agus a’ Bheurla amas nam planaichean seo (mar a tha Achd na Cuimris a’ cur an cèill gu soilleir), agus bu chóir liosta de phriomh chuspairean nam planaichean a chrur anns a’ Bile (fastadh, trèanadh, foillseachadh, iomhaigh chorporra, conaltradh leis a’ phoball etc.).

3. Bu chóir cumhachdan a bharrachd (m.e. cumhachd cúisean-lagha a thogail an aghaidh bhuidhnean poblach nach eil a’ coilionadh an cuild dhleasta nan) a bhith aig Bòrd na Gàidhlig gu toirt air buidheann poblach planaichean Gàidhlig a choilionadh. Tha barrachd cumhachd aig Bòrd na Cuimris na tha aig Bòrd na Gàidhlig, rud nach eil eonachaidh idir.

4. Bu chóir uallach laghail a bhith air gach ùghdarras foghlaim foghalm tro mheadhan na Gàidhlig a sholarachadh ma tha iarrtas reusanta ann air a shon, agus bu chóir còir laghail a bhith ag pàrantan a leithid fhaighinn airson an cuild cloinne.

5. Bu chóir còir laghail a bhith air gach ùghdarras foghla am a cheol aig Bòrd na Gàidhlig an cànna a chleachdadh ann an cùirtean lagha na h-Alba. Tha córaichean den t-seòrsa aig luchd na Cuimris a rèir Achd na Cuimris 1993 agus cha bhiodh e cothromach a leithid seo a dhùltaidh do luchd na Gàidhlig.

Tha mi an dòchas gum faicear na leasachaidean seo. Chan eil am Bile làidir gu leòr aig an ire seo agus cha shàsaich e luchd na Gàidhlig.

SUBMISSION FROM DAVE THOMPSON

I refer to the above bill which I consider to be very weak.

The bill really only gives legal status to Bòrd na Gàidhlig, sets up a requirement for the Bòrd to produce a Gaelic Language Plan and for certain other public bodies to do the same.

Even the limited scope of the bill is hedged around with all sorts of qualifications and loose timescales which are a recipe for delay and prevarication for anyone who wishes to obstruct the promotion of Gaelic which I am sure is not your aim.

The aim of the bill on secure status is very general with it being set up “……with a view to securing the status of the Gaelic language as an official language of Scotland”. There should be a right to use Gaelic and Gaelic should be classified as an official language with equal status with English.

The provision in the bill for guidance to be given on Gaelic education is rather pathetic when what is needed is a statutory right, in this bill and not elsewhere, to state education through the medium of Gaelic where reasonable demand is demonstrated. There would be minimal additional investment costs to start with but, as demand grew, costs would fall into line with current expenditure as Gaelic replaced English as the normal medium of education.

The Bòrd has a very small staff and will need to be expanded if it is to carry out even the limited functions in the bill, and certainly if it is to fill the role of being the champion of Gaelic.

Bilingualism has been proven to be a boon to those who are so skilled and I think everyone recognises that those who are bilingual from an early age fare better when it comes to learning
further languages. Is it not sensible, therefore, to encourage bilingualism at an early age and what better language to use than Gaelic which already has a foundation in Scotland. Foreign languages could be added on in later years to create a truly multi-lingual society within the growing European Union and thereby help to boost our economy?

This bill is a great opportunity to redress some of the wrongs done to Gaelic, often through the education system, and to benefit economically at the same time. It will be a great pity if the opportunity is lost.

Le deagh dhùrachd

Dàibhidh MacThòmais
SNP Westminster Parliamentary Candidate

SUBMISSION FROM AILEAN R TURNER

Bu toil leam na puingean aleanas a thoirt fa ur comhair ann a bhith a’soillearachadh doighean anns an gabhar leasachadh a cvhuir an luib a’Bhile. Tha cumadh gle mhath air , ach mar a bith e nas cuimsiche is mar sin nas lairdre ann an cuid do dhoighean(faic gu iosal), tha mi teagmhach nach tig piseach air te do chanaid na h-Alba.

1 Bu choir gum biodh co-ionnannachd gu h-oifigeil eadar a’ Ghaidhlig is a Bheurla ann an Alba . Ged a thuigear aig an aon am gum bith ùine mas tig an amas seo gu forfeachd anns gach roinn de bheatha a’ mhor-shluagh, se seo an t-slighe a bheir fàs is neart don chànan, gu h-araidh ann a bhith toirt misneachd do luchd-bruidhinn na cànan.

2 Aon uair is gum bidh Plana-Naiseanta Canan air a dheilbh,chan e mhain gum feumar impidh a chuir aig air na comhairlean - poplach airson am plana fhein a thoirt am follais , ach feumar ceann-latha ainmeachadh aig gach ceum don obair- anns na seibhisean soisealta , seirbhis na slainte is rianachd gach Comhairle.

3 Tha obair foghlum na Gaidhlig air leth cudromach anns na sgoltean ,colaisdean is na h-oilithghean ; chionn gu bheil aobhar na canan ann an staid cho cugallach, bu choir doighean a' rannsachadh air taic airgid a' libhrigeadh do oileanaich aig a bheil suil Gaidhlig a theagaisg no a' rannsachadh.Bu choir cuideachd cursaichean treanaidh a’ steidheachadh airson inbhairc thà fileanta sa chànan is a bhiodh deonach a’teagaisg.

4 Bu choir Seirbhisean na Slainte anns na h-aitichean far am bheil a ’Ghaidhlig fhathast bitheanta , a bhith deannamh oidhearaind air a teagaisg do luchd obrach anns na ospadail is air an duthaich ,oir bheireadh seo, ann an ùine ,an cóirichean dligheach is laghail do euslaintich.

   Tha mi an dochas gu bith na puingean sin feumail dhuibh nar cómhraidh.

Is mise le spèis

Ailean R. Turner  MB. MsC. FRCS (Ed.& Eng.)

Friends, I would like to draw your attention to the following points and so clarify ways in which improvements could be added to the bill. Its structure is very good, but if it is not more direct and thereby stronger in some ways (see below), I am doubtful that Scotland’s language will prosper.

1 There ought to be official equality between Gaelic and English in Scotland. Though it is understood at the same time that there will be a period before this aim comes to fruition in each area of public life, this is the way that will bring growth and strength to the language, especially in encouraging speakers of the language.

2. When the National Language Plan has been drawn up, not only should pressure be put on the councils to put the plan into action, but a date should be named for each step of the work – in the social services, the health service and the administration of each council.
3. Gaelic education is very important in schools, colleges and universities. Since the language’s cause is in such a precarious state, ways of delivering funding to students who wish to teach or study Gaelic should be researched. Training courses for fluent adults who would be willing to teach should also be established.

4. Health services in those areas where Gaelic is still widely spoken should make efforts to train their staff in hospitals and out in the country because this would, over a period of time, deliver patients their rights.

I hope that these points will be useful to you in your deliberations.

With respect,

Ailean R. Turner MB, MsC, FRCS (Ed.& Eng.)

SUBMISSION FROM RICHARD WATSON

A Charaid,

(English below)

Re: Bile na Gàidhlig

Mar neach a tha air Ghàidhlig ionnsachadh thairis air an dusan bliadhna a chaidh seachadadh agus a tha air a bhith an sàs ann an teagasg is leasachadh na cânain bhon àm sin, tha mi a’ cur fàilte chrìdh Neil air bile a stèidhicheas Gàidhlig mar chànan oifigeil ann an Alba agus a bheir nàdar de theàrainteachd dhi.

Nam bheachd-sa ‘se foghlam, foghlam, foghlam an dòigh anns an tèid a’ chànan a sàbhaladh agus a leasachadh - foghlam tro mheadhan na Gàidhlig. B’ fheàrr leam ge-tà gun neartaicheadh am bile guis an cuireadh e dileastanas air ughdarrasan ionadail foghlam tro mheadhan na Gàidhlig a thairgse mar chóir reachdail far a bheil iarritas am measg an t-shluaigh. Seo mar a thachras anns a’ Cumrigh agus ann an Eireann, agus nach bu chòir dha Alba a bhith a cheart cho pròiseil agus cho taiceil dhan chànanan dùthchail aicese agus a tha ar cùrdean Ceilteach sna dùthchannan sin.

Le gach deagh dhùrachd,

As someone who has leant Gaelic over the last 12 years and has been involved in the teaching and development of the language throughout that time, I warmly welcome a bill which will establish Gaelic as an official language in Scotland and which will give it secure status to some degree.

In my view it is education, education, education which will save and expand Gaelic - education through the medium of Gaelic. I would prefer therefore that the bill be strengthened so as to place upon local authorities the duty to provide Gaelic medium education as a right where demand exists amongst the local population. This is how it is done in Wales and in the Republic of Ireland, and surely Scotland should be just as proud and supportive of its native languages as are our Celtic friends in those countries.

SUBMISSION FROM GLENN WRIGHTSON

Although I’m involved in the Gaelic movement as a learner, teacher, and organizational volunteer, I must admit that I have taken little interest to date in the Gaelic Bill. Part of this is due to lack of time, but I’m also a little skeptical of how effective any legislation can be in saving a language. However, one point I would make (and this may well be totally irrelevant to the bill) is that Radio nan Gaidheal is one of the best examples of Gaelic being alive in the world today and of
connecting those who speak it. I should think that any additional funding to expand Radio nan Gàidheal would be money worthwhile in this regard.

Thank you for your time.

Le gach deagh dhùrachd

SUBMISSION FROM MARK WRINGE

Bu toigh leam an cothrom a ghabhail mo bheachdan air an dàrna dreach de Bhile na Gàidhlig a chur an cèill. Tha mi nam Òraidiche agus nam Stiùiriche Cùrsa aig Sabhal Mòr Ostaig, ach chan ann às leth na Colaiste a tha mi a’ sgrìobhadh. ‘S e mo bheachdan pearsanta a tha anns na leanas.

Foghlam

Tha beagan feabhais air tighinn air a’ bhile bhon chuid dreach, agus tha mi toilichte gu bheil barrachd cumhachd air a mholadh do Bhòrd na Gàidhlig na bha roimhe. Air an làimh eile, ‘s e bristeadh duíil air leth a th’ ann gu bheil ‘freagarth’ an riaghaltas air comhairle nam mìltean a chuir fios a-steach dhan chidh cho-chomhairleachadh cho truagh a-thaobh foghlaim. Bha e cho seo beil ‘s a ghabhas gu bheil luchd na Gàidhlig a’ meas còrachean foghlaim buileach riatanach. Chan eil dà dhòigh air gum FEUM am bile dearbhadh gu bheil cóir a mhnintir na h-Alba a’ bhile foghlam tro mheadhan na Gàidhlig, cho math ri teagasg na Gàidhlig mar chuspair, agus bu chóir dhan bhile a chur mar fhìachaibh fon lagh air comhairlean oidhríopean làidir a dhèanamh gus am foghlam sin a thoirt seachad far a bheil iarrasas reusanta air a shon – mar a mhol CnaG, Althirs Mhic a’ Phearsain is MAGoG o chionn fhada, agus mar a tha na mìltean air cur an cèill sa cho-chomhairleachadh mòr dheireadh. Gabhaidh mineachadh a dhèanamh air dè tha ‘reusanta’ (‘s e còigear sgòilear a bha CnaG a’ moladh). Ach chan e foghlam bun-sgoile a-mhàin a bhò dearbhachd air a bhith san aireamh an seò, ach foghlam san ard-sgoil, agus foghlam do dh’inbhich. Tha luchd na Gàidhlig a’ tuigsinn gu ro-mhath nach eil seo a’ ciallachadh gu bheil dèanamh sin ri fhaoilainn anns gach èite anns a’ bhadh. Tha làn fhios againn uile gu bheil cion luchd-leagaig ann, agus tha làn fhios againn nach tèid an tiarrtas a choleanaidh anns gach suidheadachadh. Ach tha foghlam Gàidhlig agus foghlam tro mheadhan na Gàidhlig a bhonn cu gallach agus air bhonn fàbhair. FEUMAIDH e dìon san lagh.

Còrachean

Tha eagal orm gu bheil sùil a’ bhile seò air gnothaicheadh rianachd,agus chan ann air daoine a chleachdas do no a thogas a’ Ghàidhlig. Chan eil aon imradh ann air coimhearsnachd, no air feumalachd anns a Ghàidhlig agus còrachean dhaoine. Air cho ionmolta ’s a tha amasan an Riaghaltas, a-rèir na tha sgrìobhte, cha ghabh na h-amasan sin coileanaidh le pàipearan, ach le cothroman a bhith air am fosgladh do dhaoine an cànan a thogail agus a chleachadh.

Bonn nàiseanta

Cha ghabh roinn simplidh a dhèanamh cuideachd eadar sgirean far a bheil luchd na Gàidhlig pailt agus sgirean eile far a bhailt nam mon-chuid bheag. Chan oibrach reachdasg gu chinnleadh, mar eisimpleir, air a bhonn seò, agus cha bhi Seirbhís na Slàinte, mar eisimpleir eile. a’ diùltadh cùram do dhaoine ann an roinn shònraichte dhen dùthach air a’ bhonn ‘s nach eil mòran eile san sgìre sin a tha fulang leis an aon euslainte.

Inbhe Oifigeil

Bu chóir dhan bhile togail air na h-amasan foillsichte, agus briathrachas a chur ann a dh’airtnicheas a’ Ghàidhlig mar chànan oifigeil ann an Alba, le co-ionannachd spèis eadar Gàidhlig is Beurla.
Gàidhlig aig buill a’ Bhùird
Tha e àraid nach eil am bile ag ràdh gum Gàidhlig a bhith aig buill Bòrd na Gàidhlig. ‘S e uidleamhachd bhunanach a tha ann gu obair a’ bhùird a choileanadh, ach chan eil i air ainmeachadh sa bhile.

Buidhnean Breatannach
Tha e cudthromach gun tig buidhnean poblach ‘Breatannach’ fo sgèith an reachdais seo – tha mòran ann a tha fadas na rathainoach, an ann am beatha dhaoinne na cuid mhath dhen fheidhann ‘Albannach’ a bha air an ainmeachadh sa chiaid dreach. Tha e nàir nach biodh deiltheas air seirbhisean rìatanach poblach mar a tha Ionadan Obrach, Roinn nan Sochairean Sòilealta, plana Gàidhlig ullachadh, ged a dh’fhéumadh Urrais Rannsachaidh nach bi a’ dèiligeadh ris an t-sluagh plana a’ chur ri chèile.

Bhiodh e furasta gu leòr dhan Riaghaltas fuasglaidh iarraidh air Riaghaltas Bhreatainn a-thaobh buidhnean a tha a’ buntainn ri ‘cumhachdan glèidhte’.

Ma dh’fhaodas Westminster obair a dhèanamh às le Holyrood tro ‘rùinteane Sewell’, nach fhaod Holyrood obair a thoirt os làimh air iarrtas Westminster air an aon dòigh?

Gnothaichean Glèidhte
Tha mi a’ tuigsinn nach gabh mòran a dhèanamh gu pragtaigeach mu dheidhinn, mar eisimpleir, craobh-sgaoileadh, agus Seanail Telebhisein dhan Ghàidhlig sa bile seo. Dh’fhaoidte, ge tà, briathrachas a’ chur dhan bhile seo gu bheil poileasaidh a stiùireadh, a stiùireadh agus a bhrosnaicheadh oidhirpean gu adhartas a dhèanamh air cupairean a bhun eis a chochadh glèidhte. ‘S e gnothach nàire, mar eisimpleir, a tha san dàil mhichiatach air cuspair an t-seanail Ghàidhlig, le gach pàrlamaid a’ coireachadh leisgeul na pàrlamaid eile.

Comasan/Uallach air Ministearan
Le cho tric ‘s a bhios ministearan gan gluasad gu dreuchdann ुra, tha e na dhragh dhomh gum faodadh dàil èirigh le tagradh chun a’ mhinisteir an aghaidh a’ Bhùird, air neo, nas miosa na sin, gun gabh Seirbhisich Chatharra brath air ministear ùr nach eil ro eòlach a-thaobh Gàidhlig no a-thaobh gniomh an Riaghaltais san raon seo. Thachair seo mar tha. A-rèir coltais, tha Ombudsman neo-eisimeileach stiùireadh ann an reachdais den t-seòrsa seo ann an Canada agus an Eòrpa. Dh’fhaoadh seo uallach throm a thoirt far ministeirian, agus seasamh neo-eisimeileach a thoir gu cho-dhùnaidhean. Bhiodh Ombudsman, neo a leithid, na mheadhan ëileachadh dhan mhòr-shluagh tagradh a thogail nam biodh duine sam bith den bheachd neach deiligeadh riutha a-thaobh cânain, mar a bha iomchaidheachd a’ chluichinn.

Cha leigeadh Ofis dhèan t-seòrsa seo, coltaich ri Ofcom mar eisimpleir, a leas a bhith ceangailte ri Gàidhlig a-mhàin, ach dh’fhaoadadh e bhith coimead as dèidh feumalachd mion-chànan sam bith.

Co-dhùnadh
Ann an co-dhùnadh, tha eam bile seo fhathast feumach air neartachadh susbainteach. Bu mhòr am beud na cosgadh an Riaghaltas agus oifigean an Riaghaltais – agus am mhòr-shluagh – uireadh de spionnadha, de chosgais, agus de thide, air bile cho meadh-bhlàth is nach dèanadh e deifir.

Is mise, le meas

Mark Wringe

I would like to take this opportunity to express my opinions on the second draft of the Gaelic Bill. I am a lecturer and Course Director at Sabhal Mòr Ostaig, but I do not speak on behalf of the College. The following are my own personal opinions.


Education

The bill has improved slightly since the first draft and I am pleased that more powers are proposed for Bòrd na Gàidhlig than was the case previously. However, it is a great disappointment that the Executive’s “response” to the advice of the thousands who replied to the first consultation is so weak regarding education. It was abundantly clear that Gaelic speakers saw the right to education as essential. There is no doubt that the bill MUST ensure that the Scottish people have a right to Gaelic-medium education, as well as to Gaelic taught as a subject, and the bill should make it a statutory obligation for councils to make strenuous attempts to provide such education where a reasonable demand exists – as recommended a long time ago by CNAG, the MacPherson Report and MAGoG, and as thousands of responses to the last consultation made clear. A definition can be found for “reasonable” (CNAG recommended five pupils). But, this should not only include primary school education but secondary school and adult education also. Gaelic-speakers understand very well that this will not mean that Gaelic education will be available everywhere immediately. We all know that there is a lack of teachers and that demand cannot be satisfied in every instance. But Gaelic education and Gaelic-medium education is on a shaky footing and dependent on goodwill. It MUST have protection under the law.

Rights

I fear that this bill concentrates on administrative matters and not on people who use or learn Gaelic. There is not one mention in it of community or of the needs and rights of people. However laudable the aims of the Executive, on paper, these aims cannot be fulfilled by paper, but by opening opportunities to people to learn and use the language.

A national basis

A line cannot easily be drawn between areas where Gaelic speakers are plentiful and areas where they are a small minority. Legislation which has, for example, a racial basis will not work here, or, to put it another way, the Health Service would not refuse treatment to people in one region on the grounds that not many others in their area suffer the same illness.

Official Status

The bill should build on the published aims and a statement should be inserted declaring Gaelic as a national language of Scotland, with parity of esteem between Gaelic and English.

Board members should be Gaelic speaking

It is strange that the bill does not specify that the members of Bòrd na Gàidhlig should be Gaelic speakers. It is a necessary requirement to fulfil the aims of the Board, but this is not mentioned.

British Bodies

It is important that “British” public bodies come under this legislation – many of them are of far greater importance to people’s lives than some “Scottish” ones named in the first draft. It is a disgrace that essential public services such as Job Centres, and the Department of Social Security do not have to prepare a Gaelic plan whereas research trusts which have no contact with the public do. It would be easy enough for the Executive to ask the British Government to provide a solution regarding bodies governed by ‘reserved powers’. If Westminster can act on Holyrood’s behalf through the ‘Sewell motions’ can Holyrood not act for Westminster in a similar way?

Reserved Matters

I understand that not much can be done, in practical terms, about, for example, broadcasting and a Gaelic Television Channel in this bill. However, it could be stated in the bill that a basic policy be established to guide and promote attempts at progress in reserved matters. It is a disgrace, for example, that there has been such an extraordinary delay regarding the Gaelic channel, with each parliament attempting to pass responsibility to the other.
Ministerial Powers/ Responsibilities
Because ministers are moved to new jobs so often I find it a cause for concern that delays could arise in appeals to the minister against the Board or, even worse, that Civil Servants should take advantage of a new minister’s inexperience in Gaelic matters and of the Executive’s work in this field. This has happened already. Apparently, an independent Ombudsman is established in similar legislation in Canada and Ireland. This could relieve ministers of a heavy burden, and give decisions an independent standing. An Ombudsman, or similar, would be an effective means for the public to appeal, should any believe that they have been unfairly or inappropriately dealt with in language terms. An Office of this sort, such as Ofcom for instance, need not deal with Gaelic alone, but could safeguard the rights of any minority language.

Conclusion
In conclusion, this bill still needs substantial strengthening. It would be a great pity if the Executive and its officials – and the public – spent so much effort, money and time on a bill which was so lukewarm that it made no difference.

SUBMISSION FROM KAREN ZABALA
My name is Karen and I reed this e-mail from Argentina and I love the gaelic scotish, I am student this lenguaje in my country in the Church of Saint Andrews and I like he be one of the six oficial lenguajes in Scotland. From here and now, I say thanks!!!

Karen Zabala
E: LATE RESPONSES

ADDITIONAL SUBMISSION FROM CLI GAIDHLIG

Tha Clì Gàidhlig taingeil airson a’ chothruim seo fianais sgribhte a bharrachd a thoirt dhan chomataidh gus puing no dhà a shoillearachadh a dh’èirich às a’ choinneimh a chaidh a chumail air 17mh den t-Samhain.

As déidh dhuinn an Althsg Olfileig den choinneimh a leughadh, tha sinn a’ creidsinn gu bheil beagan soillearachadh a dhith a thaobh mhodalan planadh cânain, córaichean luchd-labhairt nam mion-chànan agus beachadh Chìli Gàidhlig air na cuspairean seo ann an co-theacsa Bile na Gàidhlig (Alba). Tha sinn ag iarraidh gu h-àraidh na ceistean a bha aig Coinnic Mac an Toisich agus Fiona Hyslop a fhreagairt, agus tha sinn an dochas gu b’ile uile na comataidh sàsachta leis an fhreagairt seo.

Planadh agus planaichean

Is e a tha ann an planadh cânain ach siostam de dh’eadraiginne poileasaidh a bheir buaidh air suidheachadh cânain. Ann an co-theacsa ath-bheothachadh nam mion-chànan, is e a’ bhuaidh ris a bheil na h-eadraiginne poileasaidh ag as an crionadh cânain a thionndadh agus neart a thoirt dhan mhion-chànan, le bhith ag ardachadh inbhe a’ chànan agus a’ cur air doigh seirbheisean agus structaran a bheir cothrom dhaoine an cànan a chleachdadh.

Chan ionann planadh cânain agus planaichean cânain, ach dh’haodadh planaichean cânain a bhith an lùb siostam de phlanadh cânain, mar a thachras anns a’ Chumhris. Tha planaichean an lùb a’ mhodail de phlanadh cânain a bhios am Bile a’ steidheadh airson na Gàidhlig, ach tha barrachd a dhith airson tionndadh soirbheachail de chrinodadh na Gàidhlig a thoirt gu buil. Tha iomadach rud eile a dhith airson siostam coileanta de phlanadh cânain, a’ gabhail a-steach foghlaam aig gach ire, sanasachd agus margaideachd, craobh-sgaoileadh agus foilseachadh, agus libhrigeadh sheirbheisean poblach.

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Ma tha ceistean eile sam bith aig buil na comataidh, tha sinn tuilleadh d’ur cuideachadh ann an doigh sam bith ’s as urrainn dhuinn.
Clì Gàidhlig is grateful for this opportunity to submit additional written evidence to the committee to clarify some points arising from the meeting held on 17 November.

Having read the Official Report of the meeting, we feel that some clarification is needed on models of language planning, the rights of minority language speakers and Clì Gàidhlig's views on these matters in the context of the Gaelic Language (Scotland) Bill. We want in particular to respond to the questions asked by Kenneth Macintosh and Fiona Hyslop, and we hope that members of the committee will be satisfied with this answer.

Plans and planning

Language planning is simply a series of policy interventions designed to have an impact on a language. In the context of revitalising minority languages, the impact that such interventions aim for is a reversal in the language's decline and greater strength for the minority language, by raising the status of the language and by putting in place services and structures that will give people an opportunity to use the language.

Language planning and language plans are not the same thing, but language plans can form part of a system of language planning, as happens in Wales. Plans form part of the model of language planning that the Bill will establish for Gaelic, but more than this is needed to bring about a successful reversal of the decline of Gaelic. Many other things are needed for a complete language planning system, including education at all levels, advertising and marketing, broadcasting and publishing, and the delivery of public services.

Clì Gàidhlig is firmly of the view that statutory rights are essential if we are to have a system of language planning, and not simply of language plans, here in Scotland. Without rights, people cannot get services from a public authority if that authority is unwilling to deliver those services. With statutory rights, a group of parents, a group of adult learners or an individual citizen can go back to Bòrd na Gàidhlig and raise a complaint, and it would then be incumbent on Bòrd na Gàidhlig and on the authority to ensure that the service was delivered if that was reasonable.

We understand very well that the demand for Gaelic-medium education, adult education and other public services will not be so great in some areas as in others. However, it would not be difficult for Bòrd na Gàidhlig and public authorities to decide between them what level of demand would be considered reasonable. It must be remembered that it is people, not geographical areas, that speak Gaelic and need public services, and national legislation must give rights to the people of Scotland regardless of where they live.

The philosophy behind rights and the philosophy behind plans are not at all in conflict. Rather, both rights and plans are essential if the Gaelic Language (Scotland) Bill is to have a powerful and positive impact on the language when the bill becomes law next year.

The Scottish Executive has made a policy decision that there will be legislation for Gaelic, and the Minister for Education has said that he wants Gaelic to be strong and to flourish in the future. Clì Gàidhlig asks nothing more than that the Bill should be capable of fulfilling this policy properly.

If committee members have any other questions, we are more than willing to help in any way we can.
FURTHER SUBMISSION FROM COMANN NAM PÀRANT (NÀISEANTA) (NATIONAL PARENTAL ORGANISATION)

'S e buidheann taice a tha ann an Comann nam Pàrant (Nàiseanta) do phàrantan aig a bheil clann aig a h-uile ñe de dh' fhoghlam tro mheadhan na Gàidhlig. Tha gach sgire ann an Alba far am faighhear fhoghlam tro mheadhan na Gàidhlig a riuchothadh aig a' chomataidh aig Comann nam Pàrant (Nàiseanta).

Bha Comann nam Pàrant toilichte cothrom fhaighinn a bhith air beulaibh Comataidh an Fhoghlaim airson fhanais a thoir seachad mu na priomh cheistean a tha ag éirigh à Bile na Gàidhlig (Alba)agus cothrom na beadh an chuir againn ag a chuir a dhe thoradh.

As dèidh dhuinn a bhith air beulaibh na chomataidh bu chaomh leinn leudachadh aird puingeann a thaobh 'Còirichean pàrantan airson Foghlam tro Mheadhan na Gàidhlig'.

Ged a tha am Bile mar a tha e an dràsta a' toirt cead do Bhòrd na Gàidhlig comhairle a thoirt seachad air fhoghlam Gàidhlig chan eil seo a' toirt chòrrichean do phàrantan air Foghlam tro Mheadhan na Gàidhlig, agus chan eil e a' toirt a-steach nan raointean cudromach mar fhoghlam fo aos isgoile, coimhearsnachd agus fhoghlam árd ñe is ñe adhartach. Cha tig ñeadach ann an iarrtas bho phàrantan airson Foghlam tro Mheadhan na Gàidhlig gus am faigh iad dearbhadh gu bheil iad a' cur an cuid clòinne do shiostam fhoghlaim a tha air a stèidheadadh gu laghail agus mar phàirt dhe shiostam fhoghlaim ann an Alba a tha a' faighinn taic aig an aon ñe 's a tha Foghlam tro Mheadhan na Beurla.

Tha mòran phàrantan ain-deònach an cuid clòinne a chur gu shiostam fhoghlaim far nach eil cheam air ñe a bheil teac' air a bheil an Gàidhlig (FTMG). Is iad sin:

1. **Luchd-teagaisg**

Tha cruidh fheum air coimhead ri dith luchd-teagaisg bho fo-aois isgoile gu ñe na h-àrd isgoil. Tha an surfheadhachd air a bhith mar seo faoi ñeiche dh' ñeachd na ghabhail ris gu h-èifeachdach ris na dìth a bhith gu shiostam fhoghlaim airson leòr luchd-teagaisg.

a. **Leasachadh**

b. **Luchd-teagaisg**

c. **Iomairt èifeachdach**

d. **Sgeamaichean**

e. **Tuilleadh**

2. **Taic ionnsachaidh**

Bha riamh dìth a bhith na chuis seo le FTMG agus gu tric bha pàrantan a' faighinn cothrom leis an cuid clòinne a chur gu FTMG no ma bha iad ann mar tha an gluasad air ais chun na Bheurla. Cha tig piseach air an t-sìdheadadh aig a bhith a dh'aois a dh'aois a bhith gu h-èifeachdach ris na dìth.
agas an dèidh sin tachairt gun tig leudachadh anns an ullachadh airson feuman ionnsachaidh aig a h-ùile òr agus gun tèid daoine proifeasanta aig a bheil comas labhairt Gàidhlig hastadh mar Luchd-leasachaidh Cànan, Sic-eòlaichean Foghlaim agus luchd-teagaisg feuman sònraichte.

3. Tuilleadh taic

Mar a tha FTMG air a thoirt seachad sa chumantas mar roinn Gàidhlig taobh a-staigh sgoiltean Beurla chan eil FTMG a’ fhaighinn an aon taic is a tha Foghlam Beurla a’ fhaighinn gu nàdarra. ’S i Beurla cànan na sgoile aig às bidhe, aig às cruinneachaidh is eile agus mar is trice ’s i Beurla a bhios aig an luchd-teagaisg a bhios a’ tadhal air na sgoiltean gus cuspair eòlasair sònraichte mar Spòrs, Ealain agus Ceòl a theagascg. Mar sin chan eil ach pàirt den latha aig clann FTMG far am bheil iad a’ cluinntinn Gàidhlig a mhàin.

Bho thùs tha FTMG air a bhith an urra ri pàrantan dealasach a bha deònach siubhal le an cuideachd chloinne gu sgoiltean taobh a-muigh an coimhearsnachd fhèin gus cothrom fhaighinn air FTMG. A thuilleadh air sin tha na pàrantan dealasach ud air a bhith deònach uine a chosg agus strì a dhèanamh airson impidh a chur air na h-ùghdarrasan ionaidal gus FTMG fhaighinn. Ach, ma tha sinn an dòileudachadh sònraichte a thoirt a’ bhith air FTMG feumaidh sinn a h-ùile pàrant a thàldadh don t-siostam agus cinn a dhèanamh gu bheil FTMG na phàrrt stèidhichte de shiostam foghlaim Alba agus a cheart cho fearasta cothrom fhaighinn air is a tha Foghlam Beurla.

Tha sinn ag iarraidh gun tèid atharrachadh a dhèanamh ris a’ Bhile gus cóir plasairt an t-aithsigh Stiùiridh air Foghlam tro Mheadhan na Gàidhlig a thoirt gu rèir molaidhean Chomunn na Gàidhlig airdh air Inbhe Thèarainnte ann an 1999; ’s e sin Ùghdarrasan Foghlaim a bhith a’ liubhraidh foghlaim tro mheadhan na Gàidhlig a h-ùile òr fer a bheil iarrais reusanta’ Tha sinn a’ gabhail ris nach b’e furasta aig am hannan ’ iarrais reusanta’ a mhianachadh agus mar sin gum bu chòir do dh’ Ùghdarrasan Ionadail comhairle a ghabhail bhò Dhòrd na Gàidhlig air a’ cheist seoi.

Tha Comann nam Pàrant (Nàiseanta) a’ déanamh toilechdas ris an Aithsigh Stiùiridh air Foghlam aig Riaghaltas na h-Alba a tha a’ toirt air a h-ùile comhairle cunntas a dhèanamh na Gàidhlig mar a tha iad a’ cur foghlam Gàidhlig an tairgse phàrantan agus bheir sinn freagairt nas mionaidheachd air a’ phàiritéar co-chomhairleadachd a bhòir a dhèanamh airson a bheith sonrachadh aig an t-aithsigh Stiùiridh air Foghlam Gàidhlig a’ toirt dhinn Polleasaidh Nàiseanta air Foghlam Gàidhlig agus mairidh a dofar a thaobh ire seirbhsyse agus bun-stucturil taice eadar na tha na h-ùghdarrasan ionadail a’ toirt seachad. Tha seo gu sònraichte follaiseach a theabh na gheibhhear aig ire Aird Sgoile. Mar phàrrt de “Phlana Nàiseanta na Gàidhlig” bu chóir Bòrd na Gàidhlig targinn a stèidhichte aig ire nàiseanta gus gum bhith FTMG a sior dholl am meud. Bu mhath leinn iomaireadh shanasachd fhaoicinn do FTMG aig ire nàiseanta oir tha cuid de dh’ Ùghdarrasan a tha leisg gabhail ri iomaireacht shanasachd.

A thaobh priomhachais maoinneachaidh tha sinn den bheachd ma tha sinn ag iarraidh gu aithnich clann Gàidhlig mar chànan làitheil taobh a-muigh na sgoile gum feum an cànan a bhith follaiseach ann an ionadh doigh; air soighnigh, air firmean ofigeil, air còmhlab stuthan, air seòlaidhean anns na meadhannan is eile. ’R linn a’ cho-obrachaidh a tha a-nise eadar an roinn phribhaidheachd agus an roinn phoblach a thaobh ghnothaichean catharra tha sinn cinnteachd gum b’ eisimh leis an roinn phribhaidhich a bhith air a gabhail a-staigh don bhile seo agus compàirt a ghabhail ann a bhith a’ cur an achtadh Gàidhlig seo an gniomh. Mu choineinn seo dh’a’ fheumadh buidhnee priobhaidheachdan plànaichean cànan den an ot mora a dhèalbh agus luchd-obrach le Gàidhlig hastadh airson an cur an gniomh.

Tha sinn a’ co-dhùnadh gu bheil feum aig foghlam Gàidhlig air inbhe thèarainntè feum leudachadh a dhèanamh gu neos-eisimeleach seach a bhith an urra ri deagh-ghean luchd-politeataics agus gus nach bh e cho fosgaiteile a tharrachaidhean san riaghaltas.

Magaidh Wentworth
Oifigeur Phàrant
30.11.04
Comann nam Pàrant (Nàiseanta) is a parental support organisation for parents who have children attending any level of Gaelic medium education. All areas where Gaelic-medium education is provided are represented on the management committee of Comann nam Pàrant (Nàiseanta).

Comann nam Pàrant were pleased to be given the opportunity to appear before the Education Committee in order to give evidence on the main issues arising from the Bill and for the opportunity to voice our opinions.

Following our appearance before the committee we would like to expand on issues relating to ‘Parental Rights to Gaelic Medium Education’.

Although the Bill as proposed will permit Bòrd na Gàidhlig to advise on the provision of Gaelic education, it does not give any parental rights to Gaelic medium education, nor does it include the important areas of pre-school, community or higher and further education. There will not be a significant rise in the demand from parents for Gaelic education until they can be assured that they are committing their children to a system of education that is legally established as part of the Scottish education system and given the same support as accorded English medium education.

Many parents are reluctant to commit their children to a system of education that is not afforded the same level of support or resources as other areas of education. The lack of any ‘legal right’ to Gaelic medium education has resulted in ineffective action to deal with the main problems that parents perceive when considering GME. These are:

1. **Teacher supply**

   There is need for radical action to deal with the teacher shortage from pre-school through to secondary school. This is an issue that has not been effectively addressed in 20 years of GME and we feel will not be addressed until GME is given equal status with EME. We would particularly like to see:

   a. The development of Gaelic medium courses for Gaelic students
   b. The secondment of non-Gaelic speaking teachers to Gaelic language courses for a length of time that would bring them to fluency in the language
   c. An effective recruitment drive for Gaelic medium teachers in the secondary sector
   d. Appropriate incentive schemes to attract teachers at all levels to Gaelic medium
   e. More in-service training for teachers on immersion language learning methodology

2. **Learning Support**

   This has always been a problematic area for GME with parents often advised either not to enrol their child in GME or if they are already in the system that they should transfer to English. Only parental rights to GME will lead to an increase in provision for learning needs at all levels as well as recruitment and training of Gaelic speaking professionals such as Speech Therapists, Educational Psychologists and learning support teachers.

3. **Other support**

   As GME is mainly delivered in Gaelic streams that are part of English medium schools there is a lack of support for GME that is taken for granted with EME. English is usually the language of the school used at mealtimes, assemblies etc and visiting teachers in specialised areas such as P.E., Art and Music are normally English speakers. The reality of GME can therefore involve the children having only a small percentage of their school day immersed in Gaelic.
Gaelic Medium Education has always been reliant on committed parents who are often willing to transport their children to schools outwith their own locality in order to access GME. These committed parents have also been willing to spend time and effort to lobby their councils for GME provision. However, if we are looking for substantial expansion in GME we need to be able to attract all parents to the system and ensure that GME is an established part of the Scottish education system that is as simple to access as EME.

We therefore ask that the provisions of this Bill be amended to include the rights of parents to Gaelic Medium Education in accordance with Comunn na Gàidhlig’s Equal Status recommendations in 1999; that is ‘Education Authorities make provision for Gaelic Medium Education at every level at which reasonable demand exists’. We accept that ‘reasonable demand’ may be difficult to quantify and may vary according to area and therefore suggest that Local Authorities take advice from Bòrd na Gàidhlig on this issue.

Comann nam Pàrant (Nàiseanta) welcomes the Executive’s Guidance Document on Gaelic Education which will require all councils to report on their provision for Gaelic education and we will respond fully to the consultation on this document next month. However, ‘Gaelic Education Guidance’ does not deliver a National Policy on Gaelic Education and provision by local authorities will continue to vary in terms of level of service and of supportive infrastructure. This is especially apparent with regard to provision at Secondary school level. As part of the ‘National Plan for Gaelic’ Bòrd na Gàidhlig should set targets at a national level in order to achieve continuing growth in GME provision. We would also like to see a national advertising and promotional campaign for GME as some councils have been reluctant to become involved in promotional activities.

On the question of prioritising funding, we feel it should not be an either or situation and that it is important to realise that if we want children to experience Gaelic as a living language outwith the school the language must be evident in everyday use; that is signage, official forms, packaging on goods, postal addresses, media and so on. In view of increasing private and public civic participation, we feel sure that the private sector would wish to be included in this bill and play its full part in the spirit of the implementation of a Gaelic language act. This would involve private companies producing similar language plans and employing Gaelic-speaking staff to implement them.

In conclusion, Gaelic education needs secure status in order for it to develop independently of political goodwill and be less vulnerable to political and administrative change.

Magaidh Wentworth
Parental Officer
30.11.04
Dear Mr Howells,

GAELIC LANGUAGE (SCOTLAND) BILL

On behalf of Comunn na Clàrsach, a Scottish-based organisation with UK-wide branches, which actively supports the Gaelic language and culture, I would like you to consider the following points in response to the opportunity given to submit views on the above Bill:

We are pleased that the Executive Bill now before the Parliament has been amended from the earlier draft which fell short of what was needed to meet the aspirations of the Gaelic community in Scotland. The Gaelic language is a very important and valuable part of Scotland's national heritage and must be given appropriate support.

We support the statutory basis given to Bòrd na Gàidhlig in the Bill and the requirement to prepare a National Plan for Gaelic. It is also appropriate that they should have the power to require public authorities to prepare and implement Gaelic Language Plans for their own organisations. They should also be able to require education authorities to respond positively to reasonable requests to develop Gaelic-medium education at all levels together with adult learning of Gaelic in their own areas, and ensure that efforts to reverse the decline in the number of Gaelic speakers are fast-tracked.

It is really important that families with young children are supported in their efforts to educate their children in Gaelic, which not only helps them become Gaelic speakers but enhances their educational skills. The Bill should ensure that parents have a right to receive education in Gaelic where there is a reasonable demand for this, and that the Gaelic-medium education system is ultimately developed into a complete system of education encompassing pre-school, primary and secondary levels. History will tell us that the decline of Gaelic was accelerated by the introduction in 1872 of an all-English system of education throughout Scotland which relegated Gaelic to being a second-rate language not appropriate for use in education. The Committee must ensure in this Bill that that wrong is remedied by effectively returning Gaelic to the mainstream education system of Scotland.

We previously expressed the view that public bodies should promote the use of Gaelic to reflect its relevance to the local communities they serve. There should be a requirement on all public bodies including local authorities to have at least a minimum level of commitment to support Gaelic, and a firmer requirement on organisations in areas like the Highlands and Islands to provide appropriate services in Gaelic as well as English. All these initiatives serve to promote the language in public life. Bòrd na Gàidhlig should be empowered to assist public bodies in preparing plans and also to specify relevant levels of commitment together with sanctions for non-compliance.

It is important that the Executive make a realistic budget available to Bòrd na Gàidhlig to allocate effectively for language development purposes. The Bill should include provisions for the necessary funds to be made available for this purpose.

Yours faithfully,

Catherine Gray

Convener
Submission concerning the Gàidhlig Language (Scotland) Bill

1. In its present form the Bill remains too ineffective.

2. A clear and unequivical statement requires to be made at the start of the Bill which establishes both the equality and validity of status between Gàidhlig and English.

3. There must be a duty upon Local Authorities to provide Gàidhlig medium education
   a) permanently in all schools within the traditional Gaidhealtacht areas (following the Welsh pattern) within the framework of a rolling 10/15 year plan, commencing with Primary 1 intake no later than August 2006
   b) where required outwith the Gaidhealtacht areas, including provision for adult learners either in the evenings or combined with normal school classes as demand permits/requires.

4. Gàidhlig language & Culture must be taught as a subject, where not available already as Gàidhlig medium, for at least 2 hours per week in Primary schools and for 3 periods weekly in S1 to S4.

5. The powers to be given to Bòrd na Gàidhlig must be strengthened and not remain liable to be usurped by any Minister or Ministers in any future Executive administration.

6. The Bill must set out a 12 month timescale for the establishment of a Gàidhlig Television Channel and put in place with the Westminster authorities the necessary financial & other mechanisms required, including the transfer of all subsequent regulation of this new Channel to a Body to be authorised by the Scottish Parliament.

7. An anti-intolerance / anti-discrimination clause is vital so that it will become an offence - as exists already with Anti-Sectarian legislation and Racial Abuse legislation - to treat Gàidhlig speakers & their culture in an offensive, abusive or threatening manner.

8. To comply with Human Rights Act & EU and UN Conventions, all UK-wide Bodies / Government Agencies must be required to provide forms and documents in Gàidhlig as required, e.g. DVLA, Passport, Tax, Social Security etc.

9. To promote visibility, interest & cultural pride a Clause must cover Scotland-wide dual-language signage, with financial incentives for Travel Companies & businesses to promote Gàidhlig within their brochures/Timetables etc.
Dear Convener,

Gàidhlig Language (Scotland) Bill

Feis 'n a Mheadhran c Fest o the Miads would like to express its satisfaction that a Gàidhlig language bill has finally come to fruition in Parliament, and welcome this opportunity to both congratulate all involved on their hard work and to exhort them to ensure that the Bill has meaning in its final form.

We would like to make some general points about the Bill rather than comment on specifics as it is necessarily a general document at this point and will need strengthening and broadening in time to come.

In the light of our experience as a non-Highland voluntary organisation we would ask that every measure which will require public bodies to support the development of the Gàidhlig language is maintained in strength. We have found that there is a willingness to recognise our objectives at local authority level, but that response is patchy when it comes to implementing policy through practical measures.

For instance, as a voluntary body, providing high level music tuition to children alongside both Gàidhlig and the Scots' languages we have been required to pay a sum of £400 for a two day weekend let of a school for the purpose. At several points we have encountered well worn platitudes of awareness of the highly political and sensitive nature of Gàidhlig at the present time. But this did not prevent a first request for £127 for the two day let. Eventually we negotiated this down to £400, a figure which still accounted for some 10% of our overall cost.

We do not deny that public bodies have financial commitments to their constituents. However, in a situation where we provided some 300+ hours contract time of international level tuition, contributed some 400 hours of voluntary work from the Feis committee, and widened the access of children and adults to both languages as well as literacy in the languages, we feel that our contribution counts for nothing as our local authority have effectively charged us for doing some of their work for them, in the form of music tuition for children.

We would not expect that local authorities be the only providers of such services. We believe wholeheartedly that private individuals with an interest should shift themselves to improve the situation of their languages and cultural forms. However, obstacles can be put in our way. These obstacles are not necessarily deliberate, and we would not suggest that they always are. However, inconsistency of approach across a local authority suggests no clear policy, which is as good as no policy at all.

We had an excellent young piper attend our Feis. He was taught by Allan Mac Donald over the weekend and Allan was highly impressed by him. The student does not have a set of small pipes, but Allan lost him his and within one tuition day he was absolutely superb to listen to on a new instrument.

The habit of Fèis an t-Sàilean would be to hire at negligible cost a set of small pipes to this student if he did not have a set of his own. As we are a newish Fèis we do not have a set, but we know of a set available for around £300. Unfortunately our opportunity to purchase this set is significantly hampered due to the high venue fee. Result: a youngster with an enormous talent, wanting to go to a career in music through the RSAMD does not have the opportunity to practice on the instrument. And this at a life point when he will be able to mature into the instrument and musical culture in a very profound way.

It is the opinion of Feis 'n a Mheadhran c Fest o the Miads that Bòrd na Gàidhlig should have strengthened, rather than weakened, powers to ensure a level approach is taken, as appropriate, across the country to education policies which affect both children and adults.
In respect of which may we point out the following figures which compare our feis and one in the West Highlands.

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<th>Feis 'n Mheadhan</th>
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<th>West Highland feis</th>
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<tr>
<td>Venue Requirements</td>
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<td>15 classrooms</td>
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<td>Astro turf sports pitch</td>
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A significant, if not the underpinning, aim of the Bill is to secure the Gàidhlig language and ensure that it returns to a meaningful and un-endangered position across Scotland. The above show that Highland authorities take a very proactive and supportive stance, but that is not the case outwith the Highlands. This informally ghetottises the language, a consequence which must be avoided for the good of Gàidhlig, or indeed for the good of all Scottish culture and cultural forms.

We would suggest, therefore, that the Bill be at the very least maintained in its present form with respect to education. We would prefer to see the Bill given stronger powers, but would resist vigorously any attempt at diminution of these powers, and we ask the Committee to take this approach in its deliberations.

For your information, I have enclosed a copy of our feis report, the evaluations of the participants in the feis and a CD of the closing ceilidh when the children showed their skills. I think that you will hear some extremely impressive material from children between the ages of eight and fifteen. As an Education Committee, I hope that the voice of youth is one you will feel able to heed.

Yours sincerely

Gregor White
Convener
Gaelic For All
Edinburgh University Settlement
3 Bristo Place
Edinburgh EH1 2JA
GaelicForAll@yahoo.co.uk

Paul Howell
T3.40, The Scottish Parliament
Holyrood
EDINBURGH, EH99 1SP

27th November 2004

Scottish Parliament Education Committee consultation

In January 2004 Gaelic For All took part in the Gaelic Bill consultation and presented our organisation’s views. Our organisation is primarily concerned with campaigning for, promoting and establishing wider access for all the people of Scotland to Gaelic language and culture. In particular, we believe education is crucial to the language’s survival, and that in parallel with the development of Gaelic Medium Education, Gaelic as a second language should be made widely available across Scotland’s schools. Given the crucial role that Education plays in language development, we were therefore surprised to see that the proposed Bill failed to address the issue of Education in relation to the establishment of a Gaelic Board. We are therefore grateful to be given the opportunity to reiterate and expand on our views, which we included in our original response.

We believe that:

1. The Gaelic Board should have an expanded remit to allow the Board to ensure local authorities continually support, and increase the magnitude and scope of Gaelic education, including not only Gaelic Medium Education, but crucially Gaelic Language in Primary Schools (GLPS) and secondary levels, provision of summer schools, as well as improving access for adult learners.

The GLPS scheme, which is relatively new and is only established in a handful of areas, is now estimated to have brought Gaelic language to well in excess of 4000 children. The scheme, with proper funding, is capable of reaching tens of thousands of children within a few years, and if allowed to grow, would be by far the most significant development in the Gaelic language in recent years. The Board should have a role in ensuring, where demand exists, that GLPS or similar schemes should be implemented by local authorities.

Adult learners are also important to the development of Gaelic, and availability and quality of adult classes is patchy, with little opportunity to progress beyond a basic level. The Board could help establish
properly structured national courses by co-ordinating local authorities, teaching colleges, Sabhal Mor Ostaig and University Departments, with set goals and guidelines and standards, to allow adults to progress their language skills.

2. The Board could have a pivotal role in ensuring that through language plans, local authorities establish demand for the different forms of Gaelic Education, and provide adequate resources to satisfy demand. Evidence we have gathered strongly suggests that when parents are informed of the existence of the GLPS scheme, they become motivated to request that their children’s school becomes part of the scheme. We know that there is a schools consultation taking place in Edinburgh at the moment and that over 100 families within a cluster of 3 primary schools, have written to the council requesting access to Gaelic.

3. The Board could be allowed to act as arbitrator in situations where local authorities refuse reasonable demand for Gaelic education.

4. The Board could have a role in ensuring that Teacher Training Colleges provide the option of Gaelic courses as part of teaching qualifications. If the 20 day GLPS training could be incorporated as an option, this could very quickly increase the numbers of Gaelic learners.

5. The Board should provide a supporting role for Gaelic Education initiatives, for example by ensuring that resources for GLPS are developed, including books, tapes, computer learning aids, television/video programmes. Such development would have a positive effect for the ‘Gaelic economy’, given the potential market for resources.

6. It would seem practicable that the Board should have autonomy to achieve these objectives, but should also be subject to the same constraints that all public bodies operate under, with sufficient funding to fulfil the work entailed.

7. It is appropriate to have a Gaelic language plan, but there are geographical differences that need to be reviewed in devising a workable plan; as well as powers to ensure their recommendations are put into effect. A sort of ‘rolling’ plan with recognised triggers could perhaps work best, with the Board as arbiters and planners for overall implementation and phasing arrangements.

Thank you very much for this opportunity to present our viewpoint. We would welcome an opportunity to give evidence in person if requested.

Yours Sincerely,

Gaelic For All
Key points:

- MRUK survey of 2003 showed great interest in Gaelic with showed that 87% of the survey participants strongly agreed or agreed that 'School pupils should be able to learn Gaelic if they so wish' and 71% thought "there should be more opportunities for people to learn Gaelic across Scotland".

- In 2000 Edinburgh City Council carried out a survey amongst children in Edinburgh nursery schools. Of those who responded, 75% were 'interested in the opportunity for their children to gain awareness of the Gaelic language and culture as part of their curriculum'. If these families formed a sample that could be projected over the primary schools in Edinburgh, this would instantly provide several thousand children keen to learn more about Gaelic, and currently not able to access learning Gaelic.

- The children's series Sgaoileadh nan Sgeul, featuring folk tales from around the world, gained an audience in excess of 100,000 viewers on BBC2 – and this is far beyond the 1,859 children learning Gaelic in Gaelic medium primary schools over the whole of Scotland. These figures demonstrate that the 4,000 (figure from Duncan McQuarrie of HMle) children who are learning Gaelic in their local, mainstream schools, or those who just enjoy the programmes with no knowledge of Gaelic, are expressing an interest, and deserve to be able to advance this interest.

- Gaelic Language in Primary School (GLPS) is a scheme for children to learn Gaelic in their local mainstream schools. Teachers with no previous knowledge of Gaelic are able to offer 2 years worth of curriculum after completing the 20 day training, and many teachers then choose to go on with learning the language further, so great is their enthusiasm with the success. Without costing very much money, this scheme could be expanded to include many more children, and therefore give a good basis for the revitalisation of Gaelic.
Comments from Gaelic Language in Primary Schools (GLPS) Conference
GLPS Conference Stirling University 29th January 2004

In attendance:
Douglas Andsell, SEED, gave the keynote address on behalf of the Minister for Education and Young People, because of a bereavement
Professor Richard Johnstone, Director of Scottish CILT, University of Stirling
Matthew Maclver, Chief Executive/Registrar, the General Teaching Council for Scotland
Duncan McQuarrie, HMle
Murdo Maclver, Head of Service North Lanarkshire Council & MRG for Gaelic Medium
George Reid, Education Language Advisor, City of Edinburgh Council
Christina Walker, Gaelic Lecturer, University of Aberdeen
Margaret Doran, Head of Service, Stirling Council
Carol Walker, Head of Service, Argyll & Bute Council

"The Gaelic language and culture is an integral part of the heritage of Scotland. We live at a time in which linguistic diversity and multiculturalism are regarded as being essential for preserving the identity and distinctiveness of communities in our world. Gaelic is part of this diversity and as such it should be promoted and expanded.

Gaelic Learners in the Primary School is an important programme in Scottish schools and I welcome the progress that has been made in this area in recent years. Gaelic Learners in the Primary School is an important role to play in increasing the visibility and profile of Gaelic in Scotland. It is also an important means of introducing Gaelic to families, schools and communities throughout Scotland."

"Our aim in this is a sustainable future for Gaelic in Scotland and I am confident that Gaelic Learners in the Primary School has a vital role to play in this also. I welcome this report and I hope to see Gaelic Learners in the Primary School promoted in Scottish schools."

Peter Peacock,
Minister for Education and Young People
(from: Forward to "Gaelic Learners in the Primary School - Evaluation Report", Richard Johnstone, October 2003.)

'The success of GLPS was as expected, and in fact, even better.'

Richard Johnstone speaking at GLPS Conference, 29th January 2004. And his findings in the report state:

'The GLPS teachers believe that GLPS is bringing benefit to their pupils in a number of ways, eg. a boost to their confidence, greater awareness of their cultural heritage, increase in language awareness and language skills, and broadening of horizons. Benefits are also perceived to the schools themselves, eg. increase in status and range of cultural activity such as participation at the Mod. Benefits are also perceived in local communities, eg. revived interest in Gaelic tradition, history and culture.'
The numbers of teachers in GLPS have reached 60, during the short time the scheme has been in operation.

The figures of children learning Gaelic through GLPS, as estimated by Duncan McQuarrie of HMIE, is now in excess of 4000 children.

Matthew MacIver of the General Teaching Council advised it is time to take an honest look at the Gaelic education strategy. He said:

'The development of Gaelic education is based on two unreliable assumptions:
- the assumption that young people will leave school and follow traditional courses
- the assumption that mature people will apply for more accessible courses

But this is not reliable. Gaelic medium education has reached a plateau in terms of teachers, and it is time to look anew. We have to start a new world of thinking about the professions.'

'What we are doing is killing our language...we killed it before by legislation, but are not doing any better now. We need to be more creative.'

'Something is required to meet the needs of the developing Gaelic world. GLPS could be the prototype for community languages. This is going to be the big growth area in the curriculum in the next 20 years, so let Gaelic be at the forefront......Gaelic deserves it and it is time for us to give it a chance.'

Murdo MacIver, Head of Service in North Lanarkshire, and MRG for Gaelic medium education, was 'very supportive of GLPS and acknowledged the need to expand...and bring GLPS into the mainstream'

Murdo MacIver said that 'GLPS crystallises my thoughts on Gaelic education, with Gaelic medium education now on a plateau – perhaps we’ve exhausted student intake and parental interest, and need to develop new models and a new agenda’ and offered the full support of MRG.

The evaluation report refers to funding:

'SEED funding for GLPS overall has risen from £5,000 for an initial pilot project in 2000/1 to £53,086 in 2001/2, to £80,000 in 2002/3. GLPS funding does not come through Bòrd na Gàidhlig, though the Bòrd is very interested in the scheme. The scheme is and will remain funded by SEED via local authorities, mainly on application to the Gaelic specific grant. SEED has no plans to reduce the funding for GLPS training, and the present evaluation will be helpful to SEED in identifying needs and opportunities.

'With regard to CPD for teachers of Gaelic, some authorities bid for funding support from SEED specific grant scheme (eg for distance learning via Sabhal Mor Ostaig). Funding may also be made available through local authorities’ own training budget and via the Modern Languages Innovation Fund. SEED recognises that if numbers of GLPS teachers increase, this will create greater needs for follow up CPD support, and is keen that this need should be carefully monitored in order to inform the planning and funding process.
Attached is the Gaelic For All response to the Gaelic Bill

Gaelic Unit
Sport, the Arts and Culture
Area 1-A
Scottish Executive
Victoria Quay
Edinburgh
EH6 6QQ

7th January 2004

Dear Sirs

Gaelic Language Bill

It is good to see the publication, by the Scottish Executive, of a draft Gaelic Language Bill. However, there are some concerns regarding the scope of the draft Bill, and its ability to make a real difference to the language’s future, and so here are some comments, and suggestions, which hopefully will be helpful, and which, if accepted, could strengthen the Bill significantly.

1. Is it right that Gaelic be recognised as one of the languages of Scotland in statute?

A qualified yes, but it also has to be recognised that everyone in Scotland has the right to access Gaelic language and culture at whatever their appropriate level may be - to ensure there is no elitism in learning, or created divisions through statute and that the languages of Scotland are available to all inclusively. Anyone living in Scotland who wishes to learn a statute Scottish language should be able to do so, at an appropriate level, regardless of age, heritage, ethnic origin, colour, ability, sex, sexual orientation, religion, race, financial situation or belief.

In the recent mruk survey, 87% of people were in favour of children learning Gaelic in mainstream schools, as a second language subject; as well as 66% stating that ‘Gaelic is an important part of Scottish life which needs to be promoted’. It would seem logical to provide access to learning Gaelic for all children in all schools, so that there is a greater understanding of the Gaelic language and culture, in preparation for Gaelic becoming a language by statute, perhaps with a preparation period, as was done in Wales, giving councils an opportunity to provide learning opportunities in schools and for adults with a national step-up-plan to have everything in place for secure status, in 5 to 10
years. This would also ensure a long term plan which is not reliant on the interests of individual Ministers.

There needs to be an obligation on councils to comply with the preparation period in accordance with the levels of demand for their areas. If this is not done, Gaelic as a Scottish language is no more than a symbolic gesture, and the goodwill towards Gaelic felt by the majority of the population may well dissipate if money continues to be spent, but not to benefit the majority of school children or adults, and Gaelic is perceived to have no relevance in ordinary Scottish lives. However, if Gaelic was accessible to everyone, and all school children had a basic understanding, or competency and possibly even fluency, then it would be our other national language realistically, and enable people to understand much more about place names, Scots language and heritage. It could enrich Scottish lives and eradicate the feelings of inadequacy in other language learning, and boost business enterprise through tourism and overseas sales.

2. Should Bòrd na Gàidhlig have the functions provided in Section 1 of the draft Bill?

The key functions for the Bòrd are in line with the main aims as set out by the Executive in 2002, of promoting and facilitating the use and understanding of Gaelic, increasing the numbers of speakers, encouraging the use of Gaelic, advising on Gaelic matters, and facilitating access. Yet how can this happen without mention of education? There is a need to include all types of education, from Gaelic medium, to mainstream schools, to adult classes (at appropriate levels), flexible learning, quasi immersion, summer schools and community education. This should be a key aspect of the Board's function, to oversee that education is accessible to all to revitalise the language and create new opportunities to use Gaelic, by broadening the horizons.

3. Should the requirements in sections 2 and 3 of the draft Bill be placed on Bòrd na Gàidhlig?

Yes, the Bòrd should have overall responsibility for consulting and preparing the National Language Plan to be implemented upon approval by the Scottish Ministers. The guidance and advice from the Bòrd is uniquely the best informed body for devising a National Plan, but their consultation should be not just amongst Gaelic organisations, but also with various public bodies and groups to represent as wide a range of views as possible. The Bòrd needs support from the Executive to ensure their recommendations are implemented and effective.

4. Should Bòrd na Gàidhlig be given the powers in Schedule 1, paragraph 11 to the Bill?
The Bòrd are very well placed to determine the grants, contracts and necessary partnerships for implementation of the National Language Plan, and should be given the powers outlined in Schedule 1, paragraph 11, in order to do so. Perhaps they could have a remit to support local groups and families who cannot access Gaelic learning in their regions, and whose councils are unlikely to have large demand for Gaelic education.

5. Are there other matters beyond those in section 5(5) of the draft Bill that public bodies should have regard to in determining whether to prepare a Gaelic language plan?

It is appropriate to have a Gaelic language plan, but there are geographical differences that need to be reviewed in devising a workable plan; as well as powers to ensure their recommendations are put into effect. A sort of 'rolling' plan could perhaps work best, with the Bòrd as arbiters and planners for overall implementation:

- A 'rolling' idea could unite different factions based on development of demand.
- The assumption would be that Highlands and Islands have already demonstrated sufficient demand, but with a system of triggers based on assessed demand at certain times to incorporate other areas.
- A parallel exercise would need to be established reviewing all forms of Gaelic education, with an intention to 'phase in' other local authorities once demand level has been attained.
- It is crucial here that demand is accurately assessed by a set national assessment procedure (from the Scottish Executive or an impartial organisation) - this would be the key, and it would reflect the true demand for Gaelic in differing regions.
- As demand is established in each local authority, it could become incorporated into different bands such as Administration (for road signage and minutes in Gaelic), Education (schools and Universities) and Cultural perhaps, then followed by Local Government when the people have greater connection to Gaelic. Options could therefore exist for different levels of the zone, effectively with secure status in some areas but letting other areas, with less demand, have no legal or statutory requirements for zone.
- Although this appears complex, the triggers could be established on clear indicators of demand to redefine the zone and the local authority would automatically join the zone. It would seem to offer a placatory unification of varied interests and objectives, and different areas would merit inclusion dependant upon demand, which would seem fair and best value use of resources. As the zones became more universal, then the funding would become mainstream in any case.
6. Should public bodies be required to consider whether it is appropriate to prepare and publish a Gaelic language plan describing the services they will offer in Gaelic?

Money may be spent for best value in primarily increasing access for people who currently are not able to access learning Gaelic, rather than massive translation exercises for those perfectly able to understand both Gaelic and English. However if the cost can be kept down, then the symbolic importance of bilingual documentation could be helpful.

7. Should the Bill provide for Bòrd na Gàidhlig to assist and advise public bodies in the preparation of Gaelic language plans?
Absolutely yes.

8. Should the Bill require Bòrd na Gàidhlig to prepare guidance on Gaelic language planning?
Yes, there should be a responsibility for the Bòrd to advise on language planning, and for their recommendations to form the basis for Gaelic Language Planning, to ensure a coherent, long term strategy, and responsible accountability. It is necessary that a minimum requirement be set out in the Bill, which the Bòrd can impose.

9. Should Bòrd na Gàidhlig have a role in advising education authorities and the Scottish Executive on plans for Gaelic medium education flowing from the 2000 Act?

The Bòrd should have a crucial role in ensuring that access to all types of Gaelic education, from Gaelic medium to mainstream school teaching Gaelic as a second language subject, and adult education, is fairly represented throughout the whole of Scotland. Perhaps they could set up agreed trigger points to determine sufficient demand for setting up Gaelic classes for those who wish to access Gaelic education in areas where the council do not provide adequate Gaelic provision (for children and adults), with suitable powers to encourage councils to comply with the National Language Plan. The Bòrd could act as an arbiter in cases where groups cannot persuade the local council to provide appropriate Gaelic education in their area, with guidelines about ways of encouraging Gaelic learning. For example, Gaelic Language in the Primary Schools (GLPS) schemes could be a very effective way of providing Gaelic education to huge numbers of learners at a very minimum cost. Perhaps the Bòrd could co-ordinate the training of Gaelic medium teachers, as well as mainstream Gaelic teachers, with a view to persuading the teacher training establishments to include GLPS training in the
curriculum for new teachers, to very quickly increase the numbers of Gaelic teachers and hence Gaelic learners (at minimum cost to the Executive).

10. Would you like to comment on any other aspects of the draft Gaelic Language Bill?

If Gaelic is to be given new lease of life, the Bòrd need to ensure:
- Access to learning about Gaelic language and culture is readily available
- All forms of Gaelic education are taken into consideration, including GLPS, summer schools, partial and two way immersion flexible learning, mainstream school Gaelic teaching as a second language subject, secondary school Gaelic teaching as a second language subject (to be taken from S1 rather than S3 to encourage learning), prioritising adult learners, and establishing a central belt Gaelic College akin to Sabhal Mor Ostaig but which is accessible to families living in the central belt who are unable to move with children to learn Gaelic in Skye
- Language plans should avoid possibility of creating discrimination through not having Gaelic education readily accessible

It should be noted that the MAGOG Report, upon which much of the Executive planning for Gaelic is based, completely omitted other forms of Gaelic education other than Gaelic medium education and that any serious commitment to revitalising Gaelic needs to include all forms of Gaelic education, to increase the numbers of learners. By definition, learners are the key to the survival of the language.

Discrimination
Any legislation needs to be careful that it will not create a situation that could result in discrimination because more jobs would have to prioritise Gaelic desirable or Gaelic essential posts to comply with the draft Bill outlines, and if access to learning Gaelic had not been available, the Executive could, inadvertently, be responsible for creating discrimination. This could equally apply to Gaelic speakers whose Gaelic written skills were not of a high enough level to take on employment.

Parental Choice
The Gaelic medium schools that exist at the moment have places available, so although these units should continue, it would seem more beneficial to use resources to expand the base of those learning Gaelic, and offering greater parental choice in ways of learning Gaelic in mainstream schools.

Many families are keen to learn Gaelic but are not so keen to enter into the Gaelic medium education system. Some of the reasons why Gaelic medium education may not always be preferred by families:
- parents uncertain about 'experimenting' with children's education
• parents concerned about inability to help with schoolwork if they cannot speak or understand Gaelic
• parents worried about continuity in education if they decide to take children out of GME at a later stage, because it is a different type of education
• parental choice in preferring children to attend local schools
• parents may not be happy with GME provision in their area
• native speaking families who want their children to learn Gaelic, but would prefer mainstream schooling to ensure English achievements are being maximised
• perception that learning Gaelic is not worth the effort as it cannot be used as a vibrant, spoken language outside of the school
• concern about divisiveness and exclusion by placing children in GME
• parents who are concerned about lack of understanding to do with immersion, maintenance and submersion learning
• parents who are confused by GME and bilingual education policies

Other statistics
The census of 2001 Census showed an 11% decrease in the numbers of Gaelic speakers and this proves that investment solely in Gaelic medium education is not providing the necessary numbers to halt the decline. The figure quoted from the census of 58,650 is dangerously close to the critical mass needed to keep the language alive. Although Gaelic medium may be able to offer greater fluency, the 'All or Nothing' approach is not necessarily appropriate as a means of 'resolute action to promote regional or minority languages in order to safeguard them' (Article 7, part 1c of the European Charter for Regional or Minority Languages). This means that there are large numbers of families keen to learn Gaelic but unable to access it, having missed the single entry point into Gaelic-medium education (GME), and there are very few other options. Fluency, after all, is a progressive line, that runs from proficiency continuously through to competence and general interest.

Figures from the CERG (Community Education Review Group on Gaelic) conference held in March 2002, show that only one new person takes up the language for every five Gaelic speakers who die. The priority investment in Gaelic medium education counts the increase from 1993 to 2001 whereby 'the number of primary schools offering Gaelic medium education has grown from 45 to 59 and the corresponding number of pupils from 1,080 to 1,859' (Mike Watson, as Minister for Gaelic 2001), as a 'boom' but these numbers alone are simply not enough for Gaelic to survive.

Examples from other countries
Wales:
The teaching of Welsh in schools is a central feature of the Assembly's policy of
supporting the Welsh language. The decision to make Welsh compulsory in schools was originally taken in 1994 and was implemented progressively up to 1999 to allow schools to plan for change. The 1997 white paper 'Building Excellent Schools Together' set down the central principle that all pupils in Wales should have the opportunity to learn Welsh.

Ireland:
Citizens have access to the Irish language in the education system, through both medium and second language learning. Nowadays Irish is no more compulsory than English or Mathematics but it is part of the core curriculum, required to be offered to students in all State aided schools from age 4-18. Irish medium schools show a steady increase, as parents have growing awareness of the language.

The 1996 Census shows a 43% competence success in Irish amongst the population. This level of competence is due almost entirely to Irish as a second language.

We are a group who would like to see Gaelic available for every one in Scotland, if they wish to learn. We see this as beneficial for every one in learning about our own culture and history.

'Education is not the filling of a pail, but the lighting of a fire.'
W B Yeats

Le durachd,

Fiona Henderson
Chair,
Gaelic For All
RECOMMENDATIONS ON HOW TO STOP THE DECLINE IN GAELIC:

- Increase emphasis on Gaelic as a second language in schools, to encourage and give appropriate allocation of resources to learners, thereby boosting numbers immensely.

- Prioritise adult learners, particularly with provision of adult immersion classes to accelerate and maximise their learning potential, so that greater awareness of Gaelic can be created, and subsequently transmitted to next generation.

- Implement and increase the outlets for GLPS training to boost the numbers of teachers available, as short term measure, and introduce GLPS training into all teacher training education establishments, such as Moray House and Jordanhill, as part of the training courses, to benefit both teachers and classrooms.

- Set guidelines for national recognised certification and assessment, with adequate funding for adults and younger age groups.

- Ascertain numbers of children in G.M.E., who are learning as true immersion compared to maintenance, as well as how many have slipped through into submersion. Ensure teachers and parents are aware of these complexities, and that the soft indices of language learning are addressed, to avoid bad experiences in G.M.E. (which can be off putting for other parents contemplating G.M.E.).

- Review alternatives to G.M.E., such as partial and two way immersion learning, as a longer term response to promoting the language.

- Examine more flexible methods of teaching Gaelic, with G.M.E., two way immersion and second language learning alongside each other, as complementary and comprehensive provision, respecting importance of parental choice.

- Encourage summer schools as a follow up for children learning Gaelic as a second language to increase their fluency levels (following on the incredible success these achieved in Ireland).

- Ring fence funding for Gaelic education to ensure a fair distribution is allocated for all the alternatives for Gaelic education, and that proportionate resources are available for the huge numbers who wish to access learning Gaelic, but perhaps not through G.M.E.

- In the immediate short term, the Scottish Executive should allocate money, as with the Specific Grant Scheme, which can be accessed by individual groups who are excluded from learning Gaelic, and are marginalized, with voices ignored by local authorities, to provide weekend events and summer schools in their local areas for children excluded from G.M.E. - and for adults who are unable to progress beyond beginner’s level because there are no classes available.

- Open and unbiased evaluation should be carried out, to assess the success of the
strategy to date, in increasing the numbers of Gaelic speakers, with an independent 'watchdog' to ensure those responsible for spending the public money, are acting in an open and accountable way. It is difficult to have confidence in a procedure in which Gaelic representatives investigate their own groups to determine strategy, when they have already professed G.M.E. emphasis is their preference.

- As a priority, in the light of poor levels of progression from playgroups to G.M.E., to investigate the present impact of pre-school strategy, and assess best value and practice. A strategy is also required to ensure that families that do not wish to progress from playgroups to G.M.E. are not lost from Gaelic education altogether. If necessary pre-school funding should perhaps be re-allocated - currently it is targeted at CNSA, and perhaps this could reach more potential learners with funding going directly to local authorities.

- Guidelines need to be established to ensure recognition, and value of learners, and that they are equally deserving of inclusion in policy making decisions - and in fact may be axiomatic for the survival of the language

- More open and democratic consultation is needed to determine the future of Gaelic education, with representation from all the stakeholders

- Conduct surveys to establish demand for Gaelic, with unbiased questions, using Social Inclusion Partnership consultation plans, for example, in all areas of Scotland

- Assess current, and proposed, levels of Gaelic-essential and Gaelic-desirable jobs, as identified at the First FASGNAG Conference at Sabhal Mor Ostaig, which discriminate against people unable to access learning Gaelic

- Local authorities should have consultation with Scottish Executive to ensure successful implementation of Gaelic education (G.M.E., second language and other alternatives), to agree on national guidelines to eradicate geographical exclusion and advantage

- Ensure care is taken to determine the best policies for the revitalising Gaelic, the language, using a variety of means, as foremost concern
SUBMISSION FROM GAELIC GALORE

We are a charity trying to promote, facilitate, encourage and provide access to the Gaelic language, heritage, music and culture, including links to Scots, Celtic and non-Celtic traditions. To provide access to all of the above for everyone who is keen to know more, with an emphasis on children, families and learners.

We request that:

1. The Gaelic Bill includes a remit for education because we believe this is the only way that Gaelic can be saved, particularly through making Gaelic accessible to everyone who wishes to learn.

2. The Gaelic Board needs to have powers to ensure councils expand the Gaelic education that is provided, both for children learning in their local schools and for adults who wish to learn and achieve high standards through college courses.

3. Gaelic Galore supports Gaelic Language in the Primary School (GLPS) and would like to see this expanded as an option within teacher training colleges to increase the numbers of teachers available, along with other forms of bilingual language learning and different quasi-immersion opportunities for children and adults.

Demand exists already for learning Gaelic, but there should be an accurate and serious attempt to establish the extent of this demand for Gaelic. Thank you for giving us an opportunity to voice our views and we would be very happy to offer evidence in person if required.

Durachd

Gaelic Galore Ghidhlig Gu Lebr
Paul Howell  
Gaelic Education Consultation  
Scottish Parliament  
Edinburgh EH99 1SP  

29th November 2004

Gaelic Education Consultation

I am very pleased that the Education Committee is following up on the very important aspect of Gaelic education, and hope that all aspects of education will be reviewed, and that entitlement to Gaelic education incorporates Gaelic as a second language in schools (from primary to secondary) and adult education as well as Gaelic medium education (GME).

Having lived in Ireland, I was made aware that everyone there had access to learning Gaelic in the schools and that this encompassing approach had far reaching and successful results, giving all the people ownership of the language. Learning through Gaelic medium schools was in effect the next phase once people were familiar with the language. People who had learned basic Gaelic themselves in their local schools were more inclined to send their own children to an immersion school. Starting off with immersion is such a huge step for many families that it may be preferable for a strategy which prioritises basic Gaelic education in mainstream local schools first, to increase the number of speakers and normalise the language.

Ultimately Gaelic as a second language could boost any future GME strategies, with future generations of learners. Fluency is a progressive line and children who learn Gaelic as a second language may well have an aptitude and become fluent later in life, if they are given the opportunity to learn from early on. Additionally all children who learn through GME, even if they do become fluent, may not choose to use Gaelic in their later lives or to follow traditional paths (as noted by Matthew MacIver of the General Teaching Council), so all approaches should be considered in combination.

At the recent Gaelic Language in the Primary School (GLPS) conference, it was noted by Murdo MacIver (Head of Service in North Lanarkshire and of the Management Review Group for GME) that GME has reached a plateau and will not be enough, by itself, to save the language. Therefore other forms of education need to be prioritised, along with providing access to progressing Gaelic learning for adults. There are not quite 2000 children learning Gaelic through GME in Scotland at the moment, and 4000 children learning Gaelic in their local schools (quoted from Duncan McQuarrie of HMie). Therefore when referring to Gaelic education it should not automatically be assumed that GME is the only option. However the provision for GLPS or peripatetic Gaelic teaching is uneven throughout the country and I would like to see Gaelic education provided throughout Scotland, where there is demand.
It would be beneficial to look at different types of language learning, with more flexible methods, and encouraging greater bi-lingual learning, as happens in the Walker Road School in Torry (Aberdeen), summer schools (based on the Irish models) and other innovative quasi-immersion schemes (as used very effectively in Canada with the bilingual French and English learning). The Gaelic Board would be very well placed to support different Gaelic learning initiatives, able to identify models of good practice which could be replicated in different areas.

The first action to tackle would be to identify the real demand for learning Gaelic, because at the moment we know demand exists through:

- local council surveys, such as the Edinburgh City Council survey of 2000 where 75% of those who replied were interested in the opportunity for their children to gain awareness of the Gaelic language and culture as part of the curriculum

- the mruk survey of 2003 (with 87% of those interviewed stating that they would like school pupils to be able to learn Gaelic if they so wish)

- viewing figures from Gaelic television programmes such as the significant numbers of the overall Scottish population, established by independent research to be approximately 19% of the Scottish population (from Comteaidh Craobhaidh Gaidhilg's annual report 2000)

It would be useful if community planning assessments in different areas could add questions regarding Gaelic education to establish the demand for learning Gaelic in local schools. Establishing demand could best be achieved by the Scottish Executive itself or another impartial organisation.

It is my experience that once parents have been made aware of the GLPS and other Gaelic learning schemes, they are very keen to have their children learn Gaelic in local schools. This offers great scope for learning more about Scottish history and heritage (including understanding more about place names), Scots language and Celtic culture and music.

If demand for GME results in an entitlement to GME, then surely there must be a reciprocal demand for Gaelic as a second language resulting in an entitlement to Gaelic as a second language in local schools. At the moment there is a schools consultation in Edinburgh and I am aware of over 100 families writing to the education department to request GLPS or peripatetic Gaelic teachers in their schools. The investment required to provide this would not be a large amount of money yet would enable enormous numbers of children to learn the language, some of whom may well have an aptitude for languages and be keen to progress their learning. The Gaelic Board could act as arbitrators for families who have been unable to access learning Gaelic in their local schools, to encourage councils to respond to this demand. This would respect parental choice.
GLPS teachers do not have any previous knowledge of Gaelic before they undertake the training. Therefore, if the GLPS training could form part of the options for all teacher training colleges, there would immediately be a pool of teachers available, and again it would offer a very cost effective investment.

It is also necessary to acknowledge the importance of adult learners if Gaelic is to survive and flourish, as noted by the Chancellor of the Exchequer, the Rt Hon Gordon Brown MP, who said at the 10th Annual Sabhal Mor Ostaig Lecture in 1999.

'69,000 is a critically small speech community and if we want to hear Gaelic spoken after the millennium, new entrants will be needed. It is axiomatic that learners will save the language.'

Statistics now demonstrate that there are greater numbers of Gaelic speakers in the urban areas and this merits appropriate adult provision in the central belt. Travelling to Skye in order to progress Gaelic learning is simply not feasible for families with children in schools in the urban areas, but if there was provision at a central College offering a wide range of Gaelic courses, this could enable learners to progress effectively. At the moment many people are maintaining their language skills through perpetual beginner classes because that is all that is available.

If Gaelic is not accessible for those wishing to learn, regardless of their race, beliefs, age, sex and geographical location, then there may be issues to do with discrimination, as well as contravening the Charter of Minority Languages. There are increasingly more jobs specifying Gaelic desirable or Gaelic preferred, and if access to learning Gaelic has not been provided throughout Scotland on an equal basis, respecting parental choice by offering Gaelic in local schools, then it is possible that the Education Department is creating a discriminatory situation. Yet this could be overcome, and benefit everyone in Scotland by providing access to Gaelic learning in local schools and for adults in colleges, without costing very much.

People delivering the mail all over Scotland may have to deal with addresses written in Gaelic, and the situation will not go back — Gaelic can only grow in strength and move forwards. Therefore it cannot be considered that Gaelic is only a language for use in the Highlands because this is a divisive perspective. I feel it should be a unifying aspect of Scottish life, accessible for everyone who wants to learn.

It must also be noted that there has been a very successful campaign to highlight the national interest that exists for Gaelic, but the organisations who have been responsible for this, are openly and strongly committed to GME and this may have given an impression that the main concern is for an entitlement to GME; but there are no organisations to represent the numerous families who are keen to learn Gaelic as a second language and this huge, untapped demand should not be forgotten, and their entitlement to learning Gaelic in local schools and for adults unable to travel to Skye.
There has also been a great deal of marketing but only for GME learning and perhaps this needs to be broadened to include Gaelic education in general, or to use some of this funding to increase the numbers of GLPS teachers, and make Gaelic accessible in the local schools. Then the language would acquire secure status naturally, by being used regularly.

I would welcome an opportunity to present oral evidence if possible.

Leis gach deagh dhùrachd,

Fiona Henderson
I am glad to have an opportunity to request that Gaelic be made available in local schools throughout Scotland. At the moment other family members in other parts of the country are able to learn Gaelic as a second language in their local schools but in the area I live this is not an option and this seems unfair.

Learning Gaelic is an important part of Scottish life, and helps children to review their learning of numbers, time and so on; and to develop understanding about other languages and different backgrounds, as well as offering an opportunity to learn more about their own heritage.

Yours sincerely,

M Y Henderson
To the Gaelic Consultation Education Committee:

It is very good news that a consultation is taking place with regard to Gaelic education and I would like to request that Gaelic be made available in local schools as a second language. The Gaelic Board could be responsible for overseeing and implementing a national strategy to develop Gaelic learning throughout Scotland.

As a parent I was not able to send my children to the Gaelic medium unit because at the time they were too old for the single entry point, and this has resulted in them missing out on learning Gaelic altogether. I would very much like for them to be able to learn more about their heritage and culture as well as learning a language in primary school but there is no access for them to learn Gaelic in the region we live in. Please make Gaelic available for all children to learn if they so wish, in their local schools.

Gaelic education for adults should also be a priority, preferably for longer than 2 hours per week at a night class, to ensure that progression is effective and appropriate. Semi-immersion courses would be beneficial.

The situation in Scotland could be transformed without huge costs simply by making Gaelic available in local schools and the teachers could use the Gaelic Language in the Primary School (GLPS) scheme. Since teachers do not need to have any previous knowledge of Gaelic, this could be part of the teacher training programme to quickly build up a pool of teachers able to pass on basic Gaelic education.

Yours faithfully,

Morag Henderson
SUBMISSION FROM MRS E KELLY

It is surely essential that the Scottish Parliament’s Education Committee pushes for success, to keep the Gaelic language alive.

Gaelic and English need to have equality of status. You are the Scottish Parliament aren’t you? Gaelic also needs to be a legal right. All children should have a right to learn it. We owe it to the people who were punished in the past for speaking Gaelic, and to Scotland’s future.

I am the parent of children in Gaelic Medium Education and know that more could be done to encourage Gaelic. We have recently moved to Islay and my boy in Primary 2 is about to lose his teacher. I know it will be difficult to replace her – for many reasons. You should be proud to educate children to be bilingual. The benefits are enormous – they learn to think differently, they cope better with other languages and they do better at school. The negative side is how difficult it is to give them the opportunity. It is absurd!!

Please take our country’s future seriously – you are Scotland’s Parliament.

Mrs E Kelly

SUBMISSION FROM CALUM LAING

I would like to make the following submission concerning the above Bill to the Scottish Parliament Education Committee:-

1) I think that every child in Scotland should have a legal right to have access to Gaelic education at both Primary and Secondary levels. There are many areas in Scotland even where Gaelic was spoken until recently where there is no access to Gaelic Education. For example there is no access to Gaelic Education on East Coast of Highland Region north of Dornoch Firth.

2) Gaelic should also have equal legal status with English. I am a native of Scotland and Gaelic was my first language. Gaelic was also the first and founding language of Scotland and was spoken throughout most of Scotland and was the Language of the Scottish Court until the end of the 11th century.

We have a new Scottish Parliament and they should do all in their power to preserve it. If Scotland do not do it nobody else will.

Calum Laing

SUBMISSION FROM MAIGHREAD LOBBAN

Generally I think that the Bill is very good now. Think how we once were. "Rome was not built in a day!"

Blessings to you all.

Anns an fhairseanachd tha am Bile gle mhath a nis. Smuainich mar a bha sinn. "Rome was not built in a day!"
A Charaid,
Tha sinn a’ cur faite air Bile Na Gàidhlig (Alba) mar a tha e a-nise air atharrachadh agus gu h-àraid is gu bheil foghla姆 Gàidhlig air a thoirt na luib. Tha seo a’ cur ceart uireasbhaidh mhòr a bha sa Bile aig toiseach toiseachaidh.

Tha sinn a’ coimhead air adhart ri ar cainnt màtharaid, a bha na càrnain aig muinntir na h-Albann fada ron Bheurla chruidh Shasannach, a bhith air a h-aithneachadh mar aon de chàrnain ofigeil na h-Albann.

Le meas

Domhnall Mac a’ Ghobhainn

Mina Nic a’ Ghobhainn
Gaelic Language (Scotland) Bill

Dear Sir,
We welcome the latest draft of the Gaelic Language (Scotland) Bill and especially the inclusion of Gaelic education as part of the Bill. This rectifies a major shortcoming of the original Bill.

We look forward to Gaelic, our mother tongue, which predates English as the language of the people of Scotland, now being recognised as an official language of Scotland.

Le meas

Donald Smith

Mina Smith
I understand you are considering the Gaelic Language Bill (Bile na Gaidhlig – Alba).

We hope that strong pressure will be applied to the legal rights of equality of status between Gaelic and English/Scots, in Scotland. The economic value of Gaelic is much under rated. Visitors from USA, Canada and Europe constantly ask me what place names “mean”, Such information is seen as an important part of their “vacation”.

I recently explained ancient Celtic names to Lothian schoolchildren (“Bathgate” = “Byech – Coed” – “Boars Wood”/Penicuik = “Pen-y-cuig” = “Cuckoo’s Glen”) etc, etc, to their great delight! We believe our children should have a legal right to knowledge of their ancestral languages and cultural heritage. There should be more “Bun sgoil” and even at least one “Ard-sgoil na Gaidhlig” in Edinburgh.

Is mise le meas

Fergus Mackenzie
Call for Evidence on the Gaelic Language (Scotland) Bill

I am not a native Gaelic speaker – nor have I learned much of the language beyond a few simple phrases. The preservation and extension of the Gaelic language and culture throughout Scotland is extremely important, especially since many aspects of Gaelic culture have already been absorbed by most Scots, knowingly or unknowingly. To date it has not been a curriculum subject in many of our Secondary Schools but I believe (with many others) that it should be introduced in our Primary Schools on a basic conversational level in tandem with interesting/humorous videos. Primary 4/5 would be a suitable age. When children advanced to Secondary/High School continuity would be possible if Gaelic was available in the curriculum.

In 1967, at Balfron Primary School, for several years children were taught basic Gaelic by Primary IV class teacher, Mrs. Margaret Campbell, a native of Skye. Most of them enjoyed the lesson, especially when they could read about a cat called MOG. Children often talked about the Gaelic cat and used words associated with it. They had a teacher who made the subject interesting and humorous. When they entered Primary V the following year they were disappointed to find there was no Gaelic lesson – and so it was from there on. By Primary V my son was learning to play the chanter and by Primary VI he was competently playing the pipes. He went on to compete in the Mods in various parts of the country and won medals for his efforts. He finally won the Silver Medal at the Cowal Games two years in succession. Theramore he joined a Folk Band professionally at the age of 16 yrs. This remained his career for twenty years, taking him to Europe, Canada and USA. Naturally our family was exposed to Gaelic culture more often because of the family connection. My son married a Canadian from Vancouver. The interest and encouragement of Scottish/Gaelic heritage in Canada is enormous.

People who have no direct connection with Gaelic culture may not be aware of the vast leaps forward made in promoting opportunities to learn the language, learn to play instruments, and learn about the whole background of Gaelic culture. The School of Piping now teaches not only traditional piping, but also tutors and encourages students who wish to join or form Celtic Folk Bands. They have been doing this with great success.

The involvement of Gaelic TV programmes has been another step forward. I have long admired the quality and interest of their programmes. My granddaughter, from the age of 4 yrs., was fascinated by the children’s programme involving ‘Donnie with the Funny Hat’. She couldn’t understand the language but obviously grasped the content and would chuckle and try to sing along with Donnie and his guitar. It was a well-produced programme with a deep understanding of what young children enjoy.
My brother and myself praised the Gaelic News programmes many years ago, and still do so today. On a budget much less than that provided for National News programmes— they worked wonders. We learned more about our European neighbours, their economies and lifestyles, than we did from either BBC news or ITV news. Had they followed the format of the Gaelic News programmes perhaps the nation might now be better informed about Europeans in general and more interested in the European elections.

Many English families who settle in Scotland encourage their children to learn the Gaelic language, and often do so themselves. It must surely be a source of shame to the Scottish Executive that the Gaelic language is not a curriculum subject in the majority of Secondary/High Schools. A few years ago (I am unsure of the date) a new Gaelic School opened up in Glasgow teaching in the language from Primary 1 through to BGC level. At the time, it was interesting to read in one of our national newspapers, that entry to the school had been oversubscribed. Many parents interviewed said they had no direct connection with Gaelic culture, but they wished their children to learn the language as part of their Scottish heritage.

As mentioned earlier, in Canada and in the USA, many people of Scottish descent involve themselves in the language and music of the Gaels. Three years ago, on a visit to my son and his wife, I attended Coquitlam Highland Games just outside Vancouver, BC. But for the Canadian accents around me, I could have imagined myself at one of the larger Scottish Games. There were stalls for at least a dozen different Clans, large books in which you could trace ancestors, piping equipment etc. And of course, pipe bands and individual pipers, not to forget the dancers. The Simon Fraser Pipe Band were champions that day. I saw them win the championship at Glasgow Green for the World Piping Championship—not that I agreed—perhaps partisanship I had chosen one of the 1st Grade Scottish Bands. But the pride these Canadians have in their Scottish/Gaelic heritage cannot be ignored. Three thousand miles away in Nova Scotia they are just as proud—even moreso—of their roots. They have a College of Piping, teach Highland Dancing and speak and teach Gaelic. Surely we should feel shame if we allowed our Gaelic history/culture/language to slowly fade away. I do not mention music because that already has a world-wide hold.

When this subject is raised by the Media, some of them put forward the idea that there is no point in including Gaelic in our core Education system because of the Highland Region versus Central Belt attitude. I think this is much overrated. There has been no suggestion that Gaelic should be made compulsory. Many people from the Central Belt have settled in the Highlands and Islands and vice-versa. Glasgow has many citizens with highland roots as have many Central Belt towns. Many cultures are interwoven as has ever been. We should encourage this to the benefit of future generations.
I am an avid reader - especially of poetry. When I read translations of Gaelic poetry I enjoy them but feel slightly deprived - to read them in the original language would add so much to the depth of meaning and feeling. I know the same could be said of French, Russian, Chinese, etc. poems but somehow there is a feeling that as a Scot I should have had an opportunity to learn a Scottish language, i.e. Gaelic. Poets such as Sorley Maclean, Ian Crichton Smith and 17th Century Gaelic poets should be read in the original. It is my hope that future generations of Scots may be able to do so.

It is surely up to our Scottish Executive of the Scottish Parliament to implement the inclusion of Gaelic in Scottish Education as a natural process. Any child/student who has an interest should be able to learn it through their schools. Should it not be included in our Education System, it will be a missed opportunity, affecting the next generation and the following ones.

Illean MacLeod
Dear Mr Howell

GAELIC LANGUAGE (SCOTLAND) BILL

I should like to make the following points regarding the draft Bill:

1 I agree with the general principles of the Gaelic Language (Scotland) Bill, and I fully support the establishment of Bòrd na Gàidhlig on a statutory basis.

2 I believe the Bill would be strengthened by the inclusion of a clause guaranteeing that Gaelic and English are treated on the basis of equal validity. However, the Bill, as it stands, is probably the best option available for securing the future of the language.

3 It would be preferable if the Bòrd received a more generous amount of funding. However, I note that there has been a welcome increase, and it is hoped that as Bòrd na Gàidhlig goes about its business, and the demand and interest in Gaelic increases, the financial situation will improve hand in hand with the linguistic and cultural situation.

Yours sincerely

Lorhe MacLeod
SUBMISSION FROM CEITIDH MOIREACH

I apologise for this last minute response but hope it can still be accepted.

Over the past 20 years I have been actively involved, on a voluntary basis, at all stages, from pre-school to High School, locally and nationally, in the development of Gaelic Medium Education.

I have been in office as the National Chairperson of Comhairle Nan Sgoiltean Aráich, and also of Sràdagan as well as a National Committee member of Comunn Nam Parant. My voluntary involvement has also extended to many community initiatives involving all age groups.

Professionally I am a fully qualified and experienced teacher of Gaelic as a language. Based on my accumulated knowledge and experience I would wish to stress the following points as the Gaelic Bill progresses:

- Gaelic, as a language, should/must have a legal status equal to that of English as a language in Scotland.
- Gaelic Medium Education should/must be available, as a right, in all regions of Scotland where/when there is demand from parents and a minimum of 4 children to form a group/class.

As a parent campaigning for developments in Gaelic Medium Education from 1984 till 1998, I have abundant experience of gains, ALL made from ‘goodwill’ and considerably more experience of rejections also as there were no policies in place nationally or locally to campaign from or revert/refer to. This situation has now improved but this Bill still has a long way to go in demanding policies and plans are put in place by local authorities and public bodies.

Parents should/must always have the right to make representations for the development and expansion of Gaelic Medium Education. Progress would/could be made through the various stages and channels of local government and if necessary to the highest committees or executives within this structure. This would ensure, if necessary, a recognised route for negotiation of a fair and just hearing, in a progressive manner, for individual parents/families or groups of parents within an existing structure.

In conclusion - I would emphasise that my priority for Gaelic in the immediate future is that the ‘normalization’ of the language should proceed with haste and a Gaelic Bill should and must speed that process with what some would term as ‘indecent haste’.

Gach durachd

Ceitidh Mhoireach

SUBMISSION FROM R MCK MUNRO

I would urge the Scottish Parliament’s Education Committee to include in the Gaelic Language (Scotland) Bill the phrase “a legal right to Gaelic medium education and equality of status between Gaelic and English.”

I believe this would be politically correct for Scotland in the 21st century.

R McK Munro
Dear Sir,

Education Committee Gaelic Consultation

I would like to take this opportunity to ask that Gaelic be made available for all children in their local schools to learn as a second language, as a means of revitalising the language; and that more opportunities are provided for adult learners to progress their learning (preferably within the central belt because it is not always possible to go to Skye to advance Gaelic learning).

It would seem appropriate that the Gaelic Board hold responsibility for this with statutory powers, and with appropriate scrutiny as with all public bodies, and with adequate funding to enable them to do this.

Yours sincerely,

Andy Payne
Dear Mr. Howell,

I write yet again in support of the Gaelic Language (Scotland) Bill. From a letter which I have received from “Cì Gaidhlig” I understand that as yet the new Bill still lacks such things as a legal right to Gaelic medium education and equality of status between Gaelic and English. I have to ask why is this? Is it that the Executive does not really care enough? Gaelic speakers are after all for the most part Scottish and was not devolution meant to carry out the wishes of all the Scots?

So as I said before - get it right please.

Yours sincerely,

Mrs. June Scott
SUBMISSION FROM R FRASER TURNBULL

I have a number of concerns regarding the above. Despite the fact that the use of Gaelic predates the use of English in this part of the British Isles there is no equality of status between the two languages and there appears to be no legal right to Gaelic medium education.

It is surprising that the Gaelic Language has survived to the present day despite the active and passive suppression by Government agencies for more than 400 years. Historical examples of active suppression are legion; even as recently as the 1960s school pupils were physically chastised if they lapsed into their native Gaelic. I can just imagine the furore if immigrant children were restrained from speaking their native tongue in Scottish schools nowadays.

There are many examples of passive suppression in current communications from Government agencies.

1) I recently received a leaflet from Fife Council regarding Electoral Registration in which information was offered in four different languages (and scripts). On enquiring why the same provision was not offered to Gaelic speakers I was informed “although in England and Wales Welsh is offered as an alternative language, no similar legislature applies in Scotland for Gaelic.” This statement appears to be at variance with information, that I have since received, where it is claimed that the Westminster Executive has said that Gaelic is an official language in Scotland! (Hansard HL3159 12.6.03).

2) The UK Government’s recently published booklet “Preparing for Emergencies” is also offered in 15 languages other than English viz Arabic, Bengali, Chinese, Farsi, French, Greek, Gujarati, Hindi, Kurdish, Punjabi, Somali, Turkish, Urdu, Vietnamese and Welsh but apparently it is not available in Gaelic despite the Scottish Executive’s having contributed a disproportionately high (12.5%) portion of the £8 million cost. I have written to the “source” in Croydon regarding this apparent oversight but my three letters have elicited no response so far.

3) A further example of the “Passive Suppression” of the Gaelic language is “Pick it up; it’s yours” a booklet issued by the Pension service in Arabic, Bengali, Cantonese, Gujarati, Punjabi, Somali, Urdu, Vietnamese, and Welsh but not in Gaelic. Two letters in connection with this discriminatory situation have not (yet) had the courtesy of an acknowledgement far less a reply.

It would be interesting to find out if any of the Governments, Public Information agencies provide information in Gaelic. It was certainly not the case when the public was bombarded with dire warnings about the “Millennium Bug”. Requests, then, for material in the Gaelic language were dealt with in the “standard” discourteous fashion ie ignored.

Welsh may be a minority language but it has a public status that is equal to that of English! “Cha mhair eanan a tha falaichte” – A language that is hidden cannot survive.

R Fraser Turnbull
Dear Sir,

Education Committee Gaelic Consultation

In order to preserve and expand Gaelic, I would like to take this opportunity to request that Gaelic is provided as a second language for all children wishing to learn, from nursery through primary and secondary schools, and with a follow on at further and higher education levels.

The Gaelic Board should be able to implement this as a long-term strategy with statutory powers, and with adequate funding to enable them to do this, to enable the Gaelic Bill to be effective.

Yours sincerely,

Di Willis
Comataidh an Fhoghlaim
Dara Aithisg 2005

Bile na Gàidhlig (Alba)

Air fhoillseachadh le Pàrlamaid na h-Alba, 26 Faoilleach 2005
Comataidh an Fhoghlaim

Raon-àghdarrais agus Ballrachd

Raon-àghdarrais:

A bhith a’ beachdachadh air agus ag aithris air cùisean a bhuineas ri foghlaìm sgoile agus ro-sgoile, ris an ògiridh agus ri obair shòisealta agus ri cùisean eile a thig fo ùghdaras Ministear an Fhoghlaim agus na h-Ògiridh.

Ballrachd:

Raibeart Mac Ille Dhuinn (Neach-gairm)
Wendy Nic Alasdair
Rosemary Ní Bhroin
Am Morair Seumas Dubhghlas-Hamalton (Leas-neach-gairm)
Fiona Hyslop
Mgr Adhamh Ingram
Mgr Coinneach Mac an Tòisich
Mgr Frang Mac an Bhíataigh
Dr Elaine Mhoireach

Sgioba Clàrcan na Comataidh:

Clàrc na Comataidh
Màrtainn Verity

Àrd-leas-clàrc
Marc Roberts

Leas-clàrc
Iain MacComhainn
Comataidh an Fhoghlaim

Aithisg Ìre 1 air Bile na Gàidhlig (Alba)

Is e seo aithisg na Comataidh don Phàrlamaid —

RO-RÂDH


2. Tha am Bile a’ stèidheachadh Bòrd na Gàidhlig mar bhuidhinn reachdail a bhios a’ stiùireadh leasachadh na Gàidhlig agus a’ dion a h-inbhe mar charan ofigeil ann an Alba. A rèir a’ Bhile feumar plana nàiseanta airson na Gàidhlig a dheasachadh airson an cànan a bhrosnachadh agus feumaidh úghdarrasan poblasth fa leth na plananichean Gàidhlig aca fhèin a dheasachadh. Cuideachd, faodaidh Bòrd na Gàidhlig comhairle a thoirt seachad air foghlam Gàidhlig agus air lìbhrigeadh an fhoghlaim sin. Tha Bile na Gàidhlig (Alba) ag amas air Gàidhlig a leasachadh tro phlanadh cànan seach na càoraichean-cànan a bhà mòran ann an saoghal na Gàidhlig ag iarraidh.

3. Tha grunn prìomh chuspairean airnochadh fhad 's a bha a’ Chomataidh a’ beachdachadh air bun-phrionnsabal a’ Bhile agus tha a’ mhòr-chuid den aithisg stèidhichte air na cuspairean sin:

   i. Inbhe na Gàidhlig (paragrafan 16 gu 32)
   ii. Foghlam na Gàidhlig (paragrafan 33 gu 36)
   iii. An suidheachadh cultarach agus eaconamach (paragrafan 67 gu 76)
   iv. Buidhnean eile (paragrafan 77 gu 89)
   v. Bòrd na Gàidhlig (paragrafan 90 gu 101)
   vi. Plananichean cânain (paragrafan 102 gu 112)

4. Cuideachd tha an aithisg a’ gabhail suim air molaidhean a rinn Comataidhean an Iomhais agus an Fho-reachdais.
FIANAIS


6. Mar thoradh air a’ ghairm-fhianais a rinn a’ Chomataidh, thàinig 140 freagairtean bho dhaoine fa leth, 102 freagairtean pearsanta ann an tri riodhan suidhichte agus 42 bho bhuidhnean. Tha a’ Chomataidh a’ toirt taing don a h-uile daoine a thug seachad fianais beòil no fianais sgrìobhte.

GÀIDHLIG SAN ÀM RI TEACHD

7. Chithear bho àireamhan a’ Chunntais-sluigh gu bheil àireamh luchd-labhait na Gàidhlig a’ sioladh às agus gu bheil an cànann ann an suidheachadh cugallach. Ann an 1981, bha mu 82 000 daoine ann an Alba a b’ urrainn Gàidhlig a bhruaidhinn, a leughadh no a sgrìobhadh. Ann an 1991, bha an àireamh sin air tuitean gu 69 510. Ann an 2001, thuig an àireamh a-rithist gu 65 674, a’ ciallachadh gun tàinig isleachadh 20% air àireamh an luchd-labhait ann am 20 bliadhna. Uile gu lèir, tha eòlas air choireigin air a’ Ghàidhlig aig 1.84% de shluagh na h-Alba. Chan eil an luchd-labhait air an sgaoileadh gu cunbhalaich air feadh na dùthcha. Mar eisimpleir, tha 70% de na daoine ann an sgìre ùghdarrais Chomhairle nan Eilean Siar le eòlas air choireigin air Gàidhlig, ach ann an sgìre ùghdarrais Chomhairle Siorrachd Àir an Ear chan eil ach 0.61%. Anns an fianais sgrìobhte aca, sgrìobh An Comunn Gaidhealach gum faodadh an fhàisneachd air isleachadh àireamh an t-sluaigh ann an sgìrean ùghdarrais ionadail nan Eileanan Siar, A’ Ghaidhealtachd agus Earra-Ghaidheal agus Bòid fìor dhroch bhuaidh a thoirt air a’ Ghaidhlig agus gur e:

“…grim reading”.

[“…rud eagalach a leughadh a th’ann”]

8. Tha còmhraidhean na Comataidh, fhad ’s a tha iad air a bhith a’ cruinneachadh fianais, air an cur ris a’ bheachd seo air àireamhan agus tha a’ Chomataidh glè mhothachail air cho cogallach ’s a tha staid na Gàidhlig agus gu bheil feum air a dion agus a leasachadh gun dàil. Fhuair a’ Chomataidh togail inntinn, ged tha, le toradh an rannsachaidh a rinn Bòrd na Gàidhlig ann an co-bhonn leis a’ BhBC a sheall:

1 Bile na Gàidhlig (Alba), Meòrachan Poileasaidh, SP Bill 25-PM.
2 Bile na Gàidhlig (Alba), Brath-ullachaidh SPICe SB 04-81, p. 9.
3 Bile na Gàidhlig (Alba), Brath-ullachaidh SPICe SB 04-81, p. 29.
4 An Comunn Gaidhealach, fianais sgrìobhte.
“…broadly speaking, 80 per cent of people in Scotland support Gaelic and think that the language should be made available to children whose parents want them to learn the language at school.”

[“…san fharsaingeachd, gun robh mu 80 duine sa cheud ann an Alba taiceil don Ghàidhlig agus den bheachd gum bu chòir do chlann an cothrom fhaighinn Gàidhlig ionnsachadh anns an sgoil mas e sin miann am pàrantan.”]

9. Tha am fiosrachadh seo a’ sealltainn gu bheil daoine fad is farsaing air feadh na h-Alba a’ toirt taic don Ghàidhlig a dh’ aindeoin cho beag ‘s a tha ãireamh an luchd-labhairt. Dh’ aidich Ministear an Fhoghlaim agus na h-Òigrìdh gun robh mòran daoine a' faireachdainn gun deach ana-ceartas a dhèanamh air a’ Ghàidhlig fad linntean agus rinn e coimeas eadar amasan Bile na Gàidhlig (Alba) agus ached aig Pàrlamaid na h-Alba ro 1707 a bha airson Gàidhlig a bhith:

“’abolishit and removit’ bhon dùthaich”

10. Air sgàth an t-suidheachaidh seo, tha a’ Chomataidh a’ cur fàilte chridheil air an dealas a tha Riaghaltas na h-Alba air nochdadh a thaobh Gàidhlig a dhion agus a leasachadh le bhith a’ toirt a-steach Bile na Gàidhlig (Alba) agus a’ cur làn taic ri aithris Ministear an Fhoghlaim agus na h-Òigrìdh:

“…it is legitimate for individuals to aspire to use Gaelic as normally as possible in their lives; that Gaelic should not suffer from a lack of respect at individual and corporate level; that there should be parity of esteem for the languages; and that Gaelic is as legitimate a language as any other spoken anywhere in the world.”

[“…chan eil e ach ceart gum bi daoine ag iarraidh Gàidhlig a chleachdadh nam beatha anns an doigh as nàdarraiche as urrainn dhaibh; nach biodh di-meas ga dhèanamh air a’ Ghàidhlig le daoine fa leth no le buidhnean; gum biodh co-ionnanachd urraim ann do chànanan na h-Alba; agus gu bheil a’ Ghàidhlig a cheart cho luachmhor ri cànan sam bith eile anns an t-saoghal.”]

11. Mar a chaidh a luaidh ann am paragfr 2, tha am Bile a’ cur frèam-obrach air bhonn a thaobh deasachadh plana nàiseanta airson na Gàidhlig agus planaichean airson leasachadh na Gàidhlig le ùghdarrasan poblaich. Tha a’ Chomataidh mothachail nach eil an leasachadh cânain a tha am Bile a’ moladh dol a shàbhaladadh na Gàidhlig anns a’ bhad agus gun tig adhartas mean air mhean no mar a thuir a Sabhal Mòr Ostaig:

“Ach chan eil brag mhòr gu bhith ann,agus chan eil Gàidhlig gu bhith aig a h-uile duine a-màireach, no an-earar.”

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12. Tha a’ Chomataidh mothachail gu bheil iomradh ann an earrannan 3(3) agus 3(5) den Bhile air “an uiread a tha Gàidhlig ga cleachdadh”. Tha na faclan seo air leth cudthromach oir tha a’ Chomataidh den bheachd gu bheil iad direach a’ buntainn ris an t-suídheachadh a tha againn an-dràsta a chumail seach Gàidhlig a leasachadh anns an àm ri teacdh – rud a tha a tha a cheart cho cudthromach. Mar a thuirt Bòrd na Gàidhlig:

“Nam biodh sinn ach a’ leantainn iarrtais—mar a thuirt cuideigin roimhe, nam biodh sinn a’ stri direach airson preservation den chànan—bhiodh sin a’ ciallachadh gum biodh i a’ fuireach mar a tha i, mar chrogon jam, agus gum biodh i gu bhith marbh. Mar sin, feumaidh sinn a bhith a’ coimhead air seòrsa de leasachadh agus airson póisdh dhen dà rud.”

13. Agus, is e a thuirt Ministear an Fhoghlaim agus na h-Òigridh:

“If we act only on the basis of the number of Gaelic speakers, we will stand still. One challenge is how we break out from the areas in which Gaelic speakers are concentrated at present. The bòrd will have to achieve a balance—it will have to have regard to the number of speakers in an area, but also to the representations that it has received and to the national policy of trying to make progress with the language. The issue is not purely about the number of speakers in an area; it is also about trying to create opportunities for more people to become Gaelic speakers.”

14. Tha a’ Chomataidh a’ cur taic ris a’ bheachd seo agus a’ moladh gum beachdaich Riaghaltas na h-Alba air a’ Bhile atharrachadh gus aire a thoirt air cothroman leasachaidh anns an àm ri teacdh cho math ri irean cleachdaidh an-dràsta.

FREAGAIRT DON BHILE

15. Tha e follaiseach bhon mhòr-chuid de na freagairtean sgrìobhte a fhuaire a’ Chomataidh gu bheil taic làidir ann airson “Bile Gàidhlig” a thoirt a-steach agus gum faodadh e cur ri leasachadh a’ chànan. Bha beagan den luchd-freagairt den bheachd nach b’ e reachdas an dòigh air adhart airson Gàidhlig a dhion agus a leasachadh. Ach, shaoil mòran nach robh am Bile làidir gu leòr, gu h-àraidh a

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chionn nach robh còir reachdail ann air foghlam tro mheadhan na Gàidhlig. Tha a’ Chomataidh a’ tuigsinn gu bheil foghlam na bhonn-stèidh anabarrach cudthromach do chànan sam bith agus tha seo ga dheasbad gu mionaideach gu h-iosal. Tha na priomh chuspairean a thog ceann anns an fhianais sgriobhte gam beachdachadh seo shios.

INBHE NA GÀIDHLEG

16. Bha mòran de na tagraidhean sgriobhte don Chomataidh ag iarraidh gum faigheadh Gàidhlig “inbhe oifigeil”, “inbhe thèarainte”, “inbhe cho-ionnan” no “luach co-ionnan” anns a’ Bhile. Tha inbhe agus am briathras a tha ga mineachadh gu sònraichte toinnte.

17. **Tha a’ Chomataidh mothachail air cho cudthromach ’s a bhiodh aithris shoilieir ann an reachdas a thaobh inbhe na Gàidhlig agus fo bhuaidh a’ bheachd gun toireadh aire reachdail:**

“…status and prestige to the language.” ¹¹

[“…inbhe agus urram don chànan.”]

**Inbhe Oifigeil**

18. Chan eil Bile na Gàidhlig (Alba) a’ deiligeadh gu sònraichte ri inbhe na Gàidhlig, ach tha tiotal fada a’ Bhile ag ràdh gur e obair Bòrd na Gàidhlig: “…inbhe na Gàidhlig a dhion mar aon de chànana oifigeil na h-Alba” agus tha earrann 1(3) den Bhile ag ràdh: “Bu chóir na gniomhan a tha an Achd seo a’ buileachadh air a’ Bhòrd an collionadh an a dhìIGH ’s gun tèid inbhe na Gàidhlig a dhion mar aon de chànana oifigeil na h-Alba”.

19. A dh’ aindeoin seo, ged tha, is e a thuirt Comunn na Gàidhlig anns an tagradh sgriobhte a rinn iad mar thaic air an fhianais bheòil aca:

“Tha sinn den bheachd gum bu chóir don Bhile a ràdh gu mionaideach gur e cân an oifigeil na h-Alba a’ th’anns a’ Ghàidhlig” ¹².

20. A thaobh “inbhe oifigeil”, is e a thuirt Ministear an Fhoghlaim agus na h-Oígridh:

“…the Executive has already made clear its belief that the language has such status and has introduced a variety of touchstones to support that. Indeed, a response to a parliamentary question at Westminster explicitly states that Gaelic has official status as a language in Scotland and the UK. The fact that we incur spending on the language; that there is a minister with responsibility for it; that various acts of Parliament refer to it; that the Gaelic Language (Scotland) Bill has been introduced;

¹¹ Huws, Aithisg Oifigeil, 8 Dùbhlachd 2004, col 1891
¹² Comunn na Gàidhlig, tagradh sgriobhte mar thaic ri fianais beibil, 29 Samhain 2004.
that we answer parliamentary questions in Gaelic; and that we have debates in Gaelic in the chamber points to its official status."  

["…tha an Riaghaltas air a bheachd a dhèanamh soilleir mar tha gu bheil an inbhe seo aig a’ chànan co-dhiù agus tha e air grunnan cheuman a thoirt a-steach airson seo a dhearbhadh. Gu dearbh, tha freagairt do cheist phárlamaideach aig Westminster ag radh os àird gu bheil inbhe oifigeil aig a’ Ghàidhlig mar chànan ann an Alba agus anns an RA. Tha sinn a’ caithreamh airgid air a’ chànan; tha ministeir ann le dleastanas air a son; tha iomradh oirre ann an grunnan achdan pàrlamaid; chaidh Bile na Gàidhlig (Alba) a thoirt a-steach; bidh sinn a’ freagairt cheisteann pàrlamaideach anns a’ Ghàidhlig; agus bidh deasbadan againn anns a’ Ghàidhlig anns an t-seòmar agus tha seo uile a’ sealltainn gu bheil inbhe oifigeil aice."]

21. Thuit Bòrd na Gàidhlig, anns an tagradh sgrióibhte a rinn iad mar thaic air an fhianais bheòil aca:

“Ach ged a bhiodh cànan ga mheas “oifigeil” chan eil seo a’ ciallachadh gun toireadh e buaidh air cleachdadh a’ chànan ann an suidheachaidhean eile; gu dearbh, chan eil inbhe “oifigeil” a’ ciallachadh gu bheil a’ chòir aig daoine anns an fharsaingeachd an cànan sin a chleachdadh nuair a chuireas iad feum air seirbheisean poblach”.

agus cuideachd:

“…bhiodh e neònach a’ Ghàidhlig ainmeachadh mar chànan “oifigeil” nuair nach deach an inbhe sin a bhuleachadh air a’ Bheurla fhèin, anns a’ Bhile seo no ann an reachd sam bith eile”.

22. Tha a’ Chomataidh den bheachd gu bheil inbhe aig a’ Ghàidhlig mar tha mar aon de chànanan oifigeil na h-Alba agus gu bheil briathrachas a’ Bhile a’ taisbeanadh seo ann an dòigh fhreagarrach.

Inbhe Thèarainte

23. Bha grunn tagraidhean don Chomataidh a’ bruidhinn air “inbhe thèarainte” airson na Gàidhlig. Tha a’ Chomataidh mothaichail gu e beachd Bòrd na Gàidhlig gu dòcha gu e inbhe thèarainte an abairt:

“…a thogas na ceistean as duilghe”.

de na ceithir a chaidh a’ ciallachadh gu h-àrd.

24. Tha a’ Chomataidh ag aontachadh ri Bòrd na Gàidhlig gu bheil am briathrachas “inbhe thèarainte” a’ nochdadh dhùilghheadasan air sgàth ’s nach eil e comasach a’ Ghàidhlig a dhèanamh thèarainte anns a’ bhad ged is

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e seo a bhiodh am Bile ag órdachadh nam biodh an abairt “inbhe thèarainte” sgrìobhhte ann.

**Inbhe Cho-ionnan agus Luach Co-ionnan**

25. Thuir Comunn na Gàidhlig, anns an tagradh sgrìobhte a rinn iad mar thaic ris an fhianais bheòil aca, nach urrainnear amasan a’ Bhile, airson na Gàidhlig anns an àm ri teachd, a choilionadh ach le:

“…can only be met by the inclusion of a more robust statement on the status of Gaelic to take account of the needs of Gaelic speakers along the lines of the Welsh Language Act.” 16

[ “Chan urrainn […] seo a choilionadh mur a tèid briathran nas brigh mhòr a-thaobh inbhe thèarainte gus toirt a-steach feumalachdan luchd bruidhinn na Gàidhlig a bhith san Achd coltach ris mar a th’ann an Achd na Cuimris.”]

26. Nochd am beachd seo ann an àireamh mhòr den fhianais sgrìobhte a’ Chomataidh, ag ràdh gum feumadh a’ Ghàidhlig a làimhseachadh anns an aon dòigh ris a’ Chuimris a thaobh co-ionnanachd ri inbhe na Beurla.

27. Is e tiotal fada Achd na Cuimris 1993:

Achd a stèidhicheas Bòrd aig am bi an gniomh cleachdadh na Cuimris a bhrosnachadh agus a dhèanamh comasach, buidhnean poblach a chuideachadh gus sgeamaichean a dheasachadh a bheir am prionnsabal gu buil gum bu chóir a’ Bheurla agus a’ Chuimris a bhith co-ionnan anns a’ Chuimrigh airson gnothaichean poblach a choilionadh agus ceartas a libhrigeadh, tuilleadh solarachaidh a dhèanamh airson na Cuimris, cuid de dh’ achdan caithte a’ buntainn ris a’ Chuimrigh ais ghairm, agus gnothaichean co-cheangailte

28. Ach, nochd Bòrd na Cuimris gun robh am briathrachas seo na adhbhar mì-chinnt:

“… the exact status of the Welsh language is, legally, rather difficult; however, we are agreed on the concept that both languages should be treated equally”. 17

[“…gu dè dìreach inbhe na Cuimris? ’S e ceist dhuilich a tha sin a thaobh an lagh, ach tha sinn ag aontachadh gum bu chóir an dà chànan a làimhseachadh ann an dòigh cho-ionnan”.]

29. Ged a bha an abairt “bunait cho-ionnanachd” sgrìobhhte ann an Achd na Cuimris, rinn Bòrd na Cuimris soilleir:

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16 Comunn na Gàidhlig, fianais sgrìobhte mar thaic ri fianais beòil, 29 Samhain 2004.
17 Prys Jones, Aithisg Oifigeil, 8 Dùblachd 2004, col 1892.
“Our legislation is based not on the concept of rights, but on the concept of providing a service for Welsh speakers.” 18

[“Nach eil an reachdas againne stèidhichte air còraichean ach air a’ phrionnsabal gun tèid seirbheis a libhrigeadh do luchd-labhairt na Cuimris.”]

30. Bha Ministear an Fhoghlaim agus na h-Òigridh làidir anns a’ bheachd gu bheil:

“… the terms "equal status" and "equal validity" are probably exactly the same legal concept"

[“… e glè choltach gu bheil "inbhe cho-ionnan" agus "luach co-ionnan" a’ ciallachadh an aon rud anns an lagh”]

agus nochd e cho duilich ’s a bhiodh e gin den dà abairt a chur don Bhile:

“If that phrase were put into the bill, it would have a legal meaning. If the phrase were taken literally, it would mean that the English and Gaelic languages would have to be regarded as being absolutely equal in all circumstances; they would have to have equal validity for usage in courts, public service delivery and all dimensions of our life. Frankly, we could not deliver such equality of status. The bòrd recognised that that could not be done in practice. Delivering equal validity status might be possible in certain pockets of Scotland because of the concentration of Gaelic speakers there, which would allow a high proportion of services to be delivered through Gaelic.” 19

[“Nan deidheadh na faclan sin don Bhile, bhiodh brigh laghail aca. Ma thuigeas sinn iad gu litireil dh’ fheumadh sinn gabhail ris a’ Bheurla agus ris a’ Ghàidhlig ann an dòigh uile gu léir co-ionnan anns a h-uile suidheachadh; bhiodh luach co-ionnan aca anns na cuirtean, ann an obair nan seirbheisean poblach agus anns a h-uile raon de ar beatha. Cha b’ urrainn dhuinn uiread de cho-ionnanachd a libhrigeadh. Dh’ aithnich am bòrd nach biodh seo comasach. ’Is dòcha gun gabhadh inbhe cho-ionnan a chOilionadh ann am badan de dh’ Alba airson gu bheil uiread luchd-labhairt na Gàidhlig anna agus mar sin gun deidheadh mòran sheirbheisean a libhrigeadh tro mheadhan na Gàidhlig anns na sgìrean sin.”]

31. Ach, ann am beachd na Comataidh tha ciall eadar-dhealaichte aig an dà abairt. Tha “inbhe cho-ionnan” a’ ciallachadh gum feum cothrom a bhitheig daoine a’ Ghàidhlig a cleachadh chun a’ cheart ire ’s a tha a’ Bheurla ga cleachdadh. Ach, tha “luach co-ionnan” a’ ciallachadh gu bheil an aon luach aca direach anns na suidheachaidhean far a bheil na dhà gan cur gum feum. Tha an dàrna abairt nas freagarraiche don dheallasanachd leasachaidh a tha mar

18 Prys Jones, Althisg Oifigeil, 8 Dùbhlachd 2004, col 1893.
bhunait air a’ phlanadh cânain anns a’ Bhile. Dh’ aontaich Ministear an Fhoghlaim agus na h-Oigrdadh gu:

“…ponder how we could capture the spirit of equal validity within the bill's framework, if not necessarily within the long title.”

[“…smaoinicheadh e air mar am b’ urrainn dhuinn brìgh luach co-ionnan a chur ann am fréam a’ Bhile, ged nach leigear a leas a chur don tisaidh fhada.”]

32. Tha a’ Chomataidh mothachail gu bheil Earrann 7 de dh’Achd Riaghladh na Cuimrigh 1998 ag ràdh gum feum Seanadh na Cuimrigh, nuair a tha e a’ coilionadh a ghnothaich, “cho fada 's a tha e iomchaidh agus prataigeach anns an t-suidheachadh, am prionnsabhal a leantinn gu bheil a’ Bheurla agus a’ Chuimris co-ionnan.”

33. Tha a’ Chomataidh den bheachd gum bu chóir luach co-ionnan a bhith aig a’ Bheurla agus a’ Ghàidhlig nuair a tha iad gan cleachdadh agus far a bheil iad gan cleachdadh. Ach, tha a’ Chomataidh a’ tuigsinn nach bu chóir briathrachas den t-seòrsa seo, gu h-áraind aig an ire seo, córaichean a bhileachadh air daoine fa leth seach dhleastanas a chur air buidhnean poblach. Tha a’ Chomataidh a’ cur fàilte air dealas a’ Mhinisteir airson dòigh a long airson inbhe na Gàidhlig àrdachadh tro Bhile na Gàidhlig (Alba) ro Òire a Dха.

A’ Chairt Eòrpach air Cànanan Roinneil agus Mion-chànanan

34. Dh’ aontaich Comhairle na h-Eòrpa ris a’ Chairt Eòrpach air Cànanan Roinneil agus Mion-chànanan ann an 1992 agus a dhaingneachadh le riaghaltas na RA ann an 2001. Is e amas na Cairt “…cànanan roinneil agus mion-chànanan a dhìon agus cleachdadh nan cànanan sin a bhrosachadh ann an gnothaichean poblach agus pearsanta”. B’e a’ Ghàidhlig aon de na cànanan a chaidh ainmeachadh.

35. Anns an aithisg a rinn iad air mar a chuir an RA a’ Chairt gu buil, anns a Mhàrt 2004, rinn a’ Chomataidh Eòlaichean coimeas ris a’ Chuimris, ag rádh nach robh: “uiread aire ga thoirt air poileasaidh mion-chànanan le riaghaltas na h-Alba ged a tha togradh poilitigeach ann gus a’ Ghàidhlig a dhion”.

36. Tha a’ Chomataidh a’ moladh gum beachdachaidh Riaghaltas na h-Alba air atharrachadh airson dleastanas a chur a’ Bòrd na Gàidhlig cùnntas a thoirt do Mhinistearan na h-Alba air adhartas a thaobh nan gealltanas a rinn riaghaltas na RA mu dheidhinn na Gàidhlig anns a’ Chairt Eòrpach air Cànanan Roinneil agus Mion-chànanan.

FOGHLAM GÀIDHLIG

37. Rinn Riaghaltas na h-Alba co-chomhairleachadh air dreachd de Bhile na Gàidhlig (Alba) tràth ann an 2004. Phuairadh córr is 3000 freagairt, agus bha

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21 Aithisg Comataidh nan Eòlaichean air a’ Chairt Eòrpach air Cànanan Roinneil agus Mion-chànanan, 2004 td. 57-58
mòran aca a’ geur ghearan nach robh iomradh sam bith air foghlam ann an dreachd a’ Bhile. A-nis, a réir Earrann 9 den Bhile, mar a chaithd a thoirt a-steach don Phàrlamaid, faodaidh Bòrd na Gàidhlig stiùireadh a thoirt seachad air solarachadh foghlaim Gàidhlig. Bha mòran de na freagairtean gribhde a fhuair a’ Chomataidh cinnteach anns a’ bheachd gun robh am Bile a chaithd a thoirt a-steach don Phàrlamaid mòran nas làidire na dreachd a’ Bhile air sgàth ’s gun deach Earrann 9 a chur ris, ged a shaol moran, mar a chaithd a ràdh roimhe, nach deach am Bile fada gu leòr airson nach robh e a’ stèidheachadh cóir reachdail air foghlam tro mheadhan na Gàidhlig.

38. Tha a’ Chomataidh a’ moladh an Riaghaltais airson na dòigh adhardaithe anns an do fhreagair iad dragh a thaobh foghlaim anns a’ cho-chomhairle aca air dreachd Bhile na Gàidhlig (Alba).

39. Tha a’ Chomataidh mothachail nach e foghlam priomh chuspair Bile na Gàidhlig (Alba), ach a’ moladh gum bi roi-inleachd nàiseanta iomlan airson libhrigeadh foghlaim Gàidhlig (bho ro-sgoil gu foghlam adhartaigh agus àrd-fhoghlam) na phàirt rìthanach do leasachadh na Gàidhlig anns an fhad-úine agus gum bu chòir a deasachadh le Riaghaltais na h-Alba aig a’ cheann aig an aon àm ’s a tha plana nàiseanta airson na Gàidhlig ga dheasachadh.

40. Tha a’ Chomataidh mothachail air cho cudthromach ’s a tha foghlam tro mheadhan na Gàidhlig airson Gàidhlig a shàbhailadach ach is e tuigse na Comataidh gu bheil an t-iomradh air foighlaim Gàidhlig anns an Earrann 9 den Bhile a’ buntoinn ri teagag Gàidhlig mar dhàrna cànan, ri inbhich agus clann, cho math ri foighlaim tro mheadhan na Gàidhlig. Tha a’ Chomataidh a’ brosnachadh an aon bheachd airson Bòrd na Gàidhlig gus nach bi aire a’ bhùird air foighlaim tro mheadhan na Gàidhlig a-mhàin, gu h-àraidh taobh a-muigh nan sgirean Gàidhealach, air sgàth ’s gu bheil feum air cothrom leasachadh a long don Gàidhlig agus tha iad a’ moladh gum beachdaich Riaghaltais na h-Alba air atharrachadh a riodhdaicheas seo.

Foghlam Phàistean

41. Tha a’ Chomataidh mothachail air cho fior cudthromach ’s a tha foghlam òg Gàidhlig agus a’ toirt fa-near na tha Bòrd na Cuimris a’ déanamh gus taigc agus leasachadh a chumail ri foighlaim ro-sgoile na Cuimris agus a’ brosnachadh Bòrd na Gàidhlig gus foghlam páisteann Gàidhlig a chur ann am plana nàiseanta na Gàidhlig.

Foghlam bun-sgoile agus àrd-sgoile

42. Ann an 2003-04, bha 1972 sgoilearan bun-sgoile agus 284 sgoilearan àrd-sgoile ann am Foghlam tro mheadhan na Gàidhlig. Tha na h-àireamhan seo air leth sònraichte oir seallaidh iad gu bheil a’ mhòr mhòr-chuid de sgoilearan a’ fàgail foghlam tro mheadhan na Gàidhlig aig ire na h-àrd-sgoile. Mar a thuirt Comhairle na Gàidhealtachd:

22 Foghlam Gàidhlig, Brath-ullachaidh SPICe SB 04-82, Pàrlamaid na h-Alba, Samhain 2004.
“...secondary education is a desert”\(^{23}\)

[“...tha foghlam àrd-sgoile cho falalmh ri àirseach”]

agus thuirt Comhairle nan Eilean Siar:

“Cha deach an iomairt airson foghlam bun-sgoile tro mheadhan na Gàidhlig, a tha a-nis a’ tighinn gu ire, a thoirt air adhart dhan àrd-sgoil”.\(^{24}\)

43. Chuala a’ Chomataidh fianais nach eil, air feadh àrd-sgoiltean na h-Alba gu lèir, ach:

“...tha 60 tidsear ann a’ dèanamh cuspairean tro mheadhan na Gàidhlig”.\(^{25}\)

44. Tha an àireamh de thidsearan cho beag 's nach eil e comasach a h-uile cuspair a theagasc tro mheadhan na Gàidhlig agus mar sin chan eil ach beagan roghainn chuspairean ri faighinn ann am foghlam tro mheadhan na Gàidhlig. Air an adhbhar sin, tha clann agus pàrantan iomagaineach mu chunbhalachd nan cuspairean a tha gan teagasc tro mheadhan na Gàidhlig anns an fhad-ùine.

45. Feumar dèiligeadh ris an ìsleachadh seachd uiread ann an àireamh de sgoilearan ann am foghlam tro mheadhan na Gàidhlig eadar bun-sgoil agus àrd-sgoil, gus nach tèid a’ bhuanachd a gheibh clann anns a’ bhun-sgoil a chall nuair a thèid iad don àrd-sgoil. Tha an ìsleachadh àireamhan eadar an dà ire foghlaim cuideachd a’ toirt droch bhuaidh air fileantachd na cloinne agus na h-òigridh agus mar sin air eòlas Gàidhlig anns an fharsaingeachd.

“...children in Gaelic-medium education cannot access the full curriculum in English-medium education because they must take two to three periods a week to develop their Gaelic. The fluency issue for children is such that they are heavily involved in developing their Gaelic when they are in primary. However, if that is not continued beyond primary, their Gaelic stagnates. Their development must be kept going and the best way of doing that is to use Gaelic to teach other subject areas.”\(^{26}\)

[“...chan fhaigh clann ann am foghlam tro mheadhan na Gàidhlig cothrom air a’ chlàr-oideachaidh gu lèir mar a tha aca ann am foghlam Beurla airson gum feum iad dha na thri sheiseanan gach seachdain a chaithneamh air an cuid Gàidhlig a leasachadh. Tha mòran ga dhèanamh aig ire na bun-sgoile airson fileantachd cloinne a neartachadh ach mura lean an obair seo tron àrd-sgoil tha an Gàidhlig a’ fàs lapach. Feumaidh iad cumail orra a’ dèanamh adhartas ann am fileantachd agus is e an dòigh as fheàrr air seo a thoirt gu buil a bhith gan teagasg ann an cuspairean eile tro mheadhan na Gàidhlig.”]

\(^{23}\) Mac Dhonnchaidh, Aithisg Oifigeil, 1 Dùbhlachd 2004, col 1864.
\(^{24}\) Dòmhnallach, Aithisg Oifigeil, 1 Dùbhlachd 2004, col 1867.
\(^{26}\) Higginson, Aithisg Oifigeil, 1 Dùbhlachd 2004, col 1885.
46. Tha a’ Chomataidh mothachail gu bheil sgrùdadh Riaghaltas na h-Alba air cosg ag amas air àireamh na cloinne ann am foghlam tro mheadhan na Gàidhlig a chur am meud gach bliadhna, agus gu ire 20% ron Dùbhlachd 2009. Ma ruigeas iad an targaid sin, bidh 2367 leanabh ann am foghlam tro mheadhan na Gàidhlig ann an 2009-2010 – 395 nas motha na an àireamh ann an 2003-2004. Ach, tha an targaid seo a’ buntainn ri bun-sgoiltean agus chan eil iomradh sam bith ann air déiligeadh ris an ìleachadh àireamhann ann am foghlam tro mheadhan na Gàidhlig eadar bun-sgoil agus àrd-sgoil.

47. Tha a’ Chomataidh den bheachd gu bheil e gu tur cudthromach gun tig àrdachadh air an uiread cloinne a tha a’ leantainn orra le foghlam tro mheadhan na Gàidhlig aig ire na h-àrd-sgoile agus gum bu chòir seo a bhith na priomh phàirt den roi-innleachd naiseanta airson foghlam Gàidhlig a chaidh ainmeachdadh seo shuas.

48. Tha droch bhuidh aig a’ bhriseadh ann am foghlam tro mheadhan na Gàidhlig aig ire na h-àrd-sgoile air an uiread daoine a bhios ann airson teagasg ann am foghlam tro mheadhan na Gàidhlig anns an àireamh ann an 2003-2004. Ach, tha an targaid seo a’ buntainn ri bun-sgoiltean agus chan eil iomradh sam bith ann air déiligeadh ris an ìleachadh àireamhan ann am foghlam tro mheadhan na Gàidhlig eadar bun-sgoil agus àrd-sgoil.

49. Nochd Comhairle na Gàidhealtachd gun robh buaidh nas farsainge aig gainnead tidsearan air a’ Ghàidhlig:

“Tha sinn a’ call suas ri ochd às gach 10, agus tha sin a’ ciallachadh, nuair a ruigeas an òighridh sin an t-siathamh bliadhna anns an àrd-sgoil, gu bheil nas lugha againn mu choinneimh an fheadhainn a dheigheadh, is dòcha, gu teagasg.”

50. Tha a’ Chomataidh toilichte gu bheil Riaghaltas na h-Alba ag innse do na comhairlean maoineachaidh gur e prionmhachas a tha anns a’ Ghàidhlig agus gun tèid iomairt fastaidh a chur air bhog airson tidsearan foghlam tro mheadhan na Gàidhlig 2005. Ach, tha a’ Chomataidh iomagineach chu beag de dhaoine a tha airson a dhol nan tidsearan foghlam tro mheadhan na Gàidhlig, rud a nochd Ministear an Fhoghlaim agus na h-Óigríd:  

“Our problem with Gaelic medium education is not the number of available places but getting people to choose to work in that sector”\(^{32}\)

[“Chan e an duilgheadas le foghlam tro mheadhan na Gàidhlig nach eil àitichean gu leòr ann, ach nach eil gu leòr ag iarraidh obair ann”]

agus tha a’ Chomataidh airson gun tèid dèîligeadh ri seo anns an roi-innleachd nàiseanta airson foghlam Gàidhlig.

51. A rèir choltais tha grunnan adhbharan airson gum bi daoine a’ taghadh obair ann am foghlam Beurla seach foghlam tro mheadhan na Gàidhlig, no taghadh gun a dhol a theagasc idir. A-measg na tha seo tha, beachd nach eil foghlam tro mheadhan na Gàidhlig dol a leantainn glè fhada, nach eil cothrom an adhartachd dreachd ann air sgàth cho beag ’s a tha áireamh nan sgoilearan, gu h-àraidh san àrd-sgoil, agus am beachd gu bheil barrachd saothrach ann an leasanan tro mheadhan na Gàidhlig a dheasachadh na tha anns na leasanan Beurla. Thog Comunn na Gàidhlig an duilgheadas seo:

“Bha mi a’ bruidhinn ri duine no dìth is oileanach òga a rinn trèanadh anns na colaistean agus a bha air a bhith an dàul teagasc Gàidhlig a dhèanamh. Dh’atharraich iad an inntinn, ge-tà, nuair a bha iad a’ dol dha na h-aonadan Gàidhlig mar phàirt den trèanadh aca. Thàinig iad don cho-dhùnadh gun robh an obair, na dleastanasan agus an t-ualach a bha air luchd-teagaisg na Gàidhlig cus na bu mhotha na bha air an fheadhainn a’ teagasc Beurla an ath-doras. Is e an t-adhbhachair airson sin—agus thog Dòmhmnall Dòmhnallach air—gu bheil an t-uabhas ullachadh ri dhèanamh ma tha thu a’ teagasc ann an Gàidhlig, air sgàth ’s nach eil an stuth ann, agus tha tòrr den stuth aig an luchd-teagaisg ri dheasachadh às ùr. Thàinig iad don cho-dhùnadh, air sgàth ’s gum faigheadh iad an aon tuarastal airson a bhith a’ teagasc an ath-dhoras tron Bheurla, nach b’ fhìach dhaibh teagasc tro mheadhan na Gàidhlig.”\(^{33}\)

52. Is e dúbhlain air leth a tha ann a bhith ag àrdachadh àireamh thidsearan foghlam tro mheadhan na Gàidhlig agus tha cuid air sgeama brosnaichd a mholadh. Ach, mar a thuirt Comhairle na Gàidhealtachd, bhiodh seo a’ togal:

“…major issues for the General Teaching Council for Scotland, as well as for local authorities and the Executive, in providing incentives and in establishing parity with other areas of the school curriculum in which there are shortages.”\(^{34}\)

[“…cheistean mòra airson Comhairle Teagaisg Choitcheann na h-Alba, agus airson úghdarrasan ionadail agus an Riaghaltas, a thaobh brosnaichd agus a thaobh cothromachd a dhèanamh le àitichean eile ann an clàr-oideachaidh na sgoile far a bheil gainnead.”]
agus bha Ministear an Fhoghlaim agus na h-Òigridh air an aon ràmh, ag ràdh:

“The difficulty with any incentive system within any recruitment pool is the fact that distortions are created in the marketplace.”

[“S e an duilgheadas le siostam brosnachaidh sam bith gu bheil e a’ fìaradh na margaidh.”]

53. Aig deireadh an latha, is e na h-ùghdarrasan ionadail, luchd-fastaidh nan tidsearan, a chanas am feum iad brosnachadh a thoirt seachad airson tidsearan a thàladh do fhoghlam tro mheadhan na Gàidhlig. Ach, tha a’ Chomataidh den bheachd gum bu chóir Riaghaltas na h-Alba dol air tús chuísean ann a bhith a’ dèanamh cinnteach gu bheil tidsearan gu leòr gam fastadh agus gan cumail ann am fhoghlam tro mheadhan na Gàidhlig.

54. Tha a’ Chomataidh a’ moladh gun tèid roi-innleachdan airson barrachd thidsearan foghlam tro mheadhan na Gàidhlig faighinn agus airson àrdachadh susbainteach a dhèanamh air àireamh nan sgoilearan ann am foghlam tro mheadhan na Gàidhlig, anns a’ bhun-sgoil agus an àrd-sgoil, a dheasachadh an lùib na roi-innleachd nàiseanta airson foghlam Gàidhlig a chaidh a mholadh seo shuas. Mura tèid déileadhadh ris an dà cheist sin, tha a’ Chomataidh iomagaineach nach gabh na h-amasan nas farsainge aig Bile na Gàidhlig (Alba) a thoirt gu buil.

55. Bha Sabhal Mòr Ostaig a’ cur beum air deasachd cho math ri àireamh nan tidsearan:

“...ach chanainn nach eil e gu leòr gum bi tidsearan gu leòr againn. Tha e riatanach gu bheil tidsearan math againn.”

56. Tha a’ Chomataidh a’ làn aontachadh ris a’ bheachd seo agus a’ creidinn gu bheil sgoilearan, ann am foghlam Gàidhlig agus Beurla, airidh air an aon sàr ire foghlaim.

57. Tha a’ Chomataidh a’ cur taic ri argamaid Chomhairle na Gàidhealtachd gum bu chóir:

“...responsibility for Gaelic Education and Gaelic Education developments should remain as part of the core remit of the Scottish Executive, HMIE, and Local Authorities”

[“...an dleastanas airson Foghlam Gàidhlig agus leasachadh ann am Foghlam Gàidhlig fuireach aig crìde raon ughdarras Riaghaltas na h-Alba, Luchd-sgrùdaidh Rioghail an fhoghlaim agus na h-Ughdarrasan Ionadail”]

oir is ann orrasan a dh’ fheumas an dleastanas a bhith airson mathas an fhoghlaim, an dà chuid anns a’ Ghàidhlig agus anns a’ Bheurla.

37 Comhairle na Gàidhealtachd, tagradh sgrìobhte mar thaic ri fianais beòil, 1 Dùbhlachd 2004.
58. Tha a’ Chomataidh toilichte gu bheil am Bile ag atharrachadh Achd Inbhean ann an Sgoiltean na h-Alba 2000 gus am feum ughdarrasan ionadail suim a ghabhail air stiùireadh Bòrd na Gàidhlig mu dheidhinn foghlaim Gàidhlig. Ach tha i a’ moladh gum bu choir do Riaghaltas na h-Alba beachdachadh air atharrachaidhean eile airson an ceangal eadar Bile na Gàidhlig (Alba) agus Achd Inbhean ann an Sgoiltean na h-Alba 2000 a mhineachadh.

59. Tha a’ Chomataidh mothachail gum faodadh saoghal an fhoghlaim fàs nas toinntse buileach nuair a chuireadh buidhean eile, Bòrd na Gàidhlig, san àireamh ri taobh na feadhainn a tha ann mar tha, leithid: Ionnsachadh adus Teagasg na h-Alba, Úghdarras Teisteanas na h-Alba agus Luchd-sgrùdaidh Rioghal nan Sgoiltean, agus feumaichd duilgheadas sam bith a thig à seo a rèiteachadh tro roi-inleachd nàiseanta airson foghlaim Gàidhlig, mar a chaidh a mholadh seo shuas, agus tro phlanaichean Gàidhlig nam buidhnean fa leth (gu h-àraidh ughdarrasan ionadail) gus am bi foghlam Gàidhlig air a làimhseachadh ann an dòigh cho-fhillte agus coileanta.

Stòrasan foghlaim agus cleachadh teicneolais

60. Rinneadh iomradh shuas air inbhe nan stòrasan foghlaim Gàidhlig nuair a bhathas a’ bruidhinn air na h-adhbharan nach robh tidsearan ag iarraidh obair ann am foghlam Gàidhlig. Chuala agus chunnaic a’ Chomataidh fianais air cho dona ’s a tha cuid de stuthan teagaisg Gàidhlig, mar eisimpleir, faclan Gàidhlig air an steigiel air muin faclan Beurla. Dh’ fhaodadh an seòrsa càradh mu làimh seo toirt air daoine smaoineachadh nach eil a’ Ghàidhlig cho math ris a’ Bheurla. Ach, tha a’ Chomataidh mothachail, ge-thà, nach e seo an suidheachadh anns a h-uile àite agus gu bheil an obair deasachaidh air stòrasan teagaisg a rinneadh le Stòrlann Nàiseanta na Gàidhlig, Sabhal Mòr Ostaig agus sgoiltean agus tidsearan fa leth, airidh air moladh agus brosnachadh.

61. Tha a’ Chomataidh a’ cur fàilte air an £10 000 de mhaoineachadh a bharrachd airson Stòrlann Nàiseanta na Gàidhlig a chaidh a ghaireachd o chionn ghfoirid ach a’ moladh gun cum Riaghaltas na h-Alba orra a’ cur maoineachas am meud airson stòrasan teagaisg Gàidhlig a bheir cuideachadh do thiidsearan.

62. Rinneadh mòran bruidhinn air cleachadh teicneolais airson am feum as fheàrr a dhèanamh de thiidsearan foghlam tro mheadhan na Gàidhlig agus tha a’ Chomataidh a’ dèanamh fhughair ri toradh obair na buidhne a tha a’ toirt comhairle do Riaghaltas na h-Alba air cleachadh teicneolais ann am foghlam, a’ gabhail a-steach beachd air àrd-sgoil virtual a dh’ fhaoadadh a bhith aig faghail tro mheadhan na Gàidhlig. Tha a’ Chomataidh mothachail gum faodadh teicneolais úr leigil le aircamhan sgoilearan ann am foghalm Gàidhlig eòrigh agus stòrasan teagaisg a sgaoileadh ann an dòigh nas ëifeachdach agus nas tàbhchaidheach. Ach, tha a’ Chomataidh a’ rabhadh nach e uil-ioc na Gàidhlig a tha anns an teicneolais seo idir. Mar a thuirt Comhairle na Gàidhealtachd:

38 6 Faoilleach 2005.
“There is a lot of dependence on videoconferencing and IT but there must be human beings at the other end: a specialist adviser and someone who can speak Gaelic. We have had one or two failures in which the videoconferencing links and technology have worked fine but there has not been anybody at the other end to help the pupils to learn. In such cases, pupils end up sitting in front of a television like robots. We must twin-track the two issues and develop both teachers and IT.”

[“Tha mòran feum ga dhèanamh de cho-labhairt bhiodh agus teicneolais ach feumaidh daoine a bhith aig a’ cheann eile: eòlaiche teicnieceach agus cuideigin aig a bheil Gàidhlig. Chaidh cuisean ceàrr turas no dhà nuair a bha an ceangal bhideo agus an teicneolais ag obair giè mhath ach cha robh duine aig a’ cheann eile a chuidicheadh na sgoilearan ag ionnachadh. Nuair a thachras seo bidh na sgoilearan a’ suidhe air beulaibh sgrion mar robots. Feumaidh sinn co-fiileadh a dhèanamh eadar trànaadh thidsearan agus leasachadh teicneolais.”]

63. Tha a’ Chomataidh den bheachd gu bheil páirt aig teicneolais ann an leigeil le barrachd dhaoine trànaadh mar thidsearan foghlam tro mheadhan na Gàidhlig, rud a thog Sabhal Mòr Ostaig:

“Airson daoine a tha fuireach an àitichean caran iomallach, ma dh’hfhaoidte gum faoadaite coimhead air teagasg bhideo agus an leithid—mar cho-labhairtean bhideo agus clasaichean air astar anns na dachaighean aca—mar aon de na dòighnean air a’ ghainnead thidsearan a lùghdachadh.”

64. Tha a’ Chomataidh mothachail air cho cudthromach ‘s a tha gu bheil ionadan feabhais ann a bheir taic do thidsearan agus mar sin, tha iad toilichte a bhith a’ cluinntinn bho Chomhairle Baile Ghlaschu41 gu bheileas a’ toirt àrd-sgoil Gàidhlig gu ire ann an Glaschu agus gu bheil Sabhal Mòr Ostaig a’ cumail ris an obair aca airson taic a thoirt do thidsearan a thaobh sgilean cânain agus stuth teagaisg.

Còir reachdail air foghlam tro mheadhan na Gàidhlig

65. Mar a chaidh a luaidh seo shuas, b’e an cuspair as tric a nochd anns na tagraidhean sgrìobhte a fhuair a’ Chomataidh, còir reachdail air foghlam tro mheadhan na Gàidhlig. Mar eisimpleir, bha Urras Brosnachaidh na Gàidhlig:

“...of the view that the right to Gaelic education must be embodied in any legislation purporting to promote the use and understanding of the Gaelic language.”

[“...den bheachd gum feum còir air foghlam Gàidhlig a chur ann an reachdas sam bith a bha airson cleachadh agus tuigse na Gàidhlig a bhrosnachadh.”]

40 Mac an Tàilleir, Aithisg Oifigeil, 29 Samhain 2004, col 1790.
42 Urras Brosnachaidh na Gàidhlig, tagradh sgrìobhte.
66. Bha cuid de thagraidean ag ràdh gum bu chòir an aon chòir a bhith ann ’s a bha ann airson na Cuimris. Ach, rinn Bòrd na Cuimris soilleir:

“…there is no statutory right to Welsh medium education”\(^{43}\).

[
“…nach eil còir reachdail sam bith ann air foghlam tro mheadhan na Cuimris.”\(^{44}\).

67. Ach, anns na sgeamaichean Cuimris a dh’ aontaich Bòrd na Cuimris leis an 22 ùghdarras ionadail Cuimreach:

“…parents have a right to education in Welsh for their child within that local authority. However, the schemes do not specify how far children might be expected to travel, although it might be a reasonable distance”\(^{44}\).

[
“…tha còir aig pàrantan air foghlam anns a’ Chuimris do an cuid cloinne anns an ùghdarras ionadail sin. Ach, chan eil na sgeamaichean ag ràdh dè cho fada ’s a dh’ fheumas clann siubhal, ged a dh’ fhaoadadh e a bhith astar math.”\(^{44}\).

68. Tha a’ Chomataidh a’ lèn tuigsinn an iarrais airson còir reachdail air foghlam tro mheadhan na Gàidhlig ach tha iad mothachail air iomagain Riaghaltas na h-Alba mu cho duilich ’s a bhiodh e còir den leithid a choilionadadh ann an dà rìreabh. Tha a’ Chomataidh den bheachd gum b’ fhearr còir air foghlam tro mheadhan na Gàidhlig, far a bheil e iomchaidh, a bhith na amas san àm ri teadh mar a thèid am pròiseas planadh cânain air adhart.

69. Bha mòran de na h-iarrtasan airson còir reachdail air foghlam tro mheadhan na Gàidhlig a’ cur an t-sanais na chois “far a bheil iarrtas reusanta ann”. Tha Comhairle na Gàidhealtachd air co-dhùnadh gu bheil ceathrar sgòilear ag iarraidh foghlam tro mheadhan na Gàidhlig na iarrtas reusanta. Tha a’ Chomataidh den bheachd gum biodh e ro theann nan deidheadh àireamh a shòrrachadh ann an reachdas oir, dh’ fhaoadadh aon sgòilear a bhith na iarrtas reusanta agus dh’ fhaoadadh atharrachadh a thighinn air dè a bha reusanta thar tide. A thuilleadh air seo, tha a’ Chomataidh den bheachd gum deidheadh sònrrachadh àireamh den leithid seo an aghaidh na dòigh sùbailte air planadh cânain a tha am Bile a’ cleachdadh. Tha seo a’ freagradh na dòigh a tha aig Bòrd na Cuimris:

“…have not said to local authorities that they should provide something that is reasonable; we have said that they must plan over a period by examining their data and the demand from parents and identifying whether there has been a demographic shift. After taking all those elements into account, they should say, “This is the provision we need,” and then go out to consultation on that, so that the public can see what

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\(^{43}\) Prys Jones, Alitig Oifigeil, 8 Dubhlachd 2004, col 1894.

\(^{44}\) Prys Jones, Alitig Oifigeil, 8 Dubhlachd 2004, col 1895.
the plans are. We discuss the final scheme with the authorities. We feel that that has more rigour as a planning process.\(^{45}\)

[“…cha bhi sinn ag râdh ris na h-úghdarrasan ionadail gum feum iad rudeigin a tha reusanta a libhrigeadh; feumaidh iad planadh a dhèanamh rè úine le bhith a’ sgrùdadh an dàta aca agus iarrtasan bho phàrantan agus faicinn an tâinig atharrachadh anns a’ phàtran-sluaigh. Nuair a bheachaich the iad air a h-uile càil feumaidh iad a râdh, “Seo na dh’ rheumas sinn” agus an uairsin feumaidh iad co-chomhairleachadh a dhèanamh air sin, gus am faic an sluagh na planaichean aca. Bidh sinn a’ coimhead ris an sgeama a thig a-mach aig a’ cheann thall agus a’ bruidhinn ris an ùghdarras ionadail ma dheidhinn. Nar beachd-sa is e pròiseas planaidh nas earbsaich a tha seo.”]

70. Tha an sùbailteachd a thig às planadh cànain cuideachd ri thaichinn ann an eadar-dhéalachadh gnè nan diofar sgoiltean ann a’ Chuimrigh:

“In Welsh-medium schools, education is Welsh only until the age of seven. Then, between seven and 11, it is about 65 per cent Welsh-medium education, on average. At secondary school level, there are many more options. Some schools teach everything through the medium of Welsh; others teach some subjects through the medium of Welsh; in some, children have the option of learning either in Welsh or in English; and there are English-medium schools.”\(^{46}\)

["Ann an sgoiltean Cuimris, tha foghlam ann an Cuimris a mhàin gu aois seachd. Eadar seachd agus 11, tha e mu 65% tro mheadhan na Cuimris, anns a’ chumantas. Aig ire na h-àrd-sgoile tha mòran a bharrachd roghainnean ann.Bidh cùid de sgoiltean a teagasg a h-uile càil tro mheadhan na Cuimris; bidh cùid eile a’ teagasg grunnan chuspair le tro mheadhan na Cuimris; ann an cùid faodaidh clann taghadh eadar ionnsachadh ann an Cuimris no Beurla; agus tha sgoiltean tro mheadhan na Beurla ann.”]

Tha foghlam tro mheadhan na Cuimris agus tro mheadhan na Beurla air a chothromachadh a rèir phàtranan-sluaigh.

**AN SUIDHEACHADH CULTARACH AGUS EACONAMACH**

71. Tha a’ Chomataidh mothachail gu bheil neart agus uile-làthaireachd na Beurla anns a h-uile raon de ar beatha a’ cur uallach anabarrach air a’ Ghàidhlig. Mar a thuirt Comunn na Gàidhlig, a thaobh iomadh leanabh aig a bheil Gàidhlig:

\(^{45}\) Prys Jones, Aithisg Oifigeil, 8 Dùbhlachd 2004, col 1898.

\(^{46}\) Prys Jones, Aithisg Oifigeil, 8 Dùbhlachd 2004, col 1906.
“...tha iad a’ faicinn na Beurla cho làdir is cho tarraingeach an taic ris an cànán fhèin.”

72. Chuir Comann nam Pàrant a’ chùis gu snasail nuair a dh’ fhaighnich iad:

“...dè a’ Ghàidhlig a tha air cornflakes?”

73. As dèidh tadhal air Bun-sgoil Phort Rì gh, thuirt Neach-gairm na Comataidh:

“We have heard that, even in Gaelic speaking areas, English tends to be the language of the playground”.

[“Chaidh innse dhuinne gur e a’ Bheurla a bu tric a chluinnear anns an raon-cluiche, fiù ’s anns na sgìrean Gàidhlig.”]

74. Tha seo a’ sealltainn cho cudthromach ’s a tha suidheadachadh cultarach an fhoghlaím. Mar a thuirt Sabhal Mòr Ostaig:

“Chan urrainn dhut cànan a chur ann am bocs a beag agus a ràd, "Sin agad e." Ma tha foghlam agann, tha sin ceart gu leòr, ach feumaidh coimhearsnachd cheart a bhith againn.”

75. Tha a’ Chomataidh mothachail air cho cudthromach ’s a tha e cànan ionnsachadh bhon teaghlach agus bho dhaoinn nas sine agus, a thaobh seo, chì iad nach eil e gu leòr taic a thoir do fhoghlaím tro mheadhan na Gàidhlig na aonar, feumaidh pàrantan na clòinne a tha ag ionnsachadh Gàidhlig taic agus brosnachadh fhàighinn, ge bith a bheil Gàidhlig aca no nach eil. Mura tachair seo, thèid a’ bhuanachd a gheibhidh bho fhoghlaím tro mheadhan na Gàidhlig aig an sgòil a bhacadh air gò dtè nach eil Gàidhlig ga bruidhinng an aig an taigh. Tha seo a’ togain air a’ phuing a rinneadh seo shuas gum feum Bòrd na Gàidhlig agus an roi-inleachd nàiseanta airson fhoghlam Gàidhlig gabhail ri ionnsachadh na Gàidhlig mar dhàrna chànan cho math ri foghlam tro mheadhan na Gàidhlig.

Craoladh

76. Tha a’ Chomataidh mothachail air cho cudthromach ’s a tha craoladh airson taic a thoir don Ghàidhlig. Thuirt Bòrd na Gàidhlig:

“...dà rud a tha bunaiteach: foghlam agus craoladh. Thaiomadach rud eile ann cuideachd, ach tha an dà rud sin bunaiteach agus tha sin fior airson Gàidhlig. Feumaidh mi ràdh, às leth a’ chànain agus às leth coimhearsnachd na Gàidhlig, mura b’ e na rinn leithid am BBC fad iomadach bliadhna airson a’ chànan, is dòcha nach biodh an cànan cho làdir an-diugh ’s a tha e. Mar sin, ged nach bi craoladh mar dhleastanas fon plhana nàiseanta a bheir am bòrd air adhart fon bhile, ma tha am plana sin gu bhith dha-rìribh na plhana nàiseanta don Ghàidhlig,

Education Committee, 2nd Report, 2005 (Session 2)

feumaidh sinn sealltainn ciamar a tha craoladh gu bhith a’ cur ris a' phlana. Bidh sinn a’ dèanamh sin le bhith ag obair cuide ri Seirbheis nam Meadhanan Gàidhlig.”51

77. Anns an tagradh sgrìobhte a rinn iad don Chomataidh, thuirt Seirbheis nam Meadhanan Gàidhlig:

“...tha siostam craolaidh na RA ag obair an aghaidh na Gàidhlig, air sgàth ’s nach eil craoladh Gàidhlig cunbhalach gu leòr airson atharrassadh susbainteach a thoirt gu buil”52.

78. Tha a’ Chomataidh toilichte gu bheil Bòrd na Gàidhlig ga riochdachadh, le Ceannard a’ Bhùird, ann an Seirbheis nam Meadhanan Gàidhlig a chaidh a stèidheachadh o chionn ghoirid, agus a’ cur fàilte air dealas a’ Bhùird airson obair an co-bhonn le Seirbheis nam Meadhanan Gàidhlig.

79. Tha a’ Chomataidh ag aithnneachadh gur e cùis ghlèidhte a tha ann an craoladh fo chumhaichean Achd na h-Alba 1998; ach tha i a’ mothachadh gu bheil am buidseach airson craoladh Gàidhlig aird air Riaghaltas na h-Alba. Tha a’ Chomataidh a’ moladh gun dèan Riaghaltas na h-Alba soilleir dè an dleastanas a tha aca a thaobh craoladh na Gàidhlig, dè an t-àite a bhios aig Bòrd na Gàidhlig ann an comhairleachadh Mhinistearan mu chraoladh Gàidhlig agus dè na h-oidhirpean a tha a’ dèanamh gus cothroman a lorg airson maoinearchadh a bharrachd fhàighinn do chraoladh Gàidhlig.

80. Tha a’ Chomataidh ag aideachadh nach eil craoladh gu leòr na aonar. Mar a thuirt Bòrd na Cùimris, tha e:

“...sits alongside sport, pop music and youth organisations. We must address all those sectors and work hand in hand with the providers. Broadcasting is important, but other parts of the youth experience, particularly sport and music, are as important.”53

[“...a’ dol còmhla ri spòrs, ceòl pop agus buidhnean òigridh. Feumaidh sinn coimhead ris a h-uile raon sin agus obair gu dùth leis an luchd-stiùiridh. Tha craoladh cudthromach, ach tha rudan eile ann an saoghal na h-òigridh, gu h-àraidh spòrs agus ceòl, a cheart cho cudthromach.”]

Luach Eaconamach na Gàidhlig

81. Ged nach e prìomh chùis a tha ann, a thaobh dòin agus leasachadh na Gàidhlig, thug an fhianais air na sochairean eaconamach a thig bhon Ghàidhlig agus cultar nan Gàidheal, buaidh air a’ Chomataidh. Bhruideann Comunn na Gàidhlig air Àros, an t-ionad cultarach ann am Port Rìgh a bhios:

52 Seirbheis nam Meadhanan Gàidhlig, tagradh sgrìobhte.
53 Huws, Aithisg Oifigeil, 8 Dùbhlachd 2004, col 1912.
“...a' toirt a-steach barrachd is £1 millean gu eaconomaidh an eilein.
Tha e a' toirt obair do faisg air 30 duine agus—is dòcha an rud as
cudthromaiche—tha barrachd is 260,000 duine a' tighinn a-staigh gu
Àros gach bliadhna.”

82. A thuilleadh air seo, thug Comhairle na Gàidhealtachd fiosrachadh a
bharrachd don Chomataidh a' tuairmse gun robh a' Ghàidhlig agus cultar nan
Gàidheal a' cur £7.1 millean ri eaconamaidh na sgire aca gach bliadhna.

83. Bha na buill a' tuigsinn mar a dh' fhaoadadh misneachd coimhearsnachd fàs
nuair a dh' fhàsas cànan nas treasa.

BUIDHNEAN EILE

Buidhnean na RA

84. Bha dragh air mòran nach bi ùghda rrasan poblach a bhios ag obair ann an
Alba ach a tha gan stiùireadh le Westminster a' tighinn fo smachd Bile na Gàidhlig
(Alba), mar eisimpleir, Roinn na h-Obrach ’ agus nam Peinnseanan, Oifis nan
Ceadan Siubhail, an DVLA agus Oifis a’ Phuist. Tha an suidheachadh reachdais
gu tur eadar-dhealaichte anns a' Chuimirigh far a bheil a h-ule ùghdarras poblach
a tha ag obair anns a’ Chuimirigh a’ tighinn fo smachd cumhaichean Achd na
Cuimris1993.

85. Chuir Comunn na Gàidhlig an iomagain seo mu buidhnean na RA an cèill gu
soilleir:

“Mar a chuala sinn mar-thà, tha duilgheadas ann a thaobh suidheachadh
nam buidhnean poblach a tha stèidhichte ann an Lunnainn no aig a bheil
roinneann ann an Lunnainn ach a tha a' toirt seachad seirbheisean poblach
ann an Alba. Aig an ire seo, chan eil na buidhnean sin a' tighinn fo
smachd a' bhile. Cha ghabh sin dèanamh, tha e collach, air sgàth 's nach
eil cumhachd aig Pàrlamaid na h-Alba air dòigh anns a bheil na
buidhnean sin ag obair. Tha sinn a' smaoineachadh gu bheil e uabhasach
cudthromach gum bu chòir dòigh air choreigin a bhith ann airson dèanamh
cinteach gu bheil na h-uallaich a bhios air na buidhnean poblach ann an
Alba fon bhile a' leantainn agus gum biodh an t-aon uallach air na
buidhnean a tha stèidhichte ann an Sasainn ach aig a bheil meuran ann
an Alba.”

86. Tha am Bile, mar a chaidh a thoirt a-steach, a’ dèanamh iomradh air
ùghdarrasan poblach aig nach eil gnìomhan glèidhte, na gnìomhan tìomnaichte
aig ùghdarrasan poblach a bheil a h-uallaich de gnìomhan tìomnaichte
agus glèidhte (mar eisimpleir, ùghdarrasan ionadail) agus Buidheann Chorporra
Pàrlamaid na h-Alba.

87. Chan eil am Bile a’ dèiligeadh ri:

54 Dòmhnullach, Aithisg Oifigeil, 29 Samhain 2004, col 1829.
i. ùghdarrasan poblach aig a bheil gnìomhan gu tur glèidhte aig Westminster fo Achd na h-Alba 1998;
ii. na gnìomhan glèidhte aig Buidhnean Phoblach Thar-chrich (mar eisimpleir, Coimisean na Coilltearachd no Comhairle Lusd-caitheimh na h-Alba); no
iii. Ùghdarras Inbhean a’ Bhidhe (a tha às an àbhaist airson gur e roinn riaghaltais gun Mhinishtear a tha ann) ach a gheibh, tro earrann 35(2) de dh’Achd Inbhean a’ Bhidhe 1999, gnìomhan ann an Alba, no a’ buntainn ri Alba, bho Phàrlamaid na h-Alba.

88. A rèir na comhairle laghail a fhuair a’ Chomataidh, airson am Bile a leudachadh gus ùghdarrasan poblach, le gnìomhan a bha uile gu lèir glèidhte, a thoirt a-steach, dh’ fheumadh pàipear-taice 5 de dh’Achd na h-Alba 1998 atharrachadh le Òrdugh ann an Comhairle (fo ùmhlachd do dhòigh-obraich Pàrlamaid na h-Alba agus Westminster).


90. Tha a’ Chomataidh a’ brosnachadh Bòrd na Gàidhlig, fo na gnìomhan ann an earrann 1(2) den Bhile, obair le ùghdarrasan poblach na RA a bhios a’ libhriageadh sheirbheisean poblach cudthromach ann an Alba, ann an dòigh chuideachail gus na seirbheisean Gàidhlig aca a leasachadh agus a’ creidseinn nach bu chòir smachdachadh laghail – air nach tainig feum a-riamh anns a’ Chuimrigh – a chleachdadh ach aig an fior char mu dheireadh.

91. Tha a’ Chomataidh den bheachd gu bheil e neo-chunbhalach nach eil am Bile, eu-coltach ris an aon bhile anns a’ Chuimrigh, a’ buntainn ris a h-ùile buidhinn poblach, a tha ag obair ann an Alba, an dà chuid tiomnaichte agus glèidhte. Tha a’ Chomataidh a’ brosnachadh Riaghaltas na h-Alba aonta fòirmeil fhàighinn bho riaghaltas na RA gun gèill a h-ùile buidheann phoblach anns an RA, a tha ag obair ann an Alba, ri spiorad a’ Bhile.

92. Tha a’ Chomataidh a’ moladh gun atharraich Riaghaltas na h-Alba am Bile airson gun gabh e a-steach Ùghdarras Inbhean a’ Bhidhe oir is e ùghdarrasan poblach air leth cudthromach a tha seo agus tha buaidh aige air a h-ùile duine ann an Alba.

Buidhnean Poblach agus Saor-thoileach

93. Chan e direach buidhnean le gniomhan glèidhte aig Westminster a tha a’ déanamh dragh. Tha a’ Chomataidh den bheachd, o chionn gu bheil barrachd bhuidhnean priobhaideach gan cleachdadh airson seirbheisean poblach a libhriageadh, gum feum Bòrd na Gàidhlig dèanamh cinnleastach gum bi ùghdarrasan poblach a tha a’ fastadh chompanaidhean priobhaideach a’ gealltainn, anns a’ phlana cànain aca, aontaidean air ire seirbheis a
dhèanamh leis na buidhnean priobhaideach a thaobh cleachdadh na Gàidhlig. Thog e úidh na Comataidh gu bheil, anns a’ Chuimrigh:

“The 1993 act stipulates that if public bodies contract out to third parties, those third parties are included within a scheme.”

[“Tha an achd 1993 a’ sònrrachadh ma tha buidhnean poblach a’ toirt cunnradh obrach a-mach do bhuidheann eile, gu bheil na buidhnean sin a’ tighinn fon sgeama cuideachd”]

94. Thuirt Bòrd na Cuimris gun do rinn e adhartas ag obair leis an raon phriobhaideach (mar eisimpleir, mòr mhargaidhean) agus gum bi companaidhean priobhaideach tric a tighinn thugiu airson comhairle oir tha aire an t-sluaigh agus iarrratas airson Cuimris a’ sior èirigh. Ach cha do thachair seo le:

“…not through statute, but through gentle pressure.”

[“…chan ann le reachdas, ach le impidheachd.”]

95. Tha a’ Chomataidh ag iarraidh gum bi Bòrd na Gàidhlig dripeil ag obair le buidhnean priobhaideach a thullleadh air nuair a tha iad ag obair airson ughdarrasan poblach. Tha seo riatanach airson gun neartaich e a’ Gàidhlig ann an suidheachaidh a bharrachd. Tha a’ Chomataidh cuideachd a’ brosnachadh Bòrd na Gàidhlig a bhith ag obair leagus a’ toirt comhairle don raon shaor-thoileach gus barrachd Gàidhlig a cleachdadh airson gun neartaich seo coimhearsnachd na Gàidhlig san fharsaingeachd.

Cùirtean

96. Bha cuid de na tagraidhean sgrìobht e ag iarraidh na còire Gàidhlig a chleachdadh anns a’ chùirt. Tha a’ Chomataidh mothachail gu bheil e riatanach do cheartas gum fisg daoine air mion-dìobar smuaintean a thuigisinn agus a chur an cèil agus argamaid a dhèanamh anns a’ chiad chànan aca. Cuideachd, tha cleachdadh na Gàidhlig anns a’ chùirt na phriomh phàirt de dh’ inbhe oifigeil a dhèanamh cinn teach ann am beatha phoblach na h-Alba agus mar sin tha a’ Chomataidh an dòchas gun deasach Seirbhéis Chùirtean na h-Alba planaichean cânain a shealladh ciamar a leigeadh iad le luchd-labhait na Gàidhlig an cànain aca a chleachdadh aig ire thràth. Tha a’ Chomataidh mothachail air na tha a’ tachairt anns a’ Chuimrigh:

“The process has been gradual, and the provision has not hit the courts system hard. Prior to the introduction of the legislation, there was real concern that there would be a huge increase in the number of people requesting Welsh-medium hearings; however, there has not been such an increase. It has been a very slow process.”

[“Tha adhartas air tighinn mean air mhean, agus chan eil solarachadh na Cuimris air dragh mòr a chur air na cùirtean. Mus tàinig an reachdas a-
steach bha mòran iomagain ann gun tigeadh an t-ubhach daoine a dh’ iarraidh èisteachd tro mheadhan na Cuimris; ach, cha do thachair sin. Tha cuîsean air a bhith gu math slaodach.”]

BÒRD NA GÀIDHLIG

Neo-eisimeileachd Bòrd na Gàidhlig

97. Tha a’ Chomataidh a’ tuigsinn gu bheil feum air buidheann leasachaidh càinain neo-eisimeileach a bhith aig astar bhon riaghaltas, airson, mar a chanas Bòrd na Cuimris:

“…the language out of the political arena so that it is no longer a political football.”

[“…sgaradh a dhèanamh eadar cànan agus poileataics gus nach bi e na chùis-chonnspaid poilitigeach.”]

98. Tha seo air leigeil leis a’ bhuidheann cuimseachadh air planadh càinain a mhàin agus tha seo air:

“…immeasurable qualitative change throughout Wales.”

[“…àrdachadh feabhais anabarrach a thoir gu buil air feadh na Cuimrigh.”]

99. Tha a’ Chomataidh ag aontachadh le Ministeir an Phoghlaim agus na h-Òigriddh gum bi neo-eisimeileachd Bòrd na Gàidhlig a’ ciallachadh nach bi leasachadh a’ chàin an urra ri deagh ghean Mhinistearan fa leth.

100. Tha a’ Chomataidh a’ cur lân taic ri beachd Comhairle nan Eilean Siar anns an tagradh sgrîobhte a rinn iad mar thaic ris an fhianais bheòil, nach bu choir do Bhòrd na Gàidhlig a bhith:

“…na aonar, ag obair mar phoiles na Gàidhlig ga chur a-mach leis an Riaghaltas a thoirt air buidhnean ain-deònach gêilleadh ri riaghailtean air Gàidhlig.”

agus ag aontachadh le Bòrd na Gàidhlig gur e:

“…gur e […] "facilitation, not coercion" an fhéisalsanachd a tha aig a’ bhòrd.”

101. Tha a’ Chomataidh mothachail, ged a bha daoine iomagaineach an tòiseach mu dheidhinn ciamar a chuirr air sgeamaichean Cuimris an-sàs, nach tàinig air Bòrd na Cuimris a-riamh:

59 Huws, Aithisg Oifigeil, 8 Dùbhlachd 2004, col 1892.
60 Huws, Aithisg Oifigeil, 8 Dùbhlachd 2004, col 1894.
61 Comhairle nan Eilean Siar, tagradh sgrîobhte mar thaic ri fhianais beòil, 1 Dùbhlachd 2004.
“... draw an organisation to the relevant minister’s attention.” 63

[“... buidheann a thoirt gu aire a’ mhinteir fhrearagarrach.”]

102. Chaidh a mholadh cuideachadh:

“... gum bu chòir Coimiseanair no Ombudsman neo-eisimeileach ainmeachadh airson déiligeadh ri tagraidhean a’ buntainn ri Bòrd na Gàidhlig.” 64

103. Ach, tha a’ Chomataidh den bheachd, ma thig feum air breithneachadh neo-eisimeileach air Bòrd na Gàidhlig no air déanadas buidheann phoblach a’ cur plana Gàidhlig an gniomh, gum bi Ombudsman Sheirbheisean Poblach na h-Alba glè fheagarrach agus èifeachdach airson na cùise agus nach eil feum air coimiseanair no ombudsman air leth airson na Gàidhlig.

Ballrachd Bòrd na Gàidhlig

104. Thuirt Comhairle na Gàidhealtachd:

“The other element that has been discussed by us as a council is that as well as having appointments to quangos, we should have direct elections to them.” 65

[“an cuspair eile air an robh sinne, mar chomhairle, a’ deasbad, gum bu chòir taghaidhean a chumail airson àitichean air cuangothan cho math ri daoine ainmeachadh air an son.”]

105. Tha a’ Chomataidh den bheachd nach biodh e comasach taghaidhean a chumail airson Bòrd na Gàidhlig airson gum biodh e glè dhulich co-dhùnadh cò an luchd-taghaidh agus mar sin gur e buill ainmeachadh le Ministear an dòigh-obrach as fheàrr do Bhòrd na Gàidhlig (mar a chaidh a mhineachadh ann am Pàipear-taice 1 den Bhile).

106. Air sgàth ’s gu bheil fòghlam cho cudthromach agus gu bheil Earrann 9 de Bhile na Gàidhlig (Alba) a’ toirt cumhachd do Bhòrd na Gàidhlig stiùireadh a thoirt seachadh air libhrigeadh fòghlam Gàidhlig, tha a’ Chomataidh den bheachd gum feum mòran eòlais air fòghlam a bhith aig ballrach choitcheann Bòrd na Gàidhlig gus déanamh cinteach gur e sàr stiùireadh a bheir am Bòrd seachadh air fòghlam Gàidhlig. Tha a’ Chomataidh a’ moladh gum beachdaich Riaghaltas na h-Alba air atharrachadh don Bhile a ni cinteach gu bheil deagh eòlas air fòghlam aig buill Bòrd na Gàidhlig (a’ gabhail a-steach eòlas air fòghlam tro mheadhan na Gàidhlig).

107. Chaidh a mholadh:

“Gur e laigse a tha ann nach eil am Bile ag iarraidh gum feum comas conaltraidh sa Ghàidhlig a bhith aig buill a’ Bhùird.” 66

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63 Prys Jones, Aithisg Oifigeil, 8 Dùbhlachd 2004, col 1895.
64 PNA (Meur an Eilein Sgìtheanaich), tagradh sgriobhte.
65 Foxley, Althinisg Oifigeil, 1 Dùbhlachd 2004, col 1868.
108. Ged a tha a’ Chomataidh ag aideachadh gum biodh e math Gàidhlig a bhith aig a h-uile ball de Bhòrd na Gàidhlig, chan eil iad den bheachd gum bu chòir seo òrdachadh ann an lagh oir dh’haoadadh buannachd a thiginn bhon an t-sùbailteachd a bhiodh aig Ministearan ann an ainmeanachadh bhall le, mar eisimpleir, eòlas air leasachadh mion-chànain eile.

PLANAICHEAN CÀNAIN

109. Tha Bòrd na Gàidhlig air moladh gum bu chòir eadar-dhealachadh a dhèananmh eadar plana càinain nàiseanta agus planaichean cànain nam buidhnean fa leth:

“A-rithist, tha e cudthromach gum foghlaim sinn bho eisimpleir na Cuimrigh. Anns an dol seachad, bu toil leam a ràdh gum bi duilgeadas mòr againn ma chleachdas sinn am facal "plana" fad an t-siubhail, thoireadh bidh sinn uile a’ dol iomrall. Bha an aon trioblaid aig daoine anns a’ Chuimrigh, ach thagh iad am facal "sgeama", no "language schemes". Tha mi a’ smaoineachadh gum bi sinn a’ moladh an aon rud an seò los gum bi e nas fhasa tuigsinn an t-eadar-dhealachadh eadar am plana nàiseanta agus na language schemes.”

110. Tha a’ Chomataidh a’ cur taic ris a’ bheachd seo airson gum biodh e na bu shoillire agus a’ moladh gun deòn Riaghaltas na h-Alba atharrachaidhean aig iòr 2 airson seo a thoir gu buil.

111. Tha am Meòrachan Ionmhasail aig Bile na Gàidhlig (Alba) a leigeil fhaicinn gu bheil Riaghaltas na h-Alba an dùil gun kêmhsich Bòrd na Gàidhlig mu dheich plana (no sgeama (faic gu h-àrd)) càinain gach bliadhna agus gur e measgachadh de dh’ ughdarrasan ionadail agus buidhnean poblach eile (m.e. buidhnean poblach neo-roinneil) air an deidheadh iarraidh plana a dheasachadh an toiseach. Cha robh Bòrd na Gàidhlig deònach a ràdh dè na buidhnean don deidheadh iad an toiseach airson planaichean cànain a dheasachadh. Ach, thuirt iad:

“Bidh sinn a’ leantainn air adhart leotha airson dà adhbhar: an toiseach, gu bheil an obair sin a’ dol air adhart cheana; agus, anns an dara aite, gu bheil sin gu bhith na dheagh eisimpleir dha buidhnean eile. Am measg nam buidhnean leis a bheil sinn ag obair mu thràth, tha Comhairle na Gaidhealtachd, Comhairle nan Eilean Siar, Ìughdarras nan Croitearan agus buidhnean dhen t-seòrsa sin.”

112. Chi a’ Chomataidh gum feumar cur ris na rinneadh roimhe agus Gàidhlig a dhàingedeachadh anns na sgirean Gàidhlig. Ach tha a’ Chomataidh den bheachd gum biodh e cuideachd feumail beagan oidhrip a dhèananmh aig ire thuirt air planaichean càinain a dheasachadh far nach eil uiread Gàidhlig ga bruidhinn ach far a bheil iarritas agus cothroman leasachaidh (mar eisimpleir, ann am Peairt agus Cinn Rois, far a bheil 1.85% (direach os cionn a’ chumantais airson na h-Alba 1.84%) den t-sluagh le eòlas air

68 Bile na Gàidhlig (Alba), Notaichean Mìneachaidh, SP Bill 25-EN.
choireigin air Gàidhlig\textsuperscript{70} oir cuiridh seo cudrom air leasachadh na Gàidhlig san fharsaingeachd seach cumail na Gàidhlig far a bheil i (faic am moladh seo shuas air atharrachadh air a' Bhile airson cothroman leasachaidh a bhrosnachadh).

113. Tha e nàdarrach gum bi planaichean cânain eadar-dhealaichte ann am meud agus raon a-rèir an uiread a tha Gàidhlig ga cleachdadh ann an àite agus eachdraidh na sgire agus gnè obair nan úghdarrasan poblach, agus mar sin, ann am faclan A’ Chomuinn Ghaidhealaich:

“…cha déan an aon phlana a' chuíis anns a h-uile suidheadachadh.”\textsuperscript{71}

114. Bha dragh ann gum biodh cùid de phlanaichean cânain ùghdarrasan poblach glè lag agus gun bhrigh. Bhid e mar fhìachaibh air Bòrd na Gàidhlig dèanamh cinnteach nach tachair seo agus gun tèid na planaichean Gàidhlig (ge bith dè aì meud no an raon) a chur a' chur an gnìomh gu h-èifeachdach nuair a tha an t-ùghdarras agus Bòrd na Gàidhlig air an aontachadh.

115. Bha an aon dúbhlan ro Bhòrd na Cuimris 's a tha mu choinneamh Bòrd na Gàidhlig oir bha:

“…given that there are at least 2,000 public bodies in Wales, we were faced with a mammoth task. As a result, we prioritised the bodies and decided that we should deal first with the local authorities, because they have such an interface with the public.”\textsuperscript{72}

[“…co-dhiù 2,000 buidheann phoblach anns a’ Chuirmigh, agus chuir seo uallach anabarrach oirn. B’ e a’ bhuil gun tug sinn ire priomhachais do gach buidheann fa leth agus cho-dhùin sinn dèiligeadh ris na h-ùghdarrasan ionadail an toiseach, airson gu bheil uiread gnothaich aca leis a’ mhòr-shluagh.”]

116. Chan e gnothach na Comataidh inne do Bhòrd na Gàidhlig na priomhchas a bu chóir a bhith aca agus tha a’ Chomataidh a’ tuigsinn gum feum Bòrd na Gàidhlig am beachd a chaomhnadh air dè na h-ùghdarrasan poblach don tèid iad an toiseach mus tig plana nàiseanta airson na Gàidhlig am follais.

117. Tha Earrann 7 de Bhile na Gàidhlig (Alba) a’ dèanamh cinnteach gum feum gach ùghdarras poblach ath-bhreithneachadh a dhèanamh air a’ phlana Gàidhlig aca a h-uile cóig bliadhna agus toradh an ath-bhreithneachaidh a chur gu Bòrd na Gàidhlig. Ach, chan eil am Bile ag ördachadh gum bi ath-bhreithneachadh ann gu cunbhalach air a’ phlana nàiseanta.

118. Tha a’ Chomataidh a’ moladh gun òrdaich Riaghaltas na h-Alba ath-bhreithneachadh air a’ phlana nàiseanta airson na Gàidhlig aig amannan cunbhalach, is dòcha aig an aon àm a ni Riaghaltas na h-Alba ath-bhreithneachadh dèanadas cóig bliadhna a’ Bhùird.
119. A thuilleadh air sin, mhol Comataidh an Fho-reachdais\(^73\) gun robh cùis ann airson barrachd âite a bhith a bhith a' Phàrlamaid ann an aontachadh a' phlana nàiseanta airson na Gàidhlig. Mar fhreagairt do Chomataidh an Fho-reachdais, thug Rìaghaltas na h-Alba atharrachadh a-steach aig Ìre 2 a dhèanadh cinteach gun deidheadh am plàna nàiseanta airson na Gàidhlig a chur air beulaibh na Pàrlamaid as aonais dòigh-obrach. **Tha a' Chomataidh a' cur taic ri beadh Comataidh an Fho-reachdais gum bu chóir barrachd âite a bhith a bhith a' Phàrlamaid ach tha iad cuideachd den bheachd gum faodadh atharrachadh a thoirt a-steach airson sgrùdadh Pàrlamaideach a dhèanamh air a' phlana nàiseanta airson na Gàidhlig fo dhòigh-obrach adhartach.**

**MOLAIDHEAN COMATAIDH AN IONMHAIS**

120. Ann a bhith a' toirt cunntais don Chomataidh, rinn Comataidh an Ionmhais grunnan mholaidean airson sgrùdadh èifeachdach agus follaiseachd a dhaingneachadh.

121. Fon Bhile, faodaidh Ministearan stiùireadh a thoirt do Bhòrd na Gàidhlig. **Tha a’ Chomataidh a’ dol le moladh Comataidh an Ionmhais gum biodh e feumail “…mineachadh air gnè an stiùiridh sin a thoirt seachad”**\(^74\) mus beachdaich a’ Chomataidh air a’ Bhile aig Ìre 2 oir bidh an stiùireadh seo na chomharradh air gnè obair Bòrd na Gàidhlig agus tha iad a’ cur fàilte air dealas Ministear an Fhoghlaim agus na h-Ògridh airson seo a dhèanamh ma tha sin comasach idir. Tha a’ Chomataidh a’ moladh gum beachdaich Riaghaltais na h-Alba dè an uiread a bu chóir gnè an stiùiridh a bheir e do Bhòrd na Gàidhlig a bhith air a shònrachadh anns a’ Bhile.

122. Tha a’ Chomataidh ag aontachadh le moladh Comataidh an Ionmhais gum bu chóir plana corporra bliadhnaí Bòrd na Gàidhlig inne dè na h-ùghdarrasan poblach air an tèid iarraidh plana cànan a dheasachadh gach bliadhna agus beachd air raon nam planaichean sin.

123. Tha a’ Chomataidh mothaichail gu bheil Meòrachan Ionmhasail a’ Bhile a’ beachdachadh gun cosg e mu £10 000 airson plana ùghdarrais ionadail a dheasachadh. Tha e cuideachd ag ràdh gur dòcha gum bi airgead ri fhaighinn bho Stòras Leasachaidh na Gàidhlig a chuidicheadh ùghdarrasan poblach a’ deasachadh phlanachean cànan aich anns an fhad-ùine, tha Riaghaltais na h-Alba an duil gun ghabh ùghdarrasan poblach orra fhèin cosgaisean deasachaidh nam planaichean cànan aca mar:

   “…part of the normal process of governing the country.”\(^75\)

   [“…phàirt nàdarrach de chosgais riaghladh na dùthcha.”]

124. Bidh cosgaisean na planaichean a chur an gniomh ag atharrachadh a rèir raon a’ phlana agus an uiread a tha seirbheis Gàidhlig ga lìbhrigeadh mar tha. Tha Meòrachan Ionmhasail a’ Bhile a’ beachdachadh gum faodadh plana cosg

\(^73\) Bile na Gàidhlig (Alba), Comataidh an Fho-reachdais, para 6.
\(^74\) Bile na Gàidhlig (Alba), Comataidh an Ionmhais, para 26.
\(^75\) Pryns Jones, Althisth Olfigeil, 8 Dùbhlaichd 2004, col 1910.
“In authorities such as Highland Council and Western Isles Council, much has already been developed. The heavyweights may have much in place. One finance issue is that middleweight and lightweight councils would have to build up to that. Those councils would initially require support for development.”

[“Tha ùghdarrasan leithid Comhairle na Gàidhealtachd agus Comhairle nan Eilean Siar air mòran a dhèanamh mar tha. Is dòcha gum bi an fheadhainn fìor Ghàidhealach air mòran a dheasachadh. Ach is e an cheist ionmhais gum feumadh an fheadhainn leitreach Ghàidhealach agus nach eil glè Ghàidhealach idir an ire sin a ruigsean cuideachd. Dh’fheumadh na comhairlean sin cuideachadh fhaighinn le leasachadh anns a’ chiaid dol-a-mach.”]

125. Tha seo a’ ciallachadh gum faodadh feum a thighinn air tús chúisean airson sgìrean far nach eil mòran Gàidhlig an taca ris na sgìrean far a bheil mòran luchd-labhairt, mus tèid cosgaisean seirbhisean Gàidhlig a thoirt às na stòrasan maoineachaidh abhaisteach. Tha a’ Chomataidh mothachail gun tig feum air barrachd maoineachaidh anns an àm ri teachd airson leasachadh na Gàidhlig agus tha iad an dòchas gun tèid a roinn ann an dòigh a bhios cothromach do na h-uile.

126. Bha a’ Chomataidh air a tharraing leis a’ mholadh aig Bòrd na Gàidhlig gum biodh riochdan coitcheann aca airson planaichean Gàidhlig a dh’fhaodadh ùghdarrasan poblach a chleachadh agus gum biodh iad seo ag atharrachadh a rèir raon agus meud a’ phlana a bha a dhith.

CO-DHÙNADH

127. Tha a’ Chomataidh a’ cur fàilte air aclan làidir nam Ministearan air an dealas airson amasan Bile na Gàidhlig (Alba) a thoirt gu buil anns an fhad-ùine agus a’ cur láin taic ris a’ bheachd gum bu chòir a’ Gàidhlig a dhion agus a leasachadh airson gu soirbhich leatha mar aon de chànanan oifigeil na h-Alba.

128. Tha a’ Chomataidh mothachail air staid chugallach na Gàidhlig, agus tha i a’ cur fàilte air a’ Bhile mar frèam-obrach reachdail pragtaigeach airson modh-obrach planadh cânain gus Gàidhlig a dhion agus a leasachadh, agus tha i mothachail gu bheil am Meòrachan Poileasaidh a mineachadh amasan poileasaidh a’ Bhile gu soilleir.

129. Tha an aithisg seo air beachdan na Comataidh a chur an cèill gu bheil ceistean susbainteach air poileasaidh agus maoineachadh a dh’fheumais beachdachadh orra, gu h-àrraidh a thaobh foghlan na Gàidhlig, airson amasan a’ Bhile a thoirt gu buil agus tha a’ Chomataidh den bheachd gum bu chòir Riaghaltas na h-Alba a dhol san tús air na cúisean sin a stiùireadh.

76 Higginson, Alithsg Oifigeil, 1 Dùbhlachd 2004, col 1889.
130. Tha a’ Chomataidh a’ moladh gun cuir a’ Phàrlamaid taic ri bunphrionnsabalan Bile na Gàidhlig (Alba).
Submission from Bòrd na Gàidhlig

Introduction

1. Bòrd na Gàidhlig (the “Bòrd”) is greatly encouraged by the Gaelic Language (Scotland) Bill, as introduced into the Scottish Parliament (the “Bill”), and is of the view that we are now very close to the sort of robust legislation that Gaelic so desperately needs, and that the Gaelic community so desperately desires. The Bòrd believes that the Bill has the potential to significantly boost the confidence and self-esteem of the Gaelic community, and consequently make an enormous impact on the future prospects of the Gaelic language in Scotland, and beyond.

2. The Bòrd hopes that the outcome of the Stage 2 discussion of the Bill will be constructive, and reflect the goodwill that the Scottish Executive has demonstrated in its positive response to so many of the issues raised during the public consultation on the Consultation Draft of the Bill, released by the Scottish Executive in October, 2003 (the “Consultation Draft”), and also the fundamental objective of creating legislation that is as supportive as possible of the Gaelic language.

3. The Bòrd has listened with interest to the evidence which the Committee has sought and which has been given on the revised draft of the Bill over the past few weeks, and it has been particularly interested in the questions which the Committee has framed. The Bord is keen to ensure that the Committee’s questions are answered as fully and frankly as possible to enable it to make informed and confident recommendations on the Bill. For this reason this submission focuses on the issues which the Committee has been probing in its oral evidence sessions.

Framework

4. The Bòrd is broadly satisfied with the overall framework of the Bill. Our view is that this Bill will give the Gaelic language a new and significantly enhanced status, and also empower the Bòrd to deliver positive development for the language through the National Plan for Gaelic and through the introduction of Gaelic Language Plans within the public sector. The combined impact of these measures will, in our view, stimulate confidence and self-esteem within the Gaelic community, and combine to encourage the growth in both the number of speakers and the use of the language in a much broader range of linguistic domains, which is so critical to the revival of the language.

Status

5. The Bòrd is, however, very aware of a continuing aspiration within the Gaelic community for a stronger symbolic and practical statement within
the Bill on the status of the language in Scotland. The Bord recognises that the protracted discussion on the issue of the status of the language has raised concerns about the practical implications that any reference to the status of the language on the face of the Bill might have across Scotland. Will, for example, a recognition in the Bill of Gaelic as an “official language” of Scotland, or that it has “equal status” to English, or that it has “equal validity” with English, or so forth, create the possibility that even an isolated individual, living in an area where there are few speakers and few resources, might be able to demand and receive all public services through the medium of Gaelic? We are of the view that none of the these formulations would or could have that result, for a range of reasons that we shall try to explore both in the next few paragraphs of this written evidence. However, we do recognise that any form of recognition of the status of the language raises some perplexing problems of interpretation and application. We would like to explore some of these issues here.

6. We note that there has been considerable discussion of whether the Bill should make some provision as to the legal status of the language. A number of different formulations have been referred to, including: “official status”; “equal status”, and “secure status”.

7. The Bill does not directly address the question of the status of the Gaelic language in Scotland. We note, however, that subclause 1(3) of the Bill does provide that the functions of Bòrd are to be exercised with a view to “securing the status of the Gaelic language as an official language of Scotland” through various measures set out in that subclause. The subclause does not appear to make Gaelic an “official language”—the subclause is concerned with how the Bòrd is to exercise its powers—but it does seem to imply that Gaelic may have the status of an “official language” independent of this provision.

8. We understand why so many in the Gaelic community, and so many of the Gaelic organisations that have appeared before you, have expressed so strongly the view that the status of the Gaelic language must somehow be recognised by some form of wording on the face of the Bill. First, Gaelic has historically had little or no place in public life in Scotland or in the UK, and this has unquestionably contributed to its historical decline. A clear expression of the status of the language is thought to be symbolically important, and it is hoped that this symbolic recognition will have an important psychological impact on both speakers of the language and the wider community. It will show that the language is valued, and that the aspirations of its speakers, to use it as normally as possible in their daily lives, are legitimate. Second, as has been pointed out in the evidence of Comunn na Gàidhlig (CNAG), there appear to have been occasions when public bodies or organisations performing public services have claimed to be unable to accommodate the use of Gaelic primarily on the grounds that the language has no official status. It is hoped that some recognition of the status of the language on the face of the Bill would remove such barriers. Third, while there is now considerable goodwill towards the language and its speakers in Scotland, this has not always been the case,
and even today, there are still significant numbers of people in all walks of Scottish life who have an unreasonable hostility to the language and its speakers. By recognising the status of the language, it is hoped that its development and the aspirations of its speakers will be treated consistently and appropriately, and not be subject to the unpredictable sympathies of particular individuals or groups to the language. Thus, many in the Gaelic community have looked to some clear expression on the face of the Bill of the status of the Gaelic language as a way of addressing some or all of these issues.

9. We are, however, mindful of the difficulties, both practical and theoretical, which the question of the status of the language may raise. In particular, none of the possible formulations, which have been raised —“equal status”, “official status” or “secure status”— are legal terms of art (that is, they have no fixed or certain legal meaning) either in Scotland, the UK or in international law. The implications of this deserve consideration.

10. The term “secure status” is perhaps the most problematic. The phase did not, to the best of our knowledge, exist until CNAG used it as the name for two sets of proposals, one put forward in 1997 and the other in 1999, with respect to language legislation. Outside of the CNAG proposals, then, the term is, in our view, meaningless, and should not be used as the basis for expressing the status of the language in the Bill.

11. The term “official status” does appear in a much wider range of contexts. In particular, it is common for constitutional documents to confer “official status” on a particular language or languages. However, the implications of such status are not obvious, and are usually shaped by the nature of the constitutional document in which they appear. Often, the constitutional document will itself spell out what such status implies: usually, a right to use the official language or languages in the debates and other deliberations of the legislative bodies created by the constitutional document; often, a right to use the official language or languages in the courts created by the constitutional document; and, sometimes, a right to use the official language or languages in dealing with the administrative (and legislative and judicial) bodies established under the constitutional document.

12. The designation of a language as “official” does not, however, necessarily have any implications with respect to the use of the language in other settings; certainly, “official” status does not generally imply a generalisable right to use the “official” language in gaining access to all, or a wide range, of public services. We note, for example, that the designation of Irish as the “national and first official language” of the Republic of Ireland under that county’s constitution did have implications for the language of statutes, of the courts and of the legislature, but that it did not create rights to use Irish more widely. Indeed, it is precisely because of the rather limited implications of the status of Irish as the “national and first official language” that the Official Languages Act 2003 had to be passed, allowing for the broader use of the Irish language in accessing public services.
13. In a Scottish context, the question of “official status” for Gaelic raises a number of difficult questions. For example, although English is clearly the de facto official language in both Westminster and the devolved Scottish institutions, in the sense that it is the language through which debates are conducted, legislation is passed, and so forth, we are not aware, as we noted in our January, 2004 submission to the Consultation Draft (at para. 1.5), of any constitutional document which clearly confers that status on the language. In this context, it may be possible for a piece of legislation such as the Bill to provide for the right to use Gaelic in such settings — and we note that some Gaelic organisations have, for example, asked for the creation of the right to use the language in the court system — but it would be strange to designate Gaelic as “official” when English itself has not been so designated, either in the Bill or in any other statute. As noted above, subclause 1(3) seems to imply that Gaelic already does have such status, and we would be curious to find out in what sense it already has “official” status. It seems to us that the designation of a language or languages as “official” is more appropriate in legislation that is of a constitutional or quasi-constitutional nature. Indeed, “official status” is usually associated with the use of the language in and with the institutions of government, including the courts, and the Bill generally does not directly address these matters, but leaves them to be determined through the preparation by such bodies of Gaelic language plans (if the Bòrd so requires). Unless it was intended to determine the right to use the language within and by these institutions on the face of the Bill, the use of the phrase “official status” would seem to us to be inappropriate.

14. With regard to “equal status” with English, this phrase also presents perplexities. Without question, to be able to use Gaelic in just the same way and for just the same range of activities as one uses English is the situation to which many Gaelic speakers aspire. This is the goal of speakers of most minority languages. It is reflected in the term “normalisation” of the language, first coined by the Catalans, and now used by speakers of many other minority languages in Europe. We recognise, however, that this is an aspiration that simply cannot be met in most parts of Scotland, for a variety of reasons, the most obvious being simple demographics. The general scope of the Bill is, in any case, limited; it only creates obligations to prepare Gaelic language plans for public bodies, not those in the private and voluntary sector. Therefore, it could only seek to guarantee “equality” between the two languages in the public sector. Even within the public sector, the Bill recognises that it is both inappropriate and impossible to ensure the same level of Gaelic-medium public services in all parts of the country. The flexibility of the Bill is designed to ensure that the obligations undertaken by public bodies with respect to the use of the language are appropriate to local circumstances. In our view, it would only be possible to attempt to ensure that Gaelic is in fact treated equally in the sense we have just referred to — that Gaelic speakers could expect the same range and quality of public services through the medium of their language as are available to English speakers — in those parts of the country in which Gaelic speakers constitute a very
significant proportion. Only in those areas would the levels of demand for services and the levels of supply of staff with the requisite language skills be sufficient to allow for equality of treatment to be a possibility. It is important to note, however, that even in strongly Gaelic-speaking areas of Scotland—for example, the Western Isles and parts of the Highland Region and Argyll and Bute, full equality between Gaelic and English in the provision of a range of public services offered locally in those areas, will take careful planning and some time for implementation. There are many obstacles that will have to be overcome, created by decades of neglect and the near universal use of English even in strongly Gaelic-speaking areas, right up to the present, before equality of treatment, in the sense just described, will be a reality even in such areas.

15. As a result, it seems to us that a blanket statement in the Bill that Gaelic and English enjoy “equal status” would simply be confusing. It could not mean that all public services in all parts of the country would be available without limitation through the medium of both languages — this would be a practical impossibility, for reasons just touched upon, and would in any case render meaningless the entire scheme of the Bill, which, as noted, is designed in such a way to ensure that the provision of Gaelic-medium services is appropriately attuned to local circumstances. We suggest that no court would give such a meaning to the term, but what the effect of the term would, in fact, be is not clear to us.

16. In our deliberations on these issues, we have sought to take a different approach. While the desire held by many in our community to include some clear form of words with respect to the status of the language is understandable, for the reasons referred to above, we recognise that such a recognition raises a range of problems which are not easily resolved, as we have just discussed. Rather than such a provision, we have, in our submission of January, 2004, in respect of the Consultation Draft, recommended the inclusion of an interpretative clause that would guide the discharge by all bodies of their duties under the Act (see para. 1.8). We suggested that the clause provide that all persons subject to the Bill would, in the discharge of any functions to be exercised by, and powers conferred and duties imposed on them, be guided by the principle of the equal validity of the Gaelic and English languages. We chose “equal validity” to avoid some of the problems that the unqualified use of “equality” would potentially raise; as noted, we recognise that it is not possible to ensure that the two languages are treated “equally”, in the sense that all public services could be made available in Gaelic in all places to anyone who so requests. By “equal validity”, we meant to convey the more limited sense that the use of Gaelic in the provision of public services, where and to the extent that is possible, should not be seen as a special “concession”, or as something that is inappropriate, or that those who wish to access such services are treated as “troublemakers”. In our view, the concept of equal validity, when used as an interpretative principle alone, would recognise that the aspiration of Gaelic speakers to “normalisation” of their language is wholly understandable and appropriate. Our underlying goal was to try to ensure,
to the greatest extent possible, that the Bill, whose general structure, as noted at the outset, we welcome and fully support, would be interpreted and applied by all in a manner that was as supportive of the language and the aspirations of its speakers, and was as generous and broad, as possible. While we would expect and hope that the Bill would be interpreted and applied in such a way even in the absence of such interpretative guidance, we cannot ignore the experience of our community, referred to above, that prejudice against the language and its speakers has held back the development of the language. The inclusion of some interpretative principle was, in our view, the best way to ensure to the greatest extent possible that the application of the Bill would be strongly supportive and generous, thus addressing one of the main concerns of the Gaelic community, as reflected in the consultation that we conducted with the community in the autumn of 2003 in respect of the Consultation Draft of the Bill.

17. We note that the Welsh seem to have found a way around the various problems that have presented themselves with respect to the status of the language. The Welsh example is particularly important because the scheme of the Bill is, in many ways, modelled on that example. Subsection 5(2) of the Welsh Language Act 1993 provides that in preparing Welsh language schemes, public bodies must be guided by the principle that in the conduct of public business and the administration of justice in Wales the English and Welsh languages should be treated on the basis of equality. Significantly, however, the subsection provides that public bodies must give effect to this principle only “so far as is both appropriate in the circumstances and reasonably practicable”. This limitation recognises the fact that Welsh is still spoken by only a minority of the population of Wales as a whole, and that in many parts of the country, it is spoken by very small numbers, in both an absolute and proportional sense. Thus, the legislation recognises that it is not possible to treat the two languages as equal in all places at all times. It does, however, make clear that equality of treatment is the overriding goal. This aspect of the legislation has not, to the best of our knowledge, given rise to any litigation in the Welsh courts; in particular, it has not, to the best of our knowledge, given rise to any claims that persons should be able to receive all public services through the medium of Welsh, regardless of where they live. It has, however, helped to ensure that the preparation and implementation of Welsh language schemes has been guided by a principle of generosity and good will to the language and the aspirations of its speakers.

18. It can be argued that status is about confidence and self-esteem rather than practical provision of services in Gaelic, and it is true that the measure of status will vary in different parts of Scotland and that public body Gaelic schemes will begin to move matters forward and deliver Gaelic community aspirations.

19. However, it must be understood that the Gaelic community perspective is based on a tradition of language and cultural subjugation and discrimination over many generations, and however unreasonable or
unrealistic it may seem to the modern day analyst, the Gaelic community
does not easily accept that there is a genuine aspiration to take positive
action in support of their language now. That is why the symbolic issues of
“equal validity” and “equal status” are so important to them, and
conversely so important to the long-term success of the aspirations of the
Bill.

20. The only meaningful reassurance to all the concerns detailed above will be
contained in the National Plan for Gaelic, and in the Guidance for Gaelic
Language Plans (Schemes) in the Public Sector. The possible content of
such Guidance is being considered by the Bòrd, as is a draft structural
outline of the National Plan. Obviously, the actual preparation of the
Guidance and of the National Plan must await the passage of the Bill, for a
number of reasons, among the most important of which is that the Bòrd
would be required under the Bill, should it be passed, to consult widely on
both the Guidance and the National Plan, and it would be wholly
inappropriate for us to either pre-empt this process or predict what the
outcome of the process would be. At the same time, the Bòrd will play a
crucial role, both with respect to the Guidance, the National Plan, and with
respect to a range of other matters under the Bill, and we would like to
convey our thinking at present on such issues. The Bòrd does believe that
the revitalisation of the Gaelic language and culture in Scotland will both
promote the idea that Scotland genuinely cares about substantive equality
and positively embraces cultural and linguistic diversity as something
valuable in itself, consistent with British and wider European values, and
also capable of attracting social and economic benefit to the nation.

21. The Bòrd’s philosophy and strategic thinking on Gaelic is clearly
fundamental to the resolution of many of the concerns which are, quite
understandably, being raised in relation to the implications of the Bill’s
aspirations. The Bòrd is being established to work towards the revival of
Gaelic. The Bòrd’s mission reflects the aspirations of the Gaelic
community; the Scottish Executive; and Cross-Party, recognition of the
importance of Gaelic to Scotland. The Bòrd is required to consult with the
Gaelic community in Scotland and to advise Ministers on matters relating
to Gaelic, but it will not be empowered to impose unreasonable demands
for the language where there is no request for provision. In a very practical
sense the Bòrd recognises that given numbers and location of speakers,
human resource limitations and financial limitations, “blanket” demands for
Gaelic services across Scotland could not be satisfied, either at present or
in the foreseeable future. For this reason the Bòrd must take a graduated
and layered approach to public sector service delivery through Gaelic.
Generally, our approach will be guided by an assessment of where and
how the limited human and financial resources available can be best
applied to ensure the maximum benefits in terms of language acquisition,
use and transmission.
Education

22. Gaelic Medium Education (GME) is fundamental to the future of Gaelic, and it may be awareness of this importance that has fed the robust “rights” argument in regard to education. Parents are seeking a clear Scotland-wide policy statement on what is required to deliver GME, and as a part of that a national definition of what should be accepted as “reasonable” with regard to GME service thresholds.

23. Although it can be understood why parents are so adamant about “rights” we suspect that many parents are not opting for GME at present because it is not seen to be secure, and the uncertainty of supply, and also concerns about the quality of delivery over time, are serious deterrents. If GME were an established, quality service available across Scotland, where, of course, it was subject to sufficient demand, there is no doubt that the uptake would increase dramatically. As noted in the report of the Committee of Experts under the European Charter for Regional or Minority Languages, the provision of GME, essentially on this basis, is what the UK has committed itself to under that treaty in any case. This would obviously contribute towards the objectives of the Bòrd and of the Bill. We recognise that there may be some additional incremental costs in establishing a service on this basis, but these are largely due to the fact that GME is relatively new and the material resources to support it have, through the long decades of shameful neglect when GME was not possible, been insufficient. We are of the view that once a “system” of GME is in place, the costs of educating children through Gaelic should not be any greater than those of educating similar complements of students through English.

24. We note that many Gaelic organisations have also argued for the inclusion in the Bill of a right to GME, usually subject to the proviso that the right is subject to there being reasonable demand. Indeed, the demand for such a right has been consistent and widely supported, at least since the recommendation for such a right appeared in CNAG’s 1997 and 1999 proposals. The Education Committee has already heard a great deal of concern about various problems which currently exist with respect to GME and the teaching of Gaelic as a subject, and there is no need for us to repeat these for you or to restate the damage that such problems inflicts on the confidence of parents, teachers and the wider community in the system. In our view, the argument for a right, made quite clearly in the CNAG submissions themselves, is based on the notion that, by empowering parents through such a right, development will be driven by the aspirations of parents, rather than the vagaries of local education authorities and other public institutions. A right, subject to reasonable demand, would act as a spur to public bodies to address issues, which patently have not been adequately addressed right up to the present.

25. It is also worth noting that the recruitment of GME and Gaelic language teachers is seriously frustrated by the lack of an established career structure and promotional ladder in Gaelic teaching. When the challenge
of delivery policy is resolved the recruitment problem will also be considerably eased. But this is a chicken and egg situation, which must be nurtured through the growth problems of the present time with care and flair! IT will be a major contributor to the solution, and distance teaching provision will be an important element of the growth of GME at all levels for the foreseeable future. However it must not be assumed that traditional delivery practice can be replaced by remote provision, and a structured recruitment and training strategy must be a fundamental part of the National Plan.

26. While we understand the demand for a right, and the sense of frustration and powerlessness which underlies it, we are hopeful that the scheme of the Bill, as presently constituted, creates a workable way of addressing the various issues which currently confront GME and the teaching of Gaelic as a subject. In particular, through both the ability to require the preparation of Gaelic language plans by local authorities, including local education authorities, and the power of the Bòrd under clause 9 of the Bill to issue guidance in relation to the provision of Gaelic education (as defined in subclause 10(1) of the Bill), we are of the view that we shall be able to address many of the issues of concern to those who have made representations on this issue. While a right, subject to reasonable demand, could provide some greater certainty to parents, it does not necessarily effectively address all of the myriad of issues that are relevant to the expansion of GME, such as teacher training, continuity of education at various levels, the provision of adequate teaching materials, and so forth. The scheme of the Bill does, in our view, allow for a strategic and co-ordinated approach, while ensuring that decisions with respect to Gaelic-medium education are no longer solely subject to the vagaries of local conditions.

27. We are of the view, though, that the definition of what constitutes “reasonable demand” does not present any particular problems, as the experience from other jurisdictions clearly shows. Some numerical thresholds are normally developed, both in respect of an entitlement to classes through the medium of a minority language and even minority language schools, with reference to some catchment area for which such thresholds apply, and these thresholds usually take into consideration differing local circumstances (such as whether the catchment area is rural, urban or suburban). Normally, these matters are set out in secondary legislation. However, once again, we feel that these sorts of matters could be addressed through the schemes established under the Bill.

**Enforcement:**

28. There has been some discussion, both before the Education Committee and in written submissions to the Committee, of the appropriate method for enforcing obligations under Gaelic language plans. Some have recommended the establishment of a Gaelic Language Commissioner who would have powers of enforcement. This is the approach taken at the federal level in Canada, and in Ireland under the *Official Languages Act*
2003. Others have recommended that the Scottish Public Services Ombudsman should have the enforcement powers. The approach taken in Wales, by contrast, is in many respects similar to that reflected in the Bill.

29. We have been of the view that a method of enforcing Gaelic language plans is absolutely essential, and we therefore warmly welcome the inclusion of clause 6. Under that clause, the Bòrd would perform many of the functions that a language commissioner or ombudsperson would perform under another model. It is possible that it may, at some point, be inappropriate for the Bòrd to perform these enforcement functions. This would be the case, for example, if the enforcement duty somehow compromised the collegial working relationship that should, in our view, exist between the Bòrd and public bodies—for example, by creating tension or a needlessly adversarial relationship between the Bòrd and a public body or bodies. It would also be the case if the enforcement function began to require considerable resources, thereby having an impact on the Bòrd’s core functions of planning and advising. At this point, though, we have no reason to suspect that these or other problems will arise.

30. Ultimately, the decision as to what should be done with an investigation carried out under clause 6 is left to Scottish Ministers. Again, some have recommended that such decisions should be taken by a language commissioner or ombudsperson. This may enhance the perception that decisions are taken on a fully impartial basis. However, it may come at the price of effectiveness. The Scottish Ministers have been given a range of powers under the Bill, and in our view, this is partly because of concerns in parts of Scotland about how the Bill may be used, particularly in respect of those parts of Scotland which do not feel a strong attachment to the Gaelic language. We feel that such concerns are misplaced, and that institutions like the Bòrd and other similar bodies created under the Bill will exercise any power responsibly and with a view to both practical problems and local sensitivities. We are sorry that such suspicion of Gaels and their “agenda” exists in certain quarters. Nonetheless, in our view, perhaps the only way to address such concerns is to give Scottish Ministers a role as a final arbiter of matters relating to the Bill. As such, we are generally satisfied with the scheme of clause 6.

31. We would comment on two aspects, though. First, subclause 5(5) provides that Scottish Ministers may, in response to a report from the Bòrd, lay a copy of the Bòrd’s report before the Scottish Parliament, direct the Scottish public authority in question to implement the measures by a specified date, or take both such steps. By the same token, Scottish Ministers are, in our view, entitled under clause 5(5) to take neither step. We are of the view that there should ultimately be some timely resolution in respect of a report made by the Bòrd to the Scottish Ministers, and that they should be required to take one or the other of the steps provided, or to provide a decision that, in fact, there has been no breach by the public authority of its obligations. Such resolution should be reached within some
fixed time scale. If there has been a failure, it should be addressed by action of some sort. If there has been no such failure, this should also be made clear, both for the public authority whose performance is under a cloud, and for the community served. Second, we are unsure of the legal effect of any direction, which may be made by the Scottish Ministers to the public authority. We note that, under the Welsh Language Act 1993, any direction given by the Welsh Assembly has the legal force of a writ of mandamus issued by a court. We have asked for the Scottish Executive for clarification of this issue, as we believe that, if the Scottish Ministers do feel that there has been a failure in respect of an obligation that is serious enough to warrant a direction, that such a direction should have some binding legal effect.

Submission from Dumfries and Galloway Council

1. Dumfries and Galloway Council welcomes the decision of the Scottish Executive to introduce the Gaelic Language Bill as a measure to recognise Gaelic as one of the languages of Scotland and to give legal status and official recognition to the language. It is, however, important to acknowledge that Scotland is now a multi-cultural and pluralist society where a range of languages are used and require to be given the opportunity to flourish. It is essential that the requirements of this legislation do not result in the Gaelic language being artificially imposed on areas where there is little or no demand for it.

2. The survival of Scottish Gaelic as a living language and culture depends on its survival within communities with a continuous tradition of Gaelic speech. Outwith these communities it has the status of a “revived” language, like Cornish or Manx, or, at worst, a “dead” language such as Latin. As a “revived” language, interest in it is linked to its status as a “national” language and issues of a perceived threat to national cultural and political identity should it become a “dead” language. It would appear that this is the perception which underpins the Gaelic Language Bill.

3. In Dumfries and Galloway, there is no tradition of Scottish Gaelic whereas the Scots language has long been an integral part of our history and culture. Moreover, it remains a living tradition in the area through strong links with Burns and Macdiarmid. This Council has already invested heavily in the development of the Scots language both at school level and in the wider community and it is considered that concentration on and support for the Scots language is therefore more appropriate and, indeed, we might contend that the Scottish Executive should be providing, for those areas where this is the case, the same recognition and financial support for Scots as is now being proposed for Gaelic. Certainly, to extend funding and support of Gaelic into areas such as Dumfries and Galloway would unnecessarily dilute resources which could contribute more usefully elsewhere.
4. According to the 1991 Census, Dumfries and Galloway had the lowest (0.35%) number of Gaelic speakers in Scotland, none of whom were monolingual. No Gaelic language courses are currently or have recently been on offer in the area but where demand were to exist, efforts would be made to provide appropriate support.

5. The functions of Bòrd na Gàidhlig are entirely appropriate. The Bòrd must, however, exercise its power with due regard to the individual and specific circumstances in the various parts of Scotland and should not be driven by an ideological approach which seeks a “one size fits all” solution for Scotland as a whole.

6. The production of a national Gaelic language plan by the Bòrd, following detailed consultation with those with an interest and those on whom the plan will impact, together with the advice and guidance required to accompany it will provide a helpful context and support framework to those Public Bodies affected by this legislation. It is important that the national Gaelic language plan and associated guidance are capable of interpretation in such a way that local factors and communities can shape any local plans which flow from it.

7. Both the preparation and, to a greater extent, the implementation of a Gaelic language plan will create additional costs for Public Bodies and the availability of these resources must be part of the Public Body’s consideration if the plan is to be capable of satisfactory implementation. As well as financial resources, there is the issue of human resources. In many parts of Scotland there will, for example, be few Gaelic language speakers within the particular Public Body whose services can be called upon to assist with the preparation and execution of the plan. Above all, the preparation and publication of a plan should not be allowed to become a requirement irrespective of the circumstances of that Public Body.
QUESTIONNAIRE

This questionnaire is being sent to those organisations that have an interest in, or which may be affected by, the Financial Memorandum for the Gaelic Language (Scotland) Bill. In addition to the questions below, please add any other comments you may have which would assist the Committee’s scrutiny.

Consultation

1. Did you take part in the consultation exercise for the Bill, if applicable, and if so did you comment on the financial assumptions made?

   East Ayrshire Council responded to the consultation exercise for the Bill in a document dated 23 December 2003. No comment was made on the financial assumptions made.

2. Did you believe your comments on the financial assumptions have been accurately reflected in the Financial Memorandum?

   As East Ayrshire did not comment on the financial assumptions it is inappropriate to comment on the detail in the Financial Memorandum.

3. Did you have sufficient time to contribute to the consultation exercise?

   The Council welcomed the opportunity to respond to the consultation exercise and believes that the timescale allowed a full and proper response to be prepared.

Costs

4. If the bill has any financial implications for your organisation, do you believe that these have been accurately reflected in the Financial Memorandum? If not, please provide details.

   The Council believes that the financial implications reflected in the Financial Memorandum accurately reflect costs that may be incurred. This is due to the fact that individual authorities can determine, in conjunction with Bord na Gaidhlig, what is appropriate for their own needs in terms of the implementation of the Bill, and can flexibly develop their language plans.
5. Are you content that your organisation can meet the financial costs associated with the Bill? If not, how do you think these costs should be met?

Paragraph 94 of the Financial Memorandum sets out the detail of assistance local authorities may receive from the Gaelic Language Development Fund to produce and implement its language plan. For recurring costs, arising from the Bill, the Council believes that additional financial support should be given by the Scottish Executive. The logical way for this assistance should be through specific grant funding whereby the Scottish Executive can monitor local authority spending and ensure financial probity.

6. Does the Financial Memorandum accurately reflect the margins of uncertainty associated with the estimates and the timescales over which such costs would be expected to arise?

East Ayrshire Council believes that the margins of uncertainty are accurately reflected within the Financial Memorandum. Within the Council area there are a significant minority of Gaelic speakers recognised by the Education Service development of nursery, primary and secondary units for Gaelic Learning and Teaching.

Wider Issues

7. If the Bill is part of a wider policy initiative, do you believe that these associated costs are accurately reflected in the Financial Memorandum?

The Council agrees that the wider policy implications are reflected in the estimated costs table. Although the Education provision should remain without any additional burden the implications for other Council services could be significant in relation to the preparation of plans and communication in Gaelic to Gaelic speakers.

8. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation or more developed guidance? If so, is it possible to quantify these costs?

Until language plans have been developed and the Bill implemented it is unreasonable to quantify costs which may arise. The Council believes that future costs will arise and would reiterate its opinion the financial support should be forthcoming from the Scottish Executive.
SUBMISSION FROM GLASGOW CITY COUNCIL

Consultation

1. Glasgow City Council responded to the consultation exercise for the Bill and made specific comment on the financial implications.

2. The implications for finance are clear and reflect the Council's concerns;

3. The timing of the consultation exercise was very limited. Given the scope of the implications for all Council departments there was insufficient time for corporate consideration. Thereafter, departments' views on the Bill were required to be reported to elected members in line with the Council committee cycle and agreement on the response obtained. There was little time for the Council to consult with all stakeholders. Such an important Bill for the future of Gaelic requires more time to be devoted to it.

Costs

4. The financial implications for local authorities, and for Glasgow, have been accurately reflected in the Financial Memorandum;

5. The anticipated cost of £10,000 to prepare a Gaelic Language Plan is insufficient for a council the size of Glasgow City Council. This would be insufficient to cover the costs of consultation alone which would involve the cost of duplication of materials, translation into Gaelic, officer time, public consultation meetings and subsequent publication. In addition, no timescale has been provided as to continued financial support during the implementation of the plan. Clear financial planning timescales and guaranteed support from the Scottish Executive via Specific Grant or GAE is required;

6. No. Further detailed planning is required.

Wider Issues

7. The wider policy initiative is unclear other than the setting up of Bord na Gaidhlig. It is therefore difficult to comment on the associated costs other than concern that the Bord may have insufficient funds to allocate;

8. As the legislation develops it is entirely conceivable that there will be further associated costs. Support for future financial implications require to be built in to any further legislation.
SUBMISSION FROM ORKNEY ISLANDS COUNCIL

Consultation

1. Did you take part in the consultation exercise for the Bill, if applicable, and if so did you comment on the financial assumptions made?

Orkney Islands Council on 12 January 2004 faxed its response to the consultation paper issued in October 2003 by the Scottish Executive. The consultation paper did not indicate what financial assumptions had been made by the Scottish Executive. The Council's response pointed out that the deployment of resources on this matter, in an area with no Gaelic tradition, would be regarded neither as a priority nor as representing Best Value and efficient use of scarce resources.

2. Do you believe your comments on the financial assumptions have been accurately reflected in the Financial Memorandum?

No

3. Did you have sufficient time to contribute to the consultation exercise?

The consultation paper was received by the Islands Council on 15 October 2003, and responses were requested by 9 January 2004. The timetable for Council committee meetings, and the closure of the Council Offices to business between Thursday 25 December 2003 and 5 January 2004, provided only one cycle of meetings in which Councillors could consider the consultation paper.

Costs

4. If the Bill has any financial implications for your organisation, do you believe that these have been accurately reflected in the Financial Memorandum? If not, please provide details.

If the Bill in its present form is enacted, and the Council is compelled to produce a Gaelic language plan, there will be significant financial implications for the Council. As stated in the attached response to the consultation paper, Orkney has no Gaelic heritage and Islands Councillors are strongly of the opinion that Gaelic is of little relevance to Orkney. Because there is no infrastructure on which to build, the Council would find itself in the position of trying to identify external sources of assistance to produce and implement such a plan (assuming such assistance is actually available). Council officials believe that the Financial Memorandum does not reflect accurately the financial implications for most public authorities outwith Gaelic-speaking areas. In this connection, it has been noted that the papers accompanying Mr Shevlin’s letter dated 28 September 2004 state that
"it is entirely possible that some public authorities will never be required to produce a Gaelic language plan". From this Council’s perspective, it would be desirable if this was expressly stated in the Bill.

As an indication of Scottish Executive support for the Gaelic language, Finance Circular No 2/2004 issued on 23 February 2004 shows that Comhairle nan Eilean Siar received a specific grant for Gaelic of £820,000 and Highland Council received £690,000, out of a total for Scotland for 2004/05 of £3,034,000. Orkney and Shetland Islands Councils, in common with a number of other areas without a Gaelic tradition, received no specific grant allocation for Gaelic.

The Financial Memorandum indicates that it would cost approximately £10,000 for a public authority to develop a Gaelic language plan "[including] staff time to cover drafting a consultation document containing a draft plan, making it publicly available, translating it into Gaelic and analysing responses to the consultation". Given that there are few Gaelic speakers in Orkney, and there is understood to be a shortage of Gaelic teachers throughout Scotland, it is anticipated that the development of such a plan in Orkney may well cost significantly more than £10,000.

Implementation costs of the plan are indicated in the Financial Memorandum at £155,000. While all costs will be eligible for assistance from a Gaelic Language Development Fund managed by Bòrd na Gàidhlig, there is no indication as to whether this means that 100% funding is available. If 100% funding is not available, it is considered unreasonable that public bodies in Orkney will be required to meet the costs of Gaelic language plans which have very little relevance to them.

5. Are you content that your organisation can meet the financial costs associated with the Bill? If not, how do you think these costs should be met?

The Council’s view is that all costs associated with Gaelic language plans should be met by the Scottish Executive. However, as stated previously, the Council considered this to be neither a priority nor as representing Best Value and efficient use of scarce resources.

6. Does the Financial Memorandum accurately reflect the margins of uncertainty associated with the estimates and the timescales over which such costs would be expected to arise?

It is suggested that the uncertainties regarding the estimates and timescales should be more clearly expressed.
Wider Issues

7. If the Bill is part of a wider policy initiative, do you believe that these associated costs are accurately reflected in the Financial Memorandum?

The Financial Memorandum is considered to be too vague in relation to the costs associated with the Bill and any wider policy initiative.

Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation or more developed guidance? If so, is it possible to quantify these costs?

The Bill refers to further regulation [section 3(7)], guidance given by the Scottish Ministers or Bòrd na Gàidhlig, and to consultation. It is considered that the Financial Memorandum should at least refer to potential costs inevitably associated with such requirements, even if it is not possible to quantify these costs accurately.

SUBMISSION FROM BÒRD NA GÀIDHLIG

Consultation

1. Did you take part in the consultation exercise for the Bill, if applicable, and if so did you comment on the financial assumptions made?

As the newly established NDPB with specific responsibility for Gaelic language revitalisation and development, Bòrd na Gàidhlig made a very detailed submission to the consultation on the draft Bill, and the Bòrd was also active in encouraging other organisations and members of the community to contribute to the consultation. However the Bòrd was careful NOT to lead opinion on the consultation, but to facilitate it. There were no specific financial assumptions made in the consultation draft Bill, so the Bòrd did not comment on funding specifically, but it did stress the importance of resources equal to the task.

2. Do you believe your comments on the financial assumptions have been accurately reflected in the Financial Memorandum?

Yes

3. Did you have sufficient time to contribute to the consultation exercise?

Yes
Costs

4. If the Bill has any financial implications for your organisation, do you believe that these have been accurately reflected in the Financial Memorandum?

As the lead body responsible for their implementation, the Bill’s recommendations will certainly have implications for the Bòrd’s operating costs. Bòrd na Gàidhlig has discussed these projected implications with the Department and it is satisfied that the best estimate of costs have been reflected in the financial memorandum.

5. Are you content that your organisation can meet the financial costs associated with the Bill?

The most recent SR budget announcement made provision for an increase in the Bòrd’s budget in 2006/7 and 2007/8 to allow for the cost implications to the Bòrd of implementing the Bill.

6. Does the Financial Memorandum accurately reflect the margins of uncertainty associated with the estimates and the timescales over which such costs would be expected to arise?

The costs of implementation, which will affect the Bòrd will be triggered by the enactment of the Bill and the process of public sector Gaelic language plans. This process is reasonably predictable and thus the cash flow requirements of the Bòrd in this regard can be fairly accurately projected.

Wider Issues

7. If the Bill is part of a wider policy initiative, do you believe that these associated costs are accurately reflected in the Financial Memorandum?

The Executive’s aspiration is to secure the position of Gaelic as a valuable part of Scotland’s national heritage, and to encourage its use and revive inter-generational transference. It is impossible to accurately quantify what costs might be associated with this evolving development in the future, but the over-riding intention is that public sector costs associated with services delivered through Gaelic should be progressively mainstreamed.

8. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation or more developed guidance?

It is not possible to predict at this stage.
SUBMISSION FROM SOUTH LANARKSHIRE COUNCIL

Consultation

1. A response to the consultation exercise for the Bill was submitted and comment was made on the significant resource issues associated with the implementation of the Gaelic Language Bill.

2. The response submitted was made on behalf of Education Resources and this was clearly stated in the response. Our concern was focused on the implications for staffing, and teacher training. The financial memorandum clearly refers to issues beyond the immediate province of Education.

3. The time afforded for consultation was not unreasonable.

Costs

4. The Bill clearly has financial implications for the local authority. It is difficult to estimate the extent of these as there is insufficient detail on the extent and nature of language plans. It is suggested that the development of a plan could lead to cost in the region of £10,000 and there is no reason to doubt that costs could be of this order.

It is confirmed in explanatory notes to the Bill that it will be for individual local authorities to determine in conjunction with Bord na Gaidhlig what is appropriate in their given circumstances.

However, at present, there is an absence of comprehensive guidance from Bord na Gaidhlig on setting out areas of service delivery which public authorities should consider when developing their plans.

The main costs, however, lie with the implementation of the plan and notional figures are suggested in the memorandum. It is difficult to estimate how accurate these are as we have not been able to carry out a full analysis of need nor estimate in any detail the likely costs of each core function.

5. At present the proposals go beyond current budgetary provision and therefore we are not at this stage in a position to meet these costs. Support for local authorities would be required to ensure the demands of the implementation were met.

6. As indicated in the response to 4 and 5 above, there is considerable uncertainty about the estimates and timescales over which such costs would be expected to arise.
Wider Issues

7 & 8 It is difficult to determine, as indicated above, whether estimated costs are likely to reflect the real costs of implementation. Our concern would be that excessive demands are placed on local authorities by Bòrd na Gàidhlig, and that these could increase with subsequent additions to provision.

SUBMISSION FROM SCOTTISH NATURAL HERITAGE

Consultation

1. Scottish Natural Heritage did take part in the consultation exercise for the Bill (with our submission dated 6th January 2004). In our response we welcomed the principles set out in the Bill and expressed our support.

2. We did not comment on the financial assumptions.

3. We did have sufficient time to contribute to the consultation exercise.

Costs

4. In recent years, we have made renewed efforts to develop the organisation’s use of Gaelic, with a stated Gaelic Policy. This has included the appointment of a Gaelic officer, with a remit to promote our work in the Gaelic media and to help our development of Gaelic publications (including Gaelic sections on our website). We anticipate that these efforts will make a significant contribution towards meeting the requirements of a formal Gaelic Language Plan. As we have been doing this within our existing available resources, any increase in the financial burden on SNH associated with the implementation of the Bill is likely to be relatively modest and has been adequately reflected in the Financial Memorandum.

5. We are content that, with the support of Bòrd na Gàidhlig and where appropriate, the Gaelic Development Fund, we will be able to meet the financial costs associated with the Bill as they fall on SNH.

6. We are not in a position to comment in any detail on the margins of uncertainty associated with the estimates, nor the timescales over which such costs would be expected to arise. We do however think that the figures given in the Financial Memorandum appear reasonable.

Wider Issues

7. We are not in a position to comment on wider policy issues.
8. We do not feel well placed to comment on cost implications, beyond those which directly fall to SNH as referred to above.

SUBMISSION FROM THE HIGHLAND COUNCIL

CONSULTATION

1. Did you take part in the consultation exercise for the Bill, if applicable, and if so did you comment on the financial assumptions made?

YES

2. Do you believe your comments on the financial assumptions have been accurately reflected in the financial Memorandum?

YES.

The Council noted that in order to implement a Gaelic Language Plan, as envisaged by the draft Bill, additional resources would have to be made available.

3. Did you have sufficient time to contribute to the consultation exercise?

YES.

COSTS

4. If the Bill has any financial implications for your organisation, do you believe that these have been accurately reflected in the Financial Memorandum? If not, please provide details.

While the Highland Council already commits substantial resources towards developing the Gaelic language and Culture it has recognised there is a need to do more, as there is a demand to progress and accelerate Gaelic and cultural development across all sectors in Highland. The Council’s recently produced Draft Gaelic Language Scheme identifies a number of projects the Council wishes to implement. It is important that the Council is able to access new and additional resources – and that these are not simply retained for public agencies which to date have not shown any commitment to Gaelic.

5. Are you content that your organisation can meet the financial costs associated with the Bill? If not, how do you think these costs should be met?

The Council would require additional funding for staff costs, specialist translation services and for developing new activities and initiatives.
across all sectors within the Council’s remit as contained in its Gaelic Language Scheme. Without extra funding many desirable proposals and aspirations will not be either developed or fulfilled resulting in the Council’s commitment to Gaelic being stifled and frustrated.

6. Does the Financial Memorandum accurately reflect the margins of uncertainty associated with the estimates and the timescales over which such costs would be expected to arise

Yes, generally, but within the overall estimated costs the proportions may vary between different Authorities. The Council also believes that public agencies in Membership of Community Planning Partnerships, such as the Highland Well-Being Alliance should be encouraged to work closely together in implementing the provisions of the Bill.

WIDER ISSUES

7. If the Bill is part of a wider policy imitative, do you believe that these associated costs are accurately reflected in the Financial Memorandum?

No, as Gaelic Education is a priority regarding the survival of the language. Gaelic Education will require specific additional funding, which should include the costs of teacher training, especially the further development and promotion of ICT teacher training based in Highland, the subsidising of tuition fees for part-time teacher training students, the training and development of Gaelic subject teaching at secondary level, and the training of auxiliary school staff such as class room assistants, playgroup leaders, special needs, etc.

The wider policy imitative would also include the areas such as interpretation, bilingual road signs, bilingual street signs, village/ town and City welcome signs, Highlands’s role in the implementation of a geographic information strategy which contains place name data.

8. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation or more developed guidance? If so, is it possible to quantify these costs?

Without knowing what burdens new legislation may bring it is not possible to precisely quantify the associated costs, but given Highland Councils leading role and commitment to Gaelic and cultural development it estimates that there may well be.

SUBMISSION FROM STIRLING COUNCIL

Stirling Council has made the following draft response to the Scottish Executive in relation to the points raised in the questionnaire on the Financial Memorandum for the Gaelic Language (Scotland) Bill.
Consultation

1. Did you take part in the consultation exercise for the Bill, if applicable, and if so did you comment on the financial assumptions made?

Yes, we did participate in the consultation exercise. The consultation document did not provide the opportunity to detail any financial implications of the Bill.

However it was pointed out that Gaelic Medium education would still be required to be supported by the allocation of the Gaelic Specific Grant. It is commendable that this has been recognised and the Specific grant will continue.

2. Do you believe your comments on the financial assumptions have been accurately reflected in the Financial Memorandum?

Yes, in that the Specific grant has been mentioned. If the consultation document had made direct reference to the financial implications, the response submitted would have highlighted the costs to be incurred by public bodies more fully.

3. Did you have sufficient time to contribute to the consultation exercise?

There was adequate time to contribute to the consultation exercise. But in considering the resulting Bill and the areas, which have come to light, it is apparent that the consultation document was not sufficiently robust.

Costs

4. If the bill has any financial implications for your organisation, do you believe that these have been accurately reflected in the Financial Memorandum? If not, please provide details.

The Bill will have financial implications for all public bodies. As far as the costs stated in the Financial Memorandum are identified it is difficult to say at this time if they are an accurate reflection.

There is an assumption from the costs identified in the memorandum that these will only be incurred when such a body is requested, by Bord na Gaidhlig for a language plan. It could be argued that costs would be incurred from the financial year 2005/6, irrespective of whether a language plan has been requested, as the organisation would wish to be ready to respond speedily to any such request.
In order to prepare a language plan, the public body would require to consult with all stakeholders and service providers, and tie preparation of the plan into the organisation’s overarching strategic planning framework. This consultation exercise is time consuming and costly. It would be essential that the public body employs an extra member of staff e.g. a “Gaelic Development Officer” with the responsibility of conducting and completing the preparation work for the drafting of a plan and submitting such a draft for approval to the appropriate personnel.

5. Are you content that your organisation can meet the financial costs associated with the Bill? If not, how do you think these costs should be met?

It will be difficult for any organisation to meet the financial costs associated with the Bill at the present time. Because of the response to question 4 the preparation for the production of, and implementation of, an action plan will not begin when the plan is requested but rather in the financial years preceding that event.

In the example of Stirling the development of Gaelic has not been included in the projected budget costs. This is a very important point as Stirling is a rapidly growing community and school rolls have risen over the last six years.

Perhaps consideration should be given to the provision of a Gaelic language development fund for each authority. The cost of a development officer would then be available to all public bodies.

Or perhaps alternatively the employment of national Gaelic development officers, under the auspices of Bord na Gaidhlig would reduce the overall cost.

6. Does the Financial Memorandum accurately reflect the margins of uncertainty associated with the estimates and the timescales over which such costs would be expected to arise?

The Financial Memorandum accurately reflects the main costs in terms of the areas, which can be identified at the present time. There is a good range of costs in terms of upper and lower limits estimates of expenditure, but what is difficult to reflect are areas which have not yet been identified and will not be until planning the development of an action plan is being undertaken.

It would be appropriate at this time to provide for such extra costs through a global contingency element.
Wider Issues

7. If the Bill is part of a wider policy initiative, do you believe that these associated costs are accurately reflected in the Financial Memorandum?

The associated costs refer to time limited activities, but the implementation of the Bill at a local level will incur ongoing costs, which are not reflected. The updating of communication for example will require on going funding if this is to be sustainable.

As more public bodies are requested to provide Gaelic language plans, there will be the need for the ongoing employment of development officers to monitor and quality assure the implementation of the Bill.

As the numbers of Gaelic speakers in the community continue to increase, we anticipate an ever-increasing demand for publications in Gaelic.

A further consideration is the fluidity and continuing development of Gaelic as a language particularly in the areas of reading and writing and the consequent need for further new publications.

There are other factors, which have previously been mentioned in the response to question 7, which require to be taken into consideration.

8. Do you believe that there may be future costs associated with the Bill, for example through subordinate legislation or more developed guidance? If so, is it possible to quantify these costs?

The promotion of Gaelic culture and language throughout Scotland is in its infancy. As the Bill becomes firmly embedded it will induce a need for amendments and alterations to cater for circumstances which can not be identified at the present time. The costs will continue to remain steady, or even increase, for the foreseeable future.

SUPPLEMENTARY WRITTEN EVIDENCE FROM THE SCOTTISH EXECUTIVE

You will be aware that the Finance Committee took evidence from officials on Tuesday 9 November 2004 regarding the Gaelic Language (Scotland) Bill. The Committee expressed a number of concerns about the financial implications of implementation. The Committee also expressed concern about the operation of certain aspects of the Bill and in particular questioned what provisions were in place to ensure language plans which were produced were appropriate to local circumstances. It may be of benefit if I provide some further context for the Committee’s deliberations, set out how the Bill is structured and provide the Committee with the Executive’s reasons for structuring it in the form it is presented.
Scotland-wide Bill

Concern was expressed about the geographical coverage of the Bill. The Committee will wish to be aware that the Education, Culture and Sport Committee of last session considered the terms of a Member’s Gaelic Language Bill. One of the main criticisms made by the ECS Committee was the fact that the Bill was geographically limited in scope. The ECS Committee considered that a Gaelic Language Bill ought to apply to all of Scotland. The Executive has adopted that approach but has structured the Bill to provide for maximum flexibility in the preparation of language plans according to local circumstances. The point is made in the Policy Memorandum which accompanies the Bill that it is the Executive’s view that a balance requires to be struck between responding to the needs of the Gaelic community and ensuring that a Gaelic language burden is not introduced where there is no demand for it.

The language planning provisions of the Bill will be initiated by Bòrd na Gàidhlig. Section 2 of the Bill enables Bòrd na Gàidhlig to require any Scottish public authority to prepare a Gaelic language plan. In determining whether to request the preparation of a plan, provision is made to require the Bòrd to give consideration to the extent to which the Gaelic language is used in a public authority area, any representations made to it and any guidance given by the Scottish Ministers. Provision is therefore made for clear Ministerial guidance over the operation of the language planning process before a notice is issued by the Bòrd.

Right of appeal

Provision is made in section 4 of the Bill for a public authority to appeal to Ministers against the issuing of a notice by Bòrd na Gàidhlig. Should Ministers determine that a public authority should not have been asked to prepare a Gaelic language plan the Bòrd’s request will cease to have effect. These provisions represent clear safeguards for those areas of the country which do not have a Gaelic language tradition. One of the points made by Orkney Islands Council in its consultation response on the earlier draft Gaelic Language Bill (which would have required all Scottish public bodies to consider the need for a Gaelic language plan) was that the burden of considering whether to have a language plan was inappropriate for areas of the country such as Orkney and that the resources required to do so could be put to better use. The Executive does not believe that the securing of the status of the Gaelic language would be significantly progressed by requiring areas such as Orkney to produce a plan and it is expected that the targeting by Bòrd na Gàidhlig of its resources will be reflective of that view. The principal reasons for enabling Bòrd na Gàidhlig to request the preparation of language plans are to ensure that its resources can be targeted where they will have most effect and that a language planning burden is not introduced where there is no demand for it.
Guidance on Gaelic language plans

Section 2 of the Bill requires public authorities, when preparing a Gaelic language plan, to have regard to the number of speakers in its area, to any representations made to it, and to any guidance given by the Scottish Ministers or the Bòrd. Section 8 of the Bill deals with the preparation by Bòrd na Gàidhlig of such guidance. The guidance is subject to Ministerial approval and it is the Executive’s expectation that it will reflect the Executive’s view that it should enable minimal or maximal language plans to be prepared, depending on local circumstances. It is not for the Executive to determine through legislative provision what minimal or maximal plans should entail, or what areas of the country they should apply to. That is properly a matter for discussion between individual public authorities and Bòrd na Gàidhlig. The point is made in the Policy Memorandum which accompanies the Bill that it is the Executive’s expectation that the language plans produced by public authorities will be widely varying in nature, depending on the number of Gaelic speakers in each area. The wide range of costs for Gaelic language service delivery presented in the Financial Memorandum is reflective of that. Should the situation arise where it cannot be agreed between an individual public authority and Bòrd na Gàidhlig what the content of a language plan should appropriately be, specific provision is made for Ministers to determine final content. It simply would not, as has been suggested, fall to the courts to determine what was or was not appropriate in the circumstances. It is, of course, extremely unlikely that Ministers would propose a language plan which a local authority was incapable of implementing.

Flexibility

The Bill does not confer any specific rights to use the Gaelic language as was suggested at the Committee’s session. The Executive has chosen not to include rights to use the language – such as in courts – on the face of the Bill for precisely the reasons the Committee identified. The Policy Memorandum which accompanies the Bill makes the point that it has not been considered feasible or appropriate to include measures in the Bill which could result in any public authority anywhere in Scotland being placed under a legal duty to offer services in Gaelic on demand. It is the Executive’s view that it would be irresponsible to include measures in a Bill which were not capable of delivery or which would fall to the courts to determine what application should be made. Gaelic language service delivery as a result of this Bill will be entirely dependent on the content of language plans, drawn up between individual public authorities and Bòrd na Gàidhlig, with Ministers acting as ultimate arbiter.

Funding for Gaelic language plans

The Gaelic Language (Scotland) Bill is clearly not a one-size-fits-all Bill. It is the Executive’s expectation that Bòrd na Gàidhlig will seek the development of language plans, and the focusing of its resources, in areas of the country where that will have most benefit. It will then be for the Bòrd and public authorities to determine jointly what is appropriate in the particular
circumstances. That is the policy context within which Bòrd na Gàidhlig will operate and there is specific and adequate provision made in the Bill to ensure that is the case. As a result of the recent spending review round, Bòrd na Gàidhlig has £1.4m of new funding allocated to a development fund. That funding will allow for significant new Gaelic language provision but will also act as a restriction on the number of public authorities which the Bòrd will approach. At present there is a measure of Gaelic service delivery by local authorities and public bodies. This has developed in the absence of specific funding and without the framework of an Act. The Executive therefore expects that the range of Gaelic language activity that will take place in Scotland after the enactment of this Bill would exceed the level of activity that the Gaelic language development fund alone would cover.

I trust these points will be of assistance to the Committee in its ongoing consideration of the Gaelic Language (Scotland) Bill and I should be happy to provide any further information which the Committee might consider necessary.

Footnotes

[1] Submission from Stirling Council

SUBMISSION FROM COSLA

Consultation

1. Did you take part in the consultation exercise for the Bill, if applicable, and if so did you comment on the financial assumptions made?

COSLA responded to the consultation exercise, but did not make specific reference to the assumptions made.

2. Do you believe your comments on the financial assumptions have been accurately reflected in the Financial Memorandum?

Not applicable
3. Did you have sufficient time to contribute to the consultation exercise?

A number of local authorities indicated that they had concerns regarding the relatively short consultation period. The Consultation paper was issued to Local Authorities in early October 2003, with responses required for early January 2004. Given that the majority of Local Government offices are closed over the Christmas period, a number of Councils only had one cycle of meetings in which Councillors could consider the consultation paper. Consideration of when consultations are launched should influence the response deadline.

Costs

3. If the bill has any financial implications for your organisation, do you believe that these have been accurately reflected in the Financial Memorandum? If not, please provide details.

The Bill may have implications for Local Authorities throughout Scotland; COSLA has concerns that this diversity is not accurately reflected within the Financial Memorandum. We accept that the financial implications of the Bill have been accurately reflected within the Financial Memorandum for a number of Local Authorities. However, some elected members feel this is not the case within Local Authorities outwith Gaelic speaking areas. Within the Spending Review statement it said that some public authorities may not have to produce language plans. It would be reassuring if this was strongly reflected within the Bill, to reassure such bodies to which a Gaelic language plan may not be appropriate or desirable.

Within the financial memorandum it indicates that the production of a language plan would cost approximately £10,000. We perceive this to be an oversimplification of a complex cost. It ignores obvious differentials such as the size of the body and whether there is already a certain amount of Gaelic provision already present.

Within the financial memorandum, there is an indication that funds will be available for the implementation of the language plan. However it does not fully clarify the situation on two levels. Firstly whether or not a 100% grant will be available to implement the provision within the language plan. Secondly, the financial memorandum only makes financial provision for the language plan for the first 5 years, after which time local authorities would require assurance that funding for this additional burden would be built in the core grant of the council.

4. Are you content that your organisation can meet the financial costs associated with the Bill? If not, how do you think these costs should be met?

We would expect all additional costs to Local Authorities which were a result of new legislation to be met by the Scottish Executive.
5. Does the Financial Memorandum accurately reflect the margins of
uncertainty associated with the estimates and the timescales over which
such costs would be expected to arise?

We believe it would have been more helpful if clear acknowledgement of the
uncertainties of the financial assessment had been given within the financial
memorandum. Together with a commitment of flexibility in response to this.

Wider Issues

6. If the Bill is part of a wider policy initiative, do you believe that
these associated costs are accurately reflected in the Financial
Memorandum?

No comment.

7. Do you believe that there may be future costs associated with the
Bill, for example through subordinate legislation or more developed
guidance? If so, is it possible to quantify these costs?

Within the financial memorandum no mention of any possible additional costs.
However, there is provision within the Bill which could lead additional costs;
for example, the Bill refers to further regulation [section 3(7)], guidance given
by the Scottish Ministers or Bord na Gaidhlig, and to consultation. It would be
more helpful if the possibility of such were at least alluded to within the
financial memorandum. COSLA is clear that the Scottish Executive should
meet any additional burden to Local Authorities.
Present:

Ms Wendy Alexander    Mr Ted Brocklebank
Mr Frank McAveety     Des McNulty (Convener)
Jim Mather            Alasdair Morgan (Deputy Convener)
Jeremy Purvis         John Swinburne

Apologies: Dr Elaine Murray

**Gaelic Language (Scotland) Bill:** The Committee took evidence on the Bill’s Financial Memorandum from—

David Brew, Head of Cultural Policy Division; Douglas Ansdell, Bill Team Leader; and Steven Macgregor, Bill Team Member, Gaelic Unit, Cultural Policy Division, Scottish Executive Education Department.

The Committee raised concerns over the figures set out in the Financial Memorandum and agreed to commission further research on the accuracy of the cost projections. The Committee delegated responsibility to the Convener and Deputy Convener to agree the specification for this research and agree on the person to carry it out.
The Convener: The second item is consideration of the financial memorandum to the Gaelic Language (Scotland) Bill. The bill was introduced on 27 September 2004 by the Minister for Education and Young People, Peter Peacock. We agreed that we would apply level 2 scrutiny to the bill, which means seeking written evidence and then taking oral evidence from Executive officials. I welcome officials from the Executive: David Brew, head of cultural policy division; and Douglas Ansdell, bill team leader, and Steven Macgregor, bill team member, from the Gaelic unit.

Members have copies of written evidence from East Ayrshire Council, Glasgow City Council, Orkney Islands Council and Bòrd na Gàidhlig. Submissions from South Lanarkshire Council, Scottish Natural Heritage and Stirling Council were sent to members yesterday.

In conformity with our current practice, I ask the officials whether they want to make an opening statement or go straight to questions.

David Brew (Scottish Executive Education Department): If I may, convener, I will just introduce my colleagues, and then hand over to Douglas Ansdell, who is the head of our bill team, to make a few comments about the preparation of the financial memorandum.

Before doing that, I alert you—if you are not already alerted to it—to the fact that the spending review announcement took place just after the submission of the financial memorandum, and that the draft budget for 2005-06 for Bòrd na Gàidhlig provides for new funding of £1.75 million per annum in both 2006-07 and 2007-08 for the implementation of the Gaelic Language (Scotland) Bill. Of the £1.75 million of new funding, £350,000 in each of the two years has been earmarked to offset the increase in board costs associated with its proposed education functions. The remaining £1.4 million in each of the two years has been earmarked as a Gaelic language development fund, to be administered by the board, the specific function of which is to pump prime Gaelic language development and to support the implementation of Gaelic language plans prepared by public authorities.

I hand over to Douglas Ansdell, who can explain further the financial memorandum.

Douglas Ansdell (Scottish Executive Education Department): Let me make a couple of points, following which I will be happy to respond to members’ questions.
It might be worth emphasising that the development of Gaelic language plans and a wider Executive Gaelic language policy do not represent an entirely new burden for public authorities. Bòrd na Gàidhlig—the Gaelic development agency or Gaelic board—has operated as a non-statutory non-departmental public body since the beginning of 2003. It has provided advice to ministers on Gaelic language issues and has prioritised Executive Gaelic language development funding. Bòrd na Gàidhlig’s grant in aid amounts to £2.3 million in 2004-05.

A number of public authorities have already put in place Gaelic language plans or policies that set out how they will support the language and use it in exercising their functions. For example, Western Isles Council’s recent Gaelic policy committed the council to “enabling everyone who receives or uses” services … to do so through the medium of Gaelic or English, according to personal choice”.

Our scheme of Gaelic-specific grants, which has been in place since 1986, has been successful in supporting the provision and development of Gaelic education. That funding, which amounts to £3.7 million in 2004-05, supports Gaelic-medium education activities in 21 local authorities, a number of which have already introduced Gaelic policies in that regard. We must also remember that Gaelic broadcasting currently receives £8.5 million a year.

Those are some examples of the significant level of Gaelic language activity that central Government, local authorities and public bodies provide. The bill seeks to build on those foundations; to secure Gaelic’s status; and to bring greater strategic direction to the development of Gaelic in Scotland.

As the committee has noted, the financial memorandum does not provide an overall implementation price tag. That is because considerable Gaelic language activity already takes place and because the development of Gaelic language plans will depend in particular on Bòrd na Gàidhlig’s guidance. At this stage, it is not possible to prejudge with appropriate certainty the nature of those plans or, indeed, the bodies that will produce them. The bill is intended to be flexible enough to take account of Gaelic’s use across Scotland and the Gaelic board will be expected to work closely with relevant public authorities to agree in partnership the appropriate approach in particular areas of the country. The range of potential costs highlighted in the financial memorandum reflects Scotland’s circumstances and draws on the experience of bodies that already make some Gaelic-language provision.

The Convener: The committee might want to note that the responses that we have received from different organisations have now been put into the questionnaire format that we have agreed to adopt as standard. That approach has helped to focus the content of the initial evidence that we have received.

In its submission, Stirling Council has pointed out that, although the costs of implementing the plan have been identified, the on-going costs of modifying services in the light of the bill’s provisions have not been. It cannot quantify those costs, because they appear to be demand driven. In other words, if someone requests a service to be made available in Gaelic, the authority will be under a duty to find out how that might be provided. Will the bill allow authorities to decide on the balance of value with regard to the services that can be provided? Under what circumstances will they be able to say that it would not be economical to make such provision?

Secondly, Stirling Council has said that, if we are serious about implementing the policy, what it calls Gaelic development officers will have to be provided in its area to take the initiative and push the policy forward. Again, the financial memorandum does not provide for such a measure. Do you have any comments on those points?

11:30

Douglas Ansdell: The financial memorandum focuses on the costs of core service delivery functions. As far as specialist services are concerned, the range and diversity of public bodies and authorities in Scotland means that we would have to take into account everything from the preparation of forms for the registration of births, marriages and deaths to the provision of health services throughout the country. For that reason, we left the definition of specialist services as a matter for negotiation between Bòrd na Gàidhlig and the public body that the board approaches to draw up a Gaelic language plan. We fully expect the definition to be a matter for negotiation between the board and the public body concerned.

We have mentioned the possibility of a Gaelic development officer, or Gaelic staff, being part of the core functions in the plan. Some authorities—I am thinking of the Highland ones in particular—have Gaelic development officers at present. Perth and Kinross Council also has a Gaelic development officer who, in the main, takes forward Gaelic education issues.

Depending on the number of speakers in various parts of the country and the services that they require, the bill provides for the development of
either a minimal or a fairly robust Gaelic language plan. A facility such as a Gaelic development officer would depend on the level of Gaelic that was used and spoken in the area. If it was agreed between Bòrd na Gàidhlig and the public body that only a minimal Gaelic language plan was required, it is possible that a Gaelic development officer would not be part of the package that was agreed between Bòrd na Gàidhlig and the public body concerned.

The Convener: I am still not clear about the circumstances under which it would be reasonable for a public body to say, “We do not believe that a Gaelic development officer is justified,” or for Bòrd na Gàidhlig to say that an officer was justified. You said that the process is one of negotiation. I am looking for some clarity about how that would work.

David Brew: The issue is not one of Bòrd na Gàidhlig forcing public authorities in all circumstances to do things that they are unwilling to do. The purpose behind the provision of the language development fund is to give a local authority—or public authority, although the responses that we received came in particular from local authorities—an element of incentive in proceeding with the development of a plan.

At the end of the day, the appropriate level of service provision will depend on the economic arguments that you have highlighted and on the need to satisfy the demands that might be placed on local authorities by their customers and constituents. We do not expect Bòrd na Gàidhlig to say to areas in which few Gaelic speakers live that they must have a panoply of arrangements that replicates what is appropriate for the Western Isles. The question is very much one of what is reasonable in the circumstances.

The Convener: But where in the bill does it say that? I heard what Douglas Ansdell said about individual choice. Obviously, an individual can make a request in the Borders, Orkney or wherever, depending on where they live. What is the basis for your suggestion that a public authority may take the decision to go for relatively minimal provision, as there are sufficiently few Gaelic speakers in its area? Under what circumstances will public authorities be required to take the more significant approach?

Douglas Ansdell: The bill is—

The Convener: The bill is an enabling bill. I am trying to get at what it says about who has the authority to decide that certain kinds of provision are not economic or appropriate and in what circumstances and on what basis they may do so.

Douglas Ansdell: The bill refers to the fact that one of the criteria in shaping and adopting a Gaelic language plan should be the number of Gaelic speakers in the area of operation of the public authority. We would expect that factor to be taken into account in developing a plan and by Bòrd na Gàidhlig in its dealings with a public authority.

The details of the plan that would be worked out and agreed would follow the guidance. When we move into the period of enactment of the bill, we will expect Bòrd na Gàidhlig to have prepared the guidance to give advice on core service delivery functions and on more specialist activities. The negotiations on the factors that would be in a Gaelic language plan would be assisted by the possibility that funding is available.

Mr Broklebank: Before I move on to ask about the submissions, what sums are available at the moment? Leaving broadcasting out of it, you referred to Bòrd na Gàidhlig having £350,000 plus £1.4 million for the Gaelic language development fund. That adds up to £1.75 million. You then talked about £2.3 million being available in grant in aid. Is that a separate sum of money?

Douglas Ansdell: That is the money that the Gaelic board has at the moment. It covers the funding of Gaelic organisations, running costs and the assisting of Gaelic development.

Mr Broklebank: So we are talking about the board having getting on for £4 million at its disposal.

Douglas Ansdell: Indeed.

Mr Broklebank: In addition to that, £3.7 million is available to 21 local authorities.

Douglas Ansdell: Yes.

Mr Broklebank: Right—and that is all outside the area of broadcasting.

Douglas Ansdell: Yes.

Mr Broklebank: The point that comes through in many of the submissions is that it is difficult for local authorities to work out whether there will be enough money because they do not know what is expected. Places such as Orkney and Shetland where there is absolutely no Gaelic tradition are saying that if they are forced to go down the road of developing a plan, it will cost far more than £10,000. Highland Council’s submission claims that the associated costs in the financial memorandum are nothing like enough because it will have to get into such issues as road signage, and Highland Council is an area that would be considered to be traditionally Gaelic speaking.

Orkney, which has no tradition of Gaelic, is saying that nothing like enough money is being put up for the bill, and Highland Council, which has a strong Gaelic tradition, is also saying that. Can you clarify that?
Douglas Ansdell: Certainly. Highland Council already has considerable spend on Gaelic, as you know. It is already moving forward with a programme of road signs and it has a significant Gaelic education programme. The Executive already supports the delivery of Gaelic education in Highland Council area through education money. We would not expect funding for the bill to support Highland Council’s current activities; the money will be to support new developments that the council might consider to extend Gaelic language activity in its area.

There are three parts to the answer to your question. First is the existing support for Gaelic education from the £3.7 million that you identified. There is also the activity that is already taking place on which Highland Council spends money. Finally, there is the money associated with the bill that will be given to the Gaelic board to manage, which will be for additional developments in the local area.

As the bill is laid out, we expect that it will be for the board to issue notices to the public bodies and local authorities that it would like to develop Gaelic language plans. The board is fully aware of the lack of Gaelic tradition and heritage in Orkney and I would not expect that Orkney and similar areas would be first in line in being expected to draw up a Gaelic language plan or policy.

Mr Brocklebank: The other side of the coin is that Comhairle nan Eilean Siar probably has much more ambitious plans than those that have been laid out.

I have read reports—and I heard a speech recently by Matthew MacIver of the Office of Communications—suggesting that, ultimately, the only way to save Gaelic is for the Gaelic-speaking areas to have their entire education through the medium of Gaelic. In other words, the only real way of saving the language is to do down the route that Catalunya, the Basque Country and so on have taken in primary and secondary schools. That would involve huge amounts of extra money, would it not?

Douglas Ansdell: Indeed it would. Western Isles Council issued its policy on and plan for Gaelic two weeks ago, in advance of implementation of the bill and of Bòrd na Gàidhlig requesting Gaelic language plans. In some areas, from health services to education, the council has made a fairly robust commitment to Gaelic by offering virtually bilingual services to people who request them. That is a judgment that the council has made, with a full awareness of present resources.

David Brew: There is an issue about the marginal costs associated with the provision of Gaelic-language services and products. We are not looking at a doubling of local authority expenditure simply because something is produced or delivered in Gaelic as well as in English. If there is a special programme of replacing every road sign, substantial additional costs will be involved; however, if one provides bilingual road signage as part of the normal function of providing road signage, the additional costs will be minimal.

Mr Brocklebank: But fast tracking the training of young people to teach Gaelic in schools—in other words, providing the teachers, who simply are not there at the moment—would lead to considerable extra costs, would it not?

David Brew: The issue of how much additional cost is involved in getting the language back to a position in which it can survive and prosper needs to be addressed. There is no right answer to questions about the speed at which additional resources should or should not be supplied.

Mr McAveety: In the submissions, we have heard from authority areas that have a Gaelic tradition, areas that want provision to be better than it has been in the past and areas, such as Edinburgh and Glasgow, where a greater demand is emerging because of the demography of the Gaelic community. There is a dilemma because of the unpredictability. Given what I would euphemistically call the enthusiasm for the bill—given the range of analyses and aspirations in the submissions—could pressure be brought to bear on Bòrd na Gàidhlig to go into areas that perhaps do not have a history or tradition of Gaelic to try to force the debate, so increasing the cost implications, rather than focus on areas such as Edinburgh, Glasgow, the Western Isles and the Highland region, where there is a strong tradition that needs to be supported and strengthened? Many of the submissions from local authorities mention uncertainty about the cost implications. For example, £10,000 seems a low estimate for a language plan for an area such as Glasgow.

My two questions are about the pressure on Bòrd na Gàidhlig and where the test cases might arise, and about how we have arrived at the figure of £10,000 for the development of a language plan, which a number of the submissions seem to question strongly.

11:45

Douglas Ansdell: On the £10,000, you are probably aware that in the previous session of Parliament, the member’s bill on Gaelic made a similar estimate and the conclusion was that £3,000 would be sufficient for the development of a Gaelic language plan by a public body. Views are mixed on that. In some of the responses, we have seen a hint of scepticism and a feeling that £10,000 is not enough, but other submissions
seem to indicate that people are quite content with that figure.

When we get to the point of developing Gaelic language plans, clear guidance and assistance will be available from Bòrd na Gàidhlig. I do not expect that we will develop plans in the way that plans are developed in Wales, where something close to a template is provided for local authorities and public bodies, which can be adapted to their needs and situations. Given that guidance and assistance will be provided, we think that the resources, in terms of staff time, can be provided for drawing up the plan and getting translation work done. We are aware of the new points that have come in. We have had discussions with Bòrd na Gàidhlig and councils on the matter, following which we raised the level from the previous estimate in the member’s bill.

There is an unpredictable element in the bill that will be tied down only once Bòrd na Gàidhlig has prepared the guidance, has approached public bodies and is working with them on Gaelic language plans. The public bodies’ plans could take in core functions and very little more; alternatively, they could take in specialist services that could be offered in Gaelic, for example tourism for VisitScotland. During the consultation period, we were unaware of the funding that would be attached to the bill. Things will change now that that information is available.

There is an unpredictable nature to the Gaelic plans that will be developed but such things will be resolved in the future, with the guidance and the negotiations with the board.

Mr McCavety: What dialogue are you having with the board about how it will manage that? I used the euphemism because there are a variety of views about how we should sustain and develop the language, some of which could be fairly extreme in their content and analysis. How do we achieve a sense of proportion about how we should develop the language? How is that shaped in Bòrd na Gàidhlig’s relationship with the Executive to ensure that reasonable sense prevails in the debate about moving to the further stages?

Douglas Ansdell: We are in discussion with the board, and the board is in discussion with public bodies. The board has found a degree of willingness and enthusiasm to move forward with Gaelic language plans. At the outset—in the initial years—the public bodies and local authorities with which the board will work will be the public bodies that have indicated some support for Gaelic language plans. There is always the possibility of situations arising that we would not welcome or support; however, the bill provides for an appeal mechanism and for the last word to rest with ministers should any difficulties arise.

The Convener: The more we talk about this, the more concerned I am getting. The provision is that a Gaelic language plan can be requested in any local authority area. Stirling Council’s written submission states:

“In order to prepare a language plan, the public body would require to consult with all stakeholders and service providers, and tie preparation of the plan into the organisation’s overarching strategic planning framework. This consultation exercise is time consuming and costly. It would be essential that the public body employs an extra member of staff e.g. a ‘Gaelic Development Officer’.

That is significantly at variance with what has just been said about enthusiasm. That authority has examined the proposal and has told us what would need to happen to put it into place.

The Executive was very critical of Mike Russell’s bill precisely because of the potential costs involved. You have not identified for me what mechanisms you have put in place—in either the financial memorandum or the bill—to allow any public body to limit costs on the basis of value for money.

David Brew: The content of the plan is dependent on what the public authority is or is not willing to deliver as part of that plan. There is no formal specified content. It is not stated formally that a plan must contain X, Y and Z, must involve the appointment of a Gaelic development officer, and must do X, must do Y and must do Z. The board is in a position to request a plan from a public authority. It is for the public authority to decide what is reasonable in the circumstances.

The Convener: But a small authority such as Stirling, which is not in the identified Gaelic area of Scotland, says that to produce a plan it would require to appoint a Gaelic development officer to deal with the extensive consultation process and stakeholder involvement, and to examine how the plan might be incorporated into the mainstream of its services. All that would, inevitably, cost significantly more than £10,000.

David Brew: That depends on the extent of the consultation exercise that it is thought is required. Other local authorities believe that the process of drawing up a plan—depending on its extent—could be relatively simple and straightforward, and would not require the appointment of a new member of staff. Delivery of the plan is a completely separate issue, which is why the range of costs that is set out in the financial memorandum is large. The process of producing the plan would not necessarily involve huge development—as opposed to delivery—costs.

The Convener: But Douglas Ansdell said that you were not going to go for a template-based approach. If you do not go for such an approach, I would have thought that you would almost certainly be moving towards a more expensive
methodology because taking account of what different service providers and the Gaelic community had to say would be complex. That is what Stirling is saying. It is saying that the exercise would be hard.

**Douglas Ansdell:** Yes; I noted Stirling’s comments. Stirling’s view is that a member of staff would be required to draw up a plan, but other bodies or local authorities could take the view that an additional member of staff would not be required to do that. Although we are uncertain of the details of the guidance that will be prepared, and although I mentioned that the Welsh have gone for a template approach, clear guidance will be prepared by the Gaelic board to aid local authorities and give guidance on the core functions that should be considered in drawing up a Gaelic language plan.

**Mr McAveety:** I do not envy you this dilemma. In a sense, I had this discussion in my ministerial role, although responsibility lay with the Minister for Education and Young People. There are agonies in working out the potential opportunities and pitfalls. Our worry, which has been strengthened by the submissions from local authorities, is about unpredictability. A minimalist view of what a Gaelic plan is might get through some of the broad framework that Bòrd na Gàidhlig can develop.

Given the resources that we are putting into Bòrd na Gàidhlig, I want it to take on a much more strategic role, which would involve it in discussions with local authorities. For example, Stirling is increasingly seen as an attractive place in which to live. Enthusiasm for Gaelic might emerge, in which case it should be seen as a development opportunity for Gaelic. The temptation in all local authorities—and I have been involved with them—is to invent new office posts for any new legislation that is introduced, rather than to look at the skills that they already have.

What can Bòrd na Gàidhlig and the Executive do about the framework? I appreciate that it may not be possible to include such details in the financial memorandum or the bill, but how can we stop the proliferation of posts while not diminishing the aspirations of communities or individuals to develop Gaelic in their areas—even in areas that do not have a great tradition in Gaelic? I support the principles of the bill and I want us to get it right, but I do not want a debate at one end but not much at the other end that can actually help.

Does Bòrd na Gàidhlig have a view on the framework and guidance? Might it offer itself as a body for consultation on development issues, perhaps working with staff who already work in local authorities’ education, community or language services?

**Douglas Ansdell:** We prepared the financial memorandum and discussed its detail with Bòrd na Gàidhlig. When we considered what core functions might be included on the staffing side of a Gaelic language plan, we of course agreed to include Gaelic language officers and their possible training. When we considered costs for those officers, we used as models public bodies and local authorities that currently have Gaelic language officers. In most cases, there are one or two people who have the role of Gaelic language officer and have a range of functions in education, development or community issues. The financial memorandum on this point reflects our discussions with the board.

**Jim Mather:** I am sorry to go back to the Welsh template, but I want to explore why you decided to go for flexibility as opposed to the template approach. Did you regard the two approaches as mutually exclusive?

**Douglas Ansdell:** On reflection, I imagine that they are not mutually exclusive. However, the bill suits the diversity of Scotland. Some areas of the country are not very far away from bilingualism in the delivery of services, but other areas, in considering a Gaelic language plan, might be considering minimal measures. For those reasons, we wanted to put the question to the board for clear guidance.

**Jim Mather:** A template for the minimalist options—or even for the more complex options—might make sense. There could even be a programme of cross-pollination in which practice in the Western Isles could be shared. Has any thought been given to that?

**Douglas Ansdell:** You are right to point out that a template could be used flexibly in a range of situations.

**David Brew:** We do not want to end up with the arrangements for the delivery of Gaelic language services in the Western Isles being replicated in the rest of Scotland. If we have tended not to follow a template approach, that has reflected the very concerns that committee members are expressing about a one-size-fits-all approach. We do not believe that we should be standardising Gaelic language planning across Scotland.

**Jim Mather:** But that sounds a little bit like the tower of Babel approach. I will take the silence that greeted that comment as a hit.

If we are looking for more robustness in the planning process and for some decent cross-pollination, would not there be merit in emphasising and encouraging the employment of Gaelic speakers who can also perform mainstream roles in public bodies rather than being ghettoised as Gaelic development officers?
David Brew: Yes.

12:00

The Convener: The submission from Scottish Natural Heritage states that SNH has appointed a Gaelic officer who has a remit to promote its work in the Gaelic media and to help in the development of Gaelic publications. Does the Executive have an estimate of how many non-departmental public bodies have followed that path by appointing Gaelic officers? If the bill is passed, what implications will that have for other organisations that chose to make such appointments or were asked to do so by Bòrd na Gàidhlig?

Douglas Ansdell: As one can imagine, there is a diversity of practice out there. Some people are named specifically as Gaelic officers, whereas others have Gaelic as part of their responsibilities. In a few councils, the Gaelic officer has a specific education role that is focused principally on the development of Gaelic education. Also, quite a few bodies have Gaelic plans or Gaelic policies, such as education policies, without having a dedicated Gaelic officer who can follow through those plans or policies. Such roles are developing, as we have seen over the past few years. I expect that the bill will add significant momentum to the production of Gaelic policies and Gaelic plans and the work of Gaelic officers.

The Convener: I think that Wendy Alexander has a question.

Ms Alexander: I will wait and make my contribution at the end.

The Convener: If there are no other questions, I thank the witnesses for attending this morning.

Do we have any guidance for the clerks on the preparation of our report on the financial memorandum? The committee is still in public session. We can deal with the issue now, although members may also raise issues separately.

Ms Alexander: I am happy to raise this issue in public, although no members of the public are present. The bill is such a dog’s breakfast that before we move to the next item of business there is a case for our taking a view as a committee on the issue now, although members may also raise issues separately.

Ms Alexander: I am happy to raise this issue in public, although no members of the public are present. The bill is such a dog’s breakfast that before we move to the next item of business there is a case for our taking a view as a committee on the issue now, although members may also raise issues separately.

Mr Brocklebank: I could not agree more with what Wendy Alexander is saying. However, we must not lose the central vision, which is that we want to do something to save the Gaelic language and culture. We must not be seen to be kicking the issue into the long grass because of the financial implications. We should do what Wendy suggests, but only if the reason is that we want to make the bill better and to ensure that it works.

Either the courts will advise that the bill does not oblige authorities to make the provision that people think it makes, or the Accounts Commission will ask us how the Executive was able to get away with talking about administration costs without talking about implementation costs. I am not expert enough to judge which of those two routes will transpire, but I think that we are in that territory.

We are not responsible for the policy aspects of the bill. I have no doubt that the Education Committee, of which I am a member, will try to legislate an answer. However, the problem is not a legislative issue but one of financial resource and the availability of supply.

As a committee, perhaps we need to change our practices for the bill. The list of questions that we had was good, but perhaps the best that we can do in this case is to try to embarrass the Executive into thinking the matter through again so that local authorities can get to grips with it. In that way, we will not raise unrealistic expectations about what the bill will do.

I would like our report to do more than just parrot the self-evident weaknesses. I am not saying that it will be ignored otherwise, but I think that our best option is to say to someone who really understands local government finance—that is the real issue—that they should consider the evidence that we have heard and the submissions that we have received and produce a report that goes to the heart of the issue. That will cost money, but it will also minimise the work for the clerks. My proposal is that we say to Arthur Midwinter, “Look, Arthur, you can’t do this”—we can invite him to do it, but I am sure that he will not want to. We need someone who will take what we have heard and what we have gathered from the financial memorandum and who is an expert in local government finance rather than Gaelic. That person will be in a position to ask if anyone has any idea how difficult it will be to realise the vision that is laid out in the bill. If that means that it takes a wee bit longer to produce the report, so be it.

We are all at one on the issue, but I think that it would be possible to produce a slightly classier report that talks about the reality of implementation in terms of local government finance and which might allow some of the issues to be addressed prior to stage 2.

Mr Brocklebank: I could not agree more with what Wendy Alexander is saying. However, we must not lose the central vision, which is that we want to do something to save the Gaelic language and culture. We must not be seen to be kicking the issue into the long grass because of the financial implications. We should do what Wendy suggests, but only if the reason is that we want to make the bill better and to ensure that it works.
Alasdair Morgan: I am not familiar with the history of all of the reports that have been produced on this matter. However, the bill has financial implications, so it is a policy issue, and it occurred to me that if we are serious about saving and revitalising the Gaelic language, we should concentrate expenditure on the Western Isles, the Highlands and Islands, Argyll and Bute and perhaps Glasgow and Edinburgh, rather than rolling out bureaucracy over the whole country.

The most disappointing answer was the one that suggested that it was a bad thing that Orkney would not be at the top of the list. Orkney should not be on the list at all. That is just daft but is a result of the kind of bureaucracy that is implicit in the bill.

Mr McAveety: Ted Brocklebank’s point is critical. In the language that we use, we must make it clear that we have examined the bill in terms of its financial rectitude but that we are not questioning the principle of trying to expand the Gaelic language. I am sure that people have differing views about the emphasis that we should give that point, but I think that it would be a mistake not to stress it. As Wendy Alexander says, we have to emphasise the rigour with which we arrived at our views and our analysis of the cost implications.

The Convener: I was probably leading the questioning in this regard, but I support the arguments in favour of doing something solid for the Gaelic language. It seems to me that the issues are about appropriateness and the ways in which a local authority can make an appropriate response in particular circumstances and whether, by going down the classic rights-driven route, we are creating the possibility of inappropriate responses that are not in the interests of the language or the things that the language can deliver in terms of economic development and so on.

I share Alasdair Morgan’s view that, to an extent, the issue is to do with supporting the language in those areas of Scotland in which it has a prospect of survival and of being strengthened rather than taking a one-size-fits-all approach across Scotland, which is the typical legislative response.

My query about Wendy Alexander’s proposal is that I am not sure that we need to enlist the help of an expert in local government finance, who would probably ask what is actually going to be put in place. The problem with the bill in that regard is that it is imprecise about what is proposed and how it would work on the ground. It might be that we have to involve a different kind of person in an attempt to come up with a better set of answers to the question.

Susan, are you aware of any timescale issues in relation to the work of the Education Committee? When do we have to complete our work on this bill?

Susan Duffy (Clerk): I will double-check and get back to the committee on this, but I understand that the Education Committee will take evidence from the minister in early December. Our timetable is predicated on our being able to get our report to the Education Committee in time for that evidence-taking session. As usual with financial memorandums, we are working to a fairly tight timescale.

The Convener: But we do have a wee bit of time.

Jim Mather: I pretty much echo Ted Brocklebank’s comments about making the bill better. Alasdair Morgan’s point that it should be focused and targeted must be acted on and be seen to be acted on.

The evidence session exposed a number of weaknesses that might give us some stronger ground to walk on. For example, a Welsh local government finance expert will already have been down this path, which means that we will be able to look at more than the template for the plans. Indeed, such a person will be able to consider the bill from that reservoir of experience and help to clarify the matter.

John Swinburne: It all depends on cultural advantage. The Executive has to realise that we cannot allow the Gaelic language to disappear; indeed, we have to try to encourage its development. However, someone has to put a timescale on and make a valuation of the cost of implementing the bill. After all, the sky is the limit. We could roll the provisions out across the whole country, but in many cases that would be a waste of money and simply the devalue the process. That said, where such provision needs financial backing, it must be stringently funded. It should be possible for the Executive to target its financial input on areas where it will have the most benefit. Anyone else who wants to come aboard could then apply to be included.

The Convener: I want to draw the strands of the discussion together and find out whether we can come up with something that makes sense. Members have a general concern that the financial assessments in this regard might not be very close to the mark. The issue is not simply whether the financial projections in the FM are accurate or realistic, as there are degrees of uncertainty about the bill’s operation. We heard this morning that the guidance has not yet been produced, which means that we cannot even consider that.

It has been suggested that we identify someone with expertise in this field who could carry out a
short piece of research on some of these issues. The research would need to be undertaken quickly and would perhaps involve four or five days of work. We would need to approach the Parliamentary Bureau to secure the go-ahead for that work. Are members willing to delegate the mechanical arrangements of that to Alasdair Morgan and me? In the meantime, we could ask the clerk to examine the responses that we have received today and, with SPICe, draw up a checklist of members’ concerns that could then be fed into the research. Any paper that we get back at the end of that process will be put on the agenda for discussion at an appropriate meeting.

We could also indicate to the Education Committee that we would welcome any shifts that it could make in its timetable to give us a bit more time to complete that work.

Mr Brocklebank: I wonder whether we could ask someone from a Gaelic-speaking background who is also economically literate to examine this matter so that we are not accused of choosing either a Gael or someone who is opposed to the whole concept. It might be impossible to find such a person, but I was thinking of people such as Tony MacKay in Inverness who understand the Gaidhealtachd and know what we are talking about.

The Convener: I think that we can be sensitive on that issue.

Jeremy Purvis: If that is the view of the committee, I will support it. However, I am not convinced that if the committee is concerned about runaway costs, it should make a recommendation that we are not convinced about the structures of templates and other things, which are for another committee of the Parliament to decide. We have the option to say that the anticipated cost is in the financial memorandum and that, as with the budget documents with regard to Gaelic in education, there is a fund from which those areas can draw down, which is administered by the Gaelic board, so there will be no runaway costs. There is a sum that can be voted on by Parliament. That is a clear indication, and it is up to the Parliament to set a budget for it. There cannot be runaway costs. The committee should state simply, “There you are. There is the budget for Gaelic.” That could be a recommendation from this committee.

The Convener: My concern about that is that the rights that are conferred in the bill will make demands on local authorities above and beyond the money that will be voted on, which will come through Bòrd na Gàidhlig. The concern of local authorities and others who have responded to us is that there are costs in the bill for which they are not going to be properly reimbursed and which have not been properly calculated. We owe it to them to try to ensure that all such issues are identified. However, as you say, it is a matter for Parliament whether it agrees to the bill. All that we are trying to do is facilitate the process by which it comes up with a better set of arrangements.

If members are agreed, we will proceed on that basis.

Members indicated agreement.
Note: (DT) signifies a decision taken at Decision Time.

**Gaelic Language (Scotland) Bill:** The Minister for Education and Young People (Peter Peacock) moved S2M-1812—That the Parliament agrees to the general principles of the Gaelic Language (Scotland) Bill.

After debate, the motion was agreed to (DT).

**Gaelic Language (Scotland) Bill – Financial Resolution:** The Minister for Education and Young People (Peter Peacock) moved S2M-1819—That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Gaelic Language (Scotland) Bill, agrees to any expenditure or increase in expenditure of a kind referred to in Rule 9.12.3(b)(ii) or (iii) of the Parliament’s Standing Orders arising in consequence of the Act.

The motion was agreed to (DT).
Gaelic Language (Scotland) Bill: Stage 1

The Presiding Officer (Mr George Reid): Òrdugh, òrdugh. Is e an ath rud air a' chlár-ghnothaich an-diugh, deasbad air gluaisad àireamh S2M-1812 ann an ainm Peadar Peacock, gun tèid aonta a chur ri bun-phrionnssabalan Bile na Gàidhlig (Alba).

Following is the simultaneous interpretation:

The next item of business is a debate on motion S2M-1812, in the name of Peter Peacock, that the general principles of the Gaelic Language (Scotland) Bill be agreed to.

14:05

The Minister for Education and Young People (Peter Peacock): It is my privilege to open this historic debate. It is the first time in recent history that a Government-sponsored bill that seeks to strengthen Gaelic and not to do it down has been brought before a Parliament. I shall say more about that in a second. It is also a pleasure to open the debate on a bill that has received such wide support from the committee, the Parliament, across all parties and outside Parliament.

As I hinted, Parliaments have not always been so generous towards Gaelic or so positive and supportive. Indeed a Scottish education act of 1616 ruled that Gaelic should be “abolishit and removit” from Scotland. Gaelic has suffered prejudice for many years. Within living memory, children were belted for speaking Gaelic and families were encouraged to discourage the use of Gaelic. It was associated with failure and decline. The English language was seen as a route to success and people were told that Gaelic would hold them back in some way. The clearances and the decline of the Highlands contributed to and accelerated the decline of the language as Gaels were spread throughout every corner of the world. That is why Gaelic is still widely spoken in parts of New Zealand and Canada, for example.

Thankfully those days of prejudice are largely gone. The renaissance of the Highlands in recent years has been partly built on the Gaelic renaissance. There is now pride in the language where it was once lacking. People are now encouraged to speak the language where they were once discouraged. They are now taught through the medium of Gaelic where they were once punished for speaking it in schools. The language is expressed through music and art in new ways throughout the Highlands and Islands and other parts of Scotland. People now celebrate their language and culture and are rightly proud of it.

Gaelic is a precious part of our national life. It is not just a language; it is the gateway to an entire culture, to a set of beliefs and values, to a distinct history, to music and song, to dance and literature, and to the oral traditions of storytelling. It is a rich and precious resource for Scotland. As Sorley Maclean said, “if Gaelic dies, Scotland will lose something of inexpressible worth, and the Gaels will lose almost everything”.

We in the Parliament have a duty to ensure that we do all that we can to ensure that Gaelic does not just survive, but that it thrives into the future.

We must do that because, despite all the recent positives, the number of native Gaelic speakers is still in decline. Older speakers are dying faster than young people are adopting the language. We still have to reach a balance in that situation, let alone get to the point at which the number of new speakers overtakes the number of those native speakers who are dying out. I am confident that that will happen in due course.

However, the language must be used more and more in everyday life in Scotland and this bill is part of the process of securing a future in which that will happen. It gives clear recognition to the language. It establishes in law a body charged with bringing about its recovery and development. It requires a national plan to help achieve the outcomes that we want for Gaelic. It requires all those in the public sector in Scotland to play their part in bringing about that revival and the wider use of Gaelic. It also gives further legislative recognition to the key part that education will play in the future success of the language.

I thank the Education Committee for its thorough consideration of the bill during recent weeks and I am pleased that it has endorsed the general principles of the bill. The Executive and the committee share the same objectives for Gaelic. There should be no doubt that Gaelic already has official recognition in Scotland. The Executive recognises that explicitly and in several ways, and the committee’s report recognises it. It is also captured in the long title of the bill. The bill is an eloquent expression of the status of the language in Scotland.

The bill will establish Bòrd na Gàidhlig in statute and the bòrd will have the clearly defined functions of promoting, and facilitating the promotion of, the Gaelic language; developing a national Gaelic language plan; advising ministers and others on matters relating to the Gaelic language; providing advice to public bodies on the development of Gaelic language plans; and developing guidance on Gaelic education.

The bòrd becomes the Executive’s vehicle for delivering our aspirations for Gaelic. A key task for the bòrd will be the creation of a statutory national
Gaelic language plan, which will provide an agreed, considered and strategic approach to Gaelic development. I expect the plan to create the conditions in which the number of Gaelic speakers in Scotland can grow in the years ahead.

The bill creates a framework for the development of Gaelic language plans by other public bodies, creating conditions for the wider use of the language in public life. It creates a strategic role for Bòrd na Gàidhlig in the development of Gaelic education policy. I am in no doubt that the future of Gaelic is inextricably linked to that of education through the medium of Gaelic and the teaching of Gaelic as a second language—and we are encouraging more people to learn and speak the language.

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I would like to probe the minister’s thinking on this matter. It occurs to me that some of the areas where Gaelic is spoken are also some of the most economically fragile areas. The minister mentions other public bodies. Would they include the enterprise network, not just in relation to the language, but with regard to its role in underpinning local economies and trying to keep young people in places such as north-west Sutherland and Alasdair Morrison’s constituency?

Peter Peacock: The local enterprise network would absolutely be included, and not just in a formal way. It would be for Bòrd na Gàidhlig to decide when to approach the enterprise network to help Gaelic language plans to be met. One of the great things that we have seen in the Highlands and Islands in recent years has been the fact that part of the economic revival of places such as Skye—which is now in its fifth decade of continuous economic growth—has been built around, and is closely linked to, the revival of the language.

The bill will introduce a role for Bòrd na Gàidhlig that will complement activity undertaken by the Executive, by Her Majesty’s Inspectorate of Education and by local authorities, who will remain the main providers of Gaelic education. I expect the development and expansion of Gaelic education to be delivered in partnership between those bodies. The Executive has a responsibility in helping to drive that agenda forward. We are doing that, but it is right that the bòrd has a strategic advisory role with respect to how we perform in that regard.

There are people in some parts of Scotland who worry that they will have Gaelic forced upon them. I do not want to coerce people to speak Gaelic; I want to win converts to the cause of Gaelic and to create the conditions for that to happen. One of the key features of the bill is its flexibility. The situation of the language is clearly varied across Scotland. The bill will enable Bòrd na Gàidhlig and other public bodies to respond to local circumstances and to target development in a sensible and cost-effective manner throughout Scotland, but in different ways in different parts of Scotland. The bill sends out the message that Gaelic is a language of all Scotland, while enabling its development to be sensitive to local circumstances.

I recognise that there are many parts of Scotland where there is potential for the development of Gaelic. That potential ought to be a consideration in language planning. The Education Committee highlighted that in its stage 1 report, and at stage 2 I will look to respond positively to its suggestions on that subject.

The Education Committee expressed sympathy for capturing the idea that the Gaelic language has “equal validity” with the English language and for capturing that spirit in the framework of the bill. As I said in my evidence to the committee, Gaelic should not suffer from any lack of esteem or respect, either at an individual level or at a corporate level, in any aspect of our life. I am sympathetic to the committee’s view. However, the words “equal validity” might at some point have to be given legal meaning by the courts. The consequences of that on a Scotland-wide basis are potentially far-reaching. I continue to wrestle with how to resolve that issue, and I still hope to be able to bring forward a suggestion that will capture the sense that the committee had—which I share—that the Parliament wishes the language to be treated with equal respect in English in those respects that the committee and others have highlighted.

I share the view of the Education Committee that there are Gaelic education issues that need to be addressed in conjunction with the language planning framework created under the bill. New laws alone cannot save Gaelic. Last week, I met individuals in the Gaelic education sector to discuss the future development of Gaelic education and in particular the difficulties of teacher recruitment and training. I can confirm to Parliament that I have established an action group to tackle the Gaelic teacher shortage, which is the most pressing issue currently facing the development of the language. Membership of the action group will include key representatives from local authorities, HMIE, Bòrd na Gàidhlig, the Executive and universities. I have asked Matt MacIver of the General Teaching Council for Scotland—a well-known Gael and activist—to chair that group, which will report to me in May.

Rob Gibson (Highlands and Islands) (SNP): As far as achieving potential and having more Gaelic-medium teachers are concerned, I welcome the minister’s statement that he will set up an action group. Can he tell me in one
sentence how we can increase the confidence of people so that they take up a career in Gaelic teaching, when at the moment far more teachers speak Gaelic than have been recruited to teach through the language?

Peter Peacock: I do not have time to set out all the measures that we are taking, but Rob Gibson has put his finger on one of the key points. There needs to be confidence that we are serious about Gaelic. A few years ago, people who were choosing a career in teaching were not confident that we were serious about Gaelic development, but I hope that they are now. One of the great successes of Scottish education has been Gaelic-medium education. We are now committed to having a Gaelic-medium secondary school in Glasgow and a virtual Gaelic-medium secondary school in Scotland. I hope that, taken together with all the other things that we are doing, that will give people who can speak Gaelic, but are currently teaching through the medium of English the confidence to opt for Gaelic-medium teaching.

The work that Matt MacIver and his colleagues will do will be a key plank in the work that I want done through Bòrd na Gàidhlig, in consultation with the Executive and education service providers, to develop a national strategy for Gaelic education as part of the national Gaelic planning exercise.

I agree with both the Finance Committee and the Education Committee that we need procedures to ensure that the resource implications of the bill can be managed effectively. I am happy to agree with the Finance Committee’s recommendation that the bòrd should set out, through its corporate planning processes, which public authorities it intends to approach to develop language plans and what the general scope of those plans should be. I am also happy to agree to the recommendation that we present an outline of the guidance that ministers are able to issue under the bill to guide the work of the bòrd. I hope to provide that outline to the committee before stage 2.

The Education Committee notes the anomalous position of UK bodies and that encompassing those bodies within the scope of the bill would require an amendment to the Scotland Act 1998. Discussions have been proceeding with the Scotland Office and other UK departments on the role that they can play in securing the status of Gaelic. Recently, my officials held a seminar in London with representatives from across Whitehall to set out what we are seeking. I am pleased to say that the departments reacted positively in those discussions. In line with the Education Committee’s recommendation, we have the agreement of Whitehall departments to work in a spirit of co-operation where there is merit in their doing so and following an approach from the bòrd.

Alex Neil (Central Scotland) (SNP): I welcome the minister’s comments about securing co-operation from Whitehall. Am I right in saying that an amendment to the Scotland Act 1998 is not required to transfer powers over reserved functions relating to the bòrd, if that is found to be necessary? I understand that only an order in council under schedule 5 of the act is needed.

Peter Peacock: That is the advice that the Education Committee has received and I have no reason to question it at the moment. I will clarify the issue with Alex Neil in due course. The important point is that we have sought the voluntary co-operation of departments across Whitehall and are winning it. I am sure that we can be confident that, if Bòrd na Gàidhlig approaches those departments, they will act in a spirit of co-operation to help to achieve the intentions of the bill.

Given the look on your face, Presiding Officer, I suspect that I am out of time. In the short time that was available to me, I have been unable to cover all the points that the Education Committee made in its report. No doubt members will raise other issues in the debate; I will try to address as many of those as possible when I sum up. I continue to listen to the good ideas that have been suggested and to respond positively to those ideas when I can, to maintain the consensus that exists on the bill and on the future for Gaelic. It is with great pleasure that I commend the motion to the chamber.

I move,

That the Parliament agrees to the general principles of the Gaelic Language (Scotland) Bill.

14:19

Alex Neil (Central Scotland) (SNP): Many people ask me whether I can speak Gaelic. I must admit that I struggle with English from time to time, without adding Gaelic to that. However, like many people in Scotland I am conscious of the importance of Gaelic in our heritage and culture. Today is an historic day for the Scottish Parliament, because this is a bill that many of us would not have expected to see if there had not been a Scottish Parliament. Had there been a Scottish Parliament many more years ago, Gaelic might have made far greater progress and we might not have reached the current position, in which the language is under real threat.

Gaelic is a minority language—only about 1.8 per cent of the population speak it—but it is not confined to the Highlands and Islands. Forty-eight per cent of Gaelic speakers are in the Highlands and Islands, but 52 per cent are in other parts of Scotland. We should not regard Gaelic as an issue that is confined to the north of a Mason-Dixon line.
above Inverness; it affects many parts of Scotland. In places such as Kilmarnock and Glasgow, as well as in other parts of Scotland, there is a growth in the demand for Gaelic education among every age of the population, which is to be welcomed.

I welcome the minister giving the Education Committee’s recommendations a fair wind, with respect to the status issue as well as co-operation on reserved matters, of which I will say more later.

I will make two points on key aspects of status. First, as the minister said in evidence to the Education Committee, Gaelic already is, de facto, an official language in the sense that many official publications are now issued by public agencies and Government in the Gaelic language and they have exactly the same status as any document issued in English. However, we would like the official status of Gaelic to be built in to the bill.

Mr Stone: It is all very well for Mr Neil to say that Gaelic is an official language. Latin was the official language of the Roman Catholic Church until well into our lifetimes, but that did not alter the fact that that language was dead. Given what the member just said about percentages and who speaks Gaelic north or south of Inverness, does he not at least concede that the existence, survival and prosperity of Gaelic-speaking communities are part and parcel of—in fact, vital to—the real survival of a real language?

Alex Neil: Absolutely. That brings me to my next point, which is that even building recognition of Gaelic as an official language into the bill is not nearly enough. We need to go further. I think that Bòrd na Gàidhlig’s evidence provided the solution with reference to giving the language equal validity of status. I think that there is consensus on that in the Gaelic community and in wider Scotland. We want to give the Gaelic language equal status with English and make it a live language. However, we do not want to force every agency to publish in Gaelic every document that they publish in English. Nobody is arguing for that. We think that a solution around equal validity is the right way to proceed.

Jamie Stone made the important point that although the bill is very important for the regeneration of not just the Gaelic language, but the Gaelic communities, of itself the bill will not achieve that; it must be part and parcel of a much broader strategy for the regeneration of the language. For example, broadcasting is not mentioned in the bill, because broadcasting is essentially a reserved matter—although Gaelic broadcasting is devolved. However, unless we have more investment in Gaelic broadcasting and more Gaelic broadcasting to spread the use of and to regenerate the language, we will not achieve our objectives. Therefore, an area for future action by the minister, which is not included in the bill, is to pursue Whitehall and Westminster for a dedicated channel for Gaelic. With today’s digital technology, that should be neither too costly nor too burdensome a responsibility.

Mr Ted Brocklebank (Mid Scotland and Fife) (Con): I thank Mr Neil for taking an intervention. Does he agree that, while a dedicated Gaelic channel is certainly something to which we might aspire, it should not act against Gaelic being transmitted on other channels as well? Does he agree that the last thing that we want is for Gaelic to be ghettoised on a single channel?

Alex Neil: Absolutely. It is always a pleasure to agree with Mr Brocklebank. To be fair to the BBC, its coverage of Gaelic on its main radio channels and its television channels has done enormous good for the Gaelic language in recent years. A channel such as QVC, which is a ghettoised shopping channel, does not stop people shopping in the normal channels—unfortunately. Gaelic comes into that category, in terms of spreading the use of the language and regenerating it.

With regard to reserved bodies, the approach recommended by the committee, after some discussion, is that we should primarily go for co-operation. I think that that was the advice of the Welsh Language Board as well. Only if we do not get that co-operation from bodies carrying out reserved functions should we then seek a change in the law. I am happy—pending independence—to accept that position.

Robert Brown (Glasgow) (LD): Did Alex Neil hear the Welsh Language Board’s evidence that, in all its years of existence, it had not had to bring into play ministerial powers or other enforcement mechanisms, but that it had always managed by other means, that it had always managed by other means, that it had always managed by other means, that it had always managed by other means?

Alex Neil: Absolutely, but we also have to bear it in mind that the Welsh Language Act 1993 was passed by Westminster before devolution and therefore automatically applies to reserved bodies; it has a different status because of when it was introduced.

We also heard that there are four or five categories of official body that the legislation may apply to. There are devolved agencies, to which the bill applies. There are cross-border agencies with devolved and reserved responsibilities, and the bill applies to the devolved responsibilities but not the reserved ones, as a matter of statute. There are reserved bodies with reserved and devolved functions. Finally, in a category of its own, there is the Food Standards Agency, which is a department in its own right, and the committee has recommended—well within the competence of the bill—that the Executive introduce an amendment at stage 2 to ensure that the Food Standards Agency, which is an important agency
in terms of what the bill is trying to achieve, should be covered by the bill. I see the minister nodding approval. I take that as an indication that that recommendation is accepted in full.

Unfortunately, Presiding Officer, I have run over time. There is much more, as you can imagine, that I would want to say about the bill. I finish by paying tribute to my former colleague, Mike Russell, who introduced the first Gaelic Language (Scotland) Bill to this Parliament—an example that I followed last year to try to keep the issue alive. I am delighted that the Executive has lifted the torch and is prepared to strengthen the bill. I hope that we will get unanimity and that we can take forward the Gaelic language and secure it for the heritage of future generations as well as for the memory of past generations of the Gaelic community and Gaelic speakers.

14:27

Lord James Douglas-Hamilton (Lothians) (Con): I welcome the minister’s constructive approach and his commitment to considering the question of equal validity and to having a national strategy. I also welcome the fact that Alex Neil, although he is not a member of the Education Committee, studiously attended all our meetings on the subject of Gaelic. Like him, I support the regeneration of the language and welcome this opportunity to express my support for the principles of the Gaelic Language (Scotland) Bill as presented to the Parliament.

As is now widely acknowledged, the Gaelic language and its culture have been subject to persecution in the past. We are all aware of that great Scottish Classic, “On the Other Side of Sorrow: nature and people in the Scottish Highlands”, and of the wonderful work of Sabhal Mòr Ostaig, to whose development I once had the honour to contribute £1 million as a minister. The bill promises to go some way towards reversing that past trend and restoring the status of the language. The Gaelic Language (Scotland) Bill will rightly build on the provisions of the Education (Scotland) Bill 1980, which stipulates that education authorities have a duty to secure “adequate and efficient provision of school education”, including the teaching of Gaelic in Gaelic-speaking areas. It is important that we make clear our attitude of good will towards Gaelic-speaking communities throughout Scotland.

The bill provides for the creation of Bòrd na Gàidhlig as a statutory body with the task of preparing a national language plan. A co-ordinated and strategic policy will send out clear signals that the Gaelic language and its culture are to be afforded equal standing, both in principle and in practice. An authoritative Gaelic language dictionary will, I believe, consolidate that aim. I hope that in the minister’s wind-up speech he sees fit to give a positive assurance on that point.

If the Gaelic language is to flourish, Gaelic-medium education must be developed where there is demand for it. The Executive will have to meet several challenges if it is to achieve its aims in that regard. There are currently insufficient numbers of Gaelic-medium teachers. Young people are sometimes deterred from working in Gaelic-medium education due to a lack of Gaelic teaching materials, the lack of choice of school and the lack of long-term job security and career development opportunities.

The use of high technology could very usefully be further investigated and enhanced in Gaelic-medium education. Not only could distance-learning packages be developed to enable older learners to have access to language resources, but an online learning network could enable Gaelic-medium teachers to pool teaching materials. Technology, including videoconferencing, should be made available to provide and expand opportunities and to enlarge the possibilities for those whose aspirations relate to Gaelic provision.

I will highlight one caveat with regard to Bòrd na Gàidhlig’s role of preparing language plans for public bodies. The estimated cost to a local authority of developing a Gaelic language plan is in the region of £10,000. Perhaps the bòrd might consider allowing scope for collaboration between several public bodies in developing Gaelic provision. However, there remains the potential problem that United Kingdom bodies are under the jurisdiction of the UK Parliament. It is essential that the bòrd obtains and retains the good will of those organisations so that appropriate Gaelic provision can be made. If problems arise, the Education Committee, together with the Executive, will be in a position to consider and recommend the best ways forward.

I believe that, as support for Gaelic will be a continuing process, a strong case could be made for an in-depth review of aspirations once the bòrd has been established. Given that such aspirations may differ from area to area, such information could be useful in focusing attention on where provision is most needed. The notion of geographical relevance should not be overlooked.

We are presented with a golden opportunity to develop the linguistic and cultural diversity of Scotland, to which we all owe so much. Research has indicated that there are many advantages to having two well developed languages—there are many more, but I refer to the two, well developed indigenous languages. Those advantages include increased sensitivity to communication and more
rapid cognitive development. However, the Education Committee has highlighted that significant policy and resource issues remain, in particular as regards Gaelic education and the cost of implementing Gaelic language plans. We urge the ministers to review and address those issues to ensure that the aspirations of the Gaels and the Gaelic communities are met throughout Scotland.

I thank the minister very much for his constructive and friendly speech this afternoon.

14:33

Robert Brown (Glasgow) (LD): I begin by congratulating the Presiding Officer on his burgeoning Gaelic skills. He must anticipate that a Gaelic plan will apply to the Presiding Officer personally in future.

I had the opportunity to speak at the national Mòd and, as the convener of the Education Committee, at the Gaelic college in Skye. I equipped myself with one or two Gaelic sentences, which I read carefully from a phonetic text. I was congratulated on the great pronunciation that came from my Geordie intonations.

I believe that the Gaelic Language (Scotland) Bill, which we are considering today at stage one, will be seen in future years as a seminal point in the chequered history of Gaelic: the point at which the decline of the language stopped and its revival gathered pace.

As the Minister for Education and Young People said, Gaelic was once the language of most of Scotland but by the 16th century it had become concentrated in the west and north-west and for a long time was seen as the language of the wild and lawless highlanders. In more recent years, Gaelic was challenged more insidiously by educational discouragement in schools.

There is no doubt that things have changed. Eighty per cent of Scots are sympathetic to the encouragement of Gaelic and there are a number of centres of excellence, such as the Gaelic college—Sabhal Mòr Ostaig—in Skye, the recently announced all-through Gaelic school in Glasgow and the national resource centre.

The drive towards all that has been led by very committed Gaelic campaigners—some of whom were my contemporaries, friends and flatmates at the University of Aberdeen—and by a new generation of entrants to Gaelic-medium teaching, whom I met during the committee’s visit to Portree and at the Gaelic schools in Glasgow and elsewhere. So far there are too few such people, but they are very committed and able and they are the future.

The Education Committee produced a thorough and sympathetic report on the bill. We tried to capture a number of important themes, which are required to underpin the language-planning approach to the bill. It is important that the committee was unanimous in its recommendations and I thank the many organisations and individuals in the Gaelic world who, in the course of our consideration, gave us their views and added to our understanding of the issues.

Perhaps the most important issue is the milieu—cultural, social and family—in which the language operates. If Gaelic is the language of the home and the playground and Gaelic-speaking communities have confidence in their economic future and their ability to offer satisfying employment, social and cultural opportunities so that Gaelic is normalised, in particular across the homeland Gaelic areas, the language is likely to have a much more satisfactory future. Gaelic is best learned from the family and older generations.

As members have said, the availability of Gaelic-medium education is central to that normalisation. However, the committee heard that if Gaelic-medium education is restricted to primary level, skills will be lost later. Gaelic-medium education that does not support Gaelic-speaking and non-Gaelic-speaking parents, for example through parental Gaelic-learning facilities and pre-school facilities, will be deficient. Gaelic-medium education that does not offer career security and promotional opportunities for teachers will not attract enough new blood.

The Education Committee of course recommends that Parliament agree to the general principles of the bill. However, we also made a number of recommendations, which I hope will guide ministers at stage 2. Indeed, I am very pleased by the response that Peter Peacock has given on a number of the important issues that we raised.

The first issue on which I will dwell a little is perhaps symbolic but nevertheless important: the status of the Gaelic language. The committee agreed that Gaelic is already an official language of Scotland—the Welsh did the same thing in relation to the Welsh language. However, we thought that English and Gaelic should be treated as equally valid when and where they are used, because that is right and because a clear statement in the bill would give status and prestige to the language. Given the official discouragement of Gaelic in earlier days, that is an important consideration. Allied to that is our recommendation that Bòrd na Gàidhlig should report to ministers on progress in respect of the UK’s commitments under the European Charter for Regional or Minority Languages. I am glad to say in passing
that the Scottish Parliament’s Gaelic arrangements were approved in the most recent report of the committee of experts on regional or minority languages in Europe.

Secondly, a number of people pressed on us the importance of giving legal rights in relation to the use of Gaelic, and Gaelic-medium education in particular, which could be vindicated by individuals in court. The committee, following the views of the bòrd and the Welsh Language Board in particular, concluded that the preferable way forward would be through the language-planning process that will be driven by the bòrd. Other considerations apart, the level of Gaelic teacher resources is such that legal rights of that kind could not effectively be delivered at this stage.

Thirdly, a central issue is the supply of teachers and resources for Gaelic education, which must be the job of ministers, because only they can supply the ministerial leadership of the various agencies that will tackle problems of recruitment and retention of Gaelic-medium teachers. I welcome the minister’s announcement that an action group has been established.

Fourthly, we have touched on the position of UK bodies and I will not add to what has been said. The minister’s comments were gratifying in that regard and were exactly of a kind that the committee hoped to hear.

Fifthly, we must consider the bill’s objective, which is not just to preserve Gaelic as though the language were an endangered species such as the African elephant—although the preservation of the language is important. The objective is to support the development of Gaelic, so that the language can prosper and grow as an official language of Scotland.

The committee’s report makes a number of observations about the composition and status of the bòrd and about the use of Gaelic in the courts, on which I will not dwell.

Gaelic should be treated in a generous and sympathetic manner. The language is an important strand in Scotland’s diverse cultural and community life and it should have—I am sure that it will have—a considerable future. The bill is the building block to enable that to happen. I am glad to be present at this seminal debate in the Scottish Parliament to support the Gaelic Language (Scotland) Bill at stage 1.

The Presiding Officer: We move to the open debate. I intend to allocate about five minutes to speakers whose speeches are in English and a bit more to those whose speeches are in Gaelic.

Dr Elaine Murray (Dumfries) (Lab): Tapadh leibh, Presiding Officer.

I am sorry that I am not able to make more of my contribution to the debate in what was at one time the language of the majority of people in Scotland. Gaelic was brought to Scotland more than 1,500 years ago. It gradually displaced the other languages until, around the 12th or 13th centuries, it was spoken by the majority of people across Scotland. Unfortunately, as we have heard, the language then began to decline. It was supplanted from the south by Scots and English and suffered as a result of official persecution.

Places in many parts of Scotland, including Dumfries, still have Gaelic names. Indeed, I understand that the name Dumfries derives from the Gaelic for the castle in the wood, although my daughter once misread the name as the fort of the corpse, which puts a rather different perspective on the town. Gaelic plays an important part in Scotland’s linguistic and cultural heritage. I believe that it is relevant to all Scotland and not only to the areas in which it is still spoken.

I warmly welcome the general approach that the Executive has taken in the bill. The preservation and future growth of the Gaelic language and culture are the responsibility of all public agencies in Scotland. I am delighted to hear today that Whitehall has agreed to co-operate with Bòrd na Gàidhlig in the spirit of the legislation.

Of course, a number of areas need further discussion. Reference has been made to the status of the language. I was interested to read the minister’s response of 17 December 2004 to my written question in which he said:

“There is no legislation that recognises English as an official language of Scotland.”—[Official Report, Written Answers, 17 December 2004; S2W-12769.]

Obviously, not being an official language in law has not held English back, which probably reinforces the point that was made earlier that Gaelic needs more than just legislation to give it further life.

In my contribution, I want to concentrate on the fact that I represent a part of Scotland in which two thirds of one percent of the population has a knowledge of Gaelic. Many of us who do not speak Gaelic have an affection for—and, indeed, an historic link with—the language. The part of my own varied and mongrel heritage that gave me my surname originates from Elgin and Perthshire. I presume that those Murrays were Gaelic speakers.

As a result of the Highland clearances, many Gaelic speakers ended up in the central belt and the south of Scotland. Although many of their
descendents lost the language, many feel, like me, that the Gaelic language and culture is part of their culture and heritage today.

There is some anxiety in Dumfries and Galloway about what a Gaelic plan might be about. People wonder whether it will be relevant to most of the people in the region and whether resources will be diverted from Scots, for example. I believe that the Gaelic plan for Dumfries and Galloway will not be the same as the Gaelic plan for the Western Isles. We will not see Gaelic signposts on all the roads in Dumfries and Galloway—that would be a bit like seeing English-language signposts all over the south of Spain.

A Gaelic plan for Dumfries and Galloway could include Gaelic classes for people like me who would like to learn the language but find it difficult to get classes. When the council is purchasing new material for its libraries, it could think about purchasing some resources in Gaelic. The council’s education service could consider how to respond positively to parents who desire Gaelic-medium education for their children—such provision might not necessarily be made in the region. In the council’s recruitment of language teachers, consideration could be given to the recruitment of teachers who can offer Gaelic as a second language at either primary or secondary level.

The everyday language of the majority of my constituents is Scots and an interesting parallel can be drawn between Gaelic and Scots. Nowadays, people speak Scots with confidence and pride. Scots is no longer considered a degraded form of English but a language in its own right. Young Scots feel that it is cool to speak in Scots and I understand that the same thing is happening with Gaelic. That said, the state that the language is in means that we need to accelerate the pace at which that happens.

Evidence from my area showed that Burns did not speak Gaelic. That may be so, but I believe that the spirit behind the bill is very much the same spirit that inspired Burns and his violinist partner to go round the Highlands of Scotland seeking out bits of music and poetry. Burns knew that changes in Scottish society meant that much of Scotland’s traditional musical culture was at risk of being lost. He made a positive determination to collect it and relaunch it with new words and so on. The bill will do the same sort of thing. Were he alive today, Burns would approve of it, even if he was not a Gaelic speaker.

With the bill, we are trying to preserve and encourage part of our cultural heritage that would otherwise, without action, be lost. More than that, we are attempting to breathe new life and vigour into what is Scotland’s ancient national language.

Mr Adam Ingram (South of Scotland) (SNP):
As a member of the Education Committee, I am grateful for the opportunity to contribute to today’s debate. The bill is one of those pieces of legislation in relation to which all of us who participated in the evidence sessions felt the hand of history on our shoulders and a sense that time was running out in which to turn round a process that has the Gaelic language teetering on the edge of extinction.

History tells us, as other speakers have pointed out, that the origins of Scotland as a nation were Celtic in nature and culture. Gaelic was the language of court and country. The evidence of that time is still with us today in the names of places, mountains and rivers wherever we go in Scotland, as Elaine Murray pointed out. However, we know that Gaelic gradually drew back from lowland Scotland during the middle ages, creating the distinction between Highlands and lowlands, and from then till now has faced varying degrees of hostility from the powers that be. In the 18th and 19th centuries, from a lowland perspective, Gaelic was reckoned to be one of the roots of what were regarded as Highland superstition and barbarity, from which political disloyalty was generated, and it had to be crushed.

Of course, in more modern times, other economic and social forces have come into play, driving down the number of Gaelic speakers to devastating effect, with fewer than 2 per cent of Scots having some knowledge of the language. The total dominance of English in popular culture is clearly threatening to overwhelm Gaelic. On the Education Committee’s visit to Skye last year, I was struck by the scale of the task in hand when we were informed by the youngsters in the Gaelic-medium schools that we visited that English, not Gaelic, was the language of the playground.

The question is whether the bill will help to give the Gaelic language a fighting chance to turn round its fortunes. From the evidence provided to the committee, three main issues emerged: first, equal status for the language; secondly, rights to Gaelic-medium education; and thirdly, the treatment of Gaelic by UK public bodies. The bill clearly does not directly address the status of the Gaelic language in Scotland. However, I hope that the minister is still considering—he indicated today that he is—strengthening the wording in the bill to boost the aspiration that Gaelic speakers will be able to use Gaelic in just the same way and for just the same range of activities as one uses English, and certainly in accessing public services. I recognise that equality of treatment depends on the level of demand for services and the supply of staff with the requisite language skills, and that, even in Gaelic heartland areas, such service
provision will be difficult to deliver. Nevertheless, I am sure that the minister recognises the symbolic importance of equality of status, not least in sending a signal that the cause of Gaelic will not be hobbled by hiding behind practical difficulties and that Gaelic can count on generous support from this Parliament and Executive from now on.

The spread of Gaelic-medium education is clearly the key to the survival of the language. Others have spoken about the demand for a right to Gaelic-medium education, subject, perhaps, to reasonable demand. Such a right would act as a spur to public bodies, and parents would be empowered, but again we run into practical problems of teacher shortage. We need to create an infrastructure to deliver such a right. I welcome the minister’s announcement about the task force.

The language-planning approach of the bill allows for a strategic and co-ordinated approach while ensuring that decisions with regard to Gaelic-medium education are no longer solely subject to local conditions. The bill’s provisions in that respect are a significant step forward. I trust that the confidence of the minister and Bòrd na Gàidhlig in that approach will bear fruit.

Finally, I hear what the minister said about seeking the co-operation of UK public bodies that carry out reserved functions in Scotland. I hope that any agreements will have the effect of changing the practices of organisations such as the Royal Mail and the Driver and Vehicle Licensing Agency, which have in the past rejected the use of Gaelic because they were not legally obliged to use it. As Alex Neil said, that situation contrasts markedly with the situation in relation to Welsh.

I welcome the bill; it is not perfect, but it is a good start and I look forward to the next stages of its progress through Parliament.

14:50

Mr Ted Brocklebank (Mid Scotland and Fife) (Con): Scottish folk fans will recognise this Gaelic fragment from an old Scots song called “Jeanie’s Black Ee”:

“Bha mi nam chadal, ach dhùisg thu mi.”

I was asleep, but you wakened me. From the first time that I heard it, I understood vaguely that it had been a Gaelic song, but that all that was left of it was a fragment of Gaelic at the end of each verse. I suppose that it is a kind of metaphor for the Gaelic language in Scotland.

“Bha mi nam chadal, ach dhùisg thu mi.”

I was asleep, but you wakened me. The phrase took on an altogether different meaning when I first met and filmed the supreme Gaelic poet Sorley Maclean some 30 years ago at his home in Braes on Skye. As a young television reporter, I listened with astonishment as he spelled out how arguably the greatest poet in Europe at the time had had his knuckles rapped by teachers at school because he was talking in his native language. Worse, if any of Sorley’s schoolmates wanted to go to the toilet, they had to ask in the master language, rather than in their native Gaelic, so the poor souls were often reduced to the humiliation of wetting their pants. That happened fewer than 100 years ago in Scotland.

As we have heard, fewer than 60,000 people still speak Gaelic in Scotland. My personal waking all those years ago resulted in one tangible outcome, as well as a lifelong interest in the Gaelic language and culture. At the time, I ran the current affairs department of the ITV company that covered the bulk of the Gaidhealtachd. I decided to launch what was, I think, the first weekly Gaelic TV news programme in Scotland, which was called “Seachd Làithean”—or seven days—and which went on to become a nightly Gaelic TV news programme.

Honourable mention must also be made of the £8 million investment in Gaelic broadcasting that was introduced by a Conservative Scottish Office under Malcolm Rifkind, in the knowledge that there were damn few votes for Tories in the Gaidhealtachd. Others did far more. A young merchant banker from Edinburgh called Iain Noble, who had visited the Faroes and Iceland and witnessed how other beleaguered languages had survived, taught himself Gaelic and initiated a series of linguistic, social and economic measures on the Sleat peninsula on Skye. To me, that has been by far and away the most successful initiative in countering the decline of the language and culture. Sir Iain Noble has argued consistently that when a community has pride in its language and culture, confidence and economic renewal follow. That happened in the Faroes and it is happening in Iceland. Sir Iain’s achievements in Sleat and in funding the Gaelic college, Sabhal Mòr Ostaig, surely prove the point, especially when elsewhere we see the inexorable retreat of the language back to the redoubts of Lewis, Harris and the Uists.

I welcome the broad thrust of the Gaelic Language (Scotland) Bill and the opportunity that it presents to develop a comprehensive national strategy for the delivery of Gaelic education. However, I have problems with the attempts to spread scarce resources in developing Gaelic throughout Scotland. Orkney and Shetland have absolutely no interest in Gaelic, nor do large parts of Aberdeenshire, Fife and the Lothians. Why attract the odium of those areas by attempting to impose on them a culture that has not involved them for centuries, if ever, especially given that resources could be targeted more usefully at
Stewart Stevenson (Banff and Buchan) (SNP): Does the member accept that places such as New Pitsligo and Cyaak have Gaelic names and that Oldwhat is in fact a corruption of alt fad, which is Gaelic? Does the member accept that Aberdeenshire is as interested in Gaelic as anywhere else is?

Mr Brocklebank: I accept those points; indeed, I probably interviewed the last Gaelic speaker in Aberdeenshire, about 40 years ago. I am well aware of Gaelic in Aberdeenshire, but the fact is that Gaelic is in such a parlous state that it needs intensive care and a massive transfusion of resources to the heartlands.

If Gaelic is to survive it will not be by preserving it in aspic, as it were, or as a result of being taught as some sort of academic phenomenon, with its survival dependent on the whim of council education chiefs somewhere in the central belt. I totally respect the position of the Executive, through Bòrd na Gàidhlig, to facilitate rather than to coerce people to learn Gaelic. That is absolutely right for 90 per cent of Scotland. Apart from anything else, as we have heard we simply do not have the teachers. However, since we are at stage 1 of the bill, what I am suggesting is perhaps a more radical approach. I am suggesting that it is feasible, specifically in Skye, Lewis, Harris and the Ulists, to teach Gaelic as the first language. If Gaelic is to revive, its decline must first be stopped. If and when the language is saved in the heartlands, we could cautiously spread it out from a position of stability and confidence to council areas that are sympathetic. That seems to me a more realistic way of using scarce resources and securing the long-term future of the language and the culture than the well-meaning but arguably overly-broad brush-stroke approach represented by the bill.

Mr Alasdair Morrison (Western Isles) (Lab): Tapadh leibh, Olifgeir-ni-raghlaidh. Tha sinn air iomadach ceum a ghabhail as leith na Gàidhlig bho chaidh a’ Phàrlamaid seo a stèidheadachadh o chionn còrr agus còig bliadhna gu leith air ais. Bhon chiaid latha a dh’fhosgail a dorsan mile shuas an rathaid, tha a’ Ghàidhlig air inbhe fháighinn agus tha àite aice, agus bha fù ’s àite aice cuideachd aig cuirm-foglaidh an togalach fhéin—cuirm a bha miobhailreach. Bha e ceart tuiginn gu bheil an rathaid air inbhe a’ Ghàidhlig ann an teis-meanadh an latha eachdraidheil sin.

Tha cead againn déanamh mar a thà mi fhìn a’ déanamh an-dràsta le bhith a’ cleachdadh na Gàidhlig ann an deasbadan. Faodar cuideachd a cleachdadh ann an teis-meanadh na Pàrlamaid. Agus ma tha duine a-muigh ag iarraidh athchuinge a chur dhan Phàrlamaid, faodar a cleachdadh an sin cuideachd.

Riu纳斯 a bhios ag rádh nach eil a’ Phàrlamaid no am pàrtaidh dom buin mi taiceil, chanainn nam beireadh iad sùil air na chaidh a dhèanamh agus a chosnadh air an 30 bliadhna a dh’fhalb, cha seasadh a’ chasaid sin ro fhada.

Tha mi a’ lán-chreidsinn gu bheil cuimhne mhath aig a’ mhinistear dè bha e a’ déanamh o chionn ma dh’fhaoidte còrr is 20 bliadhna. Bha esan am measg aireamh de chomhairlichean Albannach a bha a’ toirt taic do dh’iomairtean sgoltean Gàidhlig a chur air chois. Thachair sin anns an roin eile—Roinne na Gaidhealtachd—agus tha 60 bun-sgoil Ghàidhlig againn anns an dùthaich an-diugh. Sin agaibh toradh na spàirne mòire a chaidh a dhèanamh le pàrantan agus le luchd-stri.

An-diugh, tha sinn a’ toirt nan oidhirpean sin gu ire eile. Tha sinn a’ toiseachadh air astar air taobh a-staigh na Pàrlamaid a chriochnaicheas le a'chadh Gàidhlig—a’ chiaid tè de seòrsa a-riamh, mar a thuirt am ministear.

Ach às aonais na thachair anns na bliadhnaichean nuair nach robh e fasanta a bhith
We have taken many a step on behalf of Gaelic since the Parliament was established five and a half years ago. From the first day the Parliament opened its doors a mile up the road, Gaelic has been given status and a place. There was also a place for it at the wonderful opening ceremony here. It is right that Gaelic was in the very middle of that historic day.

We have an opportunity to do as I am doing now, which is to use Gaelic in debate and in Parliament's committees. If anyone out there wants to send a petition in Gaelic, they can do so. I tell those who say that the Labour party is not supportive of Gaelic to have a look at what has been done and what has been earned over the past 30 years. Their argument would not last long. I fully believe that the minister well remembers what he was doing 20 years ago. Perhaps he was among a number of Scottish councillors who were striving to put Gaelic on its feet. That has happened in the Highland region, and now we have more than 60 schools in the region as a result of a huge campaign by parents and their supporters. Today, the Parliament is bringing those efforts to another level: a Gaelic act. Without what happened in the years when it was not fashionable to support Gaelic and without the support that the language will get in years to come, there would be no reason to put the bill through the Parliament. On its own, a bill—or an act—means nothing.

Many things have changed since the first draft of the bill was published in Oban at the national Mòd. I am pleased that the minister has listened to the submissions that have been made, especially those regarding education.

The Education Committee has put together a useful report, for which it has to be praised. We support paragraphs 39 and 40 in the report, which state that there should be a strategy for education from pre-school through primary and secondary education and on to university. That is the next step and we are a good bit down the road with it, following the example of Glasgow City Council. Next year, 20 years will have passed since the first Gaelic school was opened in Glasgow. Glasgow City Council will have a school that caters for children from pre-school age right through to 18 years of age. That is a wonderful service—a great service achieved. Great thanks go to the convener of the council, Charles Gordon, and the chair of its education committee, Steve Purcell, for bringing that service to fruition. The school is the first of its kind and there is a need for many more.

Pauline McNeill (Glasgow Kelvin) (Lab): I welcome the prospect of an extension of Gaelic education. The school is in my constituency and I put on record the fact that I welcome the opportunity to expand Gaelic-medium education to secondary education and perhaps provide a real focus in the west of Scotland for the promotion of Gaelic culture.

Mr Morrison: Tha mi taingeil airson dà a’ bheilbhar gan tainig Pauline McNeill air a casan: thug e cothrom dhomh uisge fuar òl agus thà mi a’ cur ris a’ bheachd a nochd i. Tha fios agam gun robh i mar bhall ionadail an lùb nan cóimheachd sin, a’ tòirt taic do Steve Purcell, do Theàrlach Gòrdan agus dhan ministear, Peadar Peacock.

An dèidh dhomh a bhithe a’ maladh Comhairle Baile Ghaschu, cha bu toil leam leam sgaradh sam bith a dhéanamh eadar Comhairle Baile Ghaschu agus Comhairle Baile Dhùn Èideann, ach an latha a nì Dùn Èideann an deicheamh pàirt de na tha Glaschu air a dhéanamh, seasaidh mise air Sràid a’ Phríonnsa ga ghairem. Tha mi ag ràdh an-diugh, nuair a nì iad e, nì mi sin gun teagamh.

Tha mi air leth toilichte gu bheil sinn an seo an diugh, ach tuigidh mi cuideachd gum feuch sinn
I am happy to welcome the Gaelic Language (Scotland) Bill and speak in support of it on behalf of the Green party. It is something of a landmark in Scottish politics that we have a Gaelic bill, which has been long awaited. Although the first draft was widely welcomed when it was published, there was a general view that it needed strengthened and expanded. The word that a Gaelic friend used to describe it at that stage was “lapach”, which means “feeble”. The bill has been strengthened considerably since then and I express appreciation to the Gaelic activists who put so much work into responding to the consultation and to the Executive for taking much of what was suggested on board. I also note the comments of Gaelic organisations at last week’s meeting of the cross-party group on Gaelic, which had high praise for the Education Committee and the way in which it has gone about taking evidence and preparing its stage 1 report.

Of course, there are still omissions that are of concern to Gaelic organisations. There is the vexed question of equal status, which others have talked about. Although the long title of the bill talks about “securing the status of the Gaelic language as an official language of Scotland,” that falls short of ensuring that Gaelic has equal status with English, which many activists would like it to have. In practice, that might not make a lot of difference, but it would be something iconic that would mean a huge amount to the Gaelic world. I therefore welcome the minister’s commitment to consider how the question of equal validity can be incorporated in the bill.

I also strongly support the report’s recommendation that the Scottish Executive place a duty on the Bòrd na Gàidhlig to report progress on the Executive’s commitments under the European Charter for Regional or Minority languages.

Last summer, I went to Wales for the first time and stayed with a family for a night. We have talked a bit about the fact that, at Gaelic-medium schools, English can still be the language of the playground. In that regard, it was quite a revelation to stay in a household of people whose first language was Welsh, although they were bilingual. We had quite a convivial night and, as the evening went on and a few drinks were taken, English was what was lost and I found myself having to supply my hosts with words. At one point, they asked, “What’s the word for one of those highwaymen on the sea?” They were talking about a pirate, of course. It was interesting to see people in the United Kingdom whose first language is a vibrant, Celtic language.

The history of languages in other parts of the Celtic world is similar to the history of Gaelic. When Breton was being suppressed in Brittany, if...
a child was caught speaking Breton in school, they were handed a wooden cow that they could not get rid of unless they clapped on another child who had spoken in Breton as well. Whoever ended up with the cow at the end of the day was punished.

Education was the big omission from the draft bill, so I welcome its inclusion now. The importance of Gaelic-medium education and the chance to learn Gaelic as a second language cannot be overestimated. I will be interested to see how the Executive intends to tackle the shortage of teachers and suitable teaching materials that was identified in the report. It is also important to teach parents who want to learn Gaelic in order to raise their children as Gaelic speakers. Gaelic has to become a home language as well as a school language, as others have said.

The importance of broadcasting to the language cannot be overestimated. As broadcasting is a reserved matter, the Executive’s powers are limited in relation to it, but I will be interested to hear about the ways in which the ministers will engage with Westminster to support and promote the language.

The report highlights the issue of public bodies whose functions are reserved but which exercise their functions in Scotland. I was pleased to learn that the Executive intends to ensure that such bodies are signed up to the idea that Gaelic is, as the bill’s long title suggests, “an official language of Scotland”.

I look forward to hearing how that plays out as time goes on.

I welcome the stage 1 report and the provisions of the bill. Gaelic is a beautiful language with a rich culture, both vernacular and literary. The responsibility for ensuring that it thrives is entirely in the hands of the Government and people of Scotland. Nobody else can do it. As Robert Brown said, we should be ambitious for Gaelic. We should be talking about far more than simply ensuring its survival. I believe that the bill will help to sustain and promote Gaelic and it therefore has my party’s support.

The Deputy Presiding Officer (Murray Tosh): I call Wendy Nic Alasdair, to be followed by Tricia Marabhaig.

15:08

Ms Wendy Alexander (Paisley North) (Lab): The minister opened the debate by recalling the shameful legislative treatment of Gaelic through history. I, too, want to focus on history, but I want to dwell on what history tells us about visionary legislation and its ability to change the course of events. We have already heard that there are only 66,000 souls in Scotland who speak, read or write Gaelic. That fragility is symbolised by the 20 per cent fall in the number of speakers in as many years. The future seems parlous and the question is whether the bill marks a turning point.

I want to recall the history of visionary legislation, particularly that which relates to the Highlands. More than 100 years ago, land reform legislation was passed that went far beyond the recommendations of the Napier commission and which, quite simply, changed the course of Highland history.

Within living memory, in 1942—in the bleak days of the second world war—Tom Johnston introduced to Westminster a bill to create the North of Scotland Hydroelectric Board. The official view was that the hydro board’s priority should be to channel cheap electricity to industry, but Johnston disagreed. He had a strategic sixth sense about what really mattered, so he inserted into the bill a clause that allowed him to pursue his vision. He went on to deliver not cheap electricity to industry but subsidised connection to the most remote homes in Scotland. Arguably, without that rural electrification programme what were difficult decades in the Highlands would have been disastrous and depopulation might have become unstoppable.

In a moment, I want to come to the section of the Gaelic Language (Scotland) Bill that has the seeds of a strategic sixth sense about the future of Gaelic, but first I mention one more lesson from history on the power that legislation has when it is backed up by a strategic sixth sense about the big issue. Some 40 years ago, Willie Ross—another Labour Secretary of State for Scotland—looked at the economy of the Highlands and Islands and set up the Highlands and Islands Development Board. His strategic sixth sense about reviving the Highlands and Islands led him to give the new board not just an economic remit but a social remit. That pattern has not been replicated anywhere else in Britain, yet that flexibility allowed HIDB, which was later incarnated as Highlands and Islands Enterprise, to develop a strategy that led to the Highlands and Islands today being a place of immigration rather than emigration. There has been investment in Highland culture, the creation of a Highland university, and support for modern telecoms, and the progress is another success story about enabling legislation that is backed by a strategic sixth sense about priorities.

Today, nobody should doubt the potential of what we do. Bòrd na Gàidhlig is achieving legislative status and assuming responsibility for the revival of the Gaelic language. I pay tribute to Alasdair Morrison’s leadership, along with that of other previous ministers, in establishing the bòrd, and I pay tribute to Peter Peacock for giving it the legislative basis to make a difference. Success will...
now depend on the bòrd developing the right strategic sixth sense about what really matters and what will revive Gaelic.

After hearing all the evidence, the Education Committee came to a unanimous view, which has already been outlined by Alasdair Morrison, that education is the key. I am therefore delighted that the minister has given the signal that education is the key to the future by introducing section 9 of the bill, which provides Bòrd na Gàidhlig with the power to issue guidance on the provision of Gaelic education. Time constraints preclude me from going into all aspects of the educational challenge, but the survival of the language depends on our tackling the fact that today fewer than 300 secondary pupils are taught in Gaelic. Like others, I greatly welcome both the commitment to the establishment of a secondary school in Glasgow and the minister’s announcement that there will be a new committee to examine the supply of Gaelic teachers and that the Executive will take a lead role in ensuring a sufficient supply of teachers.

The bill is a start, but Bòrd na Gàidhlig will be remembered as one of the success stories, along with the hydro board and the HIDB, if it has the courage to follow its strategic sixth sense that education is the key to the future of Gaelic.

The Deputy Presiding Officer: I call Tricia Marwick, to be followed by Rosemary Ní Bhroin.

15:14

Tricia Marwick (Mid Scotland and Fife) (SNP): The minister started by making the point that this is the first time that a bill on Gaelic has been put forward by the Government, but of course it is not the first time that a bill on Gaelic has been considered by the UK Parliament or the Scottish Parliament. Way back in 1981, Donald Stewart, the MP for the Western Isles, introduced a bill on Gaelic to the House of Commons, where it was the MP for the Western Isles, introduced a bill on Parliament. Way back in 1981, Donald Stewart, considered by the UK Parliament or the Scottish Parliament. It was regrettable that the bill was not the first time that a bill on Gaelic has been put forward by the Government, but of course it is not the first time that a bill on Gaelic has been considered by the UK Parliament or the Scottish Parliament. Way back in 1981, Donald Stewart, the MP for the Western Isles, introduced a bill on Gaelic to the House of Commons, where it was strongly supported by folk such as Dennis Canavan.

My colleague Mike Russell introduced his bill to the Scottish Parliament in 2003 with the support of John Farquhar Munro and others. The debate gives me the opportunity to pay tribute to my friend Mike Russell, whose bill ensured that the case for retaining and encouraging Gaelic was firmly on the Parliament’s agenda. It was regrettable that the Executive could not fully support that bill, but we are where we are and I welcome the Executive’s bill. As Alex Neil and others have said, stage 2 amendments are needed to make the bill better. I look forward to the Executive’s support for those amendments.

I will take the minister back to spring last year, when the Council of Europe published a report that criticised the UK and the Executive for their failure to comply with their obligations to Gaelic under the European Charter for Regional or Minority Languages. The report said:

“There appears to be less emphasis on minority language policy on the part of the Scottish Executive” than there is in Wales. The minister will recall that I lodged a series of questions on the subject, to which I received a response on 27 April 2004. The minister’s attempt to explain the lack of emphasis from the Scottish Executive was:

“This statement is not surprising given the relative position of Welsh in Wales and Gaelic in Scotland. In the 2001 Census, 20.5% of the Welsh population were found to speak Welsh … The comparative figures for Gaelic in Scotland were 1.2% speaking Gaelic … Although this difference would account for the different emphasis on minority language policy in Scotland and Wales, the Scottish Executive is committed to protecting the Gaelic language in Scotland.”—[Official Report, Written Answers, 27 April 2004; S2W-7285.]

I was not the only one who was concerned about the minister’s apparent lack of understanding of the parlous state of Gaelic. Surely the fact that only 1.2 per cent of people in Scotland are Gaelic speakers, compared with the fact that 20.5 per cent of people in Wales are Welsh speakers, means that the Executive should place greater emphasis on Gaelic. To suggest that the smaller numbers are an excuse for less emphasis on Gaelic in Scotland than on Welsh in Wales does the whole campaign a disservice.

There are 6,000 languages in the world, of which the vast majority are under threat. It is reckoned that a language dies every fortnight. Gaelic is in a parlous state; it needs to be protected and encouraged. This national Parliament has a duty to ensure that Gaelic does not die and that all necessary steps are taken to ensure that Gaelic is a living, breathing, vibrant and essential part of Scotland.

The bill is a first step to halting the decline of the Gaelic language, but there is no point in passing the bill without a long-term commitment. That is why I welcome the Education Committee’s recommendation that a duty should be placed on the bòrd to report to ministers on progress against the commitments that the UK Government made with regard to Gaelic in the European Charter for Regional or Minority Languages.

I would also like an amendment to include a duty to report to the Parliament—to a committee of the Parliament, which I hope would be the Education Committee—on progress on the national plan. That would ensure that not only ministers but the Parliament could monitor progress and the encouragement that is needed for Gaelic. Unless we make those two amendments, the Parliament will have no way to monitor progress. If we do not revive and save our language and ensure that it grows, the Parliament will have failed.
Ms Rosemary Byrne (South of Scotland) (SSP): I welcome the spirit of the bill, which is to keep the language alive and recognise it as an important aspect of our culture. As a member of the Education Committee while it has considered the bill at stage 1, I have learned much. It has been interesting to engage with people outwith the Parliament and to tell them what is happening here.

I was interested in what the minister said about people being punished for using Gaelic. This morning, I spoke to a young man who is visiting the Parliament and is here to listen to the debate. I was surprised that a young man from Glasgow was interested in listening to the debate and I asked him why he was interested. He told me that his grandparents spoke the language. He also told me that, in the 1940s, in schools in Glasgow, children were belted for speaking Gaelic and that, if they were caught speaking it in the playground, they were belted again—the language was banned not just in the classroom.

We have come a long way back around, now that we are promoting Gaelic-medium education, and that is all to the good. It signifies that, across the board in Scotland, people fundamentally support the Gaelic language. In many areas where they have not had the opportunity before, people are seeking to learn Gaelic, at a nightclass or wherever, and that is one of the things that will help to build the language back up again.

The Deputy Presiding Officer: I call Rosemary Byrne, to be followed by Màiri Ní Sgannählán.

Mary Scanlon (Highlands and Islands) (Con): Thank you, Moireach. In welcoming the bill at stage 1, I note that little has been said about our links with the Irish Gaeltacht. There is much more that we can do to forge links between the Scottish Gaidhealtachd and the Irish Gaeltacht. My mother came from Donegal and my grandmother did not speak English—she spoke only Irish, or Gaelic. My mother was a native Irish speaker and her second language was English. It is to my shame that I speak only English. In my family, as in many others, the language has been lost within three generations.
I often asked my mother to give me some words in Gaelic—or Irish, as she called it—but she was reluctant to do so. She said, "You'll do better in life, lass, if you learn English and forget about the Gaelic." She would tell us that it was seen as a dirty language, and the language of tinkers and the lower classes in Donegal. It is therefore understandable that my mother was reluctant to teach me any Gaelic. However, I am very pleased that I can stand alongside my blue-blooded, aristocratic colleague, Lord James Douglas-Hamilton, the Earl of Selkirk, and that although I have descended from very working-class roots in Donegal where my mother and grandmother spoke what was known as the language of the lower classes, I can support him and the Gaelic Language (Scotland) Bill.

**Alex Neil:** Does the member support her other colleague, Ted Brocklebank, who suggested entirely the opposite to what Lord James proposed in the committee?

**Mary Scanlon:** I am not quite sure what that was about. We can talk about that later.

I hope that the bill reverses the process of decline by promoting the language through education. That would be very satisfactory to the 80 per cent of the people of Scotland who want the language to continue.

When Wendy Alexander says that education is the key to the future of Gaelic, I totally agree with her. However, it is not only about teaching in schools. In the Highlands, many people sing in Gaelic choirs, but they are certainly not fluent Gaelic speakers. It is about the culture of Gaelic and not just education, although that is a key to progress. Gaelic and its related culture are among Scotland’s greatest treasures and both have had a profound influence on our nation’s history. For example, during the past 130 years, the Inverness Gaelic Society has created a mass of historical information celebrating Gaelic scholars and poets. That information will prove to be a rewarding study aid for future generations that are interested in the culture.

Gaelic culture is not dead and the vigour with which the bill has been pursued by the Education Committee proves its vibrant renewal and development during the past two decades. I pay tribute to my party, which did much to invest in and revive Gaelic prior to the establishment of the Scottish Parliament. Lord James has mentioned his ministerial generosity to Sabhal Mòr Ostaig and others have mentioned Iain Noble.

Directing the resources appropriately makes much sense. It is always better to put resources into the areas where they will have the greatest outcomes. That does not mean that other areas should be starved of resources, but a proper economic assessment should be made.

Rosemary Byrne mentioned the national education plan. On reading Highland Council’s submission, I suddenly realised how difficult it is to be a Gaelic teacher. An English teacher can take a lesson plan off the shelf because such teaching materials are well developed. That is not the case in Gaelic teaching and many teachers have to write a full plan before they can start teaching. That does not encourage the teaching of Gaelic, even if the teachers are trained in it.

My final point is about Highland Council and what constitutes reasonable demand. Although the council has set a figure of four, I am pleased that there is some discretion under the bill for other authorities.

**The Deputy Presiding Officer:** I now call the member with the second-best Gaelic name, Coinneach Mac an Tòisich.

15:28

**Mr Kenneth Macintosh (Eastwood) (Lab):** Thank you Presiding Officer, and I am glad that you gave me my full Gaelic name. I am sure that I do not have to remind you—although I might have to warn Mr McLetchie and the First Minister—that Tosh, or Macintosh, comes from the Gaelic word “taoiseach”, which means leader or son of the leader.

It was a year ago last month that my Uncle Lachie died. Lachie Macintosh, or Mash as everyone called him, lived all his life on a croft in Elgol on Skye. He was one of the last of the old-style or traditional crofters left in the village. He was certainly the last to have a milking cow and to eke out a living without another major source of income such as fishing or another job. It is always sad to see the passing of a way of life. Few people in Elgol now use a scythe or make a haystack, although my father tells me that he is willing to give lessons if anyone is interested. If people want to feed their animals, they now buy a roll of hay that has been trussed up by a combine harvester. However, I do not have many regrets for a way of living that was impoverished and arduous. A peat fire is a lovely thing, but cutting peat by hand is back breaking and almost unendurable if there is no wind to blow away the midges.

Old-style crofting might have been impoverished, but that cannot be said of the crofters’ language, culture and traditions. When Lachie Mash died, another little bit of Gaelic died with him. He was no singer, but he knew all the songs. He was no writer, but he knew all the stories. In fact, one of the best things that he did in the last few years before he died was to record many of his ghost stories, which he told very well and convincingly. It was said of Lachie that he put the fear of God into more people than the local
minister did. They were not stories that he had read but stories that he had heard in Gaelic. The Gaelic language shaped Lachie and made his character. He was the only member of his family not to proceed past primary school, but he became the lynchpin of the local community. He was a treasure trove of Gaelic lore and history and was regularly consulted on every aspect of crofting agriculture, all of which he learned about through Gaelic. In fact, he was quite dismissive of others who spoke to him with only “book knowledge”, as he called it.

Lachie had a remarkable knowledge, which was acquired through Gaelic, of plants and their uses and, of course, of place names. He knew the Gaelic name for every hollow, pool and hummock in the area. When the Ordnance Survey published—with welcome commitment—a map of Elgol with all the place names in Gaelic, he took great pleasure in pointing holes in it and pointing out things that were wrong. I have always thought that the love of a good argument is a Gaelic trait. No amount of legislation can replace people like Lachie, but we can stop the decline of Gaelic. Through Gaelic-medium education, we can pass on the language to the next generation and put in place the measures to grow the language once more.

The level of agreement on the bill—the common ground—that witnesses, committee colleagues, all other members and, most encouragingly of all, ministers have reached and shared today and before today has been remarkable. Of course, some people would still like to see us go further and take more radical action. I for one do not believe that the bill is the last word on the subject, but opposition to it has been noticeable by its absence. The expected hostility and supposed central-belt antipathy to Gaelic have not materialised at all. Instead, there have been only a few murmurings and perhaps a little anxiety about how necessary or relevant the language and the legislation are in areas of Scotland with little tradition of Gaelic. If the history of Gaelic is littered with prejudice, the battle is now against ignorance of, or perhaps indifference to, the importance of the language.

Perhaps it is too early to talk about the next steps. Following the passing of the bill and the introduction of Gaelic language plans, I would like there to be a greater emphasis in all our schools on the importance of Gaelic and Gaelic culture. All of us in Scotland should be proud of our Gaelic heritage, and I hope that ministers will use the opportunity that is presented by the curriculum review to promote the language.

I had a number of questions or points that I wanted to put to the minister, but he answered and addressed most of them in his opening remarks. Teacher supply, for example, is essential if we are to have successful Gaelic-medium schools, and I welcome today’s announcement from the minister. A bold statement of the equality of Gaelic and English is still needed, and again I acknowledge the minister’s obvious intention in that respect.

In Canada, people talk about bordering the United States as like being in bed with an elephant. Gaelic is in a similar position. It is in danger of being squashed out of existence—not deliberately, but as a result of the sheer dominance of English-language culture. The bill will shore up the Gaelic language, but we need to go further. We need to grow the language and not only prevent its decline.

I spent a lot of time in the committee discussing the detail of the bill and I hope that colleagues will forgive me for indulging in my sentimental attachment to the language. As my Uncle Lachie might have said, tha dìleab mhòr againn anns a’ Ghàidhlig. Feumaidh sinn a cumail beò. We have a great Gaelic heritage. We must ensure that it lives on.

I commend the bill to the Parliament.

The Deputy Presiding Officer: We now come to closing speeches. Iain Fearnach Rothach—I say that with some hesitation—will close for the Liberal Democrats.

15:34

John Farquhar Munro (Ross, Skye and Inverness West) (LD): Tha e a’ toirt toilteachas dhómhse a bhith a’ cluinninn Gàidhlig a’ tighinn bhon chathair anns a’ Phàrlamaid. Tha mioltoichte taic a thòilte do phrionnsabalan coitcheann Bile na Gàidhlig (Alba). Tha am bile a’ toirt leasachadh na Gàidhlig ceum eile air adhart. An deidh a bhith a’ feilteachm deagh ghreis airson an reachdais seo, tha mi a’ cur impidh air mo chobhail a’ taic a thòilt dha. Feumar sealltainn gu mionaideach ri cuid de bhihrathan a’ bhal, agus bidh mi a’ moladh a tharrachaidhean an ceann ùine.

Gu h-eachdraidheil, chaidh cànann na Gàidhlig a mhùchadh agus a thèriginn gu bunaiteach. Gus an tig flor ath-bheothachadh air a’ chànan, tha feum air inbhe a’ chànan a stèidheachadh anns an lagh. Tha coimhearsnachdan Gàidhlig feumach air bhrosnachadh agus, mar sin, bu choir gum daingnichear anns a’ bhail ann am bhrathran cho làdir ‘s a ghabhas gum bi a’ Ghàidhlig co-ionann ris a’ Bheurla ann a bhith a’ líbhraitheadh sheirbheisean poblach.

Bu choir àith a thòilt sa bhile dha luach na Gàidhlig ann an duachla naíseanta na h-Alba. Bu choir ainneachadh an t-uallach a tha oirnn uile a bhith a’ déanamh cinniteach gun tèid a’ Ghàidhlig a
I am happy to hear Gaelic coming from the seat of the Parliament and to support the general principles of the Gaelic Language (Scotland) Bill. The bill will take Gaelic development another step forward. We have waited a long time for it and I urge fellow members to support it. We will need to look closely at some of the wording in the bill and to lodge some amendments in due course.

Historically, the Gaelic language has suffered great suppression and neglect. Until there is an effective revival of the language, its status needs to be secured in legislation. Gaelic communities need to be encouraged, so the bill should state in the strongest possible terms that Gaelic will have equal status in the delivery of public services.

The bill should recognise the value of Gaelic to Scotland's national heritage. It should also mention the responsibility and duty that we all have to ensure that Gaelic is developed, not just as a regional dialect or as a cultural matter, but as a national resource that is a unique component of Scotland's national identity. The requirements in the bill will help to raise the public profile of Gaelic in communities, but it is important that public authorities have a responsibility to implement Gaelic language plans and do not rely solely on the extent of local demand for services. If we are to advance the position of Gaelic and to keep it secure in the long-term future, public bodies must have regard to the needs of Gaelic, rather than the extent of demand for it. A weak minority language requires special support to ensure that it is healthy and viable as a living community language. If we ask only that public bodies respond to requests that are received from a minority group, we cannot make the required progress.

I welcome the provision for the development of education. Education is the life-blood of a language, and we know that Gaelic has suffered as a consequence of the denial of education in Gaelic many generations ago. Thankfully, steps have been taken to reverse that policy, but the Executive needs to extend its support for education. We need to see maximum impact in the delivery of Gaelic education at all levels, in both Gaelic-medium education and learners classes. There should be a close link between the bill and the Standards in Scotland's Schools etc Act 2000.

The powers that the bill gives to Bòrd na Gàidhlig are necessary and justifiable. It is right that there should be co-operation between the bòrd and public authorities. Bòrd members should be fluent in Gaelic, but the bòrd must also welcome support from people who do not have Gaelic but have special skills and interests.

I emphasise the importance of broadcasting to Gaelic development. We need to support the excellent efforts that are being made in education, which should be complemented by full-range television and radio services—facilities that are crucial for the younger generation, in particular.
urge the Executive to work with the Westminster Government to establish a dedicated Gaelic television channel that would support the bill’s valuable public service provisions. That would be a major step forward for Gaelic development.

It gives me joy to give my support to the Gaelic Language (Scotland) Bill in the Parliament today.

The Deputy Presiding Officer: To close for the Conservatives, I call Seumas MacGriogair, who assures me that he will speak in Gaelic.

15:40

Mr Jamie McGrigor (Highlands and Islands) (Con): Tapadh leibh, Oifigeir-riaghlaidh. Tha am Pàrtaidh Tòraidheach a’ cur fàilte air Bile na Gàidhlig (Alba) agus tha sinn a’ cur ar taic ris an-diugh. Leanaith mi orm anns a’ Bheurla a-nis.

Following is the simultaneous interpretation:

Thank you, Presiding Officer. The Conservative party welcomes the Gaelic Language (Scotland) Bill and gives it our support today.

The member continued in English.

It was Michael Forsyth, during a Conservative Administration in the early 1980s, who poured £16 million into Gaelic and kick-started the engine into life, creating interest and jobs in an area that had stagnated and had been ignored for far too long. It is high time that a further injection of enthusiasm was directed towards Gaelic by the first Scottish Government for 300 years.

One has only to look at the map of Scotland to understand the importance of Gaelic. In the place names lie the roots of Highland culture and, of course, of Dalriada, the first kingdom of the Scots. Scotland should encompass its own language, which has been well used in promoting songs and poetry that are unique in their excellence and individuality. Poets of the stature of Duncan Ban McIntyre, who wrote the classic poem “In Praise of Ben Doran”, and Sorley Maclean, who wrote the classic “Hallaig” about the Isle of Raasay, where he grew up, are giants in their field. The Gaelic Language (Scotland) Bill is a golden opportunity to develop Scotland’s linguistic and cultural diversity and to advertise the richness of Scotland’s cultural history.

Gaelic music is alive and well, as can be seen at the Mòd and other festivals, such as Celtic Connections. However, not enough people are speaking Gaelic. The sad thing is that Gaelic lasted as a main spoken language for 12 centuries, from the fifth to the 17th centuries. It was the main language, certainly in Highland rural areas, until the early 17th century, when it was outlawed by the Crown—a Scottish Crown—in 1616. Ironically, it was not the English who banned the speaking of Gaelic; it was the Scottish Parliament’s education acts of 1616, 1646 and 1696 that stipulated that English was to be the medium of instruction for Highlanders.

“Forget them, for they know not what they did” must be the epitaph for that ill-thought-out dogma, which did untold damage to a proud language and culture. Less than 100 years ago, children were beaten for speaking Gaelic in the playgrounds and had their mouths washed out with soap. Therefore, it is up to this new Parliament and our Scottish schools to redress the wrongs of the past and give a beautiful language and a rich culture a chance of survival. It is important that the peripheral rural communities in which Gaelic is still spoken have the infrastructure that will allow them sustainability, because culture grows from a population that lasts for several generations. For example, many Gaelic songs stem from the Harris tweed industry. For Gaelic to survive, young people must become interested and a new generation of Gaelic speakers must be born who take pleasure in using the language.

Much depends now on Bòrd na Gàidhlig. It will be up to the bòrd to come up with initiatives that rejuvenate interest in Gaelic. Gaelic language and culture are important, rather than the bòrd itself. I believe that, in a year or two, there should be a review of what the bòrd has achieved to ensure that the £360,000 per annum that it will cost is achieving benefits for Gaelic.

We Conservatives would like to ensure that Bòrd na Gàidhlig maintains its aim “to facilitate, not to coerce.”

The bòrd should be an independent language development body rather than a tentacle of Scottish Government. If Gaelic is to survive, the bòrd must identify ways in which people would be willing to use Gaelic in their daily lives in different parts of Scotland. There is a great general wish among Scots to preserve Gaelic, but there has been very little instruction so far on how we as individuals can help to achieve that aim.

If the Gaelic language is to flourish, Gaelic-medium teachers must be available and there is a distinct shortage of them. The advantages of Gaelic-medium teaching should be promoted positively to graduates who have the postgraduate certificate of education and to existing teachers. Gaelic should be linked to history teaching. Archaeological and historical tourism are growth areas that could be linked to Gaelic. Gaelic could be very important indeed for Scottish tourism.

The bòrd will ensure that councils meet the demand for Gaelic where the need exists, but the difference between the demands of people and the needs of the language is a key point if Gaelic is to have the chance of survival. Only a small
percentage of people now speak Gaelic, so it would be easy for councils to say that demand is very small. That might suit the council’s budget, but it would not suit the needs of a language and culture still fighting to exist into the future. Only when the number of Gaelic speakers has once again multiplied can Gaelic be looked upon as any other language. As long as the language is in the high-dependency ward, extra care and attention and extra resources will have to be used to make it healthy and vigorous once again.

A dedicated television channel showing Gaelic programmes at peak viewing times would make a difference. Broadcasts of good Gaelic music and poetry are important, and the West Highland Free Press, the Stornoway Gazette and West Coast Advertiser and “Gairm” have done a good job.

I see the Gaelic Language (Scotland) Bill as an important project that must be carefully watched, because failure this time will mean that Gaelic speakers will gradually drift away and the language will become like Latin or ancient Greek. That is the situation that we are trying to avoid. I exhort the members of the bòrd to remember that the reason for their existence now is to ensure that the Gaelic language and culture exist and flourish in the future. They have a tremendous task. Wendy Alexander was correct to highlight how important the bòrd members’ ideas and decisions will be. They have a huge responsibility and I am sure that they will not let us down.

15:46

Fiona Hyslop (Lothians) (SNP): Tapadh leibh, Oifigeir-rìghlaidh. Chaithd a ráith uair is uair ann an athsigh na comataidh gum feum am bile a bhith na dhòigh air a’ Ghàidhlig a shàbaladh agus a h-àrdachadh. Tha Pàirtaidh Nàiseanta na h-Alba a’ cur fàilte air a’ bhile agus tha sinn a’ cur ar làn thaic ris an-diugh. Ged nach dèan a dhà no a trì fhacail dìofar mòr bhò neach aig nach eil Gaidhlig, faodaidh am bile a bhith air a neartachadh a thaobh inbhe, còrachean agus cleachadh airson na Gàidhlig. Leanaidh mi orm anns a’ Bhèurla a-nis.

Following is the simultaneous interpretation:

It is said time and again in the committee’s report that the bill needs to be a means to preserve and promote Gaelic. The Scottish National Party welcomes the Gaelic Language (Scotland) Bill and we give it our full support today. Although two or three words from a non-Gaelic speaker will not make a big difference, the bill can be strengthened with regard to status, rights and practice.

The member continued in English.

We must pay tribute to all those who have campaigned over the years for a Gaelic bill. For our part, the SNP has produced a Gaelic bill twice in the past 25 years. I welcome the latest bill, which—Parliament willing—will reach the statute book. We have all come a long way and we should reflect on that. Indeed, Elaine Murray and Wendy Alexander have done so. I am pleased that the minister accepts many of the committee’s recommendations, and perhaps the committee will be able to take things a little further to strengthen the bill at stage 2 with Executive support.

The bill should probably be known as the Gaelic bòrd bill, because it is more about the facilitation of plans to preserve and develop Gaelic than about a comprehensive rights-based approach to the use and promotion of Gaelic. That distinction was made time and again by witnesses, who were critical of the lack of equal rights for the language, including the lack of rights to education and the lack of rights to speak Gaelic in court.

The fragility of the language and the need for immediate action to protect and develop it cannot be overstated. Should we focus on intensive care or rehabilitation into the wider community that is Scotland? The committee was unanimous that it wanted both. The committee notes that sections 3(3) and 3(5) refer to “the extent to which the Gaelic language is used”.

That wording is critical, as the committee believes that it focuses simply on preservation of the current situation, rather than emphasising the equal importance of the future development of the Gaelic language. We ask the Executive to consider amendments that would allow us to emphasise the need to take into consideration the potential for development of the language as well as the existing extent of use.

We return to the debate about official status, secure status, equal status and equal validity. The committee notes that the term “equal status” implies that Gaelic and English must be equally available. Unfortunately, but realistically, the minister is concerned that he could not deliver that in practice. In contrast, “equal validity” seems to indicate that both languages are equally valid when and where they are used. John Farquhar Munro emphasised that there needs to be equal status when the languages are used in the delivery of public services, and we must come back to that point at stage 2.

The committee recommends that the Scottish Executive should consider an amendment to place a duty on the bòrd in relation to progress on Gaelic and the European Charter for Regional or Minority Languages. That point was made by my colleague Tricia Marwick.

The central issue of the debate must be Gaelic education. We have moved on considerably from the first draft of the bill, but we must remember
that there are only 284 secondary school pupils in Gaelic-medium education. That figure represents a sevenfold drop off from the numbers in Gaelic-medium primary education. Only 60 teachers teach in Gaelic-medium education—consider their age profile and the restrictions on choice of subjects for pupils.

The committee recognises that education policy is essential in determining the success of preserving and promoting Gaelic, to the extent that it recommends, at my suggestion, that the Executive must establish and execute a national strategy for the delivery of Gaelic education. The national action plan that was announced today is a step in the right direction, but we may need to reflect on the statutory responsibility at stage 2.

The SNP supports a right to Gaelic-medium education for primary children in the first instance where there is sufficient demand. The long title confines the bill—in effect the Bòrd na Gàidhlig bill—to the operation of the bòrd, but I think that there is room in the scope of the bill to find some way of locking in, in a double lock, the Standards in Scotland’s Schools etc Act 2000 and the responsibilities of the bòrd.

Gaelic education must not be ghettoised; it must be mainstreamed in the operation and delivery of authorities that are responsible for education.

Robert Brown: Does the member accept that it is one thing to have a right, but that what really matters is how that right is enforced? A right can be enforced in two ways—by legal action through the courts or by administrative action by officials, ministers and local authorities. To achieve progress, the bill takes the route of addressing the language planning process through administrative action rather than through legal action; members of the committee all signed up to that.

Fiona Hyslop: I acknowledge Robert Brown’s point. That matter was subject to great debate in the committee, because there is an issue about where that right to education can come from. It is limited within the scope of the bill, but the duty and responsibility for councils to provide Gaelic-medium education must not and should not be ignored.

I say to Ted Brocklebank that the bill is not about force-feeding Gaelic to everybody in the country.

Mr Brocklebank: Will the member take an intervention?

Fiona Hyslop: No. I am short of time.

Rather, the bill is about having plans for local authorities to ensure that, when they are ready and able to, they provide Gaelic education not only for people who want Gaelic-medium education but importantly—this has not been mentioned in the debate so far—for those who want to learn Gaelic as a second language. Gaelic-medium education on its own will not preserve and promote the language, but the teaching of Gaelic as a second language will.

I raise concerns about some of the matters that are absent from the bill. It is ironic that although the two most important areas for the survival and development of Gaelic are education policy and broadcasting, for obvious reasons neither is central to the bill.

I recognise the minister’s point about workshops with Whitehall. That sounds like an interesting concept to enable progress to be made with the UK bodies and we look forward to hearing more about those workshops.

The point in the Welsh act about third parties to which any public bodies contract out being liable to be responsible for delivery is important.

In a world that is getting increasingly smaller and in which global brands and communication dominate, our cultural differences must be celebrated, held dear and promoted. Gaelic language is both precious and special. Our duty as stewards of our country and its languages is to support and promote Gaelic and to ensure that success, however perilous it is, is realised. The bill is an important step in the right direction. The Parliament must grasp the opportunity, but the bill will not and must not be the last word on Gaelic in this Parliament.

Peter Peacock: I welcome the spirit in which the debate has taken place and the constructive speeches that have been made throughout the chamber. As I have indicated, wherever I and the Executive can accommodate proper, sensible changes to the bill we will be happy to consider them. A number of threads that have run through the debate will help us to focus attention in the coming days before we begin stage 2.

I welcome the SNP’s support for the bill. Alex Neil made a very good point when he pointed out that the bill’s impact will not be confined to the Highlands and Islands because the speakers of Gaelic are not confined to the Highlands and Islands. There is a large body of Gaelic speakers in Glasgow in particular and throughout many other parts of Scotland. That is why the bill was cast in the way that it was.

I will pick up on a point that Fiona Hyslop and others made and to which I alluded in my opening
speech. We want to consider the potential for growing Gaelic out of the Highlands and Islands and ensuring that the language is never ghettoised. Alasdair Morrison made that point. We must ensure that we grow Gaelic incrementally throughout Scotland and we must recognise that the language has a legitimate part to play throughout the country. Elaine Murray made the point that, in her constituency, Gaelic is not regarded as a dominant feature of the community. Nonetheless, just as she described, measures can be taken that would ensure that the language could secure a foothold and be understood, encouraged and supported in constructive ways, which would be sensitive and flexible to the needs of that part of the country. Indeed, such an approach can be taken in other parts of the country.

I was rather perplexed by Ted Brocklebank's point and I note that he contradicted the other speakers from the Conservative party.

Mr Brocklebank: Will the minister give way?

Peter Peacock: I must finish my point.

I have corresponded with Sir Iain Noble, who is a great advocate of giving Gaelic first-language status. Such a move would be potentially disastrous for Gaelic and is exactly the kind of action that might reap the backlash that we all want to avoid.

Mr Brocklebank: Will the minister take an intervention?

Peter Peacock: I will, when I have finished my point.

I am desperately keen to ensure that we intensify our actions and move Gaelic forward, but that we do so by winning the hearts and minds of people and not by forcing them to speak the language.

Mr Brocklebank: I have no disagreement with the minister's point about winning hearts and minds. However, if first-language status was found to be right for Catalunya, Ireland and Wales, the languages of which were all in a far healthier state than is Gaelic, why would it be wrong for Gaelic, in its weakened state, to go for first-language status, particularly in the last redoubt of the language in the outer islands? The number of speakers increased in those countries, so why is that approach wrong for us?

Peter Peacock: People in different countries and societies must make their own judgments. The evidence that the Parliament took did not point in the direction that the member proposes. I make it clear that such an approach does not attract me at all.

Alex Neil's second point was about the UK Government. I was extremely encouraged by what he said. I think for the first time in the Parliament, he indicated that he favours co-operation with the UK Government—it was almost support for devolution, although he departed from that line a few moments later.

Alex Neil: Will the minister give way?

Peter Peacock: I did not want to provoke Alex Neil into making an intervention.

The point that I am genuinely trying to make is that co-operation will work and will deliver for Gaelic at UK level in the way that I described. That is the right way to go and I am pleased that the Education Committee endorsed that approach. We will consider the point about the Food Standards Agency and we will see what we can do about it.

Alex Neil's key point was about status, which was also mentioned by Robert Brown, Adam Ingram, Elaine Murray, Eleanor Scott and Fiona Hyslop. There is a shared desire among members to ensure that the bill represents a generosity of spirit towards the language, a sympathetic approach to how the language should be treated and the need for esteem and respect for the language. I want to try to ensure that the bill further represents that spirit and we are wrestling with how we can do that. However, there is a difference between symbolism and law. Law has legal effect and we must try to strike the right balance. The legal sense of the word "validity" is causing us real challenges, but we will try to capture the spirit that I described as we go forward.

I welcome the support of Lord Seumas, if I may call him that, for the bill and I acknowledge the part that he played in supporting Sabhal Mòr Ostaig when he was Minister for Education at the Scottish Office. There is another side to the story that perhaps James Douglas-Hamilton does not know. I agreed to fund the project when I was finance convener of Highland Regional Council, in consequence of which I am sure that Scottish Office officials rushed back to Lord James to say, "You had better fund the project in case the council does; you take the credit." I am glad that between us we managed to ensure that the project was funded.

I assure members that Bòrd na Gàidhlig has agreed to support the development of a Gaelic dictionary. Lord James Douglas-Hamilton was the first member to highlight the importance to all our discussions of Gaelic-medium education and Gaelic education more widely. Robert Brown, Rosemary Byrne, Elaine Murray, Eleanor Scott, Adam Ingram, Wendy Alexander, Mary Scanlon, Ken Macintosh and John Farquhar Munro all spoke about the importance of education and I absolutely share their belief in the central significance of education if we are to ensure that
the language survives. Teacher supply is a critical part of that, which is why we are taking the actions that we are taking. We should not underestimate all that is already being achieved in Gaelic education, which is one of the great success stories in Scottish education.

Some 23 years ago, as Alasdair Morrison reminded me earlier today—pre-Michael Forsyth days, I have to say—there were activists in Highland Regional Council, of which John Farquhar Munro and I were part. John Farquhar Munro, the Rev Jack MacArthur, Duncan Grant from Skye, Donald Henderson from Lochaber and Neil MacKechnie from Dingwall all pushed forward Gaelic-medium education, of which there was virtually none at the time.

Here we are today: 140 playgroups are active across Scotland with 1,200 pupils in that system, and 60 primary schools teach through the medium of Gaelic with 2,000 pupils in that system. Efforts are being made to ensure that those pupils can continue their Gaelic-medium education in the virtual Gaelic school that we are creating through the Glasgow Gaelic School. Alasdair Morrison referred to that. The significance of that development is that Glasgow is the only part of Scotland in which the critical mass is such that a Gaelic school is viable. The school will act as a resource for the whole of Scotland and the rest of secondary education. We can move things forward in that way.

The question on rights in education raises a difficult issue. Although I appreciate why people ask for rights, the fact is that they ask for different rights. Some people ask for completely unqualified rights, which I simply cannot deliver—I would not tell people otherwise—whereas others ask for qualified rights. We are using the powers that we have under the Standards in Scotland’s Schools etc 2000 Act, which legislated for Gaelic education. That act set out guidance for local authorities that requires them to come back to the Executive stating the level of reasonable demand at which they will give an entitlement to Gaelic-medium education at the local level. I believe that we can move forward in establishing that right without compromising the position in legal terms on the face of the bill. We are using the connections between the bill and the 2000 act to try to do so. We will keep pushing forward on the issue.

Robert Brown made the important point—it was also made by Alasdair Morrison—that it is not enough to improve Gaelic-medium education, important though that is; we must also ensure that Gaelic is the language of the home and the family. Gaelic needs to be reflected in all the culture of our communities and to be normalised in its use. As someone who uses the language every day, Alasdair Morrison embodies the spirit of the bill. Indeed, I used to hear him speaking Gaelic every day when I shared an office with him. Gaelic is the everyday language of Alasdair’s home; he speaks it with his children, who are in Gaelic-medium education. The way in which Alasdair Morrison uses Gaelic in his family life is the way in which we want more families to use the language. If they do so, it will give Gaelic a real chance of survival into the future.

A number of members mentioned the European Charter for Regional or Minority Languages and asked whether the Executive could accommodate some provision for the charter in the bill. We have looked at the issue, but we are not yet convinced that that needs to be done on the face of the bill. I understand completely the point that was made, but we think that we can achieve the provision by administrative means.

I am prepared to indicate today that we will require Bòrd na Gàidhlig to report to ministers annually on its compliance with the charter. That is the way in which we intend to move forward. Once we have developed our thinking on the matter, I will be happy to give the committee more detail. I believe that that proposal meets what the committee is looking for without the inclusion in the bill of something that might, in time, become too rigid if the European charter were to move on in one of a variety of ways.

Adam Ingram made a good point—on which our awareness needs to be raised—that our efforts to improve Gaelic and to ensure that it survives and thrives need to be seen in the context of a world in which English is the dominant language. English is the dominant language not only of our communities in Scotland but of world business and all modern television. One can wake up in a hotel room almost anywhere in the world today and tune into English-language TV programmes. Increasingly, English is also the language of the internet. The forces that are acting against Gaelic are immense. That is why we need to redouble our efforts and do all that we can do to ensure that we move the matter forward.

I want to pick up on another of Ted Brocklebank’s points, in case the impression goes out from the chamber today that the bill will require people in Orkney and Shetland to speak Gaelic. That is absolutely not the case. The bill is constructed in a way that means that that will not happen in the parts of the country that have no affinity with Gaelic. The traditions in Shetland, for example, are very different; we do not want in any way to force people in Shetland to speak Gaelic.

The bill includes provisions that will allow Bòrd na Gàidhlig to prioritise its work. I simply do not expect it to go to Shetland Isles Council and ask it to do something that is clearly outwith the culture
in Shetland. I encourage people in the parts of Scotland where there are different traditions to pursue their own traditions. The Shetland dialect ought to be strengthened in Shetland, as is the case with dialects in Orkney, the north-east and so on. We need to pursue matters in that light.

The Presiding Officer is indicating that he wishes me to wind up. I will happily do so. Although I have not been able to cover all the points that members made, many more hours of committee time are still to come. I will continue to treat the matter constructively. I commend the bill to the Parliament.

**Gaelic Language (Scotland) Bill: Financial Resolution**

16:04

The Deputy Presiding Officer (Trish Godman): The next item of business is a debate on motion S2M-2243, in the name of Cathy Jamieson, on the Serious Organised Crime and Police Bill, which is UK legislation—[Interruption.]

I ask members to forget what I just said. My script did not have this item in it, and if it is not in my script I usually make a mistake. The next item of business is consideration of a financial resolution. I ask Peter Peacock to move motion S2M-1819, on a financial resolution in respect of the Gaelic Language (Scotland) Bill.

Motion moved,

That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Gaelic Language (Scotland) Bill, agrees to any expenditure or increase in expenditure of a kind referred to in Rule 9.12.3(b)(ii) or (iii) of the Parliament’s Standing Orders arising in consequence of the Act.—[Peter Peacock.]

The Deputy Presiding Officer: The question on the motion will be put at decision time.
Gaelic Language (Scotland) Bill

Marshalled List of Amendments for Stage 2

The Bill will be considered in the following order—

Section 1  Schedule 1
Sections 2 to 12  Schedule 2
Section 13  Long Title

Amendments marked * are new (including manuscript amendments) or have been altered.

Section 1

Alex Neil
14 In section 1, page 1, line 13, at end, insert <with a view to ensuring that it is treated on a basis of equal validity with English.>

Dr Elaine Murray
1 In section 1, page 1, line 13, at end insert <and
( ) Gaelic education and Gaelic culture,>

John Farquhar Munro
15 In section 1, page 1, line 17, at end insert <, Gaelic education and Gaelic culture>

Robert Brown
16 In section 1, page 1, line 17, at end insert—
<( ) monitoring, and reporting to the Scottish Ministers on, the implementation of the European Charter for Regional or Minority Languages dated 5 November 1992 in relation to the Gaelic language.>

Peter Peacock
2 In section 1, page 1, line 19, after <Scotland> insert <commanding equal respect to the English language>

Alex Neil
17 In section 1, page 1, line 19, after <Scotland> insert <to be treated on a basis of equal validity with English>

Alex Neil
34 In section 1, page 1, line 24, at end insert—
The functions conferred on the Bòrd by this Act are to be exercised in accordance with the provisions of the European Charter on Regional or Minority Languages.

Schedule 1

Peter Peacock

3 In schedule 1, page 9, line 11, after <executive> insert <("Ceannard")>

Section 2

Peter Peacock

4 In section 2, page 2, line 5, after <section> insert—

<(< ) no later than 5 years after the date on which a plan is published under subsection (6), and

(< ) whenever required to do so by the Scottish Ministers under subsection (7).>

Peter Peacock

5 In section 2, page 2, line 8, at end insert—

(< ) consult the Parliament,>

Mr Alasdair Morrison
Supported by: Mr Kenneth Macintosh

18 In section 2, page 2, line 21, leave out <6> and insert <3>

Peter Peacock

6 In section 2, page 2, line 26, at end insert <, and

(< ) lay a copy of it before the Parliament.>

Peter Peacock

7 In section 2, page 2, line 29, leave out subsection (8)

Section 3

John Farquhar Munro

19 In section 3, page 3, line 4, at end insert—

<(< ) the most recent national Gaelic language plan published under section 2.>

Peter Peacock

8 In section 3, page 3, line 6, at end insert <and
in the Bòrd’s opinion, there is potential for the authority to develop the use of the Gaelic language in connection with the exercise of those functions.

**John Farquhar Munro**

20 In section 3, page 3, line 17, at end insert—

<(za) the most recent national Gaelic language plan published under section 2,> 

**Peter Peacock**

*9 In section 3, page 3, line 19, at end insert—

<(aa) the potential for developing the use of the Gaelic language in connection with the exercise of those functions,> 

**Alex Neil**

35 In section 3, page 3, line 24, at end insert—

<( ) The Bòrd, in any notice under subsection (1) requiring the Scottish Ministers to prepare a Gaelic language plan, may require that plan to specify the proportion of the Scottish Administration’s advertising budget which is allocated to advertising in the Gaelic language and any plans the Scottish Ministers have to increase that proportion.> 

**Mr Alasdair Morrison**

Supported by: Mr Kenneth Macintosh

21 In section 3, page 3, line 25, after <may> insert <, after consulting the Bòrd,> 

**Section 4**

**Mr Alasdair Morrison**

Supported by: Mr Kenneth Macintosh

22 In section 4, page 4, line 2, at end insert—

<( ) The Scottish Ministers must determine an appeal under subsection (5) no later than 2 months after the date on which the appeal was made.> 

**Mr Alasdair Morrison**

Supported by: Mr Kenneth Macintosh

23 In section 4, page 4, line 8, at end insert—

<( ) The Scottish Ministers must determine an appeal under subsection (7) no later than 6 months after the date on which the appeal was made.> 

**Section 5**

**John Farquhar Munro**

24 In section 5, page 4, line 19, at end insert—
In considering the plan, the Bòrd must have regard to—
(a) the matters referred to in section 3(5)(za) to (b), and
(b) any guidance given by the Scottish Ministers.

Mr Kenneth Macintosh
25 In section 5, page 4, line 22, after <with> insert <all or any of>

Mr Kenneth Macintosh
26 In section 5, page 4, line 22, after <modifications,> insert <giving reasons for that disagreement,>

Mr Kenneth Macintosh
27 In section 5, page 4, line 28, leave out from beginning to <who> in line 29 and insert—
<(3A) Where notification is given under paragraph (a) of subsection (2), the Bòrd, having considered the reasons referred to in that paragraph, must—
(a) approve the plan as originally submitted to the Bòrd,
(b) approve the plan subject to such modifications (including all or any of those proposed under subsection (1)(b)) as the Bòrd and the Scottish public authority may agree, or
(c) if, on the expiry of the period of 2 months beginning with the date on which the authority gave notice to the Bòrd under subsection (2)(a), the Bòrd has not approved the plan under paragraph (a) or (b), refer the matter to the Scottish Ministers.
(4) On a reference to them under subsection (3A)(c), the Scottish Ministers>

John Farquhar Munro
*28 In section 5, page 4, line 33, at end insert—
<(  ) must have regard to the matters mentioned in section 3(5)(za) to (aa).>

John Farquhar Munro
29 In section 5, page 4, line 38, at end insert—
<(  ) Approval of a plan under subsection (4) must be given no later than 6 months after the date on which the matter was referred to the Scottish Ministers under that subsection.>

Section 8

Peter Peacock
10 In section 8, page 6, line 21, at end insert—
<(6A) The Bòrd may vary or revoke guidance published under subsection (6), and subsections (2) to (6) apply to a variation.
(6B) Before revoking guidance published under subsection (6), the Bòrd must obtain the consent of the Scottish Ministers.>
Peter Peacock

11 In section 8, page 6, line 24, at end insert—

<(  ) In preparing guidance under subsection (1) and giving advice and assistance under subsection (7), the Bòrd must seek to give effect, so far as is both appropriate in the circumstances and reasonably practicable, to the principle that the Gaelic and English languages should be accorded equal respect.>

Section 9

Peter Peacock

12 In section 9, page 6, line 27, leave out <issue> and insert <prepare and submit to the Scottish Ministers>

Peter Peacock

13 In section 9, page 6, line 29, leave out subsections (2) to (4) and insert—

<(  ) Subsections (2) to (6B) of section 8 apply to guidance under subsection (1) as they apply to guidance under subsection (1) of that section.>

Fiona Hyslop

36 In section 9, page 6, line 34, at end insert—

<(  ) After subsection (2) of section 5 (education authority’s annual statement of improvement objectives) of the Standards in Scotland’s Schools etc. Act 2000 (asp 6), insert—

“(2A) Where guidance has been issued under section 9 of the Gaelic Language (Scotland) Act (asp 00), subsection (2)(c) shall cease to have effect; and an education authority’s annual statement of improvement objectives must contain an account of the ways in which they will provide Gaelic medium education and of the ways in which they will seek to develop their provision of such education in accordance with—

(a) that guidance; and

(b) any plan prepared by the authority under section 3 of that Act and approved under section 5 of that Act.”

After section 9

Alex Neil

30 After section 9, insert—

<Gaelic broadcasting

Guidance on Gaelic broadcasting

(1) The Bòrd may issue guidance in relation to the provision of Gaelic broadcasting services and the development of such provision.
(2) In preparing the guidance, the Bòrd must consult persons appearing to it to have an interest.

(3) The Bòrd may issue guidance under subsection (1) only with the consent of the Scottish Ministers.

(4) The Bòrd may vary or revoke guidance issued under subsection (1), and subsections (2) and (3) apply to a variation or revocation.

Section 10

Alex Neil

31 In section 10, page 7, line 12, after second <to> insert—

<(  ) a cross-border public authority exercising devolved functions, or

(  )>

Alex Neil

32 In section 10, page 7, line 14 at end, insert <and the Food Standards Agency exercising devolved functions.>

Long Title

Alex Neil

33 In the long title, page 1, line 2, after <Scotland> insert <to be treated on a basis of equal validity with English>
Gaelic Language (Scotland) Bill

Groupings of Amendments for Stage 2

Status of Gaelic
14, 2, 17, 11, 33

Functions of Bòrd na Gàidhlig: Gaelic education and culture
1, 15

Functions of Bòrd na Gàidhlig: European Charter for Regional or Minority Languages
16, 34

Chief Executive of Bòrd na Gàidhlig
3

National Gaelic language plan
4, 5, 18, 6, 7

Preparation and approval of Gaelic language plans: matters to be taken into account
19, 8, 20, 9, 24, 28,

Gaelic language plans prepared by the Scottish Ministers: Gaelic advertising
35

Content of Gaelic language plans
21

Appeals against notices
22, 23

Disagreements to proposed modifications to plans
25, 26, 27, 29

Guidance: general
10, 12, 13

Guidance: education authority’s annual statement of improvement objectives
36

Guidance on Gaelic broadcasting
30

Meaning of “Scottish public authority”
31, 32
EDUCATION COMMITTEE

EXTRACT FROM THE MINUTES

6th Meeting, Session 2 (2005)

Wednesday 2 March 2005

Present:
Ms Wendy Alexander  Robert Brown (Convener)
Ms Rosemary Byrne  Lord James Douglas-Hamilton (Deputy Convener)
Fiona Hyslop  Adam Ingram
Mr Kenneth Macintosh  Mr Frank McAveety
Dr Elaine Murray

Also present: Mr John Farquhar Munro, Alex Neil, Peter Peacock

Gaelic Language (Scotland) Bill: The Committee considered the Bill at Stage 2.

The following amendments were agreed to (without division): 1, 15, 16, 2, 3, 4, 5, 18, 6, 7, 19, 8, 20, 9, 21, 22, 23, 24, 25, 26, 27, 28, 29, 10, 11, 12 and 13.

The following amendments were disagreed to by division—

14 (For 3, Against 6, Abstentions 0)
30 (For 3, Against 6, Abstentions 0)

Amendments 35, 36 and 31 were moved and, with the agreement of the Committee, withdrawn.

Amendments 17, 34, 32 and 33 were not moved.

Sections 1, schedule 1 and sections 2, 3, 4, 5, 8, 9 were agreed to as amended.

Sections 6, 7, 10, 11, 12, schedule 2 and section 13 were agreed to without amendment.

The Long Title was agreed to without amendment.
Scottish Parliament

Education Committee

Wednesday 2 March 2005

[THE CONVENER opened the meeting at 10:30]

Gaelic Language (Scotland) Bill:
Stage 2

The Convener (Robert Brown): Good morning. I welcome everyone to this meeting of the Education Committee. Our only item of business is consideration of the Gaelic Language (Scotland) Bill at stage 2. On a personal note, I want to say that this is quite an exciting moment for the committee and, I hope, for the Gaelic community in Scotland.

Before we proceed, I will explain how we deal with stage 2. Members of the committee and, I hope, members of the public have several documents that will assist their consideration of the amendments: the bill; the marshalled list of amendments; and the groupings of amendments. I ask members to ensure that they have all those items, so that we can deal with the amendments properly—the clerks will supply copies to anyone who needs them. The amendments have been grouped to help the debate to proceed logically—that never seems to be the case when I read out the numbers, but it becomes apparent as we work through the amendments. Through the grouping process, we are trying to ensure that amendments that address similar issues are considered at the same time.

The amendments will be called in turn in the order in which they appear in the marshalled list. We will debate all the amendments in a group together and there will be no further debate on those amendments after we have moved on to the next group. There will be only one debate on each group of amendments and members may speak to their own amendment if it is in that group. Some groups contain several amendments.

During the debate on a group of amendments I will call, first, the member who lodged the lead amendment in the group, to speak to and move that amendment. I will then call other members who want to speak, including members who lodged other amendments in the group, who should speak to, but not move, their amendments—I will call them to move their amendments at the appropriate time. If members other than those who lodged amendments want to speak on a matter, they should indicate that in the usual way. I will call the minister to speak to each group of amendments. I hope that that is as clear as mud.

Following the debate, I will clarify whether the member who moved the lead amendment in the group wants to press the amendment to a decision. If the member does not wish to do so, they may seek the committee’s agreement to withdraw the amendment. If the amendment is not withdrawn, I must put the question on it. If any member disagrees to the amendment, we will have a division by a show of hands. I stress that members should keep their hands raised until the clerk has recorded their vote. Only members of the committee may vote, but all MSPs are entitled to speak to and move amendments. I am pleased to welcome Alex Neil MSP and John Farquhar Munro MSP, who are not members of the committee but who have an interest in the issue and have lodged amendments.

If a member does not want to move their amendment, they should say, “Not moved,” when the amendment is called.

The committee must also decide whether to agree to each section and schedule. Members are not permitted to oppose agreement to a section unless an amendment to delete the entire section has been lodged—I have always thought that peculiar, but that is how it is. If a member wanted to oppose an entire section, it would be competent to lodge a manuscript amendment, but it would be for me to decide whether to accept such an amendment.

I remind people that only MSPs may speak during a stage 2 debate. Executive officials are here to support the minister, but they may not speak themselves.

Mr Kenneth Macintosh (Eastwood) (Lab): I submit apologies on behalf of Alasdair Morrison, who cannot be here this morning because he is in Brussels. I have instructions to move the amendments in his name.

Section 1—Constitution and functions of Bòrd na Gàidhlig

The Convener: Amendment 14, in the name of Alex Neil, is grouped with amendments 2, 17, 11 and 33.

Alex Neil (Central Scotland) (SNP): The purpose of amendment 14 is to implement a recommendation in the Education Committee’s stage 1 report, which was based on the evidence that the committee received, primarily from Bòrd na Gàidhlig, about the need to address the status of the Gaelic language.

As the minister said in his evidence to the committee at stage 1, the Gaelic language is already, de facto, an official language, in the
sense that Government publications and other official publications are very often published in the Gaelic language. It has official recognition, which will be built into the bill. However, the status of the language is a separate issue. The committee has wrestled with the issue; in particular it has wrestled with whether “equal status” should be the phraseology that is used in the bill. The phraseology that was suggested by the bòrd is that Gaelic is a language of “equal validity”, because we were advised that equal status could mean that on every occasion that English was used, there would be a requirement to use Gaelic as well. I do not think that anyone is calling for that to happen, but we want to ensure that when the Gaelic language is used, it is used with equal validity with the English language. Members of the committee agreed that as one of the recommendations in their stage 1 report. The purpose of the amendment is to implement the committee’s own recommendation.

I move amendment 14.

The Minister for Education and Young People (Peter Peacock): I will speak to all the amendments in the group and will move amendments 2 and 11 at the appropriate time.

As Alex Neil said, the issue of the status of Gaelic has been a recurrent theme in the discussions leading up to the bill and in the discussions on the bill itself. Today’s debate narrows down that consideration to two concepts. One is “equal validity,” which Alex Neil has spoken about, and the other, in the Executive’s amendments 2 and 11, is “equal respect”. At one level, the concepts are very close to each other, but there are important material differences, which I will address.

As Alex Neil said, I have made clear throughout the passage of the bill my strong desire to do what I could to enhance the status of Gaelic. The committee has recognised that in its report and it accepts, as Alex Neil said, that Gaelic is already an official language of Scotland.

I indicated in my letter to the committee of 10 February that I have considerable sympathy with its view that the status of the language in Scotland might be further recognised through the bill. I am clear that the status of the language is important and that it is entirely legitimate for individuals to aspire to use Gaelic as normally as possible in their lives and that Gaelic should not suffer from any lack of respect either at an individual or a corporate level. I strongly subscribe to Bòrd na Gàidhlig’s view that there should be a generosity of spirit towards the language. My intention in lodging my amendments is to provide a way of making a positive statement about the worth and value of Gaelic, without risking a subsequent interpretation by the courts that could change what Parliament intended. I am confident that amendments 2 and 11, in my name, achieve the enhancement of Gaelic’s status that the committee seeks. They will ensure that the Gaelic language commands “equal respect” to the English language, while we continue to have a bill that is sufficiently flexible to take account of the differing use of Gaelic across Scotland.

Amendment 2 requires the bòrd to exercise its functions with a view to securing the status of the Gaelic language as an official language of Scotland, “commanding equal respect to the English language”.

Amendment 11 requires the bòrd, when preparing guidance or giving advice on language planning, to seek to give effect “to the principle that the Gaelic and English languages should be accorded equal respect”, so far as that “is both appropriate in the circumstances and reasonably practicable”.

The committee will have seen that the draft guidance that I have issued—on our expectations of the bòrd in relation to language planning—has built on the issue of respect as it would appear in the bill. The guidance specifically develops the concept that the bòrd, in its guidance on language planning, should set out how the notions that underpin “equal validity”—embracing the thinking on normalisation, generosity and good will—can be given practical effect. Through that construction we have provided a strong endorsement in the bill of the status of the language as one of “equal respect” together with further interpretation in the guidance, which develops the underpinning notions behind “equal validity”, to which Alex Neil has referred.

I will address Alex Neil’s amendments 14, 17 and 33. My view is that using the phrase “equal validity” in the bill carries a greater risk than that carried by the formulation that I have created of the courts ruling that the bill should result in a right to demand the use of the language in a wider range of circumstances than is intended.

There is a danger that, if we used the phrase “equal validity” in the bill, it could be interpreted as giving the Gaelic language equal validity with English in national legislation that touches on the delivery of public services throughout Scotland. The bòrd has expressed little sympathy with the view that all public services could be made available in Gaelic in all places to anyone who requested that. The committee also supported that position by saying that any formulation of status should not confer rights on individuals.

All parties agree that we do not want a formulation that could lead to undeliverable
expectations in the short to medium term or which would change the priorities to develop the language to meet a legal interpretation of potential rights that could flow from court interpretations. The courts would normally refer to the normal usage of the phrases “equal validity” and “equal respect” in interpreting such matters. The Oxford English Dictionary definition of “validity” includes, among other things, the “quality of being valid in law; legal authority, force, or strength.”

In contrast, “respect” means, among other things, to “treat ... with ... esteem, or honour; to feel or show respect for.”

I invite the committee to consider the two definitions. It is my view that the phrase “equal validity” carries the greater risk of an interpretation that the committee has never sought. Its inclusion in the bill could mean that anything that was said or done in Gaelic could have like legal effect to anything that was said or done in English. As Alex Neil has made clear today and in the stage 1 debate, he does not want to force every agency to publish a Gaelic version of every document that it publishes in English. Nobody is arguing with that, and I agree with him. However, I suggest that Alex Neil’s amendment 14 carries the greater risk of that very outcome.

I ask the committee to be careful at this point. We need to consider these matters against the practical realities of legislation. The courts might, ultimately, require to give legal meaning to concepts of status, and there would be a real danger that certain constructions could give rise to unintended and undeliverable consequences on a Scotland-wide basis. In addition—and this is a separate point—“the equal validity” amendments may unnecessarily constrain Bòrd na Gàidhlig in carrying out its functions with a view to ensuring that Gaelic is treated on the basis of equality with English. If amendment 14 is agreed to, there is a risk that Bòrd na Gàidhlig will be unable to discharge its functions in a way that reflects the diversity of Gaelic usage in Scotland or the flexibility that all parties have concluded that it would be right to have.

I return to the normal usage of “respect”, which is “to treat ... with ... esteem, or honour; to feel or show respect for.”

I believe that those terms accurately capture the sentiments of what we have all tried to aim for in the bill. Accordingly, although I recognise the spirit in which Alex Neil has lodged his amendments, I ask him not to press them in the knowledge that the Executive has provided robust amendments that meet the aspirations of the committee and the Gaelic community without exposing Parliament’s intentions to unnecessary risk.

I will move amendments 2 and 11. If they are agreed to, I will lodge an appropriate amendment at stage 3 to amend the long title to reflect the changes that agreeing to the amendments will effect.

The Convener: Perhaps you could refrain from moving your amendments at the moment. We must follow the usual procedure.

Mr Macintosh: I say to both the Executive and Alex Neil that I am pleased that these amendments have been lodged at this stage. The committee identified lingering concerns in the community that the Executive may have pulled its punches over the status of Gaelic. That is a reflection of the history of the treatment of Gaelic in Scotland. However, I do not believe that the Government has pulled its punches: the minister could not have been clearer on the matter, and the committee has received repeated assurances about the status of Gaelic.

The key point—to repeat something that the minister said—is that the bill takes a planning approach, rather than a rights-based approach, to Gaelic. It recognises the fact that Gaelic will not be saved by flicking a switch or passing a bill, but that development is required over many years. Despite my sympathy with Alex Neil’s amendment 14, I recognise that both forms of words are compromises. The Executive’s lawyers have concerns over the use of the term “validity” and have come up with the phrase “equal respect”, which I warmly welcome. The phrase is readily understandable—perhaps more so than the word “validity”. For those reasons, and given the minister’s unequivocal position on the status of Gaelic, I urge the committee to support the Executive’s amendments.

Fiona Hyslop (Lothians) (SNP): I, too, thank Alex Neil and the minister for trying to address what the committee saw as a very real problem and one of the most serious points in the evidence that we received. Paragraph 33 of our stage 1 report states:

“The Committee believes that English and Gaelic should be treated as equally valid when and where used.”

It is interesting to see the choices that we have before us. I suspect that “respect” is defined more by behaviour and that “validity” is defined more by status. That is probably the difference between the two terms. What are their opposites? The opposite of respect is disrespect and the opposite of valid is invalid. That shows us that the argument for “validity” is stronger, as Gaelic would face a greater problem if it was invalid than if it was
The committee agreed pretty
and disrespect, but I drew the opposite conclusion.
language a more widely defined status. I was
approach the bill with a view to inspiring
Language Board or Bòrd na Gàidhlig, we should
unanimously that, in the words of the Welsh
acknowledge his concerns about that.
confer rights that are not deliverable. We
absolutely right to say that we do not want to
difficult to square this circle. The minister is
disrespected. The key to what we are trying to
mean validity when Gaelic is used. I suspect that,
we to pass the "equal validity" amendments, which I am in favour of, the bill
meant. It would be a case of the language being
given equal validity when it was used, as opposed
to the conferring of a carte-blanche right across all
public agencies from day one of the bill coming
into effect, which we know would not be
deliverable.

Both suggestions have merit, but the argument
for "validity" is stronger than the argument for
"respect", although I recognise the minister's
attempt to address the issue that the committee
identified in its report.

Lord James Douglas-Hamilton (Lothians)
(Con): I listened carefully to the arguments that
were put forward by the minister and, on balance, I
believe that amendments 2 and 11 are
appropriate. The recommendation that Gaelic
should command respect equal to that which is
commanded by the English language is a worthy
recommendation that is not likely to be
misinterpreted by anyone. Amendment 11 uses
the words "appropriate" and "reasonably
practicable" to describe the desirable approach to
the implementation of Gaelic language plans,
which seems sensible. Therefore, my preference
would be for the minister's amendments, as I
believe that they pose less risk of legal difficulties
in due course.

The Convener: The committee agreed pretty
unanimously that, in the words of the Welsh
Language Board or Bòrd na Gàidhlig, we should
approach the bill with a view to inspiring
confidence and good will and trying to give the
language a more widely defined status. I was
interested in what Fiona Hyslop said about respect
and disrespect, but I drew the opposite conclusion.

Let me give an example. We have had a bit of
correspondence about the Post Office and the
Driver and Vehicle Licensing Agency. The issue
with regard to the way in which those bodies
approach the matter—which is unhelpful,
according to the correspondence—is a question
not of the validity of the language, but of respect,
or disrespect, for the language. The distinction that
Fiona Hyslop drew was, therefore, helpful,
although not in the way that she intended.

It is important that the bill does not have
unintended consequences. I had a frisson of
sympathy with the placing of the first of Alex Neil's
amendments in the section that deals with the
general functions of the bòrd. However, as I
listened to the minister, who thought that too wide
a definition at that point could throw the bòrd off
track a little, I was persuaded that "respect" is a
better word to use.

It is an important, symbolic issue. The bill
recognises the official status of the Gaelic
language and deals with its long-term future. Now,
in addition, the Executive amendments suggest
the according of proper respect to the language. I
know that that is a gesture and a symbolic act, to
some degree, but it would set the tone of the bill,
which is important. I therefore support the
minister's view on the matter, rather than Alex
Neil's. I do not think that there is any difference in
intent on any committee member's part; the
difference is simply in how we work through the
legal issues that are involved in this matter.

Does any other member want to speak to the
amendments before I ask Alex Neil to wind up the
debate?

Alex Neil: You have to allow the minister to
speak first, do you not?

The Convener: The minister has spoken.

Alex Neil: He is entitled to speak again, I think.

The Convener: No, he is not. Normally, the
minister gets in once. I can use my discretion—
and have sometimes done so—to allow the
minister to respond if a new matter has been
raised. I do not think that anything new has been
raised in this context, but I will allow the minister to
comment if he wants to do so.

Peter Peacock: I am grateful to you, convener.

I want to make two points. First, the convener
made a point about the placing of amendment 14.
We would be happy to consider an equivalent
amendment that used the word "respect" at stage
3, if that would add strength. Secondly, I pick up
the convener's point about the Post Office,
because I have new information for the committee.
Since the committee's most recent meeting I have
met representatives from the Royal Mail, who
indicated their strong support for working with the
Executive to try to take forward the substantial
work that the company already does to support
Gaelic. I can confidently tell the committee that the
company is showing great respect for the
language in its efforts.

The Convener: That intervention was worth
while.

Alex Neil: It is good to have the last word, even
if someone else has the last laugh.

I acknowledge that the minister has moved
substantially from the Executive's starting position
and I recognise that there has been a genuine effort to try to meet the aspirations of the people who gave evidence to the committee. However, there is a substantial difference in meaning between “respect” and “validity”. The definitions that the minister used demonstrate precisely why I intend to press amendment 14, which uses the word “validity”, to a vote. Frankly, “respect” is a bit too wishy-washy. The minister said that “respect” means “treat … with … esteem, or honour; …or show respect to”. I treat ministers’ opinions in that way, but in many instances I do not think that those opinions have any validity. That is precisely the point. I accept that the simplistic use of the term “equal status” would not achieve what we all want to achieve—the approach would be undeliverable. However, the legal advice that the Executive has received is far too conservative—with a small “c”. No court would interpret “equal validity” in the extremely wide way in which the Executive’s advice suggests that the courts might interpret the phrase. I will press amendment 14 to a vote. I suspect that I might not win the vote, but there is a valid point to be made.

The Convener: I cannot possibly comment on whether you will win the vote.

The question is, that amendment 14 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

FOR
Byrne, Ms Rosemary (South of Scotland) (SSP)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Mr Adam (South of Scotland) (SNP)

AGAINST
Alexander, Ms Wendy (Paisley North) (Lab)
Brown, Robert (Glasgow) (LD)
Douglas-Hamilton, Lord James (Lothians) (Con)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
Macintosh, Mr Kenneth (Eastwood) (Lab)
Murray, Dr Elaine (Dumfries) (Lab)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 14 disagreed to.

The Convener: Amendment 1, in the name of Dr Elaine Murray, is grouped with amendment 15.

Dr Elaine Murray (Dumfries) (Lab): Section 1(2)(b) states that a general function of Bòrd na Gàidhlig will be to advise ministers on “the Gaelic language, Gaelic education and Gaelic culture”. However, there is no duty on the bòrd to promote Gaelic education and culture. The evidence that the committee heard at stage 1 indicated that education is central to the promotion of the language, so it is appropriate that the bòrd should have a function in the promotion of Gaelic education. The committee also noted that Gaelic culture is an intrinsic part of the language and Scotland’s cultural heritage. The promotion of Gaelic culture would benefit not just the language and the people who speak it but the whole country, because Gaelic culture is one of Scotland’s cultural assets.

Amendment 15, in the name of John Farquhar Munro, is similar to amendment 1 and would allow the bòrd to advise other persons on matters relating to the Gaelic language, Gaelic education and Gaelic culture. Amendments 1 and 15 would ensure that the three paragraphs of subsection (2) of section 1 were consistent.

I move amendment 1.

John Farquhar Munro (Ross, Skye and Inverness West) (LD): At the outset, I thank the committee for the opportunity of allowing me to speak to some of my minor amendments to what is an excellent Gaelic language bill. If my amendments are accepted, they will add to the strength of support that the current bill sets out.

In moving amendment 1, Dr Elaine Murray referred to strengthening Bòrd na Gàidhlig’s functions. At the moment, one of the bòrd’s functions is to advise ministers and other public bodies on many Gaelic language, education and culture matters. However, in the bill’s original draft, the bòrd’s function of advising persons other than the ministers on Gaelic language matters was rather restricted, and amendment 15 seeks to expand the advisory function that is set out in section 1(2)(c) to include

“Gaelic education and Gaelic culture”.

The Convener: During stage 1, we all recognised that this issue underpins the breadth of approach that we wanted to take towards Gaelic matters. As a result, I very much support the amendments.

Peter Peacock: The amendments are sensible, and we are happy to accept them.

The Convener: That was admirably brief.

Amendment 1 agreed to.

Amendment 15 moved—[John Farquhar Munro]—and agreed to.

The Convener: Amendment 16, in my name, is grouped with amendment 34.

Amendment 16 relates to the European Charter for Regional or Minority Languages, which was discussed at stage 1. The charter, which was passed by the Council of Europe in 1992 and ratified by the United Kingdom Government in 2001, is very much an international obligation and
aims to protect and promote the use of regional and minority languages in public and private life. Gaelic is one of the languages identified in the charter.

Sometimes there is a tendency to look at these matters in a UK context and to concentrate only on Gaelic and Welsh. As a result, we lose the nuances of the wider experience of how minority and regional languages in Spain, Switzerland, Belgium, Holland and other countries throughout Europe are dealt with and supported. I believe that the European charter has a lot to say to us on this matter. Indeed, from time to time—most recently in March 2004—a committee of experts appointed under the charter visits and reports on us.

Although I do not think that the charter should be incorporated in the bill as a major obligation, some reference to it would be symbolically important and would acknowledge the wider issues. As a result, amendment 16, which refers to “monitoring, and reporting to the Scottish Ministers on, the implementation of the European Charter” with regard to the Gaelic language, seeks to set a marker and to bring the matter into the parliamentary process and within the Executive’s accountability. In his response, the minister might be able to explain how such an approach might work. I would expect that a report of some sort would be laid before the Parliament, either as a separate report or as part of something else. That would enable a debate and parliamentary scrutiny. I would urge the committee to consider the suggestion.

I move amendment 16.

I1:00

**Alex Neil:** The purpose of amendment 34 is very much in line with the spirit of the remarks that you have just made about building into the bill cognisance of the European Charter for Regional or Minority Languages. At stage 1, we recognised the importance of the charter. The United Kingdom is not signed up to all its provisions, but it is signed up to a substantial number of them. We mentioned in our stage 1 report the need to be aware of the charter’s requirements as far as the Gaelic language is concerned.

I understand that the Executive might have concerns with the wording of amendment 34. I am relaxed about that. I hope that the committee passes at least one of the two amendments in the group, as it is important that the bill includes a recognition of the importance of the charter. There might be scope to improve the wording at stage 3. I would also mention in passing that I support your amendment, convener—I am sure that you will reciprocate.

**Mr Macintosh:** I endorse the remarks of both the convener and Alex Neil. We heard evidence on this subject from Sabhal Mòr Ostaig, Comunn na Gàidhlig and others. It is important to take a joined-up approach to ensure that, when we are considering the plan for Gaelic nationally, we are aware of all our legal obligations towards Gaelic. The strategy should reflect that. I endorse whichever of the amendments is most likely to succeed. I believe that amendment 16 is the one that lies in with the rest of the bill properly. I am not sure, but I think that we have heard from the Executive’s lawyers that amendment 34 might present difficulties. We will hear from the Executive in a minute, in any case.

**Dr Murray:** I welcome both the amendments, although I am not sure that we need to have them both in the one section. If it transpires that we need to make a choice between them, I would prefer amendment 16, because it seems more proactive. It requires the bòrd to carry out monitoring and report to ministers on the implementation of the European charter. That proactive approach is preferable.

**Fiona Hyslop:** I, too, welcome the reference to the European Charter for Regional or Minority Languages. We must acknowledge that the expert committee had some serious concerns about the current position in Scotland. The publication of the bill and the other on-going work will help to improve the situation, but we must acknowledge that the bòrd’s task might not be easy. The report on the implementation of the charter will not necessarily be favourable, but it must be produced, as it will provide a wider context. Amendment 16 is well placed: it says what the bòrd has to do. Amendment 34 refers to the context in which functions are carried out. Both the amendments have a place.

**Alex Neil:** They have equal validity. [Laughter.]

**Fiona Hyslop:** Yes—they have equal validity. I see that we have come back to that issue. Amendment 16 stipulates a specific function that must be exercised by the bòrd; amendment 34 reflects the context. I will be interested to hear the minister’s remarks. I notice that amendment 16 refers to “the European Charter for Regional or Minority Languages dated 5 November 1992".

I assume that there is a legal reason for that. Charters can evolve and change, so including that date might be a useful reference. Should amendment 34 be passed, we might need to add something similar, to ensure that we are referring to the charter as we know it now, at the time when the bill was published.

**Peter Peacock:** I previously indicated to the committee that the bòrd could carry out the task
that is specified in amendment 16 without the need for a specific reference in the bill. However, I have no difficulty in accepting the proposal. Fiona Hyslop talked about the specific dating of the European charter. Apparently, that is a normal convention in UK statute and there is an automatic updating of such references when the charters concerned are updated. That gives a tie-in to the specific point in time when the charter was established. That does not represent a problem as far as amendment 16 is concerned.

As you have indicated, convener, the bòrd will be well placed to perform the role that is specified in amendment 16. To specify it as one of the bòrd’s functions gives the European charter recognition in our legislation and the bòrd a clear role in that. I would be happy to discuss further with the committee how reports might be presented and debates triggered, but it seems on the face of it that doing that as part of the bòrd’s annual report might be the simplest way.

Regrettably, as Alex Neil has indicated, amendment 34 is slightly more problematic, because the European charter applies to the general conditions that are found in many countries. Seventeen countries have ratified the European charter and a further 13 have signed it. Amendment 34 asks Bòrd na Gàidhlig to promote and advise "in accordance with the provisions" of the European charter, but only certain charter provisions apply to Gaelic and the United Kingdom has agreed to a limited number of undertakings in respect of Gaelic. Amendment 34 would oblige the bòrd to comply with the European charter in full, even though the UK has not accepted it in its entirety.

Furthermore, the national plan for Gaelic is central to the bill that we are discussing, and my aim is that the bòrd’s functions should be linked to the national plan, not the European charter. The national plan will be developed specifically for Scotland’s needs. It will be drawn up by the bòrd, will be approved by Scottish ministers, will be relevant to Scottish circumstances and, if we approve subsequent amendments in my name, will be subject to consultation with the Parliament.

Our intention is that the national plan should remain the focus for Gaelic development. It is possible to imagine a situation in which Bòrd na Gàidhlig might focus on certain priorities for Gaelic development, express that focus in the national plan and find that its functions are not being exercised in accordance with the European charter’s provisions. That is one of the technical problems with amendment 34. We want the national plan to remain the focus for Gaelic development and do not want the bòrd to be legally constrained by provisions of the European charter in the way that amendment 34 might suggest, although I know that that is not Alex Neil’s intention.

I am happy to accept amendment 16, which gives the European charter status and recognition in our law. However, I invite Alex Neil not to move amendment 34 for the reasons that I have set out.

**The Convener:** I have listened with some interest to the debate. I said at the beginning of it that I was keen to have some hook on which to hang the European charter. That is the intention of amendment 16 and I think that we have managed to achieve it reasonably well.

I obviously have sympathy with amendment 34, but it has a number of difficulties. It seems to me, as a lawyer, that it has a difficulty of transparency because, unlike the rather sideways approach that I have taken towards the matter, it makes another document—the European charter, which is not part of the bill and might be changed in future—central to the bòrd’s functions.

The practice with European Union legislation is often to have a high-level directive, the detailed implementation of which is left to the national legislatures. That is probably the proper approach to take to such matters. We should not try to incorporate into our law a generalised charter that applies to a number of countries and different situations, particularly as amendment 34 does not state which detailed provisions in the central document—the European charter—apply. It is better for Bòrd na Gàidhlig to have the function of monitoring and reporting on the issues in the form of an expert report. That is the proper way to approach the matter and allows the Parliament and ministers to form a view about where we are falling short and, if appropriate, to provide the necessary funding to resolve the issues.

I ask the committee to support amendment 16, but I have some difficulties with amendment 34 on technical grounds.

**Amendment 16 agreed to.**

**Amendment 2 moved—[Peter Peacock]—and agreed to.**

**The Convener:** Amendment 17 has already been debated with amendment 14.

**Alex Neil:** We have had the debate and reached a conclusion. In light of the vote on amendment 14 and as amendment 17 is consequential on that amendment, I will not move amendment 17.

**Amendment 17 not moved.**

**The Convener:** Amendment 34 has been debated with amendment 16.
Alex Neil: There is a consensus—we are all in favour of amendment 16. I hope that it will mean that, once the bòrd is up and running, we will be able to reconsider whether further action needs to be taken in regard to the charter. I acknowledge that, as it is worded, my amendment would present technical difficulties. However, those difficulties are caused by the fact that the UK Government is not fully signed up to the charter; an independent Scottish Government, on the other hand, would probably be fully signed up to it. On that basis, I am happy not to move amendment 34.

Amendment 34 not moved.

Section 1, as amended, agreed to.

Schedule 1

BÒRD NA GÀIDHLIG

The Convener: Amendment 3, in the name of the minister, is in a group on its own.

Peter Peacock: Amendment 3 provides simply for the use of the Gaelic form of the word “chief executive”, which is “ceannard”, in schedule 1. The use of the Gaelic form of the word “chairman” is already provided for in the bill. Amendment 3 simply ensures consistency in usage.

I move amendment 3.

The Convener: I have a small question. As I understand it, amendment 3 does not provide for the inclusion of an “or” or an “and” between “chief executive” and “Ceannard”. Should brackets or some other device be used to connect the two different forms?

Peter Peacock: On such matters, I depend heavily on advice. I am advised that the wording of amendment 3 is appropriate. Given that you have raised the matter, we will check that before stage 3 and, if necessary, regularise the format.

Amendment 3 agreed to.

Schedule 1, as amended, agreed to.

Section 2—National Gaelic language plan

The Convener: Amendment 4, in the name of the minister, is grouped with amendments 5, 18, 6 and 7.

Peter Peacock: I will speak to all the amendments in the group.

In its stage 1 report, the committee recommended that ministers should require the national Gaelic language plan to be reviewed at regular intervals. Amendment 4 provides for the national plan to be updated at least every five years or more frequently if ministers request that. That will ensure that the national plan can take account of changing circumstances. Amendment 7 is a consequential amendment.

Amendment 5 will oblige Bòrd na Gàidhlig to consult Parliament when preparing the national language plan. It seeks to respond to the committee’s suggestion that Parliament should approve the national plan through a statutory instrument that is subject to the affirmative procedure. Although amendment 5 does not go quite so far, I believe that it strikes the necessary balance between ensuring that Parliament has input into the preparation of what will be a blueprint for the future development of the Gaelic language and allowing the bòrd to carry out its functions. Amendment 5 links with amendment 6, which requires a copy of the plan to be laid before the Parliament.

Amendment 18 seeks to reduce the timescale that ministers have to consider a second draft of the national plan, which will already have taken account of ministers’ comments. I agree that the second period that is given to ministers to approve the plan or to determine its final content need not be six months. In that regard, I will be happy to accept amendment 18.

I move amendment 4.

Mr Macintosh: I welcome the minister’s remarks. Amendment 18 is about framing the timescale for producing and implementing the national Gaelic language plan that is produced by Bòrd na Gàidhlig. It is necessary to have a balance between the need for extensive deliberation and the need for action and the avoidance of prevarication. When Bòrd na Gàidhlig submits the national plan to ministers for approval, they must approve the plan or provide comments and require the bòrd to submit a redrafted plan. The bill says that, on receipt of the redrafted plan, ministers will have a further six months to approve it or determine its final form. Amendment 18 would reduce that second period from six months to three months.

The Convener: I want to raise a relatively trivial issue that was put to me by Highland Council, which suggested that the national plan should be updated every four years, as that would fit in with the length of a parliamentary session. I appreciate that point of view, although I do not agree with it. I invite the minister to comment on the logic of the chosen timescale when he winds up.

Peter Peacock: I have little to add. As far as the timescale is concerned, we could ask for things to be updated more frequently than every five years, but we feel that we have at least set a reasonable outside timescale.

Amendment 4 agreed to.
Amendment 5 moved—[Peter Peacock]—and agreed to.

Amendment 18 moved—[Mr Kenneth Macintosh]—and agreed to.

Amendments 6 and 7 moved—[Peter Peacock]—and agreed to.

Section 2, as amended, agreed to.

Section 3—Gaelic language plans

The Convener: Amendment 19, in the name of John Farquhar Munro, is grouped with amendments 8, 20, 9, 24 and 28.

11:15

John Farquhar Munro: Amendment 19 is an attempt to strengthen the provisions and clarify the position in section 3, which concerns the establishment of Gaelic language plans. By seeking to insert the phrase

"the most recent national Gaelic language plan published under section 2"

in section 3(3), I want to ensure that if the bòrd requires a Scottish public authority to prepare a Gaelic language plan, the bòrd must have regard to the national plan’s strategic direction.

I move amendment 19.

Peter Peacock: In its stage 1 report, the committee stated that the bill’s language planning provisions are focused on preserving the current situation of the Gaelic language instead of emphasising the equal importance of the language’s future development. I want to be clear that the bill is about enabling Gaelic not just to survive but, hopefully, to thrive. As a result, I am pleased to speak to amendments 8 and 9 which, at the committee’s request, require Bòrd na Gàidhlig and public authorities to have regard to the national language plan to ensure that it is, in a sense, the most important message that our approach to this fragile language should be expansionist, not protectionist, and that we believe that the language has great potential. As a result, I welcome these symbolically important amendments.

The Convener: I add my thanks to the minister. These amendments are arguably more important in practice than some of the symbolic amendments that we dealt with earlier and have very much received the support of the committee.

I have one query. One of the issues that has exercised the committee, to which we will come later, is the relationship with education provision. Education provision comes from local education authorities rather than from the bòrd, although we recognise the links. Is there any intention to have a national Gaelic education plan as a subcomponent of the national Gaelic language plan? How might education fit into the national Gaelic language plan? It is, in a sense, the most important aspect of it.

Peter Peacock: Highland Council has recently suggested that an amendment should be made to the bill to establish a separate national Gaelic education plan in which the Executive would play a major role. I want to see very clear strategies for the development of education through the medium of Gaelic and, more widely, for the development of Gaelic as a second language. I want us to provide more opportunities for that and it is important that we have a strategy for that. As you are aware, a group of experts in the field of Gaelic education is working to help us with teacher recruitment and to come up with a specific strategy for that. Teacher recruitment is important in the development of Gaelic education. I fully envisage that, once that work is completed, we will tie it into a broader strategy for education.

However, I want the education strategy to be part of the national language strategy. In the light of comments that have been made—I have not yet concluded my thoughts on this—I am considering whether it might be appropriate at stage 3 to make it clear that education should be a major strategic component of the national Gaelic language plan. If that would help to resolve that discussion, I would be happy to consider that as we move to stage 3.
All our intentions are exactly the same; it is only the means by which we seek to achieve those intentions that are the fine points of distinction.

The Convener: That is helpful. Like you, I have received representations from Highland Council on that matter. If we leave aside the technical aspects, there seems to be some degree of merit in what the council is trying to achieve. We will look again at that when we return to the bill before stage 3.

John Farquhar Munro: I am glad that the minister has accepted the minor amendments that I have lodged. Amendment 19 refers to the functions of Bòrd na Gàidhlig. Amendment 20 is specifically directed towards the functions of the Scottish public authorities in preparing a language plan. Those two amendments are, consequently, closely related and I am delighted that the minister has accepted them. The intention behind the amendments is to strengthen the position. They aim to give credibility to the functions of the bòrd and the public authorities. The amendments state simply that those bodies must take account of the most recent national Gaelic language plan that has been published under section 2. The amendments are similar and complementary to one another.

Amendment 19 agreed to.

Amendment 8 moved—[Peter Peacock]—and agreed to.

Amendment 20 moved—[John Farquhar Munro]—and agreed to.

Amendment 9 moved—[Peter Peacock]—and agreed to.

The Convener: Amendment 35, in the name of Alex Neil, is in a group on its own.

Alex Neil: We all agree that it is important that, as well as specifying the role of the bòrd, we build into the bill the aim of promoting the Gaelic language at every opportunity. One of the most effective ways in which to promote a language—indeed, any aspect of culture—is through the medium of advertising. The advertising budget of the Scottish Executive is a substantial amount of money every year. Given the discussion that we had earlier about the need to have equal respect for the language, it seems reasonable that we should earmark a certain proportion of that budget for the promotion of the Gaelic language. Amendment 35 is designed to do that and is built on some of the proposals that were put forward earlier in the discussions by Alasdair Morrison MSP.

I move amendment 35.

Mr Macintosh: I thank Alex Neil for his comments. I do not think that any of us doubts the importance and influence of advertising, but I question whether this is the sort of detail that we want in legislation. I am sure that Bòrd na Gàidhlig can deal with the matter without such amendments, and I question whether amendment 35 is necessary. I am also conscious of the fact that the committee took no evidence on the subject. Therefore, I am wary of amending the bill in this way. I would welcome further clarification from the minister.

Dr Murray: I was slightly surprised to read amendment 35, although I understand the thinking behind it. Scrutiny of the Executive’s budget is the responsibility of the committees of the Parliament rather than of the bòrd. If we are concerned about the spending in specific budget lines, that concern should be expressed through the subject committees and the Finance Committee.

Lord James Douglas-Hamilton: I query whether amendment 35 duplicates existing arrangements for scrutiny and accountability. I assume that the Administration’s accounts and budget statements will set out what proportion of the total advertising budget is spent on Gaelic, and plans to increase that sum can no doubt be ascertained through parliamentary questioning. All public authorities that prepare Gaelic language plans will, similarly, have to publish such financial details in their annual accounts. I therefore query whether amendment 35 is strictly necessary.

Ms Wendy Alexander (Paisley North) (Lab): As others have implied, amendment 35 is well meaning but misconceived. Alex Neil is well aware of my interest in efficiency in government, not least in advertising budgets. There is a sense that we want to avoid advertising budgets—whatever their purpose—running on year after year. For example, today the media are announcing the prospect of a serious flu outbreak. We are looking for flexibility in an advertising budget, and if there was a large flu outbreak, that would slant the spending in one year but not in another year. As Ken Macintosh implies, if we try to walk in percentages of a budget, we reduce the flexibility in that budget, which good government requires to be highly flexible and variable, year on year, depending on the imperatives of the moment.

The Convener: I, too, take that view. In a minor way, amendment 35 is quite dangerous. It deals with the sort of detail that is not really suitable for legislation: that is the central point. The Executive’s advertising budget needs to be dealt with through the accountability functions of the Parliament and the Finance Committee in particular. I do not see how the amendment could work in practice. I accept the nub of the objective to increase Gaelic advertising, and the minister may say something about that which will satisfy
Alex Neil on the matter. However, I see no merit in accepting the amendment.

Peter Peacock: I echo the comments that committee members have made. I understand completely the sentiment that lies behind amendment 35. Nevertheless, the amendment would not offer much practical assistance, as it is permissive, not mandatory, and would never be acted on. Even if it were used, it is potentially flawed because it asks for a specific figure that ministers have allocated to advertising in Gaelic and whether Scottish ministers have any plans to increase that proportion. The answer to those questions might be that we have allocated nothing and have no plans to increase that proportion. In saying that, we would have met the terms of the amendment but done nothing to promote Gaelic more effectively.

As Alex Neil said, Alasdair Morrison raised the matter with me some time ago. I agreed then that the issue of how advertising spend in the Executive could be structured to support Gaelic publishing is worthy of consideration. However, that is best done as part of the Scottish Executive’s own Gaelic language plan, in which it can explore those issues and how it can use its spend flexibly to support Gaelic publishing through the difficulties that we know that it has.

11:30

Advertising is placed to reach an appropriate audience at particular times. The desired impact and the value for money of every advert and the medium through which it is placed are carefully considered, and there is little point in agreeing to undertake a fixed level of advertising in Gaelic that would serve no specific purpose in any given year or was less than might otherwise be needed on some occasions in other years. I assure the committee that, when the issue is addressed as part of the Executive’s language plan, we will discuss with Bòrd na Gàidhlig an appropriate strategy that will not only fulfil the Executive’s objectives but be helpful to Gaelic development and secure value for money.

With that assurance, I hope that Alex Neil will feel able to withdraw amendment 35.

Alex Neil: The purpose of lodging amendment 35 was to get the assurance that the minister has given. I am happy to accept that assurance and will therefore not press the amendment.

Amendment 35, by agreement, withdrawn.

The Convener: Amendment 21, in the name of Alasdair Morrison, is in a group on its own.

Mr Macintosh: Amendment 21 is designed to ensure that Bòrd na Gàidhlig has a central role at all stages of the planning process. The bill provides for ministers to make regulations to prescribe the content of Gaelic language plans that are to be drawn up by the public authorities. Amendment 21 will oblige ministers to consult the bòrd when developing such regulations.

I move amendment 21.

Lord James Douglas-Hamilton: Amendment 21 should be supported, because ministers should at the very least consult the bòrd before making changes to local authorities’ language plans, as the bòrd might be more competent in Gaelic language matters than even the Scottish ministers.

The Convener: Dear, dear—what a revolutionary statement.

Peter Peacock: I am happy to accept the amendment; it makes sense.

Amendment 21 agreed to.

Section 3, as amended, agreed to.

Section 4—Review of, and appeal against, notices

The Convener: Amendment 22, in the name of Alasdair Morrison, is grouped with amendment 23. I ask Ken Macintosh to move amendment 22 and to speak to it and to amendment 23.

Mr Macintosh: Section 4 deals with appeals and sets out the timescales that apply. Appeals must be submitted within 28 days, but no time limits are imposed on ministers. Amendments 22 and 23 address that potential problem.

Amendment 22 deals with appeals by a Scottish public authority against the date for submission of a Gaelic language plan that has been set by Bòrd na Gàidhlig. The amendment would set a two-month time limit in which ministers would have to determine whether to uphold the bòrd’s original date or substitute an alternative.

Amendment 23 is similar, but applies to the content of the plan. The bill allows public authorities to appeal against having to comply with a notice issued by Bòrd na Gàidhlig requiring the submission of a language plan. The amendment would set a six-month time limit in which ministers would have to determine whether to uphold the notice issued by the bòrd.

I move amendment 22.

Peter Peacock: I am happy to accept the amendments, which are sensible and help to tighten up the bill.

Amendment 22 agreed to.

Amendment 23 moved—[Mr Kenneth Macintosh]—and agreed to.

Section 4, as amended, agreed to.
Section 5—Approval of plans

Amendment 24 moved—[John Farquhar Munro]—and agreed to.

The Convener: Amendment 25, in the name of Ken Macintosh, is grouped with amendments 26, 27 and 29.

Mr Macintosh: My three amendments in this group were suggested, or inspired, by Sabhal Mòr Ostaig, and I declare my family connection with the college.

Section 5 deals with the procedures that Bòrd na Gàidhlig and the various public authorities must follow to reach agreement and approve a Gaelic language plan. I suggest that the arrangements in the bill as introduced are too inflexible, and my amendments are designed to address that.

Under the bill as presently drafted, if a local authority and the bòrd disagree about a plan, the only option would appear to be to refer the matter to ministers. My amendments would allow a discussion to take place and agreement to be reached within a reasonable timescale. Only if agreement could not be reached would the matter be referred to ministers. Amendment 27, the main amendment, would allow that discussion to happen.

The bill’s current wording could be read to suggest that, during the discussion of any modifications that the bòrd might wish to make to an authority’s plan, the authority can only accept or reject all the amendments proposed. Amendment 25 would clarify the meaning of the proposal and allow specific modifications to be proposed. Amendment 26 suggests that an explanation should accompany any disagreement, thus allowing a discussion about the matter to take place.

I move amendment 25.

John Farquhar Munro: Amendment 29 deals with the approval of plans under section 5(4). It addresses the situation when agreement cannot be reached between a public authority and the bòrd on the final content of a plan and the matter is referred to the minister for adjudication. Amendment 29 would set out a six-month timescale within which ministers have to make a final determination so that, when a plan is submitted, it is not put in a file and forgotten.

Lord James Douglas-Hamilton: I strongly support all the amendments in the group. It could perhaps be assumed that local authorities and public bodies would give reasons for their opposition to plans, but having such a requirement in the bill is an added safeguard, so I support amendments 25 and 26. Amendment 27 clarifies the procedure that is to be used by the bòrd for the approval of public authority language plans, and is therefore to be welcomed. Amendment 29 clarifies the deadline for decisions by the Scottish ministers on approval of the plans. It is very much to be hoped that that will facilitate a speedy implementation of language plans, which would constitute a public service.

Fiona Hyslop: I support John Farquhar Munro’s amendment 29 and the spirit of what Ken Macintosh is seeking to achieve in his amendments.

I have a question for Ken Macintosh. We expect everything to go along swimmingly and for there to be not that many disagreements. We know, however, that in real life concerns might arise, particularly on the all-or-nothing issue relating to amendment 25. It makes sense to try to ensure that authorities can disagree with some suggested modifications but agree with others. I want to avoid creating a loophole whereby a local authority that might not wish to be fully engaged with the process decides to pick out one of the modifications and dispute it so as to extend the process. Amendment 29 might help tighten up the timescale in such a situation. I would not like the opportunity to object to one modification to be used as a get-out or a means to extend the time for implementation.

Peter Peacock: I am perfectly happy to accept amendments 25, 26, 27 and 29. We do not see the risk that Fiona Hyslop sees, although I would be happy to reflect on the matter. The amendments make sensible adjustments to the bill: they strengthen and clarify what is required by all parties.

Mr Macintosh: I endorse John Farquhar Munro’s amendment 29 and I welcome the comments of the deputy convener. On the point that Fiona Hyslop made, amendment 27 is specific: it sets out a two-month framework within which discussions must take place. Although it could be used as a device to procrastinate, that is not the intention: it is intended to allow discussion and partnership working. Two months is still a fairly tight framework in which to operate. I hope that that reassures the committee.

Amendment 25 agreed to.

Amendments 26 and 27 moved—[Mr Kenneth Macintosh]—and agreed to.

Amendments 28 and 29 moved—[John Farquhar Munro]—and agreed to.

Section 5, as amended, agreed to.

Sections 6 and 7 agreed to.
Section 8—Guidance, assistance, etc. by the Bòrd

The Convener: Amendment 10, in the name of the minister, is grouped with amendments 12 and 13.

Peter Peacock: Section 8 provides for Bòrd na Gàidhlig to prepare guidance on language planning matters. Amendment 10 introduces explicit provision to enable Bòrd na Gàidhlig to vary or revoke any guidance that it has issued to Scottish public authorities. It is sensible to have that flexibility in place.

As Scottish public authorities will have a clear interest in any variation to the guidance, the bòrd will be required to follow the same procedures for variation as apply for the preparation of the original guidance. The bòrd will be required to obtain the consent of ministers before revoking guidance.

Section 9 enables the bòrd to issue guidance on Gaelic education. I have revisited section 9 in the light of comments that the future direction of Gaelic education needs to be taken forward in partnership with the main bodies in that sector, such as the Executive, the bòrd, local education authorities and Her Majesty’s Inspectorate of Education.

Amendments 12 and 13 revise the consultation procedures in line with those that apply to the preparation of guidance on language planning under section 8. That will ensure that a draft of the guidance is published and all those with an interest will have the opportunity to comment.

I move amendment 10.

Fiona Hyslop: I welcome the amendments. The minister has reflected on the concerns that witnesses and the committee raised. The amendments recognise the primacy of the ministerial responsibility for education, are well presented and reflect the discussions that we had. In particular, amendment 12 makes the important point that the minister will take the decision on the guidance, which the bòrd will prepare and submit.

The amendments also reflect the discussions that we had about the relationship between the bòrd and the Scottish Executive Education Department and which has the lead role. Although we recognise the need for a national strategy for Gaelic-medium education, which I support, the bill is about Bòrd na Gàidhlig. We must either take the view that the bòrd has primacy in the delivery and quality of Gaelic-medium education or acknowledge that Gaelic must be mainstreamed within the Education Department. The amendments recognise that the bòrd has an important advisory role but that, at the end of the day, the responsibility must lie with the minister.

The Convener: That was a classic statement of the role of ministerial accountability in the matter.

Peter Peacock: I have nothing to add. The case is made and I hope that the committee will support the amendments.

Amendment 10 agreed to.

Amendment 11 moved—[Peter Peacock]—and agreed to.

Section 8, as amended, agreed to.

Section 9—Guidance on Gaelic education

Amendments 12 and 13 moved—[Peter Peacock]—and agreed to.

The Convener: Amendment 36, in the name of Fiona Hyslop, is in a group on its own.

11:45

Fiona Hyslop: Much of the evidence we received was on the importance of education. We recognise that it is necessarily difficult to make sufficient headway on education in statutory terms in a bill that is primarily about the roles and responsibilities of the bòrd, although the minister’s proposed amendment to the Standards in Scotland’s Schools etc Act 2000 refers to the guidance that can be produced. We know from the draft guidance the minister has produced that the Executive is willing to have quite strong guidance in the area. However, there is no reference to Gaelic language plans in the Standards in Scotland’s Schools etc Act 2000. On the basis of the evidence we have received, we know that the content of the Gaelic language plans will ensure that a local authority will provide Gaelic-medium education to the level that is required.

I have attempted to reflect the committee’s views at paragraph 58, on page 12, of our stage 1 report. We recommended “that the Scottish Executive further considers amendments to define the relationship between the Gaelic Language (Scotland) Bill and the Standards in Scotland’s Schools etc Act 2000.”

I will explain what amendment 36 would do. Section 5(2)(c) of the Standards in Scotland’s Schools etc Act 2000 refers to the annual statements that councils must produce on Gaelic education. It says that the education authority’s annual statement must state “(i) the ways in which; or (ii) the circumstances in which, they will provide Gaelic medium education”.

In effect, that means that there is an opt-out as to whether Gaelic-medium education will be provided.
We have received a lot of evidence about reassuring councils that we do not expect every local authority in Scotland to provide Gaelic-medium education on day one following the enactment of the bill, not least because we do not have a sufficient number of teachers and because it will not be delivered as a practical right. It should be remembered that the bill is not about individual rights, but about the bòrd.

Amendment 36 would mean that the opt-out part of the 2000 act would cease to exist once the guidance on Gaelic education is provided by the bòrd and where a plan has been produced by the authority. It would tighten the relationship between the Standards in Scotland's Schools etc Act 2000 and the Gaelic Language (Scotland) Bill and allow the reference to be a two-way reference—Highland Council in particular was keen to have that.

Amendment 36 would make it not a case of whether a local authority will provide Gaelic-medium education, but a case of when. However, the when will be determined by the minister's guidance and by the plan that is produced with the bòrd's agreement. That would be a positive way forward and a strong message. It would also ensure the practical delivery of Gaelic-medium education.

Unfortunately, the bill does not provide us with the opportunity to give individual rights to Gaelic-medium education, but we can ensure that local authorities' duties in relation to Gaelic-medium education are tightly tied into the statute. In that spirit, I have attempted to produce an amendment that will allow us to go forward.

I move amendment 36.

Lord James Douglas-Hamilton: I support amendment 36, which would amend the Standards in Scotland's Schools etc Act 2000 to ensure that schools that belong to a local authority that has prepared a Gaelic language plan for the bòrd include Gaelic provision objectives in their annual statement of improvement objectives. The requirement for schools to consider their objectives for Gaelic provision may help to guide their financial and curricular planning more effectively, and I hope that the minister will consider the amendment sympathetically.

Mr Macintosh: I am grateful for Fiona Hyslop's explanation, as I was slightly baffled by the amendment. We have discussed the bill's relationship with the Standards in Scotland's Schools etc Act 2000 a number of times and not reached a conclusion.

I can see where Fiona Hyslop wants to go with the amendment, but because I was so baffled by the amendment's wording when I originally considered it, I am slightly concerned that it will not achieve what she wishes it to achieve. If I may, I would like more time to think about its wording before stage 3 and whether it would do something that we did not quite agree to.

I feel that some local authorities might object strongly and I am slightly concerned. Now that I understand what you want to do, I would like more time to think about the matter, if that is all right.

Ms Alexander: I agree with some of Ken Macintosh's sentiments and I will share my thoughts with the minister before he responds. The committee wrestled with the questions to which Fiona Hyslop alludes—whether the representation of the relationship between the Standards in Scotland's Schools etc Act 2000 and the bill is fair, how that is complicated by issuing guidance and how that guidance might impinge on the use and distribution of the Gaelic-specific grant.

Many of us feel that such an amendment may not be the way to take a fresh look at the Gaelic-specific grant and how local authorities meet their obligations under it. It is fair to say that we heard several concerns about that when we took evidence and heard a desire for reassurance that the new guidelines might be the vehicle to address some of the issues. The minister's thoughts—before stage 3—would help.

Dr Murray: I am slightly anxious about the amendment. We have discussed the fact that different local authorities may have different plans. The amendment could strike fear into councils such as Dumfries and Galloway Council, which may or may not have the requirement in its Gaelic plan. In particular, it might be inferred that a local authority must provide Gaelic-medium education in its area rather than enable people to access such education elsewhere. I am a little nervous for areas such as mine about some of the amendment's implications.

The Convener: I share some of those concerns. Wendy Alexander is correct: the committee wrestled with the subject and did not reach a conclusion. A relationship exists between education functions under education legislation and the Gaelic stuff, but singling out Gaelic-medium education in the slightly cumbersome fashion suggested would not help achievement of the objectives. I am still wrestling—to use Wendy Alexander's word—with the subject and I shall be interested to hear the minister's response.

The broader question is whether the relationship between the 2000 act and the bill, which I hope will soon become an act, needs to be tightened in the light of how education came into the bill, because it was not in the draft bill, if I remember rightly. Did the Executive fully bottom out the issue? We need assurance on that broader issue.
Mr Macintosh: I have a comment for the minister. We had a big discussion on the demand threshold for Gaelic-medium education. In some local authorities, it might be as low as one or two pupils, but in others it might be five or nine. I thought that the bòrd was to take on the issue and would reflect on such thresholds in its guidance, and that that is how we left the discussion. The bòrd is to produce quite strong guidance, with a number attached, on the appropriate level at which to introduce Gaelic-medium education.

Peter Peacock: We are all wrestling with the amendment. I know from discussions with Fiona Hyslop that there has been quite a lot of dialogue on the correct way to construct it. I will try to put the matter in context. At every stage in the bill’s progress, education has featured prominently, as we have said. That is right and I welcome the emphasis put on Gaelic education by the committee, Bòrd na Gàidhlig and other interests, because it is the key to the language’s future.

For those reasons, I have included in the bill an important strategic education role for Bòrd na Gàidhlig. I have issued guidance on Gaelic-medium education and established working groups on teacher recruitment and secondary education. I have also created an explicit link to the Standards in Scotland’s Schools etc Act 2000 through section 9.

I understand that amendment 36 would do two things. First, it would require an education authority, when meeting Gaelic-medium education reporting requirements under the 2000 act, to have regard to any guidance issued by Bòrd na Gàidhlig and to any Gaelic language plan that that authority might have in place. I believe that I have achieved that through section 9. Secondly, it would delete the existing requirement in the 2000 act for an education authority to specify the circumstances in which it will provide Gaelic-medium education. There may be an assumption that that will be dealt with in the Gaelic language plan prepared by an education authority, but currently no safeguard is in place to ensure that that is the case.

That raises the Shetland or Dumfries and Galloway question that members such as Elaine Murray have raised, which is what would the implications be for such areas. As you are aware, through draft guidance that we have issued, local authorities are already addressing the question of thresholds. Bòrd na Gàidhlig will in due course take that guidance further forward, so those questions will not be ignored—they will be addressed.

I agree with Fiona Hyslop that there is merit in requiring education authorities to report in accordance with any Gaelic language plan that they have in place, as well as in accordance with any guidance issued by the bòrd. In light of the questions that have been raised today and the discussions that I have had with Fiona Hyslop, I am content to examine the issue more thoroughly before we get to stage 3, to see whether we can reconcile the arguments and perhaps lodge at stage 3 an amendment that meets all our requirements. I would be happy to do that and to provide an amendment in sufficient time in advance of stage 3 to allow Fiona Hyslop to consider whether it meets her specific requirements. On that basis, I invite her to withdraw amendment 36 and give us all time to consider further the spirit of what is intended, and try to find a technical way to achieve it.

The Convener: I notice that the sun shone as the minister said that.

Peter Peacock: It seldom happens.

The Convener: Perhaps it is divine approval of the proposal.

Fiona Hyslop: The sun shines on the righteous, but I am not sure whether it is shining on me or on the minister. I hope that it is shining on us both, working together.

The Convener: I should clarify that it shone on the convener.

Fiona Hyslop: I appreciate the minister’s comments. I will respond to some of the points that have been made. It is essential that we have guidance rather than guidelines, because guidance is stronger. That relates to Wendy Alexander’s point.

The wording of amendment 36 strongly replicates the wording used in the Standards in Scotland’s Schools etc Act 2000, but refers not only to guidance—which was already in the bill—but to the Gaelic language plan. I would be surprised if language plans did not refer to education. Agreement on the content of plans will be negotiated between each council and the bòrd. That is where the debate about thresholds will be interesting, because we do not expect one local authority’s Gaelic language plan and references to Gaelic-medium education to be identical to another’s. That allows for the flexible development that impressed us in evidence.

While the wording of amendment 36 is very similar to that in the Standards in Scotland’s Schools etc Act 2000, it seeks to bring it up to date by requiring reference to the circumstances in which Gaelic-medium education will be provided to be made in the guidance that will be provided by the minister and, more important—it is missing from the bill currently—to be outlined in the Gaelic language plan.

The committee was shocked by the evidence on the lack of Gaelic-medium education in the
We would expect the Western Isles to be one of the first councils with a language plan. The committee recommended that there should be language plan developments in other council areas, such as Perth and Kinross, where there was potential for development. We would expect the content of those language plans to be different for those different local authorities.

I am interested that the minister will examine the wording of amendment 36. I am happy to withdraw it, pending stage 3, when I will reserve the right to amend the bill or support the minister's amendment when he lodges it.

The Convener: That was a productive discussion.

Amendment 36, by agreement, withdrawn.

Section 9, as amended, agreed to.

The Convener: Amendment 30, in the name of Alex Neil, is in a group on its own.

Alex Neil: As we know, broadcasting generally is a reserved matter, but Gaelic broadcasting is largely devolved. It would be remiss of us not to consider the role of the bòrd in, and to give it a locus in relation to, Gaelic broadcasting services.

The powers that are suggested in amendment 30 are on guidance for broadcasting services with the consent of Scottish ministers. There would be a tie-up between the overall strategy of Scottish ministers for Gaelic broadcasting and using those services to assist the work of the bòrd in promoting Gaelic. I do not accept that most broadcasting should be reserved, but Gaelic broadcasting is devolved, so the amendment is fairly consistent with what we are trying to get the bòrd to do, what we are trying to do to promote the language, and with the overall objectives of a Gaelic broadcasting service. It makes sense to align the work of the bòrd with the more general powers and direction of Gaelic broadcasting in Scotland as directed by Scottish ministers.

I move amendment 30.

Mr Macintosh: I have some concerns about the amendment and the idea behind it. It is important to clarify the role of the Scottish Government in broadcasting Gaelic. The subject was brought up during the latter stages of taking evidence for our stage 1 report. There is room for the Executive to clarify the relationship, given that the Gaelic broadcasting budget is devolved. We need to clarify which minister is responsible, how much the budget is, and what the relationship will be between the Executive and Westminster. There is a need for clarification and possibly a stronger lead from the Executive.

We did not take any evidence on broadcasting at all and I am hesitant to introduce what is almost a new subject at this stage. Broadcasting has a difficult role because broadcasters have to be independent. The relationship between Government and broadcasters is tricky, so we have to be careful about how we word legislation that deals with that relationship.

I am also concerned about the idea that we might jeopardise the bill by including provisions on a reserved matter. Perhaps I could have clarification on that point.

For all the foregoing reasons, I suggest that Alex Neil not press amendment 30. I do not think that it will achieve what he wants and it might do some harm to, or even jeopardise, the bill.

Dr Murray: I have a slightly different point. I am not sure why the amendment is necessary. Section 1(2)(b) gives the bòrd the facility to advise “public bodies and other persons exercising functions of a public nature”.

Public service broadcasting is a public service, so the facility that Alex Neil seeks is already in the bill.

Fiona Hyslop: We acknowledge the point—Frank McAveety kept coming back to it—that broadcasting, cultural issues and education are central, but none of those is central to the bill as it stands. There is a case for including a reference to broadcasting; Parliament has the power to do that.

Bearing in mind the fact that we have just passed amendments 1 and 15 to include Gaelic education and culture in section 1(2)(b). We have also agreed to include the term in section 1(2)(a), which is about “promoting, and facilitating the promotion of, the use and understanding of the Gaelic language”.

We have just amended that to include education and culture. We have also amended section 1(2)(c) to include that term. Amendment 30 is therefore consistent with previously agreed amendments. However, I acknowledge that there are concerns and I will be interested to hear the minister's comments and Alex Neil’s response to points that are made.

The Convener: I will make one or two comments. I have a fair amount of sympathy with the thrust of what Alex Neil is trying to achieve. For what it is worth, at the time of the Holyrood settlement, the Scottish Liberal Democrats were also keen to have broadcasting brought into the jurisdiction of the Scottish Parliament. That is a past issue.
The committee clearly acknowledged the importance of Gaelic broadcasting and took the matter up in its stage 1 report. The report mentioned Bòrd na Gàidhlig’s representation in, and on-going liaison with, the Gaelic Media Service, which was established fairly recently. In response to questions that were raised, the minister said that the Executive is keen to engage in discussions with key interests in that regard. Broadcasting is not entirely reserved; for example, funding for Gaelic broadcasting services is devolved—where the powers lie is a bit of a mish-mash. However, amendment 30 does not propose the right solution. As Elaine Murray rightly pointed out, section 1(4) makes provision for Scottish ministers to give the bòrd “directions (of a general or specific character) and guidance as to the exercise of the Bòrd’s functions.”

The committee obtained the undertaking that ministers would liaise with the Westminster Government about the Executive’s role in relation to reserved agencies. The undertaking was given against the background of comments that I and others made about the oddity whereby the Welsh Language Act 1993, which went through Westminster before devolution, applies to reserved bodies, whereas the Gaelic Language (Scotland) Bill will not apply to such bodies. The issue is perhaps marginal, but as Ken Macintosh said, we need to bottom it out a little. I will be interested to hear how the minister views the relationship between the Executive, the bòrd, Gaelic language plans and guidance and broadcasting, in relation to which the Scottish Executive already has functions.

Peter Peacock: It will not surprise Alex Neil to learn that I believe that the provisions in amendment 30 would be out with the Scottish Parliament’s legislative competence. Broadcasting legislation and policy are reserved matters, which is perhaps why the member raised the issue. However, I agree with the sentiment that is expressed in the committee’s stage 1 report, which noted the “importance of broadcasting in underpinning the Gaelic language”.

The convener invited me to comment on the issue, so I take the opportunity to do so. The bill explicitly gives Bòrd na Gàidhlig the function of advising ministers and public bodies on Gaelic language matters. I fully expect the bòrd to take appropriate opportunities to provide advice to relevant bodies and ministers on matters that relate to Gaelic broadcasting. I also expect the bòrd to set out its views on Gaelic broadcasting in the national Gaelic language plan. I emphasise that that position creates no tension with regard to reserved matters. As the convener and Dr Murray said, section 1 provides that Bòrd na Gàidhlig may advise other bodies on matters that relate to Gaelic. It is therefore legitimate for broadcasting matters to be included in advice that the bòrd gives and in the national plan, although it is not competent to include broadcasting in Scottish legislation.

Members of the committee know that United Kingdom legislation established the Gaelic Media Service, which has been charged with performing its functions in a way that will secure a wide range of high-quality television programmes in Gaelic. As the convener mentioned, statutory provision is made for a representative of Bòrd na Gàidhlig to be a member of the GMS board.

I am confident that adequate structures are in place to ensure that clear messages about Gaelic broadcasting needs are formulated and directed to appropriate departments and agencies. I further reassure the committee that the Executive is keen that a Gaelic digital channel be established as quickly as possible. I assure members that Patricia Ferguson and I are actively—I stress “actively”—involved in discussions with key interests in an effort to secure a solution that offers a viable future for Gaelic broadcasting. I am hopeful of a positive outcome. The matter might not have been made very public, but we are providing leadership in the discussions that are taking place.

Amendment 30 would be out with the legislative competence of Parliament. I hope that no member would want the implementation of the other provisions in the bill to be compromised because a question of competence arose on one matter. In any event, amendment 30 would add nothing to the bòrd’s ability to advise on broadcasting matters. I invite Alex Neil to withdraw the amendment, although I do so more in hope than in expectation.

The Convener: Before Alex Neil sums up the debate, it might be worth offering the committee some guidance on admissibility and competence—I confess that I have concerns about the matter. I am advised that amendment 30 is admissible under the standing orders of the Parliament. The admissibility of an amendment relates to its form and its relationship with the general principles of the bill, so there is no particular issue about amendment 30 in that context.

There is an issue about competence, which I am told is not a matter for me as convener, but is a matter for Parliament, although the eventual act might be struck down by the courts if we legislated beyond our legislative competence. I am a lawyer, but I have difficulties understanding how something could be admissible but incompetent, which appears to be the situation. I hope that that is modestly helpful background to the admissibility and competence issue.
Alex Neil: My understanding is that, at the end of the day, it is up to the Presiding Officer to decide whether a bill is competent under the Scotland Act 1998. If he deems it to be competent, but the UK Government, through the Advocate General—who of course is very busy—wants to challenge that decision, it can do so through the Privy Council. It is an absolute red herring to say that we cannot include amendment 30 in the bill or that it would endanger the bill. It would not endanger the bill, because the Presiding Officer would rule at stage 3 that, to allow the bill to be passed, the measure could not be in it. That argument is a complete and utter red herring.

I was surprised that Ken Macintosh said that we cannot discuss the issue because we have not had evidence on it—we have had evidence on it. In fact, Ken, you should read your own report. Paragraph 76, on page 16, under the heading “Broadcasting” states:

“The Committee”—

“notes the importance of broadcasting in underpinning the Gaelic language. Bòrd na Gàidhlig observed that: ‘… two things—education and broadcasting—are basic to developing the language.’”

Furthermore, paragraph 77 states:

“In its written submission to the Committee, Gaelic Media Services noted that: ‘…the UK broadcasting system is working against the Gaelic language, because the current Gaelic broadcasting provision is too patchy to have critical mass’.”

It is absurd for someone who has signed that report to say that we should ignore the issue and not deal with it in the bill. That was the evidence and the conclusion of the committee. The purpose of amendment 30 is to implement measures to deal with the issues that the committee said should be addressed. That is why I lodged amendment 30, which is perfectly valid. If the committee is serious about Gaelic broadcasting and if it believes its own report, it should agree to amendment 30.

The Convener: The amendment is valid and admissible, but whether it is competent remains to be seen.

The question is, that amendment 30 be agreed to. Are we agreed?

Members: No.

The Convener: There will be a division.

For
Byrne, Ms Rosemary (South of Scotland) (SSP)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Mr Adam (South of Scotland) (SNP)

Against
Alexander, Ms Wendy (Paisley North) (Lab)
Brown, Robert (Glasgow) (LD)
Douglas-Hamilton, Lord James (Lothians) (Con)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
Macintosh, Mr Kenneth (Eastwood) (Lab)
Murray, Dr Elaine (Dumfries) (Lab)

The Convener: The result of the division is: For 3, Against 6, Abstentions 0.

Amendment 30 disagreed to.

Section 10—Interpretation

The Convener: Amendment 31, in the name of Alex Neil, is grouped with amendment 32.

Alex Neil: Amendment 31 is intended to implement a recommendation of the committee’s report, this time in relation to coverage of cross-border public authorities that exercise devolved functions. The amendment, which would not cover reserved functions, is sensible and would introduce a measure that the committee recommended. I hope that the Executive, in its great wisdom and with the tremendous legal advice that it gets, will accept it.

On amendment 32, I remind the committee that the legal advice that the committee received from Margaret Macdonald was that the Food Standards Agency has a unique or singular status in the machinery of Government in the UK. According to her advice, it is a non-ministerial Government department, not a non-departmental public body or quango. Technically, its function is not reserved or devolved, but a bit of both. The legal advice that the committee received was that it would be perfectly competent to include specific reference to the Food Standards Agency, in recognition of its unique situation and to ensure that it fulfils its obligations. Both amendments seek to implement the recommendations of the Education Committee.

I move amendment 31.

12:15

The Convener: I have a lot of sympathy with Alex Neil’s amendments 31 and 32. As he rightly said, we examined the issue in some depth. My starting point was that I found it odd that we were not in a position to impose legal obligations on agencies other than specifically devolved agencies. It follows from that that my approach to the matter is to try to deal with it on as wide a basis as we can manage legally. There has been some sympathy from the committee for that approach.

Cross-border authorities were mentioned in addition to the Food Standards Agency, which we discovered to our surprise is unique in the way it is
defined. My only concern is whether the phraseology that is used in the definition in section 10(2) of

"a Scottish public authority with mixed functions or no reserved functions"

covers cross-border public authorities. I confess that I am struggling with the phraseology, so I seek guidance from the minister and his officials. However, my basic position on amendments 31 and 32 is that I am sympathetic to them.

Peter Peacock: As Alex Neil said, amendment 31 seeks to ensure

"that cross-border public authorities exercising devolved functions"

are included in the terms of the bill. I have revisited the definition of “Scottish public authority” that we used in the bill in the light of Alex Neil’s amendment. On reflection, it is my view that cross-border public authorities are not currently caught within the phrase “Scottish public authority”. In a rare moment of generosity towards today’s amendments, I am happy to say that I am grateful to Alex Neil for lodging amendment 31 in order that the matter can be clarified. However, we believe that his amendment could be better formulated to ensure consistency with the Scotland Act 1998, so I will be happy to lodge an amendment at stage 3 to ensure that cross-border public authorities, insofar as they exercise devolved functions, would be covered in the definition of “Scottish public authority”.

Amendment 32 seeks to add the Food Standards Agency to the bodies to which Bòrd na Gàidhlig might issue a notice requiring the preparation of a Gaelic language plan. I agree with Alex Neil that organisations such as the Food Standards Agency might, like Scottish public authorities, have a role to play in securing the status of the language in Scotland. As the convener mentioned, the constitution of the FSA is a complex matter, but the bottom line is that the FSA is a non-ministerial department of the UK Government and, as such, it should be treated in the same way as a Whitehall body. In that spirit, we have been in contact with the FSA since those points were raised in the committee’s stage 1 report, which included the recommendation that I seek to amend the bill to encompass the FSA. I am pleased to tell the committee that the FSA has indicated that it is keen to do its bit to support Gaelic in Scotland and has undertaken to work voluntarily in the spirit of the bill and to liaise with Bòrd na Gàidhlig to determine how that work can best be taken forward.

Therefore, I invite Alex Neil not to press amendment 31 and not to move amendment 32 in the full knowledge that I will lodge an amendment at stage 3 to include cross-border public authorities in the definition of “Scottish public authority” and that I have an undertaking from the FSA that it will develop Gaelic language provision wherever appropriate.

Alex Neil: I will treat amendments 31 and 32 separately. Amendment 31 refers to

"cross-border public authority exercising devolved functions"

I take it from what the minister said that he agrees with the amendment, but wants simply to improve the wording. That is a reasonable suggestion, so I will not press amendment 31, on the understanding that the minister will lodge an appropriate amendment at stage 3. I thank him for that.

The Executive’s legal advice clearly flies in the face of the legal advice that we received from the parliamentary lawyers that it is perfectly competent and admissible to cover the Food Standards Agency in the bill. I am prepared not to move amendment 32 only if the issue is explored further between the two sets of lawyers before stage 3. Although I accept that the current management of the Food Standards Agency has given a commitment to the minister that I hope will be backed up in writing and made public, we do not know about future management teams of the Food Standards Agency. The logic of that position is that if every agency gave an undertaking to the minister that they would make Gaelic language provision anyway, why would we need a bill or the bòrd? I do not see why we should exclude the Food Standards Agency or give it a special waiver simply because it has given that undertaking to the minister. It is perfectly legitimate to include an obligation in the bill and the act when it is finally passed, but we have two contradictory sets of legal advice on the matter.

Perhaps between the minister’s good offices, those of the Presiding Officer and the Executive, we can resolve which legal advice—the Executive’s or the committee’s—is the correct advice. In the spirit of generosity that the minister referred to, I am prepared not to press or move the amendments on the understanding that the issues in both will be resolved at stage 3.

The Convener: I am more than happy to ask the clerks to seek comment from our legal advisers on the information that the minister has given us this morning. If appropriate, we can have further discussions. Will the minister respond further on that?

Peter Peacock: I will be happy to consider the matters that have been raised, but I cannot give a commitment until I look at them more fully. However, I have made our commitment clear in relation to the FSA.
Amendment 31, by agreement, withdrawn.

The Convener: Does Alex Neil wish to move amendment 32?

Alex Neil: I will not move amendment 32, on the understanding that we will try later to resolve the issue with which it deals.

Amendment 32 not moved.

Section 10 agreed to.

Sections 11 and 12, schedule 2 and section 13 agreed to.

Long Title

The Convener: Does Alex Neil wish to move amendment 33?

Alex Neil: We have already discussed the substantive matter of the difference between equal validity and respect. I admit that I lost the vote, but probably won the argument. However, I note that in the earlier debate, the minister firmly undertook to lodge at stage 3 an amendment to the long title of the bill to build in the issue of respect. On that understanding, I will not move amendment 33.

The Convener: I was asking you not to make observations, but to move or not move the amendment.

Amendment 33 not moved.

The Convener: Subject to that reservation at stage 3, the question is, that the long title be agreed to. Are we agreed?

Long title agreed to.

Meeting closed at 12:23.
Gaelic Language (Scotland) Bill
[AS AMENDED AT STAGE 2]

CONTENTS

Section

Bòrd na Gàidhlig
1 Constitution and functions of Bòrd na Gàidhlig

National Gaelic language plan
2 National Gaelic language plan

Gaelic language plans
3 Gaelic language plans
4 Review of, and appeal against, notices
5 Approval of plans
6 Monitoring of implementation
7 Review of plans
8 Guidance, assistance, etc. by the Bòrd

Gaelic education
9 Guidance on Gaelic education

General
10 Interpretation
11 Regulations and orders
12 Consequential amendments
13 Short title and commencement

Schedule 1—Bòrd na Gàidhlig
Schedule 2—Consequential amendments
Amendments to the Bill since the previous version are indicated by sidelining in the right margin. Wherever possible, provisions that were in the Bill as introduced retain the original numbering.

Gaelic Language (Scotland) Bill
[AS AMENDED AT STAGE 2]

An Act of the Scottish Parliament to establish a body having functions exercisable with a view to securing the status of the Gaelic language as an official language of Scotland, including the functions of preparing a national Gaelic language plan, of requiring certain Scottish public authorities to prepare and publish Gaelic language plans in connection with the exercise of their functions and to maintain and implement such plans, and of issuing guidance in relation to Gaelic education.

Bòrd na Gàidhlig

1 Constitution and functions of Bòrd na Gàidhlig

(1) There is established a body corporate to be known as Bòrd na Gàidhlig (in this Act referred to as “the Bòrd”).

(2) The Bòrd has the general functions of—

(a) promoting, and facilitating the promotion of—

(i) the use and understanding of the Gaelic language, and

(ii) Gaelic education and Gaelic culture,

(b) advising (either on request or when it thinks fit) the Scottish Ministers, public bodies and other persons exercising functions of a public nature on matters relating to the Gaelic language, Gaelic education and Gaelic culture,

(c) advising (on request) other persons on matters relating to the Gaelic language, Gaelic education and Gaelic culture,

(d) monitoring, and reporting to the Scottish Ministers on, the implementation of the European Charter for Regional or Minority Languages dated 5 November 1992 in relation to the Gaelic language.

(3) The functions conferred on the Bòrd by this Act are to be exercised with a view to securing the status of the Gaelic language as an official language of Scotland commanding equal respect to the English language through—

(a) increasing the number of persons who are able to use and understand the Gaelic language,

(b) encouraging the use and understanding of the Gaelic language, and
(c) facilitating access, in Scotland and elsewhere, to the Gaelic language and Gaelic culture.

(4) The Scottish Ministers may give the Bòrd directions (of a general or specific character) and guidance as to the exercise of the Bòrd’s functions.

(5) The Scottish Ministers may vary or revoke any directions or guidance given under subsection (4).

(6) Schedule 1 makes further provision with respect to the status, constitution, proceedings, etc. of the Bòrd.

National Gaelic language plan

2 National Gaelic language plan

(1) The Bòrd must—

(a) within 12 months of the commencement of this section,

(b) no later than 5 years after the date on which a plan is published under subsection (6), and

(c) whenever required to do so by the Scottish Ministers under subsection (7),

prepare and submit to the Scottish Ministers a national Gaelic language plan which must include proposals as to the exercise of its functions under this Act.

(2) In preparing the plan, the Bòrd must—

(a) consult the Parliament,

(b) publish a draft of the plan,

(c) publicise the opportunity to make representations about the draft plan under subsection (3) within such period of not less than 3 months as the Bòrd may specify, and

(c) take into account any representations received by it within that period.

(3) Any person who wishes to make representations to the Bòrd about the draft plan may do so within the period specified in pursuance of subsection (2).

(4) The Scottish Ministers must, within 6 months of receiving the plan—

(a) approve the plan, or

(b) make such comments on the plan as they think fit and require the Bòrd to prepare and submit to them, within such period as they may specify, a further plan taking account of those comments.

(5) Where a further plan is submitted, the Scottish Ministers must, within 3 months of receiving it—

(a) approve the plan, or

(b) order the Bòrd to publish the plan in such terms as the Scottish Ministers think fit.

(6) On the plan being approved or, as the case may be, ordered to be published by the Scottish Ministers, the Bòrd must—

(a) publish it in such manner as it thinks fit, and

(b) lay a copy of it before the Parliament.
The Scottish Ministers may, at any time, require the Bòrd to prepare and submit to them a new national Gaelic language plan.

**Gaelic language plans**

(1) The Bòrd may give a notice in writing to any Scottish public authority requiring the authority to prepare a Gaelic language plan.

(2) The notice must—

(a) state that the authority is required to prepare a Gaelic language plan in accordance with this section and submit it to the Bòrd,

(b) specify a date (being no earlier than 6 months after the date the notice was given) by which the authority must submit the plan to the Bòrd, and

(c) inform the authority of its rights under section 4 to request a review and to appeal to the Scottish Ministers.

(3) In deciding whether to give a notice under subsection (1) to a Scottish public authority, the Bòrd must have regard to—

(za) the most recent national Gaelic language plan published under section 2,

(a) the extent to which—

(i) the Gaelic language is used by persons in relation to whom the functions of the authority are exercisable, and

(ii) in the Bòrd’s opinion, there is potential for the authority to develop the use of the Gaelic language in connection with the exercise of those functions,

(b) any representations made to it in relation to the use of the Gaelic language in connection with the exercise of those functions, and

(c) any guidance given by the Scottish Ministers.

(4) A Gaelic language plan must—

(a) set out the measures to be taken by the Scottish public authority in relation to the use of the Gaelic language in connection with the exercise of the authority’s functions,

(b) specify the date by which the measures are to be taken, and

(c) contain such other information as may be prescribed in regulations made under subsection (7).

(5) A Scottish public authority, in preparing a Gaelic language plan, must have regard to—

(za) the most recent national Gaelic language plan published under section 2,

(a) the extent to which the persons in relation to whom the authority’s functions are exercisable use the Gaelic language,

(aa) the potential for developing the use of the Gaelic language in connection with the exercise of those functions,

(b) any representations made to the authority in relation to the use of the Gaelic language in connection with the exercise of those functions, and

(c) any guidance given by the Scottish Ministers or the Bòrd.
(6) In preparing a Gaelic language plan, a Scottish public authority must consult persons appearing to it to have an interest.

(7) The Scottish Ministers may, after consulting the Bòrd, by regulations make further provision in relation to the content of Gaelic language plans.

(8) Those regulations may make different provision for different purposes or for different types of Scottish public authority.

4 Review of, and appeal against, notices

(1) Where a Scottish public authority receives a notice under subsection (1) of section 3 and considers that the date specified in it by virtue of subsection (2)(b) of that section is unreasonable, it may within 28 days of receipt of the notice request the Bòrd to review the date.

(2) A request under subsection (1) must set out the authority’s reasons for its view.

(3) The Bòrd must within 28 days of receipt of the request review the date and—
   (a) confirm the date, or
   (b) substitute a later date (in which case that date is deemed to be the date specified in the notice by virtue of section 3(2)(b)).

(4) In intimating to the authority its decision under subsection (3) the Bòrd must, if the decision is to confirm the date, set out its reasons for the decision.

(5) If the authority is aggrieved by the Bòrd’s decision under subsection (3), it may, within 28 days of receiving intimation of the decision, appeal to the Scottish Ministers.

(5A) The Scottish Ministers must determine an appeal under subsection (5) no later than 2 months after the date on which the appeal was made.

(6) If the Scottish Ministers uphold an appeal under subsection (5) they must specify another date by which the authority must submit a Gaelic language plan to the Bòrd.

(7) Where a Scottish public authority receives a notice under subsection (1) of section 3 it may, within 28 days of such receipt, appeal to the Scottish Ministers against the notice on the grounds that, having regard to the matters specified in subsection (3)(a) to (c) of that section, the Bòrd’s decision to give the notice to the authority was unreasonable.

(7A) The Scottish Ministers must determine an appeal under subsection (7) no later than 6 months after the date on which the appeal was made.

(8) If the Scottish Ministers uphold an appeal under subsection (7)—
   (a) the notice ceases to have effect, and
   (b) the Bòrd may not give a further notice under section 3(1) to the Scottish public authority until the expiry of the period of 2 years beginning with the date on which the notice to which the appeal relates was given.

5 Approval of plans

(1) Where a Gaelic language plan is submitted to the Bòrd by a Scottish public authority pursuant to a notice under section 3(1) or under subsection (2)(b) of this section, the Bòrd must—
   (a) approve the plan, or
   (b) propose modifications to it.
(1A) In considering the plan, the Bòrd must have regard to—
(a) the matters referred to in section 3(5)(za) to (b), and
(b) any guidance given by the Scottish Ministers.

(2) If the Bòrd proposes modifications, the Scottish public authority must—
(a) within one month of the date on which the proposed modifications are intimated to the authority, notify the Bòrd that it does not agree with all or any of the modifications, giving reasons for that disagreement, or
(b) by a date specified by the Bòrd, amend the plan to take account of the modifications and resubmit the plan to the Bòrd.

(3) The date referred to in subsection (2)(b) must be no less than 3 months and no more than 6 months after the date on which the proposed modifications are intimated to the authority.

(3A) Where notification is given under paragraph (a) of subsection (2), the Bòrd, having considered the reasons referred to in that paragraph, must—
(a) approve the plan as originally submitted to the Bòrd,
(b) approve the plan subject to such modifications (including all or any of those proposed under subsection (1)(b)) as the Bòrd and the Scottish public authority may agree, or
(c) if, on the expiry of the period of 2 months beginning with the date on which the authority gave notice to the Bòrd under subsection (2)(a), the Bòrd has not approved the plan under paragraph (a) or (b), refer the matter to the Scottish Ministers.

(4) On a reference to them under subsection (3A)(c), the Scottish Ministers, after complying with subsection (5), must—
(a) approve the plan as originally submitted to the Bòrd, or
(b) approve the plan subject to such modifications (including all or any of those proposed under subsection (1)(b)) as they think fit.

(5) Before approving a plan under subsection (4), the Scottish Ministers—
(za) must have regard to the matters mentioned in section 3(5)(za) to (aa),
(a) must give the Bòrd and the Scottish public authority an opportunity to make representations about the plan, and
(b) may consult any other person whom they think fit, and must take account of any representations made by the Bòrd or the authority and any views expressed by a person consulted under paragraph (b).

(5A) Approval of a plan under subsection (4) must be given no later than 6 months after the date on which the matter was referred to the Scottish Ministers under that subsection.

(6) On the plan being approved by the Bòrd or the Scottish Ministers, the Scottish public authority must—
(a) publish it, and
(b) implement the measures set out in it.
6 Monitoring of implementation

(1) This section applies where—

(a) a Scottish public authority’s Gaelic language plan has been approved by the Bòrd or the Scottish Ministers under section 5, and

(b) at least 12 months have elapsed since the date of approval.

(2) The Bòrd may require the authority to submit to it, by a date no earlier than 3 months after the date of the requirement, a report on the extent to which the authority has implemented the measures set out in the plan.

(3) The Bòrd may not make a second or subsequent requirement under subsection (2) within 12 months of the date of the previous requirement.

(4) Where the Bòrd considers that a Scottish public authority is failing to implement adequately measures in its Gaelic language plan, it may submit to the Scottish Ministers a report setting out its reasons for that conclusion.

(5) On receipt of the report, the Scottish Ministers may take either or both of the following steps—

(a) they may lay a copy of the report before the Scottish Parliament,

(b) they may direct the Scottish public authority in question to implement any or all of the measures in its Gaelic language plan by the date specified in the direction.

(6) Before giving a direction under subsection (5)(b), the Scottish Ministers must—

(a) consult the Scottish public authority about the terms of the proposed direction, and

(b) take account of any representations made by the authority.

7 Review of plans

(1) This section applies where a Gaelic language plan has been approved by the Bòrd or the Scottish Ministers under section 5 (including that section as applied by subsection (3) of this section).

(2) Where this section applies, the Scottish public authority which prepared the plan must, no later than 5 years after the date of approval of the plan—

(a) review the plan,

(b) make such amendments (if any) to the plan as the authority considers necessary or expedient, and

(c) submit it to the Bòrd.

(3) Sections 3(4) to (6) and 5 apply in relation to the review and amendment of a plan under subsection (2) of this section as they apply in relation to the preparation of a plan pursuant to a notice under section 3(1).

(4) A Scottish public authority may, without undertaking a review, at any time amend a Gaelic language plan published under section 5(6) (for example, by correcting an error or by updating factual information which has changed) in a way that does not alter the plan substantially.
8 **Guidance, assistance, etc. by the Bòrd**

(1) The Bòrd must, from time to time when it thinks fit, prepare and submit to the Scottish Ministers guidance for Scottish public authorities in relation to the operation of sections 3 to 7.

(2) In preparing the guidance, the Bòrd must—

(a) publish a draft of the guidance,

(b) publicise the opportunity to make representations about the draft guidance under subsection (3) within such period of not less than 3 months as the Bòrd may specify, and

(c) take into account any representations received by it within that period.

(3) Any person who wishes to make representations to the Bòrd about the draft guidance may do so within the period specified in pursuance of subsection (2).

(4) The Scottish Ministers must—

(a) approve the guidance with or without modifications, or

(b) reject the guidance and, where they do so, may require the Bòrd to prepare and submit to them, within such period as they may specify, revised guidance.

(5) Where revised guidance is submitted, the Scottish Ministers must—

(a) approve the guidance, or

(b) order the Bòrd to publish it in such terms as the Scottish Ministers think fit.

(6) On such guidance being approved or, as the case may be, ordered to be published by the Scottish Ministers, the Bòrd must publish it in such manner as it thinks fit.

(6A) The Bòrd may vary or revoke guidance published under subsection (6), and subsections (2) to (6) apply to a variation.

(6B) Before revoking guidance published under subsection (6), the Bòrd must obtain the consent of the Scottish Ministers.

(7) The Bòrd must, on the request of a Scottish public authority, provide the authority free of charge with advice and assistance in relation to the application of this Act to the authority.

(8) In preparing guidance under subsection (1) and giving advice and assistance under subsection (7), the Bòrd must seek to give effect, so far as is both appropriate in the circumstances and reasonably practicable, to the principle that the Gaelic and English languages should be accorded equal respect.

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9 **Guidance on Gaelic education**

(1) The Bòrd may prepare and submit to the Scottish Ministers guidance in relation to the provision of Gaelic education and the development of such provision.

(2) Subsections (2) to (6B) of section 8 apply to guidance under subsection (1) as they apply to guidance under subsection (1) of that section.

(3) After subsection (4) of section 5 (education authority’s annual statement of improvement objectives) of the Standards in Scotland’s Schools etc. Act 2000 (asp 6), insert—
“(4A) In complying with subsection (2)(c) above, an education authority shall have regard to any guidance published by Bòrd na Gàidhlig under section 9 of the Gaelic Language (Scotland) Act 2005 (asp 00).”

**General**

10 **Interpretation**

(1) In this Act—

“Gaelic culture” includes the traditions, ideas, customs, heritage and identity of those who speak or understand the Gaelic language,

“Gaelic education” means education—

(a) in the use and understanding of,

(b) about, or

(c) by means of,

the Gaelic language,

“the Gaelic language” means the Gaelic language as used in Scotland.

(2) References in this Act to a Scottish public authority are to a Scottish public authority with mixed functions or no reserved functions and include the Scottish Parliamentary Corporate Body.

(3) For the purposes of this Act, the functions of a Scottish public authority include—

(a) functions relating to its internal processes, and

(b) the provision by the authority of any services to the public.

11 **Regulations and orders**

(1) Regulations and orders under this Act are to be made by statutory instrument.

(2) An instrument containing regulations under section 3(7) or an order under paragraph 2(2) of schedule 1 is subject to annulment in pursuance of a resolution of the Scottish Parliament.

12 **Consequential amendments**

Schedule 2 (consequential amendments) has effect.

13 **Short title and commencement**

(1) This Act may be cited as the Gaelic Language (Scotland) Act 2005.

(2) This Act (except section 11 and this section) comes into force on such day as the Scottish Ministers may by order appoint.

(3) An order under subsection (2) may include such transitional, transitory or saving provision in connection with the coming into force of the provisions brought into force as the Scottish Ministers think fit.
SCHEDULE 1
(introduced by section 1(6))
BÒRD NA GÀIDHLIG

Status

1 The Bòrd—
   (a) is not to be regarded as the servant or agent of the Crown,
   (b) does not enjoy any status, immunity or privilege of the Crown,
and the Bòrd’s property is not to be regarded as property of, or held on behalf of, the Crown.

Membership

2 (1) The Bòrd is to consist of—
   (a) no fewer than 5, nor more than 11, ordinary members, and
   (b) a person whose function is to chair the Bòrd, (in this schedule referred to as the “Cathraiche”) who is to be an ex officio member, appointed by the Scottish Ministers.

   (2) The Scottish Ministers may by order amend sub-paragraph (1)(a) by substituting for the minimum or maximum number of ordinary members for the time being specified there such other number as they think fit.

   (3) The members and the Cathraiche are to be appointed for such period as the Scottish Ministers think fit.

   (4) Where the office of Cathraiche is vacant, the ordinary members must elect from amongst themselves a person to chair the Bòrd until an appointment is made under sub-paragraph (1)(b).

   (5) Each member—
   (a) may, by written notice to the Scottish Ministers, resign as a member,
   (b) in other respects, holds and vacates office on such terms and conditions as the Scottish Ministers may determine.

   (6) The Scottish Ministers may, by written notice, remove a member from office if they are satisfied that—
   (a) the member’s estate has been sequestrated or the member has been adjudged bankrupt, has made an arrangement with creditors or has granted a trust deed for creditors or a composition contract, or
   (b) the member—
      (i) is incapacitated as a result of physical or mental illness,
      (ii) has been absent from meetings of the Bòrd for a period longer than 3 consecutive months without the permission of the Bòrd, or
      (iii) is otherwise unfit or unable to discharge the member’s functions as a member.
A person may not be appointed to or continue as a member of the Bòrd if that person is or (as the case may be) becomes—

(a) a member of the House of Commons,
(b) a member of the Scottish Parliament, or
(c) a member of the European Parliament.

Remuneration and allowances

The Bòrd must pay the Cathraiche and the ordinary members such remuneration and allowances as the Scottish Ministers may determine.

Ceannard and other staff

5 (1) The Bòrd must, with the approval of the Scottish Ministers, appoint a person to the post of chief executive (“Ceannard”) on such terms and conditions as it may with the approval of the Scottish Ministers determine.

(2) The Bòrd may appoint on such terms and conditions as it may with the approval of the Scottish Ministers determine such other employees as it considers appropriate.

(3) The Bòrd must, as regards such of its employees as it may with the approval of the Scottish Ministers determine, make such arrangements as it considers appropriate for providing, to or in respect of those employees, pensions, allowances or gratuities.

(4) Such arrangements—

(a) may include the establishment and administration, by the Bòrd or otherwise, of one or more pension schemes, and

(b) must, in any case, be approved by the Scottish Ministers.

(5) The reference in sub-paragraph (3) to the provision of pensions, allowances or gratuities includes a reference to their provision by way of compensation for loss of office or employment or loss or diminution of emoluments.

Committees

6 (1) The Bòrd may establish committees for or in connection with such of its functions as it may determine.

(2) The Bòrd may appoint persons who are not members of the Bòrd to be members of a committee.

(3) A person appointed under sub-paragraph (2) is not entitled to vote at meetings of the committee.

Proceedings and meetings

7 (1) The Bòrd may determine its own procedure and that of its committees, including a quorum for meetings.

(2) The validity of any proceedings of the Bòrd and of any committee established by it is not affected by any vacancy among its members or the members of the committee or by any defect in the appointment of any member of the Bòrd.
(3) Members of the Scottish Executive, junior Scottish Ministers and persons authorised by the Scottish Ministers may attend and take part in meetings of the Bòrd and any committee established by it, but are not entitled to vote at such meetings.

**Accounts and annual report**

5  
The Bòrd must—

(a) prepare for each financial year, in accordance with directions given by the Scottish Ministers, an account of the Bòrd’s expenditure and receipts, and

(b) send the account, by such time as the Scottish Ministers may direct, to the Auditor General for Scotland for auditing.

9  
As soon as practicable after the end of each financial year, the Bòrd must prepare a report on the exercise of its functions during that year and must—

(a) publish the report and send a copy to the Scottish Ministers, and

(b) lay the report before the Parliament.

**Delegation of functions by the Scottish Ministers**

10 (1) The Scottish Ministers may make arrangements for any of their functions which relate to the subject matter of this Act to be exercised on their behalf, subject to such conditions as they may impose, by the Bòrd; and the Bòrd may exercise those functions accordingly.

(2) An arrangement under sub-paragraph (1) does not affect the responsibility of the Scottish Ministers for the exercise of their functions.

(3) In sub-paragraph (1), “functions” does not include the function of making, confirming or approving subordinate legislation.

**General powers**

11 (1) The Bòrd may do anything (whether in Scotland or elsewhere) which is conducive or incidental to the exercise of its functions, and may in particular—

(a) engage in any business or undertaking,

(b) form, promote or acquire (whether alone or with others) companies (within the meaning of the Companies Act 1985 (c.6)),

(c) form partnerships with others,

(d) with the consent of the Scottish Ministers, establish or take part in the setting up of organisations having functions similar to the functions of the Bòrd,

(e) enter into contracts,

(f) make grants and loans,

(g) make charges for the provision of advice or other services in such circumstances and of such amounts as the Bòrd may, with the consent of the Scottish Ministers, determine,

(h) accept gifts of money or other property,

(i) invest sums not immediately required in relation to the exercise of its functions,
(j) commission research.

(2) Sub-paragraph (1)(g) does not entitle the Bòrd to make charges for the provision of advice and assistance to Scottish public authorities under section 8(7).

**Grants**

12 (1) The Scottish Ministers may make grants to the Bòrd for such purposes and of such amounts as they think fit.

(2) Any grant made under sub-paragraph (1) may be made subject to such conditions as the Scottish Ministers think fit.

(3) The Bòrd does not have power to borrow money or to give guarantees.

**SCHEDULE 2**

*(introduced by section 12)*

**CONSEQUENTIAL AMENDMENTS**

**Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)**

1 In schedule 3 to the Ethical Standards in Public Life etc. (Scotland) Act 2000 (devolved public bodies) insert at the appropriate place “Bòrd na Gàidhlig”.

**Scottish Public Services Ombudsman Act 2002 (asp 11)**

2 In Part 2 of schedule 2 to the Scottish Public Services Ombudsman Act 2002 (listed authorities amendable by Order in Council) insert at the appropriate place “Bòrd na Gàidhlig”.

**Freedom of Information (Scotland) Act 2002 (asp 13)**

3 In Part 7 of schedule 1 to the Freedom of Information (Scotland) Act 2002 (Scottish public authorities subject to the duty to provide certain information) insert at the appropriate place “Bòrd na Gàidhlig”.

**Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)**

4 In schedule 2 to the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (authorities appointments to which are governed by a code of practice) under the heading “Executive bodies” insert at the appropriate place “Bòrd na Gàidhlig”.

Gaelic Language (Scotland) Bill
[AS AMENDED AT STAGE 2]

An Act of the Scottish Parliament to establish a body having functions exercisable with a view to securing the status of the Gaelic language as an official language of Scotland, including the functions of preparing a national Gaelic language plan, of requiring certain Scottish public authorities to prepare and publish Gaelic language plans in connection with the exercise of their functions and to maintain and implement such plans, and of issuing guidance in relation to Gaelic education.

Introduced by: Peter Peacock
On: 27 September 2004
Bill type: Executive Bill
The Executive has arranged for the Bill to be translated into Gaelic. The numbering used in the English-language document has been followed.

The translation should not be relied upon in assessing the legal effect the Bill would have if enacted. Parliamentary proceedings on the Bill will be on the basis of the Bill itself (that is, the English-language version); the translation is provided for information only.
Bile na Gàidhlig (Alba)
[MAR A CHAIDH ATHARRACHADH AIG ÌRE 2]

CLÀR-INNSE

Earrann

Bòrd na Gàidhlig
1 Bun-reachd agus gniomhan Bòrd na Gàidhlig

Plana cânain nàiseanta Gàidhlig
2 Plana cânain nàiseanta Gàidhlig

Planaichean cânain Gàidhlig
3 Planaichean cânain Gàidhlig
4 Ath-bhreithnearadh, agus tagradh an aghaidh, brathan
5 A’ cur aonta ri planaichean
6 Sgrùdadh air buileachadh
7 Ath-bhreithnearadh phlanaichean
8 Stiùireadh, cuideachadh, m.s.a.a. leis a’ Bhòrd

Foghlam Gàidhlig
9 Stiùireadh air foghlam Gàidhlig

Coitcheann
10 Mineachadh
11 Riaghailtean agus òrdughan
12 Atharrachaidhean co-leanailteach
13 Geàrr-thiotal agus tòiseachadh

Pàipear-taiche 1 —Bòrd na Gàidhlig
Pàupear-taiche 2—Atharrachaidhean co-leanailteach
Achd bho Phàrlamaid na h-Alba gus buidheann a stèidheachadh le gniomhan an co-cheangal ri bhith a’ cur inbhe na Gàidhlig air stèidh theèraine mar chànan oifigeil an Alba, a’ gabhail a-steach nan gniomhan a bhith ag ullachadh plana cânain nàiseanta Gàidhlig, ga dhièanamh rianach do chuid de dh’ughdarrasan poblach an Alba a bhith ag ullachadh agus a’ foillseachadh phlanaichean cânain Gàidhlig an co-cheangal ri bhith a’ coileanadh an gniomhan agus a bhith a’ cumail suas agus a’ buileachadh a leithid de phlanaichean, agus gus stiùireadh a thoirt mu fhoghlam Gàidhlig.

Bòrd na Gàidhlig

1 Bun-reachd agus gniomhan Bòrd na Gàidhlig

(1) Tha buidheann chorporra air a stèidheachadh a bhios air aithneachadh mar Bòrd na Gàidhlig (san Achd seo air ainmeachadh “am Bòrd”).

(2) Tha na gniomhan coitcheann a leanas aig a’ Bhòrd—

(a) adhartachadh, agus cuideachadh le adhartachadh—

(i) cleachdadh agus tuigse cânan na Gàidhlig, agus

(ii) foghlam Gàidhlig agus cultar na Gàidhlig,

(b) comhairleachadh (a rèir iarrait e mar a mheasas e iomchaidd) Ministearan na h-Alba, buidhnean poblach agus daoine eile a tha a’ cur an cèill gniomhan de ghnè poblach mu nithean co-cheangailte ri cânan na Gàidhlig, foghlam Gàidhlig agus cultar na Gàidhlig,

(c) comhairleachadh (a rèir iarrait) daoine eile mu nithean co-cheangailte ri cânan na Gàidhlig, foghlam Gàidhlig agus cultar na Gàidhlig,

(d) a’ sgrùdadh agus a’ toirt cunntais do Mhinistearan na h-Alba air buileachadh a’ Chòir-sgriobhte Eòrpaich airson Cànanan Roinneil no Mion Chànanan leis a’ cheann-là 5 Samhain 1992 a thaobh cânan na Gàidhlig.

(3) Tha na gniomhan a tha an Achd seo a’ buileachadh air a’ Bhòrd rin coileanadh le sùil ri bhith a’ cur inbhe na Gàidhlig air stèidh theèraine mar chànan oifigeil an Alba aig am bi spèis iomann ris a’ Bheurla tro bhith—

(a) a’ meudachadh an àireamh de dhaoine a tha comasach air a bhith a’ cleachdadh agus a’ tuigsinn na Gàidhlig,

(b) a’ misneachadh cleachdadh agus tuigse na Gàidhlig, agus

(c) a’ cuideachadh le cothrom, an Alba agus an ceàrnaidhean eile, air cânan agus cultar na Gàidhlig.
(4) Faodaidh Ministearan na h-Alba treòrachadh (coitheann na sònraichte) a thoirt don Bhòrd agus stiùireadh mu choileanadh gnìomhan a’ Bhùird.

(5) Faodaidh Ministearan na h-Alba atharrachadh no toirt air ais treòrachadh no stiùireadh sam bith air a thoirt fo fo-earrann (4).

(6) Tha Pàipear-taice 1 a’ dèanamh tuilleadh uallachaidh a thaobh inbhe, bun-reachd, cúisean, m.s.a.a. a’ Bhùird.

*Plana cânain nàiseanta Gàidhlig*

2

(1) Feumaidh am Bòrd, taobh a-staigh 12 mìosan bho thòiseachadh na h-earrainn seo—

(a) gun a bhith nas fhaide na 5 bliadhna an dèidh a’ chinneàiri air an deach plana fhoillseachadh fo fo-earrann (6), agus

(b) uair sam bith a thèid iarraidh air sin a dhèanamh le Ministearan na h-Alba fo fo-earrann (7),

plana cânain nàiseanta Gàidhlig uallachadh agus a chor a-steach gu Ministearan na h-Alba a dh’fhéumas a bhith a’ gabhail a-steach molaidhean a thaobh mar a bhios e a’ coileanadh a ghnìomhan fon Achd seo.

(2) Ann an uallachadh a’ plhana, feumaidh am Bòrd—

(za) comhairle a chur ris a’ Phàrlamaid,

(a) dreachd den plhana fhoillseachadh,

(b) fhoillseachadh a’ chothroim riochadhaidhean a dhèanamh mun dreachd plhana fo fo-earrann (3) an taobh a-staigh àm nach eil nas lugha na 3 mìosan a rèir ‘s mar a shòraicheas am Bòrd, agus

(c) suim a ghabhail de riochadhaidhean hean bith a gheibh e taobh a-staigh an ama sin.

(3) Faodaidh duine sam bith a tha airson riochadhaidhean a dhèanamh chun a’ Bhùird mun dreachd plhana sin a dhèanamh taobh a-staigh an ama a tha a’ air a shònracadh ann am fo-earrann (2).

(4) Feumaidh Ministearan na h-Alba, an taobh a-staigh 6 mìosan an dèidh am plana fhàighinn—

(a) aonta a chur ris a’ plhana, no

(b) beachdan a thoirt air a’ plhana a rèir ‘s mar a mheasas iad iomchaidh agus iarraidh air a’ Bhòrd plana eile uallachadh a bhios a’ gabhail a-steach nam beachdan sin, agus a chur a-steach thuca, taobh a-staigh an ama a dh’haodadh iad a shòn racismh.

(5) Far a bheilear a’ cur a-steach plana eile, feumaidh Ministearan na h-Alba, taobh a-staigh 3 mìosan bhon fhuaireadh iad e—

(a) aonta a chur ris a’ plhana, no

(b) òrdugh a thoirt don Bhòrd am plana fhoillseachadh a rèir nan cumhachan a mheasas Ministearan na h-Alba iomchaidh.

(6) An dèidh dhan plhana a bhith air aontachadh no, a rèir ‘s mar a bhios a’ chùis, nuair a thèid òrdachadh le Ministearan na h-Alba e a bhith air fhoillseachadh, feumaidh am Bòrd—
(a) fhoillseachadh san dòigh a mheasas e ionchaidh, agus
(b) lethbhreac dheth a chur fa-chomhair na Pàrlamaid.

(7) Faodaidh Ministearan na h-Alba, aig àm sam bith, iarraidh air a’ Bhòrd plana cânain nàiseanta Gàidhlig ùr ullachadh agus a chur a-steach thuca.

Planachean cânain Gàidhlig

3 Planachean cânain Gàidhlig

(1) Faodaidh am Bòrd brath a chuir ann an sgriobhadh gu ùghdarras poblach sam bith an Alba ag iarraidh air an ùghdarras plana cânain Gàidhlig ullachadh.

(2) Feumaidh am brath—
(a) innse gu bheil e riatanach dhan ùghdarras plana cânain Gàidhlig ullachadh a réir na h-earrainn seo agus a chur chun a’ Bhùird,
(b) sònrichadh ceann-là (gun a bhith cail na tràithe na 6 miosan an dèidh a’ chinn-là a chaidh am brath a thoir dhaoibh) rom feum an t-ùghdarras am plana a chur a-steach chun a’ Bhùird, agus
(c) innse don ùghdarras na còraichean a tha aige fo earrann 4 gus ath-bhreachneachadh iarraidh agus gus tagradh a chur gu Ministearan na h-Alba.

(3) Ann a bhith a’ tighinn chun cho-dhùnaidh am bu chòir brath a thoir fo fo-earrann (1) gu ùghdarras poblach an Alba, feumaidh am Bòrd spéis a thoirt—
(za) don phlana cânain nàiseanta Gàidhlig as úire foillsichte fo earrann 2,
(a) don ire gu bheil—
(i) cânan na Gàidhlig air a chleachdadh leis an t-sluagh ris a bheil gniomhan an ùghdarras co-cheangailte, agus
(ii) ann am beachd a’ bhùird, gu bheil comas aig an ùghdarras cleachdadh cânan na Gàidhlig a leasachadh an co-bhoinn ri coileanadh nan gniomhan sin,
(b) do riochdachaidhean sam bith a thèid a dhèanamh ris a thaobh cleachdadh cânan na Gàidhlig co-cheangailte ri coileanadh nan gniomhan sin, agus
(c) do stiùireadh sam bith a bheir Ministearan na h-Alba.

(4) Feumaidh plana cânain Gàidhlig—
(a) mineachadh nan ceumannan a ghabhas ùghdarras poblach an Alba a thaobh cleachdadh cânan na Gàidhlig co-cheangailte ri coileanadh gniomhan an ùghdarras sin,
(b) sònrichadh ceann-là rom feum na ceumannan sin a bhith air an ghabhail, agus
(c) a bhith a’ gabhail a-steach fiosrichadh sam bith eile a dh’haodadh a bhith air a shònrichadh ann an riaghailtean air an déanamh fo fo-earrann (7).

(5) Feumaidh ùghdarras poblach an Alba, ann a bhith ag ullachadh plana cânain Gàidhlig, spèis a thoir—
(za) don phlana cânain nàiseanta Gàidhlig as úire foillsichte fo earrann 2,
(a) an ire gu bheil a’ Ghàidhlig air a cleachdadh leis an t-sluagh ris a bheil gniomhan an ùghdarras a’ buntainn,
(aa) an comas a tha ann cleachdadh cànan na Gàidhlig a leasachadh co-cheangailte ri coilionadh nan gniomhan sin,
(b) riocdhachaidhean sam bith air an cur ris an ùghdarras an co-bhoinn ri cleachdadh cànan na Gàidhlig co-cheangailte ri coileanadh nan gniomhan sin, agus
(c) stiùireadh sam bith a bheir Ministearan na h-Alba no am Bòrd.

(6) Ann a bhith ag ullachadh plana cânain Gàidhlig, feumaidh ùghdarras poblach an Alba co-chomhairle a chur ri daoine a tha e a’ meas a tha a’ nochdadh úidh sa phlana.
(7) Faodaidh Ministearan na h-Alba, an dèidh comhairle a chur ris a’ Bhòrd, le riaghailtean tuilleadh uillacaidh a dhèanamh an co-cheangal ri susbaint planaichean cânain Gàidhlig.
(8) Faodaidh riaghailtean mar sin uillacadh eadar-dhealaichte a dhèanamh airson adhbharan eadar-dhealaichte liag airson ùghdarrasan poblach an Alba de dhiofar seòrsa.

4 Ath-bhreithneachadh, agus tagradh an aghaidh, brathan

(1) Far a bheil ùghdarras poblach an Alba a’ faighinn brath fo fo-earrann (1) de earrann 3 agus a’ beachdachadh gu bheil an ceann-là a tha a’ shònracharadh ann mar thoradh air fo earrann (2)(b) den earrann sin mi-reusanta, faodaidh e taobh a-staigh 28 là an dèidh dha am brath fhaighinn iarraidh air a’ Bhòrd ath-bhreithneachadh a dhèanamh air a’ cheann-là.
(2) Feumaidh iarrtas fo fo-earrann (1) mineachadh a dhèanamh air na h-adhbharan a tha aig an ùghdarras airson a bheachd.
(3) Feumaidh am Bòrd taobh a-staigh 28 là on gheibh e an t-iarrtas ath-bhreithneachadh a dhèanamh air a’ cheann-là agus—
   (a) an ceann-là a dhearbhadh, no
   (b) ceann-là nas ainmich a chur na àite (sa chùis sin bidh an ceann-là sin air a mheas mar an ceann-là a tha air a shònracharadh sa bharrach mar thoradh air fo earrann 3(2)(b)).
(4) Ann a bhith ag ainmeachadh don ùghdarras a cho-dhùnadadh fo fo-earrann (3) feumaidh am Bòrd, ma ‘s e an co-dhùnadadh an ceann-là a dhearbhadh, adhbharan airson a’ cho-dhùnda haidh sin a mhineachadh.
(5) Ma tha an t-ùghdarras mi-thoilichte le co-dhùnadadh a’ Bhùird fo fo-earrann (3), faodaidh e, taobh a-staigh 28 là an dèidh brath mun cho-dhùnadadh fhaighinn, tagradh a dhèanamh gu Ministearan na h-Alba.
(5A) Feumaidh Ministearan na h-Alba dearbhadh a dhèanamh air ath-thagradh fo fo-earrann (5) gun a bhith nas fhaide na 2 mhios an dèidh a’ chinn-là air an deach an ath-thagradh a dhèanamh.
(6) Ma chumas Ministearan na h-Alba suas an ath-thagradh fo fo-earrann (5) feumaidh iad ceann-là eile a shònracharadh rom feum an t-ùghdarras plana cânain Gàidhlig a chur chun a’ Bhùird.
(7) Far am faigh ùghdarras poblach an Alba brath fo fo-earrann (1) de earrann 3 faodaidh e, taobh a-staigh 28 làithean den bharrach sin fhaighinn, ath-thagradh ri Ministearan na h-Alba an aghaidh a’ bharrach air a’ bhunait gu bheil, le spéis do na cùisean a tha air an sònrachadh ann am fo-earrann (3) (a) gu (c) den earrann sin, co-dhùnadadh a’ Bhùird brath a chuir chun an ùghdarras mi-reusanta.
(7A) Feumaidh Ministearan na h-Alba dearbhadh a dhèanamh air ath-thagradh fo fo-earrann (7) gun a bhith nas fhaide na 6 miosan an dèidh a’ chinn-là air an deach an ath-thagradh a dhèanamh.

(8) Ma chumas Ministearan na h-Alba suas an ath-thagradh fo fo-earrann (7)—
   (a) cha bhi buaidh nas motha aig a’ bhrath, agus
   (b) chan fhaod am Bòrd brath a bharrachd a thoirt fo earrann 3(1) do ùghdarras poblach an Alba gus an tig an t-àm de 2 bhliadhna gu ceann a’ tòiseachadh leis a’ cheann-là air an deach am brath mun robh an ath-thagradh a’ buntainn air a thoirt seachad.

5 A’ cur aonta ri planaichean

(1) Far a bheil plana cânain Gàidhlig air a chur chun a’ Bhùird le ùghdarras poblach an Alba a réir brath fo earrann 3(1) no fo fo-earrann (2)(b) den earrainn seol, feumaidh am Bòrd—
   (a) aonta a chur ris a’ phlana, no
   (b) mion-atharrachaidhean a mholadh.

(1A) Ann a bhith a’ beachdachadh air a’ phlana, feumaidh am Bòrd aire a thoirt do—
   (a) na cuisean air an deach iomradh a thoirt ann an earrann 3(5)(za) gu (b), agus
   (b) stiùireadh sam bith a chaidh a thoirt le Ministearan na h-Alba.

(2) Ma tha am Bòrd a’ moladh mion-atharrachaidhean, feumaidh an t-ùghdarras poblach an Alba—
   (a) taobh a-staigh aon mhios den cheann-là air a bheil na mion-atharrachaidhean molta air an ainmeachadh dhan ùghdarras, brath a chur chuair a’ Bhùird nach eil e ag aontachadh ris na mion-atharrachaidhean air fad no ri ginn dhiubh, a’ toirt adhbhar an airson an eas-aonta sin, no
   (b) ro cheann-là a thèid a shòrrachadh leis a’ Bhòrd, am plana a leasachadh gus suim a ghabhail de na mion-atharrachaidhean agus am plana a chur a-steach air ais chun a’ Bhùird.

(3) Chan fhaod an ceann-là a chaidh ainmeachadh ann am fo-earrann (2)(b) a bhith nas lugha na 3 miosan no nas motha na 6 miosan an dèidh a’ chinn-là air an deach na mion-atharrachaidhean molta ainmeachadh dhan ùghdarras.

(3A) Far a bheil brath air a thoirt fo paragraf (a) de fo-earrann (2), feumaidh am Bòrd, an dèidh beachdachadh air na h-adhbharan a chaidh an ainmeachadh sa paragraf sin—
   (a) aontachadh ris a’ phlana mar a chaidh a chur chuair a’ Bhùird sa chiaid dol a-mach,
   (b) aontachadh ris a’ phlana leis na h-atharrachaidhean (a’ gabhail a-steach gach no gin den fhheadhainn a chaidh am moladh fo fo-earrann (1)(b)) a réir ‘s mar a dh’aontaicheas am Bòrd agus an t-ùghdarras poblach an Alba, no
   (c) mur eil, an dèidh don àm de 2 mhios a thiginn gu croioch a’ tòiseachadh leis a’ cheann-là air an tug an t-ùghdarras brath don Bhòrd fo fo-earrann (2)(a), am Bòrd air aonta a chur ris a’ phlana fo paragraf (a) no (b), feumar a’ chús a chur air adhart gu Ministearan na h-Alba.

(4) A réir ‘s mar a chaidh an ainmeachadh fo fo-earrann (3A)(c), feumaidh Ministearan na h-Alba an dèidh dhaibh cumail ri fo-earrann (5)—
(a) aontachadh ris a’ phlana a rēir ‘s mar a chaidh a chur chun a’ Bhùird sa chiad dol a-mach, no
(b) aontachadh ris a’ phlana ach le na mion-atharrachaidhean (a’ gabhail a-steach gach no gin den fheadhainn a chaidh a mholadh fo fo-earrann (1)(b) mar a mheasas iad iomchaidh.

(5) Mus tèid aontachadh ri plana fo fo-earrann (4), feumaidh Ministearan na h-Alba—
   (za) suim a ghabhail de na nithean a tha air an ainmeachadh ann an earrann 3(5)(za) gu (aa),
   (a) cothrom a thoirt don Bhòrd agus do úghdarras poblach an Alba riochdachaidhean a dhèanamh mun phlana, agus
   (b) comhairle a chur ri duine sam bith a mheasas iad iomchaidh,

   agus feumaidh iad cunntas a ghabhail de riochdachaidhean sam bith a thèid a dhèanamh leis a’ Bhòrd no leis an úghdarras agus beachdan sam bith a chaidh an cur an cèill le neach bhon deach comhairle a shireadh fo pharagraf (b).

(5A) Feumar aonta a chur ri plana fo fo-earrann (4) gun a bhith nas fhaide na 6 mìosan an dèidh a’ chinn-là air an deach a’ chūis a chur gu Ministearan na h-Alba fon fho-earrann sin.

(6) Air don phlana a bhith air aontachadh leis a’ Bhòrd no le Ministearan na h-Alba, feuaidh an t-úghdarras poblach an Alba—
   (a) fhoillseachadh, agus
   (b) na ceuman a tha air am mineachadh ann a bhuileachadh.

6 Sgrùdadh air buileachadh

   (1) Tha buntanas aig an earrann seo far—
       (a) an deach plana cànan Gàidhlig aig úghdarras poblach an Alba aontachadh leis a’ Bhòrd no le Ministearan na h-Alba fo earrann 5, agus
       (b) a bheil co-dhiù 12 mios air a dhol seachad on chaidh aontachadh ris.

   (2) Dh’fhaoadadh gum feum am Bòrd iarraidh air an úghdarras cur a-steach thuige, ro cheann-là nach eil nas tràithe na 3 mìosan an dèidh ceann-là an riatanais, aithisg mun ire gu bheil an t-úghdarras air na ceuman a tha air an cur a-mach sa phlana a chur an cèill.

   (3) Chan fhaoad am Bòrd dàrna riatanas no riatanas an dèidh làimhe iarraidh fo fo-earrann (2) taobh a-staigh 12 mios den cheann-là den riatanas roimhe.

   (4) Far a bheil am Bòrd a’ meas gu bheil úghdarras poblach an Alba a’ fàilneachadh ann a bhith a’ cur an cèill ceuman a’ phlana cànan Gàidhlig gu h-iomchaidh, faoaidh e aithisg a chur a-steach gu Ministearan na h-Alba a’ cur an cèill adhbharan airson a’ cho-dhuinadh sin.

   (5) Air dhaibh an aithisg fhaghinn, faoaidh Ministearan na h-Alba an dàrna fear de na ceumannan a leanas no na dhà dhiubh a ghabhail—
       (a) lethbhrec den aithisg a chur air beulaibh Pàrlamaid na h-Alba,
       (b) an t-úghdarras poblach an Alba a tha sin a stiùireadh a chum a bhith a’ buileachadh cuid de na ceuman no na ceuman air fad a tha sa phlana cànan Gàidhlig aca ron cheann-là a chaidh a shònrachadh san stiùireadh.

   (6) Mus tèid stiùireadh a thoirt fo fo-earrann (5)(b), feumaidh Ministearan na h-Alba—
(a) comhairle a chur ris an ùgdarras poblach an Alba mu chumhachan an stiùiridh mholta, agus
(b) suim a ghabhail de riochdachaidhean sam bith a nìthear leis an ùgdarras.

7 Ath-bhréitheanachadh phlanaichean

(1) Tha buntanas aig an earrann seo far an deach plana cânain Gàidhlig aontachadh leis a’ Bhòrd no le Ministearan na h-Alba fo earrann 5 (a’ gabhail a-steach an earrann sin a réir fo-earrann (3) den earrann seo).

(2) Far a bheil buntanas aig an earrann seo, feumaidh an t-ùgdarras poblach an Alba a dh’ullaich am plaña, aig âm nach eil nas fhaide na 5 bliadhna an dèidh a’ cheann-làir air an deach am plaña aontachadh—

(a) am plan ath-bhréitheanachadh,
(b) leasachaidhean sam bith a dhèanamh (ma bhios feum air) ris a’ phlana mar a bhios an t-ùgdarras a’ meas deatamach no iomchaidh, agus
(c) a chur chun a’ Bhùird.

(3) Tha earrainnean 3(4) gu (6) agus 5 a’ buntainn an co-cheangal ri ath-bhréitheanachadh agus leasachadh plana fo fo-earrann (2) den earrann seò mar a tha iad a’ buntainn an co-cheangal ri ullachadh plana a réir fiosrachadh ann an earrann 3(1).

(4) Faodaidh ùgdarras poblach an Alba, gun ath-bhréitheanachadh a dhèanamh, aig âm sam bith plana cânain Gàidhlig foilisichte fo earrann 5(6) a leasachadh (mar eisimpleir, le bhith a’ ceartachadh mearachd no ag ùrachadh fiosrachadh) ann an dòigh nach dèan cus atharrachaidh air a’ phlana.

8 Stiùireadh, cuideachadh, m.s.a.a. leis a’ Bhòrd

(1) Feumaidh am Bòrd, bho âm gu âm nuair a mheasas e iomchaidh, ullachadh agus cur a-steach gu Ministearan na h-Alba stiùireadh do dh’ùgdarrasan poblach an Alba an co-cheangal ri coileanadh earrann 3 gun 7.

(2) Ann an ullachadh an stiùiridh, feumaidh am Bòrd—

(a) dreachd den stiùireadh fhoillseachadh,
(b) cuir am follais an eochrom riochdachaidhean a dhèanamh mun dreachd stiùiridh fo fo-earrann (3) taobh a-staigh âm nach eil nas lugha na 3 mìosan mar a dh’haodas am Bòrd a shònrachadh, agus
(c) suim a ghabhail de riochdachaidhean sam bith a gheibh e taobh a-staigh an ama sin.

(3) Faodaidh duine sam bith a tha a’ miannachadh riochdachaidhean a dhèanamh chun a’ Bhùird mun dreachd stiùiridh sin a dhèanamh taobh a-staigh an ama a chaidh a shònrachadh ann am fo-earrann (2).

(4) Feumaidh Ministearan na h-Alba—

(a) aonta a chur ris an stiùireadh le mion-atharrachaidhean no às an aonais, no
(b) an stiùireadh a dhìûltadh agus, far an dèan iad sin, faodaidh iad iarraidh air a’ Bhòrd stiùireadh leasaichte ullachadh agus a chur a-steach thuca, taobh a-staigh an ama a dh’haodadh iad a shònrachadh.
Far an tèid stiùireadh leasaichte a chur a-steach thuca, feumaidh Ministearan na h-Alba—
(a) aonta a chur ris an stiùireadh, no
(b) òrdugh a thoirt don Bhòrd fhoillseachadh san dòigh a mheasas Ministearan na h-Alba iomchaidh.

Air dhàn stiùireadh sin a bhith air aontachadh no, a rèir ‘s mar a bhios a’ chùis, nuair a thèid òrdachadh le Ministearan na h-Alba e a bhith air fhoillseachadh, feumaidh am Bòrd fhoillseachadh san dòigh a mheasas e iomchaidh.

Faodaidh am Bòrd stiùireadh a chaidh fhoillseachadh fo fo-earrann (6) atharrachadh no a tharraing air ais, agus tha fo-earranna (2) gu (6) a’ beantainn ri atharrachadh.

Mus tèid stiùireadh a chaidh fhoillseachadh fo fo-earrann (6) a tharraing air ais, feumaidh am Bòrd cead fhaotainn bho Mhinistearan na h-Alba.

Feumaidh am Bòrd, ma thig iarrtas bho ùghdarras poblach an Alba, comhairle agus cuideachadh a thoirt saor ‘s an asgaidh don ùghdarras a thaobh mar a bhios an Achd seo a’ buntainn ris an ùghdarras.

Ann a bhith ag ullachadh stiùireadh fo fo-earrann (1) agus a’ toirt comhairle agus taic fo fo-earrann (7), feumaidh am Bòrd oidhirpeachadh, cho fad ‘s a bhios e an dá chuid iomchaidh agus reusanta, a bhith a’ cur an cèill a’ phrionnssabal gum bu chóir spèis iomann a bhith a thoirt don Ghàidhlig ‘s don Bheurla.

Foghlam Gàidhlig

Stiùireadh air Foghlam Gàidhlig

Faodaidh am Bòrd ullachadh agus cur a-steach gu Ministearan na h-Alba stiùireadh a rèir an ullachaidh a thaobh foghlam Gàidhlig agus leasachadh an ullachaidh sin.

Buinidh fo-earrann (2) gu (6B) de earrann 8 ris an stiùireadh fo fo-earrann (1) mar a tha iad a’ buntainn ris an stiùireadh fo fo-earrann (1) den earrann sin.

An dèidh fo-earrann (4) de earrann 5 (aithris bliadhain ùghdarrais foghlaim mu amasan leasachaidh) de Achd Inbhean ann an Sgoiltean na h-Alba msaa 2000. (asp 6), cuir a-steach—
“(4A) Ann a bhith a’ cumail ri fo-earrann (2)(c) shuas, gabhaidh ùghdarras foghlaim suim de stiùireadh sam bith a thèid fhoillseachadh le Bòrd na Gàidhlig fo earrann 9 de Achd na Gàidhlig (Alba) 2004 (asp 00)”

Coitcheann

Mineachadh

San Achd seo—
tha “cultar na Gàidhlig” a’ gabhail a-steach traidiseanan, bun-bheachdan, gnàthasan, dualchas agus dearbh-aithne nan daoine a tha a’ labhairt no a’ tuigsinn na Gàidhlig,
tha “foghlam Gàidhlig” a’ ciallachadh foghlam—
(a) ann an cleachadh agus tuigse,
(b) mu, no
(c) tro mheadhan,
cànan na Gàidhlig,
tha “a’ Ghàidhlig” a’ ciallachadh cànan na Gàidhlig mar a tha e air a labhairt an Alba.

(2) Tha na h-iomraidhean san Achd seo mu ùghdarras poblach an Alba mu ùghdarras poblach an Alba le gniomhan measgaichte no gun gniomhan glèidhte agus a’ gabhail a-steach Buidheann Chorporra Pàrlamaid na h-Alba.

(5) Airson adhbharan na h-Achd seo, tha na gniomhan aig ùghdarras poblach an Alba a’ gabhail a-steach—

(a) gniomhan co-cheangailte ri mhodhan-obraichaidh, agus
(b) ullachadh an ùghdarras air seirbheisean sam bith don phoball.

11 Riaghailtean agus òrdughan

(1) Bidh riaghailtean agus òrdughan fon Achd seo air an dèanamh le ionnstramaid reachdail.

(2) Tha ionnstramaid anns a bheil riaghailtean fo earrann 3(7) no òrdugh fo paragraf 2(2) ann am pàipear-taice 1 buailteach air a chur às a’ leantainn air rùn Phàrlamaid na h-Alba.

12 Atharrachaidhean co-leanailteach

Tha pàipear-taice 2 (atharrachaidhean co-leanailteach) stèidhichte.

13 Geàrr-thiotal agus tòiseachadh

(1) Faodaidh an Achd seo a bhith air a h-aimmeachadh mar Achd na Gàidhlig (Alba) 2005.

(2) Tha an Achd seo (ach a-mhain earrann 11 agus an earrann seo) a’ tighinn a-steach air an là a dh’fhaoadadh Ministearan na h-Alba a shuidheachadh le òrdugh.

(3) Faodaidh an t-òrdugh ann am fo-earrann (2) a bhith a’ gabhail a-steach ullachadh eadar-amail, sealach no caomhantach co-cheangailte ri tighinn an gniomh nan ullachaidhean a chaidh an toirt a-steach mar a mheasas Ministearan na h-Alba iomchaidh.
PÀIPEAR-TAICE 1
(air a thoilt a-steach le earrann 1(6))

BÒRD NA GÀIDHLIG

Inbhe

1 Chan eil am Bòrd—
   (a) ri mheas mar sheirbhiseach no neach-ionaíd a’ Chruinn,
   (b) a’ mealtainn inbhe, dionach no cóir sam bith bhon Chruinn,
   agus chan eil seilbh a’ Bhùird ri mheas mar seilbh leis a’ Chruinn, no air a chumail às leth a’ Chruinn.

Ballrachd

2 (1) Bidh am Bòrd air a dhèanamh suas de—
   (a) gun a bhith nas lugha na 5, no nas motha na 11, buill chumanta, agus
   (b) neach aig am bi e mar ghnìomh a bhith sa chathair air a’ Bhòrd, (sa pháipèar-taice seo air ainmeachadh mar an “Cathraiche”) a bhios na bhall ex-officio,
   air a chur an dreuchd le Ministearan na h-Alba.

   (2) Faodaidh Ministearan na h-Alba le òrdugh atharrachadh fo-pharagraf (1)(a) le bhith cur an àsir airson an ãireamh as lugha no an ãìreamh as motha de buill coitcheann a tha aig an àm a tha an lathair air an sònrachadh ann, a leithid de dh’àireamh ’s a mheasas iad iomchaidh.

   (3) Bidh na buill agus an Cathraiche air an cur an dreuchd airson tràth a cho-dhùineas Ministearan na h-Alba.

   (4) Far a bheil oifig a’ Chathraiche bàn, feumaidh na buill coitcheann neach a thaghadh bhò am meag fhèin a bhios na chathraiche air a’ Bhòrd gus an tèid neach a chur an dreuchd fo fo-earrann (1)(b).

   (5) Faodaidh gach ball—
   (a) le brath ann an sgriobhadh gu Ministearan na h-Alba, a bhallrachd a thoilt suas,
   (b) air mhodh eile, fuireach san dreuchd no fhàgail le na cumhachan agus cùmhnantan a cho-dhùineas Ministearan na h-Alba.

   (6) Faodaidh Ministearan na h-Alba, le brath ann an sgriobhadh, ball a chur às a dhreuchd ma tha iad riaraithe gu bheil—
   (a) oighreachd a’ bhuill air a cur gu taobh no binn briseadh-reideis air a thoirt a-mach air a’ bhall, cùmhnant air a dhèanamh ri creidearan no bann-reideis air aontachadh ri creidearan no cùmhnant sgriobhte, no
   (b) am ball—
      (i) bhon fheum mar thoradh air tinneas cuirp no inntinn,
      (ii) air a bhith neo-làthair bho choinneamhan a’ bhùird airson uíne nas fhaidhe na 3 miosan ann an sreath gun cheap bhon bhòrd, no
      (iii) neo-fhreagarrach air mhodh eile no neo-chomasach air an obair aige mar bhall a choileanadh.
3 Chan fhaod neach a bhith air a chur an dreuchd no cumail a’ dol mar bhall den Bhòrd ma tha an neach sin no (mas e sin a’ chùis)—
(a) na bhall de Thaigh nan Cumantan,
(b) na bhall de Phàrlamaid na h-Alba, no
(c) na bhall de Phàrlamaid na h-Eòrsa.

Pàigheadh agus cuibhreannan
4 Feumaidh am Bòrd am pàigheadh agus na cuibhreannan a shuídhicheas Ministearan na h-Alba a thoirt don Chatbraiche agus do na buill chumanta.

Ceannard agus luchd-obrach eile
5 (1) Feumaidh am Bòrd, le aonta Mhinistearan na h-Alba, dreuchd Ceannard a lionadh fo na cumhachan ‘s cùmhantant a dh’faodas e a shuidheadachd le aonta Mhinisteir na h-Alba.
(2) Faodaidh am Bòrd luchd-obrach sam bith eile a chur an dreuchd mar a mheasas iad iomchaidh fo na cumhachan ‘s cùmhantant a dh’faodas iad a shuidheadachd le aonta Mhinistearan na h-Alba.
(3) Feumaidh am Bòrd, a thaobh an luchd-obrach a dh’haodas e a shuidheadachd le aonta Mhinistearan na h-Alba, an t-ullachadh a mheasas e iomchaidh a dhèanamh airson a bhith a’ toirt, do no a thaobh an luchd-obrach sin, peinnseanan, cuibhreannan no tiodhlacan.
(4) A thaobh an ullachaidh sin—
(a) faodaidh e a bhith a’ gabhail a-steach stèidheadadh agus rianachd, leis a’ Bhòrd no air mhodh eile, aon no barrachd air aon sgeama peinnsean, agus
(b) feumaidh e, co-dhiù, a bhith air aontachadh le Ministearan na h-Alba.
(5) Tha an t-iomradh ann am fo-pharagraf (3) air an ullachadh airson peinnseanan, cuibhreannan no tiodhlacan a’ gabhail a-steach iomradh air an ullachadh a thaobh airgead-dìolaidh airson call dreuchd no cosnáidh no airson call no lùghadhachd tuarastail.

Comataidhean
6 (1) Faodaidh am Bòrd comataidhean a chur air bhonn airson no co-cheangailte ri gniomhan sam bith a shuídhicheas e.
(2) Faodaidh am Bòrd daoine a chur an dreuchd mar buill de chomataidh nach eil nam buill den Bhòrd.
(3) Cha bhi cóir bhòtaidh aig daoine a thèid an cur an dreuchd fo fo-pharagraf (2) aig coinneamhan den chomataidh.

Cùisean agus coinneamhan
7 (1) Faodaidh am Bòrd a mhodh-obrachaidh fhèin a shuidheadadh agus modh-obrachaidh a chomataidhean, a’ gabhail a-steach cuòram airson coinneamhan.
(2) Cha bhi buaidh air èifeachd chuisean sam bith a bhuiteas don Bhòrd agus do chomataidh sam bith a chuireas e air bhonn trò dheuchd falamh am measg nam ball aige fhèin no aig a’ chomataidh no uireasbhaidh sam bith ann an bhith a’ cur an dreuchd ball sam bith den Bhòrd.

(3) Faodaidh buill de Riaghaltas na h-Alba, fo-Mhinistearan na h-Alba agus daoine ùghdarrachta le Ministearan na h-Alba a bhith an lathair agus a’ com-pàirteachadh ann an choinneamhan a’ Bhúird agus comataidh sam bith a chuir e air bhonn, ach chan eil cóir bhòtaidh aca aig na choinneamhan sin.

**Cunntasan agus aiithis bhliadhnail**

8 Feumaidh am Bòrd—

(a) cunntas ullachadh airson gach bliadhna ionmhais, a rèir stiùireadh Mhinistearan na h-Alba, de chosgaitean agus teachd-a-steach a’ Bhùird, agus

(b) an cunntas a chur airson sgrùdadh, ron àm a dh’ìarras Ministearan na h-Alba, gu Àrd-Neach-Sgrùdadh na h-Alba.

9 Cho luath ’s a ghabhas dèanamh aig ceann gach bliadhna ionmhais, feumaidh am Bòrd aithisg ullachadh mu choileanadh a ghnìomhan rè na bliadhna sin agus feumaidh e—

(a) An aithisg fhoillseachadh agus leithbhreac a chur gu Ministearan na h-Alba, agus

(b) An aithisg a chur fa chomhair na Pàrlamaid.

**Ùghdarrachadh ghnìomhan le Ministearan na h-Alba**

10 (1) Faodaidh Ministearan na h-Alba ullachadh a dhèanamh airson obair sam bith a bhith air a choileanadh às an leth, le umhlachd do na cumhachan a dh’faodadh iad a leagail, leis a’ Bhòrd; agus faodaidh am Bòrd na gniomhan sin a choileanadh a rèir sin.

(2) Chan eil ullachadh fo fo-paragraf (1) a’ toirt buaidh air dleastanas Mhinistearan na h-Alba an gniomhan a choileanadh.

(3) Ann am fo-paragraf (1), chan eil “gniomhan” a’ gabhail a-steach a bhith a’ dèanamh, a’ dearbhadh no a’ cur aonta ri fo-reachdas.

**Cumhachdan coitcheann**

11 (1) Faodaidh am Bòrd rud sam bith a dhèanamh (an Alba no an ceàrnaidhean eile) a tha cuideachail no tuiteamach ann an coileanadh a ghnìomhan, agus faodaidh e gu sònraichte a bhith—

(a) a’ com-pàirteachadh ann an gnothach no obair sam bith,

(b) a’ cruthachadh no ag adhartachadh chompanaidhean (nan aonar no còmhla ri daoine eile) (taobh a-staigh brigh Achd nan Companaidhean 1985 (c.6)),

(c) a’ dol am com-pàirteachas ri daoine eile,

(d) le aonta Mhinistearan na h-Alba, a’ cur air bhonn no a’ com-pàirteachadh ann an stèidheachadh bhuidhnean aig a bheil gniomhan co-ionnan ri gniomhan a’ Bhùird,

(e) a’ toiseachadh air cunnraidh,

(f) a’ toirt seachad thabhartasan agus iasadan,
(g) a’ cur pris air solarachadh comhairle no seirbheisean eile ann an leithid de shuidheachaidhean agus de na suimean sin a dhearbhhas am Bòrd, le aonta Mhinistearan na h-Alba,
(h) a’ gabhail thiodhlacan airgid no seilbh eile,
(i) a’ tasgadh shuimean air nach eilear a’ cur feum sa bhad an co-cheangal ri coileanadh a ghniomhan,
(j) a’ barrantachadh rannsachaidh.
(2) Chan eil fo-pharagraf (1)(g) a’ toirt làn-chòir don Bhòrd cosgaisean a chur air ùghdarrasan poblach an Alba airson comhairle agus taice a bheir e earrann 8 (7).

Tabhartasan
12 (1) Faodaidh Ministearan na h-Alba tabhartasan a thoirt don Bhòrd airson nan adhbhar agus e na suimean a mheasas iomchaidh.
(2) Faodaidh tabhartas sam bith fo fo-pharagraf (1) a bhith air a dhèanamh a rèir nan cumhachan a mheasas Ministearan na h-Alba iomchaidh.
(3) Chan eil ùghdarras aig a’ Bhòrd a bhith a’ toirt airgead a-mach air iasad no a’ dol an urras.

PÀIPEAR-TAICE 2
(air a thoirt a-steach le earrann 12 )
ATHARRACHAIDHEAN CO-LEANAILTEACH

Achd Inbhean Eiticeil sa Bheatha Phoblach msaa. (Alba) 2000 (asp 7)
1 Ann am páipear-taice 3 ri Achd Inbhean Eiticeil sa Bheatha Phoblach msaa. (Alba) 2000 (buidhnean poblach ùghdarraichte) cuir “Bòrd na Gàidhlig” san àite iomchaidh.

Achd Ombudsman Seirbheisean Poblach na h-Alba 2002 (asp 11)

Achd Saorsa an Fhiosrachaidh (Alba) 2002 (asp 13)
3 Ann am páirt 7 de páipear-taice 1 ri Achd Saorsa an Fhiosrachaidh (Alba) 2002 (Úghdarrasan poblach an Alba ach a-mhàin an uair a tha dleastanas orra fiosrachadh sònraichte a thoirt seachad) cuir “Bòrd na Gàidhlig” san àite iomchaidh.

Achd Cur an Dreuchd Poblach agus Buidhnean Poblach msaa. (Alba) 2003 (asp 4)
4 Ann am páipear-taice 2 ri Achd Cur an Dreuchd Poblach agus Buidhnean Poblach msaa. (Alba) 2003 (cur an dreuchd ùghdarrasan a tha air an riaghladh le còd obrachaidh) fon cheann “Buidhnean Gniomh” cuir “Bòrd na Gàidhlig” san àite iomchaidh.
GAELIC LANGUAGE (SCOTLAND) BILL

[AS AMENDED AT STAGE 2]

REVISED EXPLANATORY NOTES

1. As required under Rule 9.7.8A of the Parliament’s Standing Orders, these are the revised Explanatory Notes to accompany the Gaelic Language (Scotland) Bill, as amended at Stage 2.

INTRODUCTION

2. These Explanatory Notes have been prepared by the Scottish Executive in order to assist the reader of the Bill and to help inform debate on it. They do not form part of the Bill and have not been endorsed by the Parliament.

3. The Notes should be read in conjunction with the Bill as amended at Stage 2. They are not, and are not meant to be, a comprehensive description of the Bill. So where a section or schedule, or a part of a section or schedule, does not seem to require any explanation or comment, none is given.

THE BILL – AN OVERVIEW

4. The Gaelic Language (Scotland) Bill establishes a body, Bòrd na Gàidhlig (the Bòrd), to promote the use and understanding of the Gaelic language and enables the Bòrd to require certain public bodies to prepare and implement plans which will set out how they will use the Gaelic language in the exercise of their functions.

5. Section 1 establishes the Bòrd with the functions of promoting the use and understanding of the Gaelic language and advising on Gaelic language, culture and education matters.

6. Section 2 requires the Bòrd to develop a national Gaelic language plan setting out how it proposes to exercise those functions.

7. Sections 3 to 8 enable the Bòrd to require Scottish public authorities to prepare and implement Gaelic language plans. These plans will set out how the public authority will use the language in connection with the exercise of its functions.

8. Section 9 provides for the Bòrd to issue guidance on the provision and development of Gaelic education.
THE BILL – SECTION BY SECTION

Bòrd na Gàidhlig

Section 1 – Constitution and functions of Bòrd na Gàidhlig

9. This section establishes the Bòrd with the functions of promoting the use and understanding of the Gaelic language; promoting Gaelic education and Gaelic culture; advising on Gaelic language, culture and education matters; and monitoring and reporting to the Scottish Ministers on the implementation of the European Charter for Regional or Minority Languages in relation to the Gaelic language.

10. Subsections (2) and (3) specify the general functions of the Bòrd and the outcomes the Bòrd should seek to achieve in exercising those functions.

11. Subsection (4) enables the Scottish Ministers to issue directions or guidance to the Bòrd.

12. Subsection (6) introduces schedule 1 which makes detailed provision concerning the status, membership etc. of the Bord.

National Gaelic language plan

Section 2 – National Gaelic language plan

13. This section requires the Bòrd to develop a national Gaelic language plan which must set out how it proposes to carry out its functions. Those functions include the general functions under section 1(2) of promoting the use and understanding of the Gaelic language; promoting Gaelic education and Gaelic culture; advising on Gaelic language, culture and education matters; and monitoring and reporting to the Scottish Ministers on the implementation of the European Charter for Regional or Minority Languages in relation to the Gaelic language. Other more specific functions are provided for elsewhere in the Bill.

14. Subsection (1) places a duty on the Bòrd to submit a national Gaelic language plan to the Scottish Ministers within 12 months of the commencement of section 2. The Bòrd must submit a new national plan to the Scottish Ministers at least every 5 years from the date of publication of the previous plan, or at any time if required to do so by the Scottish Ministers under subsection (7).

15. Subsections (2) and (3), which apply to any plan prepared under subsection (1), require the Bòrd to publish and consult on a draft plan. The Bòrd must allow at least 3 months for the submission of views and take into account any views submitted in that period. The Bòrd is required to consult the Parliament in preparing the plan.

16. Subsection (4) requires the Scottish Ministers, within 6 months of receiving the national plan from the Bòrd, to approve the plan or make comments on it. If the Scottish Ministers make comments on the plan, the Bòrd must submit a further plan taking account of those comments.
17. Subsection (5) provides that if the Bòrd submits a further plan under subsection (4), the Scottish Ministers must approve the plan within 6 months or order the Bòrd to publish the plan in terms which the Scottish Ministers shall decide.

18. Subsection (6) requires the Bòrd to publish the national Gaelic language plan in its final form and to lay a copy of it before the Parliament.

19. Subsection (7) enables the Scottish Ministers at any time to request the Bòrd to submit a new national Gaelic language plan.

**Gaelic language plans**

*Section 3 – Gaelic language plans*

20. Section 3 introduces a power for the Bòrd to issue a notice to any Scottish public authority requiring them to prepare a Gaelic language plan. ‘Scottish public authority’ is defined in section 10 and covers any public body or office-holder (including the Scottish Parliamentary Corporate Body) with functions which can be exercised only in or as regards Scotland.

21. Subsection (2) specifies the information which the Bòrd must provide in the notice it issues to a public authority.

22. Subsection (3) sets out the considerations the Bòrd must have regard to in deciding whether to issue a notice to a public authority.

23. Subsection (4) sets out the information which a Gaelic language plan must contain.

24. Subsection (5) specifies the issues which a public authority must have regard to when preparing its plan.

25. Subsection (6) requires a public authority to consult with any person who it thinks has an interest in the plan it is preparing.

26. Subsection (7) gives the Scottish Ministers a power to make regulations specifying the content of language plans. The Scottish Ministers must consult the Bòrd before making any regulations.

*Section 4 – Review of, and appeal against, notices*

27. Section 4 provides a mechanism for a Scottish public authority to seek to extend the length of time given to it to prepare a plan and for appealing against a notice issued by the Bòrd.

28. Subsection (1) enables a Scottish public authority to ask the Bòrd to reconsider the date set for the submission of a Gaelic language plan under section 3. The Bòrd must either confirm the date (subsection (3)(a)) or specify a later date when the plan must be submitted (subsection (3)(b)). If the Bòrd confirms the date it initially set for the submission of a plan or sets a later date which the authority finds unreasonable, the public authority has a further right of appeal to the Scottish Ministers under subsection (5). Subsection (5A) requires the Scottish Ministers to
determine an appeal under subsection (5) within a period of 2 months. The effect of subsection (6) is that if the Scottish Ministers uphold an appeal from a public authority under subsection (5) they must specify an alternative date by which a plan must be submitted to the Bòrd.

29. Subsection (7) enables a public authority to appeal to the Scottish Ministers against the issue of a notice under section 3. Subsection (7A) requires the Scottish Ministers to determine an appeal under subsection (7) within a period of 6 months. The effect of subsection (8) is that where the Scottish Ministers uphold an appeal by a public authority against having to produce a plan, that authority does not have to submit a plan to the Bòrd and cannot be requested to do so by the Bòrd again until a period of 2 years from the date of the issuing of the first notice has passed.

Section 5 – Approval of plans

30. Section 5 makes provision for the procedure to be followed for approving Gaelic language plans submitted to the Bòrd.

31. Subsection (1) provides that when a public authority submits a plan to meet the requirements of a notice issued by the Bòrd under section 3, or resubmits a plan under subsection (2)(b) taking account of modifications proposed by the Bòrd, the Bòrd must approve the plan or propose modifications to the plan. Subsection (1A) requires the Bòrd, when determining whether to approve or propose modifications to the plan, to have regard to the same matters it must have regard to when determining whether to issue a notice to a public authority requiring the preparation of a Gaelic language plan (section 3(5)(za) to (b)) and to any guidance given by the Scottish Ministers.

32. The effect of subsection (2) is that if the Bòrd proposes modifications to a plan submitted by a public authority, the authority must either notify the Bòrd within one month that it does not agree with all or any of the proposed modifications, giving reasons for any disagreement, or submit a revised plan which takes account of the proposals. The Bòrd must allow at least 3 months, but not more than 6 months, for the submission of a revised plan (subsection (3)).

33. The effect of subsection (3A) is that if the Bòrd receives notification from a public authority under subsection (2)(a) that it does not agree with any or all of the modifications to its plan proposed by the Bòrd, the Bòrd must either approve the plan as originally submitted; approve the plan subject to any modifications agreed with the public authority; or, if the Bòrd has not approved the plan within 2 months of the plan being referred to it, refer the matter to the Scottish Ministers.

34. The Scottish Ministers must, if a plan is referred to them under subsection (3A)(c), either approve the plan as originally submitted by the public authority to the Bòrd, or approve the plan subject to any modifications they consider appropriate. Before doing so, the Scottish Ministers must take into consideration a number of factors mirroring some of those the authority itself has considered when preparing its plan, and take account of comments from the Bòrd and others consulted by the Scottish Ministers. Subsection (5A) requires the Scottish Ministers to approve a plan referred to them within a period of 6 months.

35. Subsection (6) requires a public authority to publish its Gaelic language plan and implement the measures in it after the plan is approved.
Section 6 – Monitoring of implementation

36. This section makes provision for the Bòrd to monitor the implementation of Gaelic language plans.

37. Subsection (1) provides that the section applies to a plan which has been approved by either the Bòrd or the Scottish Ministers under section 5, and which has been in effect for at least 12 months.

38. Subsection (2) enables the Bòrd to request a report on the implementation of the measures set out in a public authority’s plan. Bòrd na Gàidhlig must allow the public authority at least 3 months to comply with that request.

39. Subsection (3) provides that the Bòrd may not ask for a subsequent report from a public authority within 12 months of the date of the last time it requested a report from that particular authority.

40. Subsection (4) enables the Bòrd, if it considers that a public authority is failing to implement adequately measures in its Gaelic language plan, to submit a report to the Scottish Ministers setting out why it considers a public authority is failing in that regard.

41. The effect of subsection (5) is that where the Scottish Ministers receive a report from the Bòrd under subsection (4) they must bring the report to the attention of the Scottish Parliament and/or issue a direction to the relevant public authority to implement any or all of the measures in its language plan. Subsection (6) requires the Scottish Ministers to consult with the relevant public authority on the terms of a direction they may be minded to issue. The Scottish Ministers must take into account any views expressed by the public authority before issuing that direction.

Section 7 – Review of plans

42. This section makes provision for the review of Gaelic language plans.

43. Subsection (1) provides that this section applies to a Gaelic language plan approved under section 5 or to a plan which has been reviewed and subsequently approved under this section.

44. Subsection (2) requires a public authority which has a Gaelic language plan to review that plan within 5 years and to make any amendments to the plan which it considers necessary. The public authority must then submit the plan, amended or unamended, to the Bòrd.

45. Subsection (3) specifies that the provisions in section 3(4) to (6) and section 5 are also to operate in relation to a plan which is being reviewed under subsection (2). Before submitting a reviewed plan to the Bòrd, therefore, it must comply with the same requirements regarding content, consultation, approval etc. as applied when the plan under review was prepared.

46. Subsection (4) enables a public authority to make minor amendments to its plan at any time without having to submit the plan for reapproval to the Bòrd.
Section 8 – Guidance, assistance, etc. by the Bòrd

47. This section makes provision for the Bòrd to issue guidance in relation to the development of Gaelic language plans under sections 3 to 7. Subsection (2) sets out the steps that the Bòrd must follow when preparing that guidance. These include a duty (under subsection (2)(b)) to publish and consult on draft guidance. Views must be made known to the Bòrd within a period specified by the Bòrd which, under subsection (3), must be at least 3 months.

48. Subsection (4) provides for the Scottish Ministers to approve guidance submitted by the Bòrd either in the form submitted to them or with modifications which they determine to be appropriate. Alternatively, the Scottish Ministers may reject the guidance submitted and require the Bòrd to submit revised guidance. Subsection (5) specifies that where revised guidance is submitted by the Bòrd, the Scottish Ministers must approve the guidance, or order the Bòrd to publish the guidance in such terms as the Scottish Ministers consider appropriate.

49. Subsections (6A) and (6B) make provision for the Bòrd to vary or revoke its guidance. Before varying its guidance the Bòrd is required to follow the same procedures which apply to the preparation of the original guidance (subsections (2) to (6)). The Bòrd must obtain the consent of the Scottish Ministers before revoking its guidance.

50. Subsection (7) provides that the Bòrd may not charge Scottish public authorities for advice and assistance in relation to requirements placed on the authority by this Act.

51. Subsection (8) requires the Bòrd, when preparing its guidance or giving advice and assistance in relation to the development of Gaelic language plans, to give effect, so far as is both appropriate in the circumstances and reasonably practicable, to the principle that the Gaelic and English languages should be accorded equal respect.

Gaelic education

Section 9 – Guidance on Gaelic education

52. This section makes provision for the Bòrd to issue guidance in relation to Gaelic education. ‘Gaelic education’ is defined in section 10 as meaning education in the use and understanding, education about and education by means of the Gaelic language.

53. Subsection (2) makes provision for the process for formulating guidance on Gaelic education to follow that which applies to guidance on the preparation of Gaelic language plans under section 8(2) to (6B).

54. Subsection (5) inserts a new subsection (4A) into section 5 of the Standards in Scotland’s Schools etc. Act 2000. Section 5 requires education authorities in Scotland to produce an annual statement of improvement objectives which must include an account of the ways and circumstances in which they will provide (and, if provided, develop) Gaelic medium education. The new subsection (4A) requires education authorities to have regard to the guidance issued by the Bòrd when complying with the reporting requirements of that section.

6
General

Section 10 – Interpretation

55. This section provides definitions of key terms used in the Bill.

Section 11 – Regulations and orders

56. This section provides that regulations under section 3(7) and orders under paragraph 2(2) of schedule 1 are to be made by statutory instrument which is subject to the negative resolution procedure in the Scottish Parliament.

Section 12 – Consequential amendments

57. This section introduces schedule 2 which makes modifications of various enactments so as to include in them references to the Bòrd.

Section 13 – Short title and commencement

58. Provision is made for the Scottish Ministers by order to appoint days when sections of the Act (other than sections 11 and 13) are to come into force. Sections 11 and 13 come into force on Royal Assent.

59. Subsection (3) enables a commencement order to include transitional, transitory or saving provision.

Schedule 1 – Bòrd na Gàidhlig

Paragraph 1 – Status

60. Provision is made under this paragraph making clear that the Bòrd is not a Crown body.

Paragraph 2 – Membership

61. Sub-paragraph (1) provides that the members of the Bòrd are to be appointed by the Scottish Ministers. The Bòrd is to have between 5 and 11 ordinary members and a further ex officio member (the Cathraiche) who is to chair meetings of the Bòrd.

62. Sub-paragraph (2) gives the Scottish Ministers the power by order to increase or decrease the maximum or minimum number of members. A statutory instrument containing such an order is subject to the negative resolution procedure in the Scottish Parliament.

63. Sub-paragraph (4) requires the Bòrd to elect from within its number a person to act as Cathraiche if the office of Cathraiche becomes vacant.

64. Sub-paragraph (5) provides that members of the Bòrd hold office on such terms and conditions as the Scottish Ministers may decide and may resign from the Bòrd by written notice to Ministers.

65. Sub-paragraph (6) makes provision for the circumstances in which the Scottish Ministers may remove a member of the Bòrd from office.
Paragraph 3 – Disqualification

66. Paragraph 3 sets out the various persons who are disqualified from appointment to, or from holding office as a member of, the Bòrd.

Paragraph 4 – Remuneration and allowances

67. Paragraph 4 provides for Bòrd members to receive such remuneration and allowances as may be determined by the Scottish Ministers.

Paragraph 5 – Ceannard and other staff

68. Paragraph 5 makes provision for the Bòrd to appoint staff, including a Chief Executive (“Ceannard”).

Paragraph 6 – Committees

69. Paragraph 6 enables the Bòrd to establish such committees as it requires to carry out its functions, and to co-opt non-members of the Bòrd on to those committees. Co-opted members cannot, however, vote at committee meetings.

Paragraph 7 – Proceedings and meetings

70. Sub-paragraph (1) enables the Bòrd to determine its own and its committees’ procedure for meetings.

71. Sub-paragraph (2) provides that the validity of any proceedings of the Bòrd cannot be challenged on the grounds that there was a defect in any of the appointments to the Bòrd or by a vacancy in the Bòrd’s membership.

72. Sub-paragraph (3) provides for the Scottish Ministers, or their representatives, to attend the Bòrd and committee meetings but they are unable to vote at those meetings.

Paragraphs 8 and 9 – Accounts and annual report

73. These paragraphs set out in general terms requirements concerning the accounts and reports which must be prepared by the Bòrd.

Paragraph 10 – Delegation of functions by the Scottish Ministers

74. This paragraph enables the Scottish Ministers to delegate any of their functions to the Bòrd (other than the function of making, confirming or approving subordinate legislation) relating to the Gaelic language, culture and education.

Paragraph 11 – General powers

75. This paragraph sets out the activities the Bòrd may engage in in furtherance of its functions.

76. Sub-paragraph (2) specifies that the Bòrd may not make charges for the provision of advice and assistance to Scottish public authorities in connection with the application of the Bill to them.
Paragraph 12 – Grants

77. Sub-paragraphs (1) and (2) provide for the Scottish Ministers to make grants to the Bòrd. The purpose and amount of a grant, and any conditions attaching to it, may be decided by the Scottish Ministers.

78. Sub-paragraph (3) specifies that the Bòrd does not have the power to borrow money or to give guarantees.

__________________________
Present:

Mr Adam Ingram  Dr Sylvia Jackson (Convener)
Mr Stewart Maxwell  Murray Tosh

Apologies were received from Mike Pringle and Christine May.

**Delegated powers scrutiny:** The Committee considered the delegated powers provisions in the following bill—

Gaelic Language (Scotland) Bill as amended at Stage 2

and agreed the terms of its report.
The Convener: Does any member have a point to raise on either section 2(6)(b) or section 2(2)(za)?

Members: No.

The Convener: In that case, are we agreed that the new sections address our concerns?

Members indicated agreement.

The Convener: Section 3(7) concerns regulations to make

“further provision in relation to the content of Gaelic language plans.”

The Executive amended section 3(7) so that ministers can make the regulations that provide for the content of the language plans only after it has consulted Bòrd na Gàidhlig. I assume that the amendment reflects the Executive’s policy wish to give the board a greater input into the content of the regulations. Are we agreed that the amendment addresses our concerns?

Members indicated agreement.

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Gaelic Language (Scotland) Bill: as amended at Stage 2

The Convener: The second item under our delegated powers scrutiny is the Gaelic Language (Scotland) Bill, as amended at stage 2. We raised a couple of points on the bill.

Section 2 concerns the national Gaelic language plan. In response to the committee’s letter at stage 1, the Executive undertook to amend the bill at stage 2. The national Gaelic language plan will now be laid before the Parliament when it is approved by Scottish ministers; members will find the revised provision in new section 2(6)(b). Members will also see that new section 2(2)(za) allows Bòrd na Gàidhlig to consult the Parliament.

Mr Ingram: I think that it was the subject committee that suggested that more use should be made of the affirmative procedure in respect of the national plan. I guess that the amendment was the Executive’s response to that request.

The Convener: It was made in response to our recommendation and that of the subject committee. Both committees made the same recommendation to the Executive.

Mr Ingram: The stage 3 debate on the bill is also being held this week. It will be interesting to see what is said on the issue.
Subordinate Legislation Committee

14th Report, 2005 (Session 2)

The Gaelic Language (Scotland) Bill as amended at Stage 2
Subordinate Legislation Committee

Remit and membership

Remit:

1. The remit of the Subordinate Legislation Committee is to consider and report on-

   (a) any-
       (i) subordinate legislation laid before the Parliament;
       (ii) Scottish Statutory Instrument not laid before the Parliament but classified as general according to its subject matter,

and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.3.1;

(b) proposed powers to make subordinate legislation in particular Bills or other proposed legislation;

(c) general questions relating to powers to make subordinate legislation; and

(d) whether any proposed delegated powers in particular Bills or other legislation should be expressed as a power to make subordinate legislation.

*(Standing Orders of the Scottish Parliament, Rule 6.11)*

Membership:

Dr Sylvia Jackson (Convener)
Mr Adam Ingram
Gordon Jackson (Deputy Convener)
Mr Stewart Maxwell
Christine May
Mike Pringle
Murray Tosh
Committee Clerking Team:

Clerk to the Committee
Ruth Cooper

Assistant Clerk
Bruce Adamson

Support Manager
Catherine Fergusson
the Gaelic Language (Scotland) Bill as amended at Stage 2

The Committee reports to the Parliament as follows—

Introduction

1. At its meeting on 19 April 2005, the Committee considered the inserted or substantially amended delegated powers provisions in the Gaelic Language (Scotland) Bill as amended at stage 2. The Committee reports to the Parliament on such provisions under Rule 9.7.9 of Standing Orders.

Section 2 – National Gaelic language plan

2. In its response to the Committee’s letter at Stage 1, the Executive undertook to amend the Bill at Stage 2 so that when the national Gaelic language plan is approved by the Scottish Ministers it will be laid before the Parliament. The Bill has been amended to achieve this (see new section 2(6)(b)). The Committee therefore welcomes the Executive’s amendment and reports to Parliament that this amendment addresses its concerns in connection with this provision.

3. The Committee notes that the Executive has followed the recommendation of the Education Committee by including (at section 2(2)(za)) a requirement for the Bord na Gaidhlig (the Bord) to consult the Parliament when preparing the plan and welcomes this amendment.

Section 3(7) – regulations making further provision in relation to the content of Gaelic plans

4. The Committee notes that the Executive has amended section 3(7) so that the Scottish Ministers may only make regulations providing for the content of Gaelic language plans after consulting the Bord and welcomes this amendment.
Gaelic Language (Scotland) Bill

Marshalled List of Amendments selected for Stage 3

The Bill will be considered in the following order—

Section 1 to 13  Schedules 1 and 2  Long Title

Amendments marked * are new (including manuscript amendments) or have been altered.

Section 1

Alex Neil

5  In section 1, page 1, line 14, at end insert—

<with a view to ensuring that it is treated on a basis of equal validity and respect with the English language,>

Alex Neil

6  In section 1, page 1, line 25, after <equal> insert <validity and>

7  In section 1, page 1, line 25, leave out <to> and insert <with>

Section 2

Peter Peacock

9  In section 2, page 2, line 13, leave out <a> and insert <the most recent>

Peter Peacock

10  In section 2, page 2, line 15, leave out <under subsection (7)>

Peter Peacock

11  In section 2, page 2, line 17, at end insert—

<( ) Those proposals must include a strategy for promoting, and facilitating the promotion of—
   (a) the use and understanding of the Gaelic language, and
   (b) Gaelic education and Gaelic culture.>

Peter Peacock

12  In section 2, page 3, line 1, leave out subsection (7)
Section 3

Peter Peacock
13 In section 3, page 3, line 5, leave out <Scottish> and insert <relevant>

Peter Peacock
14 In section 3, page 3, line 14, leave out <a Scottish public> and insert <an>

Peter Peacock
15 In section 3, page 3, line 16, at end insert <(if any)>

Peter Peacock
16 In section 3, page 3, line 26, leave out <Scottish> and insert <relevant>

Fiona Hyslop
1* In section 3, page 3, line 29, after <taken,> insert—

<(ba) (where the authority is the Scottish Executive) set out a national strategy for promoting and developing Gaelic education.>

John Farquhar Munro
4 In section 3, page 3, line 29, after <taken,> insert—

<( ) (where the authority is an education authority within the meaning given in section 135(1) of the Education (Scotland) Act 1980 (c.44)) set out how the authority will contribute to achieving the undertakings set out in Article 8 of the European Charter for Regional or Minority Languages dated 5 November 1992, in relation to the Gaelic language>

Peter Peacock
17 In section 3, page 3, line 32, leave out <Scottish> and insert <relevant>

Peter Peacock
18 In section 3, page 4, line 1, leave out <Scottish> and insert <relevant>

John Farquhar Munro
47 In section 3, page 4, line 2, at end insert—

<( ) the strategy mentioned in subsection (4)(ba), the Scottish Executive must—

(i) publish a draft of the strategy,

(ii) publicise the opportunity to make representations about the draft strategy within a period of not less than 3 months, and

(iii) take into account any representations received by it within that period.>
Peter Peacock
19 In section 3, page 4, line 6, leave out <Scottish public>

Section 4

Peter Peacock
20 In section 4, page 4, line 8, leave out <Scottish> and insert <relevant>

Peter Peacock
21 In section 4, page 4, line 25, leave out <Scottish> and insert <relevant>

Peter Peacock
22 In section 4, page 4, line 27, leave out <(3)(a)> and insert <(3)(za)>

Peter Peacock
23 In section 4, page 4, line 33, leave out <Scottish public>

Section 5

Peter Peacock
24 In section 5, page 4, line 37, leave out <Scottish> and insert <relevant>

Peter Peacock
25 In section 5, page 5, line 1, after <plan> insert <for the purposes of subsection (1)>

Peter Peacock
26 In section 5, page 5, line 4, leave out <Scottish public>

Peter Peacock
27 In section 5, page 5, line 17, leave out <Scottish public>

Peter Peacock
28 In section 5, page 5, line 30, leave out <Scottish public>

Peter Peacock
29 In section 5, page 5, line 37, leave out <Scottish public>

Peter Peacock
30 In section 5, page 5, line 39, after <it> insert <in such manner as it thinks fit (having regard to any guidance given by the Bòrd)>
Peter Peacock
31 In section 5, page 5, line 40, leave out <set out in it> and insert <in accordance with the plan>

Section 6

Peter Peacock
32 In section 6, page 6, line 3, leave out <Scottish> and insert <relevant>

Peter Peacock
33 In section 6, page 6, line 11, leave out <Scottish> and insert <relevant>

Peter Peacock
34 In section 6, page 6, line 17, leave out <Scottish public>

Peter Peacock
35 In section 6, page 6, line 20, leave out <Scottish public>

Section 7

Peter Peacock
36 In section 7, page 6, line 26, leave out <Scottish> and insert <relevant>

Peter Peacock
37 In section 7, page 6, line 35, leave out <Scottish> and insert <relevant>

Section 8

Peter Peacock
38 In section 8, page 7, line 3, leave out <Scottish> and insert <relevant>

Peter Peacock
39 In section 8, page 7, line 26, leave out <Scottish> and insert <relevant>

Section 9

Peter Peacock
40 In section 9, page 8, line 2, leave out from <any> to end of line 3 and insert—

< ( ) any Gaelic language plan published by the authority under section 5(6) of the Gaelic Language (Scotland) Act 2005 (asp 00), and

( ) any guidance published by Bòrd na Gàidhlig under section 9 of that Act.>
Fiona Hyslop

48 In section 9, page 8, line 3, at end insert—
   <( ) After subsection (2) of section 5 (education authority’s annual statement of
   improvement objectives) of the Standards in Scotland’s Schools etc. Act 2000 (asp 6),
   insert—
   “(2A) Where guidance has been issued under section 9 of the Gaelic Language
   (Scotland) Act (asp 00), subsection (2)(c) shall cease to have effect; and an
   education authority’s annual statement of improvement objectives must contain
   an account of the ways in which they will provide Gaelic medium education
   and of the ways in which they will seek to develop their provision of such
   education in accordance with—
   (a) that guidance; and
   (b) any plan prepared by the authority under section 3 of that Act and
   approved under section 5 of that Act.”

Section 10

Peter Peacock

41* In section 10, page 8, line 15, leave out from first <Scottish> to <include> in line 16 and insert
<relevant public authority are to—
   <(a) a Scottish public authority,
   (b) so far as not falling within paragraph (a), a cross-border public authority (but only
   in relation to functions exercisable in or as regards Scotland which do not relate to
   reserved matters), and
   (c)>}

Alex Neil

45 In section 10, page 8, line 17, at end insert—
   <( ) For the purposes of this Act, the Food Standards Agency is to be regarded as a cross-
   border public authority.>

Peter Peacock

42 In section 10, page 8, line 18, leave out <Scottish> and insert <relevant>

Schedule 1

John Farquhar Munro
Supported by: Alex Neil

2 In schedule 1, page 9, line 12, after <members,> insert <who are speakers of the Gaelic
language>
In schedule 1, page 9, line 13, after <person> insert <, who is a speaker of the Gaelic language.>

In schedule 1, page 12, line 3, leave out <Scottish> and insert <relevant>

Long Title

In the long title, page 1, line 2, after <Scotland> insert <commanding equal respect to the English language>

In the long title, page 1, line 2, after <Scotland> insert <commanding equal validity and respect with the English language>

In the long title, page 1, line 3, leave out <Scottish>
The following amendment was lodged as a manuscript amendment under Rule 9.10.6. The Presiding Officer has agreed under that Rule that this amendment may be moved at the meeting of the Parliament on 21 April 2005. It will be called immediately after amendment 28 (on page 3 of the Marshalled List).

Section 5

Peter Peacock

49 In section 5, page 5, line 36, leave out <that subsection> and insert <subsection (3A)(c)>
Gaelic Language (Scotland) Bill

Groupings of Amendments for Stage 3

Note: The time limits indicated are those set out in the timetabling motion to be considered by the Parliament before the Stage 3 proceedings begin. If that motion is agreed to, debate on the groups above each line must be concluded by the time indicated, although the amendments in those groups may still be moved formally and disposed of later in the proceedings.

Group 1: Status of Gaelic
5, 6, 7, 43, 46

Group 2: National Gaelic language plan
9, 10, 12, 15, 22

Debate to end no later than 30 minutes after proceedings begin

Group 3: Gaelic education etc.
11, 1, 4, 47, 40, 48

Debate to end no later than 55 minutes after proceedings begin

Group 4: Definition of public authorities
13, 14, 16, 17, 18, 19, 20, 21, 23, 24, 26, 27, 28, 29, 32, 33, 34, 35, 36, 37, 38, 39, 41, 45, 42, 8, 44

Group 5: Approval of plans
25, 30, 31

Group 6: Members of Bòrd na Gàidhlig to be Gaelic speakers
2, 3

Debate to end no later than 1 hour 15 minutes after proceedings begin
EXTRACT FROM THE MINUTES OF PROCEEDINGS

Vol. 2, No. 65        Session 2

Meeting of the Parliament

Thursday 21 April 2005

Note: (DT) signifies a decision taken at Decision Time.

Business Motion: Ms Margaret Curran, on behalf of the Parliamentary Bureau moved S2M-2717—That the Parliament agrees that, during Stage 3 of the Gaelic Language (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time-limits indicated (each time limit being calculated from when the Stage begins and excluding any periods when other business is under consideration or when the meeting of the Parliament is suspended or otherwise not in progress):

Groups 1 and 2 – 30 minutes

Group 3 – 55 minutes

Groups 4 to 6 – 1 hour and 15 minutes

The motion was agreed to.

Gaelic Language (Scotland) Bill - Stage 3: The Bill was considered at Stage 3.

The following amendments were agreed to without division: 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 49, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 45, 42, 8, 43 and 44

The following amendments were disagreed to (by division)—

<table>
<thead>
<tr>
<th>Amendment</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>(For 27, Against 70, Abstentions 0)</td>
</tr>
<tr>
<td>1</td>
<td>(For 23, Against 73, Abstentions 0)</td>
</tr>
<tr>
<td>48</td>
<td>(For 23, Against 70, Abstentions 0)</td>
</tr>
<tr>
<td>2</td>
<td>(For 37, Against 57, Abstentions 3)</td>
</tr>
</tbody>
</table>

Amendments 6, 7, 4, 47, 3 and 46 were not moved.

Gaelic Language (Scotland) Bill - Stage 3: The Minister for Education and Young People (Peter Peacock) moved S2M-2665—That the Parliament agrees that the Gaelic Language (Scotland) Bill be passed.

After debate, the motion was agreed to (DT).
Gaelic Language (Scotland) Bill: Stage 3

14:56

The Presiding Officer (Mr George Reid): For the next item of business, there will be contributions in Gaelic. Members who wish to hear an interpretation in English should ensure that the channel on their console is switched to number 1. The volume should be set to a comfortable minimum in order to reduce any possibility of interference.

Tha sinn a-nis a’ gluasad air adhart gu ìre 3 de Bhile na Gàidhlig (Alba).

Following is the simultaneous interpretation:

We now come to stage 3 proceedings for the Gaelic Language (Scotland) Bill.

The member continued in English.

As usual, we shall deal first with amendments to the bill and then move on to the debate on the motion to pass the bill. Members should have copies of the bill as amended at stage 2, the marshalled list containing all the amendments that I have selected for debate and the groupings that I have agreed. In addition, I ask members to note that, under rule 9.10.6, I have decided to allow amendment 49, in the name of Peter Peacock, to be moved today. Amendment 49 was lodged yesterday as a manuscript amendment, and a supplement to the marshalled list on members’ desks sets out the text of the amendment. It will be debated with the other amendments in group 5 and will be disposed of after amendment 28, which is on page 3 of the marshalled list.

Section 1—Constitution and functions of Bòrd na Gàidhlig

The Presiding Officer: Group 1 is on the status of Gaelic. Amendment 5, in the name of Alex Neil, is grouped with amendments 6, 7, 43 and 46.

Alex Neil (Central Scotland) (SNP): I do not anticipate a great deal of controversy in this afternoon’s debate, but my amendments in this group address one of the areas in which there will perhaps be a difference between my party and the Scottish Executive.

My amendments are designed to strengthen the bill. A clear message has to go out from the Parliament about the importance of the Gaelic language, not just in terms of what we are trying to do for the language itself but in regenerating the language as a key part of regenerating the culture, traditions and heritage of all of Scotland. One of the great myths is that Gaelic is relevant only to people in the Highlands and Islands but, as many people in the chamber will know, there are actually more speakers of Gaelic in Glasgow than there are still in the Highlands and Islands.

The purpose of amendment 5 is to incorporate the aspiration of the Executive to build into the bill the terminology of equal respect for Gaelic, but to strengthen that further by giving Gaelic equal validity, as recommended in evidence to the Education Committee by Bòrd na Gàidhlig. The purpose of doing that is so that, when Gaelic is used, it will have the same meaning in law, the same validity and the same level of importance as the English language.

We do not suggest—no one suggests—that Gaelic should be used as a second language in every instance. The amendments in my name do not propose such an approach; they propose that in situations in which Gaelic is used, the language should have equal validity with English. If the amendments are agreed to, they will send a clear signal about how important Parliament considers Gaelic to be and ensure that the validity with which Gaelic is treated is built into the bill, as is the concept of respect.

At this late stage, I ask the minister to reconsider the matter and to agree to reasonable amendments. Such unity in the Parliament would be the first sign that we can approach the bill on a consensual basis. Let us ensure that we treat Gaelic and English on the basis of equal validity, as well as with equal respect.

I move amendment 5.

15:00

The Minister for Education and Young People (Peter Peacock): Alex Neil is unconscionably reasonable, as he has been throughout the consideration of the bill, but his arguments are not terribly persuasive. I want to take time to set out clearly why that is, because his amendments would create complications.

The status of Gaelic has properly been a recurrent theme throughout discussions before and after the introduction of the bill. At stage 2 we debated concepts of status at some length. We considered equal validity, which is the concept that Alex Neil proposes again, and equal respect. My proposals in relation to equal respect were accepted by the Education Committee. As I said during the stage 2 debate, on one level the two concepts are very close to each other, but there are important, material differences between them, which I am glad to explain to the full Parliament.

Throughout the passage of the bill, I have made clear my strong desire to do what I can to enhance the status of Gaelic, which the bill will significantly move forward. The language should not suffer
from any lack of respect at individual or corporate level. There should be a generosity of spirit towards the language. In fairness, I think that all the parties in the Parliament share that objective.

As a result of amendments in my name at stage 2, the bill gives clear recognition to the language “as an official language of Scotland commanding equal respect to the English language”.

Those amendments ensured that the Gaelic language would not suffer from a lack of respect, while ensuring that the bill remained sufficiently flexible to be able to take account of the differing use of Gaelic across Scotland. Bòrd na Gàidhlig has explained that it wants the language to have a status that requires public bodies to treat it with a generosity of spirit and good will. That aspiration, which the Education Committee supports, can be achieved by requiring the Gaelic language and English to be treated with equal respect, for which the bill provides.

There would be a real danger that, if Alex Neil’s amendments were agreed to, the courts could interpret the new provisions as giving the language a status that Parliament does not intend and which could not be delivered. As I said clearly at stage 2, the phrase “equal validity” carries a significant risk that a court might rule that the legislation conferred the right to demand the use of the language in a wider range of circumstances than is intended. Bòrd na Gàidhlig itself has expressed little sympathy with the view that, in the current circumstances, all public services should be made available in Gaelic in all places, to anyone who requests that. Alex Neil said that he did not believe that his amendments would carry that force. However the interpretation that I have set out would be a real possible consequence of his amendments being agreed to.

The Education Committee supported the position that I have set out and said that any formulation of status should not confer rights on individuals. Indeed, Alex Neil said at stage 2—and has repeated today—that he does not think that anyone is asking for a provision that would require Gaelic to be able to be used on every occasion on which English is used. He said that he wanted the language to have valid, but he did not explain what he meant by that. As Fiona Hyslop said at stage 2, if an amendment that uses the phrase “equal validity” were agreed to, the bill would need to contain a definition of “validity”. However, Alex Neil has not supplied the Parliament with such a definition. I suspect that that is because he is unable to come up with a definition that encapsulates the principle that he supports without conferring unintended rights.

All parties agree that we do not want a approach that would be undeliverable or which could change the priorities to develop the language in order to address rights that might flow from legal interpretations. As I said at stage 2, the courts normally refer to the normal usage of phrases such as “equal validity”. Alex Neil wants Gaelic and English to be treated on a basis of equal validity and with equal respect, as he indicated, but he has not lodged an amendment that provides an interpretation of the phrase that would explain what is intended to readers of the bill. If amendment 5 were agreed to, the courts would have to find a definition for “equal validity and respect”.

Alex Neil may not like the following definitions, but it is critical that Parliament should hear them. The Oxford English Dictionary—which is the dictionary to which the courts would refer—defines “validity”, among other things, as the “quality of being valid in law; legal authority, force, or strength”.

In contrast, to “respect” means, among other things, to “treat … with … esteem, or honour; to feel or show respect for’.

At stage 2, Alex Neil said that he treated ministers’ views with respect; but he also said “I do not think that those opinions have any validity.”—[Official Report, Education Committee, 2 March 2005; col 2239.]

If Alex Neil were legally obliged to recognise the validity of my views, it would clearly undermine the flexibility and independence of his position and would deprive us of his very considerable wit. I therefore ask Alex Neil to think logically about this. If the Gaelic language were to have equal validity in its strict sense—

one logical result would be that any public authority would be obliged to make Gaelic provision available for any service on demand and to be in a position to respond to such demand. I ask him to concede that that risk would be a logical consequence of his proposals.

Alex Neil: Will the minister take an intervention?

Peter Peacock: Yes, of course.

The Deputy Presiding Officer (Trish Godman): Before the intervention, I ask members not to hold conversations while the minister is on his feet.

Alex Neil: The legal advice from the Executive on the Food Standards Agency was entirely wrong, so how can we have any faith in its legal advice on this matter?
Peter Peacock: I ask Alex Neil to wait until we have a debate on the Food Standards Agency. He will have to work very hard to convince me, but he knows that I am a reasonable man and that I will listen to his arguments.

We may all aspire to the use of the Gaelic language across Scotland in all situations, but it is patently clear that not enough resources are available to allow that.

I return to the normal usage of the word "respect", which is to "treat ... with ... esteem, or honour; to feel or show respect for".

I believe that those terms accurately capture the sentiments of what we have all tried to aim for in the bill. They offer a sound basis for the future development and expansion of the use of the Gaelic language.

I acknowledge the spirit in which Alex Neil has lodged his amendments—and, indeed, the spirit in which he has approached the bill in general. However, I ask him not to press amendments 5 to 7 and 46. Today, we have a bill that recognises Gaelic as an official language of Scotland, commanding equal respect with the English language. That is reflected in my amendment—amendment 43—to the long title of the bill. As it stands, section 1 will provide Gaelic with the status that it so richly deserves while leaving intact a bill that is capable of implementation Scotland-wide and of targeting the activity that is needed to develop Gaelic.

Lord James Douglas-Hamilton (Lothians) (Con): All of us want to give the maximum encouragement to Gaelic, but we must do so in a way that is not oppressive and which will command the support and good will of Scotland's population. I therefore believe that the minister is right to demand that Gaelic should have equal respect to English, but I am concerned that including the words "equal validity" could have unintended legal consequences. The issue that we are discussing is of a kind that could lead to test cases.

Support for the minister on this group of amendments should not be interpreted as a blank cheque. After the bill is enacted, we would all wish it to be reviewed in the light of experience, because we are anxious that Gaelic should be effectively promoted and safeguarded.

Robert Brown (Glasgow) (LD): I would like to pay tribute to Alex Neil's contribution to the Gaelic Language (Scotland) Bill, which was considerable and restrained throughout stage 2. However, with this group of amendments, he has gone a little bit off track, which is unfortunate.

The Education Committee was given guidance from the Welsh Language Board, whose practical experience was obviously considerable. The phraseology that it used, oddly enough, was less precise and less favourable than the wording that the minister is presently arguing for.

The chamber should pay heed to the wording of the bill. When talking about the constitution and functions of the Gaelic board, the bill says:

"The functions conferred on the Bòrd by this Act are to be exercised with a view to securing the status of the Gaelic language—"

there is no issue about that—

"as an official language of Scotland"—

there is no issue about that either—

"commanding equal respect to the English language".

It will do that through

"increasing the number of persons who are able to use and understand the Gaelic language"

and

"encouraging the use and understanding of the Gaelic language".

All of that seems to me to express exactly what the committee, in its stage 1 report and its stage 2 considerations, wanted.

I must confess that I am somewhat at a loss to understand what additional standing or status would be created by Alex Neil's formulation. The minister has got it right; his is an elegant formulation. The provision is widely welcomed across the Gaelic community. I hope that Alex Neil will not press amendment 5. He should leave the bill as it stands in this important respect; that is the unanimous view of the chamber.

It is important to note that, so far, the bill has the support of members of the Education Committee and, at the stage 1 debate, it had the support of parties right across the chamber. That support should guide people well; it should also entrench the future of the Gaelic language, which, at the end of the day, is the substantial and central issue in this debate. I support the minister's position on amendment 5.

Mr Kenneth Macintosh (Eastwood) (Lab): I too ask Alex Neil to reflect on the point that he is making in amendment 5.

The Education Committee debated the question of the status of the Gaelic language exhaustively. It is fair to say that we agreed that we want the most bold and comprehensive assertion and expression of the future of the Gaelic language. In doing so, we took a planning-based approach to the language, which is the one that is adopted by the bill, and not a rights-based approach.
It is misleading for Mr Neil to suggest that he wants to go further than members of the committee or the Executive wanted to go. It is also misleading to suggest that the use of the term “validity” is somehow stronger than the present wording of the bill. Unlike Mr Neil, the majority of committee members feared that the term “validity” did not add anything to the bill and that it could lead to problems of interpretation.

I ask Mr Neil to accept the consensus on the point and not to create artificial division. I also ask him not to press amendment 5. The Parliament wants to send a strong message to the Gaelic community that we are united in our respect for the Gaelic language and that we are unanimous on the equal status that the Gaelic language should enjoy.

Mr Jamie McGrigor (Highlands and Islands) (Con): As I have said before in the Parliament, the Conservative party has always shown its support for Gaelic-speaking people, the Gaelic language and Gaelic culture. We have done so ever since we tried to stop the Liberal Whig peers and their supporters perpetrating the Highland clearances. That was one of their first so-called social experiments. The Tories have always supported the Liberals.

Mr Alex Neil (Central Scotland) (SNP): That was one of their first so-called social experiments. The Tories have always supported the Liberals. For the Liberal Whig peers and their supporters perpetrating the Highland clearances. That was one of their first so-called social experiments. The Tories have always supported the Liberals.

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McMahon, Michael (Hamilton North and Bellshill) (Lab)
McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
McNeill, Pauline (Glasgow Kelvin) (Lab)
McNulty, Des (Clydebank and Milngavie) (Lab)
Milne, Mrs Nanette (North East Scotland) (Con)
Mitchell, Margaret (Central Scotland) (Con)
Morrison, Mr Alasdair (Western Isles) (Lab)
Muldoon, Bristow (Livingston) (Lab)
Mulligan, Mrs Mary (Linlithgow) (Lab)
Murray, Dr Elaine (Dumfries) (Lab)
Oldfather, Irene (Cunninghame South) (Lab)
Peacock, Peter (Highlands and Islands) (Lab)
Peattie, Cathie (Falkirk East) (Lab)
Pringle, Mike (Edinburgh South) (LD)
Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
Robson, Euan (Roxburgh and Berwickshire) (LD)
Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
Scott, Tavish (Shetland) (LD)
Smith, Elaine (Callowbridge and Chryston) (Lab)
Smith, Iain (North East Fife) (LD)
Smith, Margaret (Edinburgh West) (LD)
Stephen, Nicol (Aberdeen South) (LD)
Stone, Mr Jamie (Caithness, Sutherland and Easter Ross) (LD)
Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
Watson, Mr Jim (Orkney) (LD)
Watson, Mike (Glasgow Cathcart) (Lab)
Whitefield, Karen (Andrie and Shotts) (Lab)
Wilson, Allan (Cunninghame North) (Lab)

The Deputy Presiding Officer: The result of the division is: For 27, Against 70, Abstentions 0.

Amendment 5 disagreed to.

Amendments 6 and 7 not moved.

Section 2—National Gaelic language plan

The Deputy Presiding Officer: Amendment 9, in the name of the minister, is grouped with amendments 10, 12, 15 and 22.

15:15

Peter Peacock: At the request of the Education Committee, I lodged an amendment at stage 2 that would require the national Gaelic language plan to be updated regularly. Provision is in place to ensure that the national plan will be updated at least every five years, or earlier if requested by ministers. Amendment 9 ensures that the five-yearly update applies from the date of approval of the most recent plan rather than every five years from the date on which the first plan is approved.

Amendments 10 and 12 are tidying-up provisions that remove the duplication of a provision enabling ministers to require Bòrd na Gàidhlig to prepare a new national Gaelic language plan at any time. The Education Committee accepted an amendment that I lodged at stage 2 that adds the national Gaelic language plan to the list of matters Bòrd na Gàidhlig must have regard to when determining whether to issue a notice to a public authority requiring the preparation of a Gaelic language plan. An unintended consequence of that amendment is that the bòrd cannot issue a notice until the first national plan is in place.

It is theoretically possible that there could be a delay between the commencement of the act and approval of the first national plan, although I do not expect there to be any such delay. However, it would not be right to leave the bòrd unable to issue a notice once the bill has been enacted. Amendment 15 is designed to take account of that theoretical situation by enabling the bòrd to issue a notice in the period between the commencement of the act and approval of the first national plan. That ceases to be an issue once the first national plan has been approved.

Amendment 22 is a tidying-up provision that introduces consistency between the matters that Bòrd na Gàidhlig must have regard to when determining whether to request a public authority to develop a language plan and the grounds on which a public authority may appeal the bòrd’s decision to the Scottish ministers as being unreasonable.

I move amendment 9.

Lord James Douglas-Hamilton: We support the amendments. Provision exists for the national language plan to be reviewed on a five-yearly basis. That will allow Bòrd na Gàidhlig to plan both for the longer term and within its five-yearly cycle without the threat of constant restructuring and refocusing of priorities. The provisions are sensible and will make for effective long-term planning, with sustained delivery, which is one of the bill’s purposes.

Amendment 9 agreed to.

Amendment 10 moved—[Peter Peacock]—and agreed to.

The Deputy Presiding Officer: Group 3 is on Gaelic education. Amendment 11, in the name of the minister, is grouped with amendments 1, 4, 47, 40 and 48.

Peter Peacock: Education has been central to the debate on the bill as it has progressed through Parliament. I have made clear on a number of occasions my firm belief that Gaelic education is critical to the future prospects of the language. The Education Committee’s stage 1 report clearly demonstrates that it is of the same opinion. As I have demonstrated on a number of occasions, where action needs to be taken on Gaelic education matters, I am prepared to take it. Shortly before the bill was introduced to Parliament, I issued guidance to education authorities on Gaelic-medium education, which requires education authorities to set out what constitutes “reasonable demand” for Gaelic education in their
area and how they will respond to reasonable demand where it exists.

In May 2004, I announced financial assistance of £2.75 million to Glasgow City Council to assist its development of the first-ever, all-through Gaelic-medium school in Scotland. I also established a working group under the chairmanship of Bruce Robertson, Highland Council’s director of education, to progress the development of a virtual Gaelic-medium secondary curriculum. I have established a short-life action group on Gaelic teacher recruitment to make recommendations to me before the summer of this year. I fully intend to remain active on all those fronts—and wider fronts—and for the Executive to continue to provide a lead in the ongoing development of Gaelic education.

The bill as introduced to the Parliament contained provisions for Bòrd na Gàidhlig to issue guidance, which must be approved by ministers, on matters relating to Gaelic education. That provides Bòrd na Gàidhlig, as expert ministerial advisers on Gaelic education matters, with a clear, strategic education advisory role. At stage 2, I amended that provision to require the bòrd to issue a draft of its guidance for public consultation prior to its being submitted to ministers for approval, to ensure that all necessary interests could be put into the guidance. Those initiatives will ensure that the critical areas of Gaelic education that need to be addressed will be.

I have lodged two further amendments that will further enhance the development of Gaelic education. Amendment 40 will create linkages between any Gaelic language plan that an education authority produces under the bill and the discharge of its Gaelic-medium education duties under the Standards in Scotland’s Schools etc Act 2000. Amendment 11 will make explicit in the bill the fact that Bòrd na Gàidhlig, in developing a national Gaelic language plan, must—I stress that—include a strategy for the development of Gaelic education.

I am of the view that an education strategy should be placed in the national plan, which is a centrepiece of the bill. That strategy will allow the various strands of development activity that I have listed today to be pulled together and will provide an agreed national approach for the future development of Gaelic education in tandem with other aspects of Gaelic development that will be contained in the national plan.

It is my firmly held view that the education strategy that Bòrd na Gàidhlig is to develop within the national plan must be the product of discussion among the bòrd, the Executive, local authorities and other education interests, such as Her Majesty’s Inspectorate of Education. Only as a result of such partnership working will a strategy for the future development of Gaelic education be agreed, be fully mainstreamed and, ultimately, receive ministerial approval.

One of the clear benefits of having the national strategy for Gaelic education as a clear component of the bòrd’s national plan is that, as a result of an amendment that I lodged at stage 2, all public bodies that develop Gaelic language plans under the bill must do so having regard to the national plan. That makes provision for individual language plans to be developed with a view to contributing to the implementation of the national language plan and, for bodies that are education authorities or have education responsibilities, to the implementation of the national Gaelic education strategy, which will be part of the national plan.

That is a neat and complete way of meeting the requests for a national education strategy. First, it ensures that such a strategy will exist. Secondly, it places that strategy firmly within the context of wider Gaelic development. Thirdly, it binds any body with an education function to ensure that its plan contributes to the national education strategy—that provision catches the Executive itself in its Gaelic language plan. Fourthly, it ensures that, as part of the national plan, the Gaelic education strategy will have to obtain ministerial approval, which ties ministers directly into the national education strategy and will ensure that they are satisfied with it.

That addresses all the points on which Highland Council in particular has been lobbying and which lie behind Fiona Hyslop’s amendment 1 and John Farquhar Munro’s amendment 47, which supports amendment 1. However, amendment 11 is stronger than Highland Council’s suggestions, because it will ensure that the national education strategy fits within the national language plan while fulfilling everything else that Highland Council sought. In the light of that, I ask Fiona Hyslop not to move amendment 1 in the knowledge that what she seeks to achieve will be achieved far more powerfully. If she did that, John Farquhar Munro’s amendment 47 would not be necessary.

One of the bill’s key features is flexibility. I stated clearly during the stage 1 debate that the bill is not about imposing the Gaelic language plan on anyone where there is patently no demand for it. On Gaelic education in particular, I want resources to be targeted and deployed where they can have most impact. That means doing so where there is reasonable and sustainable demand for provision.

It was agreed at stage 2 that, while the bòrd should monitor and report on the implementation of the European Charter for Regional or Minority Languages in Scotland, the charter should not take the place of the bòrd’s national Gaelic
language plan as the key document for implementing the intentions of the bill. The same arguments apply to John Farquhar Munro's amendment 4.

If implemented, amendment 4 could have the effect of requiring all local authorities to provide pre-school, primary and secondary education through the medium of Gaelic. That is the force of the charter obligations. I have spoken to John Farquhar Munro and am aware that he did not intend his amendment to have that effect but seeks reassurance about the importance of the charter beyond the important reporting arrangements that were agreed at stage 2. I give him that reassurance. When issuing ministerial guidance to Bòrd na Gàidhlig on the exercise of its functions, I will require it to include in its guidance on language plans advice to education authorities on how they can act within the spirit of article 8 of the charter—which is what John Farquhar Munro is concerned about—while remaining consistent with the directions that are set out in the bòrd's national plan. In the light of what I have said, I ask John Farquhar Munro not to move amendment 4.

Fiona Hyslop's amendment 48 partly duplicates my amendment 40, which will require an education authority to discharge its Gaelic-medium education duties having regard to any Gaelic language plan that it has in place. I consider such provision to be entirely sensible, which is why at stage 2 I agreed to lodge such an amendment. However, there is a danger that the other part of Fiona Hyslop's amendment, which would delete the ability for an education authority to set out the circumstances in which it will deliver Gaelic-medium education, goes too far. Deleting that provision could have the result of requiring all education authorities, regardless of demand in their area, to make Gaelic-medium education available. Given what I have said about the need for flexible implementation of the bill and given the scarcity of resources, particularly teachers, I do not believe that it would be helpful to remove the provision that enables education authorities to set out the circumstances in which they will make Gaelic-medium education available.

As Dr Elaine Murray pointed out at stage 2, there are situations in which education authorities should be able to access provision from a neighbouring education authority rather than having to make provision themselves. With the development of a virtual curriculum and the new all-through school in Glasgow, such flexibility should be retained. I ask Fiona Hyslop not to move amendment 48, in the knowledge that provision is in place to ensure that Gaelic education provision will be made where there is demand for it and the potential for growth.

Both my amendments in this group relate to education. Amendment 11 stresses the need for an education strategy as part of the bòrd's national plan and amendment 40 establishes a link between the Standards in Scotland's Schools Act 2000, reporting requirements and any language plan that an education authority has in place.

I resist amendments 1, 4, 47 and 48, which would introduce an unwelcome measure of duplication and would significantly reduce the flexibility that has characterised the bill and the debate on it.

I move amendment 11.

Fiona Hyslop (Lothians) (SNP): I, too, make reference to the tenor of the debate that we have had as the bill has progressed through Parliament. The process has been constructive and I thank the minister for the responsive manner in which he has dealt with the queries and concerns of the committee and members, particularly in relation to education. During the progress of the bill, we have seen a gradual knitting together of the education measures that have been introduced in the bill and those in the Standards in Scotland's Schools Act 2000.

The minister made an important reference to the mainstreaming of Gaelic. I propose to ensure that we mainstream Gaelic-medium education in the education system. Education will be a vital part of the preservation and promotion of Gaelic.

The purpose of amendment 1 is to identify the Scottish Executive as having the lead responsibility in setting out a national strategy for promoting and developing Gaelic education. That position was supported by the committee at stage 1 and is supported by Highland Council, which has made constructive proposals and is, perhaps, the lead authority in the promotion of Gaelic-medium education. It should be congratulated on that.

15:30

The reasons why the Scottish Executive rather than the bòrd should take the lead on Gaelic education are practical. The bòrd should produce advice in the context of wider Gaelic issues. However, we should remember that the bòrd as described in the bill will have only between five and 11 members. It will not have responsibility for the Scottish Executive Education Department's budgets, the funding that is available to local authorities or the provision of education generally. It cannot advance changes to legislation or to statutory regulation. The bòrd will not have the same number of staff or the same knowledge or experience as the Executive has. It will advise on devising a plan or strategy, but resources should be mainstreamed in the Education Department.
The bòrd will not have responsibility for organisations such as the careers service or for co-ordinating among the Executive’s departments policies on training, workforce planning, economic development, equal opportunities, culture, transport, lifelong learning, colleges or universities. Why is that important? It is important because the promotion of Gaelic-medium education is not just about advice and guidance on aspects of implementing legislation. In Edinburgh, it is about school transport. That is why the Enterprise, Transport and Lifelong Learning Department is important.

 Universities, colleges and training are also relevant. We had questions today and a debate yesterday about the involvement of part-time and second-degree teachers. We have a shortage of Gaelic teachers. I recognise that the minister has produced a national action group on teacher recruitment, which is welcomed, but nationally, we need at least 30 primary GME teachers and we are about to have only 20 this year. We need at least 10 secondary GME teachers, but only two will graduate this year. We also need at least 10 secondary Gaelic teachers nationally, whereas a maximum of five will graduate in 2005. The bòrd may recognise the scale of what is required, but there is no way that it will have the power or influence to deliver on the strategy, so the Scottish Executive is the right place for the responsibility to lie. The Executive’s national strategy could feed into the bòrd’s provision and national plan as set out in the bill, but the bòrd should not take the lead responsibility for Gaelic-medium education or Gaelic education generally. That must lie with the Executive.

 I appreciate the minister’s amendments, but they and my amendment 48 are not mutually exclusive. He is right to add the promotion of Gaelic education—its absence from section 2 was notable—to what must be in the national Gaelic language plan, so we will support amendment 11. I welcome the minister’s movement on that. However, the central issue is whether we expect every local authority at some point to be able to provide Gaelic-medium education and Gaelic education generally. That must lie with the Executive.

 I argue for planned obsolescence for a provision in the Standards in Scotland’s Schools etc Act 2000 that sets out the circumstances in which a local authority provides Gaelic-medium education. That would not disappear overnight. Amendment 48 says that, when each local authority has provided Bòrd na Gàidhlig with a plan on the provision of Gaelic-medium education, the opt-out in the 2000 act, which discusses the circumstances in which local authorities provide Gaelic-medium education, will disappear over time. Eventually, the provision in the 2000 act would no longer be relevant.

 Amendment 48 would send out a strong message. It is practical and sits in the context of Peter Peacock’s amendments. The shift in the course of the bill’s consideration towards putting education more centre stage in the bill is welcome. In that frame of mind, I also accept John Farquhar Munro’s point about how we manage the national strategy. His points are well made.

 If the Parliament wants to send out the clear message that Gaelic-medium education will not just be preserved in the few local authorities that can provide it now but will continue and will develop, my amendments would allow us to take a step further towards making that commitment.

 I speak in favour of amendments 1 and 48.

 John Farquhar Munro (Ross, Skye and Inverness West) (LD): Tha mi toilichte dhà-rìridh a bhith an-diugh a-staigh an seòr a bheil còrdom againn a bhith a' deasbad ghothaichean timcheall air Gàidhlig agus fàilte a chir air a' bheil Ghàidhlig ùr a tha a' dol tro Pàrlamaid Dhùn Èideann.

 Nise, mar a tha fhios aig a h-uile, tha mi a’ dol a thogail puing no dhora guadh a’ stèiridhean no neartachadh a chur ann a’ bhile. Ach bhon a thannig mi a-staigh an seòr, dh’èist mi ris na thuiridh am ministeir mu dheidhinn dè cheim ‘s a tha e air a bhith a’ deamhag agus a’ bhài a’ tha a bhith a’ bhàs a’ buidhe ag a’ bhàs a’ bhile, tha mi a-nis dhen bheachd gum biodh e mòran nas freagarrach nan seasain air ais agus na puingean sin fhàgail sin leis a mhinisteir.

 Bhon a thàinnig am bile a-staigh an toiseach chun na Pàrlamaid, bha feadhainn ann an saoghal na Gàidhlig a’ gearain gu rohban ghothaichean anns an bile car lag. Ach bhon uair sin, tha a’ sinne a’ stèiridh faighinn robh ghothaichean anns an bile car lag. Bhon Ghrachaitheadachd is bhò Alba air fad air tighinn a-staigh a chir beuchd a bhàs a’ bhile a bheulabh nam ball Pàrlamaid. Tha an òisdeachd a fhuar iad follaicheach anns a’ bhile a tha air bheulabh Pàrlamaid an-diugh. Leis an sin, tha mi toilichte na h-atharrachdhean 4 agus 47 a tharrain air ais. Fàgaidh mi e aig a’ mhinisteir airson neartachadh a thoirit dhàn bhile a bheir toilcheas dhan h-uile duine aig a’ bheil ùidh ann an Gàidhlig.

 Following is the simultaneous interpretation:

 I am pleased that today the Parliament has the opportunity to debate Gaelic matters and, in
particular, to welcome the new Gaelic Language (Scotland) Bill that is to be passed by the Parliament.

As members know, I had intended to make a few points about strengthening the bill, but having listened to how well the minister is doing, it would be much more appropriate to stand back and to leave that to him.

There have been complaints in the Gaelic world that the bill is somewhat weak, but since its introduction, people from all over Scotland, including the Highlands, have come to the Parliament to speak to members and the minister. The Executive’s amendments to the bill make it quite clear that the minister has listened to what they said. I am pleased not to move amendments 4 and 47 and to leave the strengthening of the bill to the minister.

The Deputy Presiding Officer: A considerable number of members want to speak, so I will restrict them to a tight two minutes.

Eleanor Scott (Highlands and Islands) (Green): I support the amendments of John Farquhar Munro—which I had thought would be moved—and Fiona Hyslop. I echo what Highland Council says. It is closely engaged with some of the Executive’s working groups, which are looking into a range of issues that should be covered by a national plan, such as those to do with teacher supply and Gaelic teaching. The council is encouraged that the Minister for Education and Young People is considering how to tackle some of the challenges that face Gaelic education and, by establishing those groups, is acknowledging that he rather than Bòrd na Gàidhlig is ultimately responsible for education provision. The council feels that ministerial oversight is essential to ensure that Gaelic is not developed in a vacuum, but operates on a cross-sectoral, cross-departmental level. I very much agree, and that is why I support the amendments of John Farquhar Munro and Fiona Hyslop.

The bill seeks to put Gaelic into the mainstream of Scottish society, so I do not want even part of it to be hived off. Like education, Gaelic education should be the responsibility of the Minister for Education and Young People. I do not think that the bill is bad without amendments 1, 4, 47 and 48, but they would make it better.

Robert Brown: It has been recognised from the outset that education must form one of the central planks of what must be achieved in Gaelic. It is acknowledged across the board that the administrative and strategic responsibilities must lie with Scottish ministers, who are accountable to the Parliament. It is important to recognise that democratic link to ministers’ powers and I do not think that Fiona Hyslop’s amendments do that. The device that she has used is rather clumsy and her proposal would not work in the right way.

What ought to happen is what the minister suggests: proposals from the bòrd should be considered and approved by the Executive and should then feed into progress on mainstream education. On issues such as teacher supply, it is vital that the Minister for Education and Young People and the local authorities have the lead role and the operational responsibility.

John Farquhar Munro’s amendment 4 mentions the European charter. At stage 2, I suggested that a requirement should be inserted in the bill that would mean that, in its reports to the Parliament, the bòrd should make reference to the extent to which the European charter is being dealt with. It is important that the matter is dealt with in that way, because I do not think that the provisions of such international arrangements—which have been designed more generally—can be incorporated by by-law and applied to the particulars of the Gaelic situation, which has peculiarities of its own. In that regard, it is appropriate that the minister’s amendments should be supported. They fit very well with the views of the Education Committee.

Dr Elaine Murray (Dumfries) (Lab): I welcome amendment 11 and John Farquhar Munro’s comments. I say in response to one of the points that Fiona Hyslop made that although the plan is the responsibility of the bòrd, its implementation is the responsibility of Scottish ministers. Therefore if the bill is amended in the way that the minister suggests, the national plan will require ministers to plan for not just the preservation and promotion of the Gaelic language but the promotion of Gaelic education in its widest sense, which includes, as well as Gaelic-medium education, learning Gaelic as a second language in schools and in adult education. In areas such as Dumfries and Galloway, the second and third aspects might be a more important part of the plan than GME.

The bill will also require ministers to promote Gaelic culture, which we all know is important to Scotland’s cultural heritage and international image. I see the Minister for Tourism, Culture and Sport sitting in front of me and I am sure that she would confirm that Gaelic culture makes a valuable contribution to all three parts of her portfolio.

I urge members to resist any amendments that would restrict the way in which authorities such as Dumfries and Galloway Council and Scottish Borders Council can make provision to meet parents’ demands for Gaelic-medium education. Members will know that in areas of the south of Scotland, there is concern about the structure in the bill being too rigid. We have tried to make the bill as flexible as possible so that the local plans...
can reflect the needs and aspirations of each community. I urge members to resist amendments that would restrict local authorities in the south of Scotland in developing those plans.

Lord James Douglas-Hamilton: I have great respect for Mr John Farquhar Munro and I thought that his amendments had considerably more merit than he thought they had. However, given that he is not moving them, I will leave it at that.

On amendment 11, the Executive has made it explicit in the bill that Gaelic education should form a distinct part of the national Gaelic language plan. We welcome that and believe that it makes amendment 1 unnecessary. Executive amendment 40 is in conflict with amendment 48. The first part of amendment 48 would delete section 5(2)(c) of the Standards in Scotland’s Schools etc Act 2000, which would remove education authorities’ ability to give an account of the circumstances in which they will provide Gaelic-medium education, in a way that could result in all education authorities being required to make provision for Gaelic-medium education. That might be called the Dumfries and Galloway question, which Elaine Murray has spoken about. That requirement would apply regardless of whether there was demand for such provision or whether Gaelic-medium education provision might be accessed more appropriately through a neighbouring education authority provider. We do not want to remove education authorities’ ability to determine how best education in their locality should be provided.

Fiona Hyslop: I agree with those points and the points that Elaine Murray made. I do not expect that the guidance that the bòrd produces will say that, as of day one, every single authority will have to provide Gaelic-medium education. There will be flexibility, in which case there would not be a conflict between amendments 40 and 48.

Lord James Douglas-Hamilton: The point to remember is that we can always revisit the issue. If there is any question of the bòrd not coming up to scratch and doing its job professionally and properly, of course Parliament will be able to consider that. However, I am confident that the bòrd will do a good job, and I believe that the minister should be supported, because he has got it right. We do not hesitate to say when we do not think that he has got it right so, in fairness, we should be objective on the matter. My recommendation is that we support the minister’s amendments.

Mr Macintosh: During the course of the Education Committee’s deliberation on the bill, we came to acknowledge and accept the central role of education, in particular Gaelic-medium education, in the survival and future growth of the Gaelic language. It is worth reminding the Parliament that it is on education that the Executive has travelled furthest and has done most to create and build the consensus in the Gaelic community and in Parliament that now surrounds the bill. We should give the minister due credit for that.

To my mind, amendments 11 and 40 address the residual concerns that the committee raised at stage 2. The minister has outlined the importance of and need for the education strategy and I welcome his comments. However, we should acknowledge that there are complications when it comes to discussing education, in particular Gaelic education. There is a role for the Executive, local authorities, the General Teaching Council for Scotland, teacher training colleges and Bòrd na Gàidhlig. Those matters will have to be given due consideration and deliberation.

There was some confusion at stage 2 about the implications of Ms Hyslop’s amendment 48, which was felt to be over-prescriptive. Nevertheless, we accept the central thrust of the amendment, which is to make the connection between the Standards in Scotland’s Schools etc Act 2000 and the Gaelic (Scotland) Bill. Amendment 40 does that. I urge Ms Hyslop to follow the example of John Farquhar Munro and not to move her amendments 1 and 48.

15:45

Peter Peacock: I welcome members’ support for the amendments that the Executive has lodged and I welcome the arguments that they have made. Robert Brown is correct in saying that we have tried to get the right balance. I acknowledge the points that Lord James Douglas-Hamilton and Elaine Murray made about the Dumfries and Galloway question, which is the reason for section 5(2)(c) of the Standards in Scotland’s Schools etc Act 2000. As Lord James said—and as, I think, Ken Macintosh said at stage 2—there will be further moves or legislation on Gaelic in the future. If things are not working properly, the situation can be rectified at that point.

I also welcome the statesmanlike way in which John Farquhar Munro has handled the matter. He and I go back a long way. We were both members of the former Highland Regional Council and then the Highland Council. I pay tribute to the work that he did over many years in those organisations and when he led Skye and Lochalsh District Council. John Farquhar also worked with a group of politicians from Western Isles Council, including the Rev Jack MacArthur, and from Highland Council, including Duncan Grant from Lochalsh and latterly Dunvegan, James Henderson from Lochaber, and Neil McKechnie from Dingwall, who made a colossal difference to all that we are doing today. In fact, they are the origins of much of what
we are doing on Gaelic-medium education. But for the contributions of John Farquhar Munro, the people I have mentioned and many others, we would not have this debate.

We all share the same objective—to strengthen Gaelic education strategy—we simply choose different paths. As a former leader of Highland Council, I do not like to disagree with it; however, what lies behind its amendment is simply mistaken. It would be wrong to establish the powers of the bòrd, which we have strengthened throughout the bill, and then excise Gaelic education from the centre of its work and the national plan, which is where the Executive envisages that it should be. It would be wrong to have a minister acting apart from the national plan on a matter that is clearly integral to the whole development of the national plan and Gaelic development.

Nevertheless, I agree with Highland Council, Fiona Hyslop and others that ministers need to be tied into the strategy and must provide a lead in Gaelic-medium education. I have indicated the ways in which I have been trying to ensure that, and my intention is to continue to do that. I believe that my formulation, which is in the Executive’s amendments, genuinely achieves that and links the education strategy into the national plan, ensuring that there will be a national education strategy after full consultation. It also ensures that the arguments that Fiona Hyslop made about ensuring that education relates to transport and further education will be covered in the national language plan, which will be an all-embracing document.

My formulation will place education in that context and will bind every public body that has an education responsibility to complement the strategy through its own strategy. It also binds in the Executive, which will produce its own language plan within which there will be an education strategy. Ultimately, it will also require ministerial approval, which ties ministers into considering the national language plan and its education strategy and giving ministerial authority to that plan. Ministers are clearly tied in.

There is one small contradiction in Highland Council’s position, which I do not want to pick up unduly. One of the arguments that the council makes—which I find flattering, although I do not hold it to be true—is that it can trust me because I have a record of trying to do things for Gaelic. The implication is that all my successors cannot be trusted. I simply do not believe that. However, if that were to be true, it would surely be in everybody’s interest to ensure that the bòrd, which sits apart from ministers, carries the responsibility for ensuring that there is a Gaelic education strategy.

Fiona Hyslop: The minister will recall that I, too, complimented him on his actions on Gaelic in general and in relation to the bill. Does he not agree that, if the Executive’s responsibility for producing a national strategy was prescribed in the bill, even if the scenario that he has mentioned came about and a minister followed him who was not as acutely responsible, that minister would still have to provide the strategy to comply with the legislation, regardless of his personal preferences?

Peter Peacock: With respect, I think that that is in the bill. Amendment 11 seeks to insert in the bill a requirement for the national plan to include a clear education strategy. Because other public bodies, including the Executive, will have to follow or have regard to the national plan in producing their own strategies, we are caught by that provision. That strong, interlocking approach achieves all that Highland Council wants and indeed does so more powerfully than the approaches outlined in the other amendments that have been lodged. As a result, I commend amendment 11 to the chamber.

Amendment 11 agreed to.

Amendment 12 moved—[Peter Peacock]—and agreed to.

Section 3—Gaelic language plans

The Deputy Presiding Officer: Group 4 is on the definition of public authorities. Amendment 13, in the name of the minister, is grouped with amendments 14, 16 to 20, 21, 23, 24, 26 to 29, 32 to 39, 41, 45, 42, 8 and 44.

Peter Peacock: Amendment 41 discharges the commitment that I gave in response to an amendment that was lodged by Alex Neil at stage 2 to make it clear in the bill that all cross-border public authorities are included in it in so far as they exercise devolved functions. A series of consequential amendments alters “Scottish public authority” to “relevant authority”.

On amendment 45, in the name of Alex Neil, which concerns the Food Standards Agency, I have received a letter from the FSA in which it commits to approaching Bòrd na Gàidhlig voluntarily to develop Gaelic language provision. Such an approach will benefit Gaelic language speakers and is the sort of action that I want as a result of the bill. Indeed, I believe that no matter whether amendment 45 is agreed to, that represents the best way of proceeding with the FSA. I want public bodies to approach the bill’s passing in the spirit in which it is intended, to take full account of their local circumstances and to consider the action that they can take to support the Gaelic language. I encourage them to consider proactively how their work could benefit Gaelic
speeches and how to build on the clear spirit of generosity and good will that has developed as a result of the bill's passage.

As I explained, Bòrd na Gàidhlig wished a spirit of generosity and good will to be taken towards the Gaelic language, and I will approach amendment 45 in that very spirit. I am content to accept the amendment, which would provide for the FSA to be treated as a cross-border public authority for the purposes of the bill. I am perhaps astonished to find that Alex Neil's drafting of the amendment is not unhelpful.

I move amendment 13, and am happy to accept amendment 45.

**Alex Neil:** I have nearly been knocked off my chair.

I thank the minister for the ultimate sacrifice and his generosity in accepting amendment 45. Perhaps I should give the chamber a brief history behind the amendment. The FSA holds a unique position in the United Kingdom constitution as the only non-ministerial Government department. Ironically, the legal advice that the Executive gave us at stage 2 ran contrary to the advice that the committee received from the Parliament's legal people, who said that the FSA was not technically a cross-border agency. I am glad that the minister has now recognised that the Parliament's legal advice was bang on and that the Executive's advice was, to say the least, slightly wrong.

It is right to build the provision into the bill. I accept that, in any case, the FSA has given in writing its commitment to co-operate. However, the acceptance of amendment 45 means that if there are any problems with any future Administration, including the FSA, the bòrd or the Scottish Executive, we will not need to revisit primary legislation.

I thank the minister for accepting amendment 45. He will be glad to know that we will vote for all his other amendments.

**Lord James Douglas-Hamilton:** I congratulate Alex Neil. His amendment 45 will be remembered because it confirms what we always suspected: lawyers are far from being infallible. Like Alex Neil, we are very glad to support all 27 amendments.

Amendment 13 agreed to.

Amendments 14 to 16 moved—[Peter Peacock]—and agreed to.

Amendment 1 moved—[Fiona Hyslop].

**The Deputy Presiding Officer:** The question is, that amendment 1 be agreed to. Are we agreed?

**Members:** No.

**The Deputy Presiding Officer:** There will be a division.

**FOR**

Baird, Shiona (North East Scotland) (SNP)
Ballance, Chris (South of Scotland) (Lab)
Ballard, Mark (Lothians) (Green)
Byrne, Ms Rosemary (South of Scotland) (SSP)
Crawford, Bruce (Mid Scotland and Fife) (SNP)
Curran, Frances (West of Scotland) (SSP)
Fabiani, Linda (Central Scotland) (SNP)
Fox, Colin (Lothians) (SSP)
Gibson, Rob (Highlands and Islands) (SNP)
Harper, Robin (Lothians) (Green)
Harvie, Patrick (Glasgow) (Green)
Hyslop, Fiona (Lothians) (SNP)
Leckie, Carolyn (Central Scotland) (SSP)
Lochhead, Richard (North East Scotland) (SNP)
MacAskill, Mr Kenny (Lothians) (SNP)
Mather, Jim (Highlands and Islands) (SNP)
Maxwell, Mr Stewart (West of Scotland) (SNP)
McFee, Mr Bruce (West of Scotland) (SNP)
Morgan, Alasdair (South of Scotland) (SNP)
Neil, Alex (Central Scotland) (SNP)
Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
Scott, Eleanor (Highlands and Islands) (Green)
Sturgeon, Nicola (Glasgow) (SNP)

**AGAINST**

Aitken, Bill (Glasgow) (Con)
Alexander, Ms Wendy (Paisley North) (Lab)
Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
Bailie, Jackie (Dumbarton) (Lab)
Baker, Richard (North East Scotland) (Lab)
Barrie, Scott (Dunfermline West) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brocklebank, Mr Ted (Mid Scotland and Fife) (Con)
Brown, Robert (Glasgow) (LD)
Butler, Bill (Glasgow Anniesland) (Lab)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craige, Cathie (Cumbernauld and Kilsyth) (Lab)
Curran, Ms Margaret (Glasgow Baillieston) (Lab)
Douglas-Hamilton, Lord James (Lothians) (Con)
Eadie, Helen (Dunfermline East) (Lab)
Ferguson, Patricia (Glasgow Maryhill) (Lab)
Finnie, Ross (West of Scotland) (LD)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallie, Phil (South of Scotland) (Con)
Gillon, Karen (Clydesdale) (Lab)
Glen, Marilyn (North East Scotland) (Lab)
Gorrie, Donald (Central Scotland) (LD)
Henry, Hugh (Paisley South) (Lab)
Home Robertson, John (East Lothian) (Lab)
Hughes, Janis (Glasgow Rutherglen) (Lab)
Jackson, Dr Sylvia (Stirling) (Lab)
Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
Kerr, Mr Andy (East Kilbride) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Livingstone, Marilyn (Kirkcaldy) (Lab)
Lyon, George (Argyll and Bute) (LD)
Macdonald, Lewis (Aberdeen Central) (Lab)
Macintosh, Mr Kenneth (Eastwood) (Lab)
Maclean, Kate (Dundee West) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
Martin, Paul (Glasgow Springburn) (Lab)
May, Christine (Central Fife) (Lab)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McConnell, Mr Jack (Motherwell and Wishaw) (Lab)
McGrigor, Mr Jamie (Highlands and Islands) (Con)
McMahon, Michael (Hamilton North and Bellshill) (Lab)
McNeile, Mr Duncan (Greenock and Inverclyde) (Lab)
The Deputy Presiding Officer: The result of the division is: For 23, Against 73, Abstentions 0.

Amendment 1 disagreed to.

Amendment 4 not moved.

Peter Peacock: Is it possible for me to move amendments 17 to 21 inclusive?

The Deputy Presiding Officer: It is not. I am sorry about that.

Amendments 17 and 18 moved—[Peter Peacock] and agreed to.

Amendment 47 not moved.

Amendment 19 moved—[Peter Peacock]—and agreed to.

Section 4—Review of, and appeal against, notices

Amendments 20 to 23 moved—[Peter Peacock]—and agreed to.

Section 5—Approval of plans

Amendment 24 moved—[Peter Peacock]—and agreed to.

The Deputy Presiding Officer: Group 5 is on approval of plans. Amendment 25, in the name of the minister, is grouped with amendments 49, 30 and 31.

I draw members’ attention to amendment 49, which was lodged as a manuscript amendment and published in the supplement to the marshalled list.

16:00

Peter Peacock: Section 5(1) makes provision for Bòrd na Gàidhlig to approve or propose modifications to a Gaelic language plan that is submitted to it. At stage 2, the Education Committee accepted an amendment that introduced certain criteria at subsection 5(1A) to which the bòrd must have regard when considering whether to approve the plan or propose modifications under section 5(1). Amendment 25 is a tidying-up amendment that makes that linkage explicit.

I apologise to members for the fact that amendment 49 was submitted in manuscript form after the deadline for lodging amendments, but it is a necessary technical amendment to correct a minor drafting error that has come to light. At stage 2, I accepted an amendment that introduced a timescale for ministers to make a decision on the final content of a Gaelic language plan where agreement cannot be reached between Bòrd na Gàidhlig and a public authority. A cross-reference between the new provision that was introduced at stage 2 and the subsection of the bill as originally drafted was made incorrectly. Amendment 49 corrects that mistake; no substantive policy issue is involved.

The bill has been developed to ensure that Gaelic development can be approached in a flexible and proportionate manner, according to local circumstances. With that principle in mind, amendment 30 provides flexibility for a public authority to publish its Gaelic language plan in such manner as it thinks fit, having regard to any guidance that is given by the bòrd. The provision provides for publication according to local circumstances while retaining a strategic overview role for Bòrd na Gàidhlig in the process of the publication of language plans.

Amendment 31 is a tidying-up provision. It makes clear that the requirement for a relevant authority to implement its plan, once it has been approved by Bòrd na Gàidhlig or Scottish ministers, must be in accordance with its plan and, therefore, the timescales that the relevant authority has set out in its plan under section 3(4)(b).

I move amendment 25.

Lord James Douglas-Hamilton: The amendments improve the bill considerably and we welcome them.

The Deputy Presiding Officer (Murray Tosh): I take it that the minister does not need to sum up.

Amendment 25 agreed to.
Amendments 26 to 28, 49 and 29 to 31 moved—[Peter Peacock]—and agreed to.

Section 6—Monitoring of implementation
Amendments 32 to 35 moved—[Peter Peacock]—and agreed to.

Section 7—Review of plans
Amendments 36 and 37 moved—[Peter Peacock]—and agreed to.

Section 8—Guidance, assistance, etc by the Bòrd
Amendments 38 and 39 moved—[Peter Peacock]—and agreed to.

Section 9—Guidance on Gaelic education
Amendment 40 moved—[Peter Peacock]—and agreed to.

Amendment 48 moved—[Fiona Hyslop].

The Deputy Presiding Officer: The question is, that amendment 48 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For
- Baird, Shiona (North East Scotland) (Green)
- Ballance, Chris (South of Scotland) (Green)
- Ballard, Mark (Lothians) (Green)
- Byrne, Ms Rosemary (South of Scotland) (SSP)
- Crawford, Bruce (Mid Scotland and Fife) (SNP)
- Curran, Frances (West of Scotland) (SNP)
- Fabiani, Linda (Central Scotland) (SNP)
- Fox, Colin (Lothians) (SSP)
- Gibson, Rob (Highlands and Islands) (SNP)
- Harper, Robin (Lothians) (Green)
- Hyslop, Fiona (Lothians) (SNP)
- Leckie, Carolyn (Central Scotland) (SNP)
- Lochhead, Richard (North East Scotland) (SNP)
- MacAskill, Mr Kenny (Lothians) (SNP)
- Marwick, Tricia (Mid Scotland and Fife) (SNP)
- Mather, Jim (Highlands and Islands) (SNP)
- Maxwell, Mr Stewart (West of Scotland) (SNP)
- McFee, Mr Bruce (West of Scotland) (SNP)
- Morgan, Alasdair (South of Scotland) (SNP)
- Neil, Alex (Central Scotland) (SNP)
- Ruskell, Mr Mark (Mid Scotland and Fife) (Green)
- Scott, Eleanor (Highlands and Islands) (Green)
- Sturgeon, Nicola (Glasgow) (SNP)

Against
- Altnaik, Bill (Glasgow) (Con)
- Alexander, Ms Wendy (Paisley North) (Lab)
- Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
- Baillie, Jackie (Dumbarton) (Lab)
- Baker, Richard (North East Scotland) (Lab)
- Barrie, Scott (Dunfermline West) (Lab)
- Boyack, Sarah (Edinburgh Central) (Lab)
- Brankin, Rhona (Midlothian) (Lab)
- Brodiebank, Mr Ted (Mid Scotland and Fife) (Con)
- Brown, Robert (Glasgow) (LD)
- Butler, Bill (Glasgow Anniesland) (Lab)
- Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
- Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
- Curran, Ms Margaret (Glasgow Baillieston) (Lab)
- Douglas-Hamilton, Lord James (Lothians) (Con)
- Eadie, Helen (Dunfermline East) (Lab)
- Ferguson, Patricia (Glasgow Maryhill) (Lab)
- Finnie, Ross (West of Scotland) (LD)
- Fraser, Muno (Mid Scotland and Fife) (Con)
- Gallow, Phil (South of Scotland) (Con)
- Gillon, Karen (Clydesdale) (Lab)
- Glen, Marilyn (North East Scotland) (Lab)
- Godman, Mr George (Argyll and Bute) (LD)
- Macdonald, Lewis (Aberdeen Central) (Lab)
- Macintosh, Mr Kenneth (Eastwood) (Lab)
- Maclean, Kate (Dundee West) (Lab)
- Macmillan, Maureen (Highlands and Islands) (Lab)
- Martin, Paul (Glasgow Springburn) (Lab)
- May, Christine (Central Fife) (Lab)
- McAvety, Mr Frank (Glasgow Shettleston) (Lab)
- McHale, Ms Mary (Hamilton North and Bellshill) (Lab)
- McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
- McNeill, Pauline (Glasgow Kelvin) (Lab)
- McNulty, Des (Clydebank and Milngavie) (Lab)
- Milne, Mrs Nanette (North East Scotland) (Con)
- Mitchell, Margaret (Central Scotland) (Con)
- Montieith, Mr Brian (Mid Scotland and Fife) (Con)
- Morrison, Mr Alasdair (Western Isles) (Lab)
- Muldoon, Bristow (Livingston) (Lab)
- Mulligan, Mrs Mary (Linlithgow) (Lab)
- Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
- Murray, Dr Elaine (Dumfries) (Lab)
- Peacock, Peter (Highlands and Islands) (Lab)
- Peattie, Cathy (Falkirk East) (Lab)
- Pringle, Mike (Edinburgh South) (LD)
- Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
- Radcliffe, Nora (Gordon) (LD)
- Robson, Euan (Roxburgh and Berwickshire) (LD)
- Rumbles, Mike (West Aberdeen and Kincardine) (Lab)
- Scott, Tavish (Shetland) (LD)
- Smith, Elaine (Coatbridge and Chryston) (Lab)
- Smith, Iain (North East Fife) (LD)
- Smith, Margaret (Edinburgh West) (LD)
- Stephen, Nicol (Aberdeen South) (LD)
- Swinburne, John (Central Scotland) (SSCUP)
- Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
- Wallace, Mr Jim (Orkney) (LD)
- Watson, Mike (Glasgow Cathcart) (Lab)
- Whitefield, Karen (Airdrie and Shotts) (Lab)
- Wilson, Allan (Cunninghame North) (Lab)

The Deputy Presiding Officer: The result of the division is: For 23, Against 70, Abstentions 0.

Amendment 48 disagreed to.

Section 10—Interpretation
Amendment 41 moved—[Peter Peacock]—and agreed to.
Amendment 45 moved—[Alex Neil]—and agreed to.
Amendment 42 moved—[Peter Peacock]—and agreed to.

Schedule 1
BÒRD NA GÀIDHLIG

The Deputy Presiding Officer: Group 6 is on members of Bòrd na Gàidhlig. Amendment 2, in the name of John Farquhar Munro, is grouped with amendment 3.

John Farquhar Munro: Tha mi toilichte a dh’èirigh a bhruaidhinn a-rìthist ann an Gàidhlig air an latha mòr seo ann an eachdraidh nan Gaidheal. Tha mi toilichte leis mar a chaithd cúisean suas chun an seo.

Tha na puingeann a tha mi airson togail an-dràsta a’ bualadh air na buil a bhios a’ suidhe air Bòrd na Gàidhlig. Tha mi dhen bheachd gum biodh e gu math freagarrach nam biodh buil a’ bhùird fileanta ann an Gàidhlig. Chan eil sin a’ chialachadh gu bheil mi an agaidh duine sam bith eile aig nach eil Gàidhlig a’ tìghinn faisg air a’ bhòrd. Tha mi airson cothrom a bhith eile a’ bhòrd duine sam bith a thagadh aig a bheil sgilean proifeiseanta a nì feum dhan bhòrd. Leis an sin, chan eil mi a’ faicinn gun déanadh na h-atharrachaidhean milleadh mòr air obair a’ bhùird. Tha am bile ag ràdh gum bi ballrachd a’ bhùird air a dhèanamh suas de “gun a bhith nas lugha na 5, no nas motha na 11, buil chumanta”.

Tha sin freagarrach gu leòr. Ach chan eil mi a’ faicinn carson gu bheil sin a’ chialachadh nach biodh cothrom a’ bhòrd a tharrainn duine sam bith a dhèanadh feum no cuideachadh dha.

Tha mi dhen bheachd gum biodh e gu math freagarrach dà phuing duine sam bith a tharrainn cothrom a’ bhòrd a’ chialachadh gu bheil mi an agaidh duine sam bith a bhòrd a fhòill a’ chialachadh gu bheil mi an ghabhaidh dha.

Tha mi a’ gluasad atharrachadh 2.

Following is the simultaneous interpretation:

Again, I am pleased to stand here and speak in the Gaelic language. This is a historic day for the Gaels and I am very pleased with matters up to now. The points that I wish to raise relate to the members who will sit on Bòrd na Gàidhlig. I think that it would be very appropriate if the members of the bòrd were fluent Gaelic speakers. That does not mean that we would want to prevent anyone who does not have Gaelic from coming anywhere near the bòrd. I want the bòrd to have the opportunity to select people who have professional skills that would be useful to it. I do not think that the amendments will create any great difficulty for the bòrd’s work. The bill states that the bòrd should have “no fewer than 5, nor more than 11” members, which is appropriate. However, I do not see why the bòrd should not have the opportunity to attract people who it believes could be useful to it.

I thought that it would be useful to bring together two points in amendments 2 and 3. Amendment 3 relates to the chair of the bòrd. I am of the opinion that the chair should be a fluent Gaelic speaker. I suggest to the Parliament that the members and, in particular, the chair of Bòrd na Gàidhlig should be fluent Gaelic speakers.

I move amendment 2.

Lord James Douglas-Hamilton: Amendments 2 and 3 are very much the work of John Farquhar Munro. As one would expect on a subject of this nature, his wise counsel should be heeded. He is saying that members of the bòrd should be able to speak the Gaelic language. His amendments go far deeper than just the issue of Gaelic. If we are to pursue excellence, we must have highly qualified individuals who know what they are saying and what they are saying.

John Farquhar Munro speaks Gaelic extremely well. I have no doubt that, if a poll were taken of all others who speak Gaelic, they would agree almost unanimously that the bòrd, which is to spearhead the promotion and encouragement of Gaelic in Scotland, should include people with a range of different experiences and expertise, but that it would not be unreasonable to insist that they should all have the Gaelic. One would invariably find that members of boards for the promotion of French, German or Italian would have a basic knowledge of the subject concerned. I understand that the bòrd’s proceedings will be conducted mainly in Gaelic, so a working knowledge of Gaelic should be a prerequisite of membership. We should not shrink from the promotion of minimum standards. It will be a dark day when the Parliament is afraid of recognising merit or the pursuit of excellence. It cannot be suggested that it is unreasonable for members of the bòrd to have the Gaelic.

The Deputy Presiding Officer: One or two names have popped on and off my screen. If members wish to speak, they should be clear that their request-to-speak buttons are on.

Alex Neil: I support the amendments in the name of John Farquhar Munro. We think that it is sensible that the members and, in particular, the chair of a board that is appointed with the express
purpose of promoting Gaelic should be Gaelic-speaking people. For the reasons that Lord James Douglas-Hamilton outlined, it would be a perfectly sensible proposition to have Gaelic speakers running the show as far as the promotion of the Gaelic language is concerned. The Scottish National Party is happy to support—in English, unfortunately—amendments 2 and 3.

**Peter Peacock**: I understand clearly what drives John Farquhar Munro on this issue and have some sympathy with the sentiments behind his amendments. I expect that the working language of Bòrd na Gàidhlig will always be Gaelic. If not all the members of the bòrd are fluent speakers, a clear majority of them always should be. I cannot envisage circumstances in which the chair of the bòrd would not be a Gaelic speaker.

The make-up of the current bòrd demonstrates that a potential candidate’s mastery of the language will be a matter to which ministers will have regard when making appointments. However, as John Farquhar Munro said at stage 1, the bòrd must welcome support from people who do not speak Gaelic, but who have special skills and interests. For absolute clarity, in case I did not understand properly what John Farquhar Munro said, the bòrd has no power under the bill to co-opt members who are non-Gaelic speakers on to the bòrd, and although it can create committees on to which members can be co-opted, those members would have no voting rights. So it is not possible to co-opt a non-Gaelic speaker on to the main bòrd in the way that I think John Farquhar Munro suggested.

I agree with the point that was made in the Education Committee’s stage 1 report that the ability to speak Gaelic should not be prescribed in statute as a prerequisite for bòrd membership. The committee recognised that there might be benefit in ministers having flexibility to appoint members with, for example, experience of the development of another minority language. I can also envisage a circumstance in which people who have empathy with the language, who understand the threats that it faces, who are experienced in public policy development in education, for example, could make a positive contribution to the work of the bòrd.

Without wanting to be pedantic, I do not wish to get into circumstances in which any minister has to make fine judgments about an individual’s level of language skill in order to make an appointment to the bòrd. I can think of a number of people—some of whom sat in the past where Alex Neil sits today—who might not be regarded as fluent Gaelic speakers, but who I would not want to be prevented from making a contribution to the bòrd if they were otherwise suitable.

That said, I repeat that I cannot envisage a circumstance in which the clear majority of bòrd members will not be fluent Gaelic speakers and further, I make it clear that I expect that Gaelic will always be the working language of the bòrd. I cannot envisage a circumstance ever when the chair would not be a Gaelic speaker.

With those assurances, I ask John Farquhar Munro not to press amendment 2.

**John Farquhar Munro**: I clarify that I suggested that anybody who had an expertise or professionalism from whom the bòrd wanted to take advice could be taken not on to the bòrd, but into a committee meeting where the bòrd could make use of their expertise and professionalism, even though they were not a Gaelic speaker. I suggested clearly that all members of the bòrd should be Gaelic speakers.

With those few words, I press amendment 2.

**The Deputy Presiding Officer**: The question is, that amendment 2 be agreed to. Are we agreed?

**Members**: No.

**The Deputy Presiding Officer**: There will be a division.

**FOR**

Adam, Brian (Aberdeen North) (SNP)
Aitken, Bill (Glasgow) (Con)
Baird, Shiona (North East Scotland) (Green)
Ballance, Chris (South of Scotland) (Green)
Ballard, Mark (Lothians) (Green)
Broicklebank, Mr Ted (Mid Scotland and Fife) (Con)
Byrne, Ms Rosemary (South of Scotland) (SSP)
Crawford, Bruce (Mid Scotland and Fife) (SNP)
Douglas-Hamilton, Lord James (Lothians) (Con)
Fabiani, Linda (Central Scotland) (SNP)
Fox, Colin (Lothians) (SSP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallie, Phil (South of Scotland) (Con)
Gibson, Rob (Highlands and Islands) (SNP)
Grahame, Christine (South of Scotland) (SNP)
Harper, Robin (Lothians) (Green)
Harvie, Patrick (Glasgow) (Green)
Hyslop, Fiona (Lothians) (SNP)
Lochhead, Richard (North East Scotland) (SNP)
MacAskill, Mr Kenny (Lothians) (SNP)
Marwick, Tricia (Mid Scotland and Fife) (SNP)
Mather, Jim (Highlands and Islands) (SNP)
Maxwell, Mr Stewart (West of Scotland) (SNP)
McFee, Mr Bruce (West of Scotland) (SNP)
McLetchie, David (Edinburgh Pentlands) (Con)
Milne, Mrs Nanette (North East Scotland) (Con)
Mitchell, Margaret (Central Scotland) (Con)
Morgan, Alasdair (South of Scotland) (SNP)
Munro, John Farquhar (Ross, Skye and Inverness West) (LD)
Neil, Alex (Central Scotland) (SNP)
Russek, Mr Mark (Mid Scotland and Fife) (Green)
Scott, Eleanor (Highlands and Islands) (Green)
Sturgeon, Nicola (Glasgow) (SNP)
Swinburne, John (Central Scotland) (SSCUP)
Turner, Dr Jean (Strathkelvin and Bearsden) (Ind)
Watson, Mike (Glasgow Cathcart) (Lab)
White, Ms Sandra (Glasgow) (SNP)

**AGAINST**

Alexander, Ms Wendy (Paisley North) (Lab)
Arbuckle, Mr Andrew (Mid Scotland and Fife) (LD)
Bailie, Jackie (Dumbarton) (Lab)
Baker, Richard (North East Scotland) (Lab)
Barrie, Scott (Dunfermline West) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brown, Robert (Glasgow) (LD)
Butler, Bill (Glasgow Anniesland) (Lab)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Curran, Ms Margaret (Glasgow Baillieston) (Lab)
Eadie, Helen (Dunfermline East) (Lab)
Ferguson, Patricia (Glasgow Maryhill) (Lab)
Finnie, Ross (West of Scotland) (LD)
Gillon, Karen (Clydesdale) (Lab)
Glen, Marilyn (North East Scotland) (Lab)
Godman, Trish (West Renfrewshire) (Lab)
Henry, Hugh (Paisley South) (Lab)
Home Robertson, John (East Lothian) (Lab)
Hughes, Janis (Glasgow Rutherglen) (Lab)
Jackson, Dr Sylvia (Stirling) (Lab)
Jamieson, Margaret (Kilmarnock and Loudoun) (Lab)
Kerr, Mr Andy (East Kilbride) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Livingstone, Marilyn (Kirkcaldy) (Lab)
Lyon, George (Argyll and Bute) (LD)
Macdonald, Lewis (Aberdeen Central) (Lab)
Macintosh, Mr Kenneth (Eastwood) (Lab)
Maclean, Kate (Dundee West) (Lab)
Macmillan, Maureen (Highlands and Islands) (Lab)
Martin, Paul (Glasgow Springburn) (Lab)
May, Christine (Central Fife) (Lab)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McMahon, Michael (Hamilton North and Bellshill) (Lab)
McNeil, Mr Duncan (Greenock and Inverclyde) (Lab)
McNeill, Pauline (Glasgow Kelvin) (Lab)
McNutty, Des (Clydebank and Milngavie) (Lab)
Morrison, Mr Alasdair (Western Isles) (Lab)
Muldoon, Bristow (Livingston) (Lab)
Mulligan, Mrs Mary (Linlithgow) (Lab)
Murray, Dr Elaine (Dumfries) (Lab)
Peacock, Peter (Highlands and Islands) (Lab)
Peattie, Cathy (Falkirk East) (Lab)
Pringle, Mike (Edinburgh South) (LD)
Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
Radcliffe, Nora (Gordon) (LD)
Robson, Euan (Roxburgh and Berwickshire) (LD)
Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
Scott, Tavish (Shetland) (LD)
Smith, Elaine (Cumbernauld and Chryston) (Lab)
Smith, Iain (North East Fife) (LD)
Smith, Margaret (Edinburgh West) (LD)
Stephen, Nic (Aberdeen South) (LD)
Wallace, Mr Jim (Orkney) (LD)
Whitefield, Karen (Airdrie and Shotts) (Lab)
Wilson, Allan (Cunninghame North) (Lab)

ABSTENTIONS
Curran, Frances (West of Scotland) (SSP)
Gorrie, Donald (Central Scotland) (LD)
Leckie, Carolyn (Central Scotland) (SSP)

The Deputy Presiding Officer: The result of the division is: For 37, Against 57, Abstentions 3.

Amendment 2 disagreed to.
Amendment 3 not moved.
Amendment 8 moved—[Peter Peacock]—and agreed to.
Gaelic Language (Scotland) Bill

The Deputy Presiding Officer (Murray Tosh): The next item of business is a debate on motion S2M-2665, in the name of Peter Peacock, that the Gaelic Language (Scotland) Bill be passed.

16:15
The Minister for Education and Young People (Peter Peacock): It is my privilege to open this debate on what is, as John Farquhar Munro and others have said, an historic day for Gaelic and for Scotland as a whole. We have come a long way from the 1616 act that decreed that Gaelic should be “abolishit and removeit” from Scotland. We have also come a long way from the first support that was given to An Comann Gaidhealach by the Government back in the 1960s, which was a grant of the princely sum of £500, and from the first Gaelic-medium education classes in the 1980s. Indeed, we have also come a long way since the Gaelic-medium education provisions of the Standards in Scotland’s Schools etc Act 2000. That will ensure that that does not happen, and the bill will make a significant contribution to ensuring that.

The bill creates a flexible framework to secure the future of the Gaelic language. It gives clear and official recognition to Gaelic. Gaelic is an official language of Scotland commanding equal respect to English. The bill establishes a body in law with responsibility to develop Gaelic language and culture and to bring about a sustainable recovery by increasing the usage and acquisition of the language. It provides for the creation of a national Gaelic language plan by Bòrd na Gàidhlig, which will set out in an holistic way the development of Gaelic across Scotland. Because of today’s events, that national plan will have a clear strategy at its heart for Gaelic education—the key to the future success of the language—and it will ensure that public bodies with education responsibilities, including the Executive, also have clear strategies. The bill provides for public bodies to play their part in future development and builds on the undoubted success of Gaelic-medium education and encourages its future development.

I have promoted and accepted a number of changes during the passage of the bill. I agreed to an amendment at stage 2 that makes it clear that the bill is about the potential for the development of Gaelic language into the future, and it is now absolutely clear that the bill is not about Gaelic as it stands but about its potential to move forward. I also agreed to an amendment at stage 2 that enhances the status of the Gaelic language by recognising that Gaelic and English command equal respect.

There has been a clear consensus that action should be taken to secure the status of Gaelic, and Parliament today has the opportunity to send a clear signal that it is serious about the survival of Gaelic. It is imperative that we act now. Gaelic is a precious asset for all of Scotland and it is our responsibility to provide the means by which the Gaelic language will not only survive but thrive into the future. Sorley MacLean said:

“if Gaelic dies, Scotland will lose something of inexpressible worth, and the Gaels will lose almost everything”.

It is our duty to ensure that that does not happen, and the bill will make a significant contribution to ensuring that.

I am conscious, as I said during our consideration of the amendments, that we are building on the efforts of many groups and individuals down the years. I cannot hope to mention them all, but I would like to thank those who have contributed to the development of the bill. In particular, I thank John Alick Macpherson for the work that he did, and I thank Professor Donald Meek and all those involved in the ministerial advisory group on Gaelic, which was established by Alasdair Morrison, a distinguished former minister with responsibility for Gaelic, who did all the early work in preparation for the bill. The central recommendation of the ministerial advisory group was for the development of a Gaelic language act, and today we shall deliver on that recommendation.

I thank the 3,000 people who responded to the consultation on the draft bill and those who gave evidence to the Education Committee. I also acknowledge the work of the members of the Education Committee itself, and the work of Alex Neil and John Farquhar Munro, who, although not members of the committee, contributed to many of the committee debates. I thank the many people who gave evidence to the committee for the constructive consideration that they gave to the bill and to wider Gaelic issues. The bill is stronger as a result of parliamentary scrutiny and debate, and I think that it has been a particularly good example of the Executive and Parliament working constructively together.

I thank the committee clerks, who have ensured that events have progressed smoothly. I also sincerely thank my own bill team, who have worked hard on the bill and who have liaised not just with members of the committee and with the clerks but with many organisations beyond Parliament in constructing the bill. Finally, I thank the members and staff of Bòrd na Gàidhlig, who have provided a steady stream of helpful advice as the bill has developed over the past two years.

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“if Gaelic dies, Scotland will lose something of inexpressible worth, and the Gaels will lose almost everything”.

It is our duty to ensure that that does not happen, and the bill will make a significant contribution to ensuring that.

The bill creates a flexible framework to secure the future of the Gaelic language. It gives clear and official recognition to Gaelic. Gaelic is an official language of Scotland commanding equal respect to English. The bill establishes a body in law with responsibility to develop Gaelic language and culture and to bring about a sustainable recovery by increasing the usage and acquisition of the language. It provides for the creation of a national Gaelic language plan by Bòrd na Gàidhlig, which will set out in an holistic way the development of Gaelic across Scotland. Because of today’s events, that national plan will have a clear strategy at its heart for Gaelic education—the key to the future success of the language—and it will ensure that public bodies with education responsibilities, including the Executive, also have clear strategies. The bill provides for public bodies to play their part in future development and builds on the undoubted success of Gaelic-medium education and encourages its future development.

I have promoted and accepted a number of changes during the passage of the bill. I agreed to an amendment at stage 2 that makes it clear that the bill is about the potential for the development of Gaelic language into the future, and it is now absolutely clear that the bill is not about Gaelic as it stands but about its potential to move forward. I also agreed to an amendment at stage 2 that enhances the status of the Gaelic language by recognising that Gaelic and English command equal respect.

Parliament agreed today to an amendment that creates new links between the bill and the Gaelic-medium education provisions of the Standards in Scotland’s Schools etc Act 2000. That will ensure
that a strategic, joined-up approach can be taken to the development of Gaelic education.

Those changes and the other amendments to which Parliament agreed will ensure that the bill is an efficient and effective tool to secure the status of the Gaelic language.

I have listed the provisions of the bill and some of the important changes that we have made to strengthen it. It will have important effects that will go beyond its provisions. It makes an important statement that the Gaelic language and culture are very important aspects of Scottish life. It will add welcome momentum to other areas of Gaelic development and enterprise and I expect it to undermine any residual ill will towards Gaelic in Scotland and to encourage greater trust between Gaels and Government.

A clear message that came out of the consultation on the bill was the need to emphasise the Scottish Executive’s responsibility for the well-being of Gaelic. Through the bill and other measures, Parliament acknowledges its obligations and seeks to discharge its duty in a manner that will ensure a sustainable future for Gaelic in Scotland.

It gives me great pleasure to move,

That the Parliament agrees that the Gaelic Language (Scotland) Bill be passed.

The Deputy Presiding Officer: Time is very tight in the debate.

16:21

Alex Neil (Central Scotland) (SNP): I echo the sentiments that the minister expressed. This is a day on which the Gaelic language is going forward, not back—to coin a phrase. I congratulate the minister on the role that he has played in working with members of the committee and others, such as me, to take the bill forward. As a result of that co-operation, we have ended up with what will be a much better act than would have been achieved through the draft bill with which we started out.

I thank Robert Brown, the convener of the Education Committee, for allowing me to participate so actively in the committee’s proceedings, even though I am not a member. I also mention Mike Russell, who introduced his Gaelic language bill, which was on similar lines to the bill that we are considering, during the first session of Parliament.

The bill represents not the end of the story but the end of the beginning of the story of the regeneration of Gaelic. During the bill’s passage we have recognised a number of areas in relation to the promotion of the language that are not covered by the bill and remain to be addressed.

For example, I think that we all agree that there needs to be a clear strategy for the future of Gaelic broadcasting, which will use new, digital technology to spread knowledge and uptake of the Gaelic language.

We still face a major challenge. It is estimated that there is a net loss of about 1,500 Gaelic speakers every year. We also have a dire shortage of Gaelic-speaking teachers. The passing of the bill will not address or solve those problems, but it will send a clear message about the serious intent of the Parliament to address all the problems that Gaelic faces, including the language’s status and the need for public agencies to promote the language as part and parcel of their remit.

It is important that the bill acknowledges the role of the European Charter for Regional or Minority Languages and I hope that the next report on the progress of the Gaelic language against the charter will be more complimentary than the last one was. Robert Brown said that we learned a great deal from the Welsh experience, but the Welsh language started from a much higher base than does Gaelic in Scotland, which faces much more widespread and severe challenges than were faced by Welsh.

Like our colleagues in other parties, we will take pride in the passing of the Gaelic Language (Scotland) Bill. We are glad that we have been able to contribute to the bill’s progress and we look forward to progress being made in broadcasting, in education, in the work of Bòrd na Gàidhlig and in the promotion of the language throughout Scotland. I hope that after we pass the bill at decision time at 5 o’clock, there will be coverage, not just in the northern parts of Scotland but throughout the land, of the fact that the Scottish Parliament has rectified decades, if not centuries, of neglect of a key part of Scotland’s past and heritage.

16:25

Lord James Douglas-Hamilton (Lothians) (Con): I am very glad to share in the support for the bill on what is a landmark day for Gaelic. If Tony Blair were here, he would no doubt say that we feel the “hand of history” on our shoulders. If he did, he might—on this occasion—be entirely correct.

As I mentioned before, the Gaelic language and its culture have been subject to persecution in the past—especially after Culloden and during the clearances, which many of us regard as a dark period in our history. I have to mention an interest in what followed. My ancestor Selkirk of Red River—one of the less well-known figures of the Scottish enlightenment—chartered ships and went
with nearly 1,000 struggling, Gaelic-speaking highlanders from Skye and Raasay to Prince Edward Island in Canada, where they started a new life. Gaelic still flourishes there, as do the descendants of those highlanders. He also inaugurated the settlement at Red River in Manitoba which, notwithstanding its trials and tribulations, was the beginning of Winnipeg.

We have no power to amend the wrongdoings of bygone centuries that led to emigration. We do not need to dwell “On the Other Side of Sorrow” but we can at the very least give strong support and encouragement to those who speak our country’s largest indigenous language after English. We have a golden opportunity to demonstrate our good will and to develop the linguistic and cultural diversity of Scotland, which has contributed so much to enriching our way of life.

It would be of value if certain thoughts could be kept in mind. We wish the bòrd every success in co-operating with United Kingdom bodies, in developing a Gaelic language dictionary and in ensuring that there are sufficient Gaelic-medium teachers in local authorities.

We hope that the use of high technology will be harnessed, and we hope that the excellent counsel of Sabhal Mòr Ostaig—the Gaelic college on Skye—will be heeded. Going there was a great highlight for the Education Committee. The college is undoubtedly a centre of educational excellence. It would be of value if certain thoughts could be kept in mind. We wish the bòrd every success in co-operating with United Kingdom bodies, in developing a Gaelic language dictionary and in ensuring that there are sufficient Gaelic-medium teachers in local authorities.

We hope that the use of high technology will be harnessed, and we hope that the excellent counsel of Sabhal Mòr Ostaig—the Gaelic college on Skye—will be heeded. Going there was a great highlight for the Education Committee. The college is undoubtedly a centre of educational excellence. Its staff’s views, experience, expertise and aspirations should be addressed with care and sympathy.

I end by saying that the bill will be a landmark for Gaels and their culture, which is a rich inheritance for Scotland. It has been a privilege for us to have taken part in the bill’s progress.

There is a great deal to be said for the argument that history should be left to the historians. However, in this case, I rather fancy that, as Tony Blair might say, history will not judge us harshly.

16:27

**John Farquhar Munro (Ross, Skye and Inverness West) (LD):** Tha mise cuideachd toilichte a bhith ann an seo an diugh, mar a thuiirt mi, air latha mòr ann an eachdraidh nan Gàidheal. Bho chionn iomadach bliadhna a-nis, tha sinn air a bhith a’ stri airson taic agus cuideachadh a chur ri Gàidhlig agus ri ceòl is cultar nan Gàidheal.

Air a’ chiad trup a thàinig mi sios dhan Phàrlamaid ùir, bha an deasbad ann an Dùn Èideann direach a’ tòiseachadh an uair sin. Ron sin, bha gu leòr a’ dol ann an Glaschu agus suas ann an Inbhir Nis a’ chàinntinn mòran a’ tachairt ann an Dùn Èideann. Ach an-

I am pleased to be here on this historic day for the Gaels. We have been struggling for many years to support the Gaelic language and the music and culture of the Gaels.

When I first came to the new Parliament, the debate had just started in Edinburgh. Before that, I am sure that plenty was happening in Glasgow and Inverness and in other places throughout the Highlands, but we did not hear much about what was happening in Edinburgh. However, today we are in the new Scottish Parliament building in the middle of Edinburgh considering a bill to establish Bòrd na Gàidhlig. As Lord James Douglas-Hamilton suggested a couple of minutes ago, we should be extremely proud that we have an opportunity to support the language and culture of the Gaels.
When we look back over the past few years, we can see that we have made huge progress. Thirty years ago, nothing much was happening in the Gaelic world. We had some Gaelic broadcasting on radio, but we had no opportunity to see any Gaelic broadcasting on television. Now, the bill is supporting the language and culture and supporting Bòrd na Gàidhlig.

We have taken huge steps, but there are still more to be taken. We look forward to a Gaelic television channel. When we are able to see Gaelic programmes on television every day—as we can see English programmes—it will promote the language and culture of the Gaels. The argument for a Gaelic channel is receiving support in discussions that are under way on that subject. Perhaps we may have the opportunity to get the service established before too long.

Today is an historic day. I thank the minister for all the hard work that he has done over the past few years to get the bill established in a way that not only suits the language but will help it to develop. I am sure that the Parliament and particularly those in the Highlands who are looking on will want to support the minister. All of us want to thank him for the hard work that he has done.

The Deputy Presiding Officer: In order to get in as many members as possible, I ask members to keep their speeches to three minutes.

16:30

Mr Alasdair Morrison (Western Isles) (Lab):

Tha mi toilichte dha-rìridh a bhith a' gabhail pàirt cànain agus ath-leasachadh an fhearainn. Tha mi a' phuing sin mar-thà; mar sin, tha mi a' coimhead air adhart ri freagairt a' mhinisteir. Thog mar eil i idir air an oir no air chúl-fraoin. An-dèidh a bhith air a chleachdadh 's an teàrr fhearainn airson a' chànain air a bhith air am fuigheall ri airson a' chànain air a bhith air am fuigheall ri bhith againn.
Tha mi a’ moladh taic a thoirt do Bhile na Gàidhlig (Alba).

Following is the simultaneous interpretation:

I am pleased to take part in the debate. As someone who was involved in Highland politics for over 25 years, the minister will remember the many developments that we have seen in that time. My colleague John Farquhar Munro also mentioned that.

We are coming to an historic conclusion: the Scottish Parliament’s first Gaelic language act. When the act is passed, we will know that we have fulfilled the motto of the land leaguers of the end of the 19th century and beginning of the 20th century, which was “the land, the language and the people”. The Parliament has passed the Land Reform (Scotland) Act 2003, which is being used to great effect, and today we pass a language act. This is an historic day, on which we should be particularly aware of and pay tribute to those who have struggled for many years for the land, the language and the people. Indeed, that motto has been on the masthead of the West Highland Free Press since the inception of the paper 30 years ago.

I turn to specific aspects of the bill, the first of which concerns Bòrd na Gàidhlig. At the beginning of 2003, the bòrd was established as a quango. Its main duties at that time related to the distribution of Gaelic funding and the provision of advice to ministers. Today, its responsibilities are greatly changed and, in that respect, I am pleased that the minister has listened to the appeals that came from the Gaelic community. I am pleased that the bòrd will have greater authority and legitimacy. I ask the minister to look at the issue of funding and also the issue of extending the membership of the bòrd so that more people can become involved in its work.

My second point relates to the Gaelic publishing sector and, in particular, to the Executive’s advertising budget. I have raised the point before and I look forward to hearing the minister’s response on the issue. I thank not only Peter Peacock but Patricia Ferguson, who is involved in the discussions with the UK Government on Gaelic broadcasting. Progress is being made on the issue and I believe that we will soon see the result of that work.

At the beginning of the 20th century, the language and the people who worked on the land were knitted together. Things have changed significantly since those days and the act will give a new and welcome impetus to my generation. The Gaelic language is a precious jewel in the heart and soul of Scotland. Gaelic should not be restricted by boundaries: it is national, it is European and it is international. Gaelic is not at the periphery but is fundamental to Scotland. Fortunately, our situation today is very different from that of the early 20th century, but the land leaguers’ motto is as relevant and worthy today as it was in their day.

I support the passing of the bill.

16:34

Rob Gibson (Highlands and Islands) (SNP):
The test of the first Gaelic language act, which is set to be passed by the Scottish Parliament today, will be how much confidence it promotes among those who speak the language and those who wish to learn it. The act will give the Parliament a raft of administrative means to explain what every public authority that is responsible to the Parliament will do to promote the first language of Scotland.

However, too many examples of hostility or lack of confidence are still expressed or muttered in areas that remain key to Gaelic’s survival and expansion. It is bizarre that new road signs in Sutherland, Caithness and parts of Inverness will not be bilingual because of the small-minded and negative attitude of some councillors, who voted down the chance to show the Gaelic side of their cultural roots without any added cost to the public purse. As Brian Wilson wrote in The Guardian yesterday, signage can be “a gesture of respect for a language that once covered most of Scotland”.

In Wales in the 1970s, I was a witness to such blocking tactics from central Government and its local political allies as the struggle for the status of the Welsh language progressed. The only way forward is for the users of our ancient language to have the confidence to speak up and for Gaelic to have the full backing of official status. Welsh is in a far stronger position than Gaelic, as are Catalan and Basque. Those languages started from a higher baseline of speakers, so we need added impetus from strong measures that will eventually be added to the act. Ministers and Government supporters will praise their efforts as historic, but that can be judged only by history. Meanwhile, every effort must be made to give life to Gaelic. Cum Gàidhlig beò. Let Gaelic live.

The test of the act is whether it will spread the good will that is expressed in the Parliament into decisions that are taken elsewhere, from the smallest communities to the largest public bodies. As in Wales, the language has to become a normal part of the nation’s life. As others have said, there are decisions to be made about broadcasting in future and I hope that the devolution settlement will be changed to include that.
Over the centuries, Gaelic has been pushed largely to the edge, to the outer isles, but the flight of the Gaels from those islands has scattered more than 10 per cent of their population to other areas. To some extent, that has weakened the solidarity of many to keep up their Gaelic speech. However, that will be turned round by the act. The confidence that is needed to promote living communities, whether in the isles or in towns, lies in the provision of challenging jobs and affordable homes—good reasons for families to live a life through Gaelic.

If there is to be justice and success for the language, we need economic, environmental and social justice for all Scots. The Scottish National Party fully supports that. The act should be a key milestone on the long road to justice.

16:37

Eleanor Scott (Highlands and Islands) (Green): Tha mi toilichte gum bi sinn ag aontachadh ri Bile na Gàidhlig (Alba) an-diugh, agus tha mi a’ creidsinn gu bheil seo na dheagh latha airson na Gàidhlig.

Following is the simultaneous interpretation:

Thank you, Presiding Officer. I am pleased to support the Gaelic (Scotland) Bill today. This is a good day for Gaelic.

The member continued in English.

During the stage 1 debate, we thanked the people who responded to the consultation or gave evidence and we thanked the Executive for listening. I reiterate those thanks today because I believe that everyone involved has contributed to historic legislation that will, I hope, underpin a strong future for the Gaelic language.

One of the nice things about being a member of the cross-party group on Gaelic is that we are from time to time invited to meet visiting delegations who have expressed an interest in hearing about Gaelic. Usually they are from countries that have one or several minority languages. Recently, we met one such group from part of the former Yugoslavia, from a small country that has no less than six official languages, at least two of which are in simultaneous use in each town or district.

That visit made me realise what a monoglot society we have, although that is not the case at grass-roots level because many people in Scotland speak one of the versions of Scots, a significant minority speak as their language at home the language of their family’s country of origin—perhaps from many generations ago—and, of course, tens of thousands speak Gaelic. I expect that number to continue increasing. However, dealings with officialdom, even the most minor dealings, and most business transactions tend to be done exclusively in English. That creates a two-tier system, which makes one feel as if there is only one official language in Scotland. I hope that the bill’s enshrinement of Gaelic as an official language of Scotland will end that and I hope that the bill, which is soon to be enacted, will start the process of properly mainstreaming the Gaelic language.

One of the crucial sections of the bill is the section on education. I welcome the commitment that the Minister for Education and Young People has shown to Gaelic-medium education both in the bill and generally. During the stage 1 debate, the minister mentioned the establishment of a working group on teacher supply, which is one of the potential constraints on the development of Gaelic-medium education. I understand that that group is to report in May, but if the minister were able to give an advance report, that would be welcome, although I appreciate that he might not be in a position to do so.

I welcome the bill and pledge that my party will do whatever it can to support and promote the Gaelic language.

Mòran taing.

16:40

Mike Watson (Glasgow Cathcart) (Lab): Anyone listening to “Good Morning Scotland” today might have heard Allan Campbell, the chief executive of Bòrd na Gàidhlig, say that the bill was about the future of Gaelic, not its past. That is an eloquent answer to all those who say that the bill is unnecessary or that it is not a priority. I am glad that the bill has been considered as a priority: it fulfils a commitment in the Labour-Liberal Democrat programme for government and answers the criticisms that were levelled two years ago when the previous Gaelic Language (Scotland) Bill was debated. The reasons for voting that bill down were positive, not negative; today’s events show how positive the commitment was, and that it has been delivered.

If John Farquhar Munro says that it is an historic day for the Gaels, I will not argue and could not add much to that sentiment. I pay tribute to Peter Peacock for the work that he has done in guiding the bill to its conclusion. I take some pride in having been the minister to establish Bòrd na Gàidhlig on the basis of the report by the ministerial advisory group on Gaelic under the firm guidance of Professor Donald Meek. I remember attending the first meeting of Bòrd na Gàidhlig in January 2003 when Duncan Ferguson, the then chairman, outlined the bòrd’s plans. It has carried out many of those plans already and I pay tribute to it for its work. The bill sets Bòrd na Gàidhlig in statute, which is important because it will take
Bòrd na Gàidhlig on to a higher level and enable it to increase the work that it does.

I find it surprising that places as diverse as Forfar, Kilmarnock and Condorrat have Gaelic-medium schools. That demand for Gaelic-medium education is growing is shown by the fact that Glasgow’s Gaelic-medium school has outgrown its premises and has even had to consider turning away parents who want their children to be educated in Gaelic-medium education, although it has found larger premises that will provide an all-through service including nursery education and a cultural centre. I welcome the initiative that Glasgow City Council has shown in providing for that.

The key to Gaelic’s future—and it has a future—is education. We need to provide as many teachers as possible at all levels so that we can ensure that demand for Gaelic-medium education can be met. I believe that that will happen and that the building blocks are in place to ensure that young people and others come through. There are many people in the later stages of their lives who now have the opportunity to become teachers of Gaelic or in Gaelic-medium education; they should be encouraged to do so.

Parliament has proved today that one of its main functions is to legislate on matters on which Westminster did not have the time or the inclination to legislate. The bill would never have seen the light of day at Westminster. However, Westminster retains one major relevant responsibility, which is broadcasting, and I want Gaelic television to be expanded.

This is a proud day for the Scottish Parliament. The bill will echo down the years and the work of Bòrd na Gàidhlig and those who support it will provide an essential function for the future of Scotland’s cultural heritage.

16:43

Robert Brown (Glasgow) (LD): Many people in the Gaelic community have waited a long time indeed for the Gaelic Language (Scotland) Bill to become law; there is something of all of them in it.

As convener of the Education Committee, I have found the process of the bill to be one of the most productive in which I have been involved. I have had—as has the rest of the committee—the opportunity to visit and engage with interested people at the Gaelic primary school and Gaelic secondary unit in Glasgow, at open meetings that were organised by the Scottish Parliament outreach service in Partick library, at the royal national mòd in Perth, at an overnight committee visit in Skye and, of course, at the committee’s oral evidence-taking sessions. Those have all added to the committee’s and Parliament’s perception of how things should be done.

It was particularly interesting to hear from our Welsh visitors—the Welsh Language Board—how language matters have been dealt with in Wales. Many of the people who handle such matters in Wales have matured from idealistic campaigning activists who had an interest in road signs—to allude to Rob Gibson’s comments—to senior, still idealistic but practical administrators and drivers of the Welsh language revival that we have witnessed in recent years.

There is no doubt that Gaelic is in a more precarious state than Welsh was, but the overwhelming impression that I have taken away from the meetings and visits on the Gaelic Language (Scotland) Bill is one of hope and optimism.

I was particularly impressed with the dedication, talent and potential of some of the young Gaelic teachers whom I met in Glasgow and Skye, and with the enthusiasm of their young charges. The teachers, the schools, the broadcasting provision and the centres of excellence—some of which already exist, such as the Gaelic college in Skye, and some of which are promised, such as the all-through Glasgow Gaelic school—are the foundation blocks on which the language will revive and blossom.

I would like to thank the people who have contributed to the bill: the members of the committee; the committee clerks; the minister, who has displayed a supportive approach; and the Gaelic team in the Parliament, Alasdair MacCaluim and Sarah Gundry, who have not been mentioned so far but who have been extremely supportive of the bill and the committee’s work—indeed, I might say that that they were partisan in their support. The wider Gaelic community owes them a lot, although it is only fair to say that they should take the blame for the few words of atrocious Geordie-accented Gaelic that I was prevailed upon to produce at the mòd and in Skye, but which I do not have the nerve to repeat today.

The phrase that has stuck in my mind is the one that expresses a desire for Gaelic to become the language of the playground. That seems to me to be an important and crucial aim. We must give attention to the teacher recruitment materials and the teacher support that we have talked about.

We are about to pass the Gaelic Language (Scotland) Bill. We should, as the minister has said, do so in a spirit of generosity and good will, but we should also do so in a spirit of recognition of the contribution that Gaelic can make not only to the Gaelic communities but to the wider spirit of Scotland. Without Gaelic language, culture and tradition, Scotland would be a poorer place. The
bill is a major step towards securing and enhancing the future of Gaelic, so I have much pleasure in supporting in it—and in finishing exactly on three minutes.

16:46

Mr Ted Brocklebank (Mid Scotland and Fife) (Con): Songs such as “Canan nan Gaidheal”—“The Tongue of the Gael”—which was written by Murdo MacFarlane, the poet from Melbost in Lewis, and some songs by Mairi Mhor nan Orain, from Skye, accuse the Sassenach of destroying the Gaelic language. The truth, however, is that the sad state of Gaelic has little to do with the English and everything to do with the Scots.

I have listened with interest to the debate. Of course, my colleagues and I will vote in favour of the bill. Frankly, it is all that we have. Attempts to revive Gaelic literally from its death bed, such as the attempt that is made in the bill, are commendable and well meaning. I am happy that the new Bòrd na Gàidhlig is to get powers to issue statutory guidance on Gaelic education to local authorities and I have no quarrel with the central tenets of the bill. The only problem is that, with Gaelic facing a wipeout, this well-meaning but ultimately impotent legislation is likely to be as successful as prescribing a throat lozenge to a pneumonia patient.

The point is not about removing ill will against Gaelic—we are well past that point. At stage 1 and again today, Peter Peacock has failed to say how he believes that it is possible to save Gaelic using the measures that are outlined in the bill. I have no problem with consolidating the excellent work that is already being done by sympathetic local authorities within and outwith the Gàidhealtachd. However, scarce resources should be directed where they will do most good.

Only two things will save Gaelic: education and broadcasting. I do not have time to go into the broadcasting aspects today, but I hope that I will be able to do so another time. However, on education, nothing that I have heard today changes my view that the Gaelic language will be saved only by using the methods that have been successfully implemented by educationists in Ireland, Wales, Catalunya and elsewhere—in other words, by using immersion education methods to teach Gaelic in its remaining heartlands in Skye, Lewis, Harris and the Uists. In my previous speech on the subject, I spelled out the figures that demonstrate the success of the Welsh, Irish and Catalan approach. There is no reason why, with immersion education, Scottish Gaelic could not be saved. If and when the language is revived in the heartlands, it could then be spread out from a position of strength and confidence to adjoining local authorities and, following that, to other council areas that might be sympathetic.

I began by mentioning the Melbost bard’s song, “Canan nan Gaidheal”. In one of the lines of that song, Murdo MacFarlane takes hope from the fact that

“In the isles of the west,
There it is still the first language of the people”.

The Melbost bard died 23 years ago, in 1982. It is questionable whether Gaelic is still the first language of the people of the Western Isles today—it certainly will not be 23 years from now.

I hope sincerely that our children and grandchildren will not look back and say that the Scottish Parliament had a chance to save the language, but that it did a Marjory Kennedy-Fraser on it instead. I hope that Alex Neil is right and that the bill is just the first chapter in a developing story, but I see nothing in the bill to prevent Gaelic from becoming the linguistic equivalent of Marjory Kennedy-Fraser’s four-part harmonies of òrain mhòra—big songs that are doomed in perpetuity to be mouthed phonetically by kilted lowlanders at môds, with one of Europe’s oldest languages ultimately being reduced to little more than a cultural and academic curiosity.

16:50

Fiona Hyslop (Lothians) (SNP): Tapadh leibh, Oifigeir-riaghlaidh. Tha Pàrtaidh Nàiseanta na h-Alba a’ cur ar làn-thaic ri Bile na Gàidhlig an-diugh.

Following is the simultaneous interpretation:

Thank you, Presiding Officer. The SNP welcomes and gives its full support to the Gaelic Language (Scotland) Bill.

The member continued in English.

I will quote.

The member continued in Gaelic:

“Mura tig ’s ann theàrnas mi a Hallaig,
a dh’ionnsaigh sàbaid nam marbh,
far a bheil an sluagh a’ tathaich,
gach aon ghinealach a dh’fhalbh.
Tha iad fhathast ann a Hallaig,
Clann Ghill-Eain ’s Clann MhicLeòid,
na bh’ ann ri linn Mhic Ghille Chaluim:
chunnacas na mairbh beò —”

Leanaidh mi orm sa Bheurla a-nis.

Following is the simultaneous interpretation:

“If it does not”
come,

“I will go down to Hallaig,
to the sabbath of the dead,
where the people are frequenting,
every single generation gone.”
They are still in Hallaig, Macleans and Macleods, All who were there in the time of Mac Gille Chaluim: the dead have been seen alive.—“

The member continued in English.

I apologise for my Gaelic. I quoted Sorley MacLean’s poem “Hallaig” because it talks of the voices of the past; what we want to hear is the action of the present and the call from the future. I hope that the call from the future will be from the voices of young people, who will increase the Gaelic population and replenish the language.

In supporting the bill, I pay tribute to all those, including activists of the past, who campaigned for a Gaelic bill. The SNP has introduced three such bills and I pay tribute to Mike Russell, who presented a bill in the previous parliamentary session. Activists of no party and of many parties have pursued Gaelic, so we must pay tribute to them.

We are saddened to hear today of the death of Gwynfor Evans, the first Plaid Cymru member of Parliament, who was an inspiration to the Welsh nationalist movement and was a strong fighter for the Welsh language. When we hear John Farquhar Munro talk of a Gaelic television station and about the language, we must remember that Gwynfor Evans went on hunger strike for a Welsh television channel. In passing the bill, we should pay tribute to him and to all language activists throughout the world today and in the past.

The bill is just one part of a journey. Obtaining the legislation was a journey in the first place, but we are on a journey towards action. I disagree in many ways with Ted Brocklebank’s comments. The challenge now is action and the bòrd and the act will be judged by that. There is a job of work to do. The bill is a landmark; it is an historic staging post. When we look to the future, we must ensure that the Gaelic language survives—that is essential. It must be put on a firm footing. If the bill has had one point, it has been the move to recognise the potential of the Gaelic language.

I pay tribute to the minister who is responsible for Gaelic, Peter Peacock, because he has cooperated exceptionally with the Education Committee. The bill has provided a good example of how legislation can progress. If we have had differences, they have been in trying to achieve the same policy end. We want rights for Gaelic speakers and for the Gaelic language in the future. The bill might not provide that, but this staging post is an important development and I have great pleasure in supporting the bill.

16:54

Peter Peacock: For the most part, I welcome members’ speeches and the continuing constructive tone in this closing debate. I am constantly amazed at Lord James Douglas-Hamilton’s ability to recount stories from his family’s past, which seem to have no limit. I enjoyed his story today. I am particularly pleased to hear that he has become a devotee of Tony Blair, whom he quoted twice in positive terms.

I commend Lord James Douglas-Hamilton’s point about Sabhal Mòr Ostaig and the important part that it has played in Gaelic development generally for many years. That is one of the strongest points in Gaelic development and is one place from which we can derive hope for the future, not just because of what has been done there to develop and promote the language, but because of the economic effects on the whole south-east of Skye and that community. I know that Lord James Douglas-Hamilton played his part by contributing to that work when he was a minister and I pay tribute to him for that.

I was encouraged to hear Rob Gibson quote Brian Wilson, which I am sure he would not often do. The fact that he did so gives me the opportunity to pay tribute to Brian Wilson, who was also a minister who had responsibility for Gaelic. There is something about Gaelic that brings Brian Wilson to life in a way that other things do not manage to do. It is clear that he is at home in the Highlands with all matters Gaelic—not just the language, but the music, the dance, the song and the literature. As well as being a tireless campaigner on land reform issues and the connection that they have to Gaelic—to which Alasdair Morrison referred—he has striven to ensure that Gaelic will have a future and that it will be able to go from strength to strength.

I pay tribute to Mike Watson, who made some of the big decisions that have brought us to where we are today when he was the minister responsible for Gaelic and whose work followed that of Alasdair Morrison. Mike Watson appointed the members of the first bòrd and made all the relevant provisions for that in the early years of his period of office.

I want to address some of the points that Alasdair Morrison made, one of which was about publishing. He has spoken to me about the idea of allocating 1 per cent of the Executive’s advertising budget to Gaelic publishing. That is an interesting idea and one that I will ensure that the Executive addresses. We will consider how we might make a contribution to Gaelic publishing as part of our language plan. That said, we should recognise that the Executive is already doing a lot to promote publishing. In previous years, we have provided substantial sums through Stòrlann Nàiseanta na Gàidhlíg and this year we have increased the sums that are available. Through Bòrd na Gàidhlig and the Gaelic newspaper, we have promoted
writing in Gaelic and the commissioning of writing in Gaelic, as Alasdair Morrison is aware.

Alasdair Morrison made an important point about the functions of the bòrd. In Mike Watson’s time, it was not thought that the bòrd would become statutory, but we have progressed to a position in which it is statutory. It has substantial new powers that we did not envisage it having even at the beginning of the bill’s passage. If the bòrd is to deliver, it will need resources and we have committed the Executive to providing those resources through the spending review.

Alasdair Morrison asked about appointments to strengthen the bòrd; we intend to consider how we can strengthen the bòrd over the coming months. In view of the changing nature of the bòrd’s responsibilities, I must ensure that it is seen to have the authority to deliver its new functions. It is important that there is no doubt about the fact that it is legitimate for the bòrd to carry out its functions in the future, so I am considering how we can ensure that we achieve that.

A number of members, including Alex Neil, John Farquhar Munro, Alasdair Morrison, Mike Watson and Ted Brocklebank mentioned broadcasting. We do not have legislative competence as regards broadcasting, but it remains important to the development of the language. The Executive is committed to doing what it can to ensure that progress is made towards the establishment of a digital television channel.

I can tell Parliament that, in recent weeks, a series of discussions has been initiated. Alasdair Morrison led a delegation from the Gaelic Media Service to meet three ministers—the Minister for Finance and Public Service Reform, the Minister for Tourism, Culture and Sport and me—to talk about what further steps we could take in that regard. In recent weeks, all the relevant interests have made significant movement on the issue and I hope that we are close to reaching agreement on a positive way forward.

Mr Brocklebank: Can the minister confirm that although, as part of its contribution to Gaelic broadcasting, the Executive is talking about index-linking the original £8 million that the Tories put in, all that it will get from Tessa Jowell’s Department for Culture, Media and Sport is about £0.25 million per annum? That does not compare favourably with the £100 million that Welsh broadcasting gets.

Peter Peacock: I can confirm that we are making significant progress and that all the relevant interests have made significant movement. Members will appreciate that the fact that we are in the midst of an election campaign means that I cannot go beyond a certain point because of the restrictions that are in place; if I did, I might produce a negative reaction. Other members are similarly restricted. We are making progress and I am hopeful that we will soon be able to reach agreement on a way forward.

Members such as Mike Watson and Eleanor Scott asked about teaching and education. It is true that we need to do more in that regard and I believe that the bill will enable us to do so. I do not want to introduce a negative tone, but I was disappointed by some of Ted Brocklebank’s remarks. I am under no illusions; one cannot legislate for survival of a language and expect it to happen just like that. I have always recognised that education is vital, which is why I have backed Gaelic-medium education throughout my political career. In Alasdair Morrison’s constituency, 30 per cent of the young people are being taught through the medium of Gaelic. That is the future hope for the language. That number is growing and we intend to grow it further. I want us to move forward in a positive vein.

Iain Crichton Smith said:

“he who loses his language loses his world.”

Today we can play our part in trying to ensure that we never lose Gaelic—a precious part of our heritage and, I hope, an ever-present part of our future.

The report of the Macpherson task force that was appointed by the Executive summarised the history of Gaelic by saying that it has been “a chronicle of dereliction, official negligence, malicious intent, deliberate denial and … benign neglect.”

Neil Gunn said that Highlanders were “made to despise their language and traditions.”

Today we can be proud that we are doing our bit to end that historical neglect once and for all, to turn malicious intent into a generosity of spirit toward the language and to encourage Gaelic speakers to be proud of their language and traditions and to plan for Gaelic’s future.

The Executive promised legislation to give Gaelic a better future. Today we in this Parliament have a chance to deliver just that. In the words of the song “Suas Leis a’ Ghàidhlig”:

“It is still the language of youth, it is still the language of great age … it is not overcome by adversity.”

Let us move forward to pass the bill and turn adversity into opportunity for Gaelic. I commend the bill to Parliament.
Gaelic Language (Scotland) Bill
[AS PASSED]

CONTENTS

Section

Bòrd na Gàidhlig
1 Constitution and functions of Bòrd na Gàidhlig

National Gaelic language plan
2 National Gaelic language plan

Gaelic language plans
3 Gaelic language plans
4 Review of, and appeal against, notices
5 Approval of plans
6 Monitoring of implementation
7 Review of plans
8 Guidance, assistance, etc. by the Bòrd

Gaelic education
9 Guidance on Gaelic education

General
10 Interpretation
11 Regulations and orders
12 Consequential amendments
13 Short title and commencement

Schedule 1—Bòrd na Gàidhlig
Schedule 2—Consequential amendments
Amendments to the Bill since the previous version are indicated by sidelining in the right margin. Wherever possible, provisions that were in the Bill as introduced retain the original numbering.

Gaelic Language (Scotland) Bill

[AS PASSED]

An Act of the Scottish Parliament to establish a body having functions exercisable with a view to securing the status of the Gaelic language as an official language of Scotland commanding equal respect to the English language, including the functions of preparing a national Gaelic language plan, of requiring certain public authorities to prepare and publish Gaelic language plans in connection with the exercise of their functions and to maintain and implement such plans, and of issuing guidance in relation to Gaelic education.

Bòrd na Gàidhlig

1 Constitution and functions of Bòrd na Gàidhlig

(1) There is established a body corporate to be known as Bòrd na Gàidhlig (in this Act referred to as “the Bòrd”).

(2) The Bòrd has the general functions of—

(a) promoting, and facilitating the promotion of—

(i) the use and understanding of the Gaelic language, and

(ii) Gaelic education and Gaelic culture,

(b) advising (either on request or when it thinks fit) the Scottish Ministers, public bodies and other persons exercising functions of a public nature on matters relating to the Gaelic language, Gaelic education and Gaelic culture,

(c) advising (on request) other persons on matters relating to the Gaelic language, Gaelic education and Gaelic culture,

(d) monitoring, and reporting to the Scottish Ministers on, the implementation of the European Charter for Regional or Minority Languages dated 5 November 1992 in relation to the Gaelic language.

(3) The functions conferred on the Bòrd by this Act are to be exercised with a view to securing the status of the Gaelic language as an official language of Scotland commanding equal respect to the English language through—

(a) increasing the number of persons who are able to use and understand the Gaelic language,

(b) encouraging the use and understanding of the Gaelic language, and
(c) facilitating access, in Scotland and elsewhere, to the Gaelic language and Gaelic culture.

(4) The Scottish Ministers may give the Bòrd directions (of a general or specific character) and guidance as to the exercise of the Bòrd’s functions.

(5) The Scottish Ministers may vary or revoke any directions or guidance given under subsection (4).

(6) Schedule 1 makes further provision with respect to the status, constitution, proceedings, etc. of the Bòrd.

National Gaelic language plan

10 National Gaelic language plan

(1) The Bòrd must—

(a) within 12 months of the commencement of this section,
(b) no later than 5 years after the date on which the most recent plan is published under subsection (6), and
(c) whenever required to do so by the Scottish Ministers,

prepare and submit to the Scottish Ministers a national Gaelic language plan which must include proposals as to the exercise of its functions under this Act.

(1A) Those proposals must include a strategy for promoting, and facilitating the promotion of—

(a) the use and understanding of the Gaelic language, and
(b) Gaelic education and Gaelic culture.

(2) In preparing the plan, the Bòrd must—

(za) consult the Parliament,
(a) publish a draft of the plan,
(b) publicise the opportunity to make representations about the draft plan under subsection (3) within such period of not less than 3 months as the Bòrd may specify, and
(c) take into account any representations received by it within that period.

(3) Any person who wishes to make representations to the Bòrd about the draft plan may do so within the period specified in pursuance of subsection (2).

(4) The Scottish Ministers must, within 6 months of receiving the plan—

(a) approve the plan, or
(b) make such comments on the plan as they think fit and require the Bòrd to prepare and submit to them, within such period as they may specify, a further plan taking account of those comments.

(5) Where a further plan is submitted, the Scottish Ministers must, within 3 months of receiving it—

(a) approve the plan, or
(b) order the Bòrd to publish the plan in such terms as the Scottish Ministers think fit.
(6) On the plan being approved or, as the case may be, ordered to be published by the Scottish Ministers, the Bòrd must—
   (a) publish it in such manner as it thinks fit, and
   (b) lay a copy of it before the Parliament.

Gaelic language plans

3 Gaelic language plans

(1) The Bòrd may give a notice in writing to any relevant public authority requiring the authority to prepare a Gaelic language plan.

(2) The notice must—
   (a) state that the authority is required to prepare a Gaelic language plan in accordance with this section and submit it to the Bòrd,
   (b) specify a date (being no earlier than 6 months after the date the notice was given) by which the authority must submit the plan to the Bòrd, and
   (c) inform the authority of its rights under section 4 to request a review and to appeal to the Scottish Ministers.

(3) In deciding whether to give a notice under subsection (1) to an authority, the Bòrd must have regard to—
   (za) the most recent national Gaelic language plan published under section 2 (if any),
   (a) the extent to which—
      (i) the Gaelic language is used by persons in relation to whom the functions of the authority are exercisable, and
      (ii) in the Bòrd’s opinion, there is potential for the authority to develop the use of the Gaelic language in connection with the exercise of those functions,
   (b) any representations made to it in relation to the use of the Gaelic language in connection with the exercise of those functions, and
   (c) any guidance given by the Scottish Ministers.

(4) A Gaelic language plan must—
   (a) set out the measures to be taken by the relevant public authority in relation to the use of the Gaelic language in connection with the exercise of the authority’s functions,
   (b) specify the date by which the measures are to be taken, and
   (c) contain such other information as may be prescribed in regulations made under subsection (7).

(5) A relevant public authority, in preparing a Gaelic language plan, must have regard to—
   (za) the most recent national Gaelic language plan published under section 2,
   (a) the extent to which the persons in relation to whom the authority’s functions are exercisable use the Gaelic language,
   (aa) the potential for developing the use of the Gaelic language in connection with the exercise of those functions,
(b) any representations made to the authority in relation to the use of the Gaelic language in connection with the exercise of those functions, and
(c) any guidance given by the Scottish Ministers or the Bòrd.

(6) In preparing a Gaelic language plan, a relevant public authority must consult persons appearing to it to have an interest.

(7) The Scottish Ministers may, after consulting the Bòrd, by regulations make further provision in relation to the content of Gaelic language plans.

(8) Those regulations may make different provision for different purposes or for different types of authority.

4 Review of, and appeal against, notices

(1) Where a relevant public authority receives a notice under subsection (1) of section 3 and considers that the date specified in it by virtue of subsection (2)(b) of that section is unreasonable, it may within 28 days of receipt of the notice request the Bòrd to review the date.

(2) A request under subsection (1) must set out the authority’s reasons for its view.

(3) The Bòrd must within 28 days of receipt of the request review the date and—
   (a) confirm the date, or
   (b) substitute a later date (in which case that date is deemed to be the date specified in the notice by virtue of section 3(2)(b)).

(4) In intimating to the authority its decision under subsection (3) the Bòrd must, if the decision is to confirm the date, set out its reasons for the decision.

(5) If the authority is aggrieved by the Bòrd’s decision under subsection (3), it may, within 28 days of receiving intimation of the decision, appeal to the Scottish Ministers.

(5A) The Scottish Ministers must determine an appeal under subsection (5) no later than 2 months after the date on which the appeal was made.

(6) If the Scottish Ministers uphold an appeal under subsection (5) they must specify another date by which the authority must submit a Gaelic language plan to the Bòrd.

(7) Where a relevant public authority receives a notice under subsection (1) of section 3 it may, within 28 days of such receipt, appeal to the Scottish Ministers against the notice on the grounds that, having regard to the matters specified in subsection (3)(za) to (c) of that section, the Bòrd’s decision to give the notice to the authority was unreasonable.

(7A) The Scottish Ministers must determine an appeal under subsection (7) no later than 6 months after the date on which the appeal was made.

(8) If the Scottish Ministers uphold an appeal under subsection (7)—
   (a) the notice ceases to have effect, and
   (b) the Bòrd may not give a further notice under section 3(1) to the authority until the expiry of the period of 2 years beginning with the date on which the notice to which the appeal relates was given.
5 Approval of plans

(1) Where a Gaelic language plan is submitted to the Bòrd by a relevant public authority pursuant to a notice under section 3(1) or under subsection (2)(b) of this section, the Bòrd must—

(a) approve the plan, or

(b) propose modifications to it.

(1A) In considering the plan for the purposes of subsection (1), the Bòrd must have regard to—

(a) the matters referred to in section 3(5)(za) to (b), and

(b) any guidance given by the Scottish Ministers.

(2) If the Bòrd proposes modifications, the authority must—

(a) within one month of the date on which the proposed modifications are intimated to the authority, notify the Bòrd that it does not agree with all or any of the modifications, giving reasons for that disagreement, or

(b) by a date specified by the Bòrd, amend the plan to take account of the modifications and resubmit the plan to the Bòrd.

(3) The date referred to in subsection (2)(b) must be no less than 3 months and no more than 6 months after the date on which the proposed modifications are intimated to the authority.

(3A) Where notification is given under paragraph (a) of subsection (2), the Bòrd, having considered the reasons referred to in that paragraph, must—

(a) approve the plan as originally submitted to the Bòrd,

(b) approve the plan subject to such modifications (including all or any of those proposed under subsection (1)(b)) as the Bòrd and the authority may agree, or

(c) if, on the expiry of the period of 2 months beginning with the date on which the authority gave notice to the Bòrd under subsection (2)(a), the Bòrd has not approved the plan under paragraph (a) or (b), refer the matter to the Scottish Ministers.

(4) On a reference to them under subsection (3A)(c), the Scottish Ministers after complying with subsection (5), must—

(a) approve the plan as originally submitted to the Bòrd, or

(b) approve the plan subject to such modifications (including all or any of those proposed under subsection (1)(b)) as they think fit.

(5) Before approving a plan under subsection (4), the Scottish Ministers—

(za) must have regard to the matters mentioned in section 3(5)(za) to (aa),

(a) must give the Bòrd and the authority an opportunity to make representations about the plan, and

(b) may consult any other person whom they think fit,

and must take account of any representations made by the Bòrd or the authority and any views expressed by a person consulted under paragraph (b).
(5A) Approval of a plan under subsection (4) must be given no later than 6 months after the date on which the matter was referred to the Scottish Ministers under subsection (3A)(c).

(6) On the plan being approved by the Bòrd or the Scottish Ministers, the authority must—

(a) publish it in such manner as it thinks fit (having regard to any guidance given by the Bòrd), and

(b) implement the measures in accordance with the plan.

6 Monitoring of implementation

(1) This section applies where—

(a) a relevant public authority’s Gaelic language plan has been approved by the Bòrd or the Scottish Ministers under section 5, and

(b) at least 12 months have elapsed since the date of approval.

(2) The Bòrd may require the authority to submit to it, by a date no earlier than 3 months after the date of the requirement, a report on the extent to which the authority has implemented the measures set out in the plan.

(3) The Bòrd may not make a second or subsequent requirement under subsection (2) within 12 months of the date of the previous requirement.

(4) Where the Bòrd considers that a relevant public authority is failing to implement adequately measures in its Gaelic language plan, it may submit to the Scottish Ministers a report setting out its reasons for that conclusion.

(5) On receipt of the report, the Scottish Ministers may take either or both of the following steps—

(a) they may lay a copy of the report before the Scottish Parliament,

(b) they may direct the authority in question to implement any or all of the measures in its Gaelic language plan by the date specified in the direction.

(6) Before giving a direction under subsection (5)(b), the Scottish Ministers must—

(a) consult the authority about the terms of the proposed direction, and

(b) take account of any representations made by the authority.

7 Review of plans

(1) This section applies where a Gaelic language plan has been approved by the Bòrd or the Scottish Ministers under section 5 (including that section as applied by subsection (3) of this section).

(2) Where this section applies, the relevant public authority which prepared the plan must, no later than 5 years after the date of approval of the plan—

(a) review the plan,

(b) make such amendments (if any) to the plan as the authority considers necessary or expedient, and

(c) submit it to the Bòrd.
(3) Sections 3(4) to (6) and 5 apply in relation to the review and amendment of a plan under subsection (2) of this section as they apply in relation to the preparation of a plan pursuant to a notice under section 3(1).

(4) A relevant public authority may, without undertaking a review, at any time amend a Gaelic language plan published under section 5(6) (for example, by correcting an error or by updating factual information which has changed) in a way that does not alter the plan substantially.

8  Guidance, assistance, etc. by the Bòrd

(1) The Bòrd must, from time to time when it thinks fit, prepare and submit to the Scottish Ministers guidance for relevant public authorities in relation to the operation of sections 3 to 7.

(2) In preparing the guidance, the Bòrd must—

(a) publish a draft of the guidance,

(b) publicise the opportunity to make representations about the draft guidance under subsection (3) within such period of not less than 3 months as the Bòrd may specify, and

(c) take into account any representations received by it within that period.

(3) Any person who wishes to make representations to the Bòrd about the draft guidance may do so within the period specified in pursuance of subsection (2).

(4) The Scottish Ministers must—

(a) approve the guidance with or without modifications, or

(b) reject the guidance and, where they do so, may require the Bòrd to prepare and submit to them, within such period as they may specify, revised guidance.

(5) Where revised guidance is submitted, the Scottish Ministers must—

(a) approve the guidance, or

(b) order the Bòrd to publish it in such terms as the Scottish Ministers think fit.

(6) On such guidance being approved or, as the case may be, ordered to be published by the Scottish Ministers, the Bòrd must publish it in such manner as it thinks fit.

(6A) The Bòrd may vary or revoke guidance published under subsection (6), and subsections (2) to (6) apply to a variation.

(6B) Before revoking guidance published under subsection (6), the Bòrd must obtain the consent of the Scottish Ministers.

(7) The Bòrd must, on the request of a relevant public authority, provide the authority free of charge with advice and assistance in relation to the application of this Act to the authority.

(8) In preparing guidance under subsection (1) and giving advice and assistance under subsection (7), the Bòrd must seek to give effect, so far as is both appropriate in the circumstances and reasonably practicable, to the principle that the Gaelic and English languages should be accorded equal respect.
**Gaelic Language (Scotland) Bill**

**9 Guidance on Gaelic education**

(1) The Bòrd may prepare and submit to the Scottish Ministers guidance in relation to the provision of Gaelic education and the development of such provision.

(2) Subsections (2) to (6B) of section 8 apply to guidance under subsection (1) as they apply to guidance under subsection (1) of that section.

(5) After subsection (4) of section 5 (education authority’s annual statement of improvement objectives) of the Standards in Scotland’s Schools etc. Act 2000 (asp 6), insert—

"(4A) In complying with subsection (2)(c) above, an education authority shall have regard to—

(a) any Gaelic language plan published by the authority under section 5(6) of the Gaelic Language (Scotland) Act 2005 (asp 00), and

(b) any guidance published by Bòrd na Gàidhlig under section 9 of that Act."

**General**

**10 Interpretation**

(1) In this Act—

“Gaelic culture” includes the traditions, ideas, customs, heritage and identity of those who speak or understand the Gaelic language,

“Gaelic education” means education—

(a) in the use and understanding of,

(b) about, or

(c) by means of,

the Gaelic language,

“the Gaelic language” means the Gaelic language as used in Scotland.

(2) References in this Act to a relevant public authority are to—

(a) a Scottish public authority,

(b) so far as not falling within paragraph (a), a cross-border public authority (but only in relation to functions exercisable in or as regards Scotland which do not relate to reserved matters), and

(c) the Scottish Parliamentary Corporate Body.

(2A) For the purposes of this Act, the Food Standards Agency is to be regarded as a cross-border public authority.

(3) For the purposes of this Act, the functions of a relevant public authority include—

(a) functions relating to its internal processes, and

(b) the provision by the authority of any services to the public.
11 Regulations and orders

(1) Regulations and orders under this Act are to be made by statutory instrument.

(2) An instrument containing regulations under section 3(7) or an order under paragraph 2(2) of schedule 1 is subject to annulment in pursuance of a resolution of the Scottish Parliament.

12 Consequential amendments

Schedule 2 (consequential amendments) has effect.

13 Short title and commencement

(1) This Act may be cited as the Gaelic Language (Scotland) Act 2005.

(2) This Act (except section 11 and this section) comes into force on such day as the Scottish Ministers may by order appoint.

(3) An order under subsection (2) may include such transitional, transitory or saving provision in connection with the coming into force of the provisions brought into force as the Scottish Ministers think fit.
SCHEDULE 1
(introduced by section 1(6))

BÒRD NA GÀIDHGLIG

Status

1 The Bòrd—
(a) is not to be regarded as the servant or agent of the Crown,
(b) does not enjoy any status, immunity or privilege of the Crown,
and the Bòrd’s property is not to be regarded as property of, or held on behalf of, the Crown.

Membership

2 (1) The Bòrd is to consist of—
(a) no fewer than 5, nor more than 11, ordinary members, and
(b) a person whose function is to chair the Bòrd, (in this schedule referred to as the “Cathraiche”) who is to be an ex officio member,
appointed by the Scottish Ministers.

(2) The Scottish Ministers may by order amend sub-paragraph (1)(a) by substituting for the minimum or maximum number of ordinary members for the time being specified there such other number as they think fit.

(3) The members and the Cathraiche are to be appointed for such period as the Scottish Ministers think fit.

(4) Where the office of Cathraiche is vacant, the ordinary members must elect from amongst themselves a person to chair the Bòrd until an appointment is made under sub-paragraph (1)(b).

(5) Each member—
(a) may, by written notice to the Scottish Ministers, resign as a member,
(b) in other respects, holds and vacates office on such terms and conditions as the Scottish Ministers may determine.

(6) The Scottish Ministers may, by written notice, remove a member from office if they are satisfied that—
(a) the member’s estate has been sequestrated or the member has been adjudged bankrupt, has made an arrangement with creditors or has granted a trust deed for creditors or a composition contract, or
(b) the member—
(i) is incapacitated as a result of physical or mental illness,
(ii) has been absent from meetings of the Bòrd for a period longer than 3 consecutive months without the permission of the Bòrd, or
(iii) is otherwise unfit or unable to discharge the member’s functions as a member.

A person may not be appointed to or continue as a member of the Bòrd if that person is or (as the case may be) becomes—

(a) a member of the House of Commons,
(b) a member of the Scottish Parliament, or
(c) a member of the European Parliament.

Remuneration and allowances

The Bòrd must pay the Cathraiche and the ordinary members such remuneration and allowances as the Scottish Ministers may determine.

Ceannard and other staff

(1) The Bòrd must, with the approval of the Scottish Ministers, appoint a person to the post of chief executive (“Ceannard”) on such terms and conditions as it may with the approval of the Scottish Ministers determine.

(2) The Bòrd may appoint on such terms and conditions as it may with the approval of the Scottish Ministers determine such other employees as it considers appropriate.

(3) The Bòrd must, as regards such of its employees as it may with the approval of the Scottish Ministers determine, make such arrangements as it considers appropriate for providing, to or in respect of those employees, pensions, allowances or gratuities.

(4) Such arrangements—

(a) may include the establishment and administration, by the Bòrd or otherwise, of one or more pension schemes, and
(b) must, in any case, be approved by the Scottish Ministers.

(5) The reference in sub-paragraph (3) to the provision of pensions, allowances or gratuities includes a reference to their provision by way of compensation for loss of office or employment or loss or diminution of emoluments.

Committees

(1) The Bòrd may establish committees for or in connection with such of its functions as it may determine.

(2) The Bòrd may appoint persons who are not members of the Bòrd to be members of a committee.

(3) A person appointed under sub-paragraph (2) is not entitled to vote at meetings of the committee.

Proceedings and meetings

(1) The Bòrd may determine its own procedure and that of its committees, including a quorum for meetings.

(2) The validity of any proceedings of the Bòrd and of any committee established by it is not affected by any vacancy among its members or the members of the committee or by any defect in the appointment of any member of the Bòrd.
(3) Members of the Scottish Executive, junior Scottish Ministers and persons authorised by the Scottish Ministers may attend and take part in meetings of the Bòrd and any committee established by it, but are not entitled to vote at such meetings.

Accounts and annual report

8 The Bòrd must—

(a) prepare for each financial year, in accordance with directions given by the Scottish Ministers, an account of the Bòrd’s expenditure and receipts, and

(b) send the account, by such time as the Scottish Ministers may direct, to the Auditor General for Scotland for auditing.

9 As soon as practicable after the end of each financial year, the Bòrd must prepare a report on the exercise of its functions during that year and must—

(a) publish the report and send a copy to the Scottish Ministers, and

(b) lay the report before the Parliament.

Delegation of functions by the Scottish Ministers

10 (1) The Scottish Ministers may make arrangements for any of their functions which relate to the subject matter of this Act to be exercised on their behalf, subject to such conditions as they may impose, by the Bòrd; and the Bòrd may exercise those functions accordingly.

(2) An arrangement under sub-paragraph (1) does not affect the responsibility of the Scottish Ministers for the exercise of their functions.

(3) In sub-paragraph (1), “functions” does not include the function of making, confirming or approving subordinate legislation.

General powers

11 (1) The Bòrd may do anything (whether in Scotland or elsewhere) which is conducive or incidental to the exercise of its functions, and may in particular—

(a) engage in any business or undertaking,

(b) form, promote or acquire (whether alone or with others) companies (within the meaning of the Companies Act 1985 (c.6)),

(c) form partnerships with others,

(d) with the consent of the Scottish Ministers, establish or take part in the setting up of organisations having functions similar to the functions of the Bòrd,

(e) enter into contracts,

(f) make grants and loans,

(g) make charges for the provision of advice or other services in such circumstances and of such amounts as the Bòrd may, with the consent of the Scottish Ministers, determine,

(h) accept gifts of money or other property,

(i) invest sums not immediately required in relation to the exercise of its functions,
(j) commission research.

(2) Sub-paragraph (1)(g) does not entitle the Bòrd to make charges for the provision of advice and assistance to relevant public authorities under section 8(7).

Grants

12 (1) The Scottish Ministers may make grants to the Bòrd for such purposes and of such amounts as they think fit.

(2) Any grant made under sub-paragraph (1) may be made subject to such conditions as the Scottish Ministers think fit.

(3) The Bòrd does not have power to borrow money or to give guarantees.

SCHEDULE 2
(introduced by section 12)

CONSEQUENTIAL AMENDMENTS

Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7)

1 In schedule 3 to the Ethical Standards in Public Life etc. (Scotland) Act 2000 (devolved public bodies) insert at the appropriate place “Bòrd na Gàidhlig”.

Scottish Public Services Ombudsman Act 2002 (asp 11)

2 In Part 2 of schedule 2 to the Scottish Public Services Ombudsman Act 2002 (listed authorities amendable by Order in Council) insert at the appropriate place “Bòrd na Gàidhlig”.

Freedom of Information (Scotland) Act 2002 (asp 13)

3 In Part 7 of schedule 1 to the Freedom of Information (Scotland) Act 2002 (Scottish public authorities subject to the duty to provide certain information) insert at the appropriate place “Bòrd na Gàidhlig”.

Public Appointments and Public Bodies etc. (Scotland) Act 2003 (asp 4)

4 In schedule 2 to the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (authorities appointments to which are governed by a code of practice) under the heading “Executive bodies” insert at the appropriate place “Bòrd na Gàidhlig”.
Gaelic Language (Scotland) Bill
[AS PASSED]

An Act of the Scottish Parliament to establish a body having functions exercisable with a view to securing the status of the Gaelic language as an official language of Scotland commanding equal respect to the English language, including the functions of preparing a national Gaelic language plan, of requiring certain public authorities to prepare and publish Gaelic language plans in connection with the exercise of their functions and to maintain and implement such plans, and of issuing guidance in relation to Gaelic education.

Introduced by: Peter Peacock
On: 27 September 2004
Bill type: Executive Bill