

How are complaints handled by An Coimisinéir Teanga?

An Coimisinéir Teanga normally queries valid complaints on an informal basis with the public body concerned in the first instance. This avoids any misunderstandings and it gives the public body an opportunity to identify any human errors and correct them immediately. The complainant is kept informed during the process and is advised of any agreement reached with the public body.

Where the Office of An Coimisinéir Teanga cannot resolve a complaint on an informal basis with a public body, a statutory investigation or official enquiry is initiated to resolve the complaint. The head of the public body is written to formally under section 21 of the Act and is asked to provide a report on the matter under investigation to An Coimisinéir Teanga. Official notification of the investigation is given to the complainant and to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media.

An investigation results in a report, which is made available to the appropriate parties (the public body concerned, the complainant as appropriate, and the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media). Such a report contains the findings and recommendations of An Coimisinéir Teanga with regard to the complaint. An appeal against the decision on a point of law may be made within four weeks to the High Court. If the recommendations of An Coimisinéir Teanga are not implemented within a reasonable time, he may write a report to the Houses of the Oireachtas on the matter.

An Coimisinéir Teanga may refuse to investigate a complaint or may discontinue an investigation into a complaint in the following circumstances:

- If he becomes of the opinion that the complaint is trivial or vexatious.
- If the person making the complaint has not taken reasonable steps to seek redress regarding the complaint or if the person has not been refused redress.
- If the complaint does not involve any contravention of the Official Languages Act or any other enactment relating to the status or use of an official language (Irish or English).