

EDUCATION, CULTURE AND SPORT COMMITTEE

Tuesday 7 January 2003
(*Afternoon*)

Session 1

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EDUCATION, CULTURE AND SPORT COMMITTEE

1st Meeting 2003, Session 1

CONVENER

*Karen Gillon (Clydesdale) (Lab)

DEPUTY CONVENER

*Cathy Peattie (Falkirk East) (Lab)

COMMITTEE MEMBERS

*Jackie Baillie (Dumbarton) (Lab)
*Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD)
*Irene McGugan (North-East Scotland) (SNP)
*Mr Brian Monteith (Mid Scotland and Fife) (Con)
*Michael Russell (South of Scotland) (SNP)

COMMITTEE SUBSTITUTES

Murdo Fraser (Mid Scotland and Fife) (Con)
Marilyn Livingstone (Kirkcaldy) (Lab)
Fiona McLeod (West of Scotland) (SNP)

*attended

WITNESSES

Councillor Andrew Anderson (Highland Council)
Councillor Allan Beaton (Highland Council)
Rob Dunbar
Councillor Eric Gotts (Convention of Scottish Local Authorities)
Councillor Helen Law (Convention of Scottish Local Authorities)
Morag Anna MacLeod (Highland Council)
An t-Oll Wilson MacLeòid
Peadar Morgan (Cll)
Bruce Robertson (Highland Council)
Jim Tough (Scottish Arts Council)

CLERK TO THE COMMITTEE

Martin Verity

SENIOR ASSISTANT CLERK

Susan Duffy

ASSISTANT CLERK

Ian Cowan

LOCATION

Committee Room 1

Scottish Parliament

Education, Culture and Sport Committee

Tuesday 7 January 2003

(Afternoon)

[THE CONVENER *opened the meeting at 14:03*]

The Convener (Karen Gillon): I open the meeting by wishing everyone a happy new year. We are now in public session, so I ask members to ensure that all mobile telephones and pagers are turned off.

Interpreting facilities have been provided for this meeting from and into Gaelic. Those wishing to use the headphones will find Gaelic to English on channel 2 and English to Gaelic on channel 3.

Gaelic Language (Scotland) Bill: Stage 1

The Convener: We continue to take evidence at stage 1 of the Gaelic Language (Scotland) Bill. We will take evidence first today from representatives of Highland Council. We have with us Councillor Allan Beaton, chairman of the council's Gaelic working group, Councillor Andrew Anderson, chairman of the council's education, culture and sport committee, Bruce Robertson, director of the council's education, culture and sport services, and Morag Anna MacLeod, the council's Gaelic development officer. I welcome you all to the committee. Would you like to make any introductory remarks before we move to questions?

Comhairliche Ailean Peutan (Comhairle na Gaidhealtachd): Tha sinn a' toirt taing dhan chomataidh airson cuireadh a thoirt do Chomhairle na Gaidhealtachd agus airson cothrom fhaighinn air còmhraidh air Bile Cànan na Gàidhlig (Alba). Tha sinn cuideachd taingeil gun do chuir Micheal Ruiseal am bile air adhart. A bharrachd air sin, tha sinn a' toirt taing do mhinistear na Gàidhlig, Micheal MacBhàtair, airson an taic a tha e air a thoirt dhuinn agus mar a chuir e air adhart bòrd Gàidhlig na h-Alba.

Tha sinn a' smaointinn gu bheil amasan a' bhile math, ach tha beachdan a bharrachd againn mu dheidhinn rudan feumail agus cudthromach eile a dh'fhaodadh a bhith anns a' bhile. Is e seo a' chiad chothrom aig Pàrlamaid na h-Alba deasbad mu inbhe a' chànan agus càit am bi an cànan anns na bliadhnaichean ri teachd. Chan eil còir againn an cothrom seo a leigeil seachad. Tha uallach mòr air Pàrlamaid na h-Alba dèanamh cinnteach gun lean an cànan gu ginealaichean a tha ri tighinn. Chan e ball-coise poileataigeach a tha ann. Nach biodh e math nan cuireadh Pàrlamaid na h-Alba bile Gàidhlig troimhe anns a ciad sreath? Mòran taing.

Following is the simultaneous interpretation:

I thank the committee for inviting us to appear here today and for giving us the opportunity to speak in Gaelic. We are grateful to Michael Russell for introducing the Gaelic Language (Scotland) Bill and to Mike Watson, the minister with responsibility for Gaelic, for his support and for setting up the Gaelic board.

Although the provisions that are included in the bill are good, we have suggestions for what we think are useful and important additions. This is the first opportunity that the Scottish Parliament has had to debate the status, future and survival of the Gaelic language and we should not let the opportunity pass us by. The Scottish Parliament has a great responsibility to ensure that the

language survives and that it does not become a political football. Would it not be good if a Gaelic bill was introduced in the first session of the Scottish Parliament?

The Convener: Thank you. We move to questions from members.

Michael Russell (South of Scotland) (SNP): In the summer, I had the privilege of addressing Allan Beaton's committee. Today, I will focus first on one simple issue. This set of stage 1 hearings is designed to give the committee the opportunity to arrive at a view, which it takes to the Parliament, on whether the bill should be acceded to in principle. The bill can then be amended in detail at stage 2. Are you in favour of the bill proceeding in principle to stage 2, at which time consideration can be given to detailed amendments?

Councillor Beaton: Absolutely, definitely.

Michael Russell: Good. Let us look at the question of amendments. Do you have a view of the detailed amendments that should be lodged? What areas require amendment? As you know, I have made it clear that I am open to suggestions for a vast range of amendments. I would be interested to hear from Allan Beaton and Andy Anderson, with a view to the generality of the council's work and in respect of education and culture.

Councillor Beaton: Do you want to kick off, Andy?

Councillor Andrew Anderson (Highland Council): The present Highland Council administration is about to come to an end. Our Gaelic development strategy has been developed into a Gaelic development policy, which the council adopted last month. We will submit a copy of the policy document to the committee.

The policy document was prepared in consultation with many local organisations including Comann nam Pàrant and it has been well received by those organisations. The council is moving on to form a Gaelic development plan for all its services across the council, not only education. We are particularly keen that the Gaelic language is given some sort of status, but we feel as though we are operating in something of a vacuum.

We have had Gaelic-medium schools for a number of years now and we need to move on and develop. That is why we have introduced our Gaelic education policy. It would be great to have the Scottish Parliament back us up in what we are doing. That would mean that we would not feel as though we were working in isolation, as we do at the moment.

Michael Russell: The bill would form part of that backing-up process.

Councillor Anderson: It most certainly would. The Gaelic language must have legal status. Why on earth are we—and the Scottish Parliament—arguing about that when similar things are already happening in many other European countries, from Catalonia to the Faroes?

Michael Russell: How can the bill help you with general council policy?

Councillor Beaton: As Andy Anderson said, the bill would give us the necessary backing for many things that we are already doing. For years, Highland Council has had a Gaelic strategy document, which has now been implemented through the new education strategy. Moreover, a new overall Gaelic plan will be debated in committee in Inverness next week. It is interesting to note that Highland Council has already introduced many of the measures that the bill proposes, such as the requirement for bodies to produce plans for Gaelic. We like to pride ourselves on being a wee bit ahead of the game.

Michael Russell: Turning briefly to Bruce Robertson and Morag Anna MacLeod, I want to ask whether council officials feel that the bill contains anything that would be unduly onerous to implement.

Bruce Robertson (Highland Council): As both councillors have indicated, the bill would very much underpin current council policy. When the education policy was passed a couple of months ago, it received unanimous backing from members of all parties and from all parts of the Highlands.

Councillor Beaton: Which is no mean achievement.

Bruce Robertson: Indeed.

Michael Russell: That might be harder to achieve here.

Bruce Robertson: I want to make a link with one of the Parliament's legislative achievements—the national education priorities. Committee members will be aware that Gaelic is one of those priorities. The council was delighted that the Parliament took that step; indeed, we recommended as much in our submission at the time of the consultation. The bill will very much help us to deliver that priority, which is why we introduced our policy.

However, we feel that it is somewhat perverse that, although Gaelic is a national education priority, the language itself does not have any legal status. Given the Parliament's social inclusion policies, giving the language legal status is absolutely essential and would allow Gaelic-speaking youngsters and their families to be

included in our society in a way that, as Councillor Anderson indicated, perhaps does not happen at present.

Jackie Baillie (Dumbarton) (Lab): I congratulate Highland Council on its evident foresight in this area. I want first to ask about the bill's coverage. Much has been made of whether its provisions should cover the whole of Scotland or start in one specific area. On that point, I should dispel the growing myth that the committee might be divided over the bill's principles. In fact, the committee's views echo the substantial body of evidence that supports those general principles. Without pre-empting what the committee is likely to recommend, I should say that we want to tease out the detail on some issues, hence my question about coverage.

Councillor Anderson: In our written response, we say that we would like a robust, Scotland-wide bill. It is as simple as that.

Jackie Baillie: Is the bill a stepping stone towards achieving that end, or should it be amended to ensure that it applies Scotland-wide?

Councillor Anderson: I do not care how you get there, as long as you get there. That is the important thing.

Councillor Beaton: Absolutely.

Jackie Baillie: That answer was candid enough.

The council has obviously carried out a lot of work in producing its language plan. The bill's financial memorandum suggests that its provisions might cost only £3,000. Is that your experience? I would hate it if we started off with legislation that was under-resourced.

Bruce Robertson: It might be helpful if I gave the committee some current facts and figures. In gross terms, Highland Council is spending £1.65 million on this matter and has received grants worth about £650,000. Unlike some other authorities, we are spending way above the grant allocation. However, that is something that we are prepared to do.

Highland Council has 45 schools, with more than 1,100 pupils and 74 teachers, involved in Gaelic-medium education. We also have 54 schools teaching Gaelic as a subject, with more than 1,300 pupils and 54 teachers involved. Gaelic education is not peripheral to us; it is core business and, interestingly, is increasingly becoming core business. Through the award that the Executive gave us for our public-private partnership scheme, we will be opening Scotland's first-ever purpose-built Gaelic-medium school. Beyond being just a school, it will be a facility for the Gaelic-speaking community.

We provide those services through a combination of funding streams—through the

Gaelic support grant that we get from the Scottish Executive and through our own funding sources. The committee has taken evidence from Professor Meek. The Parliament will be the controlling influence on the implementation of the Meek report's recommendations, as it will give the new board its budget and it is in the gift of the Scottish Executive to determine budget rulings. In one sense, implementation of the bill could cost nothing. However, it is down to the Parliament to decide how far it is prepared to go.

14:15

Mr Brian Monteith (Mid Scotland and Fife) (Con): In paragraph 9 of your written submission, you say that Highland Council believes that action should be taken

“on issues in relation to Public Signage, i.e. road signs”.

Does anything currently prevent the council from taking action on its own initiative?

Councillor Beaton: Yes. Trunk roads.

Mr Monteith: Just trunk roads?

Councillor Beaton: Yes. Highland Council's policy on bilingual road signage is that, when signs need to be replaced and the local community wants bilingual signs, they will be provided.

Mr Monteith: You do that already.

Councillor Beaton: Yes. However, we have had a long-running sparring session with Edinburgh about trunk roads. We still do not have permission to put bilingual signs everywhere. The A87 through Skye and the other road that goes down the west coast to Mallaig—I can never remember its number—are the only two roads to have such signs. Trunk roads are within the remit of the Scottish Executive.

Mr Monteith: In paragraph 6 of your submission, you talk about providing Gaelic education “where reasonable demand exists”. You explain that in a little more detail, saying that parents are given

“the right to Gaelic medium pre-school and primary education on request (subject to certain stated practical conditions)”.

Would it be possible for you to provide the committee with written evidence of those conditions?

Bruce Robertson: Yes, we could easily give you that written evidence. Essentially, such services will be provided where two things exist. First, there must be a reasonable number of youngsters who require the services—five or six initially, to get something off the ground. Secondly, the crucial factor, which should perhaps be mentioned in the bill, is the availability of teachers.

The biggest obstacle to the development of Gaelic in Scotland is the lack of qualified teachers. We recently helped the minister with responsibility for Gaelic, Mike Watson, to review the number of Gaelic teachers that is required. It was previously felt that 20 trained teachers a year were required throughout Scotland. However, I conducted a survey among the other 31 local authorities and concluded that we need at least 30 teachers a year for the next few years. Those are the two factors that we take into consideration. We also consider travelling distances, although some youngsters travel up to 20 miles each way every day to attend a Gaelic-medium department.

Mr Monteith: Your submission states:

"Additional funding must continue to be made for this purpose by the Scottish Executive through the Specific Grant for Gaelic Education scheme".

Have you identified a specific figure, or is it a general feeling that more funding is needed?

Councillor Anderson: We receive a 75 per cent grant at the moment. We are quite happy with that. If we received more, we would be happier, but we are happy with the 75 per cent grant. Nevertheless, as we said, Highland Council spends a lot more on Gaelic education than it receives.

The Convener: Teacher training is obviously a big issue. How would the bill change the situation?

Councillor Anderson: It would help by giving the Gaelic language legal status. In the Highland region, teenagers and people in their early 20s who have come right through the system—from Gaelic nursery to Gaelic primary school to Gaelic secondary school—arrive at university to find that the language in which they have been educated all their lives does not have legal status. The bill is what we are looking for, as it recognises that Gaelic is one of Scotland's languages and that it has equal status with the English language. That recognition would mean a great deal to youngsters who are thinking of taking up a career in teaching or in any other profession in which they might use the Gaelic language.

Bruce Robertson: One of the areas in which the bill needs to be strengthened is where it deals with education. In the broadest terms, Highland Council feels that the Meek report recommendations are right in all respects. They might be included in any amendments to the bill, specifically in relation to teacher training, as the situation is very fragile just now, with some teachers on temporary contracts. That would give initial teacher education establishments a clear view from the Scottish Parliament that Gaelic education is not peripheral, but one of the national education priorities. One way of getting behind that priority is to produce enough teachers each

year to give youngsters equality of opportunity. That is what the issue is all about.

Over in the west, in a small school in Morar—you will have heard of the sands of Morar—Gaelic has been a real success story. The number of pupils who are being taught in Gaelic has grown from half a dozen youngsters to three classes. Unfortunately, we are losing a teacher there, which means that the school will now get alternately two weeks of Gaelic-medium education and two weeks of English-medium education. That shows how fragile the situation can be. If Gaelic had legal status, that would give the initial teacher education establishments and local authorities a clear view of where we want to go with the language.

The Convener: Is there evidence to suggest that we are turning teachers away? I get the impression that not enough teachers are coming forward who want to, or can, teach in the Gaelic medium. Are people being turned away? Is the availability of teacher training in the Highlands an issue? Do people have to move south for teacher training? Do those issues have to be resolved as well?

Councillor Anderson: Yes. That is part of the process and we are trying to address the situation with the further education establishments. Parents groups in two areas want to open Gaelic schools, but we cannot do that at the moment because we cannot get Gaelic-speaking teachers.

The Convener: I understand that. However, I am confused about how the bill will automatically provide teachers. Would the bill create something that could not be sustained? Does it suggest that we can do something that we cannot do? That is what I am confused about. Simply passing the bill—if we do so by the end of the parliamentary session—will not make teachers.

Bruce Robertson: That is a long-term issue. To answer the first part of your question, people have been turned away because the colleges' quotas have been limited. I know of several people who have been turned away. The quotas need to be increased. The Scottish Executive's review of initial teacher education is welcome. Moreover, Highland Council is starting a groundbreaking scheme in August, whereby initial teacher education will be delivered in the Highlands, which will be very helpful. The scheme is part of a package, which must be long term.

The Convener: I just wanted to clarify that issue.

Irene McGugan (North-East Scotland) (SNP): The European Charter for Regional or Minority Languages was ratified in respect of Gaelic and I presume that that is impacting on the promotion and preservation of Gaelic. How does it fall short

of achieving everything that Highland Council wants and why is the bill also necessary?

Councillor Beaton: The bill will not provide Gaelic teachers, but it will strengthen the language and give Gaelic legal status, which will encourage more prospective teachers. Discussions are taking place, presumably with the rector of UHI Millennium Institute and representatives of other colleges, to try to spread teacher training throughout the Highlands so that people can train without having to go away from home. The legal backing of the bill would provide massive support for that initiative, but the bill on its own will not provide teachers.

Councillor Anderson: Morag Anna MacLeod is the best person to answer the question about the European charter.

Morag Anna MacLeod (Highland Council): Highland Council was delighted that the United Kingdom Government signed up to the European Charter for Regional or Minority Languages. The council is holding a review to determine its position on the different stages of the European charter. Ultimately, the Gaelic language should be as important as any other indigenous or lesser-used language in Europe. If other countries in Europe are moving forward in their local parliaments, education systems and public signage systems, it is obvious that authorities in Scotland should be promoting our language for our young people. My goodness, but it is such an asset to have. We live in a global community and we should use our language and our culture to promote the things that are so good about Scotland. That is where the European charter can assist Gaelic.

Irene McGugan: Good as the charter is, does Highland Council still feel that the bill is necessary as well?

Morag Anna MacLeod: The more legislation that we have for Gaelic, the better. As the director and the chairman of education, culture and sport said, if the European charter and the bill work in tandem, they will give the language status among our young people. They will not produce Gaelic teachers, but they will give our young people the confidence to go to university and become teachers, because they will see that the language has status. That is very important.

Cathy Peattie (Falkirk East) (Lab): I am interested in the work that the council has done to produce more teachers and to create more interest in the development of Gaelic. I am really impressed by your submission. How do you know whether what you are doing is working? How do you know that the parents of the children welcome what is happening? How can those parents support their children if they do not have the Gaelic? I am interested in mechanisms that may be in place to develop such support.

Councillor Anderson: Recently, I attended a meeting in Ullapool with parents of children at the local Gaelic school. The discussion was wide ranging. We dealt with the letterheads on the letters that come to homes from school and the content of those letters—whether the letters should be in both Gaelic and English. We also discussed signage in the school, classes for parents, street signs and a range of other issues relating to the environment in which the children are growing up. We talked about Gaelic not only in the school, but in the community. In our new policy, we have taken up many suggestions that parents have made. We, too, are learning from the consultation process—this is not just about the council handing something down.

14:30

Bruce Robertson: About two years ago there was an evaluation of Gaelic-medium education, led by Professor Richard Johnstone of Stirling University. The evaluation proved unequivocally that young people who are educated in Gaelic-medium departments across Scotland achieve above-average results—if I may be that general.

Parents are extremely pleased with the provision that is made for their young people in Gaelic-medium departments in primary schools. However, there is huge disappointment when pupils transfer to secondary school, because of a teacher shortage. As members know, the curriculum at secondary school is delivered through subject specialisms. Every authority—Highland Council is no different—struggles to deliver what should be an entitlement if someone has made the leap of faith of having their young person educated through the medium of Gaelic.

The annual consultations that we hold with parents suggest that they are very supportive of the authority. We have a good working relationship with parents. Parents are working with us to develop the new school in Inverness to which I have referred. They are helping us to develop designs and thinking about how the establishment should work.

Parents are making a huge leap of faith. It is important that local authorities and the Scottish Executive should support them in that. We can advance so far, but we need support at national level from the Scottish Parliament. We invest a great deal of our money in developing Gaelic classes for parents, so that they can help their young folk with their homework. Not all the youngsters who learn Gaelic at school have native speakers at home to support them. In some cases they may have a Gaelic-speaking grandparent, but in others they may have no one.

Cathy Peattie: That is the group in which I am interested. Children can be at a disadvantage if

their parents do not speak the language in which they are taught at school. That is especially true in Gaelic-medium education.

Bruce Robertson: You are right. Through our community learning service, we have developed courses for parents.

The Meek report touches on the issue of Gaelic as a second language. We are keen to pursue that and the Executive has developed a pilot course. In the same way as young folk can learn French, Spanish or Italian at school, they should have the right and opportunity to learn Gaelic. In the long term, that will be critical to the survival of the language.

Cathy Peattie: Do you agree that in the long term the work that you are doing may help to grow more teachers and ensure that more people are available to train teachers? It strikes me that that is also a problem.

Bruce Robertson: That is undoubtedly the case. Recently, a national conference for all Gaelic teachers in Scotland was held in Nairn. It was very refreshing to find that the couple of hundred teachers who attended were predominantly young—they bucked the trend. From our research, we know that many of the youngsters attending our schools aspire to teach and to secure the language.

Councillor Beaton: We need more teaching places in colleges—that is essential. For years we have not been able to sell Gaelic education in places where we do not have Gaelic teachers, because we have no way of providing it. That is very sad. On quite a few occasions in the Highlands, three parents—just to make up a figure—have wanted their children to go through Gaelic teaching. In spite of the prospects of more pupils coming in in the following years, an inability to provide teachers has meant that all those people have been lost to Gaelic education.

The Convener: I want to return to financial matters. Although I accept the general principle, I do not know what difference £3,000 will make. How realistic is it that only £3,000 per authority will do anything meaningful to improve Gaelic in Scotland? Some of the bill's proposals, such as the proposal for a senior member of staff to be responsible for internal and external Gaelic inquiries, might require authorities to employ someone to fulfil a specific role. Highland Council obviously has many Gaelic speakers, but other authorities, such as the authority in my area, do not have such Gaelic resources. Is £3,000 per authority a realistic figure for making the bill meaningful?

Bruce Robertson: Councillor Beaton, Councillor Anderson and I are confused about where the figure of £3,000 came from.

The Convener: The figure relates to the cost of making up and translating the Gaelic plan. According to what you have said, we are talking about more than just a document. We are talking about a culture and a change of attitude, which will involve access to education and information and an ability to speak in Gaelic when someone phones up their local authority or health board, for example. I imagine that that has far greater financial implications.

Let us imagine that there was a baseline of zero and we said, "You have to do this with a sum of £3,000." Would that work?

Councillor Anderson: I do not think so. However, I am not sure that I fully understand the question.

The Convener: I am trying to get my head round the bill's financial memorandum, which says that the cost of producing the Gaelic language plan would be approximately £3,000 for each authority. I accept that it might cost £3,000 to produce a document. You seem to be saying that if that document is to be meaningful, a much greater financial input into staffing and so on will be necessary. I want to know what I would be signing up to if I signed up to the bill.

Ian Jenkins (Tweeddale, Ettrick and Lauderdale) (LD): I am glad that Karen Gillon asked the question that I wanted to ask. I will return to the idea of the bill as a national bill—the witnesses said that they wanted a robust national bill. Michael Russell could be said to be cutting off certain authorities by saying, "This is where it would be sensible to start." Some people are opposed in principle to that idea, as they want the bill to be national. They want people in Lanarkshire or the Borders to have the same rights as people in the Highlands. What is the witnesses' view on that?

If a local authority starts from scratch, it might be able to produce the Gaelic plan for £3,000, but implementing it and taking on the bill's obligations would lead to much more work. Even supplying translators might be difficult. It would be problematic if an authority had an obligation and there was no one who could enable it to fulfil that obligation. Even though Gaelic is at the core of Highland Council's thinking, it has problems in providing teachers. An authority that started from scratch in an area in which there was not a great deal of Gaelic activity would have difficulty. We acknowledge that there is significant Gaelic activity in Glasgow and Edinburgh, but fulfilling the bill's obligations would be difficult in other areas. Is the bill's staged approach sensible or is it unacceptable on the ground that it is too narrow?

Councillor Anderson: As we said in our submission, we accept that the bill should be a

Scotland-wide bill. On the issue of areas in which there might not be many Gaelic speakers, there will be no cost if there is no demand. We are not arguing that the kind of infrastructure that is in place in the areas in which people speak Gaelic should be put in place on the same scale in every local authority area. Does any other European country have such an argument? In Catalonia, do they have an argument about the areas in which people do not speak the indigenous language? I doubt that very much.

The Convener: I want to come back to regionalisation with regard to certain local authorities. Most of us are fairly new to Gaelic and I have been on a pretty steep learning curve, not just with the bill but with our Gaelic broadcasting inquiry. My impression from the evidence that we took was that we need to mainstream the language and make it acceptable as part of Scotland and not just something that is spoken in the Western Isles and the Highlands and by nice people in Glasgow and Edinburgh who want to speak it. Are you saying that to achieve normalisation of the language, the bill would have to be an all-Scotland bill?

Councillor Beaton: Yes.

Councillor Anderson: Yes.

Bruce Robertson: There are other reasons for that. Perhaps Gaelic should be a national education priority. I am sure that through your research and the evidence that you have been presented with, you will find that some of the areas of growth in Gaelic are areas in which you would not expect growth, such as Aberdeen and Aberdeenshire, as well as the two main cities. I suggest that we consider the clustering for some purposes and outcomes of not only local authorities but public services, to use the phrase that is in the bill. Through the new local government legislation we have been asked to work more closely with health boards and so on, so that is one way forward. There are a number of reasons why the bill has to be a nationwide bill.

The Convener: Thank you very much for your evidence. It has been interesting and helpful for committee members to hear from you. If we have any other questions we will be back in touch in due course.

The Deputy Convener (Cathy Peattie): I welcome Councillor Helen Law, who is education spokesperson for Fife Council, and Councillor Eric Gotts from East Dunbartonshire Council, both of whom are representing the Convention of Scottish Local Authorities.

Councillor Helen Law (Convention of Scottish Local Authorities): As COSLA is the organisation representing 29 of Scotland's 32 councils, it is not possible for it to provide a view

on Gaelic that represents all its members. There are areas of Scotland, such as the Western Isles and the Highlands, where Gaelic is extremely strong, but, conversely, there are areas such as Orkney and the Borders where there is little or no Gaelic language tradition and where Scots, the Doric or Lallans are greater influences. The intention to roll out the bill's provisions to all of Scotland in the future is noted from the policy memorandum. As Gaelic is not a native language to some parts of Scotland, such a measure would be unwelcome. The costs have not been assessed and therefore COSLA cannot support the bill.

We firmly believe that it is up to local councils to take the necessary action to promote Gaelic in their areas to reflect local demands and priorities. Our lack of support for the bill does not mean that there is a lack of support for Gaelic. Community planning, which is included in the Local Government in Scotland Bill, will, with its reference to developing communities and communities of interest, assist with that process.

Councils have proven by their work in relation to Gaelic that where the need for such work and initiatives is demonstrated by local people and is in line with council priorities, considerable work is undertaken. Highland Council demonstrated that very well earlier. The community planning powers will provide a greater focus on tailoring services to meet local needs, and communities of interest will be able to ensure that the profile of Gaelic and other minority languages remains on agendas.

14:45

Michael Russell: While I am disappointed by your statement, I am also confused by it. You said that COSLA could not take a position on the bill. You then said that COSLA could not support the bill. Not supporting the bill is taking a position. How do you square that rather odd circle?

Councillor Law: The fact that there are 29 local authorities in COSLA meant that we could not adopt a single position representing the view of a single authority. Some authorities support the bill, but some do not. Given such a mixture of views, we could not adopt an overall position of supporting the bill.

Michael Russell: But there is a difference between not taking a position and not supporting the bill. It is important to explore that point because COSLA is a significant organisation, and I would not want the committee not to fully understand what you were saying. You said that the organisation could not take a position because there was no single position to be taken. You then went on to give, at some length, some reasons why COSLA could not support the bill. Therefore, the position that COSLA is taking is to not support

the bill. Thus, you are taking a position, which is to not support the bill.

Councillor Law: That is not a united position among all member councils of COSLA. There were several different positions. Therefore, the generality was to not support the bill. COSLA would always support the majority position, but it was not a unanimous position. Where councils are unanimous on a particular issue, COSLA could unanimously reflect that. There were different positions, but the overall majority position was to not support the bill.

Michael Russell: To be fair, COSLA's position is that the majority of COSLA members do not support the bill, but there are members of COSLA who do support the bill. For example, is Highland Council a member of COSLA?

Councillor Law: Indeed it is.

Michael Russell: When I said that some councils support the bill, its members nodded vigorously behind you.

Councillor Law: That is exactly right. That is the point that I was trying to make. I am sorry if it was unclear.

Michael Russell: It is a very important point.

Councillor Law: The point that I was trying to make was that there were different views among the 29 councils. However, the overarching view was not to support the bill.

Michael Russell: By what majority? What was the voting on it?

Councillor Law: I do not recall that there was a vote. We sought consultation, but I do not have figures with me.

Michael Russell: It is quite important to know how many of the 29 members support the bill and how many do not.

Councillor Law: I do not think that it is important at all. I am here as a representative of COSLA and am therefore giving you the COSLA view. I am merely highlighting the point that there were different opinions within COSLA. We have had this debate in the committee before, and it is not one that I am keen to pursue.

Michael Russell: I will move on then.

The Convener: Councillor Gotts, would you like to speak before Michael Russell moves on?

Councillor Eric Gotts (Convention of Scottish Local Authorities): Just to clarify, as Helen Law said, the vast majority of the councils in COSLA do not support this bill.

Michael Russell: What were the voting figures? You said that it was a vast majority. You must have figures on which to base that.

Councillor Gotts: My understanding is that two authorities support the bill.

Michael Russell: Only two?

Councillor Gotts: Highland Council and Western Isles Council.

Michael Russell: That is interesting. We have evidence from other councils that they support the bill. Can you provide us with the voting figures?

Councillor Law: No, we are not prepared to do that. That is not how COSLA works.

Michael Russell: There is a vast majority, but you will not give us the figures.

The Deputy Convener: It might be worth moving on.

Michael Russell: I find myself still dissatisfied with that explanation, but let us move on.

I also find myself disappointed with the attitude the COSLA witnesses have taken. It strikes me that many people in Scotland, from a variety of places, will view progress for Gaelic as extremely important. A cornerstone of that, as you have heard from the evidence from Highland Council—indeed from all the evidence we have heard and this is our third evidence session—is to achieve secure status. That matter was reported on by Comunn na Gàidhlig and others some years ago in a document that appeared to have unanimous support. Does COSLA not support secure status for the language?

Councillor Law: The cornerstone of local government is that there should be flexibility that enables local councils to deal with local needs. Where there is a local demand for Gaelic, it is right that the demand is met. Councils should not be forced to provide it where there is no demand.

Michael Russell: Indeed, but that is not what I asked you. There has been a virtually unanimous acceptance in Scotland that the provision of secure status for Gaelic—a legal status for the language—was a commonly held aim for Gaelic. Does COSLA not support that aim in Scotland? COSLA takes a position on a range of national issues. Does it support secure legal status for the Gaelic language?

Councillor Law: I have not consulted on that matter directly. I have given you our view of the bill.

Michael Russell: However, the bill is about secure status. The committee has to decide whether to approve the general principle of the bill, which is about secure status for the language. If COSLA has not consulted in a ballot of its members—of which we do not know the numbers—we have a bit of a difficulty.

Councillor Law: I am not prepared to sit here and have COSLA ridiculed in this manner. COSLA is an organisation that works by consensus and consultation. We do not vote on every issue; we seek a view from councils. I have given you our view of the bill and I conclude my remarks there.

Councillor Gotts: The important point is that COSLA does not feel that the aim of the bill that we share—halting the decline of the Gaelic language—will necessarily be achieved by laying down an additional duty on local authorities. Good practice already happens in many local authorities and where progress is still to be made—there is a lot of progress to be made—we do not believe that legislation is necessarily the answer at this juncture. The answer is far more effective funding for authorities and those who wish to go down that road.

COSLA supports the idea of a Gaelic development agency. That body has not been formed yet. Introducing legislation is surely putting the cart before the horse. Should we not have that body up and running, consulting and working with public bodies and the local authorities and then, if legislation is required, go down that road?

Michael Russell: I draw your attention to the evidence of Professor Donald Meek in the first evidence-taking session. He chaired the ministerial advisory group on Gaelic and he proposed the establishment of *bòrd Gàidhlig na h-Alba*, which is now established with a chair. He is in favour of the bill and thinks that the bill is essential to the development of Gaelic.

Clearly we are not making a great deal of progress, as far as I am concerned anyway, so I will ask another question. If the bill were to be substantially amended as Professor Meek and other witnesses suggested—I am open to that—so that it empowered *bòrd Gàidhlig na h-Alba* to exist and operate and established secure status for the language, would those two objectives meet COSLA's requirements?

Councillor Law: If there were a change to the current proposals, they would need to be put to the member councils of COSLA. Professor Meek is entitled to his opinion and if you wish to quote him, that is okay. However, I have consulted at COSLA-level on whether there is support for the bill and I report back that there is not.

Jackie Baillie: I wish to pursue the issue of timing because, irrespective of when the bill comes into force, there are matters that will impact on local authorities. Should the bill be applied Scotland-wide, or should it target only the areas as they stand in the bill?

Councillor Gotts: The issue is not whether the bill should apply Scotland-wide or to three or four areas; the question is whether the bill should be

enforcing or enabling. That is where we differ. We take a bottom-up approach, rather than a top-down approach. As COSLA sees it, the bill is a top-down approach. The whole point of having local authorities is to have flexibility and local accountability.

In COSLA, we can quite easily see where there are differences. The Highland Council situation is different from that in other parts of Scotland—in many ways, it is unique—so enabling legislation is the way forward. If a Gaelic development agency was set up, it would be the very body to consult local authorities on these matters. It is not something that is going to happen overnight; there will be a progression.

Jackie Baillie: Let us follow your scenario through. Say the legislation is positioned as enabling legislation but nevertheless gives the statutory underpinning that people are so desperately looking for. What mechanism would there be for the ordinary man or woman in the street in East Dunbartonshire to ensure that the local authority adopts the key principles of the legislation? You mentioned funding. Is COSLA suggesting that the Executive should ring-fence funding for the purpose? I am trying to tease out the mechanisms that would enable the bill's provisions to become real to the ordinary person in the street.

Councillor Gotts: Local authorities have to respond to local needs. At the moment in East Dunbartonshire we have Gaelic provision, and we feel that that provision meets local demand. If that local demand increases in any way, it is up to the local authority to respond. That applies to any local matter in any situation. If a local authority does not respond to local need, there are elections every four years to change that.

Councillor Law: That is what community planning is about. It is about local authorities responding to communities of interest. It is in the interest of local authorities to do that.

Jackie Baillie: I was looking for something slightly more concrete. In any community, people will say that the local authority or, indeed, the MSP does not listen to their needs. I am not having a go at local authorities, as it is a problem from which we all suffer.

I will move us on to the financial implications. Much has been made of the fact that the financial memorandum states that it will cost £3,000 to produce a language plan, but what are the real costs, not just in terms of how a local authority would need to change what it does? What additional costs do you foresee for individual authorities in implementing the bill and what additional Scotland-wide costs do you foresee?

Councillor Gotts: We are talking about resources, which are scarce. Local authorities

have to try to meet local demands and needs, which vary from area to area. If there is sufficient local demand for Gaelic, I would assume that the local authority would give it a top priority, and would have to find the resources to address it. It is difficult to say generally what a local authority would need, because it would have to respond to local demand. That is the point of our approach: any legislation should be enabling. If Gaelic is a higher priority in a particular local authority, that authority will require more financial resources than another will. That is the point that Helen Law made earlier. It is difficult to be specific.

Jackie Baillie: Sure, but in the real world in which you and I operate, I am sure that you agree that people should not look for blank cheques from the Executive. You need to work within a budget and to estimate demand and what it would be practical to provide. That is the information that I seek.

15:00

Councillor Law: The way that the papers are worded means that the financial implications are unknown and unquantified, but I believe that they would be substantial.

Mr Monteith: We have heard that COSLA does not support the bill. Is that the same as opposing the bill?

Councillor Law: I am not certain where you are coming from. We do not support the bill. I do not know whether we can be clearer than that. We are not against Gaelic, if that is what you are looking for.

Mr Monteith: No.

Councillor Law: We are not against Gaelic education, but such provision should be a response to local need and not enshrined as the bill suggests. The ethos of local government is local flexibility. The more that councils are tied to legislation, the less flexibility they have. We should enable councils.

Mr Monteith: As you are an experienced politician, I am surprised that you cannot differentiate between failing to support the bill and being against it. Is your failure to support the bill strong enough to constitute being against the bill?

Councillor Law: We will not support the bill, but I make the clear distinction that we are not against Gaelic education or the expansion of Gaelic.

Mr Monteith: I accept that, however it is clear that we will not be answered in the way that Mike Russell or I might want. I will move on to a different subject.

You and other witnesses have used words such as "sufficient" and "reasonable" in the context of demand. Instead of using democracy to satisfy

sufficient or reasonable demand and to correct the situation if that demand is not met, local authorities are concerned that secure status will result in Cameron Fyfe knocking on the door of their legal departments saying that their constituents have a right to have their demands met. Is COSLA concerned, or are its member councils concerned, that decisions on what might be reasonable or sufficient will be taken away from councils because it will be enshrined in legislation?

Councillor Law: Although I fear that I repeat myself, I say that councils want to be enabled to meet local communities' needs without being restricted or tied down. However, we seem increasingly to be going down the road of restriction—the road that Brian Monteith suggests, which surprises me.

Mr Monteith: I am suggesting nothing. I am trying to find out what COSLA thinks, and to establish whether councils fear that in areas where they think that demand is not yet sufficient or reasonable, they might face court actions that force them to meet that demand, which will require them to meet costs that cannot be met from the central Exchequer. Are Councils concerned about that?

Councillor Law: Of course that is a concern of councils. The more that is enshrined in law, the less local flexibility there will be.

Irene McGugan: I will quote a little from the written evidence of Mr Dunbar, from whom we will hear later. He says:

"The lesson from virtually any other jurisdiction which is serious about protecting minority languages is that both 'compulsion' and enforcement are absolutely essential."

I think that he means that although public bodies and local authorities could implement all sorts of actions to support Gaelic, the reality is that they are not doing so. He also says that

"without an element of compulsion, and without a means for scrutinising the extent to which obligations are being met and for enforcing those obligations where they are not being met, the Bill, or any legislation on Gaelic, would be of little practical value. It would be ... symbolic. As the Gaelic community has made abundantly clear, the time for symbolic gestures is well past."

You said that you differentiate between support for the bill and support for the language, but Mr Dunbar's evidence states that, if accepted, your arguments would be detrimental to the language. How do you respond to that evidence?

Councillor Law: That is someone's point of view; he is entitled to it. Local councils' point of view is that they want flexibility and that they do not want to be tied down by legislation that prevents local flexibility.

Irene McGugan: Do you accept that, without some form of legislation that is backed up by

enforcement, the end result will be that the language will die?

Councillor Law: The end result for local councils is that they should respond to local need. If there is local demand for provision in a language, councils should provide it. It will make no difference to have that enshrined in legislation—it will simply put another burden on councils.

The Deputy Convener: What about the view that if something is not available, there will be no demand for it? We have heard from Highland Council that the availability of Gaelic in nurseries and pre-school education will, in the long term, encourage more parents to seek an extension to Gaelic education. Without such initial provision, there will never be demand. Irene McGugan is correct that if there is no real support for Gaelic, the language might die in central Scotland.

Councillor Law: It is for those who feel strongly about Gaelic to ensure that there is demand in particular areas, which would then be met. Councils should not try to meet demand that clearly does not exist.

Councillor Gotts: Another important point, which I mentioned earlier, is that the view seems to be that creating a duty on local authorities to provide Gaelic will be a panacea. The committee heard from Highland Council earlier and has had submissions from other authorities. In part, that evidence says that financial resources are the key to unlocking some of the problems for Gaelic. Placing a duty on councils is not the answer. Some authorities do a considerable amount of work, but they are held back for various reasons, such as financial issues or shortages of Gaelic-medium teachers. Those obstacles will not be removed by the imposition of legislation.

The Deputy Convener: There will always be a shortage of Gaelic-medium teachers if there is no Gaelic education.

Mr Monteith: I want to clarify COSLA's position. Does COSLA believe that it is proper for central Government to bestow duties on local government? In a number of areas in which local Government operates it is readily accepted that the local authority is the appropriate vehicle to provide certain services—although we might argue about that on some issues, such as education—and that it has a duty to do so. Are you saying that there should, as a matter of principle, be no duty on local authorities to produce a Gaelic language plan, even though authorities' plans may differ?

Councillor Law: Undoubtedly, it is important that local government and national government work together. At present, there are a number of obligations on local authorities, which they meet. I am concerned about attempts to put more legal

obligations on councils and to introduce more ring fencing of moneys, which removes local authorities' flexibility to meet local demand.

Ian Jenkins: Do you accept Highland Council's evidence about the benefits that would arise if Gaelic were to have secure status? That status would affect not only the way in which people regard the language, but also the numbers of people taking up teaching and so on. A couple of weeks ago, we heard evidence that the National Lottery does not fund Gaelic playgroups because Gaelic is not an official language. Do you understand that it is important that Gaelic is recognised as an official language in Scotland, even if that recognition is symbolic to a degree? I understand some of your worries about the knock-on effects, but do you understand the principle?

Councillor Law: I understand the principle and I thought that Highland Council made a good presentation.

Ian Jenkins: Do you accept the principle?

Councillor Law: I understand it.

Michael Russell: I want to make a brief point and to ask one question. With the greatest respect, the evidence that you have given is the most depressing evidence that I have heard from COSLA in the four years during which I have been a member of the Education, Culture and Sport Committee. I do not think that it does the organisation credit to be so negative about the future of the Gaelic language.

I ask whether Councillor Gotts can define the meaning of "sufficient demand"? Highland Council used the term and had a clear understanding of it. The term is used much more vaguely in respect of access to Gaelic-medium education. You used it specifically with reference to services and demand for services. In East Dunbartonshire, what would constitute "sufficient demand" for Gaelic?

Councillor Gotts: In East Dunbartonshire there is a primary school that has a Gaelic-medium nursery class and a bilingual Gaelic unit.

Michael Russell: You are talking about provision; you did the same in response to Jackie Baillie's question. I understand what provision is, but what is "sufficient demand" for Gaelic and how would it be expressed?

Councillor Gotts: I do not understand Michael Russell. The member is asking about demand from clients and people in the community.

Michael Russell: Citizens.

Councillor Gotts: Exactly. Is the member asking about numbers?

Michael Russell: I asked you to define "sufficient demand".

Councillor Gotts: At the end of the day, we must make a value judgment, which must be based on representations from people in communities—perhaps from school boards or parents organisations.

Michael Russell: There is such a thing as unexpressed need. If we were to take the approach that you have outlined, Gaelic might die but we would never hear about it.

Councillor Gotts: I do not think that that would happen in East Dunbartonshire.

Michael Russell: Perhaps it has already happened.

Councillor Gotts: We have made some provision for Gaelic already.

The Deputy Convener: I thank Eric Gotts and Helen Law for their evidence.

The Convener (Karen Gillon): We will now take evidence from Dr Wilson McLeod and Dr Rob Dunbar. Gentlemen, you are very welcome. I invite you to make some introductory remarks.

15:15

Rob Dunbar: An toiseach feumaidh mi mearachd bheag a cheartachadh: chan e dotair a tha annam, ach dìreach maighistir. Chan eil ceum dotaireachd agam—fhathast co-dhiù. Chan eil mi nam dhotair idir a dh'aindeoin cho bochd is a tha an dòigh-sgrìobhaidh agam.

Tapadh leibh gu mòr airson a' chuiridh a thighinn dhan chomataidh an-diugh. Tha mi anabarrach toilichte fianais a thoirt seachad aig a' choinneimh seo. Chuir mi fianais sgrìobhte a-staigh mu-thrath. An àite a bhith a' dol thairis air na puingean a thog mi anns an fhianais sin, b' fheàrr leam gun a bhith ag ràdh cus.

Feumaidh mi, ge-tà, dìreach rud no dhà a ràdh mun fhianais a tha sinn dìreach air cluinntinn. Tha mi gu math eòlach air lagh nam mion-chànanan agus lagh nam mion-shluagh, mar a tha sin againn san Roinn Eòrpa san latha an-diugh. Is e Canèidianach a tha annamsa agus tha mi gu math eòlach air mar a tha cùisean ann an Canada. Air feadh na Roinn Eòrpa, tha sinn aig ìre far a bheil Riaghaltasan agus luchd-poileataics gu math eòlach agus gu math fiosrach mu chòirichean nam mion-shluagh, mar a tha sin ann an Canada.

Às dèidh an fhianais a tha sinn dìreach air chluinntinn, feumaidh mi ràdh gu bheil mi faireachdainn mar gum bithinn air ais cend bliadhna. Chan eil tuigse sam bith aig cuid anns an dùthaich seo mu dè a tha còirichean mion-shluagh mar a tha againn san latha an-diugh san Roinn Eòrpa. Tha mi anabarrach duilich sin a ràdh, ach bha sin dìreach na theisteanas do-chreidsinneach. Cha chan mi an còrr an-dràsta; fàgaidh mi agaibh an fhianais a thug mi seachad.

Following is the simultaneous interpretation:

I begin by correcting a small mistake. I am not yet a Dr—I am just a Mr, despite my poor handwriting.

I thank the committee for inviting me to give evidence today. I am very pleased to be present at this meeting. I have submitted written evidence and do not want to say much, so I will not go over my submission, although I would like to say one or two things about it.

I am well aware of minority language laws as they exist in Europe today. I am Canadian and am aware of what is happening in Canada. Governments and politicians throughout Europe are now very knowledgeable about people's rights, particularly the rights of minority groups.

Gaels do not have the same rights as other minority language groups, which is a shame. I will not say anything else at this stage; rather I will leave the committee to consider my submission.

An t-Oll Wilson MacLeòid: Tha mi taingeil airson a' chuiridh a thug a' chomataidh a bhith an seo còmhla ribh an-diugh. Thug mise seachad beagan fianais sgrìobhte cuideachd.

Mar a thuirt Mgr Dunbar, bha an fhianais a fhuair sinn bho ChOSLA gu math duilich a chreidsinn ann an iomadach dòigh, ach tha e a' sealltainn dhuinn dè cho buileach cudthromach is a tha e a bhith a' cur uallach laghail air buidhnean san dùthaich seo. Is e an duilgheadas mòr a tha againn gu bheil buidhnean an sàs ann an COSLA a tha a' bacadh na Gàidhlig bho bhliadhna gu bliadhna. Sin pàirt mhòr dhen duilgheadas a tha againn ann an leasachadh na Gàidhlig. Mar sin, ma tha sinn airson adhartas a dhèanamh a thaobh leasachadh na Gàidhlig, tha uallach laghail bho achd laghail a dhìth. Tha reachdas cànanach a dhìth san dùthaich airson Alba air fad.

Following is the simultaneous interpretation:

I am pleased to be here today, and grateful for the invitation. I, too, made a written submission.

As Mr Dunbar said, what COSLA said was disappointing, but it shows how important it is for groups to have legal obligations. Year after year, groups involved in COSLA are becoming a stumbling block to Gaelic, which causes problems for the language's development. If we are to make any headway with Gaelic, legal obligations and a Gaelic language act are necessary for the whole of Scotland.

Michael Russell: I shall be brief. We have been somewhat knocked aside by the negativity of COSLA, and it will take time to get back into our stride.

The Convener: Do not be so dramatic.

Michael Russell: I think that my remark was fair. The Gaelic phrase, “mì-rùn mòr nan Gall”, springs to mind.

The Convener: Which means what?

Michael Russell: It means “the great hatred of the southerner”.

Let us move on more positively. I understand that the Highland Council will be in touch with the committee to say that it was not consulted by COSLA and that it objects to being told that it was part of the consultation process.

I shall ask Rob Dunbar about the general principle of the bill and then about details. As you will know from my initial questions to the Highland Council, the committee is considering the general principles of the bill; detailed amendments will be lodged at stage 2. It is important for the committee to know witnesses’ attitudes to the general principles. If Rob Dunbar and Wilson McLeod are both happy with those principles, I shall ask them about the detail.

Rob Dunbar: Mar a sgrìobh mi anns an fhianais sgrìobhte, tha ceistean agam a thaobh dè cho farsaing is a bu chòir na h-uallaichean a bhith ach tha mi taiceil ann am prionnsabal agus tha mi a’ cur fàilte air a’ bhile.

Following is the simultaneous interpretation:

I have some questions about how general the bill is but, in principle, I am supportive of it and I welcome it.

An t-Oll MacLeòid: Tha mise ag aontachadh gu tur leis an sin. Tha e air leth cudthromach gum bi reachdas airson na Gàidhlig anns a’ chiad Phàrlamaid. Mar sin, tha am prionnsabal ionmholta.

Following is the simultaneous interpretation:

I agree fully with Rob Dunbar that there should be statutory support for Gaelic.

Michael Russell: I am grateful for that because it takes us a step forward.

From discussions and correspondence, I know that both of you find that the most objectionable part of the bill is its progressive implementation from one geographical area outwards, and that that process will be achieved through statutory instrument; it has not been written into the bill. One of the practical reasons for formulating the bill in that way—I am not greatly wedded to the idea—was the difficulty of finding sufficient people to work in local authorities throughout Scotland were the bill to be implemented throughout the country at the same time. It is a practical element—the head was ruling the heart.

Both of you—Rob Dunbar in particular—have raised some interesting practical objections to such an approach. Will you explain to the

committee why you think that there should be Scotland-wide introduction of the bill’s provisions?

Rob Dunbar: Tha mi gu math mothachail air na duilgheadasan a bhiodh aig cuid a chomhairlean agus buidhnean poblach eile—feumar cuimhneachadh nach eil sinn a’ bruidhinn dìreach air comhairlean ionadail ach air buidhnean poblach eile, mar Riaghaltas na h-Alba agus Pàrlamaid na h-Alba. Tha cnap-starraidhean ann gu cinnteach agus is e an àireamh de luchd-bruidhinn na Gàidhlig aon dhe na cnapan-starraidhean as motha. Càit a bheil iad mas e is gum bi seirbheisean ann air feadh na dùthcha? Tha feum againn air daoine aig a bheil na sgilean cànanach agus tha iad gu math gann.

Mholainn fhìn gu bheil e cudthromach a bhith mothachail air càit a bheil an t-iarrrtas airson a leithid. Ma chuireas sinn loidhne air a’ mhap, mar gum biodh, tha mi a’ smaointinn nach obraich sin ro mhath ann an dòigh. Tha cuid a dh’àitean, mar Cumbragh Bheag, a b’ àbhaist a bhith na àite Gaidhealach, far nach creid mi gum biodh mòran luchd-bruidhinn na Gàidhlig an-diugh, gu mì-fhortanach.

Ann an Glaschu agus mu thimcheall, tha mu 10,000 luchd-bruidhinn na Gàidhlig. Tha an aon sgoil Ghàidhlig ri faotainn ann an Glaschu. Tha barrachd is 3,000 ann an Dùn Èideann. A-nis, tha na h-àireamhan sin beag an coimeas ris an àireamh de dhaoine a tha a’ fuireach anns na sgìrean sin ach, aig a’ cheart àm, tha na h-àireamhan sin gu math mòr a thaobh càit a bheil luchd-bruidhinn na Gàidhlig.

Tha e a cheart cho cudthromach iomairtean a chur an gnìomh anns na h-àiteachan sin ’s a tha e air Ghaidhealtachd agus anns na h-Eileanan an Iar. Fiù ’s air a’ Ghaidhealtachd, tha mi a’ smaointinn gum biodh e furasta airson Comhairle na Gaidhealtachd iomairtean a chur air bhonn ann an cuid de dh’àitean agus anabarrach duilich ann an àiteachan eile, dìreach a rèir àireamh luchd-bruidhinn.

An àite a bhith a’ cur an uallaich air Comhairle na Gaidhealtachd air fad, b’ fheàrr leamsa barrachd uallaich a bhith air a chur air Comhairle na Gaidhealtachd agus buidhnean poblach eile a tha ag obair ann an cuid a dh’àitean—can, ann an Geàrrloch, anns an Eilean Sgitheanach, ann an Inbhir Theòrsa agus, is dòcha, ann am baile Inbhir Nis fhèin—seach àitean eile. Is e sin an aon ghearan a tha agam. Tha feumalachd aig na Gaidheil a tha a’ fuireach air taobh a-muigh nan crìochan sin—tha na h-àireamhan dhiubh gu math mòr, gu seachd àraid a thaobh luchd-ionnsachaidh agus sgoilearan ann an aonadan Gàidhlig—ach tha na sgìrean sin anabarrach cudthromach. Feumaidh sinn poileasaidhean a dhealbhadh anns na sgìrean sin a tha freagarrach agus iomchaidh gu cinnteach ach feumaidh planaichean a bhith ann. Is e sin an aon ghearan a bhiodh agam.

Following is the simultaneous interpretation:

I am very aware of the problems that some councils and, indeed, other public bodies might have. We must remember that we are talking not only about local authorities, but about the Scottish Parliament and the Scottish Executive. There are impediments, one of the greatest of which is the number of Gaelic speakers. After all, we will need Gaelic speakers if we are to have a Gaelic service throughout the country.

As a result, I suggest that it is very important to be aware of where demand exists. Drawing a line on the map would not work very well. Unfortunately there are not now many Gaelic speakers in places such as Cumbrae.

However, there are about 10,000 Gaelic speakers in Glasgow. Indeed, the only Gaelic school we have is in Glasgow. Furthermore, there are 3,000 Gaelic speakers in Edinburgh. Those numbers are small compared with the number of people who live in those places; however, by the same token, they represent large numbers of Gaelic speakers.

It is as important to set up initiatives in those places as it is to do so in the Highlands and Islands. We should consider Highland Council in that respect. It is easier to set up initiatives in certain parts of the Highlands than in others, because of the numbers of Gaelic speakers.

Instead of the responsibility being placed solely on Highland Council, I would rather that more responsibility for Gaelic were placed on the council, and on other bodies that work in Gairloch, Skye, Thurso and even Inverness itself. Large numbers of people outside those areas also have demands. Such areas are very important as far as learners are concerned and any policies must accord with that fact. That would be my one complaint.

An t-Oll MacLeòid: Tha mi ag aontachadh ris na thuirt Rob Dunbar ach bu mhath leam dìreach taobh pragtaigeach a' ghnòthaich a mhìneachadh. Bha sinn a' bruidhinn mu dheidhinn cosgaisean. Tha sealladh ann gu bheil cùisean tro mheadhan na Beurla saor agus an-asgaidh agus gu bheil e cosgail rudan a dhèanamh tro mheadhan na Gàidhlig. Is e an duilgheadas gu bheil tòrr dhaoine anns an dùthaich seo nach eil a' smaoinichadh mun Ghàidhlig idir—muinntir ChOSLA, is dòcha.

Mar as trice san dùthaich seo, ma tha comhairle airson rùnaire a lorg—cuideigin a chlà-sgrìobhas litrichean agus rudan mar sin—chan eil daoine a' beachdachadh air am bu chòir sgilean dà-chànanach a bhith aig an duine seo, no am biodh e feumail nam biodh Gàidhlig aig an neach seo. Chan eil e cosgail a bhith ag ràdh, "Ceart, bhiodh e feumail Gàidhlig a bhith aig an duine seo."

Ann an cuid de sgìrean, bidh e duilich daoine le Gàidhlig a lorg—mar a fhuair Pàrlamaid na h-Alba a-mach bho chionn ghoirid. Bhathas airson dithis a lorg agus, mar a thachair, cha deach ach aon duine fhastadh anns a' chiad dol a-mach. Rinn a' Phàrlamaid a dicheall airson cuideigin a lorg agus thèid an obair ath-shanasachadh anns an aithghearrachd.

Tha sinn a' bruidhinn mu iarrtas reusanta agus ceumannan reusanta. Mas e is nach eil daoine le Gàidhlig rim faighinn, chan urrainnear a dhèanamh anns a' bhad. Mar a tha e, chan eil mòran a' tuigsinn suidheachadh na Gàidhlig. Chan eil iad a' beachdachadh mu dheidhinn na coimhearsnachd Gàidhlig idir. Ma tha sinn airson adhartas a dhèanamh, feumaidh uallach a bhith ann. Mar a thuirt Rob Dunbar, tha an aon seòrsa duilgheadas a' nochdadh air feadh na h-Alba. Thuirt cuideigin na bu tràithe gu bheil sgìrean ann far a bheil a' Ghàidhlig làidir, ach fiù 's ann an Steòrnabhagh an Eilean Leòdhais tha e gu math duilich daoine comasach le Gàidhlig fhaighinn. Tha a' Ghàidhlig ann an suidheachadh bochd, truagh. Tha duilgheadasan nàiseanta againn agus tha sinn feumach air fuasgladh nàiseanta.

Following is the simultaneous interpretation:

I agree with Rob Dunbar. However, I want to provide a little more detail about practicalities. For example, costs were mentioned earlier; it is as if provision in English were cheap or even free and everything in Gaelic were really expensive. The fact is that some people in Scotland do not think about Gaelic at all—such as COSLA.

For example, someone in this country who is looking for secretaries or administration assistants to type letters and so on does not usually ask for bilingual skills. It would not be expensive to stipulate that it would be good for the person to speak Gaelic, but it is difficult to find such people in some places. The Scottish Parliament itself was recently looking for two people who were Gaelic speakers, but found it very difficult to find such people and in the end employed only one. At least the Parliament did its best to find people.

We are talking about reasonable demand and reasonable steps. It is clear that, if people who speak Gaelic cannot be found, we will not be able to make progress straight away. However, the problem at the moment is that people do not understand the situation with Gaelic, nor do they think about the Gaelic community. If we are going to make any headway, responsibility has to be taken. The same problems are being faced throughout the country. Earlier, someone said that even in areas in which Gaelic is strong, such as Stornoway on the isle of Lewis, it is hard to find someone who has good Gaelic skills. This is a national problem to which we want a national response.

Jackie Baillie: My headphones are giving feedback, so I was unable fully to understand your answer.

Will Rob Dunbar explain further about coverage of areas? If specific statutory provision introduced the elements of compulsion and enforcement of action throughout Scotland, the situation would be clear. However, COSLA argued for enabling legislation but did not come up with many suggestions as to how we would ensure that changes were made. Are you suggesting that there is a third way in between those two approaches that would consist of placing a duty on local authorities and public bodies to take action where there are sufficient numbers of Gaelic speakers? That brings us back to the argument that relates to demand.

Rob Dunbar: Is e sin deagh cheist agus tha mi duilich nach robh mi na bu shoilleire na bu thràithe.

An toiseach, tha e cudthromach uallach nàiseanta a chur air buidhnean poblach planaichean a dhealbhadh. Chan e an t-aon phlana a bhiodh aig a h-uile buidheann phoblach; dh'fheumadh diofaran a bhith anns na planaichean fhèin. Ann an cuid a sgìrean—can, ann an Sealtainn—chan eil iarrtas ann a chionn 's nach eil luchd-bruidhinn na Gàidhlig ann; mar sin, is dòcha gum biodh e ceart gu leòr nan robh sìon, no glè bheag, anns a' phlana aca.

Carson a tha e cudthromach planaichean a dhealbhadh? Uill, an toiseach feumar a' cheist fhaighneachd anns na sgìrean. Tha amharas agam nach eil iarrtas gu leòr, no iarrtas sam bith, ann an Sealtainn, ach chan eil mi buileach cinnteach oir cha do chuir mi riamh a' cheist. Ma dh'fhaoidte gum bi daoine ann an Sealtainn a tha airson seirbheis air choreigin fhaighinn—mar eisimpleir, beagan foghlam tro mheadhan na Gàidhlig, no clas oidhche Gàidhlig. Is dòcha gum biodh am plana ann an Sealtainn cho sìmplidh ri sin. Às dèidh dhan cheist a bhith air a chur, is dòcha gum biodh barrachd iarrtas ann na bha an dùil.

Is e an t-adhbhar carson a tha e cudthromach a' cheist sin a chur, gur dòcha gum bi mòran a bharrachd iarrtais airson sheirbheisean ann an cuid a sgìrean—gu seachd àraid ann an Glaschu no ann an Dun Èideann—is na bhitheamaid an dùil. Tha mi cinnteach gu bheil daoine a tha ag obair aig Comhairle Baile Ghlaschu aig a bheil comasan Gàidhlig. Tha mi cinnteach nach deach a' cheist a chur air na daoine sin. Sin an seòrsa cosgaisean a bhiodh ann.

Chan eil mi buileach cinnteach dè seòrsa chosgaisean a bhiodh ann airson am plana Gàidhlig a chur an gnìomh. Ann an cuid a dh'àitean—air Ghaidhealtachd, is dòcha, agus

anns na h-Eileanan an Iar—bhiodh cosgaisean ann oir chan eil ach glè bheag de phàipearan poblach ann an Gàidhlig agus luchd-obrach na comhairle aig a bheil comas Gàidhlig a chleachdadh. Leis mar a bhiodh iarrtas cuimseach mòr anns na sgìrean sin, is dòcha gum biodh cosgaisean cuimseach mòr aca.

Tha mi a' smaoinichadh gur e a' chosgais as motha aig toiseach gnothaich na cosgaisean a tha an lùib ceistean a chur agus planaichean a chur ri chèile. Tha amharas agam nach biodh na cosgaisean anns a' mhòr-chuid de sgìrean air feadh Alba cho àrd ri sin. Às a' chonaltradh sin, tha mi cinnteach gun tigeadh deagh bheachdan gu bàrr bhon choimhearsnachd, bho luchd-obrach nan comhairlean agus bho dhaoine eile air gu dè ghabhas dèanamh gu reusanta. Dh'fheumadh sin a chur ann am plana agus an uair sin bhiodh e an urra ris an ombudsperson no na cùirtean, ge bith cò—tha beachdan agam air sin cuideachd—ach is e sin an seòrsa seòl a tha mi a' faicinn ann a bhith a' cur phlanaichean ri chèile.

A bheil sin na freagairt chiallach dhan dheagh cheist agad?

Following is the simultaneous interpretation:

That is a good question. I apologise for the fact that my earlier response was not clear enough.

It is important that national responsibility be placed on public bodies to design plans. I was saying that not all groups would have the same plan. In some areas—Shetland, for example—there are no Gaelic speakers and therefore no demand. Public bodies in such areas would need nothing, or very little, in their plans, which would be fine, but it is important that there is a plan.

I do not think that there is demand in Shetland, but I have never asked—perhaps people in Shetland would like some services to be provided in Gaelic, such as Gaelic-medium education or Gaelic evening classes. If the question was asked of the people of Shetland, it might be found that there was greater demand than had been anticipated. That is especially true in relation to areas such as Glasgow and Edinburgh, where there might well be much greater demand than we would expect for some services to be made available in Gaelic. There are people working for Glasgow City Council who speak Gaelic—I am sure that they were never asked about their level of fluency.

I am not sure what costs would be involved in the implementation of a given plan. In certain areas, such as the Western Isles, there would be costs. Not many people are Gaelic speakers or can read or write Gaelic. The cost of training people might be more to some councils than to others.

The greatest cost that I envisage is the cost of asking the questions and bringing the plans together. I do not think that the costs in most parts of Scotland will be very great. In that consultation, the answers from the community, council workers or other people will be about what can be done and what it is reasonable to put in a plan. It would then be up to the ombudsperson or some other person to pick up on that. That is the kind of guidance that I would give on preparing plans.

Is that a sensible answer to your question?

15:30

Jackie Baillie: Of course it is. I would like to pick up on two points. I do not think that the question of resources relates only to the creation of the plan—what is important is the implementation of the plan. People have told us time and again that there is a question of status and that there is an issue about the money required to make the plans a reality on the ground. I entirely accept that there will be variations across Scotland as to need, so your point is well made.

I have always understood legislation as not necessarily being the flexible tool that you describe; most legislation can be quite rigid if it adopts a blanket approach. Is it possible to express in legislation the degree of flexibility that you are outlining, so that local authorities could base provision on demand in their local areas, while also putting in place the appropriate guidance and robust monitoring framework that would ensure that they delivered?

Rob Dunbar: Tha mi a' smaointinn gu bheil e comasach agus tha deagh eisimpleir againn goirid ri làimh, anns a' Chuimrigh. Is ann mar sin a tha Achd na Cuimris 1993 ag obrachadh. Tha an rud a tha a' nochdadh ann am molaidhean Chomunn na Gàidhlig agus anns a' bhile seo stèidhichte gu ìre mhòir air na tha a' tachairt gu soirbheachail anns a' Chuimrigh an-dràsta fhèin. Tha na Cuimrich a' leantainn an aon seòrsa phoileasaidhean a tha sinne a' moladh agus a tha a' nochdadh anns a' bhile. Tha na poileasaidhean sin a' dèanamh feum anns a' Chuimrigh. Mar sin, tha mi a' smaointinn gu bheil e comasach sin a dhèanamh.

Tha sin air a dhèanamh ann an caochladh dhòighean ann an iomadach àite eile, mar Chanada. Tha na slatan-tomhais mòran nas stèidhichte agus tha iad a' cur barrachd uallaich air gach cuid Rìaghaltsan nàiseanta agus mòr-roinneil agus air riaghaltasan ionadail agus eile. Is dòcha nach biodh sin freagarrach an seo aig an àm a tha seo. Tha mi a' smaointinn gu bheil deagh eisimpleirean againn.

Ma dh'fhaodas mi rud eile a ràdh, tha mi air cluinntinn iomadach uair a-nis na faclan Beurla "enabling legislation". Mar fhear-lagh, chan eil mi

a' tuigsinn dè tha sin a' ciallachadh idir. Tha feum agad air enabling legislation nuair a tha thu disabled ann an dòigh air choreigin. Cho fad 's a chì mise, chan eil a' Ghàidhlig disabled anns an t-seagh seo. Chan eil bacadh sam bith anns an lagh poileasaidhean Gàidhlig a chur air bhonn agus rudan a dhèanamh. Mar sin, chan eil mi a' tuigsinn nam faclan sin. Tha Gàidhlig enabled. Is e a' cheist agam, a bheil na buidhnean poblach enabled gus Gàidhlig a thoirt air adhart? Chan eil mi airson spòrs a dhèanamh air daoine eile. Chan eil a h-uile duine na fhear-lagh—taing do Fhreastal—ach tha e cudthromach cuimhneachadh gu dè tha facail a' ciallachadh fon lagh.

Mar a chì mi fhèin a' chùis, chan eil enablement no disablement na ceist a thaobh na Gàidhlig. Is e uallaichean reusanta ach brioghmhor a ghabhas coileanadh agus a ghabhas dearbhadh, is dòcha leis na cùirtean no leis an ombudsman, a tha a dhith a thaobh na Gàidhlig.

Following is the simultaneous interpretation:

I think that that is possible—good examples of it exist. That is exactly how the Welsh Language Act 1993 works in Wales. What appears in the recommendations of Comunn na Gàidhlig and in the bill is already happening in Wales. The Welsh follow the same policies that we are recommending and that is helping.

Different approaches are taken in different places. As I said, I am from Canada, where ways of measuring things are different and more responsibility is placed on the national Government and on regional and local authorities. Maybe that would not be suitable here at this juncture, but we have some good examples.

I have often heard the English phrase "enabling legislation". I am a legal man myself, but I have no idea what that means. You need enabling legislation when you are disabled in some way, and I do not see Gaelic as disabling or disabled, so I do not understand that term. Gaelic is enabled. My question is whether public bodies are enabled to develop Gaelic. I do not want to make fun of other people. Not everybody is a legal person, thank providence, but sometimes it is important to remember what words mean.

As I see it, there is no question of enablement or disablement with regard to Gaelic. It is a question of reasonable responsibility and of an act that can be implemented.

Mr Monteith: I am interested in Mr Dunbar's views on language plans and how they should vary to reflect different needs. I will play devil's advocate for a moment. We heard from COSLA that its current membership does not include Glasgow City Council, yet you said that a good number of Gaelic speakers live in the Glasgow

area. If a Gaelic language plan was to be introduced, one of the issues that might be thrown up would be the possibility—although I have no knowledge of the exact figures—that there are more people in Glasgow who speak languages other than English such as Urdu, Hindi or Cantonese than speak Gaelic. Some people might say that Glasgow City Council is opening up a Pandora's box of language issues, but should a council such as Glasgow City Council seek to expand a Gaelic language plan or should it have an overall language plan?

Rob Dunbar: Chan eil sin a' cur dragh ormsa. Nuair a smaoinicheas tu air na seirbheisean a tha a dhith air Gaidheil bhaile Ghlaschu, tha e follaiseach gu bheil an t-uabhas bhodaich agus chaillich aig a bheil a' Ghàidhlig. Nuair a tha iad anns an ospadal, bhiodh iad na bu thoilichte le cùram anns a' chànan aca fhèin, tha mi cinnteach. Bidh daoine aig a bheil Urdu agus Punjabi anns an aon shuidheachadh. Nam biodh comas aig seirbheisean sòisealta agus slàinte bhaile Ghlaschu seirbheisean a thoirt seachad dha na daoine sin tron chànan aca fhèin, cha b' e ach aon dè na comharraidhean de chomann a tha sìobhalta.

Tha dleastanas àraid aig Riaghaltasan agus buidhnean poblach air feadh na h-Alba às leth na Gàidhlig, eu-coltach ris na cànanan eile. Tha a' Ghàidhlig an impis dol à bith agus tha i air a bhith anns an dùthaich seo fad linntean. Tha cairt Eòrpach nam mion-chànan a' cur uallaich fa leth air Riaghaltasan a thaobh nan cànanan a tha dùthchasach dhan dùthaich. Mar sin, chanainn nach ann anns an aon shuidheachadh a tha na cànanan seo idir.

Is ann à Toronto ann an Canada a tha mise. Tha còrr is 100 cànan ga bruidhinn ann an Toronto. Tha mi fhèin a' faicinn sin mar neart. Ma thèid aig seirbheisean sòisealta sin a neartachadh agus a chumail beò, tha e a' dèanamh a' bhaile agam fhèin dìreach sgoineil, nam bharrail-sa.

Anns an dùthaich agus an t-saoghal anns a bheil sinn beò an-diugh, tha barrachd agus barrachd dhaoine a' tighinn bho àitichean eile air feadh na Roinn Eòrpa agus air feadh an t-saoghail. Sin comharraidh de neart eaconamach na dùthcha agus feumaidh sinn a bhith fosgailte agus deònach sin a neartachadh.

Is e coigreach a tha annamsa. Chan eil mi airson bruidhinn às leth nan Albannach, ach tha sibh uile air a bhith anabarrach fialaidh riumsa bho thàinig mi agus tha sin mar phàirt dhen dualchas Albannach mar a tha mi fhèin ga fhaicinn. Tha mi a' smaointinn gu bheil sin mar bu dual do mhuinntir na h-Alba agus muinntir Bhreatainn.

Following is the simultaneous interpretation:

That situation does not worry me. When one thinks about the services that the Gaels of

Glasgow need, one thinks of the many old women and men who have Gaelic and who, when they are in hospital, would be much happier if they were looked after by staff who could speak to them in their own language. I am sure that there are people who have Urdu and Punjabi who are in the same situation. If Glasgow City Council's social services and health services were able to provide services in people's own languages, that would be a hallmark of a civilised society.

The situation of Gaelic is different from that of other languages. Gaelic has been in this country for centuries and it is now disappearing. The European Charter for Regional or Minority Languages places responsibility on Governments to protect their indigenous languages. I do not think that the languages that you mentioned, such as Urdu, are in the same situation as Gaelic.

Given that I am from Toronto in Canada, where at least 100 languages are spoken, I think that diversity of language is a strength. If social services were able to strengthen their language provision, that would be better still, as it would help to keep Gaelic alive. In the world in which we live today, we should be open to the possibility of greater language diversity, as that is also a sign of economic strength.

I am not Scottish and speak from the perspective of a stranger or a foreigner. The Scottish people have been very kind to me since I arrived in this country. I believe that that kindness is part of the Scottish—and, indeed, British—heritage.

Cathy Peattie: I would like to deal with the issue of language plans and of their being drawn up by local authorities. We have heard of COSLA's reluctance in that respect. People sometimes decide not to do something because they do not understand what needs to be done or because they are concerned that it is not relevant.

In the past, local authorities drew up enabling equal opportunities policies to improve matters within their areas. There were many good policies, but they stayed in a drawer and no one read them. If the bill is passed, how can we encourage people not only to draw up plans but to examine demand? It seems that people do not understand how demand is measured or developed. How can we encourage people to develop workable, measurable plans? How can we ensure that, in future, there will be teachers or people working in social services who speak Gaelic?

An t-Oll MacLèoid: Tha concept cudthromach ann an leasachadh cànan, is e sin "active offer". Tha sin a' ciallachadh gu bheil a' brosnachadh an iartais. Tha sinn a' faicinn gu bheil oifigearan leasachaidh Gàidhlig aig tòrr de na comhairlean Albannach, mar Chomhairle na Gaidhealtachd—

tha Morag Anna NicLeòid air bruidhinn ris a' chomataidh mar-thà. Tha sin gu math cumanta agus bhiodh e glè mhath nam biodh a leithid air feadh Alba, gus iarrtas airson Gàidhlig a bhrosnachadh.

Gu tric, chan eil daoine a' tuigsinn foghlam Gàidhlig. Ann an cuid de sgìrean, fiù 's ann an sgìrean far a bheil a' Ghàidhlig fhathast làidir, tha teagamh aca ron Gàidhlig. Gu h-eachdraidheil, bhathas a' coimhead sìos air a' Ghàidhlig agus tha tòrr dhaoine ann fhathast nach eil a' tuigsinn dè cho cudthromach agus dè cho luachmhor 's a tha dà-chànanas agus na sgilean a tha a' tighinn an lùib sin. Tha daoine teagmhach mu bhith a' gearan agus a' dèanamh trioblaid le bhith ag iarraidh bruidhinn ann an Gàidhlig ri comhairlean no luchd-teagaisg. Tha daoine feumach air brosnachadh agus feumar mineachadh gu bheil seirbheisean rim faighinn gu furasta tro mheadhan na Gàidhlig agus gu bheil a' cur fàilte air obair anns a' chànan.

Chan eil e math gu leòr dìreach a bhith a' cur rudeigin ann am filing cabinet iomallach agus ga chall às dèidh sin. Tha obair chunbhalach na lùib. Gun teagamh sam bith, is e rud far am bi obair chunbhalach a' dol air feadh nam bliadhnaichean. Chan eil am bile ach na chiad cheum airson rudan a chur an gnìomh anns a' chiad dol a-mach.

Following is the simultaneous interpretation:

An important concept in language development is the active offer, which is designed to encourage demand. Many councils in Scotland have Gaelic development officers. For example, Morag Anna MacLeod, who spoke earlier, is a Gaelic development officer for the Highland Council. Such posts are common, and it would be great if there were more of them throughout Scotland.

Many people do not understand what Gaelic education is. Even in areas where Gaelic is still strong, there is a fear about Gaelic, or questioning of it. Historically, Gaelic was looked down on. Many people still do not understand the importance of bilingualism or the skills that accompany it. People are still wary of complaining and creating problems. They think that there is an issue if Gaelic is spoken in a council or by teachers. They need to be encouraged. It must be explained to them that services are available, that they are easy and that we welcome any work in the medium of Gaelic.

As you said, it is not good enough to put policies in a filing cabinet. There is much more to be done. Undoubtedly, continuous work, year after year, is important. The bill is a first stage in the overall initiative.

Cathy Peattie: Will the bill change how people work? Will it make a difference?

Rob Dunbar: Tha mi a' smaointinn gum b' urrainn. Mar a thuirt mi roimhe, dh'fheumadh buidhnean poblach a bha fo uallach planaichean a chur ri chèile smaointinn air a' Ghàidhlig. Dh'fheumadh iad a dhol dhan choimhearsnachd agus tomhas a dhèanamh air dè iarrtas a tha ann airson sheirbheisean Gàidhlig. Dh'fheumadh iad smaointinn, is dòcha airson a' chiad uair, air dè na seirbheisean a b' urrainn dhaibh a thairgse dhan t-sluagh agus air dè na sgilean cànan a tha aig na buidhnean poblach.

A-rithist, nan robh iad a' dèanamh an rannsachaidh sin, tha amharas agam gum faiceadh iad gu bheil barrachd sgilean cànan am measg an luchd-obrach aca na bha iad an dùil aig toiseach gnothaich. Is dòcha gum faiceadh iad gu bheil laigsean ann. Gun an conaltradh sin, bhiodh e anabarrach doirbh Gàidhlig a thoirt air adhart ann an àite sam bith, fiù 's air Ghaidhealtachd. Is ann mar sin a tha mi fhèin a' coimhead air a' bhile.

Is e aon de na puingean as cudthromaiche agus as luachmhoire gum bithear a' dealbhadh airson na Gàidhlig dìreach mar a tha comhairlean ionadail, buidhnean poblach agus Riaghaltas na h-Alba a' dealbhadh rùintean poileasaidh eile a tha cudthromach. Dhèanadh rannsachadh air dè tha dhìth, dè na comasan a tha againn agus ciamar a thèid againn air an dà rud a thoirt còmhla. Tha mi duilich gu bheil e riatanach smachd agus uallach a chur air an Riaghaltas sin a dhèanamh, ach is e sin a tha a dhìth.

Following is the simultaneous interpretation:

I think that it could. As I said, public bodies would have to be responsible for designing plans for Gaelic and would have to consider what they could do for Gaelic. They would have to go into their communities to measure demand for Gaelic services and, perhaps for the first time, they would have to think about the services that they could offer.

What language skills do public bodies have in the first place? If public bodies carried out that basic research, they might find out that their employees have more linguistic skills than they first thought or that there are weaknesses. However, without that initial discussion, it would be difficult to promote any Gaelic development, even in the Highlands.

Local authorities, the Scottish Executive or any other group can decide and create their own plans and policies to meet needs and to determine their skills and abilities and how to marry them together. One of the bill's most important provisions is to allow that to happen with Gaelic. In a way, I am sorry that Governments have to do that work and must place that responsibility on people, but it must be done.

Ian Jenkins: The way that you speak about flexibility is encouraging and important. I think that it was Cathy Peattie who said that laws were rigid and not so flexible.

Your submission refers to the basis of equality between English and Gaelic. If that were embedded in the regulations and the bill, where would the limits be? You stated that people want to be flexible, but what happens if others who do not want to be flexible say, "To pot with flexibility, we want equality between Gaelic and English here and now." If equality is important, where does flexibility come in?

15:45

Rob Dunbar: Tha mi a' smaointinn gu bheil na faclan "freagarrach don t-suidheachadh" agus "reusanta sa ghnìomhachadh" a' feuchainn ri bhith a' ruigsinn a' chinn-uidhe a chuir thu fhèin sìos. Is e an duilgheadas a tha agam leis na faclan anabarrach reusanta sin, an gabh iad mìneachadh ann an dòigh a tha reusanta? Is e sin a' cheist.

Tha diofar dhòighean fuasgladh fhaighinn air an sin. Tha feum againn air barrachd mìneachaidh anns a' bhile air gu dè tha na faclan sin a' dol a dhèanamh. Is e sin a mholainn-sa, mas e is gu bheil sinn a' cleachdadh nam faclan "freagarrach don t-suidheachadh". Dh'fhaodamaid liosta a chur ann an dubh agus geal a mhìneachadh gu dè na suidheachaidhean a tha seo agus gu dè a tha e a' ciallachadh a bhith freagarrach. A-rithist, is dòcha gum b' urrainn barrachd mìneachaidh a thoirt air na faclan "reusanta sa ghnìomhachadh". Tha sin a' tachairt ann an lagh fad na h-ùine; chan e duilgheadas àraid mun bhile seo idir. Tha sin a' nochdadh anns a h-uile bile a thèid air beulaibh na Pàrlamaid. Chanainn gu bheil sin cudthromach.

Nuair a choimheadas mi fhèin air na faclan sin, tha mi draghail leis mar a tha sin a' toirt cus cumhachd dha na buidhnean poblach gun bharrachd stiùiridh agus chan eil an leithid de dh'earbsa agam ann. Ach is e fear-lagh a tha annam, agus is ann mar sin dìreach a tha mi. Agus tha mi nam fhear-strì às leth na Gàidhlig cuideachd, agus tha mi a' faicinn na chanas sinn mu best intentions agus an rathad gu ifrinn. Chan eil mi fhèin toilichte a' cheist fhàgail aig an fheadhainn a chuireas na poileasaidhean an gnìomh. Tha mi a' smaointinn gu bheil sin car cunnartach. Tha beachdan agam air ciamar a thèid sinn seachad air sin agus gabhaidh sin a dhèanamh, gu cinnteach.

Following is the simultaneous interpretation:

The words used in the submission, which attempts to answer your query, are "appropriate in the circumstances". My problem is that, although the words are reasonable, can they be interpreted in a reasonable way?

There are different answers to your question. Do we need more interpretation and explanation of what the words mean? I suggest that if we are to use the words "appropriate in the circumstances", we should provide a list in black and white of suitable situations. We should also give more information. That happens in law all the time. The problem is not unique to the bill; it is the same across the board. That is an important point.

When I look at those words, I am perturbed that we would give local authorities too much power without giving them enough guidance. I am a lawyer and I do not have much faith in local authorities. As somebody who campaigns on behalf of Gaelic—I am not sure whether there is a Gaelic proverb to express this—I know that the road to hell is paved with good intentions. I am not happy to leave those questions with the people who will implement the policies, as that is a tad dangerous. I have thoughts about how we can overcome those issues; certainly, they can be overcome.

Ian Jenkins: When I read your submission, it seemed at one point that you were saying that implementation should happen where it is "appropriate in the circumstances" and would be "reasonably practicable". However, at first, it seemed as if you wanted implementation to be inappropriate and impracticable. I understand that that is not the case. This is interesting territory.

If the committee agrees to support the bill at stage 1, is that the sort of clarification and embedding of reasonableness that you would want to see in amendments and in the subordinate legislation that would flow from the bill?

Rob Dunbar: Bu thoigh leam sin fhaicinn, leis an fhìrinn innse, agus gabhaidh sin dèanamh.

Following is the simultaneous interpretation:

I would like to see that. It can be done.

Ian Jenkins: Can it be done in time?

Rob Dunbar: Is e sin a' cheist. Tha mi a' leughadh nam pàipearan agus tha bile ann dhuibh a h-uile latha, tha mi a' tuigsinn. Tha mi cinnteach gum bi mi fhèin agus daoine eile ann an deagh rùn agus deònach comhairle agus stiùireadh a thoirt dhuibh agus barrachd obair a dhèanamh. Chan eil beachd agam dè cho fada a bheireadh e. Tha mi a' smaointinn gun gabhadh sin dèanamh. Tha na faclan sin cumanta gu leòr. Mar eisimpleir, tha iad ann an Achd na Cuimris 1993 agus ann an achdan eile. Tha dòighean ann mìneachadh a thoirt dha na nithean sin.

Following is the simultaneous interpretation:

That is the question. I understand that the process takes a long time and I am sure that those of us with good will would be happy to give the committee more guidance and direction. I am not

sure how long that would take, but I am sure that it could be done. The words are common. They are in the Welsh Language Act 1993, for example, and there are ways of giving more information about such issues.

Jackie Baillie: I will take a slightly different approach, because interpreting “reasonableness”, or that kind of language, is not necessarily helpful. As soon as we start to list specific circumstances in the bill, we exclude, by definition, the circumstances of which we have not thought. The way to approach the issue is through guidance, rather than through primary legislation.

When I used the English expression “enabling legislation”, I was driving at whether we are talking about giving public bodies—in this case, local authorities—a power or a duty that reflects local circumstances and needs. It seems that you are talking about a duty.

Rob Dunbar: Is e sin a tha mi ag ràdh. Tha mi a’ smaointinn gum faodamaid barrachd mìneachadh a chur dhan bhile. Tha sin a’ tachairt ann an iomadach àite. Tha deagh eisimpleir againn ann an Achd na Cuimris 1993. Tha na faclan sin car farsaing ach tha iad a’ toirt seachad obair shònraichte do Bhòrd na Cuimris ann a bhith ag obair le comhairlean ionadail le bhith a’ dealbhadh nam planaichean. Chan eil iad a’ fàgail nam planaichean aig na comhairlean agus na buidhnean poblach fhèin. Tha iad a’ cur smachd air obair nan comhairlean agus na buidhnean poblach tro Bhòrd na Cuimris.

Tha dòighean eile ann a tha mi a’ smaointinn a bhiodh ciallach. Bhithinn fhìn airson faicinn conaltradh ciallach, a tha stèidhichte air prionnsabalan ciallach, agus a tha a’ tuigsinn an dà chuid feumalachdan luchd-bruidhinn agus luchd-leasachaidh na Gàidhlig agus na dleastanasan eile a tha air buidhnean poblach.

Tha planaichean agam a h-uile latha. Tha mi gan sgrìobhadh sìos agus tha mi làn deagh rùn aig toiseach an latha. Aig deireadh an latha, mar is trice, chan eil a h-uile sìon air an liosta dèanta. A h-uile latha tha deagh leisgeulan agam. Is ann air sgàth sin a bhios ceannard anns an roinn agam a’ faighneachd dhìom dè tha mi a’ dèanamh. “A bheil thu a’ sgrìobhadh nam pàipearan sin no a bheil thu a’ coimhead an telebhisein?” Is e sin an t-adhbhar gu bheil e cudthromach an t-uallach agus an dleastanas a chur air buidhnean poblach.

Chan e ceist deagh rùn a tha ann. Is dòcha gu bheil droch rùn ann aig amannan agus tha sin nimheil. Aig a’ cheart àm, tha e cudthromach gum bi slatan-tomhais ann gus am bi fios aig daoine dè tha a’ tachairt ann an da-riribh.

Following is the simultaneous interpretation:

That is what I am saying. The bill could provide more information. That happens in many bills.

There are good examples in the Welsh Language Act 1993. Although the words that I referred to are general, they perform a job for the Welsh Language Board in its work with the councils on their plans. The plans are not simply left to the councils and the public bodies. Local authorities check their work through the board and there are other ways of doing that. That is sensible and wise.

I am in favour of more sensible consultation and taking account of the views of people who are involved in the development of Gaelic and who speak Gaelic. We need plans. Having a duty on the relevant public bodies would mean that there would be legal responsibility, which is important.

Every day I have plans—I write down what I intend to do on a particular day. Although I am full of good intentions at the beginning of the day, usually I do not manage to finish everything on the list by the end of the day. Every day I have good excuses and reasons for not getting through my list. It is because of that kind of philosophy that we have a head of department who asks every year, “What are you doing? Have you written those papers or have you been watching television?” That is why it is so important to place responsibility on public bodies.

It is not simply a question of good will. There might be ill will—that is fine. It is good to have methods of measuring progress, so that people know what is happening with the plans.

Michael Russell: I will be very brief. Members should read the Welsh Language Act 1993. Rob Dunbar and Wilson McLeod know that the words in question have been taken from that act. The fact that those words are used in another piece of legislation means there is a precedent for them and that they have been in operation for many years. Although I have said that I would welcome all sorts of amendments, I would be most resistant to an amendment that specified reasonableness, because—as Jackie Baillie said—something will always be forgotten.

The Convener: I thank the witnesses for their evidence, which was helpful and interesting.

We will now take evidence from Clì. I welcome Peadar Morgan.

Peadar Morgan (Clì): Tapadh leibh an toiseach airson a’ chothruim bruidhinn ribh às leth na buidhne Clì. Mar an dara ballrachd as motha ann an saoghal na Gàidhlig, tha cothrom againn bruidhinn bho stèidh na coimhearsnachd againn—is e sin coimhearsnachd an luchd-ionnsachaidh agus nam fileantach a tha air Gàidhlig ionnsachadh.

Tha dà dhìofar mòr againn ris a’ chòrr de shaoghal na Gàidhlig, anns a bheil sinn moiteil a

bhith mar phàirt. Tha an dà dhiofar a' cur ris an t-saoghal sin gun a bhith idir a' toirt bhuaith. Is e a' chiad diofar gu bheil sinn às gach ceàrn de dh'Alba agus iomadh àite a-mach à Alba cuideachd. Ged a tha Gaidheil a' fuireach anns gach sgìre, tha na fileantaich ùra a' tighinn le cultar agus dualchas ionadail an àite. Chan eil sinn ag iarraidh orra cùl a chur ris an dualchas ach tha sinn an dòchas gun tagh iad a' Ghàidhlig mar am prìomh chànan agus gun leudaich iad cultar farsaing na Gàidhlig le bhith a' tarraing air a' chultair ionadail a tha sin. Mar sin, tha feagal oirnn ro loidhnichean air a' mhap gum biodh Alba a' call iomadachd air an sgàth agus gum bi saoghal na Gàidhlig a' call iomadachd mar an ceudna.

Is e an dara diofar gu bheil fileantaich nach deach a thogail le Gàidhlig air an cànan a thaghadh. Tha iad saor bho na linntean de mhùchadh oifigeil is eaconamach is sòisealta. Tha iad mar sin an tús an iartais gus an cànan a chur gu feum anns gach suidheachadh poblach a-rithist. Tha sinn an dùil gum faicear barrachd dhen iartas seo bho na sgìrean Gàidhlig, bhon Ghaidhealtachd, bhon Ghalldachd, bho na bailtean mòra, bho na bailtean beaga agus bhon tuath timcheall Alba. Cha chuir a leithid a dh'iartas bho shluagh beag rianachd na dùthcha fodha, ach dh'fhaodadh rianachd na dùthcha na cànanan nàiseanta againn a chumail fodha.

Following is the simultaneous interpretation:

Thank you for giving me the opportunity to speak on behalf of Clì, which has the second largest membership of the Gaelic groups. It strives on behalf of the Gaelic community, especially the learners, but also the fluent speakers.

There are two major differences between Clì and the rest of the Gaelic world. We want to add to that Gaelic world and not take from it. The first difference is that we are involved in every area of Scotland. Although Gaels live in every area, the new Gaels—the new fluent speakers—come with the culture of their specific area. We hope that they will choose Gaelic as their main language and that they will expand Gaelic culture in their area. We are scared of lines on the map—we do not want divisions and we do not want to lose a Scotland that has Gaelic throughout.

We also note the differences of fluent speakers who add to the economy and social aspects of Scotland. We want to use Gaelic in every public situation and we want more of that in the Gaelic areas in the Highlands, the Lowlands, the cities, the villages and the crofts throughout Scotland.

The Executive can keep Gaelic from us and from those Gaelic speakers.

The Convener: Thank you. I explain to witnesses that there is sometimes a slight delay at the end of their speeches as we listen to the end

of the translation; do not feel that we are ignoring you.

Michael Russell: I was waiting for other members to ask questions first, but if not, I will continue.

Thank you for your evidence, which is important as it reflects a constituency that is too easy to forget, but on which the future of Gaelic depends. Those who opt into the language want to build and develop it in Scotland and they need a great deal more of that to be done.

I will ask you the two questions that I have asked everybody, apart from getting sidetracked with COSLA; this will be easier than that experience. It is important that we understand what we are doing, which is discussing acceptance of the general principles of the bill before we move to detailed amendment. I take it from your evidence that you and your organisation are supportive of approving the general principles and moving to the second stage?

Peadar Morgan: Tha sin ceart.

Following is the simultaneous interpretation:

That is right.

Michael Russell: Okay. You have indicated that detailed amendment is needed in terms of implementation. I should stress that I do not want to defend that clause greatly, but the clause says that implementation will be staged. The act will cover all of Scotland, but implementation will be staged—it might be possible for the bill to provide for a more rigid implementation to be rolled out over time and to drop the options.

I understand your objections and I found some of the information in your submission extremely interesting, particularly that your organisation's membership is above the national average and where that membership is focused. The committee should note that there are areas such as Angus, North Ayrshire, the Borders and Perth, which are outwith the initial implementation area of the bill—most of North Ayrshire is outwith that area—but where there is a strong membership.

What other changes to the legislation would you want? Where does it need to be changed or developed to address your organisation's concerns?

16:00

Peadar Morgan: Tha sinn mothachail air, seach gur e bile buill a tha ann, nach urrainn dhan bhile a bhith a' gabhail a-staigh a h-uile nì a bu mhath leinne agus leis na buidhnean eile. Tha a' bhuidheann againn a' cumail taic ris na h-amasan air fad anns a' bhile ach tha e cudthromach gun tèid a chur a-staigh airson na dùthcha air fad bhon chiad dol-a-mach.

Tha sinn cuideachd a' moladh gun rachadh na bha anns a' bhile a tha sinn a' tuigsinn a chaidh a mholadh le MAGOG a chur ris a' bhile. Bho na tha sinn air fhaicinn dhen bhile sin—cha chuala mi a bheil e air a dhol a-mach gu poblach ach tha sinn air sealladh dheth fhaicinn—tha sinn a' tuigsinn nach biodh e a' dol tarsainn air dad a tha anns a' bhile aig Micheal Ruiseal. Bu chòir dhan bhile a bhith a' daingneachadh gur e cànan nàiseanta a tha ann agus chanainn gur e sin laigse anns a' bhile seo, ged a tha sin anns a' mheòmrachan poileasaidh. Chan e neach-lagha a tha annamsa, ach chanainn-sa nach eil sin làidir gu leòr airson sealltainn do dhaoine gur e sin a tha a' Phàrlamaid ag ràdh a tha anns a' chànan. Bu chòir sin a chantainn gu soilleir. Bu chòir dhan bhile cuideachd a bhith a' cur bòrd Gàidhlig na h-Alba fo reachdas.

Following is the simultaneous interpretation:

We are aware that, although we are speaking on behalf of our members, the bill cannot accommodate every member. Our organisation supports the aims of the bill, but it is important that the bill should represent the whole of Scotland initially.

We also suggest that all the recommendations of the ministerial advisory group on Gaelic be added to the bill. We understand from the draft that we have seen of the bill proposed by MAGOG that there is no crossover between the MAGOG proposals and your bill. We want confirmation that Gaelic is a national language, and that is a weakness in your bill. I am not a lawyer, but I do not think that the bill is strong enough to show that that is what the Parliament is saying about the language. Having said that, we would like you to say that Gaelic is a national language, and we would like an act to refer to a Gaelic Scotland.

Michael Russell: In terms of the development of Gaelic, the bill is very much a first step rather than, by any means, the last word.

What is required from now on? Assuming that the bill were enacted, what would be required, not just to reverse the decline in Gaelic, but to increase the number of Gaelic speakers in Scotland over a number of years? What role can your organisation play in that?

Peadar Morgan: Is dòcha an rud as cudthromaiche airson inbhich—an dà chuid mar dhaoine a bhios ag ionnsachadh agus mar phàrantan a tha a' taghadh na Gàidhlig airson an cuid chloinne timcheall air Alba—gu bheil iad a' faireachdainn gu bheil a' Ghàidhlig mar phàirt dhen choimhearsnachd aca fhèin, dhen sgìre aca fhèin agus nach e rud cèin a tha iad ag ionnsachadh. Tha seo eadar-dhealaichte do dhaoine a tha a' fuireach ann am Barabhas no ann am Barraigh seach do dhaoine anns a' mhòr-chuid

de dh'Alba, anns a mhòr-chuid den Ghaidhealtachd agus fiù 's ann am pàrtean de na h-Eileanan. Tha e cudthromach gu bheil a' Ghàidhlig air a h-acaireachadh anns an sgìre aca fhèin agus gu bheil seilbh aca fhèin air a' chànan.

Is dòcha gur e teachdaireachd a tha sin dha na Gaidheil cuideachd an dèidh mìle bliadhna de chrionadh anns a' chànan. Is dòcha gu bheil iad air dìochuimhneachadh gu bheil iomadachd a dhith ann an cànan no cultar sam bith agus gu bheil àite ann do dhaoine anns na Crìochan no ann an Siorrachd Obar Dheathain, nach eil a' tighinn às an dualchas aca fhèin, a mhìneachadh tron Ghàidhlig. Agus ma tha clann a' dol a-staigh gu foghlam Gàidhlig no inbhich ag ionnsachadh na Gàidhlig anns na sgìrean sin, chan eil iad a' cur cùl ris an dualchas aca fhèin ach ga mhìneachadh agus a' cur ris.

Following is the simultaneous interpretation:

Maybe the most important thing for adults, including learners of the language and parents who choose Gaelic for their children, is that they must feel that Gaelic is an important part of their community and area and that it is not a foreign language that they are learning. That is important for people living in Barvas, in Barra and throughout Scotland. Even in parts of the islands, Gaelic has to be seen as an anchor within the community so that people have access to their language.

Another message for the Gaels is that the language has been dying for a thousand years and that maybe they have forgotten that we need diversity within a language and within a culture. We see that in Aberdeenshire. If children are going into Gaelic education and adults are learning the language in those areas, they are not turning their back on their own culture or heritage but are defining it or adding to it through the language.

Cathy Peattie: We heard earlier from COSLA, which is reluctant to support the bill, and local authorities clearly need to sign up to taking it forward. What do you think needs to be done to convince them or to help them to understand the implications of the bill?

Peadar Morgan: Tha mi a' smaointinn gur e ceist do chuideigin eile a tha sin, seach nach eil sinne ag obair aig an ìre sin. Chanainn gu bheil oifigich anns a h-uile comhairle gu math taiceil, ach tha cuid de dh'oifigich nach eil cho taiceil no cho tuigseach air a' chùis. Theagamh gur e sin an duilgheadas as motha a tha againn le cuid de na comhairlean agus buidhnean poblach, gu bheil e an urra ris na daoine fa leth. Dh'fhaodadh iad a bhith taiceil, no a bhith an aghaidh na Gàidhlig, no a bhith aineolach ma deidhinn. Mar a chuala sinn a-rithist an-diugh, dh'fhaodadh iad a bhith a'

cleachdadh roinn agus riaghail—mar a tha mi a' toirt air "divide and rule"—le bhith a' cantainn "Seo sgìre airson Scots agus chan e sgìre Gàidhlig a tha ann."

Is dòcha gu bheil rathad eile ann. Is e cion lèirsinn a tha sin a tha ag ràdh gu bheil rùm ann airson aon chànan no dà chànan a-mhàin agus nach tig cànan eile. Niste, bhithinn an dòchas nach canadh na daoine a chanadh sin nach eil rùm ann airson Gujarati no Punjabi no gu dè a bhios ann, far a bheil Gàidhlig no far a bheil Scots. Tha e cudthromach gu bheil am prionnsabal gur e cànan nàiseanta a bhiodh air a stèidheachadh agus, far a bheil poileasaidh Gàidhlig le taic bho chomhairle, tha e cudthromach gum bi a h-uile oifigeach a tha ag obair dhan chomhairle sin a' tuigsinn gu bheil sin ann, no co-dhiù gum faod sinn a ràdh gu bheil iad a' dol an aghaidh na comhairle.

Mar a tha cùisean an-dràsta, chan eil sin a' tachairt fiù 's far a bheil mi fhèin a' fuireach, ann an sgìre Chomhairle na Gaidhealtachd—comhairle a tha gu math bàidheil agus taiceil dhan Ghàidhlig. Mura bheil thu a' fuireach anns an àite cheart no a' bruidhinn ris an oifigeach cheart, theagamh gum faigh thu freagairt nach eil thu a' sùileachadh bho chuideigin a tha ag obair aig a' chomhairle sin. Le plana Gàidhlig, dh'fhaodadh tu an toirt air ais gu poileasaidh na chomhairle agus rudan a ghluasad air adhart.

Following is the simultaneous interpretation:

I suspect that that is a question for somebody else, as we do not work at that level. I would say that there are officials in every council who are quite supportive, but there are also officials who are not so supportive or who do not understand our cause. Part of the difficulty that we have with councils is that it is up to individuals; some may be supportive of Gaelic, some may be very much against it and some may be ignorant. As we heard, we have seen divide-and-rule in practice today. Some people say that this is an area for Scots, not for Gaelic but it can also work the other way.

There is a lack of vision. We need not confine Scotland to two languages. I hope that no one would say that there is no room for Gujarati or Punjabi or for any other languages just because Gaelic and Scots exist. For the principle of Gaelic as a national language, it is important that council officers understand that, if a council supports a policy, it is in place. At least, we should be able to tell them that they are going against council policy.

I live in the Highland Council area. The council is very supportive of Gaelic, but someone who does not live in the right part of the council area or who does not talk to the right council officer may get an answer that would not be expected of someone

who works for Highland Council. With a Gaelic plan, a council officer can be reminded of the council's policy and the issue can progress that way.

Cathy Peattie: Rather than divide-and-rule, we have seen this afternoon that there are those who are enlightened and those who are not so enlightened. Sometimes, there can be a plan, but it is not carried out. If a plan is put in place, how do we ensure that councils will carry it out? I fear that although we might have a good idea, and a commitment on paper to promoting Gaelic in schools and in education, the reality could end up being something different. I want to tease out those areas and see how they can be changed.

Peadar Morgan: Mar a tha mi a' tuigsinn a' bhile, is e na h-ombudsmen a bhiodh a' dèanamh cinnteach gum biodh plana ga chur an gnìomh. Mar a tha sinn air a chantainn anns an fhianais againn, tha sinn a' cumail taic ri sin, co-dhiù gus am bi siostam no structar eile ann. Theagamh gur ann tro bhòrd Gàidhlig na h-Alba a bhiodh sin.

Tha mi air an smuain agam a chall an sin, tha mi duilich. Dè a' cheist a bha ann a-rithist?

Following is the simultaneous interpretation:

As I understand the bill, the ombudsman would be responsible for the final word on implementing such a plan. As our submission states, we fully support that, at least until a new system is in place, perhaps through bòrd Gàidhlig na h-Alba.

I have lost my train of thought. Can you repeat the question please?

Cathy Peattie: If the bill is passed, we want to ensure that there is real benefit to the promotion of Gaelic.

Peadar Morgan: Ma tha planaichean ann, tha cothrom aig daoine sin a chur fo shròn an oifigich a tha a' cur bacadh orra. Tha mi a' gabhail ris nach dòcha gum bi an t-iartras cho mòr ri sin anns a' chiad dol a-mach, ach tha e cudthromach gu bheil daoine a' tuigsinn gu bheil an cothrom aca agus gu bheil fios aca gu bheil an cothrom ann.

Tha sin a-rithist gar toirt air ais chun a' bheachd gur ann anns a' bheatha aca fhèin a tha a' Ghàidhlig, ge b' e dè an t-àite ann an Alba anns a bheil iad beò no ge b' e dè an dòigh a thàinig iad chun na Gàidhlig no an robh Gàidhlig anns an teaghlach gus nach robh no anns a' choimhearsnachd bho chionn greis gus nach robh. Tha fios aca gu bheil mothachadh air a' Ghàidhlig ann. Ma dh'iartras iad seirbheis anns a' Ghàidhlig, an àite a bhith a' cantainn "Tha mi duilich, ach tha mi ag iarraidh seirbheis anns a' Ghàidhlig", bhiodh am bile ag atharrachadh chùisean, air chor 's gum b' e a' chomhairle no am buidheann poblach a bhiodh ag ràdh, "Tha sinn duilich. Tha seo duilich dhuinn, ach nì sinn ar dicheall." Tha mi a'

smaoineachadh gur e atharrachadh mòr, mòr anns a' chultar a bhiodh an cois sin a bhiodh gu math cudthromach do dhaoine.

Following is the simultaneous interpretation:

If plans exist, we have an opportunity. The plans can be put under the noses of the council officers. If the councils are promising to implement such a plan, it is important that people know that the opportunity is there.

Gaelic is part of people's lives, wherever they live in Scotland and however they came across it, whether it was through their family, whether they learnt it or whether it was part of their community. The important point is that people know that Gaelic exists. If someone requests a service in Gaelic, rather than saying, "I am sorry, but I want a service in Gaelic", the situation should be reversed so that the council officer says, "I am sorry, that might be difficult, but we will do our best." That would be a big change in the culture, and would be very important to people.

The Convener: There are no further questions. I thank Peadar Morgan very much for his time and his evidence.

The Deputy Convener: I welcome Jim Tough and Gavin Wallace from the Scottish Arts Council, where Jim Tough is head of strategic development.

Jim Tough (Scottish Arts Council): We thank the committee for inviting the Scottish Arts Council to comment on the Gaelic language bill. The Gaelic arts are very much in the council's thoughts as it prepares a Gaelic arts policy in consultation with the sector.

Perhaps most important, given its remit as a public body supporting Scotland's arts, the Scottish Arts Council believes that the Gaelic arts not only play a vital role in supporting Gaelic language and culture, but are a key part of mainstream arts and cultural diversity in Scotland. That ranges from the inclusive, community-based activity of the Fèis movement to the high-profile international standards apparent in some of the performances at this year's Celtic connections music festival.

The proposal in the Gaelic language bill for public bodies to produce Gaelic language plans would be a positive development, and the Scottish Arts Council's current work in that area, as outlined in its written submission, would be the foundation of any such plan. The council understands, however, from its consultation with the Gaelic arts sector, that there remains a concern that the language may not survive without more direct intervention, especially in the formal education sector, and through the awarding of secure status. The arts can and do play their role,

but it is felt that language teaching in schools is the main driver for survival.

In continuing to support the Gaelic arts, the council will prioritise activity that is contemporary in its practice, develops and delivers quality and seeks to reach the widest audience. A key commitment in developing a language plan would be to continue to consult with Gaelic artists and arts organisations to inform how best to tackle issues such as communication, publications and representation on the council, committees and staff by Gaelic speakers. Finally, there are resource implications for such developments that the council must consider in the challenging funding environment of the arts.

Michael Russell: I welcome that contribution from an organisation that, over the years, has given much help to bodies such as the Gaelic Arts Agency and has in recent months been partly financially responsible for "An Leabhar Mòr". The Scottish Arts Council has shown itself to be a strong friend of Gaelic.

Mr Tough, are you saying that the council is in favour of the general principles of the bill and that, although there are detailed issues that require development and amendment, it would encourage the bill's progression? Of course, some of the issues that you mentioned are outwith the scope of a member's bill.

Jim Tough: I could articulate a clearer answer to that question once the Scottish Arts Council forms its opinion. The views that the committee has heard so far are those of myself and Graham Berry, the council's director, but, as presented, the council would welcome the bill. In fact, to answer the second part of your question, the council would welcome the bill's national context. As a national body, for the council to implement the bill properly, consistently and coherently throughout the country, a long-term national approach is essential.

Michael Russell: That is an interesting response. The Scottish Arts Council is the first body not based in the Highlands and Islands to give evidence to the committee.

You are saying that you regard this bill as something that could underpin and support your work, and that although you would do your duty in any case, you would be glad to have such a legislative framework. Bodies outwith the Highlands and Islands might say that the matter is nothing to do with them because they are not included.

16:15

Jim Tough: That is right. We have a history of contact with the sector, and it is articulate and

clear about its aspirations. Our learning curve has been similar to that of the committee. We appreciate the political, social and economic value of the Gaelic arts community's work, and our view is born of experience.

Michael Russell: Are you encouraging the committee to see this as an all-Scotland issue, rather than one affecting the Highlands and Islands?

Jim Tough: Yes.

The Deputy Convener: If the bill were successful, it would have interesting implications for the work of the SAC.

Jim Tough: Details will appear in our submission about next week's consultation exercise with many Gaelic arts organisations and other key bodies, including local authorities. The devil will be in the detail. We shall consider what it means for the SAC to have a Gaelic arts policy. We need to consider how to provide cost-effectiveness in the translation of publications, and an appropriate level of equality in rights of opportunity for individuals, who may be Gaelic speakers or Gaelic artists.

There may be associated costs. It will have to be decided whether the SAC, with the various demands on its funds, prioritises Gaelic arts programmes and a language plan as the main thrust of its activities, or whether we make the case to the Executive for increased investment in the arts as whole.

The Deputy Convener: An increase in money for traditional arts and Gaelic arts is a good idea.

Jackie Baillie: Jim Tough talked of the challenging funding environment—we have heard about that many times in committee. In the context of supporting the bill and the positive work being done, does he think that in the case of someone challenging the council by saying that it was not doing enough—it may have made certain judgments on cost-effectiveness and the distribution of money—there should be financial sanctions available as part of an enforcement regime?

Jim Tough: What form would they take?

Jackie Baillie: In this case, financial sanctions against the Scottish Arts Council.

Jim Tough: I thought that that happened already.

I hope that we could arrive at an answer, through consultation and discussion, that prevented us from ever reaching that point. Many of the conversations and presentations that we have heard are about finding positive, reasonable and appropriate approaches, but that need not require the enforcement of a legal framework. We

must ensure that a valuable and unique asset of this country is not lost. I would enter into the process of planning with a can-do attitude.

Jackie Baillie: Given that not everybody is as positive as the SAC, do you suggest that the outlined route—ombudsman, judicial review—be available to ordinary members of the public? Are there any other appropriate mechanisms to ensure compliance with legislation?

Jim Tough: I do not feel qualified to comment on whether legislative routes would be the most effective.

My personal and professional experience of the Gaelic arts community is that it is an able and articulate campaigning body. If we did not fulfil the artistic programme that we had negotiated with it, we would soon hear of its disappointment.

The Deputy Convener: There are no other questions. That was short and sweet.

The next evidence will be taken on 14 January and on 21 January.

Michael Russell: Could we be reminded of who is giving evidence on each occasion?

The Deputy Convener: On 14 January, it will be Scottish Natural Heritage, National Museums of Scotland and the Welsh Language Board. On 21 January, it will be the minister and you, Michael.

Michael Russell: That will be an opportunity.

The Deputy Convener: We will have fun that day.

Michael Russell: It will be a ticket-only event.

Mr Monteith: Will the clerks prepare questions for us to ask Mike Russell?

Michael Russell: Questions that I would not get to see.

Jackie Baillie: I will come up with something all of my own.

Petition

Health Education (Guidelines) (PE427)

The Deputy Convener: The final item on the agenda is to note a letter to the convener from Learning and Teaching Scotland. Copies have been circulated to members.

Michael Russell: Is that the letter dated 4 December? The committee paper refers to a letter that is on its way. Was that it?

The Deputy Convener: Yes.

Michael Russell: It clearly went the long way round.

Jackie Baillie: The letter in response to further representation from the committee is certainly much more helpful than the original response was. Indeed, it mentions the fact that some of the sex education resources, including some of those listed, would be inappropriate for use with young people at all stages of their education. That is certainly further than Learning and Teaching Scotland has gone before, although it qualifies that by saying that those materials are a resource for teachers. However, there is now an acknowledgement that was not made before, and the timetable has been moved forward so that the review will be initiated during the early part of 2003. I therefore suggest that we include this as an item in our legacy paper for a successor committee to return to when the review is complete.

The Deputy Convener: That seems sensible.

Michael Russell: Members will probably have seen copies of the letter that the Rev Iain Murdoch has written to *Holyrood* magazine expressing concern that the petition has been on-going for a long time and that the committee should have more power and the Executive less. Although I entirely agree with that at present, he has obviously not seen the letter from LTS, which goes some considerable distance further towards meeting him than has been the case until now. It is a great pity that it has taken us four or five exchanges of correspondence to get to this stage. It would have been nice if Professor Wilson had taken this view at the beginning and saved everybody a great deal of trouble, including Iain Murdoch and his co-petitioner, who have been very strong on the matter.

Jackie Baillie is right to say that the LTS letter is progress, and I think that it is sufficient progress for us at least to say that the concerns of the petitioners are, in substantial part, being addressed.

Ian Jenkins: I welcome it too.

The Deputy Convener: Thank you very much. I now close the meeting.

Meeting closed at 16:23.

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