

New Welsh Language Act 2008

May 2008

Why Official Status?
What do we mean
by Welsh language
Rights?
Commissioner for the
Welsh Language ?
Making a difference!





Our aims

We welcome The Welsh Assembly Government's intention to publish a Legislative Competency Order for the Welsh language. We call on the Government to ensure that the Order will transfer adequate powers to the Assembly so that it can make provision for a new Welsh Language Measure that will establish;

- Official Status for the Welsh language
- Welsh language Rights
- A Commissioner for the Welsh language

We believe that these three points bring together the basic elements which need to be included if the Government is serious about creating effective legislation for the Welsh language and building a truly bilingual Wales.

Why Official Status?

English is the official de-facto language of Britain and it obviously has great international and commercial power. Providing the Welsh language with statutory official status will achieve many important goals which include;

- An unambiguous statement about the importance of the Welsh language in the life of Wales
- A firm foundation on which to build language rights to use and have access to the Welsh language
- Empowering the people of Wales to enjoy greater confidence in the Welsh language, appreciate its worth and invest in it as a national asset and there by making it relevant to the lives of all people in Wales
- A firm foundation on which to build equality for the Welsh language and stop discrimination
- A clear statement that the use of the Welsh language is legal and entirely just in Wales and so end once and for all the psychological influence of the Act Of Union of 1536 which outlawed the use of Welsh
- A message to governments, companies, organisations and individuals from outside the country that Wales has a unique language of its own which forms an integral and central part of our national identity.

Ensuring official status through language legislation is widely recognized as one very practical way of increasing the success of a minority language.

What do we mean by Welsh language Rights?

Currently, there are no rights in relation to the Welsh language with the exception of a very limited right to use Welsh in a court of

law. Defining clear specific rights is a simple and effective way of ensuring that people can use Welsh without having to worry about creating a fuss. We believe that in light of the impact of globalization and the power of large multi national corporations that legal recognition for rights is a crucial step. Indeed, it is only by setting out rights through law that we can be sure that organizations and companies will be sufficiently motivated to develop effective bilingual working policies. The basic rights we are advocating for include;

- The right to Welsh medium education
- The right to receive services, information, amenities and goods in Welsh when dealing with public, private or voluntary bodies
- The right to use Welsh in the workplace
- The right to a court hearing through the medium Welsh and to a Welsh speaking jury
- The right to be equal and be treated with respect and not suffer discrimination or disadvantage when using the Welsh language

The Government will need to create comprehensive regulations under the proposed Measure. We have suggested ways in which the regulations could adopt an incremental approach in introducing language rights. For example, we believe that it would be sensible to establish higher expectations of large multi national companies, public bodies and large charities where as expectations of small private companies and voluntary organizations would need to be lower. We emphasize that the Measure must have sufficient power over all sectors in light of technological developments and significant changes in the way services are provided to the public. We also believe that the regulations should create minimum expectations across the board with provision for expectations to increase over time.

The importance of a Commissioner for the Welsh Language

As we do not currently have legal rights for the Welsh language, we do not require a provision to ensure that people in Wales know their rights or that bodies or individuals are legally challenged about language rights. However, when the Assembly legislates on language rights there will need to be a system in place to ensure that people are made aware of their rights and that they are properly implemented and maintained. We now have commissioner posts to champion the interests and rights of several sections of society such as children and young people and older people; think of the credibility and contribution of the work of The Children's Commissioner and the Older People's Commissioner. We call for the establishment of the post and office of a Commissioner for the Welsh language in order to ensure maximum positive impact for the new legislation. We do not want another bureaucratic official who will voice his or her opinion on the occasional Welsh language Scheme. What is needed is a powerful and independent champion who can ensure people's rights to use the Welsh language and if necessary enforce the law. The advantages of the Commissioner would be wide-ranging;

- Ensure a strong and independent advocate for Welsh speakers
- Inform the people of Wales of their rights to use and have access to the Welsh language
- Inform service providers in every sector of their responsibilities under the language legislation
- Ensure the best possible advice to the Government and other bodies in relation to the new Measure
- An effective means to monitor compliance with legislation
- Exercise the ability to investigate complaints and either prosecute bodies who contravene the law or provide help for individuals who wish to pursue their rights through the courts.



Establishing a Commissioner for the language would be a truly innovative step to ensure that the Measure's potential can be fully utilized.

New Welsh Language Act 2008 – Making a real difference!

By ensuring official status, establishing language rights and creating a Commissioner for the language new legislation can make a positive and far reaching difference to the lives of people in Wales. It forms a crucial contribution in ensuring a sustainable future for the language in the twenty first century Without these three elements any new legislation will at best be nothing more than a tokenistic and cynical exercise in legislating for the sake of being seen to be doing something; the people of Wales expect and deserve better.

Language Act Group

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