

Department of Justice, Equality and Law Reform

**Scheme 2006-2009 under Section 11 of the Official
Languages Act 2003**

Inaugural Irish Language Scheme (as amended)

June 2006

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Chapter 1

Introduction and Background

This scheme was prepared under Section 11 of the Official Languages Act 2003 (hereinafter referred to as “the Act”) by the Department of Justice, Equality and Law Reform.

Section 11 provides for the preparation by public bodies of a statutory scheme detailing the services they will provide

- through the medium of Irish,
- through the medium of English, and
- through the medium of Irish and English

and the measures to be adopted to ensure that any service not provided by the body through the medium of the Irish language will be so provided within an agreed timeframe.

1.1 Guidelines for Preparation of a Scheme

Section 12 of the Act provides for the preparation of guidelines by the Minister for Community, Rural and Gaeltacht Affairs and their issue to public bodies to assist in the preparation of draft schemes. This scheme has been drawn up with due regard for those guidelines.

The Department published a notice, in both Irish and English, under Section 13 of the Act on 20 July, 2005, inviting representations in relation to the preparation of the draft scheme under Section 11 from any interested parties. 7 submissions were received, all of which are available for viewing on the Department’s website www.justice.ie. A notice also issued to all the staff of the Department seeking submissions. The Department appreciates the time and effort afforded by all those who made submissions.

The scheme has been informed by these submissions and views and suggestions put forward by staff in the Department and Associated Bodies included in the scheme.

1.2 The Content of the Language Scheme

Staff/officers from the Department and Associated Bodies covered by the scheme have assisted in drafting the scheme. Responsibility for monitoring and reviewing the scheme will rest with the senior management within this Department.

The scheme builds on services currently available through Irish in the Department and Associated Bodies. Areas for future enhancement of the service provided by the Department and Associated Bodies are identified in the body of the scheme.

The scheme also includes a commitment to assess on an on-going basis the level and nature of demand for services through Irish and to ensure that the Department continues to meet this demand in a planned, coherent and accessible fashion. The Department will continue to gauge the type and level of demand for its services in the Irish language by carrying out regular and timed audits through a system of assessing/measuring the type and level of queries/requests for services through Irish in a given period.

1.3 Commencement Date of the Scheme

The scheme has been confirmed by the Minister for Community, Rural and Gaeltacht Affairs. It will commence with effect from 30 June, 2006 and shall remain in force for a period of 3 years from that date or until a new scheme has been confirmed by the said Minister pursuant to Section 15 of the Act, whichever is the earlier.

1.4 Overview of the Department of Justice, Equality and Law Reform

1.4.1 Mission Statement

To maintain and enhance community security and promote a fair society through the development of a range of policies and high quality services which underpin:

- the protection and assertion of human rights and fundamental freedoms consistent with the common good;
- the security of the State;
- an effective and balanced approach to tackling crime; and
- progress towards the elimination of discrimination, the promotion of equal opportunities and tolerance.

1.4.2 Values

In delivering on our mission statement, we are guided by the following core values:
We seek to

- ensure access to justice;
- apply fair and equal standards of treatment to all groups in society;
- demonstrate accountability for our actions;
- show courtesy, integrity and openness in our dealings;
- provide excellent services to the public; and
- value the individual.

1.4.3 Mandate

Our mandate – the business of the Department – is wide-ranging and complex and is determined by high level Programmes and Strategies including the Agreed Programme for Government, the National Development Plan (NDP), Sustaining Progress, the National Anti-Poverty Strategy and the National Drugs Strategy.

Our main areas of responsibility include:

- Implementing Government policy on crime and reform of the law in this area;

- Providing policy advice in relation to the criminal justice system and supporting the operation of this system;
- Further developing national immigration policy and implementing the Government's asylum strategy;
- Developing and implementing policies to promote a fair, tolerant and caring society;
- Playing our part in building a secure and peaceful society; and
- Continued reform of areas of the civil law.

1.4.4 Customers and Clients

The work of the Department impacts on a wide array of communities and people and accordingly has an extensive customer base e.g.

- General Public (national and international);
- Government Bodies;
- Non-Governmental Organisations;
- Public Representatives;
- Community/Voluntary Groups;
- Legal Profession; and
- Media.

1.4.5 Functional Areas of the Department

The Department is structured around ten areas. Each area is comprised of one or more Divisions and is headed by a member of the Management Advisory Committee:

- Crime, Security and Northern Ireland, Mutual Assistance and Extradition;
- Garda Síochána;
- Prisons and Probation and Welfare Policy;
- Criminal Law Reform and Human Rights;
- Civil Law Reform, Courts Policy, Equality and Disability;
- EU/International matters;
- Asylum, Immigration and Citizenship;
- Youth Justice;
- Personnel, Corporate Services, Organisation Development, Project Development, Finance and IT; and
- Reception and Integration Agency.

There are now over 20 Associated Bodies in the Justice and Equality Sector, each with its own specific administrative, regulatory or operational functions.

1.5 Assessment of extent to which services are already available through Irish

The primary objective of the Act is to ensure better availability and a higher standard of public services through Irish. Despite its broad range of functional areas, the Department generally does not provide services directly to the public except in a number of specific areas.

At the present time, the Department provides a limited number of services bilingually. The Department's corporate publications – Statement of Strategy, Annual Report, Customer Charter, policy documents and some Statutory Instruments – are available

in Irish and English. The Department's headed paper, some of its forms, main signage and pre-recorded telephone announcements are available in Irish and English. Depending on the nature and target audience the Department places some of its press advertisements in both Irish and English. In addition, the Department has long operated a policy of endeavouring to answer correspondence in the language (Irish or English) used in the correspondence received.

It should be noted that at present the Department is in the process of a major redevelopment of its website. Part of this process involves identifying the many functions of the Department with a view to re-presenting what we do, to the general public. One of the outputs from this process will be the identification of services provided to the general public which are currently only available through English or through both Irish and English. Once this process is complete, it is the aim of the Department to increase the level of services provided to the general public through both Irish and English.

1.6 Rules of Court

Concurrent with the redevelopment of our website, the Department has been involved in a major on-going Irish language project. Since February 2003, the Department has employed a translator, on secondment from the Houses of the Oireachtas, principally to oversee and carry out translations of the Rules of Court. Priority was given to the translation of the District Court Rules, 1997, and the Irish translation of that 1,200 page document was published in December 2004. The forms which are required for the business of the District Court constitute the greater part of the document. A new lease of life is given to a great number of legal terms in the translation of those Rules. In addition, a 50 page index, which is a thesaurus of the Irish legal terms used, is attached to the Rules. These Rules are available on the Courts Service's website, www.courts.ie.

That translation sets the standard not alone for the translation of the 50 or so amendments which have been made to the 1997 Rules to date – the printing of which translations is proceeding apace – but also for the recently commenced translation of the Rules of the Circuit Court, 2001, and the amendments to those Rules to date. The printing of the Irish translation of the forms contained in the Rules of the Superior Courts, 1986, is also under way, and it is proposed to have the translation of those Rules published within the period of this scheme.

Other Statutory Instruments relating to the Gardaí, Prisoners, Coroners, Films/Videos and Jury Districts have also been translated in recent months. Furthermore, the Department has made a significant contribution to the Interdepartmental Committee on the Translation of Statutory Instruments, chaired by the Department of Community, Rural and Gaeltacht Affairs.

1.7 Glossary

A glossary of terms relating in general to the Department has also been compiled by the Department's translator. It is proposed that this will be available to Department staff at the commencement of the scheme or within a month of the launch of Department's new website, whichever is the later date. The glossary originated from translations of titles, short texts, correspondence, terms, etc., sought by various Divisions in the Department or by bodies or agencies associated with the Department

over the past 18 months and was augmented by the addition of official Irish titles of documents published in recent years relating in general to the Department. It is intended to continue to build on this glossary and to make it available to the public in general on the Department's website.

The glossary is also intended for independent translators who are providing translations for the Department. It is envisaged that the glossary will aid consistency and speed of translation. A draft of the glossary was provided to the company translating the Department's 2004 Annual Report, for example.

Chapter 2

Scope of Scheme

As a public body listed in the First Schedule to the Act, the Department of Justice, Equality and Law Reform was requested to prepare a scheme under the Act. While not obliged to do so, shortly after receipt of this request, the Department made a decision to include in its scheme, 5 of the 20 Justice and Equality Sector Associated Bodies listed in the First Schedule to the Act. The 5 Associated Bodies selected are as follows:

- Office of Official Censor of Films
- Censorship of Films Appeal Board
- Censorship of Publications Board
- Censorship of Publications Appeal Board
- Criminal Injuries Compensation Tribunal

These bodies were selected for 2 reasons. Firstly, each of them has a relatively small number of staff and, secondly, because of the connection of their work with the general public.

In addition to the organisations listed above, although not listed as a Public Body under the Act, the Department decided to include the following organisation as part of its scheme:

- National Crime Council

The Department also decided to include the following two highly specialised organisations, which again are not listed as Public Bodies under the Act, as part of its scheme:

- Forensic Science Laboratory
- State Pathology Service

In 2005 the Minister for Justice, Equality and Law Reform announced the establishment of the Irish Naturalisation and Immigration Service (INIS). It should be noted that INIS is not covered by this scheme.

2.1 Functions of Associated Bodies included in Scheme

Associated Body	Function
Office of Official Censor of Films	Classification and certification of films, videos and DVDs
Censorship of Films Appeal Board	Consideration of appeals from persons aggrieved by decisions of the Official

	Censor
Censorship of Publications Board	Deciding whether Prohibition Orders should be made in respect of books and periodicals referred to it for examination
Censorship of Publications Appeal Board	Consideration of appeals concerning Prohibition Orders made by the Censorship of Publications Board
Criminal Injuries Compensation Tribunal	Administration of the Scheme of Compensation for Personal Injuries Criminally Inflicted
Forensic Science Laboratory	Provision of a scientific analytical service to An Garda Síochána
State Pathology Service	To conduct medical-legal autopsies when the State has an interest in the cause of death
National Crime Council	To facilitate broadly based, informed discussion on crime issues and to aid policy formulation

2.2 Provision of Services to the General Public

As stated in Chapter 1, it should be noted that the Department generally does not provide services directly to the public. Bodies such as An Garda Síochána, the Land Registry, the Courts Service and the Irish Prison Service are generally responsible for delivering services within the policy framework set by the Department. Each of these bodies, along with 16 other Justice and Equality Sector bodies, is listed as a Public Body in the First Schedule to the Act and is responsible for the preparation of a separate scheme. In this regard, it should be noted that the Courts Service was one of the first public bodies to publish a scheme under the Act.

As stated above, each of the 8 Associated Bodies included in the Department's scheme has relatively small numbers of staff and in some cases specialised staff members. This should be taken into account as regards expectations under the scheme from the 8 bodies concerned.

Chapter 3

General – Means of Communication with the Public/Information to the Public

3.1 Correspondence

In addition to continuing to fulfil a legal obligation to reply in Irish to correspondence received in Irish, the Department and Associated Bodies will initiate correspondence in Irish with those who are known to prefer correspondence in Irish. Staff will be instructed to maintain a record of such persons or bodies with a view to fulfilling this commitment. The glossary of terms referred to earlier will assist in meeting this commitment. **(within a month of launch of Department's new website or from commencement of scheme, whichever is the later date)**

3.2 e-mail

Standard messages on the e-mail system, such as disclaimers of responsibility, will be in both Irish and English. **(within 3 months of commencement of scheme)**

3.3 Information Leaflets/Application Forms/Posters

The Department and Associated Bodies produce a number of leaflets, posters and application forms for members of the general public. All such new documents will be provided in bilingual format except for large and detailed forms of a technical nature and leaflets, posters and application forms of a specialised or technical nature for which there is no demand for versions in both official languages. On a case by case basis, decisions will be made as to whether bilingual versions of these new documents are provided within the one cover. **(by end of the scheme)**

In addition, the Department and Associated Bodies will commence the process of progressively translating all such existing material, which is still being used, with a view to providing such material in bilingual format. On a case by case basis, decisions will be made as to whether they are provided within the one cover. **(by middle of year 2 of the scheme)**

3.4 Speeches

Speeches or statements, including those in the Houses of the Oireachtas, by Ministers or speeches by senior officials will be made available in the language(s) in which they were delivered. **(from commencement of the scheme)**

3.5 Other Publications

A wide range of publications is produced by the Department and Associated Bodies. The Department and Associated Bodies undertake to provide bilingual versions of core publications. On a case by case basis, decisions will be made as to whether they are provided within the one cover. In circumstances where separate English and Irish versions are produced each will contain a statement that a version is available in the other language. It is not the intention to translate large documents which are of a

technical nature or have a small circulation. **(within 3 months of commencement of the scheme)**

3.6 Oral announcements/Telephone communications with the public

The Department's and Associated Bodies' Switchboard Operators will answer the phone by referring to the name of the Department/Body in Irish and English. **(from commencement of the scheme)**

Switchboard staff will be provided with a list of staff members who can provide a service through Irish. **(from commencement of the scheme)**

Suitable arrangements will be put in place so that switchboard staff can put members of the general public in touch, without delay, with whichever office or officer is responsible for offering the service required through Irish. **(within 3 months of commencement of the scheme)**

Staff will be provided with guidance on handling telephone calls from Irish speaking members of the general public. **(within 3 months of commencement of the scheme)**

It is the policy of the Department to work towards ensuring that all pre-recorded oral announcements to our customers will be in the Irish language, or in the English and Irish languages. This objective will be achieved by the end of the current scheme, i.e. end of June 2009. However, individual staff members may leave messages in Irish or English or both languages. **(by end of the scheme)**

3.7 Reception Facilities

Reception staff in the Department and Associated Bodies will be provided with a list of staff members who can provide a service through Irish. **(from commencement of the scheme)**

Suitable arrangements will be put in place so that Reception staff in the Department and Associated Bodies can put members of the general public in touch, without delay, with whichever office or officer is responsible for offering the service required through Irish. **(within 3 months of commencement of the scheme)**

Reception staff in the Department and Associated Bodies will be provided with guidance on dealing with visitors who are Irish speaking members of the general public. **(within 3 months of commencement of the scheme)**

Chapter 4

Enhancement of Services to be provided bilingually

4.1 Services not available in Irish

In this its inaugural scheme, the Department's main focus will be on building up the range of written and electronic means of communication available bilingually and on developing competency amongst its staff to facilitate interpersonal Irish language service delivery on a general level. In practice, this means that while the Department will be in a position to provide general information about the Department and its overall services through Irish, the Department may not always be in a position to conduct detailed service or programme specific business through Irish. In addition to this, because of the relatively small number of staff employed and the specialised nature of the work performed by them, it is likely that the 8 Associated Bodies included in the scheme may find it even more difficult to conduct detailed service or programme specific business through Irish.

4.2 General commitment to Irish language service development

The Department is committed to encouraging the development of Irish language skills across all areas of the Department to facilitate the progressive development of a quality one-to-one customer service in Irish to meet the demand for such services.

The Department is, however, in a number of respects, starting from a relatively low base in terms of both written and interpersonal Irish language service capability. While the provision of written communications in bilingual format is primarily a cost and time issue, the development of Irish language skills by staff to facilitate day-to-day interpersonal service delivery is considered to be significantly more difficult. The Department is in a position to provide a certain level of interpersonal Irish language services based on the current availability of Irish language skills. However, it will take considerable time and effort to increase the relatively small core group of staff with sufficient Irish language capability and confidence to deliver Irish language services on an interpersonal level.

The extent to which such interpersonal services can be developed will also be affected by actual demand for such services and, potentially, by the movement of staff in and out of the Department as a result of the Government's Decentralisation Programme. Indeed, the ability of the Department and Associated Bodies to achieve the aims set out in this scheme will be influenced by the issues raised above and determined by the timely availability of (a) accredited translation services and (b) staff with the requisite Irish language skills.

4.3 Improving the Department's and Associated Bodies' Irish language capability

The following commitments and priorities have been identified with a view to achieving the objective of improving the Department's and Associated Bodies' Irish language capability and providing a sound basis for future developments.

4.4 Staff

4.4.1 Audit

The Department and Associated Bodies will carry out an update audit to identify those members of staff who wish to be actively involved in offering, and have the necessary Irish language capabilities to offer, services through Irish. **(by commencement of the scheme)**

4.4.2 Lists of Staff who can provide services through Irish

Lists of staff who will be available to provide services through Irish will be made available to the Switchboard Operators and Reception staff in the Department and Associated Bodies. Staff in the Department and the Associated Bodies will also have access to their organisation's list. **(from commencement of the scheme)**

4.4.3 Training & Development

Based on the results of the staff audit, the Department will address any training needs identified, within the context of the Department's Training and Development Strategy. Staff will be encouraged to participate in training provided by Gaeleagras. **(by end of year 1 of the scheme)**

The Department and Associated Bodies will include language awareness as part of both induction and customer service training so as to ensure that staff understand (a) why a bilingual policy is being implemented, (b) the context and background to the policy and (c) how the policy will affect their work. **(no later than 3 months after the commencement of the scheme)**

4.4.4 Recruitment Policy

Based on the results of the staff audit, the following measures will be put in place to ensure that an adequate number of staff with proficiency in the Irish language are recruited and retained within the Department in order to comply with the provisions of the Act:

- As part of its recruitment policy, the Department, in co-operation with the Public Appointments Service, will seek to recruit a number of staff who are proficient in Irish to meet the Department's needs*; **(by end of year 1 of the scheme)** and
- Appropriate placement of staff with such proficiency will be implemented throughout the Department. **(by end of the scheme)**

*In relation to the Associated Bodies covered by this scheme, this policy will be implemented on the basis that it does not have an adverse effect on the level or quality of services currently being provided.

It will be the Department's policy, when engaging outside Switchboard Operators on a contract basis from a third party, to request that the operators have a certain command of the Irish language. This policy will be implemented on the basis that it does not have an adverse effect on the level or quality of services currently provided. In addition, it should be noted that, as stated in Chapter 3 above, training will be provided to the Department and Associated Bodies' current Switchboard Operators in

respect of dealing with Irish language calls. **(from end of current Switchboard Operator contract)**

4.5 Language Resources

All staff will have easy access to information and language resources, e.g. guidelines, policies, placenames, dictionaries, glossary, tapes, etc. **(within 3 months of commencement of the scheme)**

4.6 Public Meetings Policy

The Department conducts most of its public meetings in the English language only. However, it will be the policy of the Department that, when warranted or requested, staff proficient in Irish will be provided for meetings in Gaeltacht areas or when dealing with Gaeltacht issues. **(within 6 months of commencement of the scheme)**

The Associated Bodies conduct most of their public meetings in the English language only. However, it will be the policy of the Associated Bodies that, when warranted or requested, staff proficient in Irish or interpreter services will be provided for meetings in Gaeltacht areas or when dealing with Gaeltacht issues. **(by end of the scheme)**

In order to facilitate easy identification, the Department proposes to issue a Departmental 'fáinne' (see Appendix) to each of those members of staff who wish to be actively involved in offering, and have the necessary Irish language capabilities to offer, services through Irish. **(within 6 months of commencement of the scheme)**

4.7 Publications

The next edition of the Department's Freedom of Information Section 15 & 16 Manual will be published in Irish and English. **(by end of year 2 of the scheme)**

4.8 Irish Film Censor's Office

The Irish Film Censor's Office's Retail Licence, and related Application Form will be produced in bilingual format. **(by end of the scheme)**

4.9 Criminal Injuries Compensation Tribunal

The Criminal Injuries Compensation Tribunal administers a Scheme of Compensation for Personal Injuries Criminally Inflicted. This Scheme is currently under review. In the event of changes being made, the revised Scheme will be published simultaneously in Irish and English. Should no changes be proposed, an Irish version of the existing Scheme will be published. It is also proposed to publish an Irish version of the Scheme's application form concurrent with the revised Scheme or the Irish version of the existing Scheme. **(by end of year 2 of the scheme)**

4.10 Stationery

A specific reference to Irish being welcome will be incorporated into new stationery e.g. "*Cuirfear fáilte roimh chomhfhreagras i nGaeilge*". **(as soon as new stationery is required, designed and acquired following commencement of the scheme)**

4.11 Computer Systems

Most of the Department and Associated Bodies' I.T. systems can hold data in the Irish language character set. It will be the policy of the Department and Associated Bodies to ensure compatibility with the Irish language, of relevant I.T. systems, when

considering system updates, where possible, and without adversely affecting the current level of services available. **(within 6 months of commencement of the scheme)**

4.12 Website

The Department's website is currently undergoing a process of redesign. While the current version of the website can host Irish language content, it is relatively sparsely populated in that regard. It is proposed that the Department's re-launched website, subject to any qualifications which may appear elsewhere in this document, will host a far greater amount of bilingual content. The re-launched website will:

- contain at re-launch date, the Irish language version of the main headings of the various pages on the site and some of the static material already available on the current version of the site; **(from re-launch of website)**
- be populated with a bilingual version of all new static material which appears on the site after re-launch; **(from re-launch of website)**
- on an incremental basis, be populated with an Irish version of any outstanding untranslated static English material; **(commencing within 3 months of re-launch of website)** and
- on an incremental basis, make available, in the Irish language, forms which are intended for use by the general public. **(commencing within 3 months of re-launch of website)**

4.13 Press Releases

The vast majority of press releases are currently issued in English only. The Department often has to issue statements quickly in response to unforeseen events and there would be a delay involved in issuing simultaneous bilingual statements. By the end of the scheme the Department undertakes to provide 10% of its press releases in Irish. In determining which press releases should be included in this 10%, priority will be given to those relating to issues concerning Gaeltacht areas and the Irish language. **(by end of the scheme)**

4.14 Rules of Court

By the end of this scheme it is envisaged that an Irish translation will be published of all of the amendments to the District Court Rules, 1997; of the Circuit Court Rules, 2001 and the amendments to those Rules; and of the Superior Court Rules, 1986 and the amendments to those Rules. These will also be made available electronically on the Courts Service's website, www.courts.ie. **(by end of the scheme)**

4.15 Statutory Instruments

The Department will begin placing bilingual copies of new Statutory Instruments that it translates on its website, www.justice.ie. **(within a month of launch of Department's new website or within a month of commencement of the scheme, whichever is the later date)**

The Department will also begin placing bilingual copies of Statutory Instruments that it translated since 2004 on its website, www.justice.ie. **(within a month of launch of Department's new website or within a month of commencement of scheme, whichever is the later date)**

4.16 Third Parties

Third parties working for the Department will be made aware of the scheme, where relevant, and will be encouraged to reflect the spirit of the scheme in the services being provided by them. **(within 3 months of commencement of the scheme)**

4.17 Translation Services

It will be the Department's policy, when engaging outside translators, to give priority to accredited translators. The Department will make available to staff a list of translators accredited by Foras na Gaeilge, who devised the accreditation scheme at the behest of the Department of Community, Rural and Gaeltacht Affairs. **(from commencement of the scheme or within a month of the list being available to the Department, whichever is the later date)**

4.18 Services to Gaeltacht Areas

Unless otherwise requested or indicated, the Department will provide a service through Irish to members of the general public in Gaeltacht areas. **(within 3 months of commencement of the scheme)**

Unless otherwise requested or indicated, the Associated Bodies will provide a service through Irish to members of the general public in Gaeltacht areas. **(by end of the scheme)**

4.19 Gaeltacht Placenames

The official placenames of Gaeltacht areas, as declared by the Minister for Community, Rural and Gaeltacht Affairs, will be used by the Department in communications with the general public, except where these may differ from the addresses on correspondence received by the Department and Associated Bodies, and those on file. **(from commencement of the scheme)**

Chapter 5

Monitoring and Revision

The Management Advisory Committee (MAC) within the Department will keep the effective operation of the scheme under review.

The day-to-day monitoring function will be carried out primarily by managers in each line Division and Associated Bodies who are responsible for the implementation of the scheme within their own areas and reporting regularly to their Assistant Secretary.

Chapter 6

Publicising of Agreed Scheme

The contents of this scheme along with the commitments and provisions of the scheme will be publicised by means of:

- Press Release;
- Official launch of the scheme;
- Public advertisement of availability of scheme;
- Circulation to appropriate agencies and bodies;
- Department's Website; and
- Departmental 'fáinne'.

A copy of the scheme has been forwarded to Oifig Choimisinéir na dTeangacha Oifigiúla. Copies of the scheme will also be given to those people/organisations who/which forwarded submissions to the Department, including Conradh na Gaeilge and Comhdháil Náisiúnta na Gaeilge.

Appendix

Departmental 'Fáinne' – Design



Actual size: 20mm diameter