

FROM: B S MORROW  
CCRU

DATE : 3 MARCH 1995

Mr Canavan

*In progress  
Mr Beattie  
K*  
*In progress  
to lang  
content.*  
*M. arrange  
to issue. I agree on  
with you  
happy with my  
additional sentence?  
To the covering note  
to go to how. feel!*  
Draft covering note for  
your consideration below.

cc Ms Beattie

*Note particularly the  
issue of NDPB.*

ASST 74/3  
SEC  
-7 MAR 1995  
CCRU.

CENTRAL SECRETARIAT CIRCULAR - USE OF IRISH LANGUAGE IN OFFICIAL BUSINESS

1. You asked me to make arrangements for the issue, once the streetnames legislation was made, of the new Circular on the use of the Irish language in official business.
2. The draft Local Government (Miscellaneous Provisions) (Northern Ireland) Order is, I understand, to be made on 15 March, and the streetnames provisions will come into effect two months after this. Accordingly I attach:
  - (a) a draft covering note for the Circular; and
  - (b) a copy of the Circular in virtually final form.
3. The covering note explains the background to the streetnames legislation; sets out the principles on which the revised guidance on addresses in Irish is based; and refers to the application of the Circular.
4. The principles listed are three of the four principles set out in Mr Fell's 8 December submission to the Secretary of State, seeking agreement to the text of the Circular. The fourth - that as a general rule the public sector will continue to use English street addresses for administrative purposes - has been omitted as it is clear from the Circular itself and its inclusion could detract from the message of positive change in relation to the treatment of the Irish language.

5. The 1988 Circular on the use of Irish in official business relates to Departments only. The covering note to the present Circular makes it clear that Departments should arrange for it to be applied by Agencies also.
  
6. In issuing the PAFT guidelines we asked Departments to use all appropriate measures at their disposal to ensure that NDPBS complied with PAFT. We did not do this when the 1988 Circular of use of Irish issued and we do not have information on the current policy and practice of NDPBs in relation to the handling of Irish personal names, which may differ from NDPB to NDPB. We do not have the authority to impose a single approach on NDPBs and, indeed, to ask Departments to seek to do so could provoke adverse reaction from NDPBs in the present sensitive political situation. However, it would be desirable to ensure that NDPBs are advised of the implications of the streetnames legislation and have the Circular as an example of how the administrative implications might be addressed. The covering note has been drafted accordingly.
  
7. The Circular itself is in the wording already agreed, with the exception that I have included the date (to be confirmed) from which it is effective, and have indicated that Circular 1/88 is cancelled. I assume that the Local Government Order, as enacted, will be a 1995, rather than a 1994 Order. I shall check the position in due course and amend the Circular as necessary.

*B. S. Morrow*

**B S MORROW**

*P. S. The final paragraph of the Circular refers to separate guidance having issued in respect of the Prisons Department. Will this be correct if we issue the Circular in March rather than May?*

*B. S. Morrow*

VA-14872

*Jo guidance was subsequent to the 1988 Circular and also in the 1988 Circular*

USE OF IRISH LANGUAGE IN OFFICIAL BUSINESS

CENTRAL SECRETARIAT CIRCULAR

/95 (attached)

In December 1992 the Secretary of State gave a commitment to remove the legal prohibition on the erection by District Councils of non-English street nameplates.

The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1994, which comes into force on [ May 1995 ], removes this prohibition and provides that a Council may place a version of a street name in another language alongside the English name. In practice, the second language is most likely to be Irish.

The attached Circular, which replaces Central Secretariat Circular 1/88 with effect from [ May 1995 ], provides revised guidance on the use of the Irish language in official business, taking account of the new legislation.

The principles underlying the revised guidance, in so far as it relates to addresses, are that:

- in dealing with individuals and bodies which have adopted a lawful Irish streetname as part of their address, the same principles of courtesy and respect for individual preference which apply in relation to Irish personal names should be observed;
- under the 1995 Order the erection by a District Council of a non-English Street nameplate does not confer any new legal right to the use of the non-English streetname for statutory purposes;

- in official documents, where third parties will need to identify an address, the English address should always be shown but, on the basis of individual preference, an Irish address may be shown alongside, if resources and technical facilities permit.

*[New Step]*  
Departments are asked to ensure that staff are familiar with the content of the Circular and to make arrangements for the application of the Circular by Agencies. In addition, Departments are encouraged to draw the Circular to the attention of Non-Departmental Public Bodies, in order to alert them to the new legislation on streetnames and the resultant revised administrative procedures which are being introduced by Departments. *NGPBs will of course be*

*free to introduce similar procedures, & Dept's should encourage them to use their discretion in this way.*

D J WATKINS

[ ] March 1995

USE OF IRISH LANGUAGE IN OFFICIAL BUSINESS

Introduction

1. The purpose of this circular is to offer guidance on the use of the Irish language in official business. In essence the guidance confirms that correspondence with the members of the public who wish to use the Irish language should be treated with due courtesy.
2. This circular comes into effect on [ May 1995], replacing Central Secretariat Circular 1/88 from that date.

Personal Names

3. An individual is legally entitled to assume any name he or she wishes - in English or in any other language - and, if he or she is generally known that name, it is valid for purposes of legal identification.
4. Departments should accordingly respect the wishes of any individual who has indicated a desire to be known by a personal name in the Irish language. Unless it appears that he or she is not generally known by that name, a personal name in Irish should be accepted for all official purposes, including correspondence and official documents. It may be necessary also to record previously used versions of a name on official files and computer records etc in order to help identification. However, only the version requested by the individual concerned should be used in correspondence and documents issued to that individual. Though little used nowadays, older forms

of written Irish retained archaic letter characters. The Irish version of names for official purposes should use only Roman letter characters (ie as in English).

### Addresses

5. The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995 removed the previous prohibition on District Councils erecting street names in any language other than English. Henceforth a Council may place a version of the street name in another language alongside the English name. In practice, the second language is most likely to be Irish and some individuals, organisations, companies and local authorities will wish to use the Irish street name in their address.
  
6. The Order does not authorise or require the use of a street name in a language other than English as part of the address or the description of land for the purposes of any statutory provision. The legal position is therefore not altered in respect of any other statutory provision. Departments should continue to use only the English street name in most circumstances. However, in line with the general approach of this Circular, Departments should respect, as far as possible, the expressed desire of individuals and organisations to use a lawfully adopted Irish street name in their address. The following guidance applies to the use of Irish street names in correspondence and applications from such individuals or bodies where that street name has been lawfully erected by a District Council. Ordnance Survey will advise on whether that is the case and on the English version of the address.

7. When a person has used a lawfully adopted non-English street address in correspondence, Departments should respect that preference by replying in the same form, though the remainder of the address (including the town and county) should be in English. The Post Office's policy is to endeavour to deliver all correspondence, however addressed. Similarly, an application using a lawfully adopted non-English street address should be acceptable and subsequent correspondence with the applicant in relation to that application should cite that address, though official records should also note the English version.
8. There are circumstances where third parties may be involved, eg where an official document will require to be scrutinised or where there is a requirement to publicise an application. Examples include notification of planning applications, driving licences, official certificates of various types. In all such circumstances the English version of the street address must be shown. Subject to cost and technical feasibility, the Irish version of the street address may also be shown alongside the English, but only when the individual making the original application used the Irish version. Where a Department can not show both names, in response to an application using the Irish version, Departments should seriously consider informing the applicant of why this is the case, for example by means of a leaflet. This may pre-empt correspondence from individuals protesting about the use of the English name only.
9. Departments should continue to use the English version of all Northern Ireland place names, including town lands, towns and counties, in all circumstances.

BM/1630/HF

Where doubts arise as to the correctness of a place name, Departments may wish to seek the assistance of Ordnance Survey.

#### Correspondence

10. Where a correspondent writes in Irish, Departments should use their best endeavours to obtain a translation in order to enable the inquiry to be handled. (CRISP records will help Departments to identify officers who are fluent in Irish). It may on occasions be necessary to seek the correspondent's confirmation of the Department's understanding of any difficult or technical points in the letter. For example, it may be sensible in replying to use a phrase such as "I understand from your letter that you are requesting ....". Departments should always reply in English.
11. Where a letter in Irish could have legal implications, Departments should exercise special care to ensure that any translation accurately reflects the original and that the meaning is clear. To establish certainty of understanding it may be appropriate to include a typed copy of the English translation with the Department's reply and to stress that such a reply is based on the Department's interpretation of the original letter as set out in the translation. In some circumstances it may be prudent to delay issuing a substantive reply until the correspondent has confirmed that the Department's translation accurately reflects the original.
12. Central Secretariat should be consulted if a Department receives a large number of letters in Irish and would face problems in responding within an

acceptable timescale, or where a Department is of the view that an attempt is being made to use the Irish language in order to delay official business.

13. Central Secretariat will be glad to offer advice on any difficulties facing Departments as a consequence of this circular.

14. This circular also applies to the NIO, but separate, additional guidance has been issued in respect of the Prisons Department. The NI Court Service is also considering separate guidance.