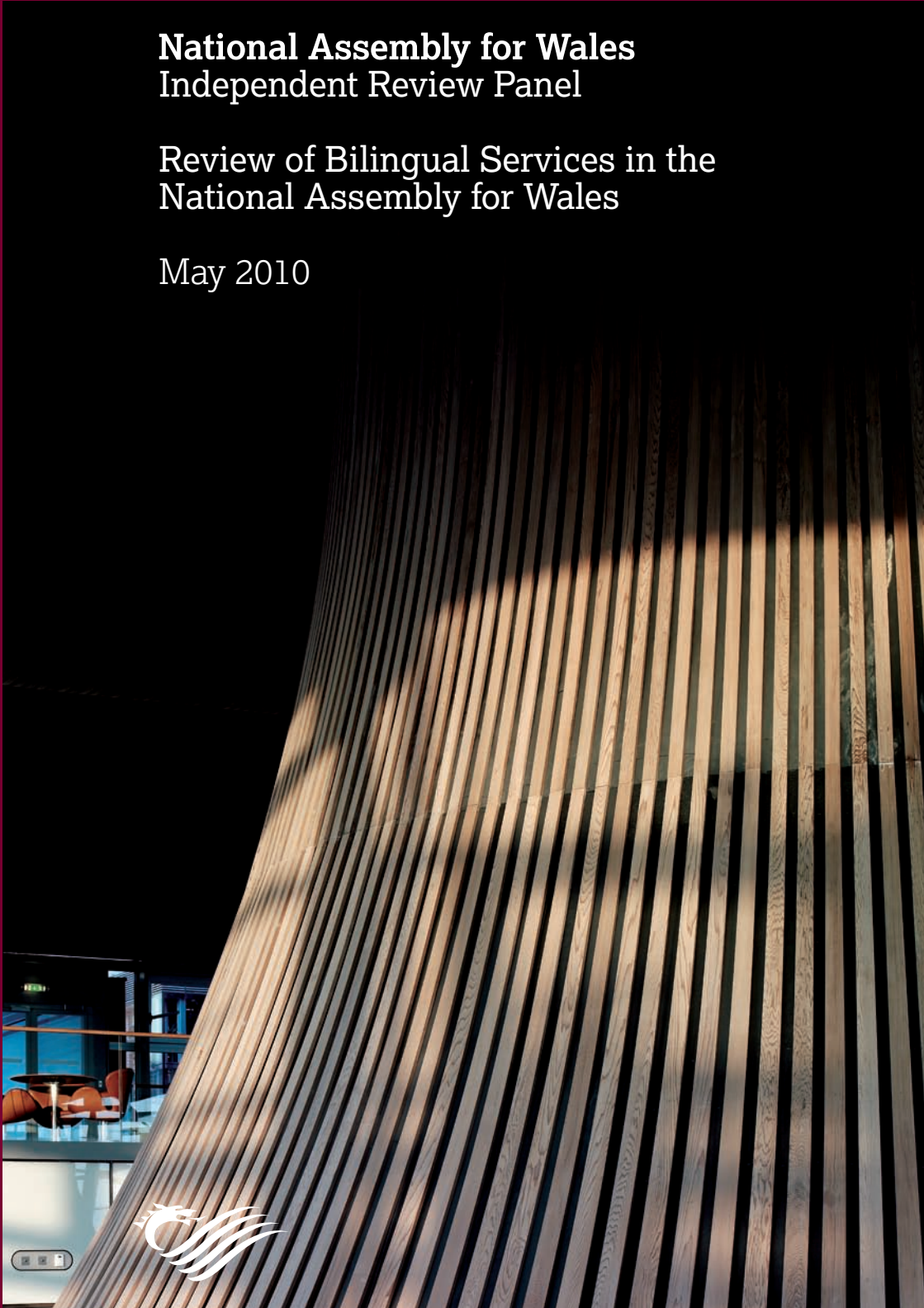**National Assembly for Wales**
Independent Review Panel

Review of Bilingual Services in the
National Assembly for Wales

May 2010

The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales and holds the Welsh Government to account.

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Independent Review Panel

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Chair's Foreword

Its brief required members of the Panel to consider and make recommendations regarding the bilingual ethos of the Fourth Assembly which will start in 2011 and finish in 2015.

The Panel members met on ten occasions over three months. During that period significant political developments occurred. The National Assembly started the process of convening a Referendum on devolved powers, whilst the Welsh Assembly Government published its Language Measure.

Both initiatives may have a profound influence on the character and responsibilities of the Fourth Assembly. However the members of the Panel have sought to define a bilingual ethos for the Commission and National Assembly, whatever political or language developments occur in the meantime.

We also sought to maximize the benefits to the citizen and the National Assembly of the opportunities offered by Digital Wales. We noted that legislation to set up a Welsh public record has not yet been implemented. In any case, we recommend that further steps be taken to archive the Assembly's records.

We are grateful to the National Librarian and his staff for hosting our meeting on the 19th February at the National Library at Aberystwyth. Thanks are also extended to all the witnesses who gave us oral evidence and to others who provided written observations.

On behalf of my three colleagues, I wish to thank Gwyn Griffiths, Sarah Roberts and Joel Steed, and the excellent and dedicated team of translators and interpreters, for their advice, guidance and support. Our experience of the interpretation service reflects the evidence

received from Members of the Assembly of the very high quality of the standard of interpretation provided at their meetings.

Arwel Ellis Owen

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Glossary

National Assembly for Wales - established under section 1 of the Government of Wales Act 2006 as the legislative branch of devolved government in Wales.

National Assembly Commission – established under section 27 of the Government of Wales Act 2006 and responsible for the provision of property, staff and services required for the Assembly's purposes. It consists of the Presiding Officer and four other Assembly Members, one representing each of the party groups in the Assembly.

Clerk of Assembly – appointed under section 26 of the Government of Wales Act 2006. Is also the Chief Executive and head of the staff employed by the Commission. Implementation of Commission decisions is the responsibility of the Clerk, who is supported by the Corporate Unit.

Directors – heads of the three principal departments into which Commission staff are divided:

- Operations i.e. External Communications, Assembly Resources (Finance and Human Resources (HR)) and Estates and Information and Communication Technology(ICT) (including Security);
- Assembly Business i.e.Committee Service, Translation and Reporting Service, Members Research Service and Legislation and Chamber Services;
- Legal Services.

External Communications - responsible for raising the profile of the National Assembly for Wales by engaging the interest of members of

the public across Wales. Responsibilities include customer and visitor relations, education, media relations, publications and events.

Committee Service - provides secretariat support for the Assembly's non legislative committees and procedural advice to committee chairs and members.

Legislation & Chamber Service – provides support for the Assembly's legislative committees and Plenary meetings.

Members' Research Service (MRS) - provides confidential and impartial research support to the Assembly's committees and to individual Assembly Members and their staff. They support Members in fulfilling their constituency, scrutiny and legislative functions.

Translation and Reporting Service (TRS) – consists of teams of interpreters, text translators and editors of the Record of Proceedings and committee transcripts.

Plenary - meetings of all 60 Members of the Assembly held in the main Senedd chamber.

Record (of Proceedings) [Y Cofnod] – text record of what is said during plenary meetings of the Assembly. The text record of what is said during committee meetings is called a transcript.

Summary of Recommendations

The following recommendations are in the order in which they appear in the report, and not necessarily in order of importance.

We **recommend** that the National Assembly develops its bilingual communication with citizens of all ages who use social networking websites as a means of listening to voters, increasing openness of debate, and understanding the needs of the public who increasingly use such forums and exchanges. (paragraph 56)

We **recommend** that the National Assembly consider how the expected advancement of technology can enhance bilingualism in its operations through a more detailed and expert consultation. (paragraph 57)

We **recommend** that the Assembly keep technological developments under review, so as to take advantage of multi-user voice recognition software as soon as it is sufficiently developed to be used efficiently. (paragraph 60)

We **recommend** that the verbatim text record of proceedings be published in the original language(s) spoken, together with a record of the contemporaneous translation from Welsh to English, as heard in the Chamber at the time. (paragraph 68)

We **recommend** that senedd.tv should become the principal comprehensive stored record for researchers and future historians. (paragraph 71)

We **recommend** that the "Votes and Proceedings" and committee minutes be developed into a much more citizen-friendly bilingual facility that will, in turn, contribute more to open democracy. (paragraph 73)

We **recommend** what we have called a fully bilingual "Citizens' Cofnod" – "Cofnod y Werin". It would contain a list of speakers, details of the decisions taken, and offer a politically neutral list of the issues debated and be available by the end of the following day. (paragraph 73)

We **recommend** that archiving arrangements for the long term retention of Assembly records and public access to them, with the possible assistance of the National Library, be finalised at an early date. (paragraph 80)

We **recommend** that research papers produced by the Members' Research Service (MRS) that are downloadable from the website (and all other documents produced by the Assembly) should be published in both languages simultaneously. (paragraph 82)

We **recommend** that briefings for Members prior to Plenary or committee discussion should be bilingual unless time constraints make it impractical (paragraph 83)

We **recommend** that suggested questions for the use of Welsh speaking Members in committee should be available in both languages to facilitate increased usage of Welsh by Members. (paragraph 83)

We **recommend** that MRS should be resourced to enable it to respond promptly to Members' enquiries in Welsh and that this service should be promoted to counteract the current expectation among Members that material in Welsh will be delayed. (paragraph 84)

We **recommend** that MRS works closer with the Translation and Reporting Service (TRS). (paragraph 84)

We **recommend** that the voice recognition software used by the TRS should be immediately upgraded. We also believe greater efficiencies could be achieved by its wider use and therefore **recommend** more extensive use of voice recognition software when preparing transcripts of the Record. (paragraph 86)

We **recommend** that the Commission, at the earliest opportunity, seeks assistance to enable the live simultaneous translation (Welsh to English) feed to be used as the base text for editing. (paragraph 87)

We **recommend** that the Assembly work with the Welsh Language Board to further the development of Welsh language voice recognition software that could be of considerable assistance in the preparation of all bilingual documentation. (paragraph 88)

We **recommend** that all communications between the Assembly and the public should be in both languages except when responding to communications from individual members of the public or organisations when the response should be in the language of the communication received. (paragraph 90)

We **recommend** that the Assembly ensures that all departments have sufficient staff to enable them to deliver their services to the public and to Members in both English and Welsh without being overly dependent on the TRS. (paragraph 91)

We **recommend** that the Commission make improving the bilingual service provided by security staff a priority, both by training existing staff and recruitment when vacancies arise. (paragraph 92)

We **recommend** that bilingual services should be promoted to counteract the current belief and expectation among some Members

and Assembly staff that services cannot be provided in Welsh as promptly as in English. (paragraph 93)

We **recommend** that all members of staff should have or acquire some skills in the Welsh language. (paragraph 94)

We **recommend** that there should be more extensive and intensive language awareness training, particularly for new recruits, especially those recruited from outside Wales. (paragraph 95)

We **recommend** that the Assembly carry out a benchmarking exercise by comparing itself to other Welsh organisations that, along with the Assembly, have the most fully developed bilingual services. (paragraph 96)

We **recommend** that there be a thorough re-analysis of posts for which an ability to work through the medium of Welsh is essential and for this to be conveyed in advertisements. (paragraph 97)

We **recommend** that the lessons learnt from the tutoring of Members be applied to the teaching of staff so that those who take Welsh lessons are able to make an increasing contribution to the provision of Assembly services in the Welsh language. (paragraph 98)

We therefore **recommend** that consideration be given to creating a high level over-arching post to coordinate this important work better from a Welsh language and bilingual perspective, both in terms of staff skills and multi-tasking and resource allocation. We **recommend** that a Director or an influential member of the Management Board be given overall responsibility for bilingualism (not just translation) and to act proactively as its "champion". (paragraph 101)

We **recommend** that all announcements and public material produced by Members that are funded from the Assembly budget, including letterheads, contact details and surgery advertisements, should be produced bilingually in accordance with the Assembly's bilingual ethos. (paragraph 102)

We **recommend** that summaries of Welsh devolution and the role of the Assembly be available from the front page of the website in other languages commonly used by those who live in Wales and those who visit the Assembly. (paragraph 103)

We **recommend** that the Assembly creates and publishes a guide to best bilingual practice, together with details of services available to external groups, for those holding functions on Assembly premises. (paragraph 104)

Members of the Panel

Arwel Ellis Owen (Chair)

Has a wealth of experience in delivering communications as founding Director of family owned communications company Cambrenis Communications. He is also currently Chair of the Centre of Advanced Welsh and Celtic Studies at the University of Wales and Vice President of the National Library of Wales. His most recent appointment is Chair of the Care Council for Wales.

Sue Balsom

Founded her own bilingual PR, Design and Publishing company, FBA in Aberystwyth in 1989. A former Welsh Woman of the Year, Mrs Balsom has served on the boards of the WDA, Finance Wales and as Vice Chair of the BBC Broadcasting Council for Wales. Until recently she chaired the Prince's Trust Cymru and since 2003 has represented Wales on the Content Board of OFCOM, the UK Telecoms and Broadcasting Regulator. This year she was appointed as an Ambassador for Diversity in Public Appointments by the Cabinet Office.

Geraint Evans

Presently an independent retail consultant, Managing Director of Gorsedd Ltd, a commercial property firm, Chairman of The University of Wales Press and Chairman of the Business in Focus enterprise agency. Previously he was managing director of the retail store Dan Evans(Barry) Ltd. He has also been a non-executive director of Associated Independent Store Ltd, the largest non-food buying group in the UK.

Colin Baker

Is currently a Pro Vice Chancellor of Bangor University and Professor of Education. He is the author of 15 books and over 50 articles on bilingualism and bilingual education, with specific interests in language planning and bilingual education. He is Editor of two Book Series and is Editor of the International Journal of Bilingualism and Bilingual Education. In addition to his academic activities, he was also a member of the Welsh Language Board for 10 years.

Terms of Reference

The terms of reference of the Panel were:

(a)   to consider the operation of all current bilingual services provided by the Assembly Commission, including developments in bilingual services since the Commission was established in 2007 and the proposals set out in the Assembly Commission's written statement on 30 September 2009, which is set out in full on the next page of this report.

(b)   to consider the views of our main customers on current and future bilingual services;

(c)   having regard to the need to ensure value for money, and drawing on best practice internationally, to make recommendations for consideration by the Assembly Commission on the future delivery of the Assembly's bilingual services, including:

- proposing options for defining and realising the Assembly's ambition to become a "fully bilingual institution";
- establishing principles that should underpin the approach to bilingual services; and
- considering all forms of service, including for example new media channels and archive material.

(d)   recommend a way forward for the Fourth Assembly and beyond (by when the current Welsh language Scheme will have ended).

"Written Statement by the Assembly Commission on the bilingual services provided by the National Assembly for Wales Commission 30 September 2009 (referred to in paragraph (a) of the Terms of Reference)

National Assembly for Wales Commission

A meeting was held today between Assembly Commissioners and Assembly Members who had signed the no name day motion tabled on 21 September 2009.

The meeting discussed the Commission's recent decision to publish a translation from English to Welsh of the record of plenary proceedings within 10 days rather than 24 hours and, from this week, to introduce the translation of legislation committee proceedings relating to Measures. It was agreed that the timescale for the plenary record should be reduced to 3-5 working days and that the issue will form part of a full and transparent review to examine all the options for the delivery of bilingual services. The review will start as soon as possible, will involve consultation with members, and will be completed by the end of January.

It was also agreed that any changes recommended by the review to arrangements for the translation of plenary proceedings, would be implemented and, more broadly, that the recommendations from the independent review will provide the basis for public consultation on how the National Assembly's Welsh language scheme should be revised."

Introduction

1.   The National Assembly for Wales was originally established under the Government of Wales Act 1998 under a system of executive devolution that provided for delegated legislation made previously by the Secretary of State for Wales to be made by the Assembly.

2.   The Government of Wales Act 2006 confirmed a separation of powers that had previously operated informally within the context of the limited powers devolved under the 1998 Act. More importantly, the 2006 Act provided for the devolution of more substantial legislative powers to the Assembly. These consist of the power to make Measures (the equivalent of Acts of Parliament) on subjects set out in Schedule 5 to the 2006 Act. Those subjects are added to from time to time by other Acts of Parliament and by Legislative Competence Orders. Amongst the most recent of such orders was one that granted legislative competence to the National Assembly in relation to the Welsh language.

3.   The National Assembly conducts its proceedings in both English and Welsh. The meetings of the full Assembly (Plenary) are conducted in both languages, with simultaneous translation of contributions made in Welsh for the benefit of those who do not understand the language.

4.   The National Assembly has a Welsh Language Scheme that was agreed with the Welsh Language Board in 2007. It will be reviewed for the Fourth Assembly to be elected in 2011.

A THE CONTEXT

A1 Background

5.   The Record of Proceedings is currently produced bilingually, with a full translation of English contributions into Welsh as well as Welsh contributions in to English. This has been the case since the Assembly was established in 1999. The contributions translated from English to Welsh were originally available five days later than the contributions in the original language together with the Welsh-English translations but from 2005 onwards were available within 24 hours.

6.   On 7 July 2009, the Assembly Commission approved the draft budget for 2010-11 which incorporated a saving of some £250,000 per annum flowing from a change in the arrangements for translating the record of proceedings in the Assembly's plenary sessions. The practice to date had been to publish a record which provided versions of all contributions in both Welsh and in English i.e. not only in the actual language used but also translated into the other language. The proposal was to continue to reproduce what was said in the language used, and also to continue to translate contributions in Welsh into English, but to discontinue translating contributions made in English into Welsh.

7.   Following this proposal, objections were received from a number of Assembly Members who objected not only to the decision itself, but also to a perceived failure to consult Members of the Assembly on the proposal. As a result of discussions between four Members (one from each party) and the Commission, a compromise was reached, whereby full translations would continue to be provided, but the timing would revert to the original practice of having the translation available in readiness for the following week's meetings, rather than for the following day. As part of the compromise, it was agreed that an

independent panel would be established to review the bilingual services provided by the National Assembly and the Commission.

8.   The Welsh Language Board had also taken note of the initial decision of the Commission and entered into correspondence with the Presiding Officer and the Clerk.   The Board drew attention to the statement contained in the Assembly's Welsh Language Scheme:

"A bilingual verbatim record is published of each Plenary meeting, and a record of the committees with an English translation of all Welsh contributions is published as soon as practicable."

9.   Paragraph 6.10 of the Welsh Language Scheme also states that "The Scheme will be amended within four years of coming into effect". The correspondence between the Board and the Assembly also concerned the status of the Scheme.   This matter is dealt with more fully in paragraphs 12-16 below.

A2   The Work of the Panel

10.   As a result of the agreement referred to in paragraph 7 above, the present Panel was appointed to carry out a review of the Assembly's bilingual services.   The membership of the Panel is described on page 11 and its terms of reference are set out on page 12. The Panel met on the following dates:

17th December 2009

15th January 2010

20th January 2010

5th February 2010

17th February, 2010

19th February, 2010 (in the National Library of Wales, Aberystwyth)

4th March 2010

5th March, 2010

19th March, 2010

30th March, 2010

21st April 2010.

With the exception of the meeting on the 19th February, meetings were held at Tŷ Hywel, Cardiff Bay.   One of the meetings also involved the use of video conference facilities in Bangor and Cardiff.

A3   Legislative Context

11.   **The Government of Wales Act 2006** (the 2006 Act) established the National Assembly as a body independent of the Welsh Government, and the provision of property, staff and services for it became the responsibility of the Assembly Commission. The detailed provisions are contained in sections 26 and 27 of the 2006 Act and Schedule 2 to it.   For the purposes of the Panel, the important provision is section 35(1) of the 2006 Act –

"(1)   The Assembly must, in the conduct of Assembly proceedings, give effect, so far as is both appropriate in the circumstances and reasonably practicable, to the principle that the English and Welsh languages should be treated on a basis of equality."

This principle is also contained in paragraph 8(3) of Schedule 2 –

"(3)   In the exercise of the functions of the Assembly Commission effect must be given, so far as is both appropriate in the circumstances and reasonably practicable, to the principle that the English and Welsh languages should be treated on a basis of equality."

12.   **The Welsh Language Act 1993** (the 1993 Act) refers to the same principle, most significantly in section 5, which contains the duty to prepare Welsh Language Schemes. That duty applies to bodies specified in section 6 of the 1993 Act, or orders made under it. Neither the Assembly nor the Commission have been so specified, so no duty has existed for either or both of them to prepare a Welsh Language Scheme.

13.   Section 21 of the 1993 Act describes the way in which the preceding provisions of the Act about Welsh Language Schemes apply to persons acting on behalf of the Crown if they voluntarily adopt or propose to adopt a Scheme.   The National Assembly for Wales Commission (Crown Status) (No 2) Order 2007 provides for the Assembly Commission to be treated as a Crown body for the purpose of section 21.

14.   The Welsh Language Scheme that relates to the Assembly contains the following declaration -

"This Welsh Language Scheme was prepared under section 21 of the Welsh Language Act – and according to guidelines published by the Welsh Language Board under section 9 of the Act. It came into effect on 11 July 2007."

15.   Section 1.1 of the Scheme contains the following explanation –

"Whilst this Scheme relates to the Assembly, it will be the Commission which will mainly be responsible for its implementation. In order to avoid confusion for the remainder of the document, we will refer to the Assembly alone, except where there is a need to differentiate between responsibilities."

16.   The legal effect of the Scheme was the subject of the correspondence between the Welsh Language Board and the Assembly referred to in paragraph 9 of this Report. The Panel did not seek to take a view on the different positions adopted at the time but sought to look forward and make recommendations for enhancement and innovation.

17.   **The proposed Welsh Language Measure** contains proposals that would in any event replace the current system of Welsh Language

Schemes with a system of standards. This Measure was introduced on the 4 March 2010 and the Welsh Government wishes it to become law before the end of the current Assembly term in April 2011. Neither the National Assembly nor the Commission are proposed to be specified on the face of the Measure as bodies to which the standards provisions will apply, although there is provision for other public authorities to be added by an order that would require the approval of the Assembly.

18. One of the concerns relating to the present system is that the Welsh Language Board (which monitors compliance with the Assembly's Welsh Language Scheme) is answerable to Welsh Ministers who are in turn answerable to the Assembly. This could continue under the Government's proposed Measure, in that the Commissioner would be appointed by the First Minister who is accountable to the Assembly.

19. The provisions of the Government of Wales Act referred to in paragraph 11 above will continue to be directly applicable to the Assembly and its Commission, and therefore provide a more immediate (and continuing) legal context in which the Panel makes its recommendations. Nevertheless, the National Assembly for Wales (Legislative Competence) (Welsh Language) Order 2010 permits the Assembly to amend both section 35(1) and paragraph 8(3) of Schedule 2 by a Measure.

20. It has been suggested to the Panel that specific legislative provision might be introduced in relation to the use of languages by the Assembly and Commission, as has been the case with parliamentary institutions overseas, for example, in Canada. This might provide a way to avoid the awkward lines of accountability outlined in paragraph 18 above. However, detailed legislative provisions are not within the specific remit of the Panel. Our

recommendations relate to the provision of bilingual services, and have been drafted so that they would enable the Assembly and Commission to operate within any legal framework that applies, provided the principle contained in section 35(1) and paragraph 8(3) of Schedule 2 continues to apply.

A4 A Measure for the Assembly?

21. During the course of taking evidence, a suggestion was made that it may be appropriate for the Assembly to pass a Measure to make provision relating to language use in the Assembly. This would follow the Measures relating to the Commissioner for Standards and Members' Remuneration.

22. Section A3 of this Report outlines the current statutory arrangements. It will be noted that the Government of Wales Act provisions apply directly, and therefore more immediately, to the National Assembly and its Commission than do the Welsh Language Act provisions which apply on a voluntary basis. The principle for legislating directly in relation to language use in the legislature has been adopted by other countries such as Ireland and Canada, and is consistent with the approach taken by the Government of Wales Act.

23. The National Assembly for Wales (Legislative Competence) (Welsh Language) Order 2010 permits the Assembly to legislate on the following matters –

> *"Matter 20.1* Promoting or facilitating the use of the Welsh language; and the treatment of the Welsh and English languages on the basis of equality.

> *Matter 20.2* Provision about or in connection with the freedom of persons wishing to use the Welsh language to do so with one another (including any limitations upon it)."

24. Article 4 of the Order also specifically permits the Assembly to amend the linguistic provisions of the Government of Wales Act generally, and in the present context section 35(1) and paragraph 8(3) of Schedule 2 in particular.

25. Three principal arguments were made in favour of a Measure dealing specifically with the use of languages by the Assembly.

(i)   A Measure could be introduced to meet the specific circumstances of the Assembly more quickly than it would be possible to apply the proposals in the Government's Welsh Language Measure to those circumstances. The latter course would involve waiting for the Commissioner to report to the Government on standards; consideration of the report and setting of standards by the Minister; consideration by the Commissioner of which standards might be appropriate, giving notice to the Assembly Commission and consideration of what action might be required.

(ii)   Currently detailed provisions regarding the use of the language are contained in Standing Orders. These can be readily amended or suspended. The inclusion of appropriate provisions in a Measure would embed those provisions and give them added status.

(iii)   A specific Measure for the Assembly would avoid the unsatisfactory arrangements for accountability that exist currently: a Commission accountable through its Welsh Language Scheme to the Welsh Language Board that is accountable to a Minister who is accountable to the Assembly. The Government's proposed Measure, if applied to the Assembly, would apply in the same way, with standards being substituted for Schemes and the Language Commissioner for the Board.

26.   The Panel's recommendations in relation to the provision of bilingual services by the National Assembly and its Commission are designed to fit into any legislative framework. However, the processes set in train by the Government's proposed Welsh Language Measure are not far enough advanced for us to be sure how they might apply to the Assembly and its Commission.

27.   The Panel reviewed oral and written evidence regarding the language legislation applicable in some bilingual international

legislatures. Some parliaments have legislation that deals exclusively with the implementation of their bilingual ethos. Similar statutory provisions might offer a firmer foundation for language provision in the Assembly than the current Standing Orders. However, during our deliberations the Welsh Government published a Welsh Language Measure and one of the Assembly's legislative committees started a public consultation on the draft Measure. We therefore decided that in the circumstances the Panel should request the Commission and Assembly to note our consideration of the various options identified, as the Language Measure progresses through its public consultation phase and various stages in the Assembly.

28. We consider that the merits of a National Assembly for Wales (Languages) Measure are worth exploring further, but it is not necessary for us to make a specific recommendation on the legislative context in which our recommendations are implemented.

A5   Bilingualism in International Contexts

29.   The Panel's terms of reference referred to best practice internationally, and whilst the timescale available to the Panel did not permit us to make detailed investigations, the Panel did receive very helpful assistance from the Members' Research Service in identifying parliaments in other jurisdictions with experience of operating in more than one language. In no cases were the circumstances identical to those in Wales, not least because the UK has an unwritten constitution and thus no language has been accorded the status of 'official language'. What follows is a summary of the useful background information that was considered.

30.   Well established bilingual and multilingual parliaments include Switzerland and Canada. The former two legislatures began simultaneous translation in 1936 and 1946 respectively and both are characterised as being highly federalised with the sub-federal level of government reflecting linguistically defined components.

31.   The Federal Parliament of **Canada** and the legislative assemblies of the provinces of Canada, to varying degrees, have adopted bilingual practices under the original *Constitution Act 1867.* They developed it further following the bilingualism and biculturalism agenda that emerged in the 1960s which was realised in language legislation and the new constitution of the 1980s.

32.   In contrast, **South Africa** has been developing further provision for the use of its 11 official languages in parliamentary business for the last few years. Paradoxically, English has been established as the language of record reflecting a wider debate about the emerging strength of English in South Africa at the expense of other languages, including Afrikaans. This is also a pragmatic decision in a multilingual country.

Many of the effective practices found in bilingual parliaments already exist in the Assembly such as the right to speak in either language; bilingual record and simultaneous translation. However, there are some features in Wales that are different from other bilingual legislatures:

- When separation occurred in 2007, the translation service split between the Assembly and the Welsh Government. However, it seems common practice elsewhere for government and legislature to share a translation service.

- Some legislatures favour seeing linguistic communities reflected in the offices of Parliament. For example, if the Speaker is from a particular linguistic group, a deputy may be from another. Some legislatures may require all their staff to be competently bilingual, as in the case of the Canadian Parliament.

33. The **Scottish Parliament** has employed a Gaelic Language Development Officer since 2000. There are now three Gaelic language staff who focus on education and development. Translation is outsourced. All staff are given Gaelic Awareness Training. The one day course aims to make delegates aware of the importance of the Gaelic language to Scotland, particularly in the light of the Gaelic Language Act and the statutory requirement to comply with the aims and objectives of the Scottish Parliament's Gaelic Language Plan. Across the Parliament, apart from the three staff members referred to above, there is one Gaelic speaking member of staff in Visitors' Services and two who work on the Official Report.

34. In **Ireland**, the Official Languages Act contains provisions that affirm language rights in the Oireachtas (s6). Members of the Dáil and Seanad (the two houses of the Oireachtas) have the right to use Irish or English in any debates or other proceedings in the Dáil or Seanad and/or in any committee, sub-committee or joint committee of the

Oireachtas. A person appearing before the Houses of the Oireachtas and /or before committees, sub-committees or joint committees of the Oireachtas has the right to conduct his/her business in Irish or in English. All official reports of debates and other proceedings in the Houses of the Oireachtas must be published bilingually. However, other contributions (whether oral or in writing) in either official language may be published solely in that language. A simultaneous interpretation system is available in the Houses of the Oireachtas to ensure that a person without Irish is not at a disadvantage when Irish is spoken. However, despite the status of Irish as the 'national' language, it has not been widely used in the business of the Oireachtas. Indeed, one commentator described it as never gaining more than "ceremonial status" for the purpose of Irish identity.

35. The Federal Parliament of **Canada** is generally regarded as the most "thoroughly bilingual legislature in the world". Provisions for the operation of a bilingual legislature in Canada are found in the *Constitution Act 1867* ("the 1867 Act"), the Canadian Charter of Rights and Freedoms ("the Constitution") and the *Official Languages Act 1988* ("OLA").

Debates

The 1867 Act expressly guarantees all parliamentarians the right to use English or French in parliamentary debates. A system of simultaneous interpretation was introduced in 1959. The Translation Bureau of Parliament has some 50 permanent interpreters, and regularly calls on another 20 freelance interpreters. Simultaneous translation occurs in both languages.

The Record

Section 133 also provides that "records and journals" must be prepared in both official languages. This bilingualism obligation presupposes the simultaneous use of English and French in the publication of those

parliamentary documents. Documents must be fully available in both official languages. Prior to 1976, the *Journals* were printed in separate English and French versions. Since the second session of the 30th Parliament, they have been printed in a two-column bilingual format.

Legislation

Although all Government legislation is bilingually drafted, in the Senate and House of Commons there are not enough resources to provide the same facilities for private members' legislation. The National Assembly for Wales, on the other hand, provides this service for its smaller volume of Members' legislation.

Committees

At the start of each parliamentary session, a number of committees pass motions providing that the documents provided by a witness shall be distributed only when they are available in both official languages. This type of motion illustrates the potential conflict between the right of parliamentarians to receive documents in the official language of their choice and the right of witnesses to use English or French in their relations with Parliament.

Staffing

All staff working for the Parliament are bilingual. There is no problem in recruiting bilingual staff.

Communications

Within the Parliament, all Members and staff select a "First Choice" language and computers are set up to provide documents in that language.

The Parliamentary website is entirely bilingual, with the exception of material from press conferences held by other organisations not directly connected to the Government. In practice, all Press Releases are bilingual, including those from Opposition Parties, with the exception of

the Bloc Quebecois, which produces them only in French. Parliamentary Research Papers are fully bilingual.

36.   Catalan is the official language of **Catalunya** along with Spanish, which is official throughout the Spanish State. The Language Act (1983), which was backed by all the political parties in the Catalan parliament, asserts that the recognition of Catalan as Catalunya's own language is a fundamental right and a duty which can never be given up by the Catalan people. Catalan is spoken by about ten million people, not all of whom are located in the autonomous region of Catalunya. Most Catalan speakers are (at least) bilingual.

Members of the Parliament are free to use either of the two official languages in the Catalan Parliament but the use of Catalan predominates. All bills and motions are tabled in Catalan and when a bill is enacted, it is translated by the Parliament's language service into Spanish, and sent to the Official Spanish gazette and to the Spanish edition of the Catalan gazette, to be published. Information on the website is available in Spanish and Catalan. The Parliament of Catalunya uses Catalan almost exclusively for oral and written communications.

The Language Advisory Service of the Catalan Parliament is responsible for the development and maintenance of the standard of legislation. Together with Legal Services, it oversees corresponding texts of bills. Proficiency in Catalan is a prerequisite for candidates entering the tests for entry into the public service in the region, in keeping with Law 17/1985 on Public Offices of the Administration of the Generalitat (the Government).

37.   As in Catalunya, the language of the **Basque Country (Euskera)** is the official language along side Spanish. Article 6 of the Statute of Autonomy states:

"Article 6.-l. «Euskera», the language of the Basque People, shall, like Spanish, have the status of an official language in Euskadi. All its inhabitants have the right to know and use both languages.

2.The common institutions of the Autonomous Community, taking into account the socio-linguistic diversity of the Basque Country, shall guarantee the use of both languages, controlling their official status, and shall effect and regulate whatever measures and means are necessary to ensure knowledge of them.

3.No-one may suffer discrimination for reasons of language.

4.The Royal Academy of the Basque Language is the official advisory institution in matters regarding Euskera."

Citizens have a legal right to use Basque orally or in writing in their dealings with the administration or with any other official body.

Royal Decree 2568/1986 provides that debates in the parliament of the Autonomous Communities in Spain may be held in Spanish or the co-official language and all minutes and resolutions shall be bilingual. According to the Rules of the Basque Parliament of 22 February 1983:

"Euskera and Castilian shall be the official languages of the Basque Parliament, and either language may be used without distinction. Official parliamentary publications shall be bilingual."

The proportion of debates in which Basque is used in the Basque Parliament is around 20 per cent. Translation services are provided.

A6 Existing Services within the National Assembly

38.   Extensive details of the provision of bilingual services to the public are set out in the Assembly's Welsh Language Scheme that came into effect on 11 July 2007. They are not therefore repeated here, but for ease of reference this Section of the Report follows the structure adopted by that Scheme. This Section summarizes the evidence received in areas where no recommendations are made by the Panel.

39.   The Planning and Provision of Services (Part 3 of the Scheme) is a subject on which significant evidence has been received, and is therefore addressed in Section B4 of this Report.

40.   Dealing with the Welsh speaking public is the subject of Part 4 of the Scheme. No evidence was received that communications are other than in the language of choice of the member of the public or bilingual, save in the case of incoming telephone calls, referred to in paragraph 96 below. Similarly, evidence has shown that in its handling of public meetings and its attendance at conferences and events such as shows and eisteddfodau, the Assembly's communications with the public have been excellent. We have been impressed by the efforts of the external communications team to provide a bilingual service in all parts of Wales through its outreach programme, by our own experience of the visitor services team, and by the work of the education team. The use of the internet is referred to in the following Section of this Report. However, one of our principal concerns in relation to this area of the Scheme is the language profile of the Assembly security service. This subject is addressed in paragraph 92 of this Report.

41.   Paragraph 4.8 of the Scheme relates to proceedings in Plenary meetings of the whole Assembly and in committee. Apart from cross-

references to the Government of Wales Act and to Standing Orders, two issues are referred to in this paragraph. The first is the provision of the simultaneous translation of speeches made in Welsh. This service is widely regarded as an exemplar, and having used the services of this team for our own meetings, we are able to endorse that view. The other matter referred to in this Section of the Scheme is the Record of Proceedings, which was the matter that led to the appointment of our Panel. This is dealt with in detail in Section B1 of this Report.

42. Part 5 of the Scheme deals with "Our Public Image". From the evidence received, most aspects of this Part of the Scheme appear to us to be working satisfactorily. Nevertheless, there are two issues that are addressed below. The first is an exception to the general principle that documents are made available bilingually, and this is dealt with in paragraph 49 below. The second is the simultaneous publication of press releases in both languages, and this subject is addressed in paragraph 90.

43. Administrative Arrangements are dealt with in Part 6 of the Scheme. We have a number of concerns regarding the staffing and training arrangements, which are the subject of recommendations in Section B4 of this Report. Paragraph 6.5 of the Scheme deals very briefly with Information Communications Technology (ICT). We regard this as a central part of the development of bilingual services, and consider the matter at greater length in sections A6 and A7 below.

44. Finally, we note that the Scheme deals primarily with services to the public. The Commission staff, however, also provide services to Assembly Members and to each other, and facilitating the provision of those services bilingually has been an important consideration in the Panel's deliberations.

A7   Technological Context

45.   The National Assembly has from the outset seen itself as leading the way in the use of technology in the provision of parliamentary services. We concur with this view. Indeed, there have been many visits from other parliamentary institutions to see how the Assembly operates, including in its use of technology in the chamber, both for the provision of information to Members and the recording of votes. High amongst the interests of such visitors has been the use of technology in the provision of bilingual services.

46.   The Record of Proceedings (Cofnod) has been produced on-line from the outset. It has never been published as a physical printed document in the way that Hansard is available, but is available on-line on the Assembly's website in a printer-ready format, so that people who need a hard copy can easily obtain a print of what they need. The Cofnod of full meetings of the Assembly (Plenary) has to date been available in a fully translated dual-column format.

47.   During the Third Assembly, advantage has been taken of further technological advances that enable all Plenary and committee meetings to be viewed on-line on senedd.tv. This is available with two language options. It is possible to hear the original languages as spoken, or a version with the simultaneous translation available to those present at the meeting. The Assembly is working on making this service more user-friendly, so that it is easier to locate a particular subject or speaker. Senedd.tv is now being supplemented by late night broadcasts of Assembly proceedings on S4C and the BBC's Democracy Live service.

48.   The decisions of the Assembly and its committees are also available in a more concise form. Plenary decisions are published as "Votes and Proceedings", and committee decisions are recorded in

formal minutes. These too are available bilingually on the Assembly's website

49.   Almost all documents available on the Assembly's website are available in both languages. Two exceptions are noted in the Welsh Language Scheme. The first is evidence produced in one language by outside organisations, although the Panel noted that the Assembly will translate for the benefit of non Welsh-speaking Members, any evidence received only in Welsh from individual witnesses. Organisations that have Welsh Language Schemes of their own are expected to provide evidence bilingually. The second (noted in paragraph 5.5 of the Scheme) is documents not primarily drafted for use by the public. These are mainly documents produced by the Members' Research Service for the information of Members and their staff as well as Assembly staff. Published on the website for ease of reference, these have hitherto have been available to the public in English only.

50.   In addition to the Assembly's internet site, there is also an intranet that is used by Members, their support staff, and Assembly staff.   This is the principal means of sharing information among Assembly staff, and although not fully bilingual, the proportion of the content available in Welsh is gradually increasing.

51.   As indicated above, simultaneous translation has been available for meetings of the Assembly and its committees from the outset. It has also been used for meetings of all Assembly staff, and subject to the availability of interpreters, is available for meetings of groups of staff. The service is also available for meetings of the party groups, a facility that is currently used by one political party.

52.   Voice recognition software is used to assist the publication of the Cofnod. It is currently used by editors who listen to the Assembly proceedings and dictate into a computer. The software allows the

individual recognition of each editor's voice. The principal reason for its introduction was mitigating the risk of repetitive strain injury rather than speeding up the process. However, as computer memory and speed of processing has increased, the conversion of speech to text has become fast and relatively efficient. New opportunities for using voice recognition are addressed in paragraphs 59-60.

53. The most recent developments in Assembly external communications have been in the area of social networking websites. The Assembly has a presence on Facebook, You Tube, Flickr, Wordpress and Twitter, but these are in the early stages of development. Material initiated by the Assembly is available in both languages. When responding to others, the content is in the language of the initiator. We welcome the Assembly's enthusiastic response to such opportunities to communicate with the people of Wales, and not least with younger users.

A8   Towards a Digital Future

54.   Other sections of this Report outline how the use of current technology can assist the delivery of bilingual services both to Assembly Members and to the people of Wales. The Digital Age is increasingly an important part of our lives, with technology developing at a fast pace. Changes in the visual and audio recording of events (e.g. high definition) have been joined with storage on ever-smaller hardware. Older recordings are not lost. While formats change for the recording, editing and storage media, translation from one format to another is relatively easy.

55.   In addition, the availability of digital information has increased dramatically, witnessed by senedd.tv being available over the WWW through ever-faster broadband. Also, S4C's transmission of National Assembly sessions (Y Dydd yn y Cynulliad - The Day at The Assembly) for six hours each night for three days of the week has just commenced. The Panel heard from witnesses that technological developments are likely to make National Assembly records even more widely available, for example, through receiving digital records (visual, audio, text) on mobile phones.

56.   One recent fast area of change in the Digital Age has been the exponential growth and usage of social networking websites. The Assembly has responded speedily and appropriately by having a presence on Facebook, YouTube, Flickr, Wordpress and Twitter. This is particularly important as it engages with younger citizens for whom such digital forms of interaction with organisations and individuals are increasingly regular and popular. We **recommend** that the National Assembly develops its bilingual communication with citizens of all ages who use such social networking as a means of listening to voters, increasing openness of debate, and understanding the needs of the public who increasingly use such forums and exchanges.

57.   The Panel congratulates the National Assembly for continuously enhancing its international position as a parliament utilising the cutting edge of technology. However, the Panel does not have the technological expertise to investigate the variety of technological advancement that could enhance the operations of the National Assembly in the next decade. Therefore, we **recommend** that the National Assembly consider how the expected advancement of technology can enhance bilingualism in its operations through a more detailed and expert consultation.

58.   Technology promises much for the future, but inevitably some areas may be slower to develop.   For example, various voice recognition software currently claims to obtain between 95% and 99% accuracy in transcribing from English speech to English text.

59.   However, there are current limitations to speech to text transcription. First, full transcription from Welsh audio to Welsh text is not currently possible except when there is a very small subset of vocabulary (as with telephone response systems). Second, a speaker needs to have trained the software to recognise their intonation and speech patterns. Poor accuracy occurs without such prior training of the speech recognition software.   For example, citizens giving evidence to a committee would tend to have low accuracy as the software will not recognise their voices. Third, evidence presented to the Panel suggests that such software will only work in very small groups and not in large plenary sessions.

60.   We **recommend** that the Assembly keep such developments under review, so as to take advantage of multi-user software as soon as it is sufficiently developed to be used efficiently. We consider that it is likely to be relevant to the smaller numbers at committee meetings before being suitable for use in plenary. The simultaneous

translation of Welsh to English also provides a context for the use of speech recognition. Written texts could then immediately be produced, but would need light editing afterwards.

B   **THE PANEL'S DELIBERATIONS AND RECOMMENDATIONS**

61.   Our recommendations are based on the principles of:

(1) The promotion of citizenship and providing opportunities for the increased engagement of voters with the democratic process;

(2) Welsh and English being treated on the basis of equality so far as is both appropriate in the circumstances and reasonably practicable.

B1   **Cofnod**

62.   We considered carefully, and at length, the issue of the Cofnod as the formal record of proceedings of the Plenary sessions and corresponding transcripts of committee meetings of the National Assembly for Wales. Many of our deliberations focused on the principles that define what is a 'true' record, not only of what is said in discussion but also how and where it is preserved for posterity.

63.   In particular, we were mindful of the pioneering digital nature of Assembly records and the availability and storage of a full audio-visual record of proceedings. This contrasts with a paper, text-only version, for example as has been historically the case with the printed Hansard Westminster Parliamentary record.

64.   The current provision for the Assembly's Record of Proceedings comprises the following key elements.

1. Firstly there is an audio-visual record of actual proceedings that is available live and then archived within 24 hours as a digital recording and available via the Assembly's website at: http://www.senedd.tv/index.jsf

2. Secondly, also within 24 hours, a verbatim transcript is provided (in the original language plus the simultaneous translation of contributions in Welsh into English). This text is currently then adapted (within 5 days) to include a translation of English language contributions into Welsh to provide a Welsh language version. An example can be seen at:

3. http://www.assemblywales.org/bus-home/bus-chamber/bus-chamber-third-assembly-rop/rop20100323qv.pdf?langoption=3&ttl=The%20Record%20%28PDF%2C%20477KB%29%20

4. Thirdly, the plenary proceedings are summarised in "Votes and Proceedings" for Plenary meetings of the Assembly. An example can be seen at:

5. http://www.assemblywales.org/bus-home/bus-chamber/bus-chamber-third-assembly-votes.htm?act=dis&id=174222&ds=3/2010

Senedd.tv also features an audio-visual record of committee meetings, a written transcript and published minutes, an example of which can be found at:
http://www.assemblywales.org/bus-home/bus-committees/bus-committees-scrutiny-committees/bus-committees-third-els-home/bus-committees-third-els-agendas.htm?act=dis&id=173602&ds=4/2010

We reviewed the basis of all these offerings and how they meet the needs of citizens.

65. We concluded that, in its purest sense, the authentic record of proceedings is firstly, the complete audio-visual record and secondly, the published transcripts of what is actually said, in either English or Welsh, in the Senedd Chamber or committee room. These include the audio version and text record of the simultaneous translation that

Members and the public would hear (if they chose to) during the actual session.

66.   We then reviewed whether this authentic record should continue to be translated to render the English language contributions into a Welsh version. We decided that to do so is, in effect, a construction and interpretation of the authentic verbatim record of actual proceedings.

67.   For some, such a fully translated Cofnod into Welsh would be desirable. However, our recommendations reflect the need to make the best use of resources available. They also take into account the desirability of increased expenditure on other activities designed to increase the practical day-to-day use of Welsh in the Assembly, and especially those that increase citizen awareness and engagement. We consider that the current provisions are not the best way to meet the needs of citizens as potential users.

68.   We therefore **recommend** that the verbatim text Record of Proceedings be published in the original language(s) spoken, together with a record of the contemporaneous translation from Welsh to English, as is heard in the Chamber at the time. We understand that this is already the usual practice for committee meetings and has been a generally accepted approach. We consider that resources released by not translating the Plenary transcript after the event could be used to develop and edit a new, more citizen-friendly, bilingual record facility that we discuss below.

69.   Given the new law-making powers of the Assembly, we further considered a specific argument for a full translation into Welsh of proceedings relating to the making of bilingual legislation. It was argued that to do so would facilitate its possible use as an aid to statutory interpretation and act as an aid to the development of legal

terminology in Welsh. We were not wholly persuaded of this argument given its principle of recording the authentic, verbatim record but **advises** the Commission to keep this aspect under review.   In any event, the audio-visual and text recording of all legislative discussion to provide a full digital record should be a priority.   We have noted that all Welsh legislation is, save in exceptional circumstances, made bilingually.

B2   A Citizens' Cofnod – Cofnod y Werin

70.   We considered the ways in which the Record can be made more accessible for members of the public in a way that is useful for them and how easily, as citizens, they can track issues of concern to them and their communities. We concluded that neither the audio-visual facility nor the full transcripts are particularly user-friendly and the "Votes and Proceedings" facility is of very limited value in using the Record.

71.   We **recommend** that senedd.tv should become the principal comprehensive stored record for researchers and future historians. A visual/audio record contains both verbal and non-verbal communication (e.g. intonation, body language) and thus is a more inclusive, complete and authentic record of proceedings as they occurred. For AMs wishing to quote exactly from a previous speech, and for researchers and historians, the most valid and faithful record is visual and audio, plus the translation from Welsh to English as it occurred during proceedings. The full transcript of those oral contributions should continue to be available for those who prefer to read what was said.

72.   On the other hand, a citizen may not want immediate access to the full transcript, as this is often highly detailed, lengthy, sometimes repetitive, and the major issues are not always immediately apparent. The full Record also contains procedural discussions that might not be relevant for most users. Currently, there is also no link between the "Votes and Proceedings" summaries and the Cofnod. We consider that there is a real opportunity to invest in the future by significantly improving access to the Record and making it easier for citizens to track and follow issues.

73. We therefore **recommend** that the "Votes and Proceedings" and committee minutes be developed into a much more citizen-friendly bilingual facility that will, in turn, contribute more to open democracy. We **recommend** what we have called a fully bilingual "Citizens' Cofnod" – "Cofnod y Werin". It would contain a list of speakers, details of the decisions taken, and offer a politically neutral list of the issues debated and be available by the end of the following day.

74. Crucially in the "Citizens' Cofnod", the names of speakers and list of issues would be linked to the full textual Record and to the appropriate section of the senedd.tv record. Thus, any citizen who wanted to locate what an individual Member said in detail in proceedings could simply click the hyperlink and be taken to the full record in its most authentic form and to the relevant part of the text version. Similarly, a citizen could click a keyword which would hyperlink to parts of proceedings that were appropriate in terms of content and context.

75. Thus, for example, a member of the public or journalist interested in, say, the Central Wales Line would be able to see from the Citizens' Cofnod whether it had been specifically referred to in a discussion on railways, and if so, could link directly to the appropriate part(s) of the discussion.

76. Resources released by not translating and editing the transcript of Plenary sessions can be used to develop and edit the bilingual Citizens' Cofnod. We believe that this can better promote the work of the Assembly, including its use of the Welsh language, further than current limited usage of the Cofnod, and that it could increase Welsh language usage by citizens when using the Record.

B3   Other Bilingual Services

77.   It was Commission proposals in relation to the Record of Plenary meetings that led to the establishment of the Panel, and we have considered that issue and the related subject of the transcription of committee meetings above.   However, our terms of reference also refer to bilingual services more generally, and we therefore now turn to those other services and issues that arose in evidence presented to the Panel.

The public record and archive

78.   Evidence was received that sections 146 to 148 of the Government of Wales Act 2006 makes provision for Welsh public records.   These follow similar provisions in the Government of Wales Act 1998 that have never been implemented.   They would need to be implemented by an order made by the Lord Chancellor transferring responsibility for Welsh public records to Welsh Ministers (or a member of staff of the Welsh Assembly Government).   Whilst we are surprised that nothing has happened on this important issue over a period of nearly twelve years since devolution, it is not a matter for which the Commission is responsible.   It would not be therefore appropriate for us to make recommendations on this point in this Report.

79.   Of more direct relevance to us is the fact that records of the Assembly or the Assembly Commission are specifically excluded from the definition of Welsh public records by virtue of section 148(1)(f) of the 2006 Act.   Such records are also omitted from the definition of public records contained in the Public Records Act 1958. Responsibility for the records of the Assembly or the Assembly Commission therefore falls squarely on the Commission.

80. We consider that the audio-visual materials and documents produced by the Assembly in both languages should be a central part of the historical records of Wales. We therefore **recommend** that archiving arrangements for the long term retention of such records and public access, with the possible assistance of the National Library, be finalised at an early date.

Members' Research Service

81. We considered the role of the Members Research Service (MRS) and noted its key role in providing important contributions to debate and policy making by Members. Whilst primarily focused on internal activities of the Assembly, we noted the department's editorial skillset used in its reports and publications.

82. We **recommend** that research papers produced by the Members' Research Service (MRS) (which are of a very high standard) that are downloadable from the website (and all other documents produced by the Assembly) should be published in both languages simultaneously.

83. In addition to the research papers, MRS also produces briefings for Members for committee meetings or Plenary debates. These contain background information and possible questions for use by Members in committee, and are not generally published. We **recommend** that such briefings should be bilingual unless time constraints make it impractical. This can arise when briefings are dependent on the receipt of written evidence from external sources and that evidence does not arrive far enough in advance of the meeting in question to permit the translation of the briefing. In such circumstances, we **recommend** that suggested questions for the use of Welsh speaking Members in committee should be available in both languages to facilitate increased usage of Welsh by Members. It goes without saying that the more Members who speak Welsh in debates,

the more the Welsh language will form part of the bilingual verbatim records.

84.   We **recommend** that MRS should be resourced to enable it to respond promptly to Members' enquiries in Welsh and that this service should be promoted to counteract the current expectation among Members that material in Welsh will be delayed. We thus **recommend** that MRS works closer with the Translation and Reporting Service and discuss aspects of this in paragraph 100.

85.   We reviewed the use of voice recognition technology and other developments such as Google translation. In particular we received helpful evidence from an international leader in voice recognition.

86.   Currently the Assembly's Translation and Reporting Service uses an outdated version of voice recognition software and only to a limited degree.   We **recommend** that this should be immediately upgraded. We also believe greater efficiencies could be achieved by its wider use, and therefore **recommend** more extensive use of voice recognition software when preparing transcripts of the Record. Also, the Cofnod team should keep technological developments in voice recognition and machine translation under continuous review to ensure that the service is provided as efficiently as possible.

87.   We also **recommend** that the Commission seeks assistance at the earliest opportunity to enable the live simultaneous translation (Welsh to English) feed to be used as the base text for editing.

88.   We also received evidence that some progress has been made towards the development of related Welsh language voice recognition software. We **recommend** that the Assembly should work with the Welsh Language Board to further the development of Welsh language

voice recognition software that could be of considerable assistance in the preparation of all bilingual documentation.

89.   We note that voice recognition technology cannot currently identify the words spoken by different Members in debate. Nevertheless, we recommended in paragraph 60 that the Assembly keep developments of voice recognition software under constant review, so as to be able to take advantage of such multi-user software as soon as it is sufficiently developed. We consider that it is likely to be relevant to smaller numbers at committee meetings before being suitable for use in Plenary.

B4 Administrative Arrangements

External Communication

90. We **recommend** that all communications between the Assembly and the public should be in both languages except when responding to communications from individual members of the public or organisations when the response should be in the language of the communication received. This is in line with current practice, although we received evidence that not all press releases are published simultaneously in both languages. We emphasise that the same bilingual principle should apply to press releases as to other publications, and to all forms of digital communication.

Staff

91. We note that the proportion of Welsh speaking staff varies considerably between departments of the Assembly. We **recommend** that the Assembly ensures that all departments have sufficient staff to enable them to deliver their services to the public and to Members in both English and Welsh without being overly dependent on the translation service.

92. We refer in paragraph 40 to the language profile of the Assembly security service. We consider that as part of this service, which provides the first point of contact of visitors to the Senedd and Tŷ Hywel, staff should be able to provide at least a basic bilingual greeting and welcome to the Assembly. We **recommend** that the Commission make improving the bilingual service provided by security staff a priority, both by training existing staff and recruitment when vacancies arise.

93.   We **recommend** that bilingual services should be promoted to counteract the current belief and expectation among some Members and Assembly staff that services cannot be provided in Welsh as promptly as in English.

94.   We **recommend** that all members of staff should have or acquire some skills in the Welsh language. The skills required will vary from the ability to meet and greet to the capability to translate, or to draft legislation and other complex documents.

95.   We **recommend** that there should be more extensive and intensive language awareness training, particularly for new recruits, especially those recruited from outside Wales.

96.   We **recommend** that the Assembly should carry out a benchmarking exercise by comparing itself to other Welsh organisations that, along with the Assembly, have the most fully developed bilingual services. Examples for benchmarkers could include the Care Council for Wales, the Countryside Council for Wales and the National Library. One of the issues that we would wish to see addressed as part of such an exercise is the answering of telephone calls. We understand that there is a reluctance amongst some members of staff to answer the telephone bilingually for fear that it may give an inaccurate indication of their ability to continue a conversation in Welsh. This is not a positive reflection of the bilingual ethos that the Assembly seeks to demonstrate, and a benchmarking exercise would enable the Assembly to enhance its current bilingual usage.

97.   We were concerned that many of the Assembly's recruitment advertisements usually contained no reference to the bilingual context. Evidence was received that various members of the public believe that it is essential to speak Welsh to work in the Assembly, and do not

therefore seeking further information. We therefore **recommend** that there be a thorough re-analysis of posts for which an ability to work through the medium of Welsh is essential and for this to be conveyed in advertisements. This would permit other posts to be advertised in such a way that would attract those with more limited or no Welsh language skills, but a willingness to develop them to varying degrees.

98. We note the general encouragement and support for members of staff to learn Welsh, but are concerned that it does not appear to be particularly focussed on enabling them to provide a better service in their employment. We were concerned that language learning was a relatively individually motivated activity that is not directed at more dynamic collective outcomes. This contrasts with the language learning and excellent support given to Assembly Members which is tailored to enable them to perform more effectively as Members. We **recommend** that the lessons learnt from the tutoring of Members be applied to the teaching of staff so that those who take Welsh lessons are able to make an increasing contribution to the provision of Assembly services in the Welsh language. This could be a dynamic tutor based permanently on site who would interact with and motivate staff on a regular day to day basis.

99. The Investors in People assessment of the Assembly revealed a very impressive assessment of investment in staff development. Our recommendation is to ensure that staff develop as effectively in both languages to enable the Assembly to deliver services that are as effective, as prompt and as efficient in both languages.

100. We have been privileged to consider all aspects of the Assembly as a bilingual institution and this holistic view has prompted ideas that we hope may inform future developments. In particular, we are struck by the overlap in activity of a number of separate departments including External Communications, MRS, Translation and the

Reporting staff. To varying degrees, all involve external facing services and are currently involved in one form or another of editing information in both languages. We also note that technological developments such as voice recognition are changing the nature of transcription and translation work resulting in some time saving but also with more emphasis on editorial skills. Meanwhile our recommendation of a new bilingual "Citizens' Cofnod" also demands a new editorial role that relates to the current work of the Business Directorate.

101. We therefore **recommend** that consideration be given to creating a high level over-arching post to coordinate this important work better from a Welsh language and bilingual perspective, both in terms of staff skills and multi-tasking and resource allocation. This post also chimes with our idea of a bilingual champion for the Assembly at Management Board level. We **recommend** that a Director or another influential member of the Management Board be given overall responsibility for bilingualism (not just translation) and to act proactively as its "champion".

B5   Other issues

<u>Members' Communications</u>

102. We **recommend** that all announcements and public material produced by Members that are funded from the Assembly budget, including letterheads, contact details and surgery advertisements, should be produced bilingually in accordance with the Assembly's bilingual ethos.

<u>Other Languages</u>

103. Evidence was received in relation to the use of languages other than Welsh and English on the Assembly's website. We **recommend** that it would be a useful contribution to the development of understanding of devolution and the role of the National Assembly if summaries of Welsh devolution and the role of the Assembly were available from the front page of the website in other languages commonly used by those who live in Wales and those who visit the Assembly.

<u>External Groups</u>

104. We considered the use of Assembly premises for meetings and events by external groups and in particular whether they provided bilingual display materials and simultaneous translation facilities. In conclusion, we **recommend** that the Assembly creates and publishes a Guide to best practice plus details of services available to external groups when holding functions on Assembly premises

B6   Final thoughts: a truly bilingual institution

105. Our terms of reference referred to 'realising the Assembly's ambition to become a "fully bilingual institution"'. In this Report we have sought to outline changes that will help to achieve that ambition. To conclude, we have attempted to define what would be a truly bilingual institution. We suggest the following –

> **"The National Assembly for Wales is an institution where Members and the public can choose to work or communicate through either or both Welsh and English and where the use of both languages is a source of pride to all. This means that all staff should have some skills in both languages, although this will vary from basic greetings to the ability to draft and translate complex documents in both languages. The strategies and aspirations of the National Assembly reflect the position of the Welsh and English languages, having equal status under the Government of Wales Act 2006."**

106. The adoption of a declaration such as this, and the recommendations that we have outlined above, would further enable the National Assembly to be the international exemplar that it aspires to be in the provision of bilingual services in Wales.

Appendix 1.   Witnesses from whom oral evidence was received

Assembly Members-

The Presiding Officer
Peter Black AM
Paul Davies AM
Dai Lloyd AM
Jenny Randerson AM
Rhodri Glyn Thomas AM

(Written evidence was also received from Gwenda Thomas AM)

External witnesses-

Bwrdd yr Iaith Gymraeg
Cymdeithas yr Iaith Gymraeg
Lord Elystan Morgan
National Library of Wales
Nuance Communications
Professor Colin Williams
Wales Council for Voluntary Action

Assembly Commission Staff

Chief Executive and Clerk of the Assembly
Director of Legal Services
Director of Assembly Business
Head of Change Programme
Head of External Communications
Head of Human Resources
Head of Members' Research Service
Head of Translation and Reporting Services
ICT & Multimedia Development Manager
Welsh Language Tutor
Website Editor
(Some of the above were supported by colleagues reporting to them)

A number of other Assembly staff from different departments gave
informal evidence to the Panel.

Appendix 2   Further Reading

Government of Wales Act 2006

National Assembly for Wales, Standing Orders

Welsh Language Act 1993

The National Assembly for Wales Commission (Crown Status) (No 2) Order 2007

National Assembly for Wales Welsh Language Scheme

Proposed Welsh Language (Wales) Measure

Assembly Commission - Minutes of 21 September 2009 meeting

Cost of Bilingual Services – FoI request

Public Records Act 1958

International Comparisons

Gaelic Language (Scotland) Act 2005

The Scottish Parliamentary Corporate Body Gaelic Language Plan

Constitution Of Ireland

Official Languages Act 2003 (Ireland)

Official Languages and Parliament (Canada)

Official Languages Act (New Brunswick)

Act No. 1, of 7th January 1998, on linguistic policy in Catalunya

The Statute Of Autonomy Of The Basque Country