

TUARASCÁIL
BHLIANTÚIL
ANNUAL REPORT
2018





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Don Aire Cultúir, Oidhreachta agus Gaeltachta:

De réir alt 30 d'Acht na dTeangacha Oifigiúla, 2003, tá an Tuarascáil seo don bhliain 2018 á cur i láthair ag an gCoimisinéir Teanga.

Rónán Ó Domhnaill
An Coimisinéir Teanga
Feabhra 2019

To the Minister for Culture, Heritage and the Gaeltacht:

In accordance with section 30 of the Official Languages Act 2003, this Report for the year 2018 is being presented by An Coimisinéir Teanga.

Rónán Ó Domhnaill
An Coimisinéir Teanga
February 2019

RÁITEAS MISIN

“Ag cosaint cearta teanga”

Seirbhís neamhspleách ar ardchaighdeán a chur ar fáil i gcomhlíonadh ár ndualgas reachtúil le cinntiú go ndéanann an státhóras beart de réir a bhriathair maidir le cearta teanga.

Cothrom na Féinne a chinntiú do chách trí ghearáin maidir le deacrachtaí teacht ar sheirbhísí poiblí trí Ghaeilge a láimhseáil ar bhealach atá éifeachtach, gairmiúil agus neamhchlaon.

Eolas soiléir, cruinn a chur ar fáil:

- don phobal maidir le cearta teanga,

agus

- do chomhlachtaí poiblí maidir le dualgais teanga.

MISSION STATEMENT

“Protecting Language Rights”

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

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

To provide clear and accurate information:

- to the public in relation to language rights,

and

- to public bodies in relation to language obligations.

CLÁR | CONTENTS

| | |
|--|----|
| Réamhrá <i>Foreword</i> | 4 |
| Seirbhísí Eolais agus Cumarsáide <i>Information and Communication Services</i> | 9 |
| Cumainn <i>Associations</i> | 12 |
| Imscrúduithe <i>Investigations</i> | 15 |
| Achoimrí ar Imscrúduithe 2018 <i>Summaries of 2018 Investigations</i> | |
| RTÉ <i>RTÉ</i> | 16 |
| An Roinn Talmhaíochta, Bia & Mara <i>Department of Agriculture, Food & the Marine</i> | 20 |
| Comhlacht Chalafoirt Bhaile Átha Cliath <i>Dublin Port Company</i> | 25 |
| An Roinn Tithíochta, Pleanála & Rialtais Áitiúil <i>Department of Housing, Planning and Local Government</i> | 27 |
| Iarnród Éireann <i>Iarnród Éireann</i> | 29 |
| Comhairle Contae Chorcaí <i>Cork County Council</i> | 33 |
| Amharclann na Mainistreach <i>The Abbey Theatre</i> | 38 |
| Comhairle Contae na Gaillimhe <i>Galway County Council</i> | 42 |
| Gearáin <i>Complaints</i> | 47 |
| Faireachán <i>Monitoring</i> | 56 |
| Scéimeanna Teanga <i>Language Schemes</i> | 58 |
| Cúrsaí Airgeadais <i>Financial Matters</i> | 61 |
| Nochtadh Cosanta <i>Protected Disclosure</i> | 62 |
| Úsáid Fuinnimh <i>Energy Usage</i> | 62 |
| Foireann <i>Staff</i> | 63 |



RÉAMHRÁ

Bliain thairbheach, thábhachtach i saol na hOifige a bhí sa bhliain seo. Tionscnaíodh agus tugadh chun críche roinnt imscrúduithe thar a bheith suntasach a bhain le deacrachtaí seirbhísí trí Ghaeilge a fháil go náisiúnta agus sa Ghaeltacht.

I mbliana láimhseáladh ceann de na himscrúduithe is tábhachtaí a tháinig chun cinn i stair na hOifige. Tharla sin nuair a scrúdaíodh comhlíonadh dhualgas reachtúil teanga an chraoltóra náisiúnta, tar éis gearán a bheith faighte ó dhuine den phobal. I mbeagán focal, chinn mé nach raibh RTÉ ag comhlíonadh dualgas reachtúil atá air de bhun an Achte Craolacháin, 2009. Baineann an dualgas sin le réimse cuimsitheach clár a chur ar fáil i nGaeilge agus Béarla ar chlársceideal na seirbhíse craolacháin. Tá cuntas níos iomláine le fáil ar an imscrúdú seo agus ar na himscrúduithe eile a tugadh chun críche ar leathanaigh 16-46.

I mbliana freisin cuireadh córas nua faireacháin i bhfeidhm. Shocraigh mé sin a dhéanamh mar gur chiallaigh laigeacht chóras na Scéimeanna Teanga go raibh acmhainn faireacháin na hOifige dírithe den chuid is mó ar scéimeanna a bhíonn, tráthanna, lochtach agus neamhfheidhmiúil. Mar Choimisinéir Teanga ní fhéadfainn cead a thabhairt dó sin tarlú. Tógfaidh sé tamall cosa a chur faoin gcóras nua faireacháin ach creidim go n-éireoidh leis. Tá cur síos níos mine ar an gcóras nua níos deireanaí sa Réamhrá seo.

BILLE NA dTEANGACHA OIFIGIÚLA (LEASÚ)

Ba é 2018 "Bliain na Gaeilge", comóradh 125 bliain ar bhunú Chonradh na Gaeilge. Is cinnte gur éirigh go maith leis na himeachtaí éagsúla a eagraíodh mar chuid den chomóradh agus den cheiliúradh agus go deimhin bhí áthas orm freastal ar chuid mhaith de na himeachtaí céanna.

B'ábhar díomá dom, áfach, nár tapaíodh an deis an bhliain a mharcáil ar bhealach a d'fhágfadh rian buan go reachtúil, trí na leasuithe atá beartaithe a dhéanamh ar Acht na dTeangacha Oifigiúla a fhoilsiú i bhfoirm Bille agus é a thabhairt go ceann

FOREWORD

This year was a productive and important one for the Office. Some very significant investigations relating to difficulties accessing services through Irish, both nationally and in the Gaeltacht, were initiated and concluded.

One of the most important investigations in the history of the Office was carried out this year. This occurred when, following a complaint from a member of the public, the fulfilment of the statutory language requirements of the national broadcaster was examined. In summary, I ruled that RTÉ is not fulfilling a statutory requirement outlined in the Broadcasting Act 2009. This requirement relates to a comprehensive range of programmes being made available in the Irish and English languages on the programme schedule of its broadcasting service. A fuller account of this investigation and the other investigations that were concluded this year are contained on pages 16-46.

A new monitoring system was established this year also. I decided to introduce this because the weakness of the Language Scheme system meant the monitoring resources of the Office were, for the most part, focused on schemes that were at times flawed and ineffective. As Coimisinéir Teanga I couldn't let that continue. It will take some time for the new monitoring system to fully establish itself, but I believe that it will succeed. A more detailed account of this new system can be seen later in this Foreword.

OFFICIAL LANGUAGES (AMENDMENT) BILL

2018 was the year of "Bliain na Gaeilge", commemorating 125 years since the establishment of Conradh na Gaeilge. The various events organised as part of the commemoration and celebration were a success and indeed I was pleased to attend many of the events.

I was disappointed, however, that the opportunity to mark the year in a way that would have left a permanent mark in a legislative sense, by publishing the amendments intended for the Official Languages Act as a Bill and subsequently bringing

scríbe tríd an bpróiseas reachtúil ina dhiaidh sin. Deis chaillte a bhí ann an bhliain a scaoileadh tharainn gan Acht nua a thabhairt ar an bhfód a neartódh cearta teanga an tsaoránaigh agus a chinnteodh soláthar cuimsitheach do sheirbhísí stáit trí Ghaeilge.

Is fiú a thabhairt chun cuimhne an fháilte mhór a cuireadh roimh fhoilsiú Ceannteidil an Bhille in 2017. Ach is éard a theastaíonn anois ná feoil ar na cnámha, i bhfoirm Bille agus Acht substaintiúil atá bunaithe ar na Ceannteidil. Tá sé thar am go dtarlódh sin.

Is i mí na Bealtaine a d'fhoilsigh Comhchoiste na Gaeilge, na Gaeltachta agus na nOileán a thuarascáil siúd ar Ceannteidil an Bhille. Tuarascáil thar a bheith cuimsitheach a bhí anseo agus tá súil agam go dtabharfar aird ar mholtaí stuama an Choiste nuair a fhoilseofar an Bille nua. Is léir go dteastaíonn ón gCoiste go dtabharfaí Acht láidir chun cinn ach freisin go bhféachfaí chuige go mbeadh fráma ama sonrach aitheanta san Acht ina gcuirfí leasuithe cinniúnacha i ngníomh. Ar an mbonn sin cuirim fáilte faoi leith roimh an moladh ón gCoiste gur chóir spriocdháta sonrach a bheith aitheanta leis an riachtanas gur gá Gaeilge agus Béarla líofa a bheith ag 20% d'earcaithe nua sa tseirbhís phoiblí.

Ceann de na moltaí is suntasaí a rinne mé sa Tráchttaireacht ar Chóras na Scéimeanna Teanga a foilsíodh in 2017 ná go ndéanfaí pleanáil cheart do sholáthar na seirbhísí stáit trí Ghaeilge. Mhol mé go ndéanfaí é seo ar bhonn críochnúil agus de thoradh taighde agus anailís chuimsitheach. Creidim go dteastaíonn pleanáil cheart a léireodh go soiléir na tosaíochtaí a bhainfidh le soláthar na seirbhísí poiblí trí Ghaeilge agus a thabharfaidh le fios céard is gá a dhéanamh chun an méid sin a bhaint amach. Chruthódh a leithéid de phlean bunchloch do na dualgais reachtúla agus thabharfadh sé muinín don phobal agus soiléireacht do na comhlachtaí poiblí ar an méid atá le baint amach.

Is cúis sásaimh dom mar sin go bhfuil sé aitheanta mar ghníomh sonrach sa Phlean Gníomhaíochta don Straitéis Fiche Bliain don Ghaeilge, a foilsíodh in 2018, go ndéanfar taighde a choimisiúnú *"...chun na tosaíochtaí d'earcú cainteoirí Gaeilge a shainiú."* Deirtear freisin go mbainfear úsáid as na torthaí chun *"Córas na gCaighdeán Teanga a chur i bhfeidhm, faoi mar a leagtar síos i mBille na dTeangacha Oifigiúla (Léasú) 2017."*

Is léir gur obair mhór a bheidh i gceist leis an taighde seo is féidir a dhéanamh go comhthreomhar le cur i bhfeidhm Achta nua, má tharlaíonn agus nuair a tharlaíonn sin. B'fhearr tabhairt faoin obair seo a luaithe is féidir chun go mbeidh seirbhísí níos sásúla, níos córasaí agus níos cuimsithí ar fáil trí Ghaeilge ón Stát amach anseo.

it to fruition through the legislative process, wasn't grasped. Letting the year pass without a new Act to strengthen the language rights of citizens and ensuring a comprehensive range of state services through Irish was a missed opportunity.

It is worth remembering that there was a broad welcome for the Heads of Bill published in 2017. But what is needed now is for that to be fleshed out in the form of a substantial Bill and Act based on the Heads. This is long overdue.

The Joint Committee on Irish, the Gaeltacht and the Islands published its report on the Heads of Bill in May. It was a comprehensive report and I hope the prudent recommendations made by the Committee are given due consideration when the new Bill is published. It is clear that the Committee wishes a strong Act be enacted, but also wants a specific time-frame to be identified in the Act within which decisive amendments will be actioned. On that basis I especially welcome their recommendation that a specific deadline be identified by which it is required that 20% of new entrants to the public service can speak fluent Irish and English.

One of the most significant recommendations that I made in the Commentary on the Language Scheme System in 2017 was that provision of state services through Irish be properly planned. I recommended that this be done in a methodical manner and as a result of comprehensive research and analysis. Proper planning is needed, I believe, to clearly identify the priorities regarding the provision of public services through Irish and what is required to deliver those services. Such a plan would provide a foundation for the statutory obligations, would inspire confidence with the public and give clarity to public bodies regarding what is required.

I am pleased that the commissioning of such a study *"...to highlight the priorities regarding the recruitment of Irish speakers"* has been identified as a specific action point in the Action Plan for the Twenty Year Strategy for the Irish Language, published during 2018. It also states that the results of the analysis will assist *"establishing a System of Language Standards as is set out in the Official Languages (Amendment) Bill 2017."*

Obviously, this research will require a significant effort that can be undertaken in conjunction with the implementation of a new Act, when and if that happens. This work needs to begin as soon as possible to ensure that more satisfactory, systematic and comprehensive services through Irish are available from the State in the future.

GEARÁIN & IMSCRÚDUI THE

D'fhan líon na ngearán a rinne daoine den phobal leis an Oifig seo maidir le deacrachtaí a bhí acu seirbhísí sásúla trí Ghaeilge a fháil ón Stát seasmhach i gcomparáid le 2017. Arís, réitíodh formhór mór na gcásanna tríd an bpróiseas neamhfhoirmiúil réitithe gearán. Tríd an bpróiseas seo cuirtear ábhar an ghearáin faoi bhráid an chomhlachta phoiblí, iarrtar air é a scrúdú agus tugtar deis dó moltaí a chur chun cinn chun é a réiteach gan tabhairt faoi imscrúdú foirmiúil. Is minic a aithníonn an comhlacht poiblí an neamhchomhlíonadh a tharla, go ngabhtar leithscéal leis an ngearánach nuair is cuí sin agus go réitítear ábhar an ghearáin.

Tá imscrúduithe reachtúla níos foirmiúla, tógann siad níos faide agus súnn siad níos mó d'acmhainn foirne agus ama na hOifige seo agus go deimhin an chomhlachta phoiblí lena mbaineann freisin. Nuair a bhíonn an próiseas fiosraithe tugtha chun críche déanaimse, i mo ról mar Choimisinéir Teanga, fionnachtain reachtúil agus pé moltaí a mheasaim a bheith cuí. Mura mbíonn an comhlacht poiblí nó aon duine eile a ndéanann na fionnachtana agus na moltaí difear dóibh sásta le mo chinneadh is féidir achomharc a dhéanamh chun na hArd-Chúirte ar phonc dlí.

Bíonn dhá phríomhchúis a dtéitear i muinín imscrúduithe foirmiúla go hiondúil, agus go deimhin tá samplaí den dá chúis le brath sna himscrúduithe a tugadh chun críche le linn na bliana.

- An chéad phríomhchúis a dtugaim faoi imscrúdú ná go mbíonn malairt tuairime idir m'Oifig agus an comhlacht poiblí ábhartha faoi an bhféadfadh gur tharla sárú ar chuid éigin den dualgas teanga a thagann i gceist. Go minic tagann seo chun cinn nuair atá dualgas reachtúil teanga á fhiosrú den chéad uair. Is sampla maith dá leithéid seo an t-imscrúdú a rinneadh ar RTÉ. Bhain an t-imscrúdú seo le piosa reachtaíochta, an tAcht Craolacháin, 2009, nár scrúdaigh m'Oifig go foirmiúil riamh roimhe seo. Tá léirmhíniú tugtha agam san imscrúdú ar an mbrí atá le baint as forálacha an Achta agus fágann mo chuid fionnachtana go bhfuil tagarmharc leagtha síos don todhchaí. Bheinn ag súil go ndéanfadh RTÉ cinnte de go gcuirtear na moltaí reachtúla atá déanta sa tuarascáil imscrúdaithe i bhfeidhm.
- An dara príomhchúis a dtéitear i mbun imscrúdú ná nuair nach dtapaíonn comhlacht poiblí an deis a chuireann an próiseas neamhfhoirmiúil réitithe gearán ar fáil dó chun aghaidh a thabhairt ar ábhar an ghearáin. Sampla de seo i mbliana is ea Amharclann na Mainistreach, nár chomhoibrigh mar is ceart le hiarrachtaí na hOifige réiteach a fháil ar ghearán a bhain le roinnt de chomharthaíocht na hAmharclainne a bheith i mBéarla amháin. Ba chúis díomá

COMPLAINTS & INVESTIGATIONS

The number of complaints made by members of the public to the Office regarding difficulties receiving satisfactory services through Irish from the State remained steady. Once again, the vast majority of complaints were resolved through our informal complaints resolution mechanism. This process entails the complaint being brought to the attention of the public body concerned, which is asked to investigate it and given an opportunity to resolve the issue without a formal investigation. Very often the public body recognises that a lack of compliance has occurred, an apology is given to the complainant when that is appropriate and the matter is resolved.

A statutory investigation is more formal, takes longer to conduct and involves much more of the staff and time resources of the Office and indeed of the public body concerned. When the investigative process is complete, I make statutory findings and any recommendations that I view as appropriate in my role as Coimisinéir Teanga. If the public body or any person to whom the findings or recommendations make a difference aren't satisfied with my decision then an appeal can be lodged to the High Court on a point of law.

Generally, formal investigations occur for two main reasons; indeed there are examples of both these reasons in the investigations completed during the year.

- The first primary reason that I might undertake an investigation is that there is a divergence of opinion between my Office and the public body concerned on whether a breach of a language requirement has occurred. Very often this happens when a statutory language obligation is being examined for the first time. The investigation conducted into RTÉ is a good example of this. This investigation concerned legislation, the Broadcasting Act 2009, which had not been formally examined heretofore by this Office. In the investigation I have given my interpretation on the meaning of the Act's provisions and my findings ensure that a benchmark has been established for the future. I would expect RTÉ to ensure that the statutory recommendations I have made in the investigation are implemented.
- The other primary reason that an investigation is initiated is when a public body doesn't avail of the opportunity to use the informal complaints handling process they are afforded to resolve a complaint. An example of this during the year was the Abbey Theatre, which didn't cooperate, as expected, with efforts by the Office to resolve a complaint regarding English-only signage at the Theatre. The lack of

dom neamhpháirtíocht amharclann náisiúnta na tíre le hiarrachtaí m'Oifige réiteach a fháil ar ábhar arbh fhurasta aghaidh a thabhairt air.

FAIREACHÁN

D'fhógair mé i lár na bliana go raibh mé chun athrú ó bhonn a dhéanamh ar an bpróiseas faireacháin a bhí i bhfeidhm ag an Oifig go dtí seo. Bhí an iarracht faireacháin, den chuid is mó, dírithe ar iniúchadh géar grinn a dhéanamh ar scéimeanna teanga aonaracha. Bhraith mé, faraor, i bhfianaise thorthaí na Tráchtareachta ar Chóras na Scéimeanna Teanga a foilsíodh sa bhliain 2017, nach bhféadfaí a bheith ag leanúint d'fhairachán a dhéanamh go príomha ar chóras a bhí imithe ar seachrán. Cuireadh fianaise ar fáil sa Tráchtareacht nach raibh córas na scéimeanna teanga á fheidhmiú i gceart agus mar thoradh air sin go raibh bonn reachtúil á chur faoi easpa bisiúlachta agus teorannú ar sholáthar seirbhísí stáit i nGaeilge. Sa chomhthéacs sin ní bheadh aon chiall le hacmhainní faireacháin na hOifige a dhíriú sa treo sin.

Chiallaigh sé sin go raibh athrú treo ag teastáil agus go mba ghá féachaint ar shlí nua chun tabhairt faoi chúraimí faireacháin na hOifige. Chuige sin bunaíodh córas nua faireacháin i samhradh 2018. Mar chuid den chóras nua d'fhéach m'Oifig ar thrí ghné faoi leith a bhain le cearta teanga an tsaoaránaigh agus cumas an Stáit seirbhísí poiblí trí Ghaeilge ar comhchaighdeán le seirbhísí trí Béarla a chur ar fáil. Rinne an Oifig iniúchadh ar:

- líon na státseirbhíseach le Gaeilge agus líon na bpost atá sainaitheanta le riachtanas Gaeilge i Ranna Rialtais,
- gealltanais maidir le suíomhanna gréasáin i scéimeanna teanga na n-údarás áitiúil,
- comharthaíocht in ionaid oidhreachta agus chultúrtha de chuid Oifig na nOibreacha Poiblí.

Tá sé beartaithe agam tuarascáil faoi leith ar thorthaí obair faireacháin na hOifige a fhoilsiú níos deireanaí sa bhliain.

Tá cuntas tugtha sa tuarascáil seo ar líon na scéimeanna teanga nua a d'aontaigh an Roinn Cultúir, Oidhreachta agus Gaeltachta le comhlachtaí poiblí i gcaitheamh na bliana, mar aon le líon na scéimeanna atá imithe in éag. Ar ndóigh tá sé beartaithe córas caighdeán a thabhairt isteach in áit chóras na scéimeanna teanga de réir Cheannteidil an Bhille agus molaim gur chóir na scéimeanna atáthar a aontú anois a chur in oiriúint do na caighdeáin a shonrófar amach anseo.

CUMARSÁID & EILE

Bíonn d'onóir agam mar Choimisinéir Teanga bualadh le grúpaí, eagraíochtaí agus daoine aonair a bhíonn ag obair go dian dícheallach ar mhaithe lenár dteanga náisiúnta a chur chun cinn.

engagement by the country's national theatre with efforts by my Office to deal with an issue that should have been easy to rectify is a source of disappointment.

MONITORING

I announced in the middle of the year that I was completely changing the monitoring system implemented by the Office heretofore. Previously, monitoring involved a detailed and precise audit of individual language schemes, for the most part. Based, however, on the results of my Commentary on the Language Scheme System, published in 2017, I felt that I couldn't continue monitoring a system that had, in general, gone astray. The Commentary provided evidence that the language scheme system wasn't functioning properly and that, as a result, a legislative basis was being given to a lack of progress and the restriction of public services through Irish. In that context it would have been nonsensical to focus the monitoring resources of the Office in that direction.

This meant, of course, that a new direction was required and that we needed to identify a new way to undertake the monitoring function of the Office. In light of that I established a new monitoring system in the summer of 2018. As part of this system my Office examined three specific areas relating to the language rights of citizens and the ability of the State to provide public services through Irish of the same standard as those in English. The Office audited:


- the number of civil servants employed with competence in Irish and the number of posts identified in Government departments with an Irish language requirement,
- commitments in the language schemes of local authorities relating to websites,
- signage in cultural and heritage sites of the Office of Public Works.

I intend publishing a separate report on the results of this monitoring work later in the year.

The number of language schemes confirmed by the Department of Culture, Heritage & the Gaeltacht with public bodies and the number of lapsed language schemes are detailed in this report. It is intended, of course, according to the Heads of Bill, that a system of standards be introduced instead of the system of language schemes and I recommend that those schemes being agreed at present be completed in line with the standards to be developed in the future.

COMMUNICATIONS & OTHER

An honour of being Coimisinéir Teanga is the opportunity to meet with groups, organisations and individuals who work tirelessly and diligently to promote our national language.



I gcaitheamh na bliana thug mé óráidí agus rinne mé cur i láthair ar théamaí a bhain le cearta teanga ag cuid mhaith ócáidí poiblí. Bhí dhá ócáid a raibh tábhacht faoi leith leo don Oifig agus domsa i mbliana.

Iarradh orm an t-aitheasc a thabhairt do Léacht Uí Ghadhra i mbliana, léacht a eagraítear i gcuimhne an iriseora agus an staraí Nollaig Ó Gadhra – beannacht Dé leis. Bhí an léacht seo ar cheann d’imeachtaí Bhliain na nGaeilge a d’eagraigh Conradh na Gaeilge, eagraíocht a raibh Nollaig mar Uachtarán uirthi. Labhair mé i m’óráid faoi na ceachtanna atá le foghlaim ó chur chuige an Stáit i leith na Gaeilge agus leag mé béim ar na gníomhartha atá de dhíth ionas go bhfuil Acht Teanga oiriúnach dá fheidhm againn a fhreastalaíonn ar mhianta phobal theanga dhúchasach na tíre.

Ina theannta sin bhí mé thar a bheith mórtasach gur iarradh orm labhairt ag ócáid chuimhneacháin a d’eagraigh Ollscoil Chathair Bhaile Átha Cliath i gcuimhne ar an Dochtúir Peadar Ó Flatharta a bhásaigh in 2016 agus a bhí mar chara don Oifig seo ó bunaíodh í in 2004. Bhí Peadar ar cheann de mhórphearsana Gaeilge na linne seo agus is easnamh mór do shaol na Gaeilge i gcónaí a intleacht stuama agus a thuairimí tomhaiste.

Le linn na bliana rinne mé roinnt láithreoireachtaí do chomhlachtaí poiblí ar na riachtanais a bhaineann le feidhmiú an Achta agus mar is ceart freastal ar phobal a dteastaíonn uathu a gcuid gnó a dhéanamh leis an státchóras trí Ghaeilge. Measaim gur gné thábhachtach í sin de mo chuid oibre agus is mór an taca an fiseán atá forbartha ag m’Oifig chun léargas a thabhairt ar an ábhar.

Táim an-bhuíoch den iriseoir Áine Ní Chiaráin agus den saineolaí airgeadais Páidí Ó Dálaigh as an obair a dhéanann siad go deonach mar bhaill luachmhara de Choiste Iniúchóireachta Inmheánaí agus Riosca na hOifige.

Ba mhaith liom an deis seo a thapú freisin chun buíochas a ghlacadh leis an bhfoireann oibre anseo in Oifig an Choimisinéara Teanga as a ndúthracht agus a ndíograis.

COMÓRADH BHUNÚ NA HOIFIGE

Tá cúig bliana déag caite ó foilsíodh Acht na dTeangacha Oifigiúla agus ó bunaíodh Oifig an Choimisinéara Teanga. Tá an mhuinín atá ag lucht labhartha na Gaeilge agus acu siúd ar mian leo a gcuid gnó a dhéanamh leis an Stát trí Ghaeilge san Oifig le brath. Ach tá na laigí soiléire atá ar Acht na dTeangacha Oifigiúla ó thaobh earcaíochta de sa tseirbhís phoiblí agus teip chóras na scéimeanna teanga ar chuid de na constaicí is mó a bhaineann lenár gcuid oibre. Níor tapaíodh an deis oidhreacht thairbheach reachtúil a fhágáil tar éis Bhliain na Gaeilge trí Acht na dTeangacha Oifigiúla a láidriú. Tá blianta fada caite ó cuireadh tús leis an bpróiseas chun an tAcht a leasú. Is é mo mhian nach n-imeodh bliain eile tharainn gan Acht nua atá in oiriúint do riachtanais shochaí an lae inniu a bheith tugtha ar an bhfód.

I gave speeches and presentations relating to language rights at many events throughout the year. Two events in particular had a special significance for me and the Office, this year.

I was asked to give the oration for Léacht Uí Ghadhra this year, a lecture organised in memory of the journalist and historian Nollaig Ó Gadhra – may he rest in peace. The lecture, a Bliain na Gaeilge event, was organised by Conradh na Gaeilge, an organisation which Nollaig had served as President. I spoke in my oration about the lessons to be learnt from the State’s engagement with the Irish language and I emphasised the actions required to ensure the Official Languages Act is fit for purpose and meets the desires of the speakers of the country’s native language.

I was also extremely proud to be asked to speak at a commemoration ceremony for Dr Peadar Ó Flatharta organised by Dublin City University. Peadar, who died in 2016, was a friend of this Office since its establishment in 2004. Peadar was one of the primary Irish language personalities of this era and his deep intellect and measured opinions are a continued loss to the Irish language community.

I also made presentations to public bodies throughout the year regarding obligations under the Act and how best to serve members of the public who want to conduct their business through Irish with the state sector. This is an important element of my work and the short video developed by my Office which outlines this matter is most helpful.

I would like to thank the journalist Áine Ní Chiaráin and the financial expert Páidí Ó Dálaigh for their voluntary work as valuable members of the Office’s Internal Audit and Risk Committee.

I would also like to avail of this opportunity to thank the diligent and hard-working staff in the Office of An Coimisinéir Teanga.

COMMEMORATION OF THE FOUNDATION OF THE OFFICE

Fifteen years have passed since the Office of An Coimisinéir Teanga was established. The belief of Irish speakers and those that wish to conduct their business through Irish with the State in this Office is evident. However, the clear weaknesses inherent in the Official Languages Act relating to recruitment in the public service and the failure of the system of language schemes are some of the main impediments to our work. The opportunity to leave a worthwhile legislative legacy as a result of Bliain na Gaeilge by strengthening the Official Languages Act was lost. Many years have passed since the process to amend the Act was begun. My hope is that another year does not pass without a new Act to meet the needs of today’s society.

SEIRBHÍSÍ EOLAIS & CUMARSÁIDE

Le linn na bliana 2018, lean Oifig an Choimisinéara Teanga d'eolas a scaipeadh ar an bpobal agus ar chomhlachtaí poiblí faoi Acht na dTeangacha Oifigiúla agus faoi obair na hOifige féin.

COMHAIRLE DO CHOMHLACHTAÍ POIBLÍ

Ceann d'fheidhmeanna na hOifige seo is ea comhairle nó cúnaimh a thabhairt do chomhlachtaí poiblí faoi scáth na reachtaíochta maidir lena ndualgais faoi Acht na dTeangacha Oifigiúla.

Le linn na bliana 2018, rinne oifigigh ó chomhlachtaí poiblí teagmháil le hOifig an Choimisinéara Teanga ar 115 ócáid éagsúil le ceisteanna sonracha nó le comhairle a fháil maidir le dualgais teanga faoin Acht. Titim 6% é seo ar líon na n-iarratas in 2017. Bhain thart ar 45% de na fiosruithe sin leis na dualgais atá ar chomhlachtaí poiblí maidir le húsáid na Gaeilge agus an Bhéarla ar chomharthaíocht, i stáiseanóireacht agus i bhfógairtí taifeadta béil, 25% le ceisteanna maidir le scéimeanna teanga, 7% le ceisteanna maidir le foilsíú doiciméad go dátheangach de réir alt 10 den Acht, agus 23% le ceisteanna eile i dtaca le hAcht na dTeangacha Oifigiúla.

I rith na bliana freastalaíodh ar roinnt ócáidí a bhí eagraithe ag comhlachtaí poiblí agus roinneadh eolas leo maidir leis na dualgais atá orthu faoin Acht. Chomh maith leis sin, freastalaíodh ar iarratais a rinne comhlachtaí poiblí ar chruinnithe aonarach chun comhairle a ghlacadh i dtaca le dualgais shonracha faoin Acht.

Ar ndóigh, dá mhéad comhairle agus eolas soiléir, cruinn a chuirtear ar fáil do chomhlachtaí poiblí faoina ndualgais faoin Acht is ea is fearr is féidir a chinntiú go gcloítear le forálacha na reachtaíochta.

INFORMATION & COMMUNICATION SERVICES

During 2018, the Office of An Coimisinéir Teanga continued to provide information to the public and to public bodies about the Official Languages Act and about the Office itself.

ADVICE TO PUBLIC BODIES

The functions of the Office include the provision of advice or assistance to public bodies under the aegis of the legislation with regard to their obligations under the Official Languages Act.

During 2018, officials from public bodies contacted the Office of An Coimisinéir Teanga on 115 separate occasions either with specific questions or seeking advice about their obligations under the Act. This represents a 6% decrease on the number of queries received in 2017. Approximately 45% of these queries concerned advice on the duties of public bodies regarding the use of the Irish and English languages on signage, stationery and recorded oral announcements, 25% concerned language schemes, 7% the publication of documents bilingually under section 10 of the Act and 23% concerned other matters relating to the Act.

During the year we attended several events organised by public bodies and information was provided regarding the obligations placed upon them by the Act. We also accommodated requests made by individual public bodies to attend meetings in order to receive advice on specific obligations under the Act.

Without doubt, the more clear and accurate the advice and information that is provided to public bodies regarding their obligations under the Act, the easier it will be to ensure compliance with the provisions of the legislation.



Cuairt an Aire Stáit Seán Kyne chun na hOifige
Visit of Minister of State Seán Kyne to the Office

ÓCÁIDÍ POIBLÍ

ÓRÁIDÍ

- Comhdháil Chomhairle na Gaelscolaíochta, Béal Feirste.
- Comhdháil Chomórtha Pheadair Uí Fhlatharta, Ollscoil Chathair Bhaile Átha Cliath.
- Léacht Uí Ghadhra, Halla na Cathrach, Baile Átha Cliath.
- MIME (grúpa acadúil teangacha), an Bhruiséil.
- Comhdháil an AE/Rialtas na hÉireann faoin acmhainn teanga sa Ghaeilge a mhéadú, Baile Átha Cliath.
- Comhdháil Gaeloideachas, Gaillimh.
- Comhdháil Chomhairle Contae Chorcaí, Baile Bhuirne, Contae Chorcaí.
- Seimineár Óglaigh na hÉireann, Luimneach.
- Comhdháil an Ombudsman Seirbhísí Airgeadais & Pinsean, Baile Átha Cliath.

CUR I LÁTHAIR

- Cruinniú de Bhuan-Chomhchoiste na Gaeilge, na Gaeltachta agus na nOileán, Teach Laighean, Baile Átha Cliath.
- An Bord Pleanála, Baile Átha Cliath.
- Bord Bainistíochta Thithe an Oireachtais, Teach Laighean, Baile Átha Cliath.
- Coláiste Cholmcille, Indreabhán, Co. na Gaillimhe.
- An Garda Síochána, an Teampall Mór, Co. Thiobraid Árann.
- Coláiste Chroí Mhuire, an Spidéal, Co. na Gaillimhe.

EILE

- Ard-Fheis Chonradh na Gaeilge, Trá Lí, Co. Chiarraí.
- Comóradh Bhliain na Gaeilge, Áras an Uachtaráin, Baile Átha Cliath.

Rapporteur Speisialta na Náisiún Aontaithe ar Ghnéithe Mionlaigh, Fernand de Varennes, ag cruinniú leis an gCoimisinéir Teanga agus foireann na hOifige *Fernand de Varennes, United Nations Special Rapporteur on Minority Issues, meeting An Coimisinéir Teanga and staff of the Office.*



PUBLIC EVENTS

SPEECHES

- Comhairle na Gaelscolaíochta Conference, Belfast.
- Peadar Ó Flatharta Commemorative Conference, Dublin City University.
- Léacht Uí Ghadhra, City Hall, Dublin.
- MIME (linguistic academic group), Brussels.
- EU / Government of Ireland Conference on building up Irish linguistic capacity, Dublin.
- Gaeloideachas Conference, Galway.
- Cork County Council Conference, Baile Bhuirne, County Cork.
- Defence Forces Seminar, Limerick.
- Financial and Pensions Services Ombudsman Conference, Dublin.

PRESENTATIONS

- Meeting of the Standing Joint Committee on the Irish language, the Gaeltacht and the Islands, Leinster House, Dublin.
- An Bord Pleanála, Dublin.
- Board of Management of the Houses of the Oireachtas, Leinster House, Dublin.
- Coláiste Cholmcille, Indreabhán, Co. Galway.
- An Garda Síochána, Templemore, Co. Tipperary.
- Coláiste Chroí Mhuire, An Spidéal, Co. Galway.

OTHER

- Conradh na Gaeilge Ard-Fheis, Tralee, Co. Kerry.
- Bliain na Gaeilge Commemoration, Áras an Uachtaráin, Dublin.



Seimineár ar Chomharthaí Tráchtá, Gaillimh
Seminar on Traffic Signs, Galway

- Bronnadh Ghradam Gaelchultúr, Baile Átha Cliath.
- Comhdháil Ombudsman Thuaisceart Éireann, Béal Feirste.
- Cruinniú le Rytis Martikonis, Ard-Stiúrthóir, Ard-Stiúrthóireacht an Aistriúcháin, an Coimisiún Eorpach, Baile Átha Cliath.
- Cruinniú le Fernand de Varennes, Rapporteur Speisialta na Náisiún Aontaithe ar Ghnéithe Mionlaigh, Oifig an Choimisinéara Teanga, Gaillimh.

Anuas air sin, d'eagraigh m'Oifig seimineár ar *Úsáid na Gaeilge ar Chomharthaí Tráchtá* i gcomhpháirtíocht leis an Roinn Iompair, Turasóireachta agus Spóirt agus le Bonneagar Iompair Éireann (BIÉ). Bhí freastal an-mhaith ar an ócáid, a cuireadh ar bun in oifigí de chuid na Roinne Gnóthaí Fostaíochta agus Coimirce Sóisialaí i nGaillimh. Bhí an-rath ar an seimineár, a thug deis do na hinnealtóirí agus do na hOifigigh Forbartha Gaeilge ó na húdaráis áitiúla teacht le chéile agus roinnt díospóireachta a dhéanamh ar an ábhar. Tá súil againn tabhairt faoina leithéid d'ócáid arís amach anseo.

Rinne ball foirne cur i láthair chomh maith ag seimineár do na heagraíochtaí pleanála teanga a d'eagraigh Údarás na Gaeltachta le linn na bliana.

NA MEÁIN CHUMARSÁIDE

Fearacht blianta eile bhí cuid mhaith teagmhála agam leis na meáin chumarsáide le linn na bliana 2018. Déanaim gach iarracht freastal ar iarratais ó na meáin Ghaeilge agus ó na meáin Bhéarla agus creidim go bhfuil sé tábhachtach léargas a thabhairt ar obair na hOifige, ar fheidhmiú an Achta agus ar cheisteanna gaolmhara.

Glacaim buíochas leis na hiriseoirí ar fad a chuir an oiread sin suime in obair na hOifige le linn na bliana agus a chabhraigh le cur chun cinn na hoibre sin trína gcuid tuairisceoireachta i mBéarla agus i nGaeilge. Aithním a ngairmiúlacht - cinntíonn siad nach ligtear na maidí le sruth choíche!

- Gaelchultúr Award Ceremony, Dublin.
- Northern Ireland Ombudsman Conference, Belfast.
- Meeting with Rytis Martikonis, Director General, Directorate-General for Translation, European Commission, Dublin.
- Meeting with Fernand de Varennes, United Nations Special Rapporteur on Minority Issues, Office of An Coimisinéir Teanga, Galway.

My Office also organised a seminar on *The Use of Irish on Traffic Signs*, in partnership with the Department of Transport, Sport and Tourism and Transport Infrastructure Ireland (TII). The seminar, which took place in the offices of the Department of Employment Affairs and Social Protection in Galway, was very well attended. The event, which gave engineers and Irish Language Development Officers from the local authorities a chance to get together and debate the issues, was very successful. We hope to undertake similar events in the future.

A member of staff of the Office also made a presentation at a seminar for the language planning organisations which was organised by Údarás na Gaeltachta during the year.

MEDIA

As in previous years, I had a considerable amount of contact with the media during 2018. I make every effort to accommodate requests from the Irish language media and the English language media as I believe that it is very important to provide an insight into the work of the Office, the implementation of the Act, and related matters.

I would like to thank all the journalists who showed such an interest in the work of the Office during the year and who helped to progress that work through their reports both in Irish and in English. I acknowledge their professionalism - they ensure that we never rest on our laurels!

CUMAINN

CUMANN IDIRNÁISIÚNTA NA gCOIMISINÉIRÍ TEANGA

Is ball gníomhach í m'Oifig de Chumann Idirnáisiúnta na gCoimisinéirí Teanga, cumann a bunaíodh anseo in Éirinn le linn comhdháil a d'eagraigh mo réamhtheachtaí, Seán Ó Cuirreáin i mBaile Átha Cliath i rith na bliana 2013. Ceapadh mé i mo Chathaoirleach ar an gCumann i lár na bliana 2018 agus dá bhrí sin tá ról rúnaíochta an Chumainn á chomhlíonadh ag m'Oifige i láthair na huaire. Mar chuid den ról sin, reáchtáladh cruinnithe ar líne i rith na bliana, idir chruinnithe de na baill agus chruinnithe oideachais, chomh maith le rúnaíocht a dhéanamh ar an gcruinniú cinn bliana.

Tá an Cumann ag dul ó neart go neart agus 11 Choimisinéir Teanga nó Ombudsman ina mbaill faoin tráth seo; fuarthas iarratais ó roinnt eagraíochtaí eile ar bhallaíocht nó ar bhallaíocht chomhlach i rith na bliana agus tá na hiarratais sin á meas.

Cruthaíonn an Cumann Idirnáisiúnta gréasán luachmhar inar féidir le Coimisinéirí Teanga léargas a fháil ar na bealaí a ndéileáiltear le cúrsaí cearta teanga agus soláthar seirbhísí i dteangacha oifigiúla i ndlínsí éagsúla ar fud an domhain. Chomh maith leis sin, feidhmíonn an Cumann mar ghréasán foghlama, ní hamháin do na Coimisinéirí féin, ach freisin do na hoifigigh a bhíonn bainteach leis an réimse seo sna tíortha éagsúla. Rinneadh breis forbartha ar an gcuid seo den obair le linn na bliana 2018 agus baineadh úsáid as an teicneolaíocht chun seisiúin oiliúna ar líne, ar ábhair éagsúla, a sholáthar ó bhaill den Chumann agus ó láithreoirí seachtracha, ina measc ceann ar Thuarascáil Bhliantúil 2017 m'Oifige. Is i bhfoirm físchomhdháil ar líne a thionóltar na cruinnithe rialta de chuid Chumann Idirnáisiúnta na gCoimisinéirí Teanga.

Eagraítear comhdháil bhliantúil de chuid an Chumainn i gceann de thíortha éagsúla na mballeagraíochtaí agus ba in Pristina sa Chosaiv a eagraíodh comhdháil 2018. Tugann an comhdháil lucht cleachtais agus lucht acadúil le chéile chun plé a dhéanamh ar théamaí a bhaineann le cúrsaí cearta teanga agus ábhair ghaolmhara. Is roimh thús oifigiúil na comhdhála a reáchtáladh cruinniú cinn bliana an Chumainn.

Thug an cruinniú cinn bliana agus an chomhdháil deis dom féin agus don bheirt chomhaltáí foirne a d'fhreastail orthu plé a dhéanamh lenár gcomhghleacaithe i ndlínsí eile agus foghlaim uathu, agus rinne Bainisteoir Cumarsáide na hOifige cur i láthair don Chomhdháil ar imscrúdú ar chúrsaí oideachais trí Ghaeilge a bhí tugtha chun críche agam an bhliain roimhe sin. Stiúir m'Oifig athdhearadh shuíomh gréasáin na heagraíochta chomh maith, mar chuid dá ról rúnaíochta, agus shocraigh go mbeadh ar chumas na mball uile riaradh a dhéanamh feasta ar a gcuid féin den suíomh, seachas é a

ASSOCIATIONS

INTERNATIONAL ASSOCIATION OF LANGUAGE COMMISSIONERS

My Office is an active member of the International Association of Language Commissioners, an association formed in Ireland during an international conference organised by my predecessor, Seán Ó Cuirreáin, in Dublin during 2013. I was appointed Chairperson of the Association during 2018, and my Office is therefore currently undertaking the secretarial role of the Association. As part of that role online meetings – both members' meetings and educational webinars – were organised by my staff during the year, as well as fulfilling the secretarial role at the AGM.

The Association is going from strength to strength with 11 Commissioners or Ombudsmen currently as members, and applications from some other organisations in relation to membership or associate membership received during the year are currently being assessed.

The Association creates a valuable network where Language Commissioners can get an insight as to how language rights and the provision of services in official languages are dealt with in other jurisdictions around the world. The Association also operates as a learning network, not only for the Commissioners, but also for the staff working in this area in the various countries. This area of work was further developed during 2018, making use of technology to provide on-line training sessions on various topics by members of the Association and by external presenters, including one on the 2017 Annual Report of my Office. The regular meetings of the International Association of Language Commissioners are held by way of on-line video conferencing.

An annual conference of the Association is held in one of the member countries and the 2018 conference was held in Pristina in Kosovo. The conference brings together both practitioners and academics to discuss language rights and related matters. The Association's annual meeting was held before the official start of the conference.

The AGM and the conference gave me and the two staff members who attended an opportunity to hold discussions with our colleagues from other jurisdictions and to learn from them, and the Office's Communications Manager made a presentation to the conference on an investigation on education through Irish which I had conducted the previous year. My Office also directed the redesign of the Association's website, as part of its secretarial role, and arranged that each individual office would in future be able to amend its own part of the website, rather than relying on an outside organisation,



Rónán Ó Domhnaill, an Coimisinéir Teanga; **François Boileau**, Coimisinéir do Sheirbhísí Teanga na Fraincise, Ontario *French Language Services Commissioner, Ontario*; **Raymond Théberge**, Coimisinéir na dTeangacha Oifigiúla, Ceanada *Official Languages Commissioner, Canada*; **Katherine d'Entremont**, Coimisinéir na dTeangacha Oifigiúla, New Brunswick *Official Languages Commissioner, New Brunswick*; **Shannon Gullberg**, Coimisinéir Teanga Chríocha an Iarthuaiscirt *Official Languages Commissioner, Northwest Territories*; **Meri Huws**, Coimisinéir Teanga, an Bhreatain Bheag *Welsh Language Commissioner*; **Mar Aldeano**, Oifig an Ombudsman, an Chatalóin *Office of the Catalan Ombudsman*; **Chris Nestor**, Oifig Ombudsman na bPléimeannach *Flemish Ombudsmans Office*; **Slaviša Mladenović**, Coimisinéir Teanga na Cosaive *Language Commissioner of Kosovo*.

bheith faoi stiúir eagraíocht sheachtrach, ar chostas nach beag. Áiríodh traenáil foirne mar chuid den tionscnamh seo.

Ceapadh Raymond Théberge mar Choimisinéir na dTeangacha Oifigiúla i gCeanada go luath san Athbhliain, agus ceapadh Michel Carrier mar Choimisinéir eatramhach in áit Katherine d'Entremont, Coimisinéir na dTeangacha Oifigiúla in New Brunswick, Ceanada, a d'éirigh as a post i rith na bliana. Guím gach rath ar Katherine ina saol nua, agus ar Raymond agus Michel ina gceapacháin. Ag deireadh na bliana, fógraíodh go raibh Oifig an Choimisinéara Seirbhísí Fraincise in Ontario, Ceanada, le cónascadh le hOifig Ombudsman Ontario. Tá an reachtaíocht chúí curtha trí Pharlaimint Ontario anois. Caillteanas mór don eagraíocht atá in imeacht François Boileau, agus guím gach rath air sna blianta amach anseo. Tionólfar comhdháil na bliana 2019 in Toronto, faoi stiúir Oifig Ombudsman Ontario.

Faoi dheireadh na bliana 2018 ní raibh an próiseas comhairliúcháin do Bhille na Breatnaise tugtha chun críche. I dtreo dheireadh na bliana fuair mé cuireadh, i mo cháil mar Chathaoirleach ar Chumann Idirnáisiúnta na gCoimisinéirí Teanga, freastal ar Choiste Parlaiminte sa Bhreatain Bheag a bhí ag scrúdú an ábhair.

CUMANN NA hOMBUDSMAN

Táim i mo bhall de Bhord Feidhmiúcháin Chumann na nOmbudsman ó 2017. Is cumann de na hOifigí Ombudsman ar fad in Éirinn agus sa Bhreatain Mhór, agus a bhfuil an Oifig seo ina ball gníomhach de, atá anseo. Beirt as Éirinn atá ar an mbord, ar a bhfuil ochtar ball ina iomláine. Casann an bord le

at some expense. Training of staff members formed part of this initiative.

Raymond Théberge was appointed Official Languages Commissioner in Canada early in the year, and Michel Carrier was appointed interim Language Commissioner of New Brunswick, Canada, replacing Katherine d'Entremont, who retired during the year. I wish Katherine every success in her retirement, and both Raymond and Michel good luck in their respective roles. Towards the end of the year, it was announced that the Office of the French Languages Services Commissioner in Ontario was to be amalgamated with the Office of the Ontarian Ombudsman. The legislation in this regard has now been passed by the Government of Ontario. François Boileau's departure will be a great loss to the Association, and I wish him every success in his future endeavours. The 2019 conference will be held in Toronto, under the auspices of the Ontarian Ombudsman.

By the end of 2018 the consultation process in respect of the Welsh Language Bill had not yet been brought to a conclusion. Towards the end of the year I was invited to attend a Parliamentary Committee in Wales examining the matter, in my role as Chair of the International Association of Language Commissioners.

OMBUDSMAN ASSOCIATION

I have been a member of the Executive Board of the Ombudsman Association since 2017. This is an association of all the Ombudsman Offices in Ireland and Great Britain of which this Office is an active member. There are two members from Ireland on the board which comprises eight

chéile cúig huaire sa bhliain chun gnóthaí Chumann na nOmbudsman a riaradh agus a phlé le Stiúrthóir an Chumainn. Tugadh cuireadh don bhord teacht go Gaillimh do cheann de chruinnithe an bhoird le linn 2018 agus tharla sin i mí Mheán Fómhair.

FÓRAM OMBUDSMAN NA hÉIREANN

Ceapadh i mo Chathaoirleach mé in 2017 ar Fhóram Ombudsman na hÉireann. Bíonn cruinnithe ag Fóram na nOmbudsman, ina bhfuil seachtar ball, uair sa ráithe. Is iad baill eile an Fhórait ná an tOmbudsman, an tOmbudsman Seirbhísí Airgeadais agus Pinsean, an tOmbudsman do Leanáí, Ombudsman an Phreasa, an tOmbudsman d'Óglaigh na hÉireann agus Coimisiún Ombudsman an Gharda Síochána. Bhí na cruinnithe sin ar fad i mBaile Átha Cliath le linn 2018.

FÓRAM NA GAEILGE

Is éard atá i bhFóram na Gaeilge ná teacht le chéile de cheannasaithe na n-eagraíochtaí stáit Gaeilge le nuashonrú a thabhairt dá chéile agus aiseolas a roinnt faoi na nithe is tábhachtaí ar chláir oibre ár n-eagraíochtaí. Is eagraíochtaí aonarach muid atá ag feidhmiú go neamhspleách ar a chéile, ach tá neart rudaí i bpáirt againn. Is iad baill eile an Fhórait ná Foras na Gaeilge, Údarás na Gaeltachta, an Foras Pátrúnachta agus an Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta.

members in total. The board meets five times a year to administer and discuss the affairs of the Association with the Association's Director. The board was invited to Galway for one of the board meetings during 2018, and this took place in September.

IRISH OMBUDSMAN FORUM

I was appointed Chairperson of the Irish Ombudsman Forum in 2017. The Ombudsman Forum, comprising seven members, meets once every quarter. The other members of the Forum are the Ombudsman, the Financial Services and Pensions Ombudsman, the Ombudsman for Children, the Press Ombudsman, the Defence Forces Ombudsman and the Garda Síochána Ombudsman Commission. All these meetings took place in Dublin during 2018.

FÓRAM NA GAEILGE

Fóram na Gaeilge is a forum for leaders of Irish language state organisations to update each other and share feedback on the most important aspects of our organisations' agendas. We are individual organisations acting independently of each other, but we have much in common. The other members of the Fóram are Foras na Gaeilge, Údarás na Gaeltachta, An Foras Pátrúnachta and An Chomhairle um Oideachas Gaeltachta & Gaelscolaíochta.

An Coimisinéir Teanga in éineacht le hArd-Mhéara Bhaile Átha Cliath, Mícheál Mac Donncha; Ard-Rúnaí Chonradh na Gaeilge, Julian de Spáinn; Máirín Uí Ghadhra; Máirín Ní Ghadhra; Daithí Ó Gadhra; Eimear Nic Dhonnchadha; agus Ailbhe Nic Dhonnchadha ag Léacht Uí Ghadhra i Halla na Cathrach.

An Coimisinéir Teanga with the Lord Mayor of Dublin, Mícheál Mac Donncha; Ard-Rúnaí Chonradh na Gaeilge, Julian de Spáinn; Máirín Uí Ghadhra; Máirín Ní Ghadhra; Daithí Ó Gadhra; Eimear Nic Dhonnchadha; and Ailbhe Nic Dhonnchadha at Léacht Uí Ghadhra in City Hall.



IMSCRÚDITHE

Is croífhaidhm de chuid an Choimisinéara Teanga imscrúdú a thionscnamh má mheastar go bhféadfadh sárú a bheith déanta ar aon fhoráil de chuid an Achta nó ar aon achtachán eile a bhaineann le húsáid nó le stádas teanga oifigiúla. Is féidir liom imscrúdú a dhéanamh ar mo thionscnamh féin, de bhun gearáin, nó ar iarratas ón Aire.

Is próiseas foirmiúil a bhíonn i gceist le himscrúdú ina gcuirtear an mhainneachtain reachtúil a d'fhéadfadh a bheith tarlaíthe i láthair an chomhlachta poiblí. Tugtar deis don chomhlacht poiblí a chás a chur i mo láthair agus is gá gach taifead ábhartha a chur ar fáil dom. Tar éis dom an t-eolas ar fad a fháil agus a mheá eisím tuarascáil imscrúdaithe ina mbíonn fionnachtain agus moltaí déanta agam, más cuí sin, chuig na páirtithe ábhartha. Is féidir le páirtí in imscrúdú nó le haon duine a ndéanann mo chinneadh agus mo chuid moltaí difear dóibh achomharc a dhéanamh ar phonc dlí chun na hArd-Chúirte.

Tá achoimre le fáil sa Tuarascáil seo ar na himscrúduithe a tugadh chun críche le linn na bliana 2018. Ní mór a thuiscint, áfach, gur cuntais ghairide ar chásanna atá i gceist leis na hachomharc agus is sna tuarascálacha oifigiúla atá na tuairiscí údarásacha. Tá achoimre thíos ar líon na n-imscrúduithe a tionscnaíodh agus a tugadh chun críche le linn 2018:

Líon na nImscrúduithe

| | 2017 | 2018 |
|--|----------|-----------|
| Tugtha ar aghaidh ón mbliain roimhe | 1 | 3 |
| Imscrúduithe seolta | 8 | 8 |
| Iomlán idir lámha | 9 | 11 |
| Tugtha ar aghaidh go dtí an chéad bhliain eile | 3 | 2 |
| Iomlán críochnaithe / scortha | 6 | 9 |

INVESTIGATIONS

A key function of An Coimisinéir Teanga is to initiate investigations if it is felt that a provision of the Act or of any other enactment concerning the use or status of an official language may have been breached. I can carry out an investigation on my own initiative, pursuant to a complaint, or at the request of the Minister.

An investigation involves a formal process whereby the possible statutory failure that may have occurred is presented to the public body. The public body is given the opportunity to present its case to me and is required to provide me with all relevant records. After receiving and evaluating all the information received I issue an investigation report containing findings and recommendations, if appropriate, to all the relevant parties. A party to an investigation or any person affected by the findings and recommendations may appeal to the High Court on a point of law.

A summary of all the investigations completed during 2018 is available in this Report. However, it should be clearly understood that these summaries are merely condensed accounts of the cases involved and that the authoritative accounts are contained in the official reports. The following is a summary of the number of investigations initiated and completed during 2018:

Number of Investigations

| | 2017 | 2018 |
|---------------------------------------|----------|-----------|
| Brought forward from previous year | 1 | 3 |
| Investigations launched | 8 | 8 |
| Total in hand | 9 | 11 |
| Brought forward to next year | 3 | 2 |
| Total completed / discontinued | 6 | 9 |

Raidió Teilifís Éireann

Níl sna cláir Ghaeilge a chraolann RTÉ ach níos lú ná 1% de na cláir theilifise a chraolann sé trí chéile. Sin in ainneoin dualgas a bheith ar an gcraoltóir náisiúnta réimse cuimsitheach clár a chur ar fáil sa teanga sin. Léirítear in imscrúdú a rinne m'Óifig go bhfuil an líon clár teilifise Gaeilge a chraolann RTÉ thar a bheith easnamhach, ar neamhréir le toil Thithe an Oireachtais agus go bhfuil an craoltóir ag sárú an Achta Craolacháin.



Cúlra

Rinne duine den phobal gearán liom ar an 18 Lúnasa 2017 nach raibh na dualgais reachtúla atá daingnithe i bhfo-ailt 114(3)(a) agus (b) den Acht Craolacháin, 2009 á gcomhlíonadh ag Raidió Teilifís Éireann. Baineann na dualgais sin le réimse cuimsitheach clár a chur ar fáil i nGaeilge agus i mBéarla i gclársceidil a chuid seirbhísí craolacháin. Bhí an gearánach den tuairim go raibh ag teip ar RTÉ na dualgais sin a chomhlíonadh ó thaobh cláir i nGaeilge a sholáthar.

Mar chéad chéim, d'fhiosraigh m'Óifig ábhar an ghearán le RTÉ tríd an gcóras neamhfhoirmiúil fiosraithe gearán a fheidhmíonn an Oifig. Bhí comhoibriú iomlán le fáil ag m'Óifig ón eagraíocht ach chinn mé gur ghá imscrúdú a dhéanamh faoi alt 21(f) d'Acht na dTeangacha Oifigiúla chun go bhféadfaí fionnachtana foirmiúla a dhéanamh. B'imscrúdú é seo chun a fháil amach an amhlaidh a bhí nó nach raibh foráil de chuid aon achtachán eile a bhaineann le stádas nó le húsáid teanga oifigiúla á comhlíonadh. D'eisigh mé cáipéisí an imscrúdaithe chuig Príomh-Stiúrthóir RTÉ ar an 22 Bealtaine 2018.

Ba é seasamh RTÉ go raibh sé ag comhlíonadh na ndualgas reachtúil maidir le cláir a chur ar fáil i nGaeilge. Thagair RTÉ do sheirbhís RTÉ Raidió na Gaeltachta, Rannóg na gClár Gaeilge, an tseirbhís nuachta trí Ghaeilge, an úsáid a bhaintear as an nGaeilge ina chuid gníomhaíochtaí éagsúla, agus ábhar teilifise arna chur ar fáil do TG4.

Cuireadh in iúl don imscrúdú gur tháinig méadú leanúnach ar chaiteachas RTÉ ar ábhar Gaeilge ó €21.262 milliún sa bhliain 2014 go dtí €24.455 milliún sa bhliain 2017; gur ceapadh Grúpcheannasaí Gaeilge den chéad uair in 2014 agus tugadh cuntas ar chur i bhfeidhm *Phlean Gníomhaíochta Meáin Ghaeilge RTÉ 2015-2019 "leis an nGaeilge a shníomh trí ardáin uile RTÉ...sa chaoi is go mbíonn an Ghaeilge fite fuaite i ngach a dhéanann RTÉ."*

Mar thacaíocht do sheasamh RTÉ, chuir sé sonraí faoi bhráid an imscrúdaithe ar na cláir theilifise i nGaeilge ar fad a craoladh sa bhliain 2017, ainmneacha na gclár, na dátaí ar

Raidió Teilifís Éireann

Less than 1% of television programmes on RTÉ are broadcast in Irish. This is in spite of the national broadcaster's obligation under the Broadcasting Act to provide a comprehensive range of programmes in the Irish language. An investigation by my Office highlights that the amount of programmes broadcast in Irish by RTÉ is seriously deficient, at odds with the will of the Houses of the Oireachtas and that the broadcaster is in breach of the Broadcasting Act.



Background

I received a complaint from a member of the public on 18 August 2017 that Raidió Teilifís Éireann was not complying with the statutory obligations in subsections 114(3)(a) and (b) of the Broadcasting Act 2009. These obligations require RTÉ to provide a comprehensive range of programmes in the Irish and English languages in the programme schedules of its broadcasting services. The complainant was of the opinion that RTÉ was failing to fulfil those obligations in respect of providing programmes in the Irish language.

As a first step, my Office raised the complaint with RTÉ through the informal complaints system it operates. The organisation fully cooperated with my Office but I decided that an investigation under section 21(f) of the Official Languages Act was necessary to enable a formal finding be made. This was an investigation to determine whether or not a provision of another enactment relating to the status or use of an official language is being complied with. I issued the investigation papers to RTÉ's Director General on 22 May 2018.

RTÉ argued that it was complying with the statutory obligations to provide programmes in the Irish language. RTÉ referred to the service provided by RTÉ Raidió na Gaeltachta, Rannóg na gClár Gaeilge, the news service in the Irish language, the use of Irish throughout its various activities, and provision of television material to TG4.

The investigation was informed that there had been a steady increase in RTÉ's expenditure on Irish language material from €21.262 million in 2014 to €24.455 million in 2017; that a Group Head had been appointed for the Irish language for the first time in 2014 and an account was given of the implementation of the *Meáin Ghaeilge RTÉ Action Plan 2015-2019 "to involve the use of Irish in all RTÉ's platforms in a way that would make the Irish language inextricably associated with all RTÉ's activities."*

In support of its position, RTÉ provided the investigation with data concerning all the Irish-language television programmes broadcast in 2017; the programme titles, the dates that they

craoladh iad, agus na cainéil ar ar craoladh iad. Sonraíodh chomh maith na seánraí clár lenar bhain siad (spórt, cultúr, reiligiún, nuacht, cúrsaí reatha etc.)

Maidir le cúrsaí raidió, d'áitigh RTÉ gur seirbhís iomlán ilseánraí a bhí in RTÉ Raidió na Gaeltachta. I dtaca leis na stáisiúin raidió eile, tagraíodh d'fheasacháin nuachta i nGaeilge maille le dornán clár i nGaeilge nó clár a raibh gné Ghaeilge ag baint leo, in 2017 agus ó shin i leith.

Cuireadh an-bhéim i bhfreagra RTÉ ar fhorbairtí nuálaíocha a cuireadh chun cinn le linn na bliana 2017 agus a chuir go mór leis an ábhar a bhí á chur ar fáil ar líne, ar na meáin shóisialta agus i réimsí an raidió dhigitigh agus an phodchraolta.

Chomh maith le *Plean Ghníomhaíochta Meáin Ghaeilge RTÉ 2015 – 2019* a bheith á chur i bhfeidhm ar bhonn leanúnach, míníodh sa fhreagra go raibh scrúdú ar bun ag RTÉ, tráth an imscrúdaithe, ar bhealaí chun cur leis an ábhar Gaeilge a chuirtear ar fáil. Tharraing an eagraíocht aird freisin ar an struchtúr nua a bhain le "Aon RTÉ" a thabharfadh, a dúirt RTÉ, deis lón ábhair Gaeilge a tharraingt le chéile ar bhealach níos comhtháite.

Tharraing RTÉ aird an imscrúdaithe chomh maith ar an laghdú de bhreis agus €100 milliún atá tagtha ar chistiú iomlán bliantúil na heagraíochta ó 2008 i leith (ó €440 milliún in 2008 go dtí €337 milliún in 2017). Míníodh gur mhian leis an eagraíocht infheistíocht ní ba mhó a dhéanamh in aschur i réimsí áirithe ar nós na Gaeilge, na drámaíochta, na heolaíochta, clár do leanaí, na n-ealaíon agus an chultúir, ach gur fhág na srianta daingne caiteachais faoina bhfuiltear ag feidhmiú nárbh fhéidir é sin a dhéanamh san am i láthair.

Príomhchinntí an Imscrúdaithe

Réimse cuimsitheach clár sa tseirbhís teilifíse (alt 114(3)(a))

Tá cur síos san fho-alt féin ar chuid de na saintréithe nach mór a bhainfeadh le réimse clár chun go n-áireofaí an réimse sin a bheith cuimsitheach chun críche an dualgais reachtúil. Cuirtear béim ar uileghabhálacht agus éagsúlacht na n-éileamh agus na sainspeiseanna a gcaithfear freastal orthu.

“... bheadh tréithe áirithe a bhaineann leis an gcáilíocht sin ag roinnt leis an soláthar a bhí á dhéanamh sa dá theanga ... bheadh coibhéis ghinearálta le tabhairt faoi deara nó le sonrú ... níl coibhéis ar bith den sórt sin ann.

were broadcast and the channels on which they were broadcast. The genre of programme was also specified (sport, culture, religion, news, current affairs etc.)

With regard to radio, RTÉ argued that RTÉ Raidió na Gaeltachta provided a full and diverse service. Concerning the other radio stations, the news bulletins in Irish were referenced, as were a handful of other programmes in Irish or programmes that had an Irish language element to them, in 2017 and subsequently.

In its response RTÉ also emphasised innovative developments that had been advanced in 2017 that had increased considerably the material available online, on social media and in the fields of digital radio and podcasting.

In addition to the implementation of *Meáin Ghaeilge RTÉ – Action Plan 2015 – 2019*, RTÉ informed the investigation that it was examining the way in which Irish language material was provided. The organisation also highlighted the new structure associated with "One RTÉ" which would, RTÉ said, provide a better opportunity to compile a supply of Irish language material in a more co-ordinated way.

RTÉ also drew the investigation's attention to a reduction of more than €100 million in the organisation's annual funding that had occurred since 2008 (from €440 million in 2008 to €337 million in 2017). It was explained that while the organisation wished to make further investments in outputs in such areas as the Irish language, drama, science, children's programmes and arts and culture, tight budget constraints precluded such investments at present.

Main Determinations of the Investigation

A comprehensive range of programmes in the television service (section 114(3)(a))

The characteristics required for a range of programmes to be comprehensive for the purposes of the statutory obligation are described in the subsection. Emphasis is placed on the breadth and diversity of the demand and the special interests that should be catered for.

“... the provision in both languages would demonstrate certain characteristics ... a general equivalence would be discernible ... no such equivalence exists.

Ní thugann an reachtaíocht féin aon treoir maidir le líon, minice nó comhsheasamhacht na gclár sna seánraí éagsúla. Ní shonraítear ach oiread líon na n-uaireanta an chloig a chaithfí a chraoladh sa dá theanga ná an coibhneas idir an dá theanga.

Ach dá mba “*réimse cuimsitheach clár*” a bhí á chur ar fáil i mBéarla agus i nGaeilge, bheadh tréithe áirithe a bhaineann leis an gcáilíocht sin ag roinnt leis an soláthar a bhí á dhéanamh sa dá theanga lena bhféadfaí “*réimse cuimsitheach*” a aithint agus bheadh coibhéis ghinearálta le tabhairt faoi deara nó le sonrú ar thréithe an dá sholáthar. Níl coibhéis ar bith den sórt sin ann.

Ar iarratas uaim, chuir RTÉ ar fáil dom faisnéis maidir le líon na n-uaireanta an chloig d’aschur craolta teilifíse RTÉ i nGaeilge agus i mBéarla le linn na bliana 2017 agus iad roinnte de réir seánraí agus foinsí. Cuireadh ar fáil chomh maith eolas maidir leis an gcaiteachas a rinneadh ar chlárí theilifíse i nGaeilge agus i mBéarla le linn na bliana céanna idir léiriúcháin inmheánacha, chlárí choimisiúnaithe agus chlárí a ceannaíodh isteach.

“ De na 18,657 uair chraolacháin de chlárí theilifíse a rinneadh ar chainéil RTÉ sa bhliain 2017, níor craoladh ach 123 uair an chloig de chlárí i nGaeilge, nó 0.7%.

B’ionann an méid a chaith RTÉ ar chlárí Ghaeilge don stáisiún agus beagán os cionn 2% den chaiteachas ar chlárí theilifíse trí chéile. Chuir RTÉ in iúl dom gur chaith sé €177,926,000 ar sholáthar clár teilifíse sa bhliain 2017 agus nár bhain ach €4,160,000 (2.3%) den chaiteachas sin le clárí i nGaeilge. De na 18,657 uair chraolacháin de chlárí theilifíse a rinneadh ar chainéil RTÉ sa bhliain 2017, níor craoladh ach 123 uair an chloig de chlárí i nGaeilge, nó 0.7%. Ina theannta sin, bhí seánraí ann nár freastalaíodh i nGaeilge orthu ar chor ar bith nó ar tearc ar fad an freastal a rinneadh orthu.

Má bhí “*réimse cuimsitheach*” clár á chur ar fáil i mBéarla, ba riléir nach raibh “*réimse cuimsitheach*” clár á chur ar fáil i nGaeilge.

Clárí theilifíse nuachta agus cúrsaí reatha (alt 114(3)(b))

Leagtar dualgas ar RTÉ le fo-ailt 114(3)(b) a chinntiú go gcuirtear ar fáil i gclársceidil a chuid seirbhísí craolacháin clárí nuachta agus cúrsaí reatha i nGaeilge agus i mBéarla.

The legislation gives no direction regarding the number of programmes required in the various genres, their frequency or the consistency with which they should be provided. Nor does it specify the number of hours that should be broadcast in the two languages or the proportion required in each language.

However if a “*comprehensive range of programmes*” were provided in both the English and Irish languages, the provision in both languages would demonstrate certain characteristics whereby a “*comprehensive range*” could be recognised and a general equivalence would be discernible between the nature of the provision in the two languages. No such equivalence exists.

At my request, RTÉ provided information regarding the number of hours of RTÉ’s television broadcasting output in both Irish and English during 2017, classified by genre and source. I was also provided with information on the expenditure on Irish and English language television programmes during the same year, including internal productions, commissioned programmes and programmes bought in.

“ Of the 18,657 hours of television programmes broadcast on RTÉ’s channels in 2017, only 123 hours or 0.7% were Irish language programmes.

Just over 2% of RTÉ’s expenditure on television programming was spent on Irish language programming for the station. RTÉ informed me that it spent €177,926,000 on the provision of television programmes in 2017 but only €4,160,000 (2.3%) of this expenditure was on Irish language programmes. Of the 18,657 hours of television programmes broadcast on RTÉ’s channels in 2017, only 123 hours or 0.7% were Irish language programmes. Furthermore, some genres were not catered for at all in Irish or only to a very limited extent.

If a “*comprehensive range*” of programmes were being provided in English, it was obvious that a “*comprehensive range*” was not being provided in Irish.

News and current affairs television programmes (section 114(3)(b))

Subsection 114(3)(b) requires that the programme schedules of RTÉ’s broadcasting services provide news and current affairs programmes in both Irish and English.

Bhí feasacháin nuachta á gcur ar fáil i nGaeilge gach lá ar *RTÉ One*. Glacadh leis, dá bhrí sin, go raibh an dualgas reachtúil á chomhlíonadh chomh fada agus a bhain sé le cláir nuachta.

Ba léir, áfach, nach raibh cláir theilifíse cúrsaí reatha á gcur ar fáil i nGaeilge in ainneoin dualgas soiléir reachtúil a bheith ann é sin a dhéanamh. Cé gur sholáthair RTÉ clár cúrsaí reatha (*7 Lá*) mar chuid den dualgas reachtúil atá air díol 365 uair an chloig de chláir Ghaeilge a chur ar fáil do TG4 in aghaidh na bliana, níor bhain sé sin le seirbhís teilifíse RTÉ féin.

An tSeirbhís Fuaimne

Thug RTÉ le fios gur caitheadh €12.77 milliún ar chlár raidió as Gaeilge sa bhliain 2017. Bhain bunáite an chaiteachais sin (90.7%) le Raidió na Gaeltachta – seirbhís náisiúnta lena gcráoltar réimse an-leathan clár, nuacht agus cúrsaí reatha san áireamh. Caitheadh €1.87 milliún ar chlár as Gaeilge ar RTÉ Radio 1 agus RTÉ 2FM ar chlár nuachta a bhformhór, cé gur craoladh dornán clár de chineálacha eile.

Ag cur san áireamh aschur raidió RTÉ as Gaeilge ina iomláine, rialaigh mé go raibh na dualgais reachtúla sin (réimse cuimsitheach clár agus cláir nuachta agus cúrsaí reatha a chur ar fáil) á gcomhlíonadh i gcás na seirbhíse craolacháin fuaimne, a bhuíochas sin, den chuid is mó, ar chuimsitheacht sheirbhís Raidió na Gaeltachta.

Príomh-mholadh an imscrúdaithe:

Go n-ullmhóidh RTÉ plean feidhmithe, chun mo shásachta, taobh istigh de shé mhí ó dháta na tuarascála imscrúdaithe chun go gcomhlíonfar na dualgais reachtúla atá daingnithe i bhfo-ailt 114(3)(a) agus (b) den Acht Craolacháin, 2009, d'fhonn réimse cuimsitheach clár teilifíse i nGaeilge agus cláir theilifíse cúrsaí reatha i nGaeilge a chur ar fáil.

Imscrúdú seolta: 22 Bealtaine 2018

Tuarascáil eisithe: 6 Nollaig 2018

A news bulletin in Irish was being provided daily on *RTÉ One*. It was accepted, therefore, that the statutory obligation was being fulfilled in the case of news programmes.

However, it was clear that current affairs programmes were not being provided in Irish in spite of the clear statutory obligation to do so. While RTÉ provided a current affairs programme to TG4 (*7 Lá*) as part of its statutory duty to provide 365 hours of Irish language programmes annually to TG4, this did not relate to the television service of RTÉ itself.

The Audio Service

RTÉ indicated that €12.77 million was spent on radio programmes in the Irish language in 2017. Most of this expenditure (90.7%) was associated with Raidió na Gaeltachta – a national service which broadcasts a very wide range of programmes, including news and current affairs. €1.87 million was spent on Irish language programmes on RTÉ Radio 1 and RTÉ 2FM, most of which were news programmes, although a handful of programmes of various other types were broadcast.

Having considered RTÉ's radio output as a whole, I ruled that the statutory obligations (a comprehensive range of programmes and news and current affairs programmes) are being fulfilled in the case of the audio service, although this was largely due to the comprehensiveness of service provided by Raidió na Gaeltachta.

Main recommendation of the investigation:

That RTÉ prepare an implementation plan, to my satisfaction, within a period of six months from the date of the report on the investigation, for the purpose of fulfilling the statutory obligations prescribed in subsections 114(3) (a) and (b) of the Broadcasting Act 2009, to provide a comprehensive range of television programmes in Irish and current affairs television programmes in Irish.

Investigation launched: 22 May 2018

Report issued: 6 December 2018

An Roinn Talmhaíochta, Bia agus Mara

Léirigh imscrúdú gur sháraigh an Roinn Talmhaíochta, Bia agus Mara dualgas reachtúil



**An Roinn Talmhaíochta,
Bia agus Mara**
Department of Agriculture,
Food and the Marine

teanga trí phoist a fhógairt mar oibríthe ginearálta d'ionaid de chuid na Roinne sa Ghaeltacht, i Ros an Mhíl agus i nDaingean Uí Chúis, gan inniúlacht sa Ghaeilge a shonrú mar riachtanas i dtaca leis na poist sin.

Thug mé suntas d'fhógra de chuid na Roinne Talmhaíochta, Bia agus Mara a foilsíodh ar an 3 Samhain 2017. Bhain an fógra le comórtas chun oibrí ginearálta a cheapadh d'Ionad Iascaigh Cuain Ros an Mhíl, i nGaeltacht na Gaillimhe. Bhí cumas cumarsáid a dhéanamh go héifeachtach i mBéarla luaite mar riachtanas don phost seo, cé nach raibh cumas sa Ghaeilge luaite in aon chor. Ina theannta sin, baineadh úsáid as an leagan neamhoifigiúil Béarla den logainm Gaeltachta, Ros an Mhíl.

Nuair a scrúdaigh mé an leabhrán eolais a bhain leis an gcomórtas earcaíochta seo ba léir go raibh folúntas do ghnáthoibrí á líonadh freisin san Ionad Iascaigh Cuain i nDaingean Uí Chúis, i nGaeltacht Chiarraí agus go raibh cumas cumarsáid a dhéanamh go héifeachtach i nGaeilge ina cháilíocht inmhianaithe don dá phost, cé nach raibh sé ina riachtanas.

Nuair a bhíonn Scéim Teanga á hullmhú ag comhlacht poiblí ní mór don chomhlacht poiblí sin a chinntiú go bhfreastalófar ar na riachtanais áirithe Ghaeilge a bhaineann le seirbhísí a sholáthar i limistéir Ghaeltachta, agus go mbeidh an Ghaeilge ina teanga oibre ina chuid oifigí sa Ghaeltacht tráth nach déanaí ná cibé dáta a chinneadh sé le toiliú an Aire. Sa dara scéim teanga a daingníodh i gcás na Roinne i mí Dheireadh Fómhair 2016, tugadh na gealltanais seo a leanas maidir leis an dá ionad iascaigh cuain sa Ghaeltacht:

"I ndiaidh atheagrú Ranna Rialtais in 2007 agus i ndiaidh gur athshannadh freagracht ar an Roinn, dá bharr, as saincheisteanna iascaigh mhara, tá dhá oifig anois ag an Roinn (arb Ionaid Iascaigh Cuain an dá cheann díobh) atá lonnaithe i gceantair Ghaeltachta.

Tá ceann amháin lonnaithe i Ros an Mhíl, Contae na Gaillimhe agus tá an ceann eile lonnaithe sa Daingean, i gContae Chiarraí. Is ionann na hoifigí seo agus an comhéadan is dirí atá ag an Roinn le cainteoirí Gaeilge agus, mar thoradh air sin, bainean an-tábhacht lena cumas chun ardleibhéal seirbhísí a sholáthar trí Ghaeilge. Tá an Roinn sásta go bhfuil foireann imlonnaithe sna láithreacha siúd atá dátheangach go feidhmeach.

Department of Agriculture, Food and the Marine

An investigation found that the Department of Agriculture, Food and the



**An Roinn Talmhaíochta,
Bia agus Mara**
Department of Agriculture,
Food and the Marine

Marine had breached a statutory language obligation by advertising posts as general workers in the Department's centres in the Gaeltacht, in Ros an Mhíl and Dingle, without specifying a requirement for proficiency in the Irish language for those posts.

An advertisement by the Department of Agriculture, Food and the Marine which was published on 3 November 2017 caught my attention. The advertisement concerned a competition to appoint general operatives to the Ros an Mhíl Fishery Harbour Centre in the Galway Gaeltacht. The ability to communicate effectively in English was a requirement for this post, but ability in Irish was not mentioned. As well as that, the unofficial English version of the Gaeltacht placename Ros an Mhíl had been used.

When I examined the booklet in relation to this recruitment competition, it was apparent that there was also a position as general operative to be filled in the Dingle Fisheries Harbour Centre in the Kerry Gaeltacht, and that the ability to communicate effectively in Irish was a desirable qualification for both posts, but not a requirement.

When a Language Scheme is being prepared by a public body, that public body must ensure that the particular Irish language requirements associated with the provision of services in a Gaeltacht area are met and that the Irish language becomes the working language in its offices in the Gaeltacht not later than such date as may be determined by it with the consent of the Minister. In the second scheme confirmed in respect of the Department, in October 2016, the following commitments were given in respect of the two Gaeltacht fishery harbour centres (FHC):

Following a reorganisation of Government Departments in 2007 and the consequent reassignment to it of the responsibility for sea fisheries matters, the Department now has two offices (both of which are Fishery Harbour Centres) located in Gaeltacht areas.

One is located in Ros an Mhíl, Co. Galway and the other in An Daingean, Co. Kerry. These offices represent the most direct interface which the Department has with Irish speakers and as a consequence, their capacity to provide a high level of services through Irish is very important. The Department is satisfied that there are staff deployed in those locations who are functionally bilingual.

Tabharfaidh an Roinn faoina chinntiú go ndéantar an teanga oibre den Ghaeilge in oifigí atá lonnaithe i gceantair Ghaeltachta faoi dheireadh 2020 agus tugann an Roinn faoi sheirbhís a sholáthar trí Ghaeilge do mhuintir an phobail i gceantair Ghaeltachta i gcaitheamh shaolré na Scéime seo.”

“Ghlac an Roinn leis, agus an cheist á fiosrú go neamhfhoirmiúil ag m’Oifig, go ndearnadh botún nuair a baineadh úsáid as an leagan neamhoifigiúil Béarla den logainm Gaeltachta ...

Bhí amhras orm an raibh aird chuí á tabhairt ag an Roinn ar na gealltanais seo. Ghlac an Roinn leis, agus an cheist á fiosrú go neamhfhoirmiúil ag m’Oifig, go ndearnadh botún nuair a baineadh úsáid as an leagan neamhoifigiúil Béarla den logainm Gaeltachta agus tugadh le fios go gcuirfí na hoifigigh ábhartha sa Roinn ar an eolas maidir leis an ngá atá le húsáid na logainmneacha oifigiúla i bhfógraí earcaíochta amach anseo. Nuair nár éirigh liom an cheist shubstainteach maidir le riachtanas Gaeilge i gcomórtas earcaíochta a réiteach tríd an gcóras neamhfhoirmiúil réitithe gearán sin, bheartaigh mé imscrúdú a sheoladh ar an ábhar.

Sheol mé an t-imscrúdú sin ar an 6 Nollaig 2017. Is ábhar sásaimh dom an aird a thug an Roinn ar an imscrúdú agus an tslí ghairmiúil ar freagraíodh é. Gabhaim buíochas leis an Roinn as an gcomhoibriú sin.

Chuir an Roinn in iúl don imscrúdú go ndearna sí athbhreithniú ar na sonraíochtaí maidir leis an nGaeilge mar a bhain siad leis an gcomórtas. Ghlac an Roinn leis nach raibh na sonraíochtaí don chomórtas maidir leis an nGaeilge sásúil, nár léirigh an bealach ar cuireadh riachtanais teanga i láthair seasamh comhionann don Ghaeilge agus don Bhéarla, gur braitheadh an iomarca ar shonraíocht ról an ghnáthoibrí mar a fógraíodh i do chomórtas níos luaithe agus nár tugadh dóthain airde ar riachtanais na gcuanta atá lonnaithe sa Ghaeltacht agus ar ghealltanais na Roinne.

De thoradh an athbhreithnithe sin agus na dteipeanna a sainaitníodh, thug an Roinn gealltanais go mbainfeadh ceanglais maidir le comhionannas don Ghaeilge agus don Bhéarla araon le gach comórtas lena mbeadh post lonnaithe in Oifig Gaeltachta i gceist agus go ndéanfadh an Roinn chuile iarracht le cinntiú go mbeadh cumas sa Ghaeilge ag gach earcach in oifigí sa Ghaeltacht as seo amach. D’fhorchoimeád sí an ceart post atá lonnaithe sa Ghaeltacht a líonadh le duine gan Ghaeilge mura gcuirfeadh aon iarratasóir oiriúnach a

The Department will endeavour to ensure that Irish becomes the working language in offices located in Gaeltacht areas by the end of 2020 and the Department undertakes to provide a service through Irish to members of the public in Gaeltacht areas over the lifetime of this Scheme.

“The Department accepted, during the informal enquiries made by my Office, that a mistake had been made in using the unofficial English version of a Gaeltacht placename ...

I was in some doubt as to whether the Department was taking account of these commitments. The Department accepted, during the informal enquiries made by my Office, that a mistake had been made in using the unofficial English version of a Gaeltacht placename, and advised that the relevant officers of the Department would be informed of the need to use the official Irish placenames in recruitment advertisements in the future. When I did not succeed in resolving the substantive issue in respect of the requirement for ability in Irish in recruitment competitions through that informal complaints resolution system, I decided an investigation of the matter was necessitated.

I launched that investigation on 6 December 2017. The attention the Department paid to the investigation and the professional manner in which it responded is a matter of some satisfaction to me. I am grateful to the Department for that cooperation.

The Department advised the investigation that it had reviewed the specifications in respect of Irish as they pertained to the competition. The Department accepted that the specifications for the competition in respect of Irish were not satisfactory, that the manner in which the language requirement was portrayed did not show parity of standing for Irish and for English, that the specification as advertised for a previous competition for general operative had been too heavily relied upon and that insufficient account was taken of the requirements for harbours located in Gaeltacht areas and of the Department’s commitment.

As a result of the review and the failures that had been identified, the Department made a commitment that a requirement in respect of parity of standing for Irish and English would be encompassed in any future competition where a post located in a Gaeltacht office was involved and that the Department would make every effort to ensure that any appointee in the future to Gaeltacht offices would have



bhfuil Gaeilge aige/aici isteach ar an bpost. Gealladh, i gcás go n-earcófaí duine a raibh cumas teoranta Gaeilge aige/aici in oifig de chuid na Roinne sa Ghaeltacht, go dtacófaí le hoiliúint a chur air/uirthi chun cumas an duine sin a fheabhsú go caighdeán sásúil agus go ndéanfadh sí gach iarracht le cinntiú go gcothófaí agus go gcuirfí le cumas na Gaeilge sa dá ionad iascaigh cuain dá cuid atá sa Ghaeltacht.

I litir na Roinne dar dáta an 9 Márta 2018, cuireadh in iúl don imscrúdú gur líonadh an dá phost a fógraíodh do Ros an Mhíl agus do Dhaingean Uí Chúis le cainteoirí Gaeilge. Soiléiríodh i gcumarsáid ón Roinn dar dáta an 26 Márta 2018 gur tugadh an deis d'iarrthóirí i rith an agallaimh tabhairt faoi thástáil ar a leibhéal inniúlachta sa Ghaeilge. Comhrá a bhí sa tástáil sin inar ceistíodh iarrthóirí faoi réimse ábhar. Bunaithe ar a mhéad a thuig siad na ceisteanna agus ar leibhéal agus caighdeán rannpháirtíochta iarrthóirí sna hábhair, rinne an comhalta boird measúnú ar an leibhéal inniúlachta sa Ghaeilge a bhí ag gach iarrthóir. Thug an bord agallaimh le fios go raibh Gaeilge líofa ag duine de na hiarrthóirí agus go raibh *"Gaeilge mhaith chomhráiteach"* ag an iarrthóir eile.

“ ... ní mór don chomhlacht poiblí sin a chinntiú go bhfreastalófar ar na riachtanais áirithe Ghaeilge a bhaineann le seirbhísí a sholáthar i limistéir Ghaeltachta ...

Mar atá ráite thuas, nuair a bhíonn Scéim Teanga á hullmhú ag comhlacht poiblí ní mór don chomhlacht poiblí sin a chinntiú go bhfreastalófar ar na riachtanais áirithe Ghaeilge a bhaineann le seirbhísí a sholáthar i limistéir Ghaeltachta, agus go mbeidh an Ghaeilge ina teanga oibre ina chuid oifigí sa Ghaeltacht tráth nach déanaí ná cibé dáta a chinneadh sé le toiliú an Aire.

Soiléirítear a bhfuil i gceist le riachtanais áirithe teanga mhuintir na Gaeltachta sna treoirlínte a eisíodh faoi alt 12 den Acht: *"gurb í an Ghaeilge teanga nádúrtha uathoibríoch sheachadadh na seirbhíse sa Ghaeltacht."* Tá na forálacha seo de chuid an Achta fiorthábhachtach i mo thuairimse, ó thaobh thionchar an Stáit ar stádas agus úsáid na Gaeilge mar ghnáth-theanga phobail sa Ghaeltacht. Deimhníonn na forálacha reachtúla san Acht ina luaitear an Ghaeltacht toil an Oireachtais go mbeadh dáta cinnte socraithe ag comhlachtaí poiblí faoina mbeidh an Ghaeilge ina teanga oibre in ionaid oibre Ghaeltachta.

proficiency in Irish. The Department reserved the right to fill a Gaeltacht post with a non-Irish speaker, however, if no appropriate Irish-speaking applicant applied for the job. A commitment was given that where someone with limited Irish skills was appointed to a Gaeltacht office of the Department, that the provision of training to raise that person's proficiency to an acceptable level would be supported, and that every effort would be made to cultivate and increase the Irish proficiency in its two FHC's which are located in the Gaeltacht.

The investigation was informed, in the Department's letter of 9 March 2018, that the two jobs advertised for Ros an Mhíl and Dingle had been filled with Irish speakers. It was clarified in a communication from the Department of 26 March 2018 that an opportunity was afforded to applicants during the course of the interview to undertake a test of their level of competency in Irish. The test involved a conversation during which applicants were questioned on a range of subjects. The board member assessed the competency in Irish of each applicant based on how well they understood the questions and on the level and standard of participation of the applicant in the subjects. The interview board advised that one of the applicants had fluent Irish and that the other applicant had *"good conversational Irish"*.

“ ... that public body must ensure that the particular Irish language requirements associated with the provision of services in a Gaeltacht area are met ...

As mentioned above, when a Language Scheme is being prepared by a public body, that public body must ensure that the particular Irish language requirements associated with the provision of services in a Gaeltacht area are met and that the Irish language becomes the working language in its offices in the Gaeltacht not later than such date as may be determined by it with the consent of the Minister.

The question of the particular language requirements of Gaeltacht communities is clarified in the guidelines which issued under section 12 of the Act: *"that Irish becomes the default language of service delivery in the Gaeltacht."* These provisions of the Act are extremely important, in my opinion, in respect of the influence of the State on the status and use of Irish as the normal community language in the Gaeltacht. The statutory provisions of the Act which mention the Gaeltacht confirm the aspiration of the Oireachtas that a specific date be put in place by public bodies by which Irish would be the working language in Gaeltacht workplaces.

“**Sonraíonn an Roinn a tiomantas don Ghaeilge a bheith mar theanga oibre ina hionaid sa Ghaeltacht ...**

Sonraíonn an Roinn a tiomantas don Ghaeilge a bheith mar theanga oibre ina hionaid sa Ghaeltacht i ngealltanais a Scéime Teanga. Ba léir óna freagra ar an imscrúdú go ndearna an Roinn an feachtas earcaíochta a roinnt ina dhá chuid. Bhí comórtas amháin a fógraíodh in 2016 do na hionaid iascaigh cuain lasmuigh den Ghaeltacht agus comórtas eile do na lárionaid Ghaeltachta in 2017. Áiríodh inniúlacht sa Ghaeilge a bheith inmhianaithe i gcás an chomórtais Gaeltachta amháin. Glacaim leis ón méid sin gur tugadh aird áirithe ar na gealltanais chúil sa Scéim Teanga le linn an fheachtais earcaíochta seo.

Bheartaigh an Roinn cáilíocht nó scil *“inmhianaithe”* a dhéanamh d’inniúlacht na Gaeilge i dtaca leis an gcomórtas Gaeltachta mar ba bhaol di, dá mbeadh *“ceanglais shonraithe ró-shrianta”* ag baint leis an gcomórtas, go laghdódh sé sin líon na n-iarratasóirí go suntasach. Ba den riachtanas é, dar léi, go mbeadh an ceart aici post a líonadh sa Ghaeltacht le duine gan Ghaeilge sa chás nach mbeadh iarratasóir oiriúnach ar fáil a mbeadh Gaeilge aige nó aici, chun a chinntiú go gcomhlíonfaí feidhmeanna na Roinne. Chuir an Roinn ar a súile don imscrúdú go raibh buntáiste san iomaíocht ag iarrthóir a raibh inniúlacht Ghaeilge aige nó aici i gcomparáid le duine nach raibh an scil teanga sin aige nó aici.

Ní mór a chur san áireamh gur poist iad seo nach raibh sainscileanna ganna nó neamhghnácha luaite leo. Anuas air sin, tá líon mór daoine a bhfuil inniúlacht sa dá theanga acu ina gcónaí sna ceantair ina bhfuil na hionaid Ghaeltachta.

De réir na tuisceana atá agam ar an tslí ar reáchtáladh an comórtas earcaíochta seo, cé go mbeadh buntáiste ag iarratasóir oiriúnach a bheadh inniúil sa dá theanga ar iarratasóir nach mbeadh, dá gcruthódh iarratasóir aonteangach níos fearr sula gcuirfí cáilíocht inmhianaithe na Gaeilge san áireamh, cheapfaí an t-iarratasóir aonteangach sin – fiú agus go mbeadh fáil ar iarratasóir oiriúnach a mbeadh an dá theanga aige nó aici.

Le go n-éireodh leis an Roinn teanga oibre a dhéanamh den Ghaeilge sna hionad sin, creidimse nár mhór go mbeadh an Ghaeilge ar a dtail ag an bhfoireann ar fad. Dá gceapfaí duine gan inniúlacht sa Ghaeilge do cheachtar den dá phost, bheadh tionchar diúltach ag an duine sin ar an dóchúlacht go mbeadh an Ghaeilge ina teanga oibre sna hoifigí sin faoin mbliain 2020 nó ar chumas na n-oifigí sin seirbhís ar ardchaighdeán a sholáthar as Gaeilge.

“**The Department specifies its commitment to Irish being the working language in its Gaeltacht centres ...**

The Department specifies its commitment to Irish being the working language in its Gaeltacht centres in a provision of its Language Scheme. It was clear from its answer to the investigation that the Department had divided its recruitment campaign into two parts, one competition had been advertised in 2016 for fishery harbour centres outside the Gaeltacht and the other for centres in the Gaeltacht in 2017. Competency in Irish was specified as a desirable skill for the Gaeltacht competitions only. I accept, therefore, that some account was taken of the relevant commitments in the Language Scheme in this recruitment campaign.

The Department decided to specify competency in Irish a *“desirable”* skill or qualification for the Gaeltacht competition because it feared that *“specified requirements in the competition being too restrictive”* would result in a significantly reduced number of applicants. It was imperative, in the Department’s opinion, that it would have the right to fill a Gaeltacht post with someone who had no Irish where there was no suitable applicant with Irish, so that the functions of the Department would be fulfilled. The Department advised the investigation that an applicant with Irish competency had an advantage in the competition in comparison to an individual who did not have that language skill.

It should be noted that these were posts which did not have a requirement for scarce or unusual skills, and also that a large number of people with proficiency in both languages live in the areas where the Gaeltacht centres are located.

From my understanding of the manner in which this recruitment competition was run, although a suitable applicant who is competent in both languages would have an advantage over an applicant who isn’t, if a monolingual applicant did better before the desirable Irish language qualifications were taken into account, that monolingual applicant would be appointed – even though a suitable bilingual candidate was available.

In order for the Department to succeed in making Irish the working language in those centres, I believe that all staff members must have fluent Irish. If someone without competency in Irish was appointed to either post, that would have a negative effect on the probability that Irish would be the working language of those offices by 2020 or on the ability of those offices to provide a high quality service in Irish.



Ina theannta sin, mar a mhínigh an Roinn ina freagra, tabharfaidh cuid de dhualgais an phoist seo an té a ceapadh i gcaidreamh rialta le lucht bád agus úsáidte an chuain. Dá mba dhuine gan Ghaeilge a bhí i mbun na gcúraimí sin i Ros an Mhíl nó i nDaingean Uí Chúis, níl aon agó ach go mbeadh tionchar diúltach aige sin ar chumas na Roinne seirbhís ar ardchaighdeán a chur ar fáil i nGaeilge.

Pointe eile nach miste a lua ná an tagairt shonrach a rinneadh do scileanna litearthachta i mBéarla i gceanglais an dá chomórtas. Má tá scileanna litearthachta riachtanach don ghnáthoibrí atá lonnaithe in ionad iascaigh cuain arb é an Béarla an ghnáth-theanga oibre ann, is díol suntais nár luadh scileanna litearthachta i nGaeilge sa chomórtas i gcás na n-ionad Gaeltachta.

“ D’fháiltigh mé roimh ráiteas na Roinne go n-aithnítear an riachtanas go mbeadh Gaeilge ag aon fhostaí dá cuid a bhíonn lonnaithe in ionad Gaeltachta.

D’fháiltigh mé roimh ráiteas na Roinne go n-aithnítear an riachtanas go mbeadh Gaeilge ag aon fhostaí dá cuid a bhíonn lonnaithe in ionad Gaeltachta. I gcás eisceachtúil d’fhéadfadh sé tarlú nach n-éireodh leis an Roinn teacht ar iarrthóir leis na scileanna cuí agus le hinniúlacht sa Ghaeilge araon le linn feachtas nó comórtas earcaíochta. In aon chás mar sin bheadh sé dlite ar an Roinn, i bhfianaise ghealltanais na scéime, gach uile chéim ab fhéidir a ghlacadh le linn an phróisis earcaíochta chun go gceapfaí duine le hinniúlacht sa Ghaeilge agus a shásaíonn riachtanais an phoist. Gan aon toradh sásúil a bheith ar an bpróiseas sin, tuigtear moladh na Roinne go gcuirfí an oiliúint a bheadh de dhíth ar fáil chun cur ar chumas an earcaigh feidhmiú go sásúil trí Ghaeilge in imeacht achar réasúnta ama.

Príomh-mholtaí an Imscrúdaithe:

Go bhféachfaí chuige feasta go mbeidh inniúlacht sa Ghaeilge ina cáilíocht riachtanach i gcás comórtais earcaíochta d’aon phost de chuid na Roinne a bheidh lonnaithe in oifigí nó in ionaid na Roinne sa Ghaeltacht.

Go mbeadh aon tástáil a dhéanfaí ar inniúlacht Ghaeilge iarrthóirí ar phost sa Ghaeltacht bunaithe ar chreat tástála teanga amhail Teastas Eorpach na Gaeilge agus é mar sprioc ag an tástáil sin caighdeán inniúlachta a dheimhniú.

Imscrúdú seolta: 6 Nollaig 2017
Tuarascáil eisihte: 9 Aibreán 2018

In addition, as the Department explained in its reply, some of the responsibilities of the post will bring the individual appointed into regular contact with sailors and users of the harbour. If a person without Irish was responsible for that aspect in Ros an Mhíl or Dingle, there is no question but that that would have a detrimental effect on the ability of the Department to provide a high quality service in Irish.

Another point worth mentioning is the specific reference to English literacy skills in the requirements for both competitions. If literacy skills are necessary for a general operative who is located in a fishery harbour centre where English is the working language, it is of note that literacy skills in Irish were not mentioned in the competition in respect of the Gaeltacht centres.

“ I welcomed the statement of the Department that it recognised the requirement that any of its employees working in a Gaeltacht centre should have Irish.

I welcomed the statement of the Department that it recognised the requirement that any of its employees working in a Gaeltacht centre should have Irish. In exceptional circumstances it could happen that the Department would not succeed in finding an applicant with the requisite skills and competency in Irish during a recruitment campaign or competition. In any such case it would be incumbent on the Department, in light of the scheme commitment, to take every possible step during the recruitment process to ensure that a person with competency in Irish who satisfies the requirements of the post is appointed. Without a satisfactory result to that process, the Department’s proposal – that the necessary training required to enable the recruited individual to function satisfactorily through Irish in a reasonable period of time be provided – is understood.

Main Recommendations of the Investigation:

That it be ensured in future that competency in Irish is a required qualification in the case of a recruitment competition for any job in the Department which is located in the Department’s offices or centres in the Gaeltacht.

That any examination of the Irish competency of applicants for Gaeltacht jobs is based on a language testing framework such as the European Certificate in Irish, having the aim of confirming the standard of competency.

Investigation launched: 6 December 2017
Report issued: 9 April 2018



Comhlacht Chalafort Bhaile Átha Cliath

Bhain an t-imscrúdú seo le gearán a rinneadh le m'Oifig i mí Dheireadh Fómhair 2017 go raibh comhartha suntasach i mBéarla amháin curtha in airde ag Comhlacht Chalafort Bhaile Átha Cliath ar Bhóthar an Phoirt Thoir ar an tslí isteach chuig an gcalafort. Pléadh leis an ngearán tríd an bpróiseas neamhfhoirmiúil imscrúdaithe ar dtús ach níor éirigh leis an bpróiseas sin teacht ar réiteach sásúil.

Tá dualgas ginearálta ar gach comhlacht poiblí a thagann faoi scáth an Achta a chinntiú gur i nGaeilge nó dátheangach a bhíonn aon chomhartha a chuireann siad in airde nó a chuirtear in airde thar a gceann. Níl aon sainmhíniú tugtha ar céard is brí le "comhartha" sna Rialacháin (I.R. Uimh. 391 de 2008) atá déanta faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla. Fágann sé sin go dtagann gnáthbhrí an fhocail i gceist. Is léir gurb ionann comhartha sa chomhthéacs seo agus faisnéis nó treoir i bhfoirm focal nó siombailí arna cur ar taispeáint.

Bhí an cás a chuir an Comhlacht Calafóirt os comhair an imscrúdaithe bunaithe ar dhá phríomhargóint. Ar an gcéad dul síos maíodh nach comhartha a bhí sa phainéal cruach *corten*,

Dublin Port Company

This investigation arose from a complaint received by my Office in October 2017 that a significant sign, in English only, had been erected by Dublin Port Company on the East Wall Road at the entrance to the port. The complaint was initially dealt with through the informal investigations process, but that process did not yield a satisfactory outcome.

There is a general obligation placed on all public bodies that are subject to the Act to ensure that any signs placed by them or placed on their behalf are in Irish or bilingual. "Signs" are not defined in the Regulations (S.I. No. 391 of 2008) made under subsection 9(1) of the Official Languages Act. Therefore, the normal meaning of the word applies. It is obvious that a sign in this instance is the display of information or direction in the form of words or symbols.

The case presented by the Port Company to the investigation was based on two primary arguments. In the first place it was claimed that the steel *corten* panel, referred to as an



ar ar tugadh “*suiteán*”, ach dlúthchuid d’athfhorbairt iomlán a rinneadh ar an láthair a osclaíodh i mí Dheireadh Fómhair 2017. Thug sí le fios go raibh na focail “Dublin Port” inscríofa ar bhalla dealbhóireachta de chruach *corten* agus go mba léiriú ealaíonta nua-aimseartha é ar an gcruach a bhíodh á húsáid sa phort san am a chuaigh thart. Thug an comhlacht poiblí le fios gur osclaíodh cuid den limistéar athfhorbartha don phobal mar spás ealaíne, ailtireachta agus staire agus é mar chuspóir an ceangal idir an calafort agus an chathair a athdheimhniú agus a threisiú.

Bhí an Comhlacht Calafóirt ag díriú aird chomh maith ar an díolúine a luaitear sna Rialacháin a fhágann nach gá athrú a dhéanamh ar aon chomhartha “*ar díol spéise é ó thaobh na healaíne, na hailtireachta nó na staire de*”. D’áitigh an comhlacht poiblí gur bhronn an mhír seo díolúine ó dhualgais ghinearálta na Rialachán agus gur bhain sé le comharthaí nua chomh maith le cinn a bhí in airde roimh thosach feidhme na Rialachán. Mar gheall ar na tréithe láidre ealaíne agus ailtireachta a bhain leis an “*suiteán*” bhí an comhlacht poiblí den bharúil fiú dá ngéillfí gur comhartha a bhí ann gur fhág an díolúine nár ghá an dá theanga oifigiúla a bheith in úsáid.

“ ... gur fheidhmigh an inscríbhinn ar an bpainéal cruach *corten*, an “*suiteán*”, mar chomhartha agus gur tháinig sí faoi bhrí na Rialachán.

Ní fhéadfaí a shéanadh ach go raibh gnéithe suntasacha ealaíne agus ailtireachta ag baint leis an bpainéal *corten* a bhí mar chuid den athfhorbairt iomlán a rinneadh ar an láthair. Ach ba léir dom freisin gur fheidhmigh an inscríbhinn ar an bpainéal cruach *corten*, an “*suiteán*”, mar chomhartha agus gur tháinig sí faoi bhrí na Rialachán. Is léir go dtugann an inscríbhinn le fios don té atá ar an mbóthar poiblí go bhfuil an calafort in aice láimhe.

Chinn mé freisin nár bhain an díolúine ar thagair an Comhlacht Calafóirt dó le hábhar sa chás seo. Níl aon cheist i m’intinn ach go mbaineann an díolúine seo le comharthaí a ndéantar athrú orthu, is é sin comharthaí a bhí in airde roimh an 1 Márta 2009, dáta thosach feidhme na Rialachán. B’ionann glacadh lena mhalairt agus forléiriú áiféiseach ar na Rialacháin. Chiallódh sé nár ghá do chomhlachtaí poiblí comharthaí nua a athrú in imthosca nach raibh siad ag cloí leis na Rialacháin nuair a cuireadh in airde iad de bhrí go mba dhíol spéise iad ó thaobh na healaíne, na hailtireachta nó na staire.

“*installation*”, was not a sign but an integral part of the complete redevelopment of the site which was opened in October 2017. It informed us that the words “Dublin Port” were inscribed on a sculptured wall of *corten* steel and that it was a modern artistic representation of the steel that was used in the port in years gone by. The public body informed us that part of the redeveloped site was opened to the public as an artistic, architectural and historic amenity with the objective of reaffirming and strengthening the link between the port and the city.

The Port Company emphasised the exemption referred to in the Regulations that do not require a sign that is “*of artistic, architectural or historic interest*” to be altered. The public body contended that this section granted an exemption from the general obligation of the Regulations and that it related to both new signs and signs erected before the Regulations came into force. As the “*installation*” had strong artistic and architectural characteristics the public body was of the view that even if it was accepted that it was a sign the exemption meant that there was no requirement to use both official languages.

“ ... the inscription on the steel *corten* panel, the “*installation*”, functioned as a sign and was subject to the Regulations.

It was undeniable that the *corten* panel which formed part of the redevelopment of the site had significant artistic and architectural characteristics. But it was also clear to me that the inscription on the steel *corten* panel, the “*installation*”, functioned as a sign and was subject to the Regulations. It is obvious that the inscription informs those that are using the public road that the port is nearby.

I also found that the exemption referred to by the Port Company was not applicable in this instance. There is no doubt in my mind but that this exemption applies to signs that are being altered, signs that were erected before 1 March 2009, the commencement date of the Regulations. To accept otherwise could result in an absurd interpretation of the Regulations. It would mean that public bodies would not be required to alter new signs that were in not in compliance with the Regulations when erected as they were of artistic, architectural or historic interest.

Príomh-mholadh an Imscrúdaithe:

I moltaí an imscrúdaithe threoraigh mé go gcuirfeadh Comhlacht Chalafort Bhaile Átha Cliath moltaí faoi mo bhráid taobh istigh de shé seachtaine ó dháta na tuarascála faoin tslí a gcloífi le riachtanais na Rialachán. Ach na moltaí sin a bheith chun mo shástachta d'iarr mé go gcuirfi i bhfeidhm iad laistigh de shé mhí.

Imscrúdú seolta: 29 Bealtaine 2018

Tuarascáil eisithe: 10 Deireadh Fómhair 2018

An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil

In imscrúdú a rinne mé ar an Roinn Tithíochta, Pleanála agus Rialtais Áitiúil chinn mé gur sáraíodh dhá dhuilgias reachtúla teanga nuair a foilsíodh *An Creat Náisiúnta Pleanála* i mBéarla amháin agus nuair a seoladh suíomh gréasáin gaolmhar i mBéarla amháin chomh maith.

Ar an 16 Feabhra 2018 sheol Rialtas na hÉireann *Project Ireland 2040*: tionscnamh beartais uileghabhálach d'fhorbairt na hÉireann. Rinneadh gearán liom go gairid i ndiaidh a sheolta nach raibh na príomhdhoiciméid bheartais a foilsíodh i dtaca leis an tionscnamh ar fáil i nGaeilge. Le linn do m'Óifig a bheith i mbun tuilleadh fiosruithe ar an ábhar tháinig sé chun solais go raibh suíomh gréasáin a chruthaigh an Roinn don tionscnamh – www.npf.ie – i mBéarla amháin chomh maith.

Is de bhun gealltanais atá tugtha ag an Roinn ina ceathrú scéim teanga, a tháinig i bhfeidhm in 2017, a fiosraíodh an gearán seo. Gheall an Roinn sa scéim teanga sin go leanfaí ar aghaidh ag foilsiú doiciméid lárnacha (mór-ráitis maidir le polasaithe, straitéisí etc.) go dátheangach laistigh d'aon chlúdach amháin. Sa chás go gcinnfí gan leagan dátheangach a fhoilsiú, de bharr tionchar costais nó go mbeadh sé rófhada, gheall an Roinn go bhfoilseofaí leaganacha ar leithligh i nGaeilge agus i mBéarla. Bhí ráiteas le bheith i ngach ceann de na doiciméid sin ag tabhairt le fios go raibh leagan ar fáil sa teanga eile.



Rialtas na hÉireann
Government of Ireland

Project Ireland 2040

National Planning Framework

**Main Recommendation of the Investigation:**

In the recommendations of the investigation I directed that Dublin Port Company submit proposals to me within six weeks from the date of the report as to how it planned to comply with the requirements of the Regulations. If the proposals made were acceptable to me, I asked that they be implemented within six months.

Investigation launched: 29 May 2018

Report issued: 10 October 2018

Department of Housing, Planning and Local Government

In an investigation I conducted on the Department of Housing, Planning and Local Government I found that two statutory language obligations were breached on the publication of *The National Planning Framework* in English only and the launching of an associated website also in English only.

On 16 February 2018 the Government of Ireland launched *Project Ireland 2040*: an all-encompassing policy project for the development of Ireland. Shortly afterwards I received a complaint that the main supporting policy documents associated with the project were not available in Irish. After conducting further enquiries my Office discovered that the website the Department created for the project – www.npf.ie – was made available in English only.

These complaints were investigated based on commitments the Department had made in its fourth language scheme, agreed in 2017. The Department committed in that scheme to continue to publish core documents (major policy statements, strategies etc) bilingually under the same cover. If it was decided not to publish a bilingual version, due to cost implications or that it would be too large, the Department committed that separate versions would be published in Irish and in English. Each document would contain a statement that a version was available in the other language.



Maidir leis an suíomh gréasáin bhí gealltanais i scéim teanga na Roinne gur go dátheangach a chuirfí an t-ábhar statach ar fáil ar gach suíomh gréasáin nua a d'fhorbrófaí.

Ina freagra ar an imscrúdú ghlac an Roinn leis nach raibh gealltanais na scéime comhlíonta aici sa chás seo. Mar mhíniú air seo thug an Roinn le fios gurbh fhoilseachán casta tábhachtach é *An Creat Náisiúnta Pleanála* ina raibh 50,000 focal. Dheimhnigh an Roinn go raibh sé de rún aici leagan dátheangach den doiciméad a fhoilsiú ach nach raibh ar a cumas sin a dhéanamh ó tharla nár cuireadh bailchríoch ar an dréacht-doiciméad Béarla go dtí an 14 Feabhra, dhá lá sula raibh sé le faomhadh ag an gComh-Aireacht agus é le seoladh an lá céanna. Bhí sé tugtha le fios ag aistriitheoirí don Roinn go dtógfadh sé idir coicís agus trí seachtaine aistriúchán a dhéanamh ar an doiciméad.

I bhfoilsiú an doiciméid *An Creat Náisiúnta Pleanála* is léir gur tháinig dhá riachtanas salach ar a chéile – an riachtanas go gcloifí le spriocdháta foilsithe socraithe agus an riachtanas reachtúil go bhfoilseofaí an doiciméad go comhuaineach sa dá theanga oifigiúla. Ba é an toradh a bhí le feiceáil gur cuireadh an riachtanas reachtúil teanga go leataobh chun go bhféadfaí an spriocdháta foilsithe a bhaint amach. Ba dhíol suntais freisin go ndearnadh imscrúdú sa bhliain 2012 ar chomhlíonadh an ghealltanais chéanna a bhí tugtha i dtríú scéim teanga na Roinne. Cinneadh an t-am sin gur sáraíodh an dualgas reachtúil teanga nuair a foilsíodh doiciméad lárnach i mBéarla amháin. Le linn an imscrúdaithe seo chuir an Roinn liosta ar fáil dom de dhoiciméid a foilsíodh ó shin go comhuaineach sa dá theanga oifigiúla i gcomhréir le gealltanais na scéime.

Bheinn ag súil i gcásanna mar seo, agus ag cur san áireamh go ndearnadh imscrúdú ar an ábhar roimhe seo, go dtabharfadh an Roinn le fios do na páirtithe leasmhara nach mbeifí in ann an dualgas reachtúil teanga a chomhlíonadh más ann go mba ghá cloí leis an spriocdháta foilsithe a bhí molta. Níor cuireadh aon fhianaise ar fáil dom go ndearna an Roinn an méid sin.

Ghlac an Roinn leis nach raibh an gealltanais maidir leis an suíomh gréasáin comhlíonta aici. Thug sí le fios gur tréimhse feidhme ghearr a bhí beartaithe don suíomh agus ina dhiaidh sin go gcuirfí an t-ábhar ón suíomh isteach i leathanach gréasáin tiomnaithe *Éire 2040* ar an suíomh www.gov.ie. Bhí an Roinn den tuairim go mbeadh sé costasach agus íditheach ó thaobh ama de an t-ábhar a aistriú do shuíomh nach mbeadh in úsáid ach go sealadach. Deimhníodh ina dhiaidh sin, áfach, go raibh moill gan choinne le haistriú an ábhair ón suíomh gréasáin agus cinneadh dá bharr an suíomh www.npf.ie a chur ar fáil i nGaeilge.

Regarding the website the Department had also made a commitment in its language scheme that all the static content would be made available bilingually on any new website developed.

In its response to the investigation the Department accepted that the commitments made in the language scheme were not complied with in this instance. The Department explained that *The National Planning Framework* was a complex publication with over 50,000 words. The Department confirmed that it had planned to publish the document bilingually but that it was unable to do so as the draft document in English was not finalised until 14 February, two days before it was due for approval by the Cabinet with the planned launch of the document on the same day. Translators had informed the Department that it would take between two and three weeks to translate the document.

The publication of the document *The National Planning Framework* resulted in a conflict between two separate requirements, the need to comply with a specific publication date and the statutory requirement to publish the document simultaneously in both official languages. The result was that the statutory language obligation was set aside so that the publication date could be met. It was also significant that the same obligation, provided in the Department's third language scheme, had previously been investigated in 2012. It was found at that time that the statutory language obligation had been breached when a core document was published in English only. During the investigation the Department made available a list of publications that were published since that date simultaneously in both official languages in accordance with the scheme's commitment.

In situations such as this, and taking into account that the commitment had been previously investigated, I would have expected the Department to inform other stakeholders that the statutory language obligation could not be complied with if it was necessary to adhere to the proposed publication date. No evidence was made available to me that the Department had done this.

The Department accepted that it had not complied with the commitments in relation to the website. It stated that it expected the website would only be operational for a short period of time after which the material on the site would be included on a dedicated webpage for *Ireland 2040* on the www.gov.ie website. The Department held the view that it would prove costly and time consuming to translate the material for a site that would only be in temporary use. It was confirmed at a later stage that due to an unforeseen delay in the transfer of material from the website it was decided to make the website www.npf.ie available in Irish.

“ ... is léiriú follasach é ar imeallú na Gaeilge i saol poiblí na tíre, in amanna, nár cinntíodh go bhfoilseofaí an doiciméad *An Creat Náisiúnta Pleanála* sa teanga náisiúnta tráth ar seoladh é agus nuair ba mhó a bhíodhas ag cur spéis ann.

Ba thionscnamh an-mhór i saol poiblí na tíre seoladh *Éire 2040 – An Tionscadal*. Gan beann ar aon dualgas reachtúil, is léiriú follasach é ar imeallú na Gaeilge i saol poiblí na tíre, in amanna, nár cinntíodh go bhfoilseofaí an doiciméad *An Creat Náisiúnta Pleanála* sa teanga náisiúnta tráth ar seoladh é agus nuair ba mhó a bhíodhas ag cur spéis ann.

Príomh-mholadh an Imscrúdaithe:

Rinne mé sé mholadh sa tuarascáil imscrúdaithe, ina measc gur gá don Roinn fógra ceithre seachtaine a thabhairt do m’Oifig roimh an dáta beartaithe foilsithe i gcás aon doiciméad lena mbaineann an gealltanas ábhartha scéime. Mairfidh an riachtanas sin ar feadh trí bliana ón dáta ar eisíodh an tuarascáil imscrúdaithe.

Imscrúdú seolta: 18 Bealtaine 2018
Tuarascáil eisithe: 15 Lúnasa 2018

Iarnród Éireann



Léirigh imscrúdú nach raibh córais oiriúnacha ná dhóthanacha i bhfeidhm ag Iarnród Éireann chun a chinntiú go gcloítear leis na dualgais reachtúla faoi Acht na dTeangacha Oifigiúla, 2003 agus faoin Acht Iompair, 1950 maidir le húsáid teangacha oifigiúla ar chomharthaí.

Faoi dheireadh na bliana 2017 bhí 22 gearán a bhain le comharthaí agus a tarraingíodh anuas le hIarnród Éireann ar bhonn neamhfhoirmiúil nach bhfuarthas freagra, nó freagra críochnúil, orthu go fóill. Deich gcinn de na gearáin sin, tarraingíodh anuas iad os cionn bliana roimhe sin.

I bhfianaise iomadúlacht agus fhorleithne na gcomharthaí ab ábhar do na gearáin a rinneadh le m’Oifig, chonacthas dom gurbh fhéidir nach raibh córais oiriúnacha i bhfeidhm chun a

“ ... not ensuring that the *National Planning Framework* was published in the national language, at the time that it was launched and when it was receiving most attention, was a clear demonstration of the marginalisation, at times, of the Irish language in the public life of this country.

Project Ireland 2040 was a significant initiative in the country’s public life. Regardless of any statutory obligation, not ensuring that the *National Planning Framework* was published in the national language, at the time that it was launched and when it was receiving most attention, was a clear demonstration of the marginalisation, at times, of the Irish language in the public life of this country.

Main Recommendation of the Investigation:

I made six recommendations in the investigation report including requiring the Department to give my Office at least four weeks advance notification of its proposed date of publication of any document that is subject to the relevant commitment in the language scheme. This requirement will remain in place for a period of three years from the date the investigation report was issued.

Investigation launched: 18 May 2018
Report issued: 15 August 2018

Iarnród Éireann



An investigation demonstrated that appropriate or adequate systems were not in place in Iarnród Éireann to ensure adherence to the statutory duties under the Official Languages Act 2003 or the Transport Act 1950 concerning the use of official languages on signs.

By the end of 2017, 22 complaints concerning signs, raised on an informal basis with Iarnród Éireann, remained unanswered or partially unanswered. Ten of these complaints had been raised over a year previously.

Given the number and the prevalence of the signs that were the subject of the complaints received by my Office, it appeared to me that it was possible that an appropriate



chinntiú gur cloíodh leis na dualgais teanga nuair a bhí comharthaí á ndearadh agus á gcur in airde ag Iarnród Éireann nó thar a cheann. Ina theannta sin, chaithfí córas oiriúnach a chur i bhfeidhm chun gearáin maidir le sáruithe féideartha a fhiosrú agus comharthaí a cheartú nuair ba ghá.

“ Tá comharthaíocht ina gné thábhachtach dá chuid oibre féin agus d’fheiceálacht bheartas dátheangachais an Stáit araon.

Is comhlacht poiblí é Iarnród Éireann a bhaineann feidhm as an-chuid comharthaí chun eolas a chur ar fáil don phobal agus don fhoireann chun críoch éagsúil ina chuid stáisiún, ar thraenacha, in aice línte traenach agus in iliomad áiteanna eile. Tá dualgas teanga ar an eagraíocht, ní hamháin faoi na Rialacháin atá déanta faoi Acht na dTeangacha Oifigiúla ach faoin Acht Iompair, 1950 chomh maith. Tá comharthaíocht ina gné thábhachtach dá chuid oibre féin agus d’fheiceálacht bheartas dátheangachais an Stáit araon. Níor mhiste, dá bhrí sin, beartais láidre, shoiléire a bheith i bhfeidhm maidir le húsáid na Gaeilge ar chomharthaí agus straitéisí éifeachtachta a bheith ann chun na beartais sin a neadú agus a normalú i gcultúr oibre na heagraíochta ionas go gcomhlíonfaí iad gan cheist agus go laghdófaí an oiread agus is féidir na hócáidí ina ndéantar neamart.

Anuas air sin, níor mhiste córas a bheith i bhfeidhm chun gearáin a tharraingíonn m’Oifige anuas a fhiosrú, comharthaí neamhghéilliúla a cheartú nó a leasú nuair is gá, agus freagra dá réir sin a chur ar fáil ar na gearáin sin laistigh d’achar réasúnta. Sheol mé an t-imscrúdú chun cinneadh a dhéanamh an raibh na córais oiriúnacha sin i bhfeidhm ag Iarnród Éireann.

Mhínigh Iarnród Éireann ina fhreagra go raibh an fhreagracht maidir le comharthaí de chineálacha éagsúla a chur in airde ar oifigigh ainmnithe laistigh de roinnt ranna éagsúla de chuid na heagraíochta. Cuireadh in iúl go raibh caighdeáin dearthóireachta i bhfeidhm ag an eagraíocht chun a chinntiú go gcomhlíonann comharthaí nua a chuirtear in airde Acht na dTeangacha Oifigiúla chomh maith le ceanglais rialála eile.

Deimhníodh go ndéanann seirbhís aistriúcháin na comharthaí nua a aistriú nó a sheiceáil. Mhínigh sé chomh maith go gcuirtear na caighdeáin sin i bhfeidhm freisin nuair a bhíonn comharthaí atá ann cheana féin á n-athrú cé go mbíonn tionchar ag saincheisteanna maoiniúcháin ar an ngníomhaíocht sin, go háirithe i gcás comharthaí leictreonacha. Tugadh le fios chomh maith go raibh na próisis a bhaineann le dearadh comharthaí á n-athbhreithniú laistigh

system was not in place to ensure that the language requirements were adhered to when signs were being designed or erected by Iarnród Éireann or on its behalf. In addition to this, an effective system needed to be in place to investigate complaints concerning possible infringements and to correct signs where necessary.

“ Signage is an important aspect of its work, and also an important aspect of the visibility of the State’s policy on bilingualism.

Iarnród Éireann is a public body which uses a lot of signs to provide information to the public and to its staff for various reasons in its stations, on trains, beside train lines and in various other places. The organisation is subject to a language obligation, not only under the Regulations made under the Official Languages Act but also under the Transport Act 1950. Signage is an important aspect of its work, and also an important aspect of the visibility of the State’s policy on bilingualism. It is imperative, therefore, that strong, clear policies are in force in respect of the use of Irish on signage, and that effective strategies are in place to embed and normalise those policies in the organisation’s culture so that they are implemented without question and that the occasions on which they are disregarded are minimized as much as possible.

It is also imperative that a system is put in place to investigate complaints that are raised by my Office, to correct or amend non-compliant signs where necessary, and to reply accordingly in respect of those complaints within a reasonable timeframe. I launched the investigation to ascertain whether Iarnród Éireann had those suitable arrangements in place.

Iarnród Éireann explained in its response that the responsibility for erecting signs of various types was vested in named officials in different sections of the organisation. It was explained that a design standard was in place to ensure that new signs being erected complied with the Official Languages Act as well as other regulatory requirements.

It was confirmed that a translation service translates or checks new signs. It was also explained that those standards are also implemented when signs already in place are changed, although funding issues have an effect on that activity, especially regarding electronic signs. It was also advised that the process for designing signs was being

d'Iarnród Éireann i gcomhar leis an Údarás Náisiúnta Iompair agus go ndéanfaí athbhreithniú ar na próisis a bhaineann le comharthaí sealadacha a chur in airde.

Deimhníodh gurb é an tOifigeach Gaeilge a chinntíonn go mbíonn an fhoireann ar an eolas maidir leis na dualgais reachtúla teanga a bhaineann le comharthaíocht agus gur eisíodh treoirlínte chun a chinntiú go rabhthas ar an eolas maidir leis na ceanglais faoi Acht na dTeangacha Oifigiúla. Mar fhianaise air sin, cuireadh ar fáil cóip de threoirlínte a eisíodh in 2009 agus roinnt sleachta as tuairiscí ar chruinnithe míosúla an Ghrúpa Feidhmiúcháin (idir 2009 agus 2015) a bhain le comhlíonadh dualgas teanga i gcás comharthaí. Cuireadh in iúl go raibh sé beartaithe ag Iarnród Éireann na dualgais teanga maidir le comharthaíocht a chur i gcuimhne don fhoireann ábhartha arís ó tharla go raibh tamall ann ó rinneadh cheana é.

Miníodh freisin gur ar an Oifigeach Gaeilge a bhíonn an fhorfhreagracht maidir le gearáin ó Oifig an Choimisinéara Teanga a fhiosrú agus freagra a chur ar fáil. D'aithin Iarnród Éireann, áfach, ó d'imigh an t-iarOifigeach Gaeilge i mí Mheán Fómhair 2016 agus go dtí gur ceapadh Oifigeach Gaeilge nua le deireanas, nach raibh socruithe a bhí soiléir a ndóthain i bhfeidhm agus nach raibh gearáin ó Oifig an Choimisinéara Teanga á bhfiosrú agus á bhfreagairt ar chaighdeán ná leis an spriocúlacht a mbeifí ag súil leis.

“ Bhain 21 de na gearáin a áiríodh san imscrúdú le comharthaí i stáisiúin traenach.

Bhain 21 de na gearáin a áiríodh san imscrúdú le comharthaí i stáisiúin traenach. Thug Iarnród Éireann le fios go raibh na comharthaí ceartaithe i gcás dhá ghearán díobh. I dtaca leis an gcuid eile, tugadh le fios go ndéanfaí cuid díobh a luaithe agus a bheadh sé praiticiúil nó a luaithe agus ab fhéidir ó thaobh airgid de agus bhí comharthaí eile fós a rabhthas á bhfiosrú go fóill.

Bhain gearán amháin de na gearáin a áiríodh san imscrúdú leis na comharthaí áirithinte ar bord traenacha – nach raibh an síneadh fada á léiriú orthu. D'fhág sin nárbh fhéidir ainm an phaisinéara a léiriú go cruinn má bhí síneadh fada ina ainm nó ina hainm. Cuireadh in iúl don imscrúdú go rabhthas ag obair le soláthraithe an chórais chun an fhadhb a réiteach ach nach rabhthas in ann a rá cén uair a bheadh an fhadhb sin réitithe.

Tá an dualgas atá ar Iarnród Éireann maidir le húsáid na Gaeilge ar chomharthaí buana i bhfeidhm ó 1950 agus ba chóir an cleachtas comharthaí a dhéanamh go dátheangach a

reviewed within Iarnród Éireann, in partnership with the National Transport Authority, and that the process for erecting temporary signs would be reviewed.

It was confirmed that the Irish Language Officer is the person who ensures that staff are knowledgeable of the statutory language duties concerning signage and that guidelines were issued to ensure that they were aware of the requirements under the Official Languages Act. As evidence, a copy of guidelines issued in 2009 and some excerpts from monthly meetings of the Executive Group (between 2009 and 2015) which concerned the fulfilment of language duties in respect of signs were provided. The investigation was informed that Iarnród Éireann intended to remind the relevant staff once more of the language duties pertaining to signage, as it had been some time since this last occurred.

It was also explained that the ultimate responsibility for investigating complaints received from the Office of An Coimisinéir Teanga and issuing a reply lies with the Irish Language Officer. Iarnród Éireann acknowledged, however, that between September 2016 when the last Irish Language Officer left until the new Irish Language Officer was appointed recently, no sufficiently clear arrangements were in place and therefore complaints from the Office of An Coimisinéir Teanga had not been investigated or responded to at the standard or with the timeliness one would expect.

“ 21 of the complaints included in the investigation concerned signage in train stations.

21 of the complaints included in the investigation concerned signage in train stations. Iarnród Éireann advised that the signs were corrected in the case of two of these. As regards the rest, the investigation was advised that they would be corrected as soon as was practical, or as soon as was possible from a financial point of view, and that there were yet other signs which were still being investigated.

One of the complaints included in the investigation concerned the fact that the *síneadh fada* was not displayed on the reserved signs on board trains. This meant that a passenger's name could not be displayed correctly if the name contained a *síneadh fada*. The investigation was advised that work was being done with the suppliers of the system to correct the problem but that they could not say when it would be resolved.

Iarnród Éireann has been subject to the obligation concerning the use of Irish on permanent signage since 1950 and the practice of making signs bilingual should be well established



bheith daingnithe go maith san eagraíocht i bhfad roimh an am seo. Ba léir i bhfianaise na ngearán, cé go raibh an cleachtas sin daingnithe go láidir i gcás cineálacha áirithe comharthaí, go mb'fhéidir nár féachadh chuige an dualgas sin a chomhlíonadh i gcás gach saghas comhartha agus go raibh tuiscintí nó cleachtais i gcodanna áirithe den eagraíocht nach raibh ag teacht leis an reachtaíocht.

Ní bhíodh aon dualgas ar Iarnród Éireann maidir le comharthaí sealadacha faoin Acht Iompair, 1950 ach ní dhéantar aon idirdhealú ar chomharthaí buana agus comharthaí neamhbhuana nó sealadacha sna Rialacháin atá déanta faoi Acht na dTeangacha Oifigiúla. Le teacht i bhfeidhm na Rialachán sin in 2009, ní mór comharthaí sealadacha a bheith dátheangach (nó i nGaeilge amháin) agus i gcomhréir leis na forálacha eile teanga atá sna Rialacháin sin. Ba den riachtanas é, mar sin, go gcuirfí an ceanglas teanga sin in iúl go héifeachtach don fhoireann a bhí freagrach as comharthaí sealadacha a chur in airde.

“ B’ait liom go gcuirfeadh comhlacht poiblí in Éirinn córas comharthaíochta isteach nach bhféadfadh ainmneacha paisinéirí atá sa teanga náisiúnta a léiriú go cruinn ná an dínit agus an chúirtéis a thabhairt dá phaisinéirí a n-ainmneacha Gaeilge a litriú mar a tugadh d’Iarnród Éireann iad.

Is cás ar leith na comharthaí áirithe leictreonacha sna cóistí traenach lena léirítear ainm an phaisinéara a chuir suíochán in áirithe. Sa chás go mbíonn síneadh fada ar ghuta in ainm an phaisinéara, ní léirítear é. Dheimhnigh Iarnród Éireann go raibh deacrachtaí teicniúla ag baint leis an gcóras atá á úsáid agus nár bhféidir an síneadh fada a thaispeáint ar chomharthaí áirithe san am i láthair. B’ait liom go gcuirfeadh comhlacht poiblí in Éirinn córas comharthaíochta isteach nach bhféadfadh ainmneacha paisinéirí atá sa teanga náisiúnta a léiriú go cruinn ná an dínit agus an chúirtéis a thabhairt dá phaisinéirí a n-ainmneacha Gaeilge a litriú mar a tugadh d’Iarnród Éireann iad.

Ba de dheasca easpa comhoibrithe maidir le gearáin a fhiosrú agus a fhreagairt a chonacthas dom gur ghá dom an t-imscrúdú a sheoladh. Bhí gach dealramh ar an bhfianaise nár tuigeadh san eagraíocht an tábhacht a bhaineann le freagraí iomlána a chur ar fáil go pras. Ina theannta sin, bhí Iarnród Éireann ag glacadh leis, de réir dealraimh, gur féidir

throughout the organisation by now. As was evidenced by the complaints, it was apparent that although that practice was well established in respect of certain types of signs, that perhaps fulfilling that duty was not being adhered to in respect of all types of signs and that there were understandings and practices in some parts of the organisation which were not in line with the legislation.

There was no obligation on Iarnród Éireann in respect of temporary signs under the Transport Act 1950, but there is no distinction between permanent and temporary signs in the Regulations made under the Official Languages Act. With the introduction of those Regulations in 2009, temporary signs must be bilingual (or in Irish only) and in accordance with the other provisions contained in those Regulations. It was necessary, therefore, that those requirements be communicated to the staff that were responsible for erecting temporary signs.

“ It seemed strange to me that a public body in Ireland would install a signage system that could not display people’s names in the national language or bestow the dignity and courtesy to passengers of displaying their names as they had provided them to Iarnród Éireann.

The electronic reservation signs in train coaches displaying the name of a passenger who has reserved a seat are a particular case. Where a vowel in the passenger’s name includes a *síneadh fada*, it is not displayed. Iarnród Éireann confirmed that there are technical difficulties in relation to the system in use and that the *síneadh fada* could not be displayed on reservation signs at present. It seemed strange to me that a public body in Ireland would install a signage system that could not display people’s names in the national language or bestow the dignity and courtesy to passengers of displaying their names as they had provided them to Iarnród Éireann.

Due to the lack of cooperation in respect of the inquiries and the lack of response to complaints it appeared to me that I had to launch the investigation. It appeared from the evidence that there was no understanding in the organisation of the importance of providing full answers quickly. Iarnród Éireann had accepted, apparently, in addition to this, that non-compliant signs can be corrected when it suits the organisation itself or the relevant business unit, depending on

comharthaí neamhghéilliúla a cheartú nuair a oireann sé don eagraíocht féin nó don aonad gnó ábhartha, ag brath ar chúinsí éagsúla eile, maoiniú san áireamh. Is ceanglas reachtúil é a chinntiú go mbíonn comharthaí i gcomhréir leis na dualgais teanga atá leagtha síos faoin Acht Iompair, 1950 agus faoi Acht na dTeangacha Oifigiúla, 2003. Má ghéilltear gur sáraíodh an ceanglas sin, ní mór na céimeanna cuí a chur i gcrích chun an sárú sin a cheartú chomh luath agus a thagann sé chun solais.

Ceapadh Oifigeach Gaeilge in Iarnród Éireann le linn an imscrúdaithe féin agus aithníodh an feabhas a tháinig ar an gcumarsáid agus ar fhreagraí ó ceapadh an t-oifigeach sin.

Príomh-mholtaí an Imscrúdaithe:

Rinne mé sé mholadh sa tuarascáil imscrúdaithe, ina measc go gceartófaí na comharthaí ab ábhar don imscrúdú laistigh de thrí mhí. D'iarr mé freisin go gcuirfí córais, beartais agus treoirlínte cuí in áit agus go gcuirfí tuairisc bhliantúil faoi mo bhráid maidir lena bhfeidhmiú.

Imscrúdú seolta: 21 Nollaig 2017

Tuarascáil eisithe: 21 Meán Fómhair 2018

Comhairle Contae Chorcaí



Cork County Council
Comhairle Contae Chorcaí

Léirigh imscrúdú gur sháraigh Comhairle Contae Chorcaí an dualgas reachtúil teanga atá daingnithe i bhfo-alt 18(1) d'Acht na dTeangacha Oifigiúla, 2003 fad is a bhaineann sé le cur i bhfeidhm mír de scéim teanga reachtúil tríd an leagan Gaeilge den ábhar statach ar shuíomh gréasáin na Comhairle Contae a sholáthar tríd an tseirbhís meaisínáistriúcháin *Google Translate*.

Rinne duine den phobal gearán liom go raibh leas á bhaint as córas meaisínáistriúcháin chun an leagan Gaeilge de shuíomh gréasáin Chomhairle Contae Chorcaí a chur ar fáil.

Tugadh gealltanais sa scéim teanga a daingníodh i gcás na Comhairle go mbeadh an buanábhar ar shuíomh gréasáin na Comhairle Contae ar fáil i nGaeilge faoi mhí Iúil 2008 agus go ndéanfaí an cothú céanna air agus a dhéanfaí ar an suíomh Béarla:

2.2 Doiciméadú Scríofa

(iv) Láithreán Gréasáin

- *Beidh an buanábhar atá ar láithreán gréasáin Chomhairle Contae Chorcaí ar fáil i nGaeilge faoi Iúil 2008 (agus déanfar an cothú céanna air leis an suíomh Béarla).*

various other circumstances, including funding. Ensuring that signs are in compliance with the language obligations set out under the Transport Act 1950 and the Official Languages Act 2003 is a statutory requirement. If it is conceded that that requirement has been breached, then the appropriate steps must be taken to remedy that breach as soon as it comes to light.

An Irish Language Officer was appointed by Iarnród Éireann during the investigation itself and the improvement to the communication and to responses since that officer was appointed was acknowledged.

Main recommendations of the Investigation:

I made six recommendations in the investigation report including the correction of the signs that were the subject of the investigation within three months. I also requested that appropriate systems, policies and guidelines be implemented and that an annual report is submitted to me as to their operation.

Investigation launched: 21 December 2017

Report issued: 21 September 2018

Cork County Council



Cork County Council
Comhairle Contae Chorcaí

An investigation found that Cork County Council breached the statutory language obligation which is contained in subsection 18(1) of the Official Languages Act 2003 insofar as it concerns the implementation of a provision of a statutory language scheme by providing the Irish language version of the static content of the Council's website through the use of the machine translation service *Google Translate*.

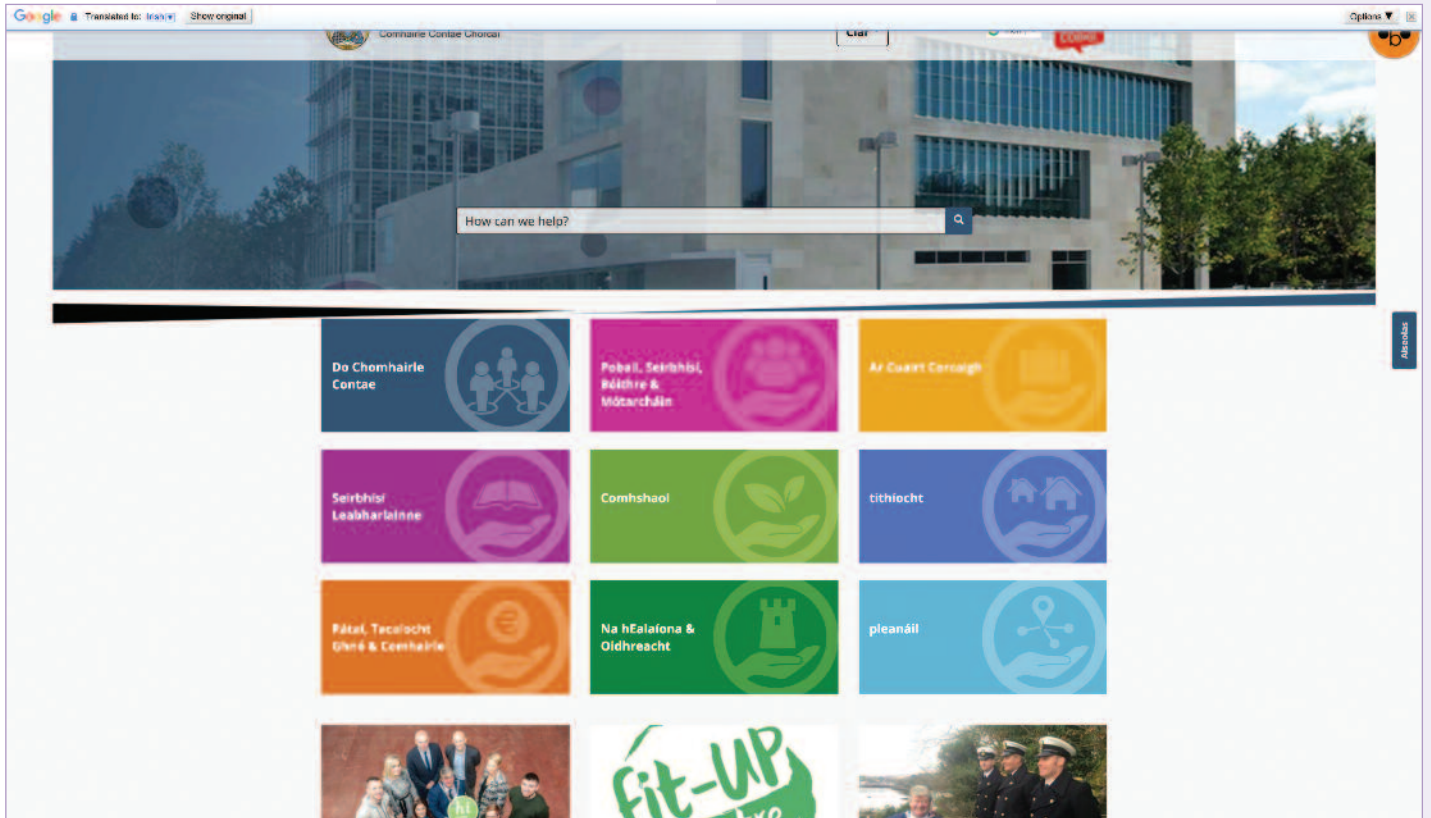
I received a complaint from a member of the public that use was being made of a machine translation system to provide the Irish language version of Cork County Council's website.

A commitment had been given in the language scheme which had been confirmed in the case of the Council that the static content on the Council's website would be available by July 2008 and that it would be maintained in accordance with the maintenance carried out on the English version:

2.2 Written Documentation

(iv) Website

- *All of the static content of the Cork County Council website will be available in Irish by July 2008 (and will be maintained in the same manner as the English site.)*



Nuair a scrúdaíodh cáilíocht an aistriúcháin a bhí á chur ar fáil ar an suíomh gréasáin, chonacthas go mb'fhéidir nach raibh an gealltanas thuasluaite á chomhlíonadh agus tharraing m'Oifig an cheist anuas leis an gComhairle Contae ar bhonn neamhfhoirmiúil, mar chéad chéim. Dúirt an Chomhairle Contae go ndearnadh athnuachan ar an suíomh gréasáin agus gur cinneadh earraíocht a bhaint as meaisínáistriúcháin mar bheart sealadach mar gur dócha go mbeadh athruithe móra á gcur i bhfeidhm ar struchtúr eagraíochta na Comhairle Contae amach anseo agus athruithe móra le déanamh dá réir sin ar an suíomh gréasáin. Bhí an Chomhairle Contae den tuairim go mbeadh na hathruithe sin tagtha i bhfeidhm faoi cheann bliana agus deimhníodh go raibh sé i gceist leagan Gaeilge den suíomh ar chaighdeán sásúil a chur ar fáil ina dhiaidh sin i gcomhréir leis an ngealltanas de chuid na Scéime Teanga.

Mheas mé nach raibh an cur chuige a bhí á mholadh ag an gComhairle Contae sásúil i bhfianaise an méid a bhí geallta sa scéim teanga, agus dá thoradh sin sheol mé imscrúdú ar an ábhar. D'eisigh mé cáipéisí an imscrúdaithe chuig Príomhfheidhmeannach na Comhairle Contae ar an 29 Lúnasa 2018.

Tar éis dom tréimhse bhreise a cheadú, cuireadh freagra ar fáil dom i litir dar dáta an 11 Deireadh Fómhair 2018. Ar an 8 Samhain 2018 chuir Comhairle Contae Chorcaí sonraí leasaithe ar fáil maidir le costas measta an aistriúcháin. Fuair mé comhoibriú iomlán ó Chomhairle Contae Chorcaí le linn an imscrúdaithe agus táim buíoch den Chomhairle as an méid sin.

When the quality of the translation being provided on the website was examined, it appeared that this provision was possibly not being adhered to, and my Office raised the matter with the County Council informally, as a first step. The Council stated that the website had been renewed and that a decision had been taken to use machine translation as a temporary measure, as it was assumed that large organisational structural changes would be occurring in the Council in the near future and that substantive changes to the website would arise as a result. The County Council was of the opinion that those changes would be effected within one year and it was confirmed that it was intended to provide an Irish language translation of the website after that, in accordance with the commitment in the language scheme.

I felt that the proposal being made by the Council was not acceptable in light of the commitment in the language scheme, and I therefore launched an investigation on the subject. I issued the investigation documents to the Chief Executive Officer of the Council on 29 August 2018.

After granting an extension of time, I received a reply by letter dated 11 October 2018. On 8 November 2018, Cork County Council provided amended details in respect of the estimated costs of translation. I received complete cooperation from the Council during the course of the investigation and I am grateful to the Council in that respect.

“ Ghlac Comhairle Contae Chorcaí leis gur sáraíodh an gealltanais a rinneadh ina scéim teanga ...

Ghlac Comhairle Contae Chorcaí leis gur sáraíodh an gealltanais a rinneadh ina scéim teanga trína cinneadh an leagan Gaeilge den ábhar statach ar an suíomh gréasáin a chur ar fáil trí mheaisinaistriúchán a úsáid le linn fhorbairt an tsuímh gréasáin athnuaite.

Mhínigh an Chomhairle Contae, áfach, nár tuigeadh go hiomlán go mbeadh an gealltanais sin de chuid na scéime á shárú nuair a cinneadh úsáid a bhaint as córas meaisinaistriúcháin mar chuid d'athfhorbairt an tsuímh gréasáin. Nuair a bhí an leagan nua den suíomh á fhorbairt, réachtáladh cruinnithe rialta inar pléadh saincheistanna éagsúla a bhain leis an ngnó, ceist na Gaeilge san áireamh. Aontaíodh, a dúradh, go gcuirfí leagan Gaeilge den suíomh athfhorbartha ar fáil de réir an ghealltanais seo de chuid na Scéime Teanga agus de réir mhianta na Comhairle féin. Nuair a cinneadh córas meaisinaistriúcháin amháin a úsáid chuige sin, bhí na cúinsí agus na fáthanna seo a leanas á gcur san áireamh:

“ ... braitheadh nach raibh an t-am ná na hacmhainní ar fáil laistigh den Chomhairle Contae féin leis an ábhar a aistriú ...

1. Biodh is gur laghdaíodh líon na leathanach go mór sa suíomh nua i gcomparáid leis an seansuíomh, braitheadh nach raibh an t-am ná na hacmhainní ar fáil laistigh den Chomhairle Contae féin leis an ábhar a aistriú agus go mbeadh an costas a bhainfeadh leis an ábhar sin a chur á aistriú ag cuideachta phríobháideach rómhór i gcomórtas leis an gciste a bhí ar fáil don tionscadal.
2. Níorbh eol ag an am sin cén t-athrú nó cé na hathruithe a chuirfí i bhfeidhm ar Chomhairle Contae Chorcaí agus ar Chomhairle Cathrach Chorcaí lena n-áirítear cónascadh féideartha an dá eagraíocht. Ba leasc leis an gComhairle Contae, dá dheasca sin, “*suimeanna móra a íoc*” le cuideachta phríobháideach chun leathanaigh an tsuímh gréasáin a aistriú nuair nach rabhthas in ann a rá cé chomh fada agus a bheadh feidhm acu sula gcaithfí iad a athrú ó bhonn arís.

“ Cork County Council accepted that the commitment given in the language scheme had been breached ...

Cork County Council accepted that the commitment given in the language scheme had been breached by its decision to provide the Irish language version of the static content by using machine translation during the redevelopment of the renewed website.

The Council explained, however, that it was not fully understood that that scheme commitment would be breached when a decision was made to use machine translation as part of the redevelopment of the website. When the new version of the website was being developed, regular meetings were convened during which questions relating to the project were discussed, including the question of Irish. It was agreed, it was said, that an Irish version of the redeveloped website would be provided, in accordance with the scheme commitment and with the wishes of the Council itself. When it was decided that a machine translation system would be used to that end, the following circumstances and reasons were taken account of:

“ ... it was felt that neither the time nor the resources were available within the Council to translate the content ...

1. Although the number of pages on the website had been greatly reduced in comparison with the old website, it was felt that neither the time nor the resources were available within the County Council to translate the content, and that the cost involved in sending the content to a private company for translation would be excessive in comparison to the funding which was available for the project.
2. It was not known at that time what change or changes would be imposed on Cork County Council and Cork City Council, including the possibility of an amalgamation of the two councils. The Council was loathe, therefore, to “*expend large sums of money*” to a private company to translate pages of the website when it was not known how long they would be in effect before they would have to be changed from scratch once more.



3. Cuireadh san áireamh an dualgas a leag an gealltanais ar an gComhairle Contae an taobh Gaeilge den suíomh a choinneáil cothrom le dáta ionas go mbeadh na hathruithe a chuirfí i bhfeidhm ar an taobh Béarla den suíomh á gcur i bhfeidhm ar an leagan Gaeilge chomh maith céanna. Bhí fadhbanna ag baint leis an seansuíomh ó thaobh an dualgais sin de agus bhíothas den tuairim go bhféadfaí, trí úsáid a bhaint as an rogha aistriúcháin seo, a chinntiú go raibh an fhaisnéis ar fáil agus cothrom le dáta ar leaganacha an dá theanga ar an suíomh gréasáin.
4. Aithníodh ag na cruinnithe go bhféadfadh córas meaisínáistriúcháin mar sin *"a bheith míchruinn le haghaidh frásaí agus abairtí níos faide"* ach ceapadh go mbeadh an cur chuige sin sásúil mar chéim eatramhach nó go mbeadh an Chomhairle Contae faoi réir sa todhcháil le haistriúchán níos cruinne a chur ar fáil.

Ghlac an Comhairle Contae leis, áfach, nach raibh an t-aistriúchán Gaeilge a bhí á chur ar fáil trí chóras meaisínáistriúcháin amháin ar ábhar statach an tsuímh gréasáin ar an gcaighdeán céanna leis an mbunleagan Béarla agus cuireadh faoi bhráid an imscrúdaithe Plean Gníomhaíochta inar rianáidh na céimeanna a bhí glactha cheana féin agus a bhí le glacadh go fóill chun ábhar an tsuímh gréasáin a chur á aistriú agus a chur ar fáil (in imeacht bliana). Ba chuid den phlean sin freisin socruithe a chur i bhfeidhm ionas go gcoinneofaí an leagan Gaeilge den ábhar sin cothrom le dáta de réir mar a d'athrófaí an t-ábhar i mBéarla amach anseo.

Cuireadh ar fáil don imscrúdú cóipeanna de na tairiscintí aistriúcháin a fuarthas maille le costas measta na hoibre sin (costas a leasaíodh ina dhiaidh sin). Deimhníodh go raibh iarratas déanta ar chiste Oifig na Gaeilge a mhéadú i gcomhair an aistriúcháin agus, tráth ar freagraíodh an t-imscrúdú, bhí tús curtha leis an ábhar a ullmhú i gcomhair aistriúcháin. D'fháiltigh mé roimh an gcur chuige sin.

Nuair a bhí dualgas reachtúil ar an gComhairle Contae an t-ábhar statach ar an suíomh gréasáin a chur ar fáil go dátheangach, chonacthas dom gurbh é an cinneadh a bhí le déanamh ná arbh fhiú nó ar chóir an suíomh a athfhorbairt (lena n-áirítear an t-ábhar statach a chur ar fáil ar comhchaighdeán sa dá theanga) nó gan athfhorbairt a dhéanamh ar an suíomh gréasáin sin go fóill go dtí go mbeifí ní ba dheimhní faoi fhad saoil na hinfeistíochta sin. Nuair a bhí cinneadh déanta dul chun cinn leis an athfhorbairt, níorbh fholáir leagan Gaeilge a chur ar fáil.

3. The commitment which obliges the County Council to keep the Irish version of the website current, so that the Irish version of the website reflects the English version, was also taken into account. Difficulties had arisen with the old website in that respect and it was felt that the information could be provided and that both language versions could be kept concurrent on the website by using this translation option.
4. It was acknowledged at the meetings that such a machine translation system *"could be inaccurate for phrases and longer sentences"*, but it was thought that this approach would be acceptable as an interim step until the County Council was ready to provide a more accurate translation in the future.

The County Council accepted, however, that the Irish translation being provided by a machine translation system only of the static content of the website was not of the same standard as the original English version and an Action Plan was presented to the investigation in which the steps already taken and those yet to be taken to translate the content and make it available (over a period of a year) were outlined. That plan also included arrangements so that the Irish version of that content would be kept up to date with any future changes to the English language content.

The investigation was provided with copies of the translation tenders which had been received, along with the estimated cost of the work (a cost which was later revised). It was confirmed that an application had been made to increase the funding for Oifig na Gaeilge and at the time the investigation received the response, work had commenced on preparing the content for translation. I welcomed that approach.

As there was a statutory obligation on the County Council to provide the static content on the website bilingually, it appeared to me that the decision that had to be made by the Council was whether it was worth redeveloping the website and whether it should be redeveloped (including the provision of the static content of equal standard in both languages) or whether it should not be redeveloped pending certainty of the lifespan of such an investment. Once a decision had been made to proceed with the redevelopment, there was no choice but to provide the Irish language version.

“ ... is cinnte go bhfuil ról lárnach ag acmhainní teicneolaíocha aistriúcháin maidir leis an bhfreastal a dhéantar ar phobail teanga éagsúla ó thaobh eolas agus seirbhísí a sholáthar. Níl amhras ann, ach an oiread, ach go gcuirfear leis an ról sin in imeacht ama ...

Le forbairt na teicneolaíochta i réimse an aistriúcháin, is cinnte go bhfuil ról lárnach ag acmhainní teicneolaíocha aistriúcháin maidir leis an bhfreastal a dhéantar ar phobail teanga éagsúla ó thaobh eolas agus seirbhísí a sholáthar. Níl amhras ann, ach an oiread, ach go gcuirfear leis an ról sin in imeacht ama le forás agus le feabhsú na teicneolaíochta sin. Is féidir go dtiocfaidh an lá fós a mbeidh aistriúcháin á gcur ar fáil ag meaisinaistriúcháin as féin ar chaighdeán atá sásúil ó thaobh chruinneas na cumarsáide chun críocha oifigiúla de, ach ní léir dom go bhfuil an lá sin tagtha go fóill.

Go nuige seo, i gcás na Gaeilge de, is minic a bhíonn an t-aistriúchán a chuirtear ar fáil ó chórais ar nós *Google Translate* dothuigthe, neamhbhailí, nó go dtéann teachtaireacht an bhuntéacs amú. B'ábhar sásaimh dom gur tháinig Comhairle Contae Chorcaí ar an tuairim nach raibh a leithéid de chóras sásúil nuair a rinne sí an cheist a mheas an athuair.

Ní bhíonn an téacs sa Ghaeilge a tháirgtear trí chóras meaisinaistriúcháin amháin inchurtha le caighdeán an bhuntéacs Béarla. Go deimhin, d'fhéadfaí masla a ghlacadh i gcás pobal teanga ar bith dá mbeifí ag súil go nglacfaí le haistriúcháin ar dhroch-chaighdeán, mar a bhí le feiceáil ar shuíomh gréasáin na Comhairle. Is measa fós an scéal nuair a bhí an suíomh in úsáid chun gnó oifigiúil de chuid an Stáit a chur i gcrích.

Príomh-mholtaí an Imscrúdaithe:

Mhol mé nach leanfaí ar aghaidh ag úsáid an chórais *Google Translate* ar mhaithe le hábhar i nGaeilge a chur ar fáil ar an suíomh gréasáin. I measc na bpríomh-mholtaí eile d'iarr mé go ndéanfaí athnuachan ar an bPlean Gníomhaíochta a bhí á fheidhmiú ag an gComhairle chun an t-ábhar statach a chur ar fáil i nGaeilge agus go gcuirfí an t-ábhar sin ar fáil go céimnitheach de réir mar a d'aistrefaí é. Leag mé béim chomh maith ar an riachtanas go mbeadh socruithe in áit chun an t-ábhar Gaeilge a choinneáil cothrom le dáta.

Imscrúdú seolta: 29 Lúnasa 2018

Tuarascáil eisithe: 23 Samhain 2018

“ ... technological translation resources have a central role to play in the service which is provided to different language communities in respect of the supply of information and services. There is also no doubt that that role will be enhanced over time ...

With the development of technology in the area of translation, there is no doubt but that technological translation resources have a central role to play in the service which is provided to different language communities in respect of the supply of information and services. There is also no doubt that that role will be enhanced over time with the growth and improvement of that technology. The day may yet come when translations are supplied by machine translation which are satisfactory from the standpoint of the accuracy of the communication for official purposes, but that day has not yet arrived.

Until now, from the point of view of Irish, the translation which is provided by systems such as *Google Translate* is often ineffective and impossible to understand, or the message of the original text is lost. It was a matter of some satisfaction to me that Cork County Council arrived at the conclusion that such a system was not acceptable when it reviewed the situation.

The text in Irish which is produced by a machine translation system is not comparable with the standard of the original English text. In fact, it could be insulting to some language communities to be expected to accept translations of poor standard, as was to be seen on the Council's website. And it is a worse scenario still when the website is used to perform official functions of the State.

Main recommendations of the Investigation:

I made a recommendation that the use of *Google Translate* be discontinued for the purposes of providing content in Irish on the website. The other main recommendations included a request that the Action Plan being implemented by the Council to provide static content in Irish be revised and that the content be uploaded incrementally as it was translated. I also stressed the requirement to have arrangements in place to ensure that the content in Irish is kept up to date.

Investigation launched: 29 August 2018

Report issued: 23 November 2018



Amharclann na Mainistreach

Léirigh imscrúdú go raibh Amharclann na Mainistreach ag sárú an dualgais reachtúil teanga atá daingnithe sna Rialacháin i dtaca le comharthaíocht atá eisithe faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003 i gcás comharthaí lasmuigh agus laistigh d'Amharclann na Mainistreach.

Rinneadh gearán le m'Oifig i mí Feabhra 2017 nach raibh comharthaí in Amharclann na Mainistreach dátheangach. Faoi na Rialacháin atá eisithe faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003, ní foláir do chomhlachtaí poiblí a chinntiú gur i nGaeilge, nó i nGaeilge agus i mBéarla, atá a gcuid comharthaí – ní cheadaítear comharthaí i mBéarla amháin.

Tharraing m'Oifig ábhar an ghearáin anuas le hAmharclann na Mainistreach tríd an gcóras neamhfhoirmiúil fiosruithe gearán a fheidhmíonn an Oifig, mar chéad chéim. Rinneadh gach iarracht an cheist a shocrú, ach níor éirigh leis na hiarrachtaí sin.

Nuair nár éirigh leis na hiarrachtaí neamhfhoirmiúla, chinn mé dul i muintin imscrúdú foirmiúil le teacht ar fhionnachtana i dtaca leis an gceist seo agus moltaí a dhéanamh, dá mba chúil.

Sheol mé an t-imscrúdú sin ar an 18 Bealtaine 2018. D'eisigh mé cáipéisí an imscrúdaithe chuig Stiúrthóirí Amharclann na Mainistreach mar chéad chéim, agus d'iarr mé freagra i scríbhinn faoin 9 Meitheamh 2018. Chuir Amharclann na Mainistreach freagra ar fáil i litir dar dáta an 1 Meitheamh

The Abbey Theatre

An investigation found that the Abbey Theatre was in breach of the statutory language obligations that are confirmed in the Regulations in respect of signage issued under subsection 9(1) of the Official Languages Act 2003 in respect of signs both inside and outside of the Abbey Theatre.

A complaint was made to my Office in February 2017 that signs in the Abbey Theatre were not bilingual. Under the Regulations which have been issued under subsection 9(1) of the Official Languages Act 2003, public bodies must ensure that their signs are in Irish, or in Irish and English. Signs in English only are not permitted.

My Office raised the subject of the complaint with the Abbey Theatre through the informal complaints system it operates, as a first step. Every effort was made to resolve the issue, but those efforts were not successful.

When the informal attempts were not successful, I decided to undertake a formal investigation to make findings in respect of this matter, and to make recommendations, if appropriate.

I launched the investigation on 18 May 2018. I issued the investigation papers to the Directors of the Abbey Theatre as a first step, and I requested a written response by 9 June 2018. The Abbey Theatre provided a response in a letter dated 1 June 2018. Having reviewed that response, I wrote

2018. I ndiaidh dom an freagra sin a mheas, scríobh mé arís chuig an Amharclann ar an 22 Meitheamh 2018 agus d'iarr mé faisnéis bhreise agus soiléirithe breise a chur ar fáil dom. Cuireadh an fhaisnéis agus na soiléirithe sin ar fáil dom i bhfreagra ón Amharclann dar dáta an 24 Lúnasa 2018.

“ Bhí cuid de na comharthaí sin ann, a mhínigh siad, ó na 1960idí nuair a tógadh an Amharclann.

Sa fhreagra, aithníodh go raibh roinnt den chomharthaíocht san Amharclann nach raibh ag teacht leis na ceanglais teanga a bhaineann le comharthaí. Bhí cuid de na comharthaí sin ann, a mhínigh siad, ó na 1960idí nuair a tógadh an Amharclann.

Rinneadh na comharthaí neamhghéilliúla a aicmiú ina dtrí chineál:

(1) Comharthaí Sealadacha

Aithníodh go raibh comharthaí neamhbhuana (póstaeir, comharthaí páipéir, páipéir lannaithe, comharthaí ócáideacha etc.) in áiteanna éagsúla ar fud an fhoirgnimh. Deimhníodh go mbainfí anuas na comharthaí neamhghéilliúla den chineál sin faoin 31 Iúil 2018 agus go gcuirfí comharthaí nua (géilliúla) ina n-áit de réir mar ba ghá. Deimhníodh chomh maith go gcuirfí socruithe i bhfeidhm lena gcinnteofaí go mbeadh aon chomhartha nua den chineál sin a chuirfí in airde feasta ag teacht leis an reachtaíocht. D'fháiltigh mé roimh an ngealltanas sin.

(2) Comharthaí Dátheangacha

Chuir an Amharclann in iúl go ndéanfaí na comharthaí dátheangacha a leasú nó a athrú faoin 31 Iúil 2018 ionas go mbeidís ag teacht leis an reachtaíocht. Luadh go mbeadh roinnt costas ag baint leis an obair seo a chur i gcrích.

Sa dara freagra, dar dáta an 24 Lúnasa 2018, dheimhnigh an Amharclann go raibh na comharthaí sin i gcás (1) agus (2) thuas á leasú agus go gcoinneofaí mé ar an eolas maidir leis an dul chun cinn. D'fháiltigh mé roimh an ngealltanas sin chomh maith.

(3) Comharthaí Daingnithe

Mhínigh an Amharclann go raibh roinnt comharthaí (i mBéarla amháin) daingnithe ar fhoirgneamh na hAmharclainne ar maíodh fúthu go mbainfeadh *“infheistíocht nach beag”* lena gceartú.

Chuir an Amharclann in iúl don imscrúdú go raibh tionscadal ar bun a raibh d'aídhm leis athfhorbairt a dhéanamh ar an Amharclann lena n-áirítear an seanfhoirgneamh a leagan agus

once more to the Theatre on 22 June 2018 and I requested further information and clarifications. That information and clarifications were provided in a response from the Theatre dated 24 August 2018.

“ It was explained that some of those signs had been erected in the 1960s, when the Theatre was built.

It was acknowledged in the response that some of the signage in the Theatre was not in accordance with the language requirements in respect of signs. It was explained that some of those signs had been erected in the 1960s, when the Theatre was built.

The non-compliant signs were divided into three types:

(1) Temporary Signs

It was acknowledged that there were temporary signs (posters, paper signs, laminated signs, casual signs etc.) in various places throughout the building. It was confirmed that non-compliant signs of that nature would be removed by 31 July 2018 and that new (compliant) signs would be erected in their stead where necessary. It was also confirmed that arrangements would be put in place ensuring that any new signs of that nature being erected would be in line with the legislation. I welcomed that commitment.

(2) Bilingual Signs

The Theatre confirmed that the bilingual signs would be corrected or changed by 31 July 2018 to ensure compliance. It was indicated that some cost would attach to completing this work.

In its second response, of 24 August 2018, the Theatre confirmed that the signs mentioned in (1) and (2) above were being amended and that it would keep me informed as to progress. I welcomed that commitment also.

(3) Fixed Signs

The Theatre explained that there were some signs (in English only) which were affixed to the Theatre building and which *“no small cost”* would apply to their correction.

The Theatre advised the investigation that there was a project in hand to redevelop the Theatre, which included demolishing the old building and building a new Theatre on



foirgneamh nua a thógáil ar an láthair céanna. Míníodh go raibh bailchríoch á cur ar phlean gnó chuige sin agus go raibh sé mar aidhm go gcuirfí tús leis an obair sin faoi cheann dhá bhliain. D'áitigh an Amharclann nár chóir dul i mbun an chostais mhóir a bhainfeadh le ceartú na comharthaíochta daingnithe ar fhoirgneamh atá beartaithe a leagan ach tugadh gealltanas go ndéanfaí *"comhlíonadh Acht na dTeangacha Oifigiúla a chorprú sna pleananna nua le haghaidh comharthaíochta san fhoirgneamh nua."*

Sonraíodh na comharthaí daingnithe a bhíodhas ag iarraidh a choinneáil go dtí go leagfaí an foirgneamh:

- i. An comhartha os cionn an phríomhdhorais ar thaobh Shráid Mhaoilbhríde.
- ii. Roinnt treochomharthaí taobh istigh den fhoirgneamh atá leabaithe nó neadaithe sna ballaí féin agus atá in áit ó tógadh an foirgneamh.

I dtaca leis an tionscadal athfhorbartha, chuir an Amharclann in iúl gur fhógair an tAire Cultúir, Oidhreacht agus Gaeltacht i mí Aibreáin 2018 go raibh €80 milliún curtha in áirithe d'athfhorbairt na hAmharclainne mar chuid de phlean infheistíochta i mbonneagar cultúir, oidhreacht agus teanga na tíre, go raibh plean gnó curtha faoi bhráid na Roinne ag an Amharclann agus go rabhthas ag súil le brú chun cinn leis an tionscadal gan mhoill ach cead a fháil chuige sin. Bhíodhas ag súil go mbeadh an foirgneamh nua beagnach críochnaithe faoin mbliain 2022 agus chun an sprioc sin a bhaint amach, nár mhór an seanfhoirgneamh a leagan tráth éigin in 2020.

“ ... nach bhfuil aon fhoráil in Acht na dTeangacha Oifigiúla inar féidir liomsa, mar Choimisinéir Teanga, díolúine a thabhairt do chomhlacht poiblí ó aon cheanglas reachtúil teanga.

Ní miste a shoiléiriú nach bhfuil aon fhoráil in Acht na dTeangacha Oifigiúla inar féidir liomsa, mar Choimisinéir Teanga, díolúine a thabhairt do chomhlacht poiblí ó aon cheanglas reachtúil teanga. Má dhéanaim cinneadh in imscrúdú, bunaithe ar an bhfianaise a cuireadh faoi mo bhráid, gur mhainnigh comhlacht poiblí foráil de chuid an Achta a chomhlíonadh, tá dlite orm fionnachtain dá réir a dhéanamh i dtuarascáil an imscrúdaithe i gcomhréir leis an Acht sin.

the same site. It was explained that a business plan was being finalised in respect of that end, and that the aim was to commence those works within two years. The Theatre argued that the great expense of correcting the fixed signs which were due to be demolished should not be incurred, but an undertaking was given that *"compliance with the Official Languages Act would be incorporated in the new plans for signage in the new building"*.

The fixed signs which the Theatre wished to retain until the building was demolished were specified as follows:

- i. The sign above the main door on the Marlborough Street side.
- ii. Some directional signs inside the building which are nested or embedded in the walls themselves, and are in place since the building was erected.

As regards the redevelopment project, the Theatre advised that the Minister for Culture, Heritage and the Gaeltacht announced in April 2018 that €80 million had been set aside for the redevelopment of the Theatre as part of the investment in the cultural, heritage and language infrastructure of the country, that a business plan had been submitted to the Department by the Theatre and that it was expected to proceed with the project as soon as permission was granted in that respect. It was expected that the new building would be almost completed by 2022, and to achieve that aim, the old building would have to be demolished sometime in 2020.

“ ... there is no provision in the Official Languages Act which allows me, as Coimisinéir Teanga, to provide an exemption to any public body from a statutory language requirement.

It should be clarified that there is no provision in the Official Languages Act which allows me, as Coimisinéir Teanga, to provide an exemption to any public body from a statutory language requirement. If I make a decision in an investigation, based on the evidence provided to me, that a public body has failed to comply with a provision of the Act, I am obliged to make a finding in the report on the investigation to that effect in accordance with the Act.

“ ... ba chúis díomá dom nach raibh an comhoibriú a fuarthas ón Amharclann ar an gcaighdeán a mbeinn ag súil leis ...

Ba ar an 16 Feabhra 2017 a tharraing m’Oifig an gearán a rinneadh liom anuas leis an Amharclann den chéad uair, agus ainneoin iarrachtaí leanúnacha m’Oifige, ba chúis díomá dom nach raibh an comhoibriú a fuarthas ón Amharclann ar an gcaighdeán a mbeinn ag súil leis ó chomhlacht poiblí agus na fiosruithe, atá dlite ar m’Oifig a dhéanamh agus í i mbun a cúraimí reachtúla, á gcur i gcrích. Thionscain mé an t-imscrúdú in éagmais an chomhoibrithe sin. Aithním, áfach, comhoibriú na hAmharclainne leis an imscrúdú féin agus glacaim buíochas léi as an méid sin.

Príomh-mholtaí an imscrúdaithe:

Rinne mé sraith moltaí chun aghaidh a thabhairt ar an réimse agus na haicmí comharthaí neamhghéilliúla. Chomh maith leis seo mhol mé go leasófaí an comhartha atá i mBéarla amháin os cionn phríomhdhoras na hAmharclainne faoin 30 Meitheamh 2019 mura gcuirfí fianaise ar fáil chun mo shástachta go bhfuil socrú cinnte déanta foirgneamh na hAmharclainne a leagan le linn na bliana 2020.

Imscrúdú seolta: 18 Bealtaine 2018

Tuarascáil eisithe: 17 Deireadh Fómhair 2018

“ ... it was a matter of some disappointment to me that the level of cooperation I received from the Theatre was not commensurate with the standard I would expect ...

My Office first raised the complaint made to me with the Theatre on 16 February 2017 and despite the continued efforts of my Office, it was a matter of some disappointment to me that the level of cooperation I received from the Theatre was not commensurate with the standard I would expect when my Office raises queries, as it is entitled to do in the performance of its statutory duties. I initiated the investigation due to this lack of cooperation. I acknowledge with thanks, however, the cooperation of the Theatre with the investigation itself.

Main recommendations of the investigation:

I made a series of recommendations to deal with the range and classes of non-compliant signs. I also recommended that the sign above the main entrance of the Theatre be changed by 30 June 2019 unless evidence is provided to my satisfaction that definite arrangements have been put in place to demolish the Theatre building during 2020.

Investigation launched: 18 May 2018

Report issued: 17 October 2018



Comhairle Contae na Gaillimhe

Léirigh imscrúdú gur sháraigh Comhairle Contae na Gaillimhe dualgas reachtúil teanga i dtaca le cur i bhfeidhm gealltanais i mBeart 3.14 dá scéim teanga reachtúil, trí fhógraí i mBéarla amháin a eisiúint i bhfoirm tuúit faoi ábhair a bhain le ceantair Ghaeltachta agus trí fheidhm a bhaint as leaganacha neamhoifigiúla Béarla de logainmneacha Gaeltachta in ionad na leaganacha atá dearbhaithe san Ordú Logainmneacha (Ceantair Ghaeltachta), 2004 i bhfógra a d'eisigh an Chomhairle Contae i bhfoirm tuúite, ach nár sháraigh an Chomhairle Contae an dualgas reachtúil teanga céanna fad is a bhaineann sé le cur i bhfeidhm gealltanais i mBeart 3.14 gur i nGaeilge a bheidh aon chomhfhreagras ginearálta a thionscnóidh sí leis an bpobal i gceantar Gaeltachta, trí fhógraí i mBéarla amháin a eisiúint i bhfoirm tuúit faoi ábhair a bhain le ceantair Ghaeltachta.

Ó bhí 2014 ann, rinneadh aon cheann déag de ghearáin le m'Oifig maidir le húsáid na Gaeilge agus/nó úsáid logainmneacha Gaeltachta i dtuúiteanna arna n-eisiúint ag Comhairle Contae na Gaillimhe, agus fiosraíodh na gearáin sin leis an gComhairle. Chonacthas do m'Oifig go raibh trí cinn de na gealltanais a tugadh i scéim teanga reatha na Comhairle Contae ábhartha.

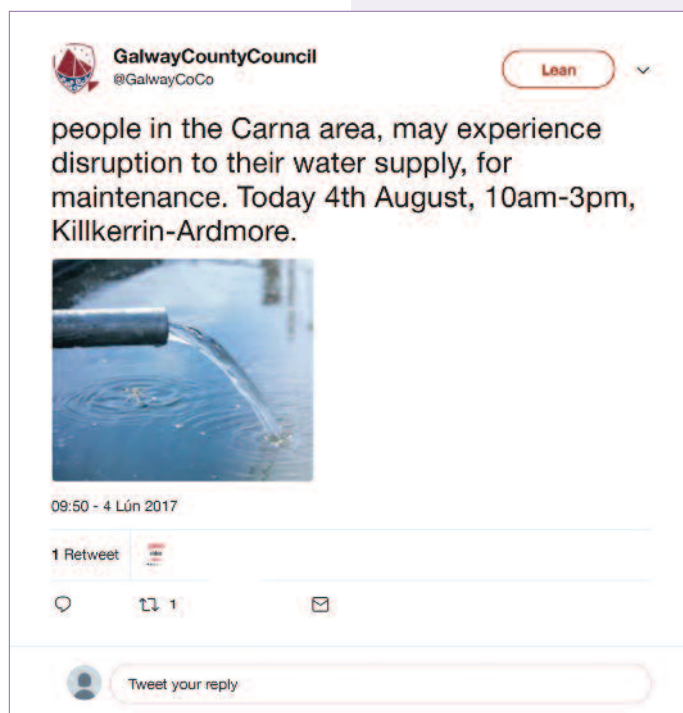
Beart 3.14:

'Is i nGaeilge amháin nó go dátheangach a bheidh aon chomhfhreagras ginearálta a thionscnóidh an Chomhairle leis an bpobal i gceantar Gaeltachta.

Bainfidh an Chomhairle úsáid as An tOrdú Logainmneacha (Ceantair Ghaeltachta) 2004 chun críocha oifigiúla agus úsáidfear é mar réamhshocrú i ngach bunachar sonraí agus comhfhreagras de chuid na Comhairle.

Cinntoidh an Chomhairle go gníomhach go mbeidh gach gné dá cuid oibre a dhéanann dífear go díreach nó go hindíreach don Ghaeltacht i nGaeilge agus aird á thabhairt aici ar oidhreacht chultúrtha agus teanga na Gaeltachta agus nach mbeidh éifeacht dhiobhálach aici ar úsáid na Gaeilge mar theanga pobail ach go gcuirfear chun cinn í agus go spreagfar í.'

Galway County Council



An investigation found that Galway County Council breached a statutory language obligation concerning the implementation of a commitment in Measure 3.14 of the Council's statutory language scheme, by issuing notices in English only in tweet form concerning matters relating to Gaeltacht areas, and by utilising the unofficial English versions of Gaeltacht placenames instead of the versions confirmed in the Placenames (Ceantair Ghaeltachta) Order, 2004 in a notice issued by the Council in tweet form, but that the County Council did not breach

the same statutory language scheme insofar as it concerns the implementation of a commitment in Measure 3.14 that any general correspondence which it initiates with the public in Gaeltacht areas will be in Irish, through the issuing of notices in English only in tweet form concerning matters which related to Gaeltacht areas.

Since 2014, 11 complaints in total were made to my Office in respect of the use of Irish and/or the use of Gaeltacht placenames in tweets issued by Galway County Council, and these complaints were raised with the Council. It was apparent to my Office that three of the commitments given in the Council's current language scheme were relevant:

Measure 3.14:

'General correspondence initiated by the Council with the public in a Gaeltacht area will be in Irish only or bilingual.

An t-Ordú Logainmneacha (Ceantair Ghaeltachta) 2004 will be used by the Council for official purposes and used as a default in all of the Council's databases and correspondence.

The Council will actively ensure that every aspect of its work directly or indirectly affecting the Gaeltacht will be in Irish and have cognisance of the cultural and linguistic heritage of the Gaeltacht and will not have a detrimental effect on the use of Irish as a community language but will promote and encourage it.'

Fuair mé dhá ghearán sa bhliain 2017 a bhain le tvuíteanna i mBéarla amháin a d'eisigh Comhairle Contae na Gaillimhe maidir leis an nGaeltacht.

Baineadh úsáid as na leaganacha neamhoifigiúla Béarla de logainmneacha Gaeltachta sa dá tvuít. Tá dhá ordú logainmneacha déanta faoin Acht a bhaineann le ceantair Ghaeltachta, IR 872 de 2004 agus IR 599 de 2011. Sa ghealltanas a rinne an Chomhairle Contae is don ordú a rinneadh in 2004 amháin a dhéantar tagairt. Is san ordú a rinneadh in 2004 a dearbhaíodh na logainmneacha a luadh sa dara tvuít (an Aird Mhóir agus Cill Chiaráin). Tá an logainm a luadh sa chéad tvuít (an Mám) dearbhaithe san ordú a rinneadh in 2011. Chonacthas dom, dá bhrí sin, nach sárú a bhí in úsáid leagain Béarla den logainm áirithe sin.

Dheimhnigh an Chomhairle a seasamh nár bhain na gealltanais thuasluaite le tvuíteanna agus go raibh sé soiléir, dar léi, nach raibh aon ghealltanas maidir le tvuíteanna sa Scéim agus nár dhóigh léi *"go raibh tvuíteanna ar intinn nuair a bhí aon fhorálacha den Scéim á gcur le chéile"*.

Chinn mé gur ghá imscrúdú a dhéanamh chun fionnachtana a dhéanamh ar an ábhar. D'eisigh mé cáipéisí an imscrúdaithe chuig Príomhfheidhmeannach na Comhairle Contae ar an 30 Aibreán 2018 agus d'iarr mé freagra scríofa faoin 22 Bealtaine 2018. Chuir an Chomhairle Contae freagra ar fáil dom ar an dáta sin.

Fuair mé gearán eile maidir le tvuíteanna a eisíodh ar an 25 Bealtaine 2018 agus ar an 27 Bealtaine 2018. Scríobh mé chuig an gComhairle Contae arís ar an 31 Bealtaine 2018 agus chuir mé in iúl go raibh an gearán breise a bhí faighte á chur san áireamh agam san imscrúdú. Ina theannta sin, d'iarr mé ar an gComhairle roinnt ceisteanna sainiúla a fhreagairt agus d'iarr mé, chomh maith, faisnéis bhreise áirithe a chur ar fáil dom faoin 22 Meitheamh 2018. Chuir an Chomhairle Contae freagra ar fáil ar an 22 Meitheamh.

Mar fhreagra ar an dréacht-tuarascáil a d'eisigh mé chuici, chuir an Chomhairle Contae litir eile dar dáta an 15 Samhain 2018 faoi mo bhráid. Tá mé buíoch den Chomhairle as a comhoibriú leis an imscrúdú.



Ba é cás na Comhairle Contae chomh maith nach mbaintear úsáid as tvuíteanna chun críocha oifigiúla.

Ba é seasamh na Comhairle Contae arís nár sáraíodh na trí ghealltanas áirithe de chuid a Scéime Teanga mar gur bhain na ceanglais atá sna gealltanais sin le feidhmeanna sonracha agus nár bhí fhéidir eisiúint tvuíteanna a áireamh mar chuid de

I received two complaints in 2017 in relation to tweets in English only relating to the Gaeltacht issued by Galway County Council.

In both the tweets, use was made of the unofficial English versions of Gaeltacht placenames. Two placenames orders made under the Act concern Gaeltacht areas – SI 872 of 2004 and SI 599 of 2011. Reference is made only to the order which was made in 2004 in the commitment given by the County Council. The placenames mentioned in the second tweet (An Aird Mhóir and Cill Chiaráin) were confirmed in the order made in 2004. The placename mentioned in the first tweet (An Mám) was confirmed in the order made in 2011. It appeared to me, therefore, that no breach occurred in respect of the use of the English version of that particular placename.

The Council confirmed their stance that the above commitments did not concern tweets and said that it was clear, according to them, that there was no commitment in the Scheme regarding tweets, nor did they think tweets had *"been in mind when the provisions of the scheme were being drawn up"*.

I decided that an investigation was necessitated to make findings on the matter. I issued the investigation documents to the Chief Executive of the County Council on 30 April 2018 and I requested a written answer by 22 May 2018. The Council provided me with a response on that date.

I received another complaint regarding tweets which issued on 25 May 2018 and on 27 May 2018. I wrote once more to the County Council on 31 May 2018 and advised it that I had received a further complaint which I was including in the investigation. As well as that, I asked the Council to respond to some specific questions and I also requested that it provide certain additional information by 22 June 2018. The County Council provided a response on 22 June.

The County Council sent me another letter on 15 November 2018 in response to the draft report I had issued. I am grateful to the Council for its cooperation with the investigation.



The County Council maintained that tweets are not used for official purposes.

Once again, it was the County Council's position that none of these three particular commitments in its language scheme had been breached because the requirements in those commitments referred to specific functions, and the issuing



cheann ar bith de na feidhmeanna sin. D'áitigh an Chomhairle Contae nár chomhfhreagras oifigiúil tvuíteanna chun críche na Scéime Teanga agus nár chomhfhreagras iad in aon chor. Ba é cás na Comhairle Contae chomh maith nach mbaintear úsáid as tvuíteanna chun críocha oifigiúla.

Deimhníodh i bhfreagra na Comhairle dar dáta an 15 Samhain go raibh sé de rún ag an gComhairle leanúint uirthi ag eisiúint tvuíteanna i nGaeilge nó tvuíteanna dátheangacha a eisiúint nuair ab fhéidir é, go háirithe tvuíteanna a bhaineann leis an nGaeltacht. Míníodh, áfach, go mbíonn cúinsí agus constaicí praiticiúla ag baint leis sin ar uairibh.

“ Is tvuíteanna iadsan a d’eisigh an Chomhairle Contae chun eolas a scaipeadh a bhaineann lena feidhmeanna agus lena gníomhaíocht mar údarás áitiúil ...

Níl aon agó ach go n-eisíonn an Chomhairle Contae tvuíteanna as Gaeilge ar ábhair éagsúla a bhaineann le saol an Chontae: féilte, comhdhálacha, taispeántais ealaíne, fógraí drochaimsire agus go leor eile. Bhain na gearáin a rinneadh liom, áfach, le haicme áirithe tvuíteanna. Is tvuíteanna iadsan a d’eisigh an Chomhairle Contae chun eolas a scaipeadh a bhaineann lena feidhmeanna agus lena gníomhaíocht mar údarás áitiúil, mar údarás bóithre agus mar ghníomhaire nó conraitheoir thar ceann Uisce Éireann.

Luaitear go sonrath sna trí ghealltanas na réimsí ina mbíonn feidhm ag ceanglais na ngealltanas sin: *Comhfhreagras, Comhfhreagras Ginearálta, Gach Bunachar Sonraí, Chun críocha oifigiúla agus Gach gné dá cuid oibre.*

De réir sainmhíneithe is ionann *“comhfhreagras”* agus modh cumarsáide a chuirtear i gcrích trí mhalartú nó babhtáil litreacha, ríomhphost etc. Bhí mé sásta, mar sin, go raibh argóint na Comhairle Contae – nach *“comhfhreagras”* ná *“comhfhreagras ginearálta”* tvuíteanna arna n-eisiúint aici ar a tionscnamh féin chun eolas a scaipeadh – bailí.

Nuair atá bóthar poiblí le dúnadh, ní foláir fógra rúin a fhoilsiú i gceann amháin, nó níos mó, de na páipéir nuachta a bhíonn á léamh sa chomharsanacht sin. Is léir gurb é cuspóir nó *“críoch”* na forála sin daoine a ndéanadh dúnadh an bhóthair difear dóibh (nó a bhféadfadh sé difear a dhéanamh dóibh) a chur ar an eolas faoina bhfuil beartaithe.

Ar an tsli chéanna, foráiltear sa chonradh idir an Chomhairle Contae agus Uisce Éireann nach mór don Chomhairle aon bhriseadh ar an soláthar uisce a bheartaítear nó a tharlaíonn

of tweets could not be included as one of those functions. The County Council maintained that tweets were not official correspondence for the purpose of the language scheme, and indeed that they were not correspondence in any way. The County Council maintained that tweets are not used for official purposes.

It was confirmed in the Council's response of 15 November that the Council intended to continue issuing tweets in Irish or bilingual tweets where possible, especially tweets concerning the Gaeltacht. It was explained, however, that circumstances and practical constraints prevent that sometimes.

“ These were tweets the Council issued to broadcast information which concerns its functions and actions as a local authority ...

There is no arguing that the County Council issues tweets in Irish on various subjects concerning the life of the County: festivals, conferences, art exhibitions, weather warnings and much more. The complaints made to me, however, belonged to a specific category of tweets. These were tweets the Council issued to broadcast information which concerns its functions and actions as a local authority – as a roads authority and as an agency or contractor on behalf of Irish Water.

The areas in which these commitment requirements function is mentioned specifically in those three commitments: *Correspondence, General Correspondence, All of the Council's databases, For official purposes and Every aspect of its work.*

According to definitions *“correspondence”* means a method of communication which is carried out by the exchange or trading of letters, e-mails etc. I was satisfied, therefore, that the argument put forward by the County Council – that the tweets it issued on its own initiative were not *“correspondence”* or *“general correspondence”* – was valid.

When public roads are to be closed, a notice of intention must be published in one or more of the newspapers that are read in that locality. It is apparent that the objective or *“purpose”* of that provision is to inform those people to whom the road closure would or could make a difference of the measures that are to be taken.

In the same way, there is a proviso in the contract between the County Council and Irish Water that the Council must inform Irish Water in a timely manner of any proposed break in

gan choinne a chur in iúl d'Uisce Éireann go tráthúil ionas gur féidir eolas a chur ar fáil do chustaiméirí trí lárionad teagmhála custaiméirí na heagraíochta sin.

Is críocha oifigiúla iad lucht úsáidte na mbóithre ábhartha agus lucht úsáidte an tsoláthair uisce a chur ar an eolas faoina bhfuil ag tarlú nó a bhfuil beartaithe agus modh cumarsáide éifeachtach chun na gcríoch sin is ea *Twitter*. Tá fianaise i bhfoilseacháin éagsúla de chuid na Comhairle a thabharfadh le fios gurb é sin dearcadh agus cur chuige na Comhairle Contae féin. Pé acu cumarsáid neamhfhoirmiúil nó cumarsáid oifigiúil atá i gceist, is cumarsáid iad tuíteanna arbh fhéidir an-tábhacht agus “*gá*” agus “*práinn*” a bheith ag baint leo dar leis an gComhairle féin. Is gné dá cuid oibre iad.

I bhfreagra na Comhairle Contae dar dáta an 15 Samhain 2018 ar an dréacht-tuarascáil, soiléiríodh go dtagraítear d'eisiúint tuíteanna i gcáipéisí éagsúla dá cuid toisc go n-aithnítear gur saghas cumarsáide neamhfhoirmiúla a bhí sna tuíteanna bíodh is nach nglactar leis gur cumarsáid oifigiúil iad.

“ ... más é leas na Gaeilge mar theanga phobail cumarsáid a dhéanamh i nGaeilge nó go dátheangach, is é a haimhleas gan é sin a dhéanamh.

Nuair a roghnaítear cumarsáid a dhéanamh le pobal na Gaeltachta i mBéarla amháin, táthar ag deimhniú fheidhmiúlacht an Bhéarla sna gnóthaí lena mbaineann an chumarsáid sin agus neamhfheidhmiúlacht na Gaeilge. Táthar ag normalú an Bhéarla mar phríomhtheanga chumarsáide agus an teanga is éifeachtaí le gnóthaí a dhéanamh leis an rialtas áitiúil agus institiúidí riaracháin eile a bhfuil pobal na Gaeltachta ag brath orthu. I mbeagán focal, más é leas na Gaeilge mar theanga phobail cumarsáid a dhéanamh i nGaeilge nó go dátheangach, is é a haimhleas gan é sin a dhéanamh.

Thagair an Chomhairle do dheacrachtaí a d'fhéadfadh a bheith ag baint le tuvit dhátheangach a eisiúint go tráthúil i gcásanna tromchúiseacha a mbíonn práinn ag baint leo. Níltear ag éileamh go gcuirfí aon duine i mbaol trí chomhlíonadh gealltanais de chuid scéime teanga nó go rachadh a gcomhlíonadh chun aimhleas aon duine. Sa chás go n-aithneofaí go raibh dualgas reachtúil ann tuíteanna áirithe a bhaineann leis an nGaeltacht a eisiúint go dátheangach agus na leaganacha oifigiúla Gaeilge de logainmneacha Gaeltachta a úsáid iontu, níorbh fhál go haer socruithe a chur i bhfeidhm ionas go bhféadfaí téacs tuíte a aistriú ar an bpointe nó gan mórán moille, go mór mór nuair a chuirtear san áireamh a theoranta agus a bhíonn líon na gcarachtar.

the water supply, or of any unexpected break, so that information may be provided to customers through that organisation's central customer contact unit.

Informing the relevant road users and the users of the water supply of what has happened or what is proposed is an official purpose, and *Twitter* is an effective method of communication for that purpose. There is evidence in several of the Council's own publications which would give one to understand that this is the view and approach of the County Council itself. Whether it is an informal or formal communication, it is a communication to which “*need*” and “*urgency*” could attach, in the Council's own view. It is an aspect of its work.

In the County Council's response to the draft report of 15 November 2018, it was clarified that the issuing of tweets is referred to in various Council documents because it is recognised that tweets are a form of informal communication, although it is not accepted that they are official communications.

“ In short, if it benefits the Irish language as a community language to communicate in Irish or bilingually, it is to its detriment not to do so.

When it is decided to communicate with a Gaeltacht community in English only, the functionality of English in the affairs to which the communication refers is confirmed, as is the non-functionality of Irish. English is being normalised as the main language of communication and as the most effective language in which to conduct business with the local authority and other administrative institutions on which the Gaeltacht community relies. In short, if it benefits the Irish language as a community language to communicate in Irish or bilingually, it is to its detriment not to do so.

The Council referred to difficulties which could arise with issuing bilingual tweets in a timely manner in urgent or serious cases. Nobody is seeking to endanger people's lives through the fulfilment of a provision of a language scheme, or to fulfil it to the detriment of any person. Where it is identified that there is a statutory obligation to issue certain tweets concerning the Gaeltacht bilingually and to use the official Irish versions of placenames in those tweets, it would not be insurmountable to put arrangements in place so that the text of tweets could be translated immediately or without much delay, especially when the limits in the number of characters allowed are taken into account.

Príomh-mholtaí an Imscrúdaithe:

- Go gcuirfeadh Comhairle Contae na Gaillimhe na socruithe cuí i bhfeidhm lena gcinnteofaí gurb iad na logainmneacha oifigiúla Gaeltachta a úsáidfear feasta sna leaganacha Béarla nó Gaeilge de tvuíteanna agus gur i nGaeilge, nó i nGaeilge agus i mBéarla, a bheadh an téacs i dtvuíteanna atá dírithe ar cheantar nó ar phobal Gaeltachta.
- Go gcuirfí an fhoireann chuí ar an eolas faoi fhionnachtana an imscrúdaithe agus faoi na socruithe a bheidh á gcur i bhfeidhm agus a dtagraítear dóibh thuas, agus go gcuirfeadh an Chomhairle Contae eolas ar fáil don Oifig seo maidir leis na socruithe agus na nósanna imeachta atá i gceist.

Imscrúdú seolta: 30 Aibreán 2018

Tuarascáil eisithe: 29 Samhain 2018

Main Recommendations of the Investigation:

- That Galway County Council put in place the appropriate arrangements to ensure that the official versions of Gaeltacht placenames are used in future in tweets in Irish or in English and that any tweets concerning Gaeltacht areas or communities would in future be issued in Irish or bilingually.
- That the appropriate staff be informed of the findings of the investigation and of the arrangements referred to above that are to be put in place, and that the County Council inform this Office of those arrangements and practices.

Investigation launched: 30 April 2018

Report issued: 29 November 2018

GalwayCountyCouncil @GalwayCoCo · Feb 25
Tá an cruinniú míosúil de mhí Feabhra de chuid @GalwayCoCo tagtha chun críche. #CruinniunaComhairle #Gaillimh
The February monthly meeting of the Plenary Council has now concluded #CouncilMeeting #Galway

GalwayCountyCouncil @GalwayCoCo · Feb 25
Plean Seachadta Seirbhíse Chomhairle Chontae na Gaillimhe 2019, lena n-áirítear Clár Bliantúil na mBóithre 2019 glactha ag #CruinniunaComhairle anseo. #Gaillimh
GCC Service Delivery Plan 2019 including the Annual Roads Programme 2019 has been adopted #CouncilMeeting #Galway

GalwayCountyCouncil @GalwayCoCo · Feb 25
Cúrsaí buiséid idir lámha anois...Coigeartú Caiteachais maidir le Buiséad 2019. Plé i measc na gComhairleoirí faoi láthair #CruinniunaComhairle #Gaillimh
Noting of Expenditure Adjustment in respect of Budget 2019. Discussion amongst the Councillors #CouncilMeeting #Galway

Translate Tweet

GEARÁIN

Le linn na bliana seo fuair m'Oifig nach mór an líon céanna gearán (634) agus a fuair sí le linn na bliana 2017 (638). Bhain os cionn 90% de na gearáin le cúig réimse faoi leith:

- forálacha i scéimeanna teanga
- comharthaíocht agus stáiseanóireacht
- freagra i mBéarla ar chumarsáid i nGaeilge
- comharthaí bóthair, agus
- fadhb le húsáid ainmneacha agus sloinntí i nGaeilge

Cuimsíonn scéimeanna teanga réimse leathan seirbhísí atá á dtabhairt ag os cionn 130 comhlacht poiblí agus dá bhrí sin ní díol iontais go mbaineann an líon is airde gearán leis an réimse seo. Ní díol iontais ach an oiread go mbaineann sciar chomh suntasach sin de na gearáin le comharthaíocht agus stáiseanóireacht de bharr a fheiceálaí is a bhíonn siad agus go mbaineann an dualgas le gach comhlacht poiblí a thagann faoi scáth an Achta. Ní thagann comharthaí bóthair faoi bhrí na Rialachán atá déanta faoi Acht na dTeangacha Oifigiúla ach mar sin féin tá sé d'údarás agam aon ghearán a bhaineann le húsáid na dteangacha oifigiúla ar chomharthaí bóthair den chineál sin a imscrúdú.

Tá sé le tabhairt faoi deara gur tháinig méadú ar an gcéatadán de na gearáin a bhain le freagra i mBéarla a fháil ar chumarsáid i nGaeilge agus deacrachtaí a bhí ag daoine a n-ainm agus a sloinne a úsáid i nGaeilge. Is bunseirbhísí iad seo ba cheart a bheith i bhfeidhm ag gach comhlacht poiblí faoin tráth seo. Cuireann sé díomá orm nach bhfuil ar chumas córas ríomhaireachta de chuid comhlachtaí poiblí an síneadh fada a láimhseáil go fóill. Ó tharla nach bhfuil aon fhoráil ábhartha san Acht a bhaineann le húsáid ainm, sloinne agus seolta i nGaeilge ní thagann aon cheist chun cinn maidir le neamhchomhlíonadh reachtaíochta teanga ach amháin má thagann gealltanais scéime teanga i gceist. Léiríonn na deacrachtaí seo a thábhachtaí is atá sé go bhfeidhmeofaí an moladh atá déanta i gceanntedil an Bhille nua maidir le taifeadadh cruinn a dhéanamh ar ainmneacha agus seoltaí i nGaeilge.

Thairis sin níor tháinig aon athrú suntasach ar na cineálacha gearán a fuair m'Oifig ná go deimhin ar na contaetha as ar tháinig siad. Is ó ghearánaithe atá ina gcónaí i mBaile Átha Cliath a tháinig bunáite an tríú cuid de na gearáin. Tháinig líon suntasach gearán ó dhaoine a chónaíonn i gcontaetha na Gaillimhe, Chill Chainnigh, Chiarraí agus na Mí. Fearacht blianta eile tháinig 20% de na gearáin as ceantair Ghaeltachta.

Réitíonn m'Oifig formhór na ngearán a fhaightear tríd an gcóras neamhfhoirmiúil imscrúdaithe. I gcásanna den chineál seo cuireann an comhlacht poiblí moltaí sásúla os ár gcomhair chun aghaidh a thabhairt ar ábhar an ghearáin. Mura mbíonn

COMPLAINTS

My Office received a comparable number of complaints in 2018 (634) as were received in 2017 (638). Over 90% of the complaints related to five particular areas:

- provisions contained in language schemes
- signage and stationery
- response in English to communications in Irish
- road signs, and
- difficulty in using names and surnames in Irish

Language schemes cover a wide variety of services provided by over 130 public bodies and therefore it is not surprising that the highest number of complaints relate to this area. Neither is it surprising that a significant number of complaints relate to signage and stationery given their visibility and that the obligations relate to every public body covered by the Act. Road signs are not covered by the Regulations made under the Official Languages Act but I do have the authority to investigate the use of the official languages on such signs.

It is noticeable that there was an increase in the percentage of complaints received relating to responses in English to correspondence in Irish and difficulties people had using their name and surname in Irish. These are basic services that should be in place by all public bodies by now. I'm disappointed that computer systems operated by some public bodies remain incapable of handling the *síneadh fada*. As there is no relevant provision in the Act relating to using a name, surname and address in Irish, an issue of noncompliance with language legislation does not arise other than where a commitment is given in a language scheme. These difficulties highlight the importance of bringing into effect the recommendations made in the heads of the new Bill regarding the accurate recording of names and addresses in Irish.

Other than that there were no significant changes regarding the types of complaints received by my Office or the counties of origin. Almost a third of all complaints originated from complainants living in Dublin. A significant number of complaints were received from people living in counties Galway, Kilkenny, Kerry and Meath. Similar to other years 20% of complaints came from Gaeltacht regions.

My Office resolves the majority of complaints through the informal complaints process. In cases such as these the public body makes satisfactory proposals to deal with the complaint. If our efforts do not yield a satisfactory outcome I

aon toradh sásúil ar na hiarrachtaí seo tá sé de chumhacht agam imscrúdú foirmiúil a thionscnamh chun teacht ar fhionnachtana agus moltaí. Tugtar eolas sa Tuarascáil seo ar roinnt cásanna samplacha ar léadh leo tríd an bpróiseas neamhfhoirmiúil imscrúdaithe. Is fearr i bhfad go réiteofaí gearáin tríd an bpróiseas seo mar gheall ar an méid ama agus acmhainní a thagann i gceist ní hamháin do m'Óifig féin ach don chomhlacht poiblí chomh maith sa chás go dtionscnaítear imscrúdú foirmiúil.

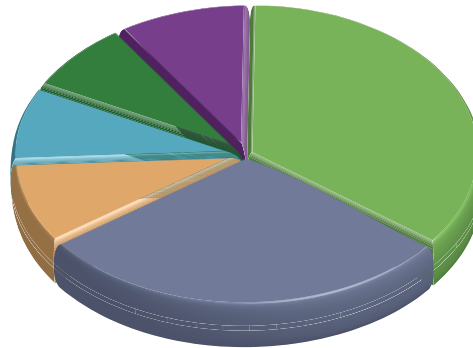
have the authority to initiate a formal investigation in order to make findings and recommendations. Information is provided in this Report on certain sample cases that were dealt with through the informal complaints process. Resolving complaints through this process is far preferable owing to the time and resources that a formal investigation entails not only for my Office but also for the public body concerned.

Gearáin: Deacrachtaí agus Fadhbanna – Staitisticí Complaints: Difficulties and Problems – Statistics

Gearáin le linn 2018 Complaints during 2018



| | 2017 | 2018 |
|--------------------------------------|------------|------------|
| Gearáin <i>Complaints</i> | 345 | 328 |
| Comhairle tugtha <i>Advice given</i> | 293 | 306 |
| Iomlán <i>Total</i> | 638 | 634 |

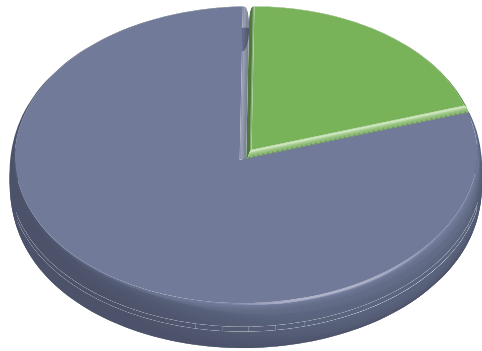
Céatadán na ngearán de réir cineáil Percentage of complaints by type



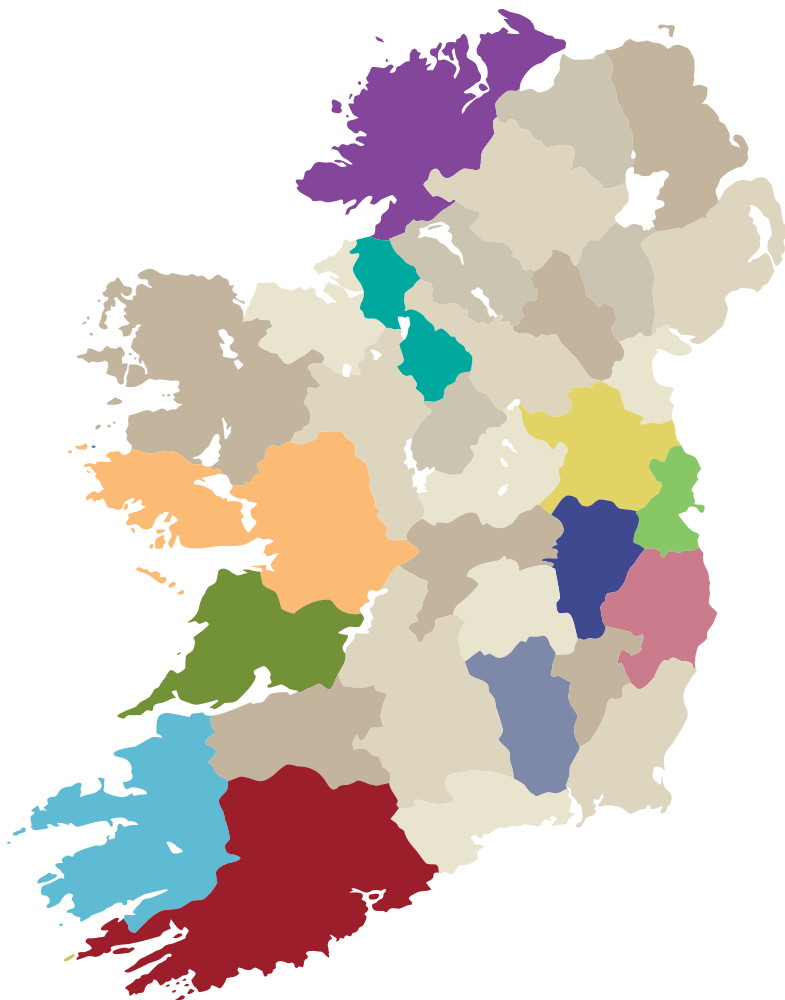
| | 2017 | 2018 |
|---|-------------|-------------|
| Foráil de scéim teanga (san áireamh: cártaí aitheantais, suíomhanna gréasáin agus foirmeacha) <i>Provision of a language scheme (including identity cards, websites and forms)</i> | 33.9% | 35.5% |
| Easpa Gaeilge ar chomharthaíocht & stáiseanóireacht <i>Lack of Irish on signage and stationery</i> | 32.8% | 29.7% |
| Freagraí i mBéarla ar chumarsáid i nGaeilge <i>Replies in English to correspondence in Irish</i> | 8.2% | 9.0% |
| Easpa Gaeilge ar chomharthaí bóthair <i>Lack of Irish on road signs</i> | 8.0% | 8.5% |
| Fadhb le hainm agus/nó le seoladh i nGaeilge <i>Problem with use of name and/or address in Irish</i> | 5.3% | 8.0% |
| Achtacháin eile a bhaineann le stádas nó le húsáid na Gaeilge <i>Other enactments relating to the use or status of Irish</i> | 2.0% | 2.7% |
| Bileoga nó ciorcláin i mBéarla amháin <i>Leaflets or circulars in English only</i> | 1.4% | 0.8% |
| Foilsíú doiciméad áirithe <i>Publication of certain documents</i> | 1.1% | 1.4% |
| Eile (cúiseanna aonair) <i>Other (individual issues)</i> | 7.3% | 4.4% |
| Iomlán <i>Total</i> | 100% | 100% |












Gearáin: An Ghaeltacht agus lasmuigh den Ghaeltacht **Complaints: Gaeltacht and non-Gaeltacht**

| | 2017 | 2018 |
|---|-------------|-------------|
|  An Ghaeltacht <i>Gaeltacht</i> | 22% | 20% |
|  Lasmuigh den Ghaeltacht <i>Non-Gaeltacht</i> | 78% | 80% |
| iomlán Total | 100% | 100% |








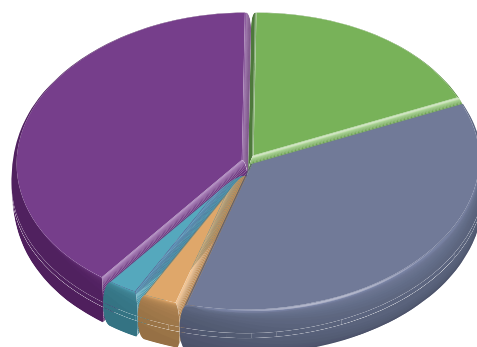
Gearáin de réir contae **Complaints by county**



| | 2017 | 2018 |
|--|-------------|-------------|
|  Baile Átha Cliath <i>Dublin</i> | 35.0% | 32.8% |
|  Cill Chainnigh <i>Kilkenny</i> | 15.0% | 16.5% |
|  Gaillimh <i>Galway</i> | 13.0% | 13.4% |
|  Ciarraí <i>Kerry</i> | 4.7% | 4.4% |
|  An Mhí <i>Meath</i> | 3.5% | 4.1% |
|  Dún na nGall <i>Donegal</i> | 4.4% | 3.1% |
|  Corcaigh <i>Cork</i> | 3.0% | 3.1% |
|  Cill Mhantáin <i>Wicklow</i> | 1.3% | 2.6% |
|  Liatroim <i>Leitrim</i> | 1.0% | 2.3% |
|  Cill Dara <i>Kildare</i> | 2.0% | 1.4% |
|  An Clár <i>Clare</i> | 1.7% | 1.4% |
| Lasmuigh den dlínse <i>Outside the jurisdiction</i> | 1.0% | 1.0% |
| Eile <i>Other</i> | 14.4% | 13.9% |
| iomlán Total | 100% | 100% |

Gearáin de réir cineál comhlachta phoiblí **Complaints by type of public body**

| | 2017 | 2018 |
|--|-------------|-------------|
|  Ranna & oifigí rialtais <i>Government departments & offices</i> | 13.6% | 18.5% |
|  Údaráis áitiúla <i>Local authorities</i> | 36.8% | 36.0% |
|  Údaráis sláinte <i>Health authorities</i> | 4.3% | 3.0% |
|  Údaráis oideachais <i>Education authorities</i> | 4.9% | 3.0% |
|  Eagraíochtaí eile stáit <i>Other state organisations</i> | 40.4% | 39.5% |
| Iomlán Total | 100% | 100% |



Samplaí de ghearáin a fiosraíodh in 2018

An Phríomh-Oifig Staidrimh



Rinneadh gearán le m'Oifig gur i mBéarla amháin a cuireadh ar fáil an bhileog eolais a bhí in úsáid ag an bPríomh-Oifig Staidrimh le linn di a bheith i mbun suirbhé sa Ghaeltacht. Is i mBéarla freisin a bhí an seoladh Gaeltachta ar an gclúdach litreach a bhain leis an suirbhé.

B'ábhar faoisimh don ghearánach go raibh Gaeilge líofa ag an té a bhí i mbun an tsuirbhé ach ceistíodh an chúis nach raibh an bhileog eolais agus an seoladh i nGaeilge freisin.

Ghlac an Phríomh-Oifig Staidrimh leis go mba chóir go gcuirfí leagan Gaeilge den bhileog eolais ar fáil le linn an agallaimh ó tharla go mba ann dá leithéid. Thug sí le fios dúinn go n-úsáidfí leagan dátheangach de bhileoga agus de litreacha dá cuid roimh dheireadh na bliana 2018. Idir an dá linn iarradh ar agallóirí a chinntiú go raibh an stoc cuí ar iompar acu.

Gheall sí freisin go ndéanfaí na leasuithe a bhí ag teastáil ar an gcóras ríomhaireachta chun go n-aithneofaí seoltaí Gaeltachta agus go gcinnteofaí go mbeadh na logainmneacha oifigiúla in úsáid go caighdeánach.

Examples of complaints examined in 2018

Central Statistics Office



My Office received a complaint that the information leaflet used by the Central Statistics Office while undertaking a survey in the Gaeltacht was made available in English only. The Gaeltacht address on an envelope relating to the survey was also in English.

The complainant was satisfied that the person conducting the interview had fluent Irish but questioned the reason for not having the information leaflet and address in Irish.

The Central Statistics Office accepted that the Irish version of the information leaflet should have been made available during the interview as one existed. It informed us that a bilingual version of its information leaflets and letters would be used before the end of 2018. In the meantime interviewers were requested to ensure they had the relevant stock with them.

It also promised that the necessary amendments would be made to the computer system to allow for the recognition of Gaeltacht addresses and to ensure that official placenames would be used as standard practice.

An tÚdarás Náisiúnta Iompair

Fuair an Oifig roinnt gearán maidir le húsáid an bhranda 'Transport for Ireland' ar bhusanna poiblí agus príobháideacha a bhí ag feidhmiú de réir conradh a bhí bronnta orthu ag an Údarás Náisiúnta Iompair (ÚNI). De réir na rialachán atá déanta faoi Acht na dTeangacha Oifigiúla tá dualgas ar chomhlachtaí poiblí comharthaí a bhíonn suite in aon suíomh a bheith i nGaeilge nó dátheangach. Tá díolúine ag lógó agus ainm branda, áfach. Glacadh leis dá réir nár tháinig an gearán seo faoi bhrí na rialachán sin.

Faoin Acht Iompair, 1950 leagtar dualgas ar chomhlachtaí Chóras Iompair Éireann (CIÉ) a gcuid buanchomharthaí a



bheith i nGaeilge nó dátheangach. Is ar an mbonn sin a d'fhiosraíomar an cheist le ÚNI sa mhéid agus go bhféadfaí a áitiú go raibh riachtanas á leagan ar chomhlachtaí de chuid CIÉ comhartha a úsáid a bhí i mBéarla amháin.

Tar éis dúinn an scéal a fhiosrú ba léir go raibh de chúram ar ÚNI ina reachtaíocht bhunaithe *"branda aonair iompair phoiblí a fhorbairt agus a chur i ngníomh"*. Níor éiligh an reachtaíocht orthu go mbeadh an branda sin i nGaeilge nó dátheangach. Ó tharla é a bheith faoi dhlínse feidhme ÚNI branda aonteangach a fhorbairt níor léir go raibh aon fhoráil teanga sáraithe.

Oifig na nOibreacha Poiblí

Cuireadh gearán faoi bhráid m'Oifige de bharr fógra do Stiúrthóir Páirce in Ionad an Bhlascaoid i nDún Chaoin, Co. Chiarraí a bheith i mBéarla amháin i nuachtán náisiúnta. Bhí tagairt déanta san fhógra poist do bhainistiú maoinne de chuid an Stáit ar *"the Great Blasket Island"*.



Níl aon rialachán déanta maidir le húsáid na dteangacha oifigiúla ar fhógraín. Dá thoradh sin ní raibh aon dualgas reachtúil ann go mbeadh an fógra i nGaeilge nó dátheangach. Bhí gealltanais ábhartha i scéim teanga na heagraíochta maidir le húsáid logainmneacha oifigiúla Gaeltachta, áfach.

Mar fhreagra ar an ngearán thug Oifig na nOibreacha Poiblí le fios gur cuireadh leagan Gaeilge den fhógra ar fáil sa nuachtán Gaeilge 'Seachtain' agus gur fógraíodh freisin i nGaeilge é ar an suíomh gréasáin www.publicjobs.ie. Sa bhreis air sin thug sí le fios go bhfeidhmíonn ionaid de chuid Oifig na nOibreacha Poiblí atá lonnaithe i gceantair Ghaeltachta trí Ghaeilge agus go mbeadh scrúdú scríofa agus labhartha á chur ar iomaitheoirí don phost seo chun a gcuid inniúlachta sa Ghaeilge a mheas.

National Transport Authority

The Office received a number of complaints in relation to the use of the brand 'Transport for Ireland' on public and private buses operating under a contract from the National Transport Authority (NTA). The regulations made under the Official Languages Act require that signs placed in any location by public bodies be in Irish or bilingual. However an exemption is provided for logos and brand names. As a result it was accepted that the complaint did not relate to the regulations.

The Transport Act 1950 requires that all permanent signs placed by Córas Iompair Éireann (CIÉ) companies are in Irish or



bilingual. It was on that basis that we examined the question with the NTA insofar that it could be viewed that CIÉ companies were being required to use signs that were in English only.

After examining the question it was apparent to us that the NTA was required under its founding legislation to provide for the *"development and implementation of a single public transport brand"*. That legislation did not require it to ensure that the brand was in Irish or bilingual. As the NTA had the authority to develop a monolingual brand it was not apparent that any language provision had been breached.

Office of Public Works

My Office received a complaint that an advertisement in a national newspaper for the position of Park Superintendent for Ionad an Bhlascaoid in Dún Chaoin, Co. Kerry was in English only. There was a reference in the advertisement to managing State-owned property on *"the Great Blasket Island"*.



No regulations have been made relating to the use of official languages on advertisements. As a result there was no statutory requirement that the advertisement be in Irish or bilingual. However, there was a provision in the organisation's language scheme relating to the use of official Gaeltacht placenames.

In response to the complaint the Office of Public Works informed us that an Irish version of the advertisement was placed in the Irish language newspaper 'Seachtain' and that it was also advertised in Irish on the website www.publicjobs.ie. In addition, it stated that sites owned by the Office of Public Works situated in Gaeltacht areas operate through Irish and that candidates for this position would be required to undertake an oral and written examination to assess their competence in Irish.



D'admhaigh sí go raibh botún déanta aici gan an logainm oifigiúil Gaeltachta, an Blascaod Mór, a bheith úsáidte aici san fhógra sa nuachtán Béarla. Eisíodh fógra oifige chuig gach ball foirne ag meabhrú an riachtanais go n-úsáidí na logainmneacha oifigiúla do cheantair Ghaeltachta.

Comhairle Contae na Gaillimhe



Comhairle Chontae na Gaillimhe
Galway County Council

Tharraing gearánach ár n-aird ar litir a fuair sé óna leabharlann áitiúil Ghaeltachta inar tugadh le fios dó go raibh an leabhar a bhí ordaithe aige ar fáil anois. Bhí an gearánach míshásta gur i mBéarla a bhí an litir agus gur siombailí a bhí in úsáid in áit sínte fada ar a sheoladh. Ina theannta sin bhí an nasc chuig a chuntas leabharlainne ar an leagan Gaeilge den suíomh gréasáin neamhfheidhmiúil.

Ghabh an Chomhairle leithscéal as an litir a bheith i mBéarla amháin agus cruthaíodh leagan Gaeilge atá le bheith in úsáid feasta. Chomh maith leis sin réitíodh an fhadhb a bhain leis na sínte fada agus cuireadh an nasc chuig an gcuntas ar líne ina cheart.

Thug an Chomhairle le fios dúinn go raibh iarrtha aici ar an nGníomhaireacht Bainistíochta Rialtais Áitiúil, atá freagrach as soláthar an chórais leabharlainne ar líne, go gcuirfí leagan Gaeilge den chóras ar fáil ach nach raibh sin déanta. Tá an Oifig ag plé an ábhair seo leis an nGníomhaireacht i bhfianaise gealltanais atá tugtha ina scéim teanga.

Bord Soláthair an Leictreachais

Le linn do Bhord Soláthair an Leictreachais (BSL) a bheith i mbun ceannáras nua a thógáil cuireadh cláir in airde ag an suíomh ina raibh idir eolas agus phoiblíocht á dhéanamh ar réimse oibre agus luachanna an chomhlachta. Rinneadh gearán linn gur i mBéarla amháin a bhí an t-eolas ar na cláir seo.



It admitted that it had made an error in not using the official Gaeltacht placename, An Blascaod Mór, in the advertisement in the English language newspaper. An office notice was issued to all staff members reminding them of the requirement to use official placenames for Gaeltacht areas.

Galway County Council



Comhairle Chontae na Gaillimhe
Galway County Council

A complainant drew our attention to a letter he received from his local Gaeltacht library informing him that the book he had ordered was now available. The complainant was unhappy that the letter was in English and that symbols were used in place of the *síneadh fada* on his address. In addition to this the link to his library account on the Irish version of the website was non-operational.

The Council apologised that the letter was in English only and an Irish version was created to be used henceforth. The issue relating to the use of the *síneadh fada* and the link to his online account were also resolved.

The Council informed us that it had asked the Local Government Management Agency, which is responsible for the provision of the online library system, to provide an Irish version of the system but that was not done. The Office is discussing this matter with the Agency in light of commitments made in its language scheme.

Electricity Supply Board

During the construction of its new headquarters the Electricity Supply Board (ESB) erected hoardings at the site that both contained information and publicised the activities and values of the company. We received a complaint that the information on the hoardings was in English only.



Pléadh an t-ábhar le BSL agus bhí sé den tuairim nach comharthaí a bhí i gceist leis na cláir seo ach ábhar margaióchta agus fógraíochta. Bhí na cláir curtha in airde de réir conradh a bhí déanta aige leis an ngnólacht tógála a bhí freagrach as an láithreán. Thug sé le fios dúinn go mbeadh costas suntasach i gceist lena n-athrú.

Tar éis roinnt plé a dhéanamh ar an ábhar mhol BSL go bhféadfadh sé roinnt de na cláir a bhí gan ábhar deartha a úsáid chun macasamhail an ábhair a chur ar fáil i nGaeilge. Cé nach raibh an spás ar fáil chun an líon céanna clár a chur ar fáil i nGaeilge ghlacamar le moladh BSL ar an tuisceant go gcloífi le riachtanais na Rialachán le linn d'obair den chineál seo a bheith ar bun amach anseo.

Comhairle Contae Dhún na nGall

Ní raibh ar chumas gearánaigh teacht ar an leagan Gaeilge d'fhoirm iarratais agus ábhar tacaíochta a bhain le feachtas earcaíochta a bhí ar siúl ag Comhairle Contae Dhún na nGall d'oifigeach foirne. Cuireadh an t-ábhar ar fáil don ghearánach nuair a lorgaíodh é ach bhí sé míshásúil go mba ghá an t-ábhar i nGaeilge a éileamh sa chéad áit.



Comhairle Contae Dhún na nGall
Donegal County Council

Tá gealltanais tugtha ag an gComhairle Contae ina scéim teanga go mbeidh fáil ag saoránaigh ar fhoirmeacha iarratais agus na bileoga a ghabhann leo sa teanga oifigiúil is rogha leo ar shuíomh gréasáin na heagraíochta.

Ghlac an Chomhairle leis nach raibh an t-ábhar cuí ar fáil sa chás seo nó gur lorgaíodh é agus gheall sí go ndéanfaí na socruithe is gá chun a chinntiú go mbeadh gach cáipéis earcaíochta, ar a n-áirítear foirmeacha iarratais, bileoga eolais agus fógraí, ar fáil go dátheangach ar shuíomh gréasáin na Comhairle feasta.

Thug m'Óifig le fios don Chomhairle go raibh dualgas soiléir le comhlíonadh aici agus go gcaithfí na socruithe a bhí molta a chur i bhfeidhm go seasmhach.

An Garda Síochána

Tá gealltanais tugtha ag an nGarda Síochána ina scéim teanga go mbeidh an t-ábhar statach ar a shuíomh gréasáin ar fáil sa dá theanga oifigiúla. De thoradh roinnt gearán agus an phróisis faireacháin a d'fheidhmigh m'Óifig bhíomar ar an eolas nach raibh an t-ábhar statach ar fad curtha ar fáil i nGaeilge.

Nuair a tugadh faoi deara go raibh suíomh athchóirithe seolta ag an nGarda Síochána b'ábhar iontais dom go raibh bearnaí go leor ann go fóill maidir leis an ábhar statach i nGaeilge. Chomh maith leis sin bhí sé le feiceáil go raibh roinnt botún i gcuid den ábhar a bhí foilsithe i nGaeilge.

The matter was discussed with the ESB and it was of the opinion that these were not signs but rather marketing and advertising material. The hoardings were erected under contract with the construction company that was responsible for the site. It informed us that a significant cost would attach to replacing them.

After discussing the matter further the ESB proposed that it could use some of the hoardings that did not contain any designed material to replicate the material in Irish. Although there wasn't sufficient space to provide an equal number of hoardings in Irish we accepted the ESB's proposal on the understanding that the requirements of the Regulations would be complied with for any similar work in the future.

Donegal County Council

A complainant was unable to access the Irish version of an application form and supporting documentation relating to a staff officer recruitment process undertaken by Donegal County Council. The information was provided to the complainant when requested but it was unsatisfactory that the material in Irish had to be requested in the first place.



Comhairle Contae Dhún na nGall
Donegal County Council

The County Council has committed in its language scheme to provide application forms and supporting documents to citizens on the organisation's website in their official language of choice.

The Council accepted that in this instance the relevant material wasn't provided until it was requested and it promised that the necessary arrangements would be made to ensure that all recruitment documents, including application forms, leaflets and advertisements, would be available bilingually on the Council's website henceforth.

My Office informed the Council that a clear obligation had to be complied with and that the proposed arrangements had to be applied consistently.


An Garda Síochána

An Garda Síochána has given a commitment in its language scheme to provide all the static content on its website in both official languages. Due to a number of complaints that we received and the monitoring process operated by my Office we were aware that some of the static content was not provided in Irish.

When it was noticed that An Garda Síochána had launched a revamped website I was surprised that there were a number of gaps in the static content provided in Irish. It was also noticeable that there were errors in some of the content published in Irish.



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 **An Garda Síochána**
Seirbhís Náisiúnta Póilíneachta agus Síandála na hÉireann

English

Cuardaigh

Fúinn Coireacht Seirbhísí Iaspartaigh Cosc ar Choireacht Póilíneacht Bóithre Gairmeacha Ionad Fáisnéise Déan Teagmháil Linn

Éigeandálaí
999 / 112
Éigeandálaí nó Coir ag Tarlú

Faire Tráchtá
1890 205805
Tuairiscí a dhéanamh ar theagmhais a bhainann le trácht

Coscairí Coireanna
1800 250025
Coireacht a thuireascú go hanaithnid

Stáisiún an Gharda Síochána
[Cuardaigh Stáisiún](#)

Inimirce
Gach rud a theastalonn uait a bheith agat faoi chlárú le INIS, Seirbhísí Eadóirseachta agus Inimirce na hÉireann.

Coir a Thuairiscíú
Eolas maidir le conas coir a thuairiscíú, seirbhísí tacaíochta o'fospartaigh.

Daoine ar Iarraidh
Evelyn Murray

Déileáladh leis na deacrachtaí seo tríd an bpróiseas neamhfhoirmiúil gearán idir comhfhreagras agus chruinnithe leis an nGarda Síochána. Aontaíodh clár ama agus cur chuige leis an nGarda Síochána a chinntigh go rabhtas ag cloí le gealltanais na scéime i dtréimhse réasúnach ama.

An Post

Fuair m'Óifig gearán gur thóg sé 21 lá ar phacáiste, a raibh an seoladh seachadta i nGaeilge air, ceann scríbe a bhaint amach. Nuair a shroich an pacáiste an seoladh bhí dhá ghreamán curtha air, ceann a thug le fios go raibh an seoladh mícheart in úsáid agus greamán eile a thug le fios gurbh é an leagan Béarla den seoladh an leagan ceart den seoladh.



D'ardaigh m'Óifig an gearán leis an bPost ar an mbonn go bhfuil gealltanais i scéim teanga an chomhlachta a dheimhníonn go dtiocfadh an caighdeán céanna seirbhíse i gceist don phostas beag beann ar an teanga oifigiúil ina mbíonn an seoladh scríofa.

D'admhaigh an Post go raibh an seoladh ceart ar an bpacáiste agus nár chóir na greamáin a bheith úsáidte ná an seoladh i mBéarla a bheith scríofa air ach an oiread. Gabhadh leithscéal leis an gcustaiméir as an méid a tharla. Meabhraíodh don fhoireann go mba chóir cloí leis na Nósanna Oibre Caighdeánacha i gcásanna go mbíonn aon amhras faoin seoladh. Pléadh dualgas an Phoist i leith seoltaí Gaeilge ag seimineár do bhainisteoirí an Phoist ina dhiaidh sin.

These issues were dealt with through the informal complaints process by way of correspondence and meetings with An Garda Síochána. A timeframe and approach was agreed with An Garda Síochána to ensure compliance with the scheme's commitments within a reasonable period of time.

An Post

My Office received a complaint that it took 21 days to deliver a package that had a delivery address in Irish. When the package reached its destination it had two stickers attached to it, one stating that an incorrect address had been used and another sticker indicating that the English version of the address was the correct one.



My Office raised the complaint with An Post on the basis that a commitment is made in the body's language scheme confirming that the same standard of postal service will apply regardless of the official language in which the address is written.

An Post accepted that the package was correctly addressed and that the stickers and the address in English should not have been used. The complainant received an apology for what had occurred. Staff were reminded that the Standard Operating Procedures should be applied where any doubt exists about an address. The obligation of An Post in relation to addresses in Irish were discussed during a seminar for managers at a later stage.

Feidhmeannacht na Seirbhíse Sláinte

Rinne duine teagmháil le m'Óifig maidir le suíomh gréasán nua a bhí forbartha ag Ospidéal na hOllscoile, Gaillimh, www.uhgmaternity.com, i gcomhair seirbhísí máithreachais. Is i mBéarla agus i bPolainnis a bhí an t-eolas ar an suíomh.

Rinne m'Óifig fiosrúcháin maidir leis an suíomh le Feidhmeannacht na Seirbhíse Sláinte agus tagairt á déanamh do ghealltanas atá tugtha ina scéim teanga do limistéar an iarthair. Bhain an gealltanas ina scéim le measúnú a dhéanamh ar thionchar teanga agus beartais nua á bhforbairt in iarracht seirbhísí a chur ar fáil sa dá theanga oifigiúla.

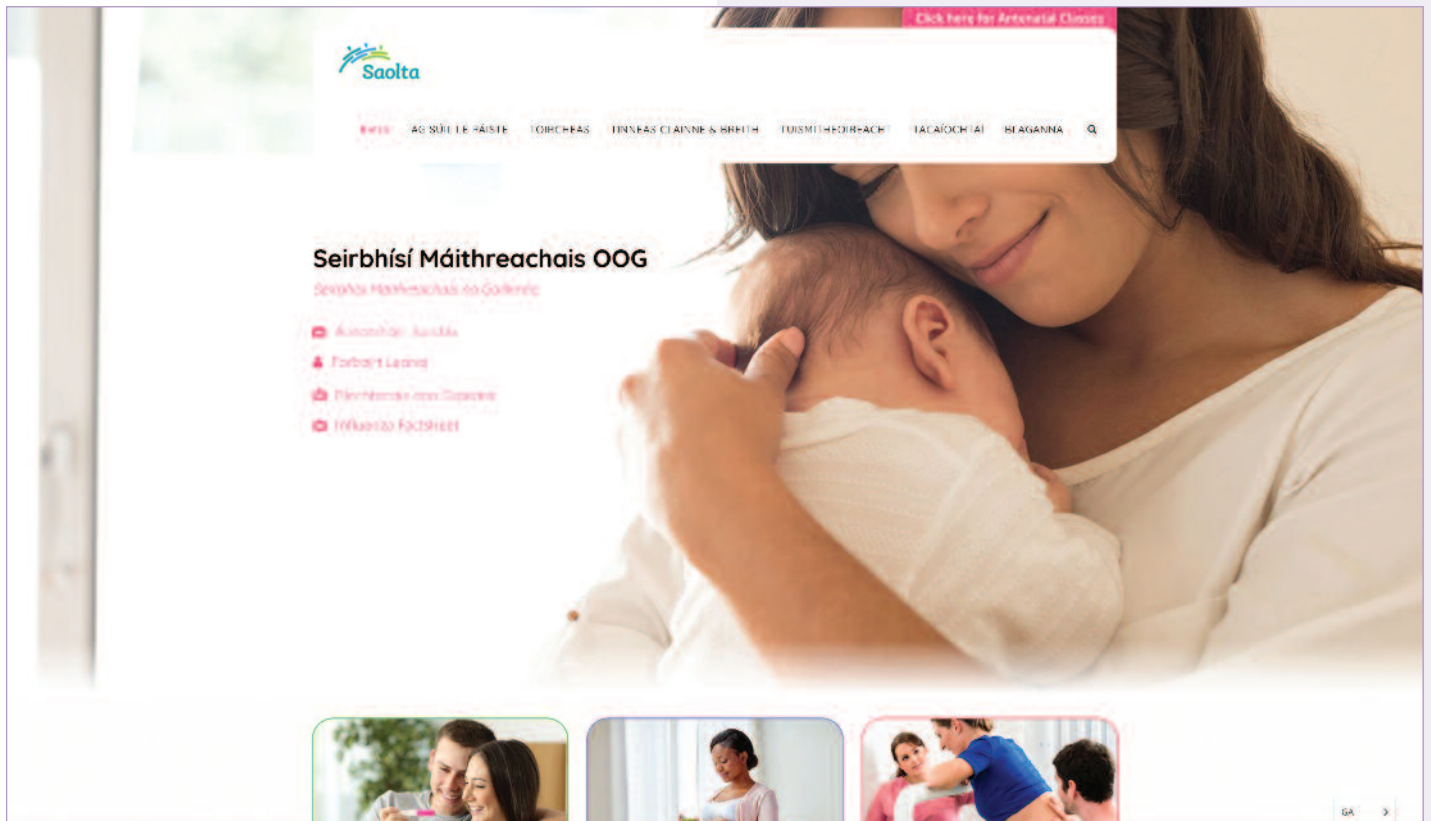
Mar fhreagra ar an bhfiosrúchán thug an Fheidhmeannacht le fios go gcuirfí ábhar ar fáil i nGaeilge ar an suíomh agus go raibh tús curtha leis an obair sin. Chomh maith leis sin d'úradh linn go raibh socrúithe curtha i bhfeidhm aici chun rogha teanga na n-othar agus iad ag teacht isteach san aonad máithreachais a aithint.

Health Service Executive

A person contacted my Office regarding a new website developed by University Hospital Galway, www.uhgmaternity.com, for maternity services. The information on the website was in English and in Polish.

My Office enquired with the Health Service Executive regarding the website, citing a commitment provided in its language scheme for the western region. The commitment in its scheme related to evaluating the language implications associated with the development of new services in an effort to provide services in both official languages.

In response to our enquiries the Executive informed us that the information would be provided on the site in Irish and that the work had already commenced. We were also told that arrangements were put in place to identify patients' language of choice on presenting at the maternity unit.



FAIREACHÁN

Le linn na bliana 2018, cuireadh tús le múnla nua faireacháin a chur i bhfeidhm inar leagadh tuilleadh béime ar obair iniúchta a bhí bunaithe ar théamaí éagsúla. Faoin múnla nua anois áirítear meascán de scéimeanna teanga, rialacháin agus dualgais dhíreacha faoin Acht seachas faireachán atá bunaithe go príomha ar scéimeanna teanga. Is ar fhorálacha Acht na dTeangacha Oifigiúla amháin a díriodh san obair faireacháin ó tharla nach bhfuil aon chumhacht agam faireachán a dhéanamh ar fhorálacha in aon achtachán eile a bhaineann le húsáid nó le stádas teanga oifigiúla.

An príomhchuspóir a bhí leis an obair faireacháin seo ná measúnú a dhéanamh ar chomhlíonadh na ndualgas teanga a bhain le gach réimse a scrúdaíodh. Ullmhaíodh plan iniúchta don bhliain inar cuireadh san áireamh ceithre mhór-réimse faireacháin. Is ar na réimsí oibre seo a leanas a díriodh an chuid is mó d'obair faireacháin na bliana:

- Iniúchadh ar líon na bpost atá sainaitheanta ag ranna rialtais lena mbaineann riachtanas Gaeilge
- Iniúchadh ar úsáid na dteangacha oifigiúla ar chomharthaíocht ag suíomhanna oidhreachta de chuid Oifig na nOibreacha Poiblí
- Faireachán ar chur i bhfeidhm gealltanais reachtúil áirithe de scéim teanga na heagraíochta, go príomha an gealltanais a bhaineann le suíomhanna gréasáin
- Faireachán ar chur i bhfeidhm moltaí imscrúdaithe

Tugtar léargas gairid sa tuarascáil seo ar na hiniúchtaí a rinne an Oifig le linn na bliana. Tá sé i gceist agam tuarascáil faireacháin a fhoilsiú níos deireanaí sa bhliain ina dtabharfar léargas níos iomláine ar an obair iniúchta a cuireadh i gcrích agus príomhthorthaí na n-iniúchtaí sin.

Iniúchadh ar earcú foirne le hinniúlacht sa Ghaeilge

Le linn na bliana scrúdaíodh an líon foirne le hinniúlacht sa Ghaeilge atá fostaithe ag ranna rialtais agus an líon post atá sainaitheanta lena mbaineann riachtanas Gaeilge. Éilíonn fo-alt 13(2)(c) den Acht nach mór do chomhlacht poiblí atá ag ullmhú scéim teanga a chinntiú *"go bhfuil líon leordhóthanach dá fhoireann inniúil sa Ghaeilge chun go mbeidh siad in ann a sheirbhís a sholáthar trí Ghaeilge chomh maith lena soláthar trí Bhéarla"*. Iarradh ar na ranna rialtais ar fad atá ag feidhmiú scéim teanga sonraí a chur ar fáil maidir leis an líon foirne le hinniúlacht sa Ghaeilge atá fostaithe acu. Tá scéim teanga daingnithe ag an Aire le gach roinn rialtas cé is moite de cheann amháin.

Léirigh torthaí an iniúchta gur ag leibhéal an-íseal, go ginearálta, atá an líon foirne atá ar fáil do ranna rialtais agus atá

MONITORING

During 2018, a new system of monitoring was introduced in which greater emphasis was placed on the audit work based on different themes. The new system incorporates a combination of language schemes, regulations and direct provisions under the Act rather than monitoring based primarily on language schemes. The monitoring work has focused only on the provisions of the Official Languages Act since I don't have the powers to monitor the provisions of any other enactment relating to the use or status of the Irish language.

The primary objective of the monitoring work is to evaluate the fulfilment of the language obligations in each area examined. An audit plan for the year was prepared and four major areas were included. Most of the year's audit work focused on the following areas:

- An audit of the number of posts identified by government departments with an Irish language requirement
- An audit of the use of the official languages on signage at heritage sites of the Office of Public Works
- Monitoring the implementation of certain statutory commitments given by an organisation in its language scheme, focusing primarily on the commitment regarding websites
- Monitoring the implementation of recommendations in investigations

A short insight is given in this report into the audits conducted by my Office this year. I intend publishing a monitoring report later in the year in order to provide a more detailed insight into the completed monitoring work and the main results of same.

Audit on the recruitment of staff with competence in Irish

During the year, the number of staff employed by government departments with competence in Irish and the number of specified posts requiring Irish language competency were examined. Under subsection 13(2)(c) of the Act, a public body when preparing a language scheme must *"ensure that an adequate number of its staff are competent in the Irish language so as to be able to provide its service through Irish as well as English"*. All government departments operating a language scheme were asked to provide details on the number of staff employed who were competent in Irish. The Minister has confirmed a language scheme with all government departments, with the exception of one.

The results of the audit showed that the number of staff available to government bodies who were competent in

in ann feidhmiú trí Ghaeilge. Tabharfar cuntas níos iomláine ar an modh oibre agus ar thorthaí an iniúchta sa tuarascáil faireacháin.

Iniúchadh ar chomharthaíocht ag suíomhanna oidhreachta

Sna Rialacháin (I.R. 391 de 2008) atá déanta faoi fho-alt 9(1) d'Acht na dTeangacha Oifigiúla, 2003, leagtar dualgais áirithe ar gach comhlacht poiblí a thagann faoi scáth an Achta maidir le húsáid na dteangacha oifigiúla i dtaca le stáiseanóireacht, comharthaíocht agus fógairtí taifeadta béil.

Mar chuid d'obair iniúchta na bliana seo, socraíodh iniúchadh a dhéanamh ar úsáid na dteangacha oifigiúla ar chomharthaíocht atá in úsáid ag deich láthair oidhreachta de chuid Oifig na nOibreacha Poiblí. Bhí sé mar chuspóir ag an iniúchadh seo teacht ar thuairim ghinearálta maidir le leibhéal géilliúlachta Oifig na nOibreacha Poiblí do na Rialacháin. Léirigh toradh na hoibre iniúchta go raibh leibhéal sásúil géilliúlachta i bhformhór na suíomhanna a scrúdaíodh in ainneoin nach bhféadfaí a dhearbhu go rabhthas ag cloí go hiomlán leis na Rialacháin i ngach cás.

Faireachán ar shuíomhanna gréasáin

I gclár iniúchta na hOifige socraíodh go scrúdófaí an bealach a bhfuil údaráis áitiúla ag cur i bhfeidhm na ngealltanais atá tugtha acu ina scéimeanna teanga maidir le hábhar a chur ar fáil i nGaeilge ar a suíomh gréasáin. Le linn na bliana seo, scrúdaíodh deich suíomh gréasáin agus leanfar leis an obair sin sna blianta amach romhainn. Is minic a bhíonn gealltanais dhifriúla tugtha sna scéimeanna teanga éagsúla, maidir leis an ábhar atá le cur ar fáil ar an suíomh gréasáin. Ciallaíonn sé seo nach mbíonn comóntacht le brath sa chineál ábhair a chuireann na húdaráis áitiúla éagsúla ar fáil i nGaeilge.

Faireachán ar chur i bhfeidhm moltaí imscrúdaithe

Faoi Acht na dTeangacha Oifigiúla, tá sé de chúram ar an gCoimisinéir Teanga tuarascáil a chur faoi bhráid gach Tí den Oireachtas má fheictear dó/di nach bhfuil moltaí a rinne sé/sí i dtuarascáil imscrúdaithe á gcur i ngníomh ag comhlacht poiblí, i ndiaidh do thréimhse réasúnach ama a bheith caite. Is í seo an chéim dheireanach atá ar fáil dom faoin Acht nuair nach gcloíonn comhlacht poiblí leis na moltaí a dhéantar i dtuarascáil imscrúdaithe.

Le linn na bliana 2018 scrúdaigh m'Oifig an bealach ar chuir sé chomhlacht poiblí na moltaí a rinneadh i dtuarascálacha imscrúdaithe i bhfeidhm.

Tabharfar cuntas níos iomláine ar an modh oibre a leanadh agus ar na torthaí iniúchta a bhain le gach réimse sa tuarascáil faireacháin a fhoilseofar níos deireanaí sa bhliain.

performing their work through Irish is, in general, at a very low level. A more complete account of the method and the results of this audit will be given in the monitoring report.

Audit on signs at heritage sites

In the Regulations (S.I. 391 of 2008) made under subsection 9(1) of the Official Languages Act 2003 certain obligations are placed on public bodies that come within the remit of the Act regarding the use of official languages on stationery, signage and recorded oral announcements.

As part of this year's audit work it was decided to conduct an audit on the use of the official languages on signage at ten heritage sites of the Office of Public Works. The objective of this audit was to come to a general opinion on the level of compliance of the Office of Public Works with the Regulations. The results of the audit showed that a satisfactory level of compliance was reached at most sites despite the fact that it could not be confirmed they were fully complying with the Regulations in all cases.

Monitoring of websites

In the Office's audit program it was decided to examine the way in which local authorities were implementing the commitments given by them in their language scheme regarding Irish language material on their websites. During this year ten websites were examined, and this work will continue into the years ahead. Often, different commitments are given in the various language schemes, regarding the material to be provided on the website. This means that there is no commonality in the kind of material in Irish provided by the various local authorities.

Monitoring the implementation of recommendations of an investigation

Under the Official Languages Act it is the responsibility of An Coimisinéir Teanga to submit a report to both Houses of the Oireachtas if he/she is of the opinion that the recommendations of an investigation are not being implemented by a public body, after a reasonable period of time has passed. This is the final step available to me under the Act when a public body does not comply with the recommendations made in an investigation report.

During 2018, my Office examined the way six public bodies implemented the recommendations made in the investigation reports.

A more detailed account of the methodology and the audit results of all areas examined will be contained in the monitoring report to be published later this year.

SCÉIMEANNA TEANGA

Scéimeanna daingnithe

Dhaingnigh an tAire Cultúir, Oidhreachta agus Gaeltachta cúig chéadscéim teanga, ocht ndara scéim teanga, ocht dtríú scéim teanga agus ceathrú scéim teanga amháin le linn na bliana 2018. Faoi dheireadh na bliana bhí 132 scéim teanga daingnithe agus i bhfeidhm. Tá liosta de na comhlachtaí poiblí a bhfuil scéim teanga daingnithe ag an Aire ina leith le fáil ar shuíomh gréasáin na hOifige – www.coimisineir.ie

Scéimeanna in éag

Bhí 67 scéim teanga, as 132 san iomlán, imithe in éag faoi dheireadh na bliana 2018. In éagmais scéim teanga nua a bheith aontaithe ag na comhlachtaí poiblí, ní raibh aon dualgas orthu na seirbhísí a chuirtear ar fáil don phobal trí Ghaeilge a threisiú.

Dréachtscéimeanna

Ag deireadh na bliana 2018, bhí 115 dréachtscéim teanga fós le daingniú ag an Aire Cultúir, Oidhreachta agus Gaeltachta:

- 43 céad-dréachtscéim, 40 dara dréachtscéim, 23 tríú dréachtscéim, 9 gceathrú dréachtscéim.

Tá os cionn deich mbliana caite ó iarradh ar shé cinn de na comhlachtaí poiblí sin scéim a ullmhú agus os cionn cúig bliana i gcás 42 comhlacht poiblí eile.

LANGUAGE SCHEMES

Schemes confirmed

The Minister for Culture, Heritage and the Gaeltacht confirmed five new language schemes, eight second language schemes, eight third language schemes and one fourth language scheme during 2018. By the end of the year, 132 language schemes were confirmed and implemented. A list of public bodies with language schemes confirmed by the Minister is available on this Office's website – www.coimisineir.ie

Schemes expired

Of the 132 language schemes, 67 had expired by year-end 2018. This meant that, in the absence of a new language scheme, no additional commitments in relation to improved services in Irish were required of those public bodies.

Draft schemes

By the end of 2018, 115 draft language schemes remained to be confirmed by the Minister for Culture, Heritage and the Gaeltacht:

- 43 first draft schemes, 40 second draft schemes, 23 third draft schemes, 9 fourth draft schemes.

More than ten years have elapsed since six of these public bodies were asked to prepare a scheme and more than five years in the case of another 42 public bodies.

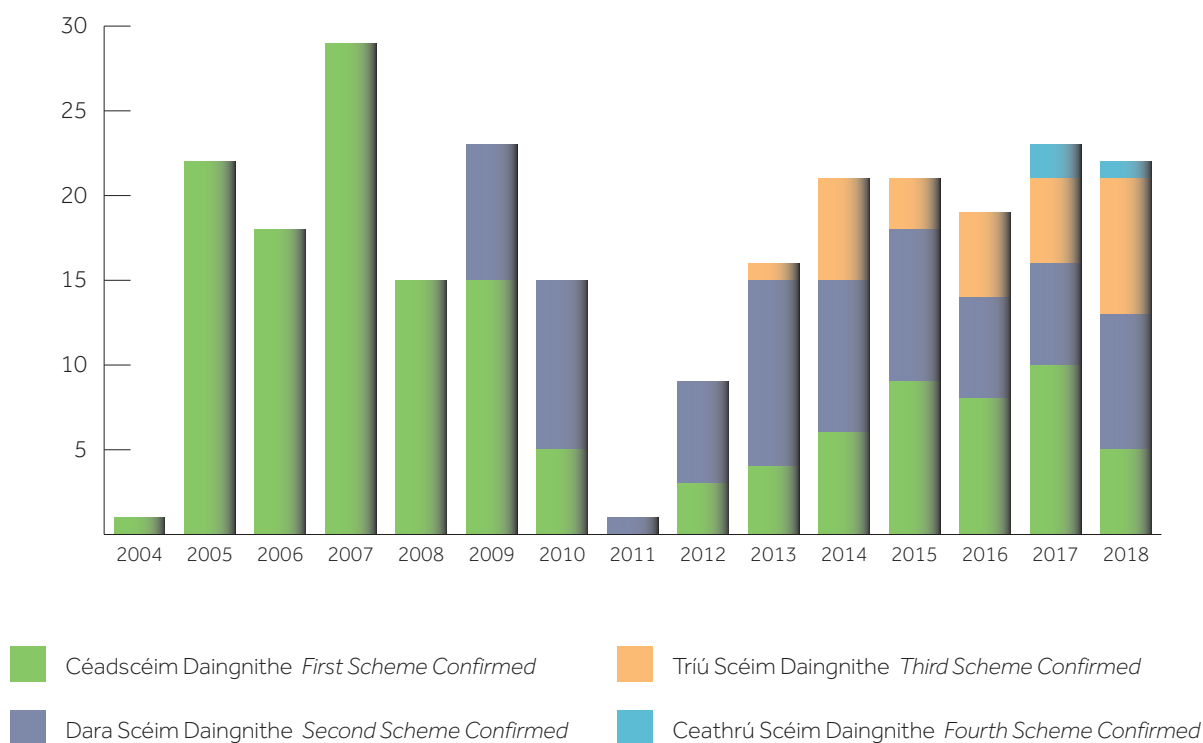
Áine Lawlor (IarStiúrthóir na Comhairle Múinteoireachta); an Coimisinéir Teanga, Rónán Ó Domhnaill; agus an Dr Teresa O'Doherty (Uachtarán Institiúid Oideachais Marino) ag ócáid seolta an Bhaitsiléara san Oideachas trí Mheán na Gaeilge in Institiúid Oideachais Marino. *Áine Lawlor (former Director of the Teaching Council); An Coimisinéir Teanga, Rónán Ó Domhnaill; and Dr Teresa O'Doherty (President of Marino Institute of Education) at the launch of the Bachelor of Education in Irish at Marino Institute of Education.*



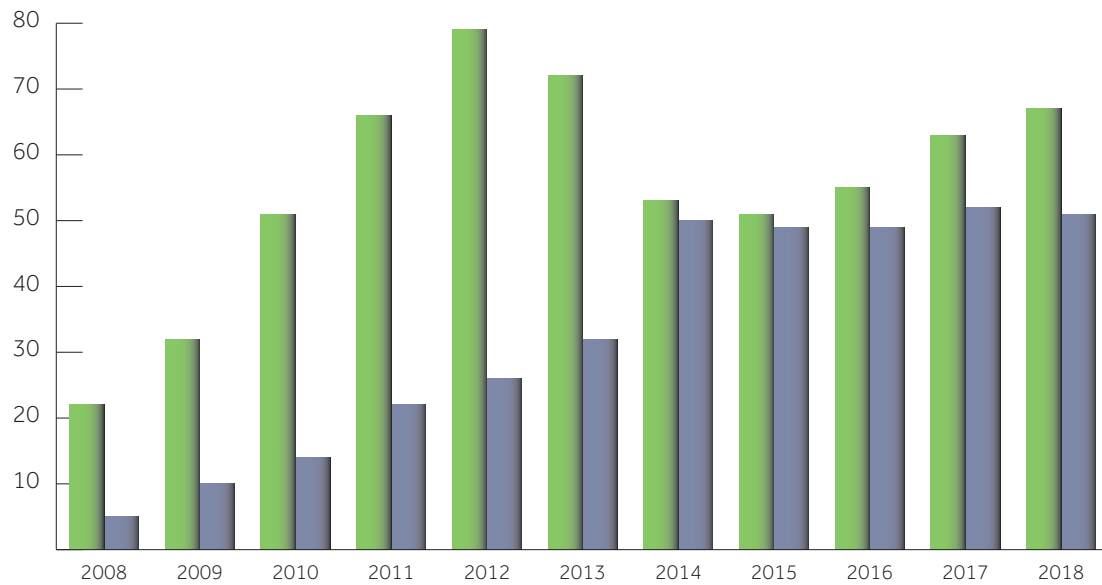
Bliain inar daingníodh an chéad Scéim Teanga Year in which first Language Scheme was confirmed

| Bliain Year | Scéimeanna Schemes |
|---|--------------------|
| 2004 | 1 |
| 2005 | 22 |
| 2006 | 18 |
| 2007 | 29 |
| 2008 | 15 |
| 2009 | 15 |
| 2010 | 5 |
| 2011 | 0 |
| 2012 | 3 |
| 2013 | 4 |
| 2014 | 6 |
| 2015 | 9 |
| 2016 | 8 |
| 2017 | 11 |
| 2018 | 5 |
| | 151 |
| Scéimeanna dímholta Schemes superseded | 2 |
| Scéimeanna as feidhm Lapsed schemes | 17 |
| Iomlán Total | 132 |

Scéimeanna Daingnithe ag an Aire Schemes Confirmed by the Minister

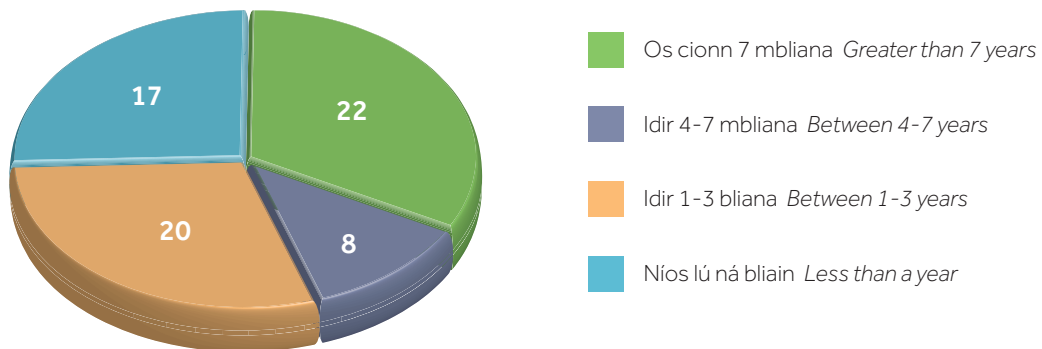


Scéimeanna imithe in éag Schemes expired



Scéimeanna imithe in éag Schemes expired Meántréimhse scéim in éag (mí) Average period scheme expired (month)

Líon na scéimeanna in éag de réir a dtréimhse in éag The number of schemes expired and the period since they expired



Tá eolas breise maidir leis na scéimeanna teanga daingnithe agus le hiarratais ar dhréachtscéimeanna a ullmhú le fáil ar shuíomh gréasáin Oifig an Choimisinéara Teanga ag www.coimisineir.ie

Additional information regarding confirmed language schemes and requests to prepare language schemes is available on the Office of An Coimisinéir Teanga website at www.coimisineir.ie

CÚRSAÍ AIRGEADAIS

Cuireadh buiséad €753,000 ar fáil don Oifig don bhliain 2018 agus tarraingíodh anuas €746,623 den airgead sin.

Tá ráitis airgeadais na hOifige don bhliain 2018 ullmhaithe don Ard-Reachtaire Cuntas agus Ciste lena n-íniúchadh de réir fho-alt 8(2) den Dara Sceideal d'Acht na dTeangacha Oifigiúla, 2003.

A luaithe agus is féidir tar éis an iniúchta, déanfaidh an Coimisinéir Teanga cóip de na cuntais sin, nó de cibé sleachta as na cuntais sin a shonróidh an tAire Cultúir, Oidhreachta agus Gaeltachta, mar aon le tuarascáil an Ard-Reachtaire Cuntas agus Ciste maidir leis na cuntais, a chur i láthair an Aire.

Beidh cóipeanna de na doiciméid sin á leagan faoi bhráid Thithe an Oireachtais ag an Aire. Foilseofar freisin iad ar shuíomh gréasáin na hOifige seo.

Íocaíochtaí Prasa

I gcomhréir le cinntí Rialtais a rinneadh ar an 2 agus an 8 Márta 2011 agus ar an 28 Márta 2017, leagadh dualgas ar eagraíochtaí stáit córais chuí a fheidhmiú ionas go n-íocfaí sonraisc bhailí laistigh de 15 lá ón dáta a fhaightear iad. Tá dualgas ar eagraíochtaí stáit chomh maith tuairisc ráithiúil maidir leis an ábhar seo a fhoilsiú ar a suíomh gréasáin.

FINANCIAL MATTERS

A budget of €753,000 was provided for my Office for 2018 and €746,623 of that money was drawn down.

The financial statements of the Office for 2018 have been prepared for audit by the Comptroller and Auditor General in accordance with subsection 8(2) of the Second Schedule of the Official Languages Act 2003.

As soon as possible after the audit, a copy of those accounts or of such extracts from those accounts as the Minister for Culture, Heritage and the Gaeltacht may specify shall be presented to the Minister together with the report of the Comptroller and Auditor General on the accounts.

Copies of those documents shall be laid before the Houses of the Oireachtas by the Minister. They will also be published on this Office's website.

Prompt Payments

In accordance with Government decisions made on the 2nd and 8th of March 2011 and on the 28th of March 2017, public bodies are required to have appropriate systems in place to ensure that valid invoices are paid within 15 days from the date they are received. Public bodies are also required to publish a quarterly report on this matter on their website.

Tuairisc ar Íocaíochtaí Prasa Prompt Payments Report

Tréimhse Clúdaithe: 1 Eanáir – 31 Nollaig 2018 *Period Covered: 1 January – 31 December 2018*

| Sonraí Details | Uimhir Number | Luach (€) Value (€) | Céatadán (%) de líon iomlán na n-íocaíochtaí a rinneadh Percentage (%) of total number of payments made |
|--|------------------|------------------------|--|
| Líon na n-íocaíochtaí a rinneadh laistigh de 15 lá <i>Number of payments made within 15 days</i> | 230 | 110,113 | 98% |
| Líon na n-íocaíochtaí a rinneadh laistigh de thréimhse idir 16 lá agus 30 lá <i>Number of payments made within a period of 16 days to 30 days</i> | 5 | 1,715 | 2% |
| Líon na n-íocaíochtaí a rinneadh sa bhreis ar 30 lá <i>Number of payments made in excess of 30 days</i> | | | |
| Líon iomlán na n-íocaíochtaí sa tréimhse Total number of payments made in the period | 235 | 111,828 | 100% |



Nochtadh Cosanta

Tá an t-eolas seo a leanas á thabhairt i gcomhréir le halt 22(1) den Acht um Nochtadh Cosanta, 2014.

Ní dhearnadh aon nochtadh cosanta le hOifig an Choimisinéara Teanga le linn na bliana 2018.

Protected Disclosure

The following information is provided in accordance with section 22(1) of the Protected Disclosures Act 2014.

No protected disclosures were made to the Office of An Coimisinéir Teanga during 2018.

ÚSÁID FUINNIMH

Tá an t-eolas seo a leanas á thabhairt i gcomhréir le forálacha I.R. 542 de 2009.

Forbhreathnú ar úsáid fuinnimh sa bhliain 2018

Baineann iomlán an fhuinnimh le leictreachas a úsáideann Oifig an Choimisinéara Teanga i bhfoirgneamh na hOifige sa Spidéal, Co. na Gaillimhe. Cuimsíonn sé sin an fuinneamh a úsáidtear i gcomhair théamh agus aerú an fhoirgnimh, téamh uisce, soilse agus trealamh oifige.

Sa bhliain 2018, d'úsáid Oifig an Choimisinéara Teanga 65.36 MWh leictreachais, ardú 5.3% ar úsáid na bliana 2017. Tá spás comónta an fhoirgnimh á roinnt le tionóntaí eile ó lár na bliana 2018. Baineann an t-ardú ar úsáid fuinnimh leis an méid fuinnimh a úsáideadh sa spás comónta sin.

Gníomhartha a rinneadh in 2018

Leanadh de na beartais a bunaíodh cheana: féachtar chuige go múchtar fearais oifige nuair nach mbíonn gá leo agus deimhnítear ag deireadh an lae oibre go bhfuil gach fearas múchta don oíche agus nuair nach mbítear san oifig. Cuirtear úsáid fuinnimh san áireamh mar chritéar nuair a bhíonn trealamh leictreonach á roghnú don oifig nó tairiscintí ar threalamh á meas.

Gníomhartha atá beartaithe do 2019

Leanfar de na beartais sábhála fuinnimh atá tionscanta cheana féin agus déanfar monatóireacht rialta ar úsáid leictreachais i gcaitheamh na bliana 2019.

ENERGY USAGE

The following information is provided in accordance with the provisions of S.I. 542 of 2009.

Overview of energy usage in 2018

The use of electricity in the office building in An Spidéal, Co. Galway constitutes the total energy consumption of the Office of An Coimisinéir Teanga. This includes the heating and aeration of the building, water heating, lighting and the use of office equipment.

In 2018, the Office of An Coimisinéir Teanga used 65.36 MWh of electricity, an increase of 5.3% on 2017 consumption. The building's reception area is being shared with other tenants since mid-2018. The rise in energy usage relates to the amount of energy used in that area of the building.

Actions taken in 2018

The established energy-saving practices were continued: ensuring that all equipment is turned off when not in use and examining the office at the end of every working day to ensure that lights and equipment are switched off overnight and when the building is not occupied. Energy consumption is used as a criterion in choosing electronic equipment and in evaluating tenders for equipment.

Actions planned for 2019

The Office will continue the energy-saving policies already initiated and it is intended to monitor electricity consumption on a regular basis during 2019.

FOIREANN STAFF



An Coimisinéir Teanga

Rónán Ó Domhnaill

Stiúrthóir *Director*

Colm Ó Coisdealbha

Bainisteoir Cumarsáide *Communications Manager*

Órla de Búrca

Bainisteoir Imscrúduithe *Investigations Manager*

Éamonn Ó Bróithe

Bainisteoir Géilliúlachta *Compliance Manager*

Eileen Seoighe

Bainisteoir Gnóthaí Corparáideacha *Corporate Affairs Manager*

Nóirín Sheoige

Oifigeach Feidhmiúcháin *Executive Officer*

Gráinne Ní Shúilleabháin

Oifigeach Feidhmiúcháin *Executive Officer*

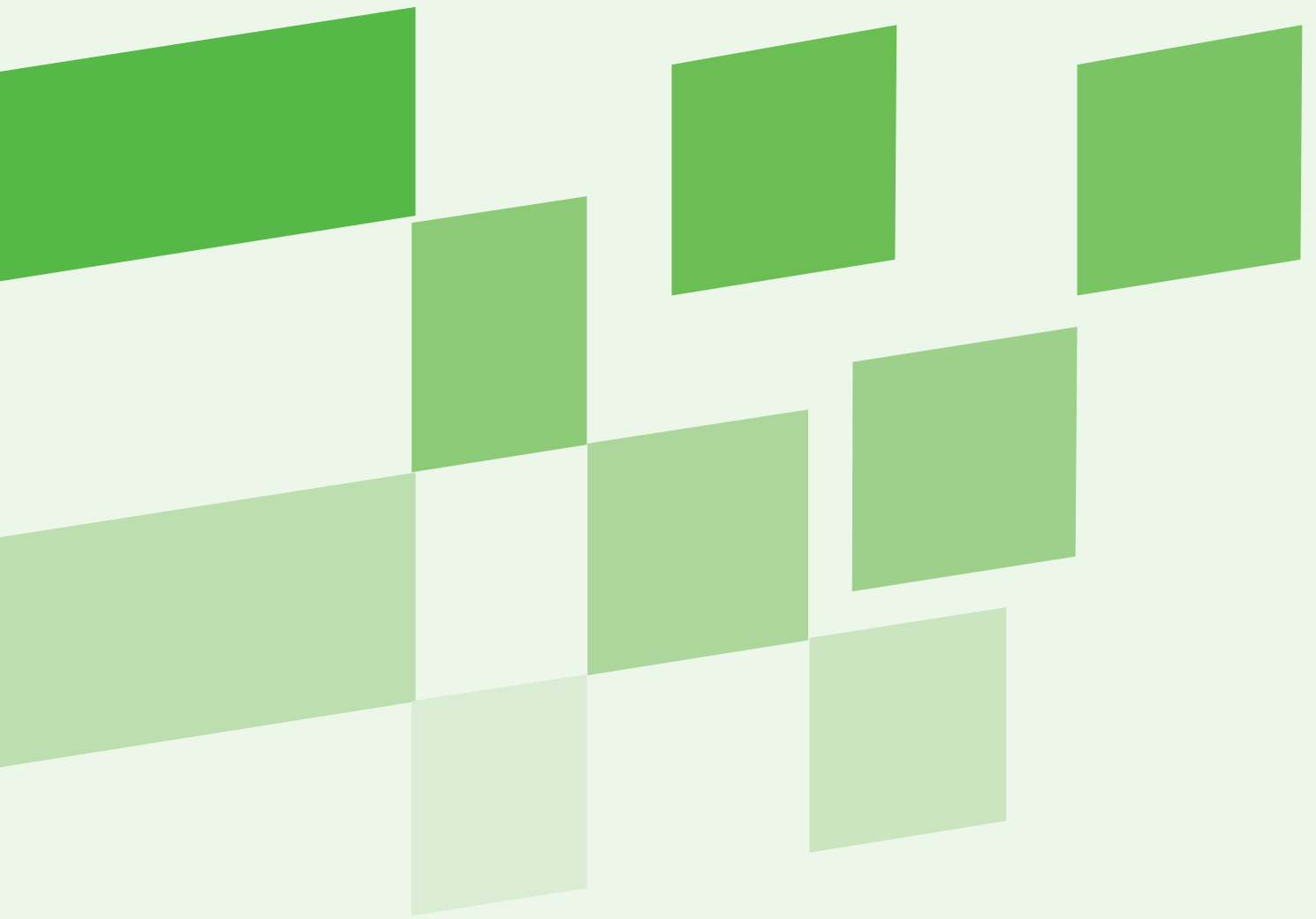
Deirdre Nic Dhonncha

Oifigeach Cléireachais *Clerical Officer*

Ciara Dolphin

Ar an 12 Márta 2014, cheap Uachtarán na hÉireann, Micheál D. Ó hUiginn, Rónán Ó Domhnaill mar Choimisinéir Teanga.
On 12 March 2014, the President of Ireland, Michael D. Higgins, appointed Rónán Ó Domhnaill as Coimisinéir Teanga.

Is é an leagan Gaeilge buntéacs na Tuarascála seo.
The Irish language version is the original text of this Report.







An Coimisinéir Teanga

An Spidéal, Gaillimh, Éire.

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