

Cynulliad Cenedlaethol Cymru Y Pwyllgor Deisebau	National Assembly for Wales Petitions Committee
Adolygiad o'r System ddeisebau Cymru y Cynulliad Cenedlaethol	Review of the National Assembly for Wales Petitions System
Ymateb gan: Comisiynydd y Gymraeg	Response from: Welsh Language Commissioner



Clerk to the Petitions Committee
National Assembly for Wales

Comisiynydd y
Gymraeg
Welsh Language
Commissioner

via e-mail:

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Dear Sir/Madam

Review of the National Assembly for Wales Petitions System

Thank you for the opportunity to respond to the Petitions Committee regarding the above review.

Context

The Welsh Language Commissioner's main goal is to promote and facilitate the use of Welsh. This is done by drawing attention to the fact that Welsh has official status in Wales and by setting standards for organisations. This in turn will lead to establishing rights for Welsh speakers.

My work is founded on two principles:

- Welsh should be treated no less favourably than English in Wales;

- People in Wales should be able to live their lives through the medium of Welsh if they wish to do so.

Over time, new powers to set and enforce standards for organisations will come into force through subordinate legislation. Until that happens, I will continue to inspect statutory language schemes through the powers I have inherited under the 1993 Welsh Language Act.

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The Commissioner's role was created by the Welsh Language (Wales) Measure 2011 (the Measure). The Commissioner may investigate failure to implement a language scheme in line with section 17 of the Welsh Language Act 1993; investigate interference with the freedom to use Welsh in Wales in line with section 111 of the Measure and, in future, investigate failure to comply with standards in line with section 71 of the Measure.

In addition, and in line with sections 8-10 of the Measure, the Commissioner may institute legal proceedings in Wales and England, or intervene in such proceedings, if it appears to me that the proceedings relate to a matter that is relevant to my functions. Likewise, the Commissioner may provide support to an individual if that person is a party, or may become a party, to actual legal proceedings or potential legal proceedings in Wales or England.

Review of the Petitions System

I wish to respond in particular to question 11 of the consultation, which asked whether the Petitions Committee should be able to refer petitions to the Ombudsman or similar office-holders, when it believes there are grounds for them to investigate.

As noted above, I conduct investigations into the failure of public bodies who have language schemes to adhere to their schemes in cases where I suspect they are not doing so. I also investigate claims of interference with an individual's freedom to communicate with other individuals in Welsh. I receive information that might lead to an investigation from many different sources, including complaints from users of Welsh-language services or members of the public, ongoing monitoring work by my officials, as well as other information in the public domain.

The referral of petitions on matters relevant to my functions, where the Petitions Committee believed there were grounds to conduct an investigation, would be another way, in addition to those noted above, of drawing my attention to any matters relating to the Welsh language where there are potential problems which I should consider investigating.

Sections 20 and 21 of the Measure confirm how I will be working with the Public Services Ombudsman for Wales, and alongside other ombudsmen and commissioners. The Petitions Committee could refer to the above sections of the Measure if the Committee desires a significantly different relationship with the Welsh Language Commissioner, and work alongside the Commissioner as well as transfer information to the corporation.



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You are welcome to contact me if you wish to discuss the matter further.

Yours faithfully

Meri Huws

Welsh Language Commissioner