OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Education, Children and Young People Committee

Wednesday 1 May 2024

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

Wednesday 1 May 2024

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EDUCATION, CHILDREN AND YOUNG PEOPLE COMMITTEE
13th Meeting 2024, Session 6

CONVENER

*Sue Webber (Lothian) (Con)

DEPUTY CONVENER

*Ruth Maguire (Cunninghame South) (SNP)

COMMITTEE MEMBERS

*Stephanie Callaghan (Uddingston and Bellshill) (SNP)
*Pam Duncan-Glancy (Glasgow) (Lab)
*Ross Greer (West Scotland) (Green)
*Liam Kerr (North East Scotland) (Con)
*Bill Kidd (Glasgow Anniesland) (SNP)
*Ben Macpherson (Edinburgh Northern and Leith) (SNP)
*Willie Rennie (North East Fife) (LD)
*Michelle Thomson (Falkirk East) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Douglas Ansdell (Scottish Government)
Niall Bartlett (Scottish Government)
Ninian Christie (Scottish Government)
Claire Cullen (Scottish Government)
Dr Michael Dempster (Scots Language Centre)
Nico McKenzie-Juetten (Scottish Government)
Professor Wilson McLeod (University of Edinburgh)
Professor Robert McColl Millar (University of Aberdeen)
Professor Conchúr Ó Giollagáin (University of the Highlands and Islands)

CLERK TO THE COMMITTEE

Pauline McIntyre

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Education, Children and Young People Committee

Wednesday 1 May 2024

[The Convener opened the meeting at 09:03]

Scottish Languages Bill: Stage 1

The Convener (Sue Webber): Good morning, and welcome to the 13th meeting in 2024 of the Education, Children and Young People Committee. The first item on our agenda this morning is our first oral evidence session on the Scottish Languages Bill at stage 1.

We have two panels of witnesses joining us today, so it is a busy morning. On our first panel, from the Scottish Government, we have Douglas Ansdell, team leader, Gaelic and Scots; Niall Bartlett, policy officer, Gaelic and Scots—did I pronounce your name correctly?

Niall Bartlett (Scottish Government): Yes.

The Convener: Thank you. We also have Claire Cullen, head of Gaelic and Scots; Ninian Christie, lawyer, economy and social protection division; and Nico McKenzie-Juetten, lawyer, school education division, legal directorate. I welcome you all.

Before we move to questions, Douglas Ansdell will make a brief opening statement. Douglas, you have up to three minutes. You do not have to push any buttons; the tech desk operator does everything for us, so it is hands free.

Douglas Ansdell (Scottish Government): Wonderful. Will they make the speech for me, too?

The Convener: Sadly not.

Douglas Ansdell: Good morning, and thank you for the opportunity to give evidence today.

The manifesto commitments of 2021 were the starting point for the Scottish Languages Bill. The commitments were positive and ambitious, and the bill is the legislative vehicle for them.

With Gaelic and Scots, it is always important to have a sense of earlier developments, of what neglect we are trying to reverse and of the progress that we are trying to build on. For Gaelic, there was not much evidence of official support before the 1980s, nor investment in the areas where Gaelic was spoken. We need to look to the late 1970s and the 1980s to see important developments in support for Gaelic-medium education, broadcasting, publishing, the arts and community initiatives.

The establishment of the Scottish Parliament was also important, building on clear messages from the speaker community that much more needed to be put in place for Gaelic. That led to the Gaelic Language (Scotland) Act 2005, the establishment of Bòrd na Gàidhlig, the preparation of Gaelic plans, stand-alone Gaelic schools, a Gaelic television channel, further Gaelic support and much more support for Gaelic education in the Education (Scotland) Act 2016.

As a result of those steps, we can safely say that Gaelic is alive in many sectors. There are community initiatives and public bodies that have designed and adopted their own Gaelic strategies. Although the Gaelic world is small, it is varied and diverse and could never be described as one in which all groups follow one top-down official Scottish Government strategy.

Gaelic development is not standing still. A number of authorities are expanding their Gaelic-medium education estate and provision, and a range of Gaelic bodies continue to strengthen their support for teachers, education, the arts, film, broadcasting and community initiatives. With such examples, we see Gaelic changing, growing and developing. It is not standing still. It is far from a status quo institution; it is a varied mixture of individuals, community groups and public authorities responding creatively to a set of challenging circumstances.

There is progress, innovation and commitment, but being positive does not blind anyone to the challenges that Gaelic faces or the concerns that are regularly expressed by speakers and learners. In our experience, nobody in Gaelic development is wearing rose-tinted glasses or has their head buried in the sand.

There has been a similar but different story for Scots. We are aware that Scots was prominent in the past, and was, at times, the language of government and administration, featuring also in song, literature and family and community life, but it has also been excluded from public life and has suffered as a result.

We are mindful that, as has been the case with Gaelic, this Parliament has played a role in encouraging Scots, including the publication of the short parliamentary booklet entitled “Scots: A Statement of Principles”, which was published in the early years of the Parliament. Then, a year ago, as most of us will remember, Billy Kay was invited to the Parliament and delivered a positive, uplifting and inclusive time for reflection in Scots. Also, recently, our cabinet secretary launched a Scots learning course for teachers that was prepared by the Open University and Education Scotland, and more than 150 teachers have signed up for that course of professional learning.

The Scottish Government has introduced the Scottish Languages Bill to build on the projects and initiatives that are in place, to improve on the progress that has been made and to ensure that the structures of strategy, standards, areas of linguistic significance and plans operate effectively for the benefit of the speaker communities, wherever they may be found.

With the wider historical context in mind, the establishment of the Scottish Parliament marked a turning point in support for Scotland's languages, and the speaker communities are keen to see the bill deliver good progress in line with their ambitions for Gaelic and Scots.

We are happy to respond to any points or comments.

The Convener: We will move straight to questions from members. Liam Kerr will kick off.

Liam Kerr (North East Scotland) (Con): Good morning. Douglas Ansdell, I want to pick up on what you said in your conclusion about people looking forward to good progress being delivered on the ambitions. If the bill is enacted, how will that progress be measured for Gaelic and Scots, and when does that measurement take place?

Douglas Ansdell: There are many measurements for Gaelic and Scots. Local authorities have their own measurements. In this discussion, we need to remember that things have moved on a lot since the 2005 act. Local authorities and public bodies have their own strategies and commitments and have significant spends on Gaelic and Scots. The first point to make is that local authorities and public bodies will measure what they do for their own commitments.

There is another area in which there will be measurement. There will be an enhanced role for Bòrd na Gàidhlig to consider reporting and compliance reporting. There will be a role for local authorities and public bodies, and a role for Bòrd na Gàidhlig to report to ministers and the Parliament. There will be a fair bit of reporting following the commitments in the provisions.

Liam Kerr: I am grateful for that, but that is not quite what I was getting at. Measurement has to measure something. You have also talked about significant spend, and my friend will come back to that later. What are the key performance indicators that show positive returns on the sums invested? What does success look like in terms of what is being measured?

Douglas Ansdell: MG Alba and Gaelic broadcasting have a wide range of targets by which they judge their performance, and the Gaelic college—Sabhal Mòr Ostaig—has a wide range of targets in respect of student intake and graduations. Local authorities have targets for young people going into Gaelic-medium education in primary 1. In some cases—in Glasgow, for example—the number of people who want to sign up for Gaelic-medium education is in excess of what was being considered. All of those bodies have their own measurements of success, and they can report on them.

Are we going in the right direction with those points?

Liam Kerr: Perhaps, but I am still slightly struggling to decide or to isolate how the bill's success will be measured. From looking through the bill, it seems to me that a large amount of the substance of any future language policy and, indeed, the targets that you have just talked about will be left to strategies, guidance and regulations. Perhaps that is where the answer to the question lies. Indeed, it sounds as though those are for the individual bodies to define. Why is there not more detail in the bill about the types of duties and the targets that the public bodies will have?

Douglas Ansdell: Let me take the fairly narrow example of Gaelic-medium education. A group of parents or Gaelic interests would point to a range of things that they would like to see improved or changed in Gaelic-medium education. For that reason, the many things that we would like to see focused on in Gaelic-medium education will be included in the provision of the Gaelic standards. The expectations for local authorities and public bodies will be drawn up in those. Much of the detail will be in the standards and the strategy in the bill's provisions.

Liam Kerr: I see. Thank you.

Ben Macpherson (Edinburgh Northern and Leith) (SNP): Good morning. Generally, the Scottish population has a good sense of what Gaelic-medium education means and of its benefits. I have Edinburgh's Gaelic-medium primary school in my constituency, and I used to work in the high school in Edinburgh that provides Gaelic-medium education. However, official status of the languages and what that means might be quite new to many people. Can you tell us a bit more about how that will practically impact on communities in Scotland? How should the Scottish public sector, the third sector and the private sector interpret official status if the bill is passed and we move forward to that place?

Douglas Ansdell: Official status is to give recognition to the Gaelic and Scots languages. The way in which the provisions will impact is in the detail of the bill and the provisions that follow. We would probably agree that any minority or marginalised community in our societies would look for first-step recognition.

Let us bring Scots into the discussion as well. We all recognise that Scots speakers feel

discriminated against in terms of language, with the language often being described as slang and not being given adequate recognition. Official recognition represents a first step in giving recognition, but without any particular duties following from that statement.

09:15

Claire Cullen (Scottish Government): One example is that, every week, we have to explain to colleagues in public bodies and across Government what Gaelic-medium education is and the benefits that it has. Mr Macpherson is clearly aware of those benefits from his personal experience, but that is not actually a common position. Part of the reason for the bill is to act across a range of measures to improve awareness and status and to do what legislation can do in the status planning area. Legislation is never the full solution to improving confidence or belief in a language, but we are trying to achieve as many measures as we can through the bill.

In addition to what Douglas Ansdell said about measures of success, we are trying to create conditions in which people feel confident to pass their language on to their children and where children feel confident to continue in GME and seek out national qualifications. We want them to be given access to national qualifications so that they can continue their learning journeys and not stop at primary school or at the end of the broad general education. If they have the vision and they continue to study languages and develop their linguistic abilities in a range of domains, they will be able to take them into the work environment, pass them on and use them in service provision. Those things are all markers of success, but they are pretty difficult to measure. We need action across a whole range or basket of measures in order to create those conditions and provide state support, but that can only go so far.

Niall Bartlett: Claire Cullen mentioned status planning. One of the key aims of language planning is to raise the status of the language in its national context and for its speaker community. Giving Gaelic and Scots official status will achieve that for the two languages. It also draws on international examples. For example, we are drawing on the fact that French, alongside English, has official status in Canada. The use of French in Quebec is one of the key examples of a language being successfully revived in the modern age. We are not operating in a vacuum; we are drawing on international examples of language development and planning.

Ben Macpherson: Your comments are helpful—thanks. To be absolutely clear, the bill does not create new obligations. I think that you mentioned that, Mr Ansdell.

Douglas Ansdell: Yes. I will look to my right and left for additional comment—

Ben Macpherson: I just want to be absolutely clear on that point.

Douglas Ansdell: There are obligations throughout the bill, but they do not necessarily flow from the statement of official recognition.

Ben Macpherson: Sorry—yes. Thank you for clarifying that. That is what I meant. Official recognition will provide the inherent goods of acceptance, respect and all the things that you mentioned.

Douglas Ansdell: Indeed.

Claire Cullen: If such a bill did not make a strong statement on status, its absence would be noticeable.

Ben Macpherson: We will discuss Gaelic-medium education later, but I know from my experience as a constituency MSP that it has benefits for the capacity of young people not just to become excellent Gaelic speakers, communicators and writers, but to take on other linguistic skills and attributes. Young people in my constituency who are in Gaelic-medium education often speak multiple languages, so there is an even wider benefit. That is worth emphasising.

Pam Duncan-Glancy (Glasgow) (Lab): Good morning. I have a question about the scope of the bill—and, in particular, cross-portfolio working. It is clear that cross-portfolio working will be necessary. How much of that have you already done, and how do you think it will work in practice across Government?

Claire Cullen: I will give examples of the changes that we have tried to make in the past couple of years. Niall Bartlett can speak to the establishment of a Gaelic implementation group, which he convenes.

There was a short-life working group report on Gaelic in the economy. To achieve the Scottish Government's response to that, a steering group has been set up to engage policy areas across the Government to respond to the recommendations in the report that fall within those areas. The Gaelic and Scots team is co-ordinating that; however, we seek to pull in and reach engagement through different portfolios.

Niall Bartlett can also speak to the numerous awareness sessions that he has delivered across Government and public bodies to raise awareness and give the historical context. Those are very well received and quite often lead people in other policy areas to come to our team seeking input and advice, which allows us to redirect them to stakeholders with whom we are in contact but of whom other teams may not be aware. For

example, in relation to education, we were able to ensure that the appropriate stakeholder groups were included in the work of the Hayward review.

That work is on-going. People change and posts change; constant reminding is required.

Douglas Ansdell: I will pass to Niall Bartlett in a minute, but I will make one small observation. We have a system of Gaelic plans, which Bòrd na Gàidhlig asks a range of public bodies to prepare. Well over 60 public bodies, including local authorities, have Gaelic plans.

There is an interesting dynamic. Bòrd na Gàidhlig asks a public body to prepare a Gaelic plan. That Gaelic plan is prepared but, in effect, that policy area comes back into the Scottish Government, be that in environment, heritage, culture or broadcasting. That request to a body to prepare a Gaelic plan therefore works back into the Scottish Government, and we try to follow up on those links to strengthen cross-portfolio working.

Niall Bartlett: Both Claire Cullen and Douglas Ansdell have mentioned initiatives that we have in place that already demonstrate cross-portfolio working. We have the Scottish Government's Gaelic implementation group, whose purpose is to implement the Scottish Government's own Gaelic language plan, and the short-life working group on economic opportunities for Gaelic. We also have the faster rate of progress initiative, which brings together around 25 public bodies that are active on behalf of Gaelic. Each of those gives an idea of how cross-portfolio working could be implemented under the Gaelic language strategy.

The Gaelic implementation group has representation from directorates across all parts of Government. Its achievements over the past year demonstrate what cross-portfolio working might look like. For example, we have successfully woven Gaelic into housing initiatives. Housing is an acute issue across Scotland and the rest of the United Kingdom, but it takes on a particular salience in Highlands and Islands communities where Gaelic is still a majority language. We have managed to work constructively with the rural housing team to ensure that Gaelic is woven into the rural and islands housing action plan, and that the materials also go out in Gaelic, in order to fulfil our wider language planning objectives. We are working with the addressing depopulation team towards the same end.

Obviously, given that we are based in the education reform directorate, the greater bulk of our policy work is in education, and we successfully work with colleagues across different education portfolios.

Beyond looking at immediate work, we can also look at examples of where efforts on behalf of Gaelic have, in turn, provided services of national utility. We worked with Comhairle nan Eilean Siar to establish e-Sgoil in 2016, the online learning platform that was designed to do two major things: to overcome the shortfall in Gaelic teachers in Na h-Eileanan an Iar and to deal with the particular geographical demands of an island constituency, where distance learning was more of a requirement. Come 2020 and the pandemic, when the whole country was suddenly having to do distance learning, we had an e-Sgoil service that could provide it—something that was originally designed in response to a distinctly Gaelic and Hebridean need.

We can also look at the work that we do in broadcasting, which is our biggest budgetary commitment. BBC Alba, Radio nan Gàidheal and their various online platforms provide an essential service on behalf of Gaelic, which is deserving in its own right, but we also look at how they have served for the general enrichment of Scottish society. For example, the advance that women's football has made in the last generation has been hugely down to the platform that it received on BBC Alba, and the same is true for men's rugby.

We can also look at the work that we do with culture and tourism colleagues to make sure that Gaelic is advanced in those areas. VisitScotland has recently developed a Gaelic tourism strategy, and we know how important Scotland's association with Gaelic is to attracting people not just to visit here but to study here. The University of Glasgow recently set up its own "Outlander" course in recognition of the serious important part that that series has had in drawing people to study Scottish history. Several careers ago, I was based at Glasgow university, and I can speak from personal experience of the number of people who are drawn to study in Scotland due to the association of not just Scotland but the entire educational sector with Gaelic and the work that we collectively do there.

Pam Duncan-Glancy: Thank you. It is really helpful to understand the depth of work that is going on.

You spoke briefly about housing, tourism and the economy, and the short-life working group on economic and social opportunities for Gaelic. Do any of those issues and, in particular, some of the working group's recommendations come within the scope of the bill?

Niall Bartlett: Yes. Although those are not policy issues that sit with our team, when I look at the key provisions of the bill—strategy, standards and areas of linguistic significance—I think that those infrastructural issues, which are of social and economic importance, will feature. For bodies such as Highlands and Islands Enterprise, which will probably be key to many of the provisions,

transport, housing, infrastructure and economic issues will overlap with their Gaelic commitments. Those issues will feature in the strategy and the standards, and as local authorities move towards considering areas of linguistic significance.

Pam Duncan-Glancy: That is really helpful. Do you think, though, that any provision specifically in the bill takes in the broader issues that we have just discussed, or could amendments that would be within the scope of the legislation be made to do that?

Claire Cullen: I do not know whether this answers the question that is being asked, but we looked at the short-life working group recommendations and picked out some that we felt would need legislative change to be implemented. Those that we could take forward in the bill we have tried to incorporate into it.

For example, with regard to section 10, on the land rights and responsibilities statement, the short-life working group suggested that landowners should make statements in relation to Gaelic. The place in legislation where we had a land-based obligation is being changed, but it is a statement that sits with Scottish ministers. Again, it is a sort of status and reminding provision in the law, whereby something that could have happened anyway is now being put in law as a marker to try to ensure that it is not forgotten.

There is a similar provision in relation to further and higher education, in relation to what ministers can do to provide instruction and direction to the Scottish Funding Council. Again, the bill will put in a reference to Gaelic as a marker to ensure that, when someone exercises that power on behalf of ministers, it is very clear that Gaelic should be considered. That reduces the chances of policy being taken forward by omission. We are all aware of the clear example of the Education (Scotland) Act 1872, which legislated for compulsory education. That was a positive thing for Scottish society in lots of ways, but the failure to mention Gaelic led to significant damage to the language.

09:30

Pam Duncan-Glancy: I have one final question, if the convener can indulge me.

The Convener: I can. Crack on.

Pam Duncan-Glancy: We are the education committee and this is largely an education bill. Can you share any information about the direction that ministers gave you about the scope of and detail in the bill?

The Convener: Who would like to take that? If you are not in a position to answer, you can just say so. That is fine.

Claire Cullen: I am not quite sure what areas the member feels are missing from the bill. If you are asking about broadcasting, for example, there might be recommendations about broadcasting, but it is reserved, so we cannot go into that. The bill would never have been able to change broadcasting. That is a very clear example and it might be helpful to have other examples to answer.

Pam Duncan-Glancy: That is fair enough. I suppose that I am asking you to help us to understand why the bill is an education bill. We have a lot of evidence about—

The Convener: I am not sure whether the bill team will know why that is.

Pam Duncan-Glancy: I am just looking for you to share with us anything about the direction that was given when the bill was being developed.

Douglas Ansdell: I am not sure that I will be able to give a very good response to that, but I am thinking about the process that we went through. The manifesto commitments came to us and there were quite a few commitments for Gaelic and Scots. In terms of finding headings for all of the manifesto commitments, one of them was a new strategy for Gaelic-medium education and quite a few things went under that heading. Some things also fitted under the commitment to review the structures of Bòrd na Gàidhlig. Another of the manifesto commitments was to explore the creation of a Gàidhealtachd, and some commitments in the 2021 manifesto went under that heading. Then there was taking action on the Scots language.

As we worked through those commitments, a consensus developed that those were the key headings that we needed to focus on in developing the bill provisions and there was support from ministers for that.

I might not have given a good answer, but that was the process that took us to what we have today.

Pam Duncan-Glancy: Thank you. That is helpful.

The Convener: We come to questions from Willie Rennie.

Willie Rennie (North East Fife) (LD): I did not think that Niall Bartlett was going to stop with his very impressive list. You are clearly on top of all the detail and what you set out is genuinely impressive.

I want to focus on the provisions on areas of linguistic significance, or the Gàidhealtachd. Can you explain the point of those provisions? They seem a bit woolly and vague. What actual difference will people who live in those areas see?

Douglas Ansdell: The first thing to say is that there has always been a wish that Gaelic support and Gaelic development should be proportionate and that support should be improved and made stronger where there are more speakers. Going back to the 2005 act and the guidance that followed, there was still a wish that provision should be proportionate. To go back beyond that act, some people might remember that there was a member's bill from Mike Russell in 2002 that wanted a strong focus on areas where there were more speakers.

The policy team had the manifesto commitment to explore the creation of the Gàidhealtachd. In consultation, we found that there was not much support for a focus on areas where there might be a high density or high percentage of speakers. The preference was for Gaelic throughout Scotland—there are four schools in Glasgow and there are speakers in Glasgow, Dundee and Edinburgh—and more of an all-Scotland approach.

The policy device of areas of linguistic significance seemed to suit the profile of Gaelic in Scotland. It seemed that it could provide for areas where there are higher numbers and a higher density of speakers, but it also seemed to offer something for areas where Gaelic is growing and is being spoken. Therefore, we see it as a device that, as well as contributing to strengthening areas where there are a significant number of speakers, is of benefit to areas where Gaelic might be growing in towns and cities.

Am I going in the right direction?

Willie Rennie: That explains the origin of it. There seems to be a slight contradiction in the fact that, previously, the general appeal was the direction of travel, but we now seem to be focusing on areas of concentration. I am not saying that it is an either/or, but it seems that a different direction of travel is being taken. However, the main point of my question is about what difference it will make.

Douglas Ansdell: Let us take the different aspects together. There is the Gaelic strategy, which will give a list of priorities—things that are expected—and the Gaelic standards. At the moment, we have two guidance documents for Gaelic: guidance on Gaelic language planning and guidance on education. We expect that those two guidance documents will be strengthened as the strategy and the standards are prepared. If a local authority decides to designate an area as an area of linguistic significance, as some local authorities have indicated that they wish to do, that local authority will look to the strategy and the standards and will say, "These are the expectations of what should happen in this area."

Willie Rennie: Let me be a bit more direct. If I arrive on the ferry at Lochboisdale and that is designated as an area of linguistic significance, what will I see that is different? What will I hear that is different?

Douglas Ansdell: These things move in time. We are not talking about pressing a switch of the kind that is in front of me and making an overnight change, but, in time, the proposed provisions will, I hope, have an effect on people hearing and seeing the language and on community provision for the language, and communications will be in Gaelic. There will be identity in terms of visibility and people hearing the language, and there will be jobs for people who have Gaelic skills. Those are the things that we hope will be in the strategy and the standards, which will become more visible with time.

Willie Rennie: I wonder whether Niall Bartlett has a list.

Niall Bartlett: I have just one example. We are not starting from scratch. Bòrd na Gàidhlig is currently developing community Gaelic language plans with different community organisations. One of those plans is for Uist, where the bòrd is working with organisations such as Ceòlas Uibhist, Stòras Uibhist and other community bodies to give us a sense of how the proposed approach might work in practice, and we will build on that.

Willie Rennie: Thank you. Claire Cullen, did you want to come in on that?

Claire Cullen: I just wanted to say that the way in which we have asked for the standards powers would allow us to say that X standard applied nationally and a higher standard applied for areas of linguistic significance. That will allow us to have a flexible policy framework as we go forward into the future, which will allow us to take recommendations from Bòrd na Gàidhlig or other language planning sources and say, "Okay—this is now accepted language planning good practice. Let's put it into the requirements and move on and do the next thing."

The Convener: Ruth Maguire wants to come in on this theme, and then we will come back to Willie Rennie.

Ruth Maguire (Cunninghame South) (SNP): Good morning, everyone. Following on from Willie Rennie's questioning, I have a quick supplementary. Could the raised expectations of speaker communities who live in the areas in question about being able to access services in their own language and about seeing more of their own language be met? In practical terms, is that the sort of thing that we are talking about?

Claire Cullen: That is the sort of thing that we are talking about. There is also an element of

language assertion. It is about people having the confidence to ask for and access services in the language. For example, they would have the confidence to go into a museum and say, “It would be really good to see more Gaelic,” or to be able to go into galleries and point out that the Gaelic link is missing. That would show that there is demand.

Ruth Maguire: I will ask another brief question, which Niall Bartlett can scoop up in his answer. Would a designation of linguistic significance impact other policy areas? I am guessing that some of the challenges that we have relate to housing and bringing in folk who have the language skills or who want to stay in those areas. I suppose that, for an area to have that status would be of great value if it can influence other areas of policy and not just language and culture.

Niall Bartlett: I think so, yes. I mentioned Uist as an example. The other of the two community language plans that Bòrd na Gàidhlig is working on is for the west of Lewis. I can speak from personal experience about that, as it is where I am from. Under the provision for Gaelic that we have had since 2005, the last generation has seen a big increase in how much of the public sphere, broadly, is dedicated to the language and letting people know that the language is to be encouraged in the area. One of the key factors is how that has gone hand in hand with the growth in community land ownership and the creation of community-owned estate trusts, which have become the key anchor organisations in those communities. Through their work, they tie in Gaelic with the more general provision of public services, to which they are central.

The Convener: Thank you for allowing that, Mr Rennie.

Willie Rennie: I thank Ruth Maguire for her question.

Could you tell us a bit more about standards, not just in those areas of linguistic significance, but across the country? Explain to me how they will work, what kind of standard we are rising to and what difference people in Edinburgh, Glasgow and elsewhere will feel.

Claire Cullen: There are bodies that have had three Gaelic language plans. At each point, there have been discussions about their logos and the visibility of signage within their estates. In order to make the system more efficient and to move past those discussions, it would be very helpful for those sorts of requirements and provisions to be put into standards that are non-negotiable. Although the standards could be applied flexibly and bodies could be given time to comply with them, they would be accepted in Scotland as a language planning measure. As a result, the discussions between Bòrd na Gàidhlig and the bodies about how they can do more for the language would not be tied up in revisiting measures that should be accepted practice.

Douglas Ansdell: The standards would also come into the area of education. Those issues are being discussed internationally. For example, Wales has gone down that route and has very detailed standards in place.

The standards should include things such as parental access to Gaelic-medium education, continuity of Gaelic-medium education from early years to primary and secondary, provision of resources for young people in Gaelic-medium education, and professional learning for teachers. Those things could also feature as expectations. I think that the word “expectations” is a good one, because parents and those who have Gaelic interests would know what is expected, and local authorities, public bodies and Government should know what the expected provision in different sectors is, whether that is the corporate sector or education. As Claire Cullen mentioned, consideration should be given to standards—perhaps standards with a higher expectation—in areas where linguistic significance has been designated.

The Convener: My next question follows on from the theme of standards. Some of the respondents were unclear about how public bodies’ compliance and accountability processes would work in practice with the legislation and any sanctions that they might face. Comunn na Gàidhlig—I hope that my pronunciation is right—questioned whether a Government agency would be critical of the Scottish Government in meeting those aims. How might the legislation address some of those points?

09:45

Claire Cullen: For the education sphere, the standard enforcement discussion comes under section 70 of the Education (Scotland) Act 1980. If a parent has an issue with how education is delivered, they can make a complaint to the Scottish ministers, and that is considered. That applies to education in English, and it would apply to education in Gaelic. That is one route.

At the moment, Bòrd na Gàidhlig has powers—some have been used and some have not been used—to refer matters to ministers if there is a dispute. That concerns the setting of Gaelic language plans. If Bòrd na Gàidhlig and a body do not reach agreement about the terms of the Gaelic language plan, that can be referred to ministers. Ministers will then consider both points of view, and they can potentially take evidence from other people.

The Convener: I will explain where I am going. Orkney Islands Council has said that the reporting processes should be proportionate, as

"Gaelic is not a priority for the local community nor for the education authority".

Claire Cullen: Indeed.

The Convener: How are we going to manage that variability in terms of sanctions and expectations?

Claire Cullen: The way that the bill has been structured and the powers that have been requested and designed are intended to allow differential application across Scotland for educational matters. At the moment, the standard power that we would use in education to set a standard for schools is section 2 of the 1980 act, and that can only really be used to provide a blanket requirement on all schools. That is the power that would be used to set class sizes, and it was initially used, before the bill came in, to require period products to be made available. I am sure that Nico McKenzie-Juetten can give a list of examples of other exercises of that power.

However, that power can only set a blanket standard, so it is therefore not actually that helpful for Gaelic and Scots, as Scots will be spoken more in certain areas and Gaelic will be spoken more in certain areas. The powers that we have asked for to set standards allow for differential implementation in terms of application, so it may be that Orkney Islands Council does not have any duties placed on it in relation to Gaelic due to its demographics. That differentiation would be allowed. That is relevant here—although the question was about enforcement.

The Convener: Yes—enforcement and sanctions. If there is such variability across the country as to who has to provide what and what their obligations are, how can you have sanctions that are understandable, fair and proportionate? It will be quite confusing and resource heavy, for all sorts of stakeholders.

Claire Cullen: For reporting, the bill changes what Bòrd na Gàidhlig—

The Convener: Perhaps I did not mean reporting. I am more interested in the sanctions that will be applied if people are not fulfilling their obligations.

Claire Cullen: We are not proposing to put any financial sanctions on bodies. That is something that Wales does. The bill is trying to increase the status, visibility and appreciation of—and respect for—Gaelic and Scots across the nation, but it is not trying to do that by penalising. It is trying to do that through pull factors and encouraging.

At the moment, Bòrd na Gàidhlig has the ability to report to ministers if it feels that a body is not complying with something in its Gaelic language plan. It has not done that to date. In order to do that, it has to show failure, which is quite a high bar. We have introduced a power for Bòrd na Gàidhlig to issue reports on Gaelic generally, sending those directly to us and to the Parliament so that the Parliament or one of its committees could consider how to provide scrutiny, support and challenge to what the public sector is doing for Gaelic.

In relation to Scots, because we do not have a specific body set up for it, the power in the bill is for reporting—for Scottish ministers to ensure that reporting is done in relation to Scots and the status of Scots. We can either do that ourselves or we could potentially outsource that to a body.

The Convener: Before I bring in Liam Kerr, I would add that I am still curious about what the consequences are of people not fulfilling their obligations under the reporting duties. We will leave that point, however.

You have said that you decided not to establish a Scots language body to support that part of the bill. What are the reasons for that?

Douglas Ansdell: The first thing to say is that we understand the wish for a Scots language body. We have seen the comments coming in to our consultation and to the call for evidence. Scots structures are being put in place, which is important. A number of Scots bodies are in place, which we work with and which are funded.

In the bill's provisions, there is an invitation for Scots bodies and leaders of Scots bodies to contribute to the preparation of the documents that are needed for Scots, be it guidance or standards. There is a structure in those provisions that is important for Scots bodies and pulls them into the bill.

The Convener: I understand that. I was wondering what the reasons were for not having such a body, but that is fine—we can move on. Liam Kerr has a supplementary question before we move to Ruth Maguire.

Liam Kerr: Claire Cullen, you mentioned Wales. I was interested in my friend Ben Macpherson's questions about official status, and in Willie Rennie's question about what difference designating an area of significance would make. The Welsh language was given official status in 2011. What research was done about what difference that made to the Welsh language, such that we could learn lessons when drawing up this bill?

Claire Cullen: We have looked at language legislation in a number of jurisdictions. We are

actively engaged in the British-Irish Council's work sector for minority languages, which is a very useful forum for sharing good practice, ideas and evidence. It is very difficult to pinpoint the differential impact of the status statement in Wales, because it did not happen in isolation. It happened with a full structural change, but it is accepted that that was a positive move forward.

Liam Kerr: To be clear, you researched that, but it was not possible to say whether the designation of the Welsh language in 2011 as an official language made a measurable difference.

Claire Cullen: I do not think that it would have ever been pinpointed that it led to 100 people passing on their language to their children, for example. The difference that it made would not be counted in that way, but it certainly helps and is an important factor in status planning.

Douglas Ansdell: It is fascinating, because the official recognition does not come in our bill or in the Welsh legislation by itself. A range of provisions came in at the time with regard to Welsh language schemes and Welsh language education. The official recognition came in with the use of Welsh in the courts and in a range of areas of public life, so the recognition sits within a wide range of provision.

The Convener: I have jumped ahead of myself. We now come to Bill Kidd for some questions.

Bill Kidd (Glasgow Anniesland) (SNP): Bòrd na Gàidhlig's current role has been mentioned a couple of times. How would the organisation's remit change once the bill passes and in relation to the aims of the bill?

Claire Cullen: The board currently leads on some activity that Scottish ministers will bring back into the Scottish Government. An example of that is the strategy for Gaelic—instead of it being drafted by Bòrd na Gàidhlig and approved by ministers, ministers will take that strategy on again in order to generally increase its visibility and leadership. Bòrd na Gàidhlig would say—and I have heard it say on numerous occasions—that the national Gaelic language plan is not its plan but a plan for everybody, and that it requires actions across all public bodies.

Therefore, by elevating that piece of the jigsaw to ministers, they will have a more direct funding relationship with the range of bodies that would seek to contribute, as opposed to it being a discussion among non-departmental public bodies. Bòrd na Gàidhlig has expressed that it is content for that to come to us. That is one example of a change. It is not that Bòrd na Gàidhlig will be excluded; it will still be included in that. The strategy was always subject to public consultation and consultation across bodies, and we would certainly still seek to consult in relation to its preparation; however, there is a change of resource or a change of emphasis.

Similarly, there are two guidance-making powers that were given to Bòrd na Gàidhlig. It is quite unusual in legislation to see statutory guidance being promulgated by an NDBP. Therefore, on review and following discussion, we think that it is preferable to bring that back to Scottish ministers to ensure better engagement and tie-in across portfolio working.

Those are a couple of examples of changes that are being made.

Douglas Ansdell: Very briefly, I will give you some large headings. We would still expect Bòrd na Gàidhlig to promote the language and to support everything from local authorities and public bodies to communities. Bòrd na Gàidhlig will also help with implementation. It has significant funding—some funding goes to local authorities, and some to small Gaelic community organisations—and Bòrd na Gàidhlig has a compliance role. The roles of promotion, support, implementation, funding and compliance will remain with Bòrd na Gàidhlig.

Bill Kidd: That is really helpful in giving us stronger knowledge of and background to Bòrd na Gàidhlig's role at the moment and going forward. Are there reasons for choosing not to establish a Gaelic language commissioner to go alongside and to promote those roles?

Claire Cullen: We have heard the calls for a Gaelic language commissioner and a Scots language commissioner. That works in Wales, where there are already set standards—there are very specific requirements on bodies at this point in time. Scotland will be moving to bring in and exercise standards, but we do not feel that it is an appropriate time to bring in a commissioner. In respect of the financial investment, that money could be better spent on the ground, in development, through grants to community bodies and so on.

We feel that there is more opportunity to make a lot of progress with Scottish Government leadership and by having public bodies working collaboratively and being positive about the language, rather than by having an ombudsman in an adversarial role at this point.

I refer back to the point that, since 2005, Bòrd na Gàidhlig has had a power to refer to ministers examples of where it feels that a body is not complying with the requirement of its Gaelic language plan. That power has not been exercised, but it could have been if it had been felt to be a helpful way to take matters forward.

Douglas Ansdell: It might not be relevant, but it is important to keep in mind that when the Welsh

Assembly established the Welsh language commissioner, the Welsh Language Board ceased to be—the functions moved to the Welsh Government. That was the move that was made at the time, and we kept that in mind in our considerations.

Bill Kidd: To sum up, am I right in saying that the funding that is available is better spread on the ground if it goes through Bòrd na Gàidhlig rather than going top-down?

Douglas Ansdell: Yes. Most of Bòrd na Gàidhlig's funding goes out the door to a range of sources, from small community groups to local authorities and public bodies that do things for Gaelic. Significant funding goes out the door and it encourages additional spend in the places that the money goes to.

Bill Kidd: That is excellent. Thank you very much.

10:00

Ruth Maguire: I would like to ask about Gaelic education. The bill makes changes to the statutory definition of "school education". What is the current position on local authorities' obligations to provide Gaelic-medium education? What will be different if and when the bill becomes an act?

Claire Cullen: The proposed changes to the Education (Scotland) Act 1980 are to ensure that Gaelic education is clearly included in the definition of "school education". Gaelic education is permitted under the current definition, but it is restricted to Gaelic-speaking areas, which were never defined in the 1980 act. To a certain extent, it looks as though that is limiting it to such areas. We consider that it would be more helpful to ensure that Gaelic education is clearly included in what can be permitted and that the definition is not geographically restricted.

Nico McKenzie-Juetten (Scottish Government): I will come in on that. It is important to see section 15 of the bill in the context of what it proposes to amend. We are not changing section 1(1) of the 1980 act, which requires education authorities to secure for their area

"adequate and efficient provision of school education",

among other things. That remains the same, and it remains the case that education authorities are principally responsible for determining what "adequate and efficient" means for their area.

However, we are changing the definition of "school education" and how Gaelic is integrated into that. As Claire Cullen said, the current definition includes the teaching of Gaelic in Gaelic-speaking areas. What a Gaelic-speaking area is now, in 2024, is quite ambiguous. Is it the same as what it was in 1980 or 1945, or whenever the provisions originated?

We are trying to be clearer that school education includes Gaelic in Scotland, and that, in their determination of what constitutes "adequate and efficient" school education for their areas, education authorities should consider whether Gaelic-medium education and Gaelic-learner education are required to meet that test.

Ruth Maguire: Okay. I am thinking about the current practical implications of that. I will give the example of my area, Cunninghame South, in North Ayrshire. Gaelic has not been spoken widely there for a fair amount of time, but it has a Gaelic-medium education unit because there was interest from parents who wished to educate their children in Gaelic. I am trying to understand whether the bill would place an additional obligation on local authorities. What is their obligation at the moment, and would the bill place an additional obligation on them?

Nico McKenzie-Juetten: The bill would not impose a duty to provide Gaelic education in each education authority area. We are clarifying what is within the scope of an education authority's key duty when it is planning what school education would be "adequate and efficient" for its area. We are trying to remove the ambiguity more than anything else. The meaning of the reference to the teaching of Gaelic in Gaelic-speaking areas is poorly understood.

Ruth Maguire: I am still not entirely clear—it might just be me. What currently empowers local authorities that are not in areas with large numbers of Gaelic speakers to set up Gaelic-medium education provision?

Claire Cullen: The Education (Scotland) Act 2016 is relevant here. It provided a process that allowed parents to come to their local authority to ask for Gaelic-medium education to be established.

When we look back at the successes of Edinburgh, Glasgow and Condorrat, and at Comhairle nan Eilean Siar's policy of Gaelic first, we see that those started with conversations in which parents had gone to an authority and said, "Can I have Gaelic-medium education for my child?", and those conversations were openly accepted and responded to positively.

Not all conversations to request Gaelic-medium education have resulted in action or in quick action. The 2016 act sought, therefore, to provide a process that would allow a parent to make a request whereby, if it could be demonstrated that such education would be of interest to five children in an age group, the local authority was required by law to carry out a full assessment.

We are making some changes to that in the bill by extending the process to early learning and childcare, in recognition that the earlier a child comes to Gaelic-medium education, the better their cognitive outcomes, fluency and so on. That is another measure that we are trying to put in place. The proposed changes to the Education (Scotland) Act 1980 are just one small element of that.

All those provisions lie together and will be considered. Someone in a local authority might be asking themselves, "Can I do this? Is this part of something that I can do?", but it has always been the case that such provision could be made within the local authority's powers. We simply feel that the provision in the 1980 act to limit Gaelic-medium education geographically is unhelpful. It could lead to authorities saying, "Well, we're not a Gaelic-speaking area, therefore we won't respond", in an area where there might be demand, and teachers, and it might be possible to provide such education.

Again, therefore, for status planning, we are trying to remove from legislation something that we think adds to the negativity.

Ruth Maguire: It is about removing a barrier rather than putting in an obligation. Is that correct?

Claire Cullen: That is a much more concise way to put it—thank you.

Ruth Maguire: I want to ask about the duties that it is envisaged will be included in Gaelic education standards, and whether those will differentiate among different parts of the country. I would hope that the standards would not be different, but the duties might be.

Claire Cullen: It will be possible to have differential application of standards—for example, so that they do not catch Orkney if that is not relevant, or so that they do not catch Comhairle nan Eilean Siar in relation to Scots if that is not relevant. There is an element of flexibility that is designed to ensure that the requirements are proportionate and appropriately laid down, and there is consultation with local authorities and communities in relation to reaching that point.

Did you ask for an example of what a standard could be in relation to education?

Ruth Maguire: Yes, I think so. I asked how standards might differentiate among different parts of the country. You gave the example of Orkney—I guess that that is helpful.

Douglas Ansdell: The standards have not been drawn up yet, but one of the things that we will look to is the 2017 guidance on Gaelic education, which followed the 2016 act. That guidance contains a fairly detailed set of expectations for what Gaelic-medium education should look like.

If we look ahead, with the guidance in our thoughts, the standards for Gaelic-medium education will include things such as what provision there is for young people to access early years or later Gaelic-medium education; what a local authority is doing to promote Gaelic-medium education and how it will secure continuity from early years to primary and secondary; and what is available at secondary level in terms of subject choice. There are also questions about class sizes in the age groups of zero to three and three to five, support from national bodies and out-of-school education.

All those things are examples. I do not want to rush ahead and set down what the standards should contain, but a fair guess would be that those are the things that, taking our lead from the 2017 guidance, we would expect to find in the standards as they apply to Gaelic-medium education.

Ruth Maguire: Finally, I want to ask about the availability of Gaelic-speaking teachers and specialist education staff; we have spoken about early learning professionals, too. What consideration has been given to that? At the moment, there is a challenge with the supply of staff and, obviously, as we look to expand, we do not want that issue to get in the way.

The Convener: As convener, I am conscious of the time, so I would be grateful if you could provide quite snappy answers.

Douglas Ansdell: I will try to be brief. With teachers, the issue is always the various pathways and routes that people can take into teaching, and we are always considering ways to improve them, whether they be the standard routes into teaching, such as via university, or routes such as online and distance learning and immersion courses that help teachers to transfer from English teaching to Gaelic teaching. Recently, for example, we established a bursary scheme that offers £20,000 a year to teachers who want to learn Gaelic and go into Gaelic-medium education. We are always looking at what routes people can take and how we can make them better, so that we can pull people in.

Ruth Maguire: As it is quite a big question, in the interests of time, it would be helpful if you could get back to us in writing, including a response to the point about early learning, because, as you said, the whole through-route is important.

The Convener: It would also be helpful if you could address the issues of the range of subjects and so on.

I invite Bill Kidd to come back in.

Bill Kidd: Can we hae a wee jook roon the corner and talk aboot the Scots language fur a minute or two? The bill will recognise and support the Scots tongue. How will it dae that? Also, how will ye measure success in terms of the different dialectical variations across Scotland? I hope that that question is not too complicated.

Claire Cullen: The definition of Scots in the bill is wide and inclusive and is intended to incorporate all variations of Scots.

Niall Bartlett: Of course, when it comes to measuring success in terms of dialectical variation, you will have seen Orkney Islands Council's submission, which expresses concerns about the possibility of the imposition of a standardised, mainland version of Scots, and you will hear later from Dr Michael Dempster, who also raised that concern in his submission on behalf of the Scots Language Centre.

We are mindful of the commitments that the provisions in the bill stem from and of the variety of Scots that exists in the country, and that we are dealing with a significant range of dialects that are bound up with strong regional identities.

The issue might come down to local authorities, as they are aware of which dialects are most pertinent to them. From the outset, in developing that aspect of the legislation, we have been mindful of the fact that, when we deal with Scots, we are dealing with the range of dialects in Scotland that come under that term.

Bill Kidd: Ninian Christie, you look as though you are interested in responding.

Ninian Christie (Scottish Government): No, I have nothing to add.

Bill Kidd: Maybe you were just interested.

Ninian Christie: Yes, it is good stuff.

Bill Kidd: Claire Cullen, do you want to respond?

Claire Cullen: You were asking about measures of success. As with the approach to Gaelic, the provisions in the bill try to ensure that the status of Scots is improved and that the authorising environment is changed to allow its use in the classroom.

The Scottish Government already provides support to a number of bodies that produce educational resources. Those resources are free to use, but, sometimes, teachers have been prevented from using them in the classroom because of an attitude that it is not appropriate to do so. We are trying to show leadership in that regard to ensure that Scots can be brought into the classroom. Again, however, there is no move from the Government to centralise or standardise the language. If there were a move towards that on the part of the community, we could certainly work on that, but it is not part of the Government's agenda, and we do not think that it would be particularly helpful.

I think that, in our informal session with the committee, we mentioned that we had recently held a session on the continuing professional development course for teachers that has been developed by the Open University and Education Scotland, and that there had been a positive uptake of it. The course allows teachers to develop materials and lesson plans in collaboration with other teachers in their own context, and has been signed up to by a wide range of teachers, from primary school teachers to geography teachers and language and literature teachers in secondary school. At this stage, the idea is to ensure that those who are interested are supported and given the confidence and resources to bring Scots into the classroom.

10:15

Liam Kerr: I will push you on that. You talked about resources for teachers. If there is no standard definition of Scots—I think that you said that it includes Doric, Orkney Norn and Lallans Scots—you will need different resources in different parts of the country. You will also need to recruit teachers who are able to deliver those resources or train them to do so. How much will that cost, and where in the financial memorandum can I find out about that?

Claire Cullen: This is not about imposing Scots on teachers; it is about teachers with those backgrounds and who have those forms of Scots being able to understand and use those resources. The Open University course that has been put in place—the Scottish Government is paying for places on it—is the first step of the journey to allowing teachers to come together and develop their own resources in their own contexts. That is similarly done for all subjects in curriculum for excellence in classrooms up and down the country, not necessarily in relation to language; materials for history or geography may be amended relative to the place in which the classes are being delivered.

Liam Kerr: To be absolutely clear, once those teachers are trained and deployed in schools, they will develop, in their own time and off their own bat, the resources that they will then teach, and they will translate the textbooks and the like. Will there be a cost to that?

Niall Bartlett: Many of those resources exist already. Various forms of Scots have a deep history of printed literature, which can be drawn on and are available from the National Library of Scotland. Education Scotland has produced

material, as have stakeholders such as Scots Hoose.

A lot of printed material is available, but a lot of the emphasis on the use of Scots in education is based on the reality that it is largely encountered in speech. It gives children a broader awareness of the differences in how they might speak when moving between their classroom, the playground and their home, and, to an extent, uses that as the text.

We have various bits of research showing the benefits of that. Initiatives working in that vein are under way in schools across Scotland. Research such as the University of Glasgow's future of Scots project, as well as research by the Scottish Book Trust, has shown the advantages of that in areas such as improving attainment and enriching the wider understanding of language, whether that is forms of Scots that are used outwith the classroom or the form of standardised English that is encountered in the classroom. We are not starting anew; we are building on existing work.

Stephanie Callaghan (Uddingston and Bellshill) (SNP): You have spoken about accessibility. Robert Burns or Walter Scott can be quite difficult for us all. The bill is really about the language that people use in the playground and at home. How can that be supported through teacher training and professional development, and how can it be embedded in our education agencies? I am also interested in how we can address young people's stigma about how they speak.

Douglas Ansdell: We need to recognise that we are on that road and that we are all pushing back against that stigma. Again, that will not change overnight, because the stigma is deeply held and deeply felt by the Scots language community.

On support for teachers, the Scottish Qualifications Authority has had Scots language awards and Scots language units in place for a number of years. The SQA has had sessions for teachers, offering professional learning and support for the Scots language awards and units. Education Scotland has Scots language capacity, supports teachers and holds sessions in schools. Now, there are Open University materials, and we have 150 teachers signed up to do the professional learning and then step back into schools.

On Friday last week, I was in Denbeath primary school, in Fife, taking part in/observing a lesson in which Matthew Fitt from Scots Hoose was doing lessons with pupils in primary 4 to 5 and primary 6 to 7. He was doing lessons with the young people but also bringing the teachers in, and the teachers were participating and learning. Therefore, on who is supporting teachers, it is the OU, Education Scotland, the SQA and Scots Hoose. I expect that, with the provisions of the bill focusing on education, that support will only be strengthened.

Stephanie Callaghan: What changes, if any, would you expect to see? You are talking about awards and units. Would there be an expectation of changes to those?

Douglas Ansdell: I think that the awards will continue—the SQA will continue the Scots language awards and units—and we had hoped to see an increase in uptake. Again, similar to the situation with Gaelic, when those things—in this case, Scots—are put down in strategies or standards, that improves expectations. It improves what parents can expect in the classroom and what teachers and local authorities should expect to deliver in certain circumstances. It brings about growth and improvement in quality.

Michelle Thomson (Falkirk East) (SNP): Good morning. I want to chat a bit more about the financial memorandum. Some questions arising from that have bounced around as we have gone through today's evidence session. The FM sets out that the total anticipated spend is £694,500, so it is not a significant spend. Therefore, I am trying to understand the extent to which you really want to create a shift or whether you want to move things about a bit. The financial memorandum figure suggests that the spend will allow for a bit of moving things about. Am I wrong on that? Are you really trying to create a significant shift?

Claire Cullen: We are trying to create a significant shift, but we are trying to do so principally by reprioritisation and improving the status and visibility of the languages—doing what Government can do through legislation. That is a slightly separate thing to how much money is applied, year on year, through the budget process to Gaelic and Scots. That is for the budget bill and will be decided year on year. There is significant spend by the Scottish Government—£29 million in our budget—but, given the cross-portfolio and cross-Government working that we are continually engaged in, there are other budgets within the Scottish Government that act positively for Gaelic and Scots. There are budgets that the Scottish Government gives to NDPBs, which will then act positively for Scots. Therefore, those are slightly separate questions in a way, and we will always be keen to see more investment.

Michelle Thomson: Yes, and that is what I want to explore. I can see why creating provisions that allow for activity or that provide clarity—some of which we have discussed—can add value. However, the figure of £29 million that you spoke about has remained the same since 2010. You would have to spend roughly £1.50 today to get the same value as £1 would have achieved in

2010. So, in reality, there has been a real-terms decrease since 2010.

I am struggling to understand how, on the basis of those figures, the bill is going to make the difference that people are looking for. If you do not mind, I will quote a couple of organisations that have given evidence to the committee. Misneachd Alba said:

> "Whilst in paper the Bill mostly provides for regulatory changes which should not incur direct costs ... it is difficult to see how new (or indeed existing) provision for Gaelic can be implemented in a way which meets the scale of the challenges, as well as the Government's 'commitment to have a focus on arresting language shift in areas with significant speaker numbers' without meaningful funding increases."

Is the organisation wrong?

Claire Cullen: The allocation of budget to areas of linguistic significance would never have appeared in the bill. That would be done in a separate process.

Douglas Ansdell: We work with the Scots language community and the Gaelic language community to understand the requests for additional resources, and sometimes we feel their challenges quite acutely, too. However, the spend from our team is only one part of the picture.

Since the 2005 act, the spending commitments of local authorities and public bodies have changed significantly. The budgets that public bodies such as Creative Scotland, Highlands and Islands Enterprise, Skills Development Scotland, NatureScot, Education Scotland and the SQA have for Gaelic and Scots have increased over the years, and they have spent significant amounts—their spend has increased without the bill's provisions being in place. For example, last year, one local authority committed £12 million to capital provision for a new school. There was no obligation for the local authority to do that. Creative Scotland's commitment to support Gaelic and Scots is impressive, too. There is significant spend not just from our team's budget, which has also increased, but from local authorities. Looking at the Gaelic and Scots enterprise more broadly shows that there has been significant spend from other sources.

Claire Cullen: Another point that I meant to make is that you would expect a bill to contain powers to make payments and grants for particular purposes. However, we looked at the powers that we already have to make grants for education and cultural purposes and we felt that there are no gaps in the powers that are available to Scottish ministers in existing legislation to make payments for our purposes. So, we have not addressed that in the bill not because we do not want to invest, but because we do not need a legislative provision to allow us to do that. Any discussions on that will be for future budget bills.

Michelle Thomson: Some of what you have said is clear. I understand that a range of bodies are undertaking activity that is within existing budgets and that the increase in activity is being enabled by a groundswell of opinion that we need to promote and support Gaelic and further promote Scots. You are nodding, so it looks as though you agree with my understanding so far. However, I am still confused about the overriding intention of the bill to shift the dial, particularly for Scots, because there is existing infrastructure—it sounds like growing infrastructure—for Gaelic. Where are we in shifting the dial for Scots, or is this a gentle step forward? How would you articulate that in your own words?

Douglas Ansdell: The Gaelic Language (Scotland) Bill was passed in 2005, and it put in place important structures and changes. When the bill was going through Parliament, it did not come with budgets attached to it; it came with structure, shape and expectations. To an extent, that legislation has led to a culture change and to spending commitments, although, of course, some people would have wanted more in that regard.

In response to your question, I hope that we will make gentle changes that will, in time, shift the dial.

10:30

The Convener: I call Michelle Thomson to come back in briefly. Liam Kerr wants to come in, too, and Claire Cullen wants to respond, but I have one eye on the clock.

Michelle Thomson: You have answered my question very honestly. I appreciate and understand that it takes a long time to shift culture.

I am very supportive of the policy, but I know how long it takes to change culture. Will the bill be enough to change the culture, given the backdrop in which English is so pervasive and the moves against indigenous culture are so pervasive?

Douglas Ansdell: That is a great question—I love that question. Working in a Gaelic and Scots team, you get it from both sides. You get people saying that the policy is a waste of time and that we should forget it, and, of course, there are people who want more, understandably. Sometimes, the comment that is made to us is, "It's not working. Why do you bother?"

As you are suggesting, we need to look at the policy as a very large programme of social change. Very often, the example is given that it is like turning an oil tanker. You put in the interventions—those interventions are not few in number; there are many interventions from the

early years and in different sectors—and you hope and expect that they will turn the oil tanker and move things towards a more positive place. We see examples of good progress being made, and our hope and expectation is that the provisions of the Scottish Languages Bill will strengthen and keep that movement going in the right direction.

The Convener: I call Claire Cullen—but I see that she is shaking her head.

Liam Kerr: I have a question on Michelle Thomson's point, which I agree is very interesting. The starting position is that it is for local authorities or Creative Scotland to choose whether to implement and promote what the bill is trying to achieve. That would require investment, but the context is that budgets are very tight. If a local authority is free to choose whether to do something, could it freely choose not to do something? If so, how would you achieve the change that Michelle Thomson is asking about?

The Convener: That is a big question to end with. If you could think of a succinct response to it, that would be helpful.

Claire Cullen: There are provisions in the bill that place a requirement on bodies to "have regard to" the need to promote Gaelic and Scots. We are part of a democratic society, and the stakeholders in relation to both languages will be acting not just for the Scottish Government but so that those bodies make positive choices, where appropriate and where there are speaker communities, to ensure that action is taken. Take someone who is about to publish a book. Their having an awareness of the approach to the promotion of both languages is useful. We see examples up and down the country of books being published in lots of languages but not in Gaelic or Scots. That is perhaps because of a lack of awareness that that would be a positive thing to contribute to the languages. Having that as a consideration will, we hope, lead to more positive choices.

The Convener: Thank you very much for your time today.

Douglas Ansdell: Thank you for your generous and interesting questions.

The Convener: We will suspend until 10:48 to allow a changeover of witnesses.

10:34

Meeting suspended.

10:48

On resuming—

The Convener: Welcome back. We will now take evidence from our second panel on the Scottish Languages Bill. Thank you for joining us. I will start by asking our witnesses to introduce themselves and say which organisation they are representing.

Professor Conchúr Ó Giollagáin (University of the Highlands and Islands): Good morning. I am the Gaelic research professor at the University of the Highlands and Islands.

Professor Robert McColl Millar (University of Aberdeen): Good morning. I am professor of linguistics and Scottish language at the University of Aberdeen, and I am basically here to represent Dictionaries of the Scots Language.

Professor Wilson McLeod (University of Edinburgh): Good morning—madainn mhath. I am professor emeritus of Gaelic at the University of Edinburgh.

Dr Michael Dempster (Scots Language Centre): Good morning. I am the director of the Scots Language Centre.

The Convener: That is great. We move straight to members' questions.

Pam Duncan-Glancy: Good morning, and thank you all for the information that you have submitted in advance—it is really helpful. As you will be aware, people have raised concerns about the scope of the bill and the scale of the challenge. I want to start with a question that Professor Ó Giollagáin included in his paper: is the bill relevant to the primary issue that faces Gaelic speakers in Scotland?

Professor Ó Giollagáin: The basic question about the bill from the Gaelic community is whether it amounts to real reform or is just a change to the existing legislation that does not deal with the social challenges that the speakers live with. I do not think that it introduces anything new that will help the vernacular community in the islands with the linguistic crisis that they live with. Basically, it is a rebureaucratisation of the existing set-up, and, as the crisis emerged under the existing set-up, the only way out of the crisis is radical change, and the bill does not amount to radical change.

Pam Duncan-Glancy: Thank you; that was very clear. We have had evidence that supports what you have said. Specifically, one submission states:

> "The Bill as introduced is a cautious and incrementalist measure that should bring some modest improvements over time."

Is that good enough?

The Convener: Professor, do you want to start? Actually, they are all professors—I am struggling today. I was talking to Professor Ó Giollagáin.

Professor Ó Giollagáin: It is not good enough. From a Gaelic point of view, there is no point in proceeding with the bill as it is. This is a question of going through the motions of enacting new legislation but not effecting any change. The question is, will the bill help the community? If not, we are into the realm of pointless legislation that introduces minor change without dealing with the situation.

It is quite obvious to the average member of the vernacular Gaelic community that the current approach does not deal with the real-world issues. Therefore, we need real-world legislation from the legislature that will help the community to start addressing its social problems.

If we proceed with the bill, we will have a framework or a dispensation that is sufficient for Gaelic as a school language and for its symbolic value to Scottish identity, but that is nowhere near sufficient to help a vernacular community that is struggling to survive. My suggestion would be to halt the process as it is and redraft the bill with a view towards addressing the social issues, rather than placing an emphasis on schools and the symbolic value of Gaelic.

Professor Millar: I speak from a Scots point of view. It is great that something is finally being done for Scots after hundreds of years of less-than-wonderful support. There has been a process of building. The issue is, what does it mean to declare a language to be official? In Wales, there is all sorts of guidance in relation to both Welsh and English, because in order to make Welsh official, it had to make English official. Scots, with its however many million speakers, is not under immediate threat of dying out. It does not need that sort of thing, but a focus on saying, for example, "Hey, let's have tartan day," or something does not really get to the bottom of the issue.

There needs to be a degree of funding, and local speakers and activists need to be involved, so I am not entirely convinced by the approach. I support the bill, because it is a mammoth step forward for us, but, eventually, something will have to be done to make it realistic.

Professor McLeod: I think that the description of the bill as a "cautious and incrementalist bill" that you quoted was in my submission. It is that, but it has considerable potential if it can be strengthened in appropriate ways as it goes through Parliament.

One of the major weaknesses of the bill is that it does not go into enough detail. It has potential to issue various sets of standards, guidance, regulations and so on, but it does not tell us much about what those are going to consist of. That is left for another day. Much more needs to be spelled out in the bill.

A major omission of the bill relates to a key demand of the Gaelic community that goes all the way back to the 1990s. The top-line demand of the community in relation to the Gaelic Language (Scotland) Act 2005 was that it should include an enforceable, legal right to Gaelic-medium education, but that was not included in that act, has not been brought in since and is missing from the bill that we are discussing today. The exact contours of that would need to be specified, but it is not in there at all.

There are also significant questions about enforcement. If the bill goes ahead in its current form, Scotland will be the only part of these islands without a language commissioner. There is a language commissioner in Wales and in the Republic of Ireland, and shortly there will be one in Northern Ireland—not to mention those in many other minority language jurisdictions. The bill is underpowered in that sense.

The bigger question surrounding all of that is that the legislative framework is only one strand—maybe not even the most important strand—of Gaelic language policy. There is a larger infrastructure involved, of administrative agencies and Gaelic organisations of different kinds. There has been an erosion of funding and support for Gaelic across the board during the past 15 years. That has affected Bòrd na Gàidhlig and the specific grants for Gaelic education, funding for the Gaelic Media Service has flatlined, and the budgets of organisations have eroded by about 50 per cent. They are hugely underpowered in what they are able to deliver, especially with regard to action on the ground and community development work in Gaelic, which is hugely underfunded. There was a strong submission by Comunn na Gàidhlig, which is the main organisation that works on Gaelic community development. It is hamstrung by the underfunding of the organisation in a serious and growing way. Obviously, inflation in recent years has been a serious problem.

There are a lot of questions about the implementation of the existing act, about the funding mechanisms, and about the way that the bill can be strengthened to make it more effective and better powered to deliver positive outcomes for the Gaelic community. It requires some thinking, but it is very important that the bill goes to the next stage.

Dr Dempster: First, Ah acknowledge the hunners and hunners o Scots activists whose work, particularly in recent years, has brought us tae the point where Scots is in a bill. The work that has been done is entirely commendable.

The bill is deeply significant because, as it stauns, we are comin fae havin nae recognition o Scots, which has got millions o speakers athin and outwith Scotland. The Scots Language Centre and the community that we interact wi are very keen fur the bill tae go aheid.

We aw unnerstaun that we acquire wir knowledge o the sociolinguistic hierarchies athin Scotland really quickly and really young, and folk that come tae Scotland acquire it really quickly, and we aw unnerstaun that Scots is the thing that ye shouldnae be talkin; we still have that point o view aboot its status, so the fact o recognisin Scots as an official language is affae important. Folk need tae unnerstaun that ye can come tae the Pairlament and speak in yer ain Scots—nae maitter whit dialect ye are speakin—and that ye can dae it at work and in education. Every week at the Scots Language Centre we speak tae folk aboot the physical abuse that they received at school fur speakin in their ain Scots, and that cairries on, intergenerationally, when faimilies prevent the passin on o Scots; they willnae talk Scots tae weans. However, through the miracle o language, Scots is still hale and hertie athin Scotland the noo.

We need tae interact wi official bodies and organisations, and we need tae stert redressin the hierarchy that seys Scots is wrang and Scottish Standard English is right. We welcome the recognition o the official use o Scots. A form o Scots that is appropriate needs tae be developed, and it will take generations fur that tae settle. We need tae develop a form o official Scots—that is somethin that came oot o the Glesga university research.

11:00

The fact that the bill places an obligation on the ministers tae come up wi a Scots language plan is gonnae allow us tae start talkin aboot that and unnerstaun whit form that is gonnae take, but the symbolic statement that ye are allooed tae speak Scots athin Scottish society is affae important.

On literacy and the second pairt o the bill that applies tae Scots within education, we have seen great advances wi the SQA Scots language award comin in and the Open University coorse comin in the noo tae train teachers. Those are facilitatin a local and grund-up approach tae developin Scots and literacy.

The curriculum for excellence is widely recognised as brilliant for defining literacy as communication that is of value to your society, and Scots is included in that. Scots is able tae come in across the curriculum noo, but aw this needs support. We have recommended quite a number of amendments to the bill in wir submission, including on recognising dialects. There is concern that, aften, people fae areas wi strang dialects—and generally—assume that the Scots that they encoonter in an official capacity doesnae represent their language. That needs tae be addressed, and the inclusion o dialect organisations athin the bill is important.

We are layin a braw foond fur Scots gaun forrit and allooin Scots tae come oot o the hoose—the domain that the United Nations Educational, Scientific and Cultural Organization recognises—and intae the public domain, as wis before.

The Convener: There was a lot in there, Dr Dempster. Some of those themes will be picked up later by other members and you will get the chance to expand on those, so do not worry about that.

Pam Duncan-Glancy: I have one further question but I will keep it short.

The bòrd has said that it does not know whether the bill adequately recognises the challenges in the community and that that could erode trust and engagement. Are witnesses concerned about that and, if so, what do we need to do differently to keep communities' trust and engagement?

The Convener: Professor Ó Giollagáin, do you want to respond to that one?

Professor Ó Giollagáin: Yes. That will erode trust because it does not articulate with reality. We will have more aspirations for Gaelic affairs but there is nothing concrete to help actual communities. As I have stated already, I do not really believe that it is reform but, from the Gaelic point of view, the biggest change is recognition of areas of special linguistic significance. However, when you look into it, there are four designations, one of which relates to the Gaelic communities in the islands—the 20 per cent-plus density areas. Those are the communities that are in crisis, and they will now have to compete with three other designations.

Therefore, rather than identifying the main challenge, we have created a diffuse dispersal of responsibility. The main issue is: will we have a native-speaking community of Gaelic? The worry with this bill is that it could be the legislation by which the remaining communities die out.

The research document that goes along with the bill is telling. There is no reference whatsoever—including in the bibliography—to the most detailed sociolinguistic study of vernacular Gaelic ever conducted, "The Gaelic Crisis and the Vernacular Community", which was published fin 2020.

I think that there is now an element in the public bodies that are responsible for Gaelic affairs who are ignoring the community. How can you expect

to get traction for legislation when you ignore the community of speakers?

Pam Duncan-Glancy: To make it clear, that was not a statement of the bòrd's opinion on the bill; it said that it does not know whether the bill does enough to address that. That was the point.

Professor Millar: That could also be said for Scots, but in a different way. Michael Dempster has already mentioned parts of that. There is a danger that people who are activists at the centre will be perceived as dictating a foreign form. We saw that happen in the north of Ireland in the late 1990s, when activists were pushing things in one direction, which local people who were speakers of Ulster Scots could not recognise as their own language. I am not suggesting that something quite like that would happen in Scotland, but I believe strongly that the approach has to be built from the bottom up. There are organisations—I am thinking of Shetland ForWirds and the Doric Board in the north-east of Scotland—that can speak in the vernacular of that area and have an importance that is sometimes not recognised. It is much easier to say, for example, that we should set something up in Edinburgh, when in fact, given current technology, it is much easier to communicate these days.

I think that Wilson McLeod would agree with me that the approach has to be built from the community and from the speakers, otherwise it is pointless. To do otherwise might actually be dangerous, because all that people might associate Scots with are poets and people who are politically or socially motivated.

Professor McLeod: To come back to the Gaelic side of it, the bill takes in different perspectives and very much recognises that the Gaelic community is quite dispersed and has different elements to it. It is very important that opportunities are given to develop Gaelic across Scotland as appropriate. Therefore, different kinds of Gaelic communities can be promoted and assisted in different ways.

Obviously, when we talk about a Gaelic community in Glasgow, we are talking about something very different from a Gaelic community in Barra. However, it is very important that we find avenues to assist the promotion of Gaelic in urban contexts, especially and most notably in Glasgow.

The idea of areas of linguistic significance is one that holds potential, but, as set out in the bill, it is problematic in a few respects. Most obviously—I think that this is one of the issues that Bòrd na Gàidhlig may have been thinking about in its statement of concern—it sets up a procedure and a system but gives no real indication of what the outcomes would be. What would change on the ground if an area is designated as an area of linguistic significance? If it is a matter of a few more bilingual signs, that really will not help.

That gets complicated when we start to move into the complex area of the relationship to wider socioeconomic issues in terms of infrastructure, connectivity, employment, housing and so on, which are obviously large-scale problems that are affecting all parts of Scotland in many different ways.

It is a tough nut to crack, but there is some sense that the bill describes a bureaucratic procedure and an administrative system but gives no indication of what can really change on the ground. That ties into the question of funding and so on. One specific issue that has come through with regard to that is the role that has been proposed for local authorities in designating areas of linguistic significance. It is not clear why that should be the case.

This might be somewhat simplistic and unfair but, broadly speaking, there would be a perception in the Gaelic community, which would most obviously be based on the experience from Gaelic education, that local authorities are generally not supportive of Gaelic, are not proactive and are not taking the lead on Gaelic development. Therefore, putting too much in the hands of local authorities is not the best way forward. Some authorities might feel that that is not a fair characterisation, but I think that it is a fair assessment of the widespread perception in the Gaelic community.

The Convener: We will have questions on that theme later on, too.

My question is about the current policy framework for Gaelic. Does it have the right focus on institutions and their Gaelic plans and on school education and community development? To use your language, Professor Ó Giollagáin, does it address "real-world issues"? What are some of the real-world issues that are out of kilter with the existing policy framework?

Professor Ó Giollagáin: At the moment, we have around 60 corporate plans from different civic bodies in Scotland and some are more useful than others. They generally tend to emphasise the symbolic value of Gaelic rather than suggesting any practical support for learners or speakers.

It is now being suggested that we should move away from the Gaelic language approach, which I think has been overly bureaucratic and overly symbolic, and move towards a language standard process, which I think will introduce an even greater bureaucratic burden without addressing the issues.

One difficulty with that aspect of the bill and the idea of moving from language plans to standards is that it mimics ideas that have been developed in

other sociolinguistic contexts, such as in Wales and Ireland. Rather than doing our own original thinking about the Gaelic world, we are mimicking approaches from other jurisdictions when there is no way for us to take a similar sociolinguistic approach in Scotland. There are half a million people in the speaker group in Wales and, in comparison with Gaelic and even Irish, they have massive civic support.

Unless we root the approach in the actual reality, we are not going to start addressing the issue. Starting with standards when we are in the heel of the hunt and have such a minoritised language is just another bureaucratic approach to an issue that the civic bodies have not really dealt with from a societal point of view.

The Convener: Professor McLeod, can you comment on whether the current policy framework has the right balance?

Professor McLeod: The weak implementation of the 2005 act is one key element. When the bill was introduced in 2004, the policy memorandum said that there would be five or 10 language plans a year. If that were the case and that had been the pace of implementation, we would have between 100 and 200 plans by now, but we have only about 60.

Many of the plans, especially those in the stronger Gaelic areas, are weak, symbolic or might be described as tokenistic. The key principle of the 2005 act was that there would be varying levels of provision and that plans would be more stringent in Gaelic areas. Unfortunately, the plans that were adopted and approved by Bòrd na Gàidhlig and the Scottish Government in relation to stronger Gaelic areas were, in my opinion, too weak.

Part of that is connected to the wider issue of whether to have a language commissioner, which we may come to later. Bòrd na Gàidhlig is a small, underfunded public body that has little status or power in Scotland's wider public realm. It cannot push public bodies hard to demand strong language plans and does not really have the power to enforce them effectively. A stronger system, in which plans were more targeted and had more stringent requirements, could be much more effective, so the weak implementation of the 2005 act has been unfortunate.

Ruth Maguire: Professor McLeod, you spoke about weaknesses in the plans. I assume that you are talking about island authorities in particular. Can you give an example of what you mean by weakness? We are not embedded in all that, so it is helpful for us to know what is weak and what needs to be stronger.

Professor McLeod: I was thinking mostly about service provision through the means of Gaelic and across the full range of services that a local authority or a health board might provide, which would have significant ramifications for recruitment. The issue is the extent to which the public body plays a role in community life, drives various kinds of community development and takes a lead on that. Welsh became embedded in public life in Welsh-speaking areas of Wales from the 1970s onwards in a way that did not happen in Scotland, even in areas of comparable linguistic density.

11:15

Among those of us who studied the Gaelic Language (Scotland) Bill during its passage in 2004 and 2005, there was an expectation that there would be significantly stronger plans in Gaelic areas. That framework was set out in the guidance for the Gaelic language plans under the Gaelic Language (Scotland) Act 2005, but it has not been implemented very effectively. I think that that is partly because of caution on the part of Bòrd na Gàidhlig, which is worried that, if it pushes too hard in demanding stronger Gaelic language plans, it will lose the good will of public authorities, which it cannot afford to do, and about whether the Scottish Government will back it up if it comes to the question, "Should we force this stronger plan on a public body?"

Ruth Maguire: We have asked about outcomes and what success will look like. Listening to you—I am sorry; I think that the convener is indicating that I am intruding on someone else's questions, so I will wait.

The Convener: We move to questions from Ben Macpherson.

Ben Macpherson: Good morning, and thank you for your time. You have all touched on this a bit already, but could you expand on what, in your view, success would look like in the long term for Gaelic and Scots? How should success be measured? Given what you have already stated, I ask each of you to be clear with the committee about whether you think that there should be a pause and the bill should be reconsidered, which I think Conchúr Ó Giollagáin is arguing, or whether it should be amended.

What would success look like in the long term, how should that be measured, and what are your thoughts on the bill?

Professor Ó Giollagáin: As you mentioned, I have previously stated that I think that the bill should be paused, because it will not introduce any new beneficial innovation for the Gaelic community, and it could potentially do harm. It puts more focus on the bureaucracy when we need to have a focus on community development for the Gaelic-speaking communities and learners.

That has all been set out in the research report, "The Gaelic Crisis in the Vernacular Community".

There are plenty of suggestions and recommendations, all of which have been ignored in this process. Frankly, I find it baffling that people who are engaged in research and policy advice could contribute to the development of legislative reform and not refer to the social evidence of the speakers.

To answer directly your question about what success would look like, I would put the emphasis on resource for a community development approach among the Gaelic-speaking communities. That would entail the provision of directly funded resource. It is telling that there is no financial provision for the areas of linguistic significance. What that says to the community is that the bill is extending the symbolic approach of the language plans to the native-speaking vernacular community. The last thing that the native speakers of Gaelic need is more of the symbolic approach to Gaelic affairs. What we need is real-world financial support that is rooted in a community development approach to Gaelic affairs and the Gaelic community.

The big weakness of the 2005 act is that it emphasised the symbolic appeal of Gaelic, and it emphasised the symbolic—or, as Professor McLeod said, the tokenistic—use of Gaelic in official bodies. There has been way too little emphasis on speakers of Gaelic and on networks of learners. Basically, I am saying that the bill should be paused and that there should be a complete reappraisal of Gaelic affairs so that a community development approach to Gaelic in Scotland can be introduced.

Professor Millar: Do you want to speak to the linguistic side, Professor McLeod?

Professor McLeod: I very much hope that the Parliament proceeds with the bill. A number of submissions from Gaelic organisations and from across the Gaelic community indicate that that is the desire of the Gaelic community, as expressed publicly, at any rate.

The question of ultimate measures of success is very difficult. We should think in terms of outcomes, not outputs. It is easy to point to things that have been produced and so on, but, eventually, we are looking for a wider use of Gaelic—more people speaking Gaelic more frequently and in more contexts. That is a very high-level goal to achieve, and it is a difficult one to measure in relation to actual language use, but we should bear that in mind.

However, I certainly want to see higher-level targets. For example, the national language strategy in Wales sets high-level targets. The most obvious one is on the overall number of recorded speakers, but there are also targets on the numbers of people enrolling in Welsh-medium education and so on. That is then rolled out through different kinds of mechanisms—for example, there is a system of strategic plans for Welsh in education that local authorities put together. They are given a target that they work with the Welsh Government to implement. It is a binding target that they are required to move towards.

Similarly, in teacher education institutions in Wales, 30 per cent of students entering teacher education programmes will be going into the Welsh stream, which is connected to the funding and planning for those teacher education providers. Systematic planning can achieve high-level targets, and those are some ways that we could measure that.

I sound a note of caution because I am aware that the results of the 2022 census were postponed. The new census results will be coming out for Gaelic quite soon. I think that people outside the world of language policy or sociolinguistics overinvest in census statistics as a high-level indicator of linguistic vitality, but the census is a very crude instrument. It is perhaps the most useful thing that we have for measuring Gaelic at a wider level, but we have to take what it tells us about linguistic vitality with a real note of caution. Whichever way the numbers point, the idea that it is somehow a huge indication of major change is something to be concerned about, so I would certainly not invest too much in those results.

Dr Dempster: Tae answer yer second question, Ah think that the bill should be amendit tae target some merkers o success. One of the main things we at the Scots Language Centre looked at was the insertion and incorporation into Scots law of linguistic rights. A lot of those exist, but they are quite nebulous. Recently, the incorporation of the United Nations Convention of the Rights of the Child brought in nine articles on linguistic rights. Ah have provided a list o nine pieces o legislation that include linguistic rights. That is one of the main amendments that should be brought in. That would speak to the success of what the bill would achieve.

Wi UNESCO identifyin that Scots is mainly a hame language—it is used in the hoose—we need an endogynous movement o that use oot intae general Scottish society and formal situations. We have social exclusion and prevention of career progression for Scots speakers.

Another aspect that we suggest should be amended is to do with collecting data. We need a requirement fur public bodies tae collect data, because largely we rely on extensive stories that are telt tae the Scots Language Centre and other

organisations. It is very common for folk to be excluded from work, a lot of social situations and education. Higher education in colleges seems to be a significant issue. When it comes to education, the Scots Language Centre advocates for a full spectrum of Scots education, from first reception at preschool right through to university. Aspects of that are coming into position.

In relation to where we are currently, for speakers of English with a Scots accent, the provision in early years assumes a received pronunciation. Much of the acquisition of literacy, reading and writing skills is based on rhyme and things like that. Aw the resources assume a sooth o England phonology. Scots accents within Scotland aw come fae Scots, and they behave quite differently.

It is no even aboot introducin that. Scots has a value for English literacy and language acquisition. There are many suspicions that low literacy levels correlate with high Scots speaking. This aw needs tae be explored. That will be a merker—lookin at literacy levels, inclusion, education and progression in education. The Scots Language Centre provides a lot of school classes and things like that. As pupils who are excluded tend tae be Scots speakers, one o the immediate benefits o doin that—in common wi the Open University course—is that, as soon as ye speak Scots and give a lesson in Scots, they become the expert athin the clessroom, they become included, and they positively lead and integrate intae the clessroom. That can have lang-lastin effects, even beyond that Scots lesson, across the curriculum.

We have merkers like those that are quite nebulous; they are no directly related tae Scots. In relation tae the bill, whit would success look like? It would be full integration and full recognition that the culture o Scotland, goin back tae the 18th century, has been aboot chyngin oor language fae Scots tae Scottish Standard English. We still cairry that forward—no maliciously, but mibbe in an unexamined wey. That integration and recognition would be a massive success for the bill.

Professor Millar: From the point of view of Scots, the bill has to go forward. It will certainly need to be amended, but there is no question about it—this is our time to do it.

When it comes to being asked what we want, we can sometimes move into utopianism. I want to say two things. I agree with Michael Dempster that taking Scots out of the home and into the world is a good idea, but first we must ensure that it is in the home. I regularly hear sad stories about people who brought up their children solely to be English speakers and then regret it later on. The kids pick up Scots anyway but not quite in the same way.

From that point of view, the home is important, but so is the school. I am the son of schoolteachers, and I am married to one, so please do not take it that I am attacking schoolteachers in any way, because that would be completely wrong. However, there must be an understanding of how we can go forward that does not push against the natural understanding of schoolteachers that Scots is just another thing that they have to tick a box for. Sometimes, there is open antipathy about it as well.

Many years ago, when I was young and stupid—rather than older and stupid, as I am now—I wrote something that suggested that if teachers who could not speak Scots went through Scots courses they should pay less tax. They take a similar approach in Norway. [*Interruption*.]

I am sorry, convener; I did not catch what you said.

The Convener: Sorry; I was just commenting on the point about progressive taxation. Anyway, carry on.

Professor Millar: Yes; I am in favour of that as well, but that is another matter.

I was talking about the sense that teachers should feel empowered and also be willing to do this. The school and the home are the two aspects where, if we do not watch ourselves, things will go. We have seen it happen already. Yes, we have loads of speakers, but where, for example, are the Scots speakers of the Black Isle? They died out in 2012. There were other reasons for that—the fishing community going, and so on—but that was the primary reason.

In the future, I would like to see a situation in which we can, with a very small amount of funding, make a difference by encouraging people to carry Scots on in new ways.

11:30

Liam Kerr: We have heard representations that if the Government will not pause the bill—as you have suggested it should, Dr Ó Giollagáin—it might be better to have two separate bills: one relating to Gaelic and one to Scots. Is that a useful suggestion, and should the Government consider it?

Professor Ó Giollagáin: We do not want difficulties related to the Gaelic community or Gaelic affairs holding up any progress for Scots, so if that means proceeding with the Scots aspect of the legislation, that is fair enough. In the context of your question, though, we would have to split the Gaelic provisions from the Scots provisions and draft a new bill, which would essentially mean reforming the 2005 act, but that would be much

preferable to proceeding with the inadequate and incomplete legislation that we have at the minute.

Liam Kerr: Professor Millar, you said some interesting things about dialects and vernacular. The bill talks about the Scots language, but people will be confused by that. The Scots language appears to refer to one particular dialect. The bill team suggested this morning that the bill incorporates Doric, Orkney Norn and Lallans, but those dialects, perhaps, use fundamentally different words to the Scots language that Dr Dempster has been using this morning. Is it right to call this a Scots language bill? Is that clear enough, in your view? What are the implications, if not?

Professor Millar: That is a good question, and it is often asked. For the 2011 census, the Scots Language Centre did incredible things to build up a sense of similarity between the dialects. In Norway, where I have lived, there are two standard varieties of the same language, but people are encouraged to speak in their own dialect. There is a sense, for example, of people coming from Telemark, Finnmark and so on, but there is no sense of some dialects not being Norwegian. Centuries of neglect have caused that feeling here, and that would have to be worked on.

It is fine if people want to call their language Doric or Shetland, as long as we all understand that there is something overarching. There is no standard variety of Scots—we are not there yet, and I do not know when we will be. A speaker of, say, an unusual, slightly different dialect of a Nilotic language spoken in Uganda would say, "Oh, I have this small-scale identity"; that would be true, but, in other ways, they are aware of their connections.

The Shetland dialect, in particular, is highly distinctive, but, to be honest with you, I think that a lot of that is sociolinguistic, not linguistic. There are differences—and that is the issue. That is why I have said that people should be empowered in their local varieties of speech from the bottom up. The dialects that you have mentioned are varieties of Scots, just as Dorset English and Lancashire English are both English. Nobody says, "Isn't it a problem that people are being taught standard English? Shouldn't we write in Dorset English?" We are not at that stage—and, in my view, we should not be at that stage, because this is all about democracy.

On the other hand, if we were to call ourselves a collective of different dialects, that would really not make us very strong; it would be an easy way of picking us off, one at a time. If speakers of those dialects do not agree with that viewpoint, that is their right. They would still get funding and encouragement. The point is that there would be a connection between the different parts of Scotland, which has never been encouraged in the past.

Liam Kerr: If that is correct, how would a Scots language strategy imposed from the top adequately allow for the different versions of the Scots language to thrive?

Professor Millar: That is a good question. It comes from the top in the sense that the funding has to come from somewhere. Local funds come through in different ways, too. For instance, Moray Council, Angus Council and Shetland Islands Council do a lot for local language use, because they think that it is a good thing to do.

Below that idea of funding, surely there has to be some way of articulating different views and different dialects. That sort of thing is commonplace practically everywhere, apart from anywhere that speaks English.

Dr Dempster: First aff, Ah am no speakin a staunart Scots that would be imposed athort aw the dialects. Ah do not think that Ah masel or onybody else would represent that as bein the staunart Scots.

One of our recommended amendments is to replace the terms "the use of" and "as used" with "speaking and writing" and "spoken and written". We have written traditions. The written dialect traditions can aften present a greater difference than the spoken forms. Wi communication through the internet and greater integration, folk are realisin that maist o their lexis is the same across dialects and commonality is comin back in. Historically, Scots was identified as being spoken quite widely. In the north-east, we aften get aulder folk seyin, "It's no Doric we speak; it's north-east Scots." That identity existed historically and it exists currently. This is aboot encouragin the local dialects tae come thegither and fund these commonalities. Aften, when ye encourage that, ye discover that the written form will come taewards a Scots that is acceptable pandialectically.

However, we dinnae need one form. The anely argument that Ah can see fur that would be in relation tae an official form o Scots—that is, onythin that is comin oot o the Pairlament or the cooncils would maybe gravitate towards a form. Historically, that has happened worldwide with other languages.

One o the strengths o the Scots strategy is that we can bring thegither dialects and see whit they have in common. Where dae we work fae, fae here? How does the Shetland speaker speak wi the Dumfries speaker? Whit is common there?

Pairt o it is aboot approachin a written form that is acceptable. However, there is high mutual intelligibility atween Shetland and Dumfries and Galloway speakers; that mutual intelligibility is

there, and when ye have got folk speakin thegither in a room, they realise that. We aw interact wi oor language in a dialect form, but, when ye get folk thegither in a room, which we hope tae dae aff the back o this bill, they suddenly realise the commonality. They twig why Scots is a language, and why linguists recognise it as a language fae there tae there.

The Convener: My role as convener is always to have an eye on the clock. It would be helpful if the witnesses could try to keep their responses as succinct as possible.

Stephanie Callaghan: I will stick with you, Michael Dempster. You have talked about having an agreed written form of Scots. How realistic is that, given that, for example, Doric can be so different from the dialect in Lanarkshire, where I come from? I remember staying with my friend's family up in Aberdeen over the summer holidays and my mum phoning up and no being able tae understand a word that was said. How do we actually get back to the sort of situation that you have just been talking about?

Dr Dempster: There is a number of solutions to pandialectical forms. A lot of the dialect writings use the tools of standard English to represent their dialects. In the north-east, ye would prefer an "f" fur the "wh" soond—fur example, "fit" fur "whit". The "ui" spellin comes up aw the time—in "muin", sey, and in "the schuil" versus "the skweel". Ye need tae learn those orthographic forms. In English, we aw learnt that "ough" is pronounced "uff" or "oh", or is no pronounced at aw. There is a variety, and ye need tae learn it.

That is whit becomes pairt o the education process. Working with teachers and the Open University, we recognise historical forms through this commonality—it is spelling conventions that we recognise. Historically, it wis aboot the 1960s when folk stertit abandonin these tae go intae strang representations. Fur the written form, solutions are there, but folk need tae learn them; folk need tae learn the silent letters, and tae learn that the spellin works slightly different, in the wey that French spellin works different. There are they solutions. In spoken language, it is aboot increasin communication and public representation.

Professor Millar: When somebody from Scotland meets somebody from, say, the deep south of the United States, it takes a while for them to follow each other, but nobody says, "My God, it must be a different language." It is all about education.

There is also that thing that we all do with our native languages—things just click, and we go, "Oh, right." We might think, "When I do that, they do that." It is quite natural. A certain pride can be taken in not understanding somebody. Sometimes it can be difficult; indeed, the first time I heard Shetland, I thought, "Oh!" I had never heard it before—and that is the thing. I had heard plenty of people from the north-east of Scotland before I moved, but I had never really heard a Shetlander. From that point of view, dealing with this is not easy—and nobody is fooling themselves that it is—but it is eminently doable, particularly in a situation where children are exposed to other dialects at an early age at school.

Stephanie Callaghan: I would be quite interested in following that up with a question on education.

The Convener: Please move on to the substantive themes that we want to ask about.

Stephanie Callaghan: I will do that, too.

As far as what goes in the classroom and in schools is concerned, is this a matter of children learning about and having a wider understanding of the different dialects across Scotland? Robert McColl Millar talked about empowering teachers. Is that partly about embedding understanding through looking at, say, history, locations, place names and so on? Is that what you are talking about? That question is for Robert McColl Millar and Michael Dempster.

Professor Millar: Sort of. The problem is that those things do not seem to be actual. Both approaches are needed. Academics, including people whom I think very highly of, often talk about the glory days of Scotland before the collapse, with Scots being the official language of the country in the 15th and 16th centuries and so on. That is great, but it doesn't butter bread. That said, being able to understand somebody from around Stranraer, which I find quite difficult, is very important, and good for the economy, too.

In Norway, there are dialect tolerance classes, where people listen to other dialects. Because it is a mountainous country, the dialects, even over small areas, are very different. I wish that I had done those classes when I lived there; we might come out of an 11km-long tunnel and discover that we could not understand a word of what anybody at the other end was saying, at least to begin with. We do not have that problem, because most Scots speakers exist in a continuum.

Dr Dempster: One o the reasons we suggest havin dialect organisations in oor submission is the concern fae folk who perceive thairsel as speakin minority dialects o Scots aboot havin dialect levellin, where their variety will be replaced. Includin and strengthenin the dialects and imposin a system fae the tap doon that alloos a bottom-up preservation o the dialect and whit is important tae folk locally in their ain forms could be integrated wi the bill, wi the recognition o dialect organisations.

11:45

Bill Kidd: To what, if any, degree has the policy on language in Scotland been led by the principles and provisions of the European Charter for Regional or Minority Languages? I had never heard of that—I hope that you have.

Professor McLeod: We can perhaps break that down into two parts. The European Charter for Regional or Minority Languages is an international treaty of the Council of Europe, so it has nothing to do with the European Union. The UK ratified it in 2001, and Gaelic is one of several languages, along with Manx and Cornish, that it covers. The level of requirements varies significantly for different languages. In particular, there is a difference between what we call part 2 and part 3 of the charter; Gaelic is covered by part 3, which is more stringent and has specific and binding requirements, whereas Scots is covered only by part 2, which is more general and, to some extent, aspirational.

On the Gaelic side, the charter has been implemented fairly well. When they ratify the European charter, Governments have a degree of latitude, in that they can decide exactly where they will commit themselves. However, either through aspiration or oversight, the UK Government committed itself to the most stringent requirements in relation to Gaelic, and the Council of Europe has pulled it up for not really implementing the charter fully—or as well as it should have—in relation to Gaelic education.

Going to the heart of your question, I would say, to be quite honest with you, that the European charter is not really a significant factor in Gaelic language policy; it does not come into play a great deal in the issues and challenges that we face. Technically, it is true to say that the UK Government has not complied with its obligations as fully as it might have, but its non-compliance is relatively minor and not really significant with regard to the quite considerable challenges that we face in relation to Gaelic education.

Dr Dempster: Ah keep in contact wi the Cooncil o Europe on that charter and the framework convention fur the protection o national minorities, which deals wi languages as well. In relation tae Scots, acause we have such a dearth o reportin, one o the things that we welcome wi the bill is that we will have this report and feedback on whit is goin on, which is quite a useful tool fur examinin how Scots is performin athin Scotland.

The Scots Language Centre co-ordinates across multiple agencies tae provide feedback tae the Cooncil o Europe. It makes recommendations and, often, the recommendations are aroond the fact that the Scottish Government, the cooncils and the UK Government arenae meetin the expectations fae the previous report. It is useful fur us tae have a place tae report.

Wilson McLeod mentioned the pairts o the convention. There is universal callin fur Scots tae be recognised under pairt 3, which allows fur an area o focus—specifically, on education. That is whit everybody is expressin; no organisation doesnae want that. As Wilson has said, that pairt is mair stringent, but it would alloo us tae set oot required targets. Specific targets would require tae be implementit, insteid o whit we have at the minute, where we kind o jist get asked, “How is Scots daein generally?” Having targets would be useful for education.

The Convener: Earlier this morning, in our first panel, we heard about the international success in that reversal of language shift. I do not know whether that is the right word—I am sure that you understand. The panel spoke specifically about the revival of French in the context of Canada. We have heard a bit from Professor Millar about some of the things that are going on in Norway. Are there other examples of a successful reversal of language shift that the Scottish Government should perhaps have taken cognisance of? Where might we learn lessons around how we could see that reversal reversed in Scotland? I am stumbling on my words a bit here—apologies for that.

Professor Ó Giollagáin: Again, there are examples from other minority language contexts, but everything is contextual in the end. There are millions of speakers of French in Canada. It is a minority language there, but it involves a very large population, and in one province in particular it has a social density of more than 90 per cent. Basically, that community needs civic bodies with conviction and good politics.

On the other hand, Scottish Gaelic is a very small minoritised language. It can learn only from similar contexts. The closest language is Irish in Ireland, which has had language planning and official policy for more than 100 years. We are running into the same difficulty there. After 100 years of language planning, the vernacular group in Ireland is now around 20,000 people. Our research has indicated that the vernacular community in Scotland is around 11,000 people. We need support provisions that deal with the level of minoritisation.

The only way out of that is to increase the agency that the community has in its own context. Barring the very ambitious language planning in the Basque regions in France and Spain—again, that involves a community of half a million speakers—it is about designing a policy that is fit for purpose. That is the challenge: emphasise the agency of the community, not the aspiration of the top-down approach of the 2005 act.

The Convener: Thank you for interpreting my very bumbled question. Does anyone else want to respond?

Professor Millar: Scots, of course, is not under threat in the same sense as Gaelic, although it is under threat in the sense of being dialectalised—to use Heinz Kloss's term—under English.

We are comparable not to Quebec—that would be the wrong way to put it—but to Catalonia. Since some degree of democracy returned to Spain in 1977, Catalonia has been able to make its own language policy. There are inducements to learning Catalan, because the problem is that many working-class people in Barcelona speak Castilian Spanish, or a close relative of it, for a variety of reasons, such as internal migration. Catalan has therefore been pushed. The territory is rich and can dictate its own language policy, albeit always bearing in mind that the Spanish constitution says that Castilian Spanish is the language of Spain. Catalan is the regional language, if that is the right word.

However, we also have to compare with places such as the northern parts of Germany, in which Low German is spoken. Historically, that was a very important language. It was spoken in Edinburgh by large numbers of people 500 years ago. However, it is now the language of the countryside and of the elderly. That has happened not through any ill will—Germany is very good at supporting its local minorities—but because it has not been given support in schools, for example. You can listen to it on the radio, but you cannot learn it at school.

So, other models are happier than ours unless you go looking for those cases where it has not worked or it did not happen.

The Convener: If you do not mind, I will move on to the next questions, which are from Willie Rennie.

Willie Rennie: We have talked about agency in communities, but does the "area of linguistic significance" not give the potential for that to happen?

Professor McLeod: The bill per se does not really create that kind of mechanism. It does not say anything about community agency in general or about community organisations. It talks about local authorities having an important role; it refers to public bodies having additional obligations in areas of linguistic significance; and, this morning, the witnesses from the Scottish Government spoke about embedding obligations in standards, and so on. However, the bill does not create a mechanism for community-driven activity or for the funding that would make that possible.

To some extent, the proposal bears similarity to the Gaeltacht Act 2012 in Ireland, which creates language planning areas. However, that very much depends on local organisations, typically voluntary organisations of some kind, to drive the process forward. Although there are critiques of that process, it more obviously has a community element to it, whereas the proposal as set out in this bill is quite institutional. In particular, it has a high-level role for local authorities, which has, to some extent, come out of nowhere in relation to the language planning framework for Gaelic, because local authorities have not had a key role in strategic planning for Gaelic up to now. It is not that obvious on the face of the bill.

Professor Ó Giollagáin: The bill only creates the symbolism of a designation. It is meaningless from a strategic point of view. It does not identify organisation or responsibility, and it does not establish a fund. Therefore, there is no direction on what processes they will follow.

I point out that the Gaeltacht Act 2012 in Ireland received very little traction beyond state salary holders. It has not worked as a language planning approach. Again, we should be very wary of borrowing from other contexts without doing our own thinking about the specifics of the need here. The Gaelic vernacular group is even more minoritised than the Irish native speaking group in the Gaeltacht regions, mostly in the west of Ireland.

The simple answer to Willie Rennie's question is that all that we are going to do is talk about the symbolism of Gaelic affairs with the vernacular communities, rather than giving them agency and developing mechanisms for them to empower themselves in their own context.

Willie Rennie: If the bill is to proceed—I suspect that the Government is keen to proceed—could amendments along the lines that you have outlined, in relation to local organisations being empowered with the appropriate funding, give communities agency in the way that you described?

Professor Ó Giollagáin: That aspect could be recovered. I would also say that the bill is overcomplicated. There are not four designations. There is an element of reductio ad absurdum there. There are two designations. Basically, we have the remaining vernacular communities, and the other networks of learners and speakers in other parts of Scotland. I would emphasise those two contexts and make clear what resource is available.

However, we talked earlier about the crisis in the native speaking community, and the onus now is on the legislature to admit that we have a crisis and to give priority to dealing with that issue.

There is a risible element in the bill, which is that the areas with the designation of more than 20 per cent Gaelic speakers have to compete with areas where there is a historical interest, which means areas with few or no Gaelic speakers. That is the opposite of giving priority to the crisis at the minute.

If there is a direct recognition of the crisis and we then develop a strategy and indicate a stream of resource that is going to help with that empowerment, then the bill can be rectified, or rescued.

Willie Rennie: Do you have anything further to say, Professor McLeod?

Professor McLeod: I do not agree with much of what Professor Ó Giollagáin set out there. I think that it is quite an unhelpful analysis of the situation.

I will flag up one issue specifically in relation to the 20 per cent designation. That came out of the short-life working group on Gaelic that was commissioned by Kate Forbes and chaired by Arthur Cormack. It is a very low designation; 20 per cent is a very low threshold, bearing in mind that it includes people who can only understand Gaelic. In previous research, it has been suggested that a density of 45 per cent might be the minimum that should be operational or, indeed, in some cases, 67 or 70 per cent.

12:00

When we talk about a 20 per cent threshold, that includes areas where there is limited day-to-day use of Gaelic but where there is potential. We must harness the potential for Gaelic in different parts of Scotland and it would be unwise to write off the potential for growth. One of the interesting amendments to the Gaelic Language (Scotland) Act 2005 was that Gaelic plans and Gaelic planning should take into account the potential for growth and for revitalisation, which we certainly see in places such as Glasgow. There are huge problems in harnessing that potential and providing a context for the social use of Gaelic in urban communities, but it is a significant part of the challenge and it is important that that element is taken into account in the legislation and in wider Gaelic language policy.

The Convener: Ruth Maguire has a supplementary question.

Ruth Maguire: That question was going to be about whether there were alternatives to the perspective that was set out by Professor Ó Giollagáin, but we have just heard one.

I will ask about Gaelic-learner and Gaelic-medium education. Notwithstanding the previous comments about the symbolic value of language in schools, I think that Gaelic-medium education is important. I would like to hear reflections on its current strengths and weaknesses. We have already spoken about staffing challenges, which might be included among those. I would be happy to hear from Professor McLeod or Professor Ó Giollagáin.

Professor McLeod: There is a range of issues, which I will break down into Gaelic-medium education and Gaelic-learner education, because that is the conventional distinction.

We have seen fairly good growth in Gaelic-medium education in the 20 years since the Gaelic Language (Scotland) Act 2005 was introduced, but most people who were involved in Gaelic education 20 years ago would have thought that we would be further ahead than we are by now.

There are two key reasons for that lack of progress. First, relatively few local authorities have begun adding Gaelic-medium education to their provision. It has picked up a bit in the past few years, but I was quite taken aback to see Gaelic language plans being approved by local authorities that then made no provision to start delivering Gaelic education. There are several local authorities that have Gaelic language plans and might even be on their second Gaelic language plan but are still not offering Gaelic in any of their schools. I find that to be a bizarre position. There is a lack of initiative and energy on the part of many local authorities to drive forward the development of Gaelic education.

There is also a more specific issue about the development of dedicated Gaelic schools. A dedicated school provides a far better immersion environment for language acquisition, but it has been really difficult to get those schools under way. Glasgow has a pretty good record of opening new schools. It is moving to open a fourth primary school and has had a secondary school in place since 2006 but, outside Glasgow, you would struggle to find an authority that has been really proactive. There was a mighty fight here in Edinburgh to get a Gaelic school started. It took an unreasonable amount of community organisation and political pressure to persuade the council to open a Gaelic school, which eventually happened in 2013. There was a huge amount of foot dragging from Highland Council, which was very slow to develop its Gaelic schools and there is controversy now in Argyll and Bute, which has been very reluctant to develop a Gaelic school in Oban, despite clear evidence of parental demand.

That is what has been happening in Gaelic-medium education. There has been very little growth on the Gaelic-learner side.

Ruth Maguire: Just to interrupt briefly, I should probably say that my children went to Sgoil Ghàidhlig Ghlaschu.

Do you have any insight into what causes those challenges? In Glasgow, there was a helpful groundswell from the existing Highland community. Was that important? It is not a political thing, because those local authorities come in different colours, as it were, so the issue does not seem to be party political. What is your reflection on what the issue might be?

Professor McLeod: A lot of authorities elsewhere have just not been proactive. The Education (Scotland) Act 2016 created a mechanism by which parents could request Gaelic-medium education, but it is a cumbersome, slow and bureaucratic system, which is difficult for parents of young children to negotiate. In recent years, the only way that local authorities have started adding Gaelic-medium education is by getting parents to organise themselves and push through the bureaucratic thicket in order to get the provision.

We do not see any leadership from local authorities in developing Gaelic-medium education off their own bat, and there are still large authorities, such as Dundee and Aberdeenshire, that do not offer any Gaelic education at all.

On the Gaelic-learner side, there is limited, patchy provision at secondary level. Even places such as Glasgow and Edinburgh, which have extensive Gaelic-medium provision, do not offer Gaelic-learner education in their schools. Therefore, either your parents choose Gaelic education for you at age five or four and a half, or you are locked out of Gaelic education through the statutory education system. It is a very weird layout of provision.

Unfortunately, in recent years, there has been an approximately 50 per cent drop in the level of provision for Gaelic-learner education in primary schools because, in many cases, local authorities dropped the existing provision in their schools. It is part of the implementation of the 1 plus 2 strategy that, for Gaelic, went badly wrong. Those are local authorities that have Gaelic language plans, yet the outcome has been that they removed Gaelic from their schools. I find that very strange.

Ruth Maguire: Professor Ó Giollagáin, I wonder whether I could ask—

Professor Ó Giollagáin: It will have to be very brief, because I am on the clock here.

Ruth Maguire: I wonder whether you could reflect on the native communities.

Professor Ó Giollagáin: There are two big issues, which pertain to all of Scotland where we have GME. One issue is educational—there are challenges around progression from primary level into secondary level, and we are losing a lot of numbers at that point.

The second issue is linguistic. Even for those pupils who progress to secondary level, there is a question about the level of linguistic functional fluency that they have achieved by the time they leave school at secondary 4, 5 or 6. How fluent are they in conversing with fluent speakers? That is an issue that we do not really address honestly, but that should also be tackled.

Ruth Maguire: Part of that issue is maybe around wider community use and ability. Not everyone who goes to the Gaelic-medium schools has parents speaking the language at home. Is it about that wider opportunity?

Professor Ó Giollagáin: Yes—there are three issues. First, it is about pedagogy; secondly, it is about the young being socialised into speaking Gaelic among their peer group; thirdly, it is about support from the wider community. Those aspects all have to work together to produce functionally fluent speakers, but we are not properly tying up those different aspects of Gaelic development.

Bill Kidd: What is your view on what the bill envisages for Bòrd na Gàidhlig? On the back of that, in order to widen things out a wee bit and give everybody a shot, who should lead policy in relation to the Scots language?

The Convener: Dr Dempster, do you want to go first?

Dr Dempster: In relation to the consultation process, the Scots Language Centre is the only organisation that has a Scotland-wide remit for responsibility for Scots. We work really closely with a lot of partners in Education Scotland, the Open University and the SQA. We run the Scots language resource network, which is a resource fur aw public bodies tae come thegither, make sure that we are no gettin duplication and inform everybody aboot best practice athin Scots. We also engage wi the Cooncil o Europe, wi yersels in the Scottish Pairlament, the British-Irish Cooncil and Westminster. We function as a co-ordinating board.

There are fears fae dialect areas related tae dialect levellin that a central board would wipe oot dialect organisations. However, the Scots Language Centre works fae grund up tae bring in everybody's voices—it is aboot Scots in aw its forms. Oor workin practice isnae aboot a tap-doon approach. We bring folk thegither fur conversations and we share best practice. In relation tae the ecology o the Scots language the noo, the Scots Language Centre is in a position tae take that role—it might no take the form that Bòrd na Gàidhlig or other language bodies in the UK or worldwide would take, but the centre

certainly performs a function as a co-ordinating organisation.

We are stretched tae the absolute limit wi oor budget. It is £90,000 a year—formerly, it wis £60,000 a year—and we aften perform tae the expectations o an organisation that would be funded tae the order o £5 million. In that wey, we have been set up tae fail, but we have the knowledge, experience and community connections—as well as community respect, as Ah unnerstaun it fae aw the consultation responses—tae take on that role, wi appropriate fundin.

As we identified in wir response tae the financial memorandum, it looks as though every role that organisations outwith the ministerial group would take has been assigned tae an organisation that is awready funded, which would be the Scots Language Centre. However, it has been presented as though there will be zero costs for the centre—

The Convener: We will come to specific questions about the financial memorandum later.

Dr Dempster: Okay. On the ecology o Scots and how it is workin, over the past five or six years, Ah have worked wi everybody who is involved in Scots, and we have brought thegither strong workin groups. We can develop our role with appropriate support.

The Convener: That was the situation with Scots. We will now move to Gaelic, if that is okay.

Professor Millar: I agree with Michael Dempster that we first have to go with what we have. Ideally, I would like there to be local language committees that elect regional committees and so on, as there are in Norway and various other countries. That approach means that everybody is represented at some level or another. Some kind of body has to exist, otherwise why should we bother saying that something is official? It is important that there is an official body, but we must show not necessarily that it has teeth but that it can at least shout about things. There should be an official body that is built by the people. Michael Dempster has said it all.

Professor McLeod: Bòrd na Gàidhlig has a much more developed structure than anything that relates to Scots. The bill proposes taking away some important functions from Bòrd na Gàidhlig and assigning them to the Scottish Government. One of those is the development of a national Gaelic strategy, which has previously been in the hands of Bòrd na Gàidhlig, through its national Gaelic language plan, and another is responsibility for the statutory guidance on Gaelic education. Both proposals are welcome, because, as I mentioned earlier, Bòrd na Gàidhlig is a small and weak player in the constellation of Scottish public life, and it does not have the Scottish Government's stature to ensure that a national strategy is taken seriously by a wide range of actors in a way that leads to meaningful implementation. Internationally, it is much more common for the central Government to be responsible for high-level national strategies, so that change has the potential to be a good thing.

The same is true regarding the education guidance. The existing guidance has been in effect for several years, but there are concerns that it has not been implemented vigorously enough. Many local authorities are not implementing the guidance as they should, which is evidenced in some of the inspectorate reports, as well as by perspectives from Gaelic organisations. That is partly because the guidance does not have the weight that it would have if it had been issued by the Government.

That raises the question of the role of Bòrd na Gàidhlig. To some extent, it is shrinking, and the changes that I have mentioned will be helpful in that regard. However, we still have the problem that the organisation plays dual roles: it works with public authorities to shape language plans, advises them, gives them guidance and assists them in monitoring the plans—those are clearly some of its statutory functions and obligations—but it also has a role in implementation. It has to play the roles of both social worker and police officer, which allows for tension.

We can certainly see that plans have not been implemented vigorously enough and that lapses have not led to required compliance. That is where we get to the issue and possibility of a language commissioner—we are going to talk about that now—who would have a different role, with responsibility for enforcement.

12:15

Language commissioners have become quite common in other jurisdictions around the world. There are at least a dozen of them and there is an International Association of Language Commissioners. As I mentioned earlier, Wales, the Republic of Ireland and Northern Ireland have language commissioners. The role could serve as a mechanism for better enforcement and better representation of the rights and the voice of the community, rather than having the role subsumed in an organisation that is part of the bureaucratic matrix, if you like.

Professor Ó Giollagáin: I read Bòrd na Gàidhlig's analysis of the bill with interest. It is actually quite critical. That is worrying to the extent that Bòrd na Gàidhlig, the chief civic agency that is charged with responsibility for Gaelic affairs, is very critical of those who have been charged with drafting policy and legislation for Gaelic affairs.

There seems to be a tension and a disconnect between the civic body for Gaelic affairs and those drafting the legislation, and it should be particularly worrying for MSPs that the body in charge of Gaelic affairs is critical of what has been suggested in the bill. From my reading of Bòrd na Gàidhlig's analysis of the situation, it seems as though there has been some breakdown in communication about Gaelic affairs.

Ross Greer (West Scotland) (Green): Professor Ó Giollagáin, I want to go back to what you said previously, because I am seeking a bit of clarity on your position on the bill overall. It felt to me that, in essence, you were saying that, rather than the provisions in the bill, what is really required is significant additional resource to deal with the wider challenges that are faced by community speakers in particular.

I want to press you on that in the context that this committee has just completed an inquiry into supporting children with additional support needs in schools. Clearly, vast additional resources would do a lot of good in that regard, but, in completing our report, we recognised that such resources were unlikely to be provided. Scottish public finances are in a very difficult place, whether you blame that on inflation, the UK Government or the Scottish Government overcommitting on social security. Whatever you think the cause of that position is, it is really unlikely that significant additional resources in any area of public spending will be provided in the coming years.

I accept that additional resources would be transformational, but, if getting those resources is unlikely, is there a bill or set of legislative changes—not changes in the form of increases to resources—that would result in the kind of transformational change that is required?

Professor Ó Giollagáin: Thank you for that very good and very relevant question. Basically, the symbolic approach to Gaelic policy has run its course; we have got what we are going to get from that. We need extra resource. If we are going to spend extra resource, we need a new strategy and then we need an organisation that is led by community members to develop that strategy. I would put the emphasis on it being new resource.

However, because the symbolic approach has run its course, at the minute, Bòrd na Gàidhlig is spending the majority of its resources on the language plan approach of the 60 bodies that we have been talking about. We could transfer that budget from the symbolic Gaelic plan approach to a community development approach that would help both community speakers and learners. That would be a much better use of resource.

However, all languages need some type of symbolic back-up. I would go for the approach of increasing the budget. Relatively speaking, where we have officially recognised minority languages, states spend much more money on their minority languages than Scotland does, so I would go for more resource.

Ross Greer: That was useful. I have another question for the panel as a whole. You have touched quite a bit on the language standards and, to some extent, on education standards, but I would be interested in further comments on education standards in particular and the corresponding duties that those would place on public bodies—bearing in mind what has been said about the tension between whether the core challenge is around GME in particular or the wider societal challenges that the community faces.

Professor McLeod: A section in the policy memorandum was rather unhelpful. It says that the Government had prepared a number of amendments to deal with various operational issues but has decided, essentially, to defer those to the standards. It would be very helpful to get those provisions out into the bill for public debate, so that they can be embedded in the legislation rather than the standards.

Perhaps the most pressing of those is the issue of dedicated Gaelic schools. As I mentioned, a big issue for Gaelic over the past 20 years has been what criteria should determine that there should be a Gaelic school. For example, not to pick a number arbitrarily but, for the sake of argument, if 100 pupils in an urban area want a Gaelic school, the council should have a legal obligation to open a dedicated Gaelic school. A numerical criterion should be established; some kind of mechanism for driving forward that process could then be embedded in the legislation rather than the standards.

The problem is, if everything is embedded in the standards, there is no opportunity for discussion. There can be public consultation, but that is not the same thing.

I, personally, find it difficult to differentiate between what is contemplated for standards, for regulations or for guidance. Different terms are used for different kinds of regulatory mechanism. That seems unduly complicated.

Ross Greer: That is an interesting point. I will press you a little on it. The alternative position is that the more the detail is put into the legislation, the less flexibility there is further down the line; if the context changes rapidly five or 10 years from now—whether it gets better, worse or just different—it will be much harder to change primary legislation than to change standards and guidance, even if those are underpinned by

secondary legislation. Is the core point of tension for you that we simply do not know what the standards and guidance will be—and, if drafts were published alongside the bill, that might address some of those concerns—or is it that, fundamentally, you think that some of those points need to be in the primary legislation because they are very unlikely to change?

Professor McLeod: High-level ones that it would be useful to have in the bill are a clear legal right to Gaelic-medium education and a clear framework for what is required for the setting up of a Gaelic school. Those should be binding.

Other things might be too specific, as you say, and too constrictive to have in long-term primary legislation.

Ross Greer: Do any of our Scots experts have a position on education standards in particular?

Dr Dempster: We have identified that the bill deals with school education rather than education in general. When it comes to core skills in colleges, a lot of people contact me to say, "These are Scots speakers, but we are no even allooed tae identify that." There should be something in primary legislation to state that we recognise that Scots is the first language of a significant number of folk in education. Again, it goes back to the assertion of rights in schools. Linguistic rights should be providit tae educators, and should be communicatit throughoot public bodies. It is mair important tae sey that Scots is allooed at work and that it is recognised as a skill. Other minoritised languages are incredibly jealous of the numbers that we have in Scots, but they are amazed at how little has been done for it.

A requirement to allow folk knowledge and recognition of their rights in public bodies and education could go into primary legislation. That should allow us to speak to nurseries, schools, colleges and universities. Particularly in universities, Scots is used as a function to exclude people from their education and socialising.

Professor Millar: My wife is from Luxembourg, where there are three official languages. The native language is Luxembourgish and there is a guarantee that at least one afternoon of schooling each week will focus on that. Most teaching begins in German and switches into French during secondary school but there is guaranteed use of whatever local dialects there are.

We can compare that with our situation. At present, it can feel as though Scots just gets trotted out for a week before Burns nicht. Having some sort of guaranteed time would cost practically nothing and would be worth millions of pounds in terms of people not dropping out of school, which we often see in the north-east and in Renfrewshire, where I come from, because people cannot get through the barrier of what others think of them.

The Convener: Michelle Thomson has the final group of questions.

Michelle Thomson: I will come back to you, Dr Dempster, to talk a little more about financing.

The financial memorandum shows that some costs will be accrued by the Scottish Administration and local authorities. As you started to point out, other bodies, individuals or businesses have not been assigned anything. The discussion that we have been having shows that we have got to the end of the symbolism road with Gaelic and that we are looking for something more organic. How critical is the fact that there is no additional funding whatsoever for Scots, despite your pleasure at its inclusion in the bill?

Dr Dempster: It wis an incredible disappointment when Ah seen that. It is almost universally statit, across aw the organisations we work wi, that additional fundin is no present in the financial memorandum.

Even this process has stretched the Scots Language Centre beyond our capacity. Staff are aw volunteerin a significant amount o time, which Ah am tryin tae haud back, but we have targets tae meet, people tae talk tae and relationships tae maintain.

Mair widely, a lot o folk were hopin fur an organic, grund-up approach. There are different needs within different dialect areas. Places such as Glesga have tried tae get organisations brought thegither, but Scots is spoken so widely within they communities that they do not see a need fur it. However, people in the north-east or in Shetland, fur example, dae see a need tae produce somethin.

Whit is wanted in those places is fundin fur creative work. That would be the wey tae build those grund-up organisations. Even gettin a group thegither tae talk aboot Glesga Scots or Dumfries Scots would require a drap o money, but there is nothin tae facilitate buildin that kind o grund-up organisation. Hundreds of individuals are working away, but they cannae bring thegither their audience and get people mair involved. Tae go ayont the symbolic value and status value o havin Scots in the bill, it needs tae be backed up wi some fundin.

One issue comes fae the fundin bein fur Gaelic and Scots. Scots as a hale gets less than 1 per cent o that fundin and the Scots Language Centre gets 0.3 per cent. That happens wi other bodies as well. Whenever mair fundin is requestit, we are keenly aware that pairt o that involves askin fur money tae be taen away fae Gaelic, so whit is strangly required, and could be put intae the

legislation, is tae have separate fundin sources. Ah am a massive supporter o Gaelic and Ah do not want tae be takin money oot o somebody's mooth fur tae try and run some projects. The Scots budget needs tae be far higher than it is. Somethin that could come oot o the Scots strategy would be tae have the community across Scotland decidin where that money would be best spent.

Michelle Thomson: There was some earlier discussion about separating Scots out. We all welcome the focus on Scots and definitely want to carry on with it but separating it out would enable a really clear look at what is needed, given the number of people who already speak Scots.

Different measures are required and different funding. Would that also be an idea? At the moment, Scots is lumped in with Gaelic, and you are right to say that it is a zero-sum game, because, as we are all aware, there are difficult constraints on funding. Do you think that the financial perspective also adds weight to separating Scots from Gaelic in legislative terms and perhaps having a stand-alone bill for Scots?

12:30

Dr Dempster: As Ah said, wirsels and the community in general want the bill tae go forward. Initially, whit will be required is quite loose, involvin the Scots language strategy and requirements on education, so Ah do not think that there is a need tae take Scots oot the bill and put it intae a separate one. However, Ah think that it would be useful tae have an amendment that separated the budgets.

Professor Millar: I speak not only for myself but for a great many Scots speakers when I say that we want to see a languages of Scotland bill. We want all the languages to be recognised—I hope, later on, languages such as British Sign Language would be included in the same provision. It is very important that we do not get into a situation where everything is seen as part of a Scots versus Gaelic situation, which was the case for years.

Michelle Thomson: People always comment that, no matter what is required, there is never enough money—that is just a common theme. Let us assume that around £695,000 is available over five years for Scots and Gaelic—I think that that was what was in the financial memorandum—and that there is a continuation of the approach that has been discussed thus far, which involves a framework that enables some of the good work that is being done to continue. Fully accepting the comments from Professor Ó Giollagáin, would the panel members be looking to spend money in particular pockets and remove money from other ones? I know that that is quite a complex question, but I am trying to tease out what you might do differently, given that we are in a difficult budgetary environment where we all understand that there is not enough money.

Professor McLeod: One important point that came through from the Scottish Government representatives this morning is that the 2005 Gaelic act and what is contemplated in this bill involve knock-on expenditure by a range of organisations. Gaelic language plans have required Creative Scotland, NatureScot and other organisations to do various things for Gaelic, and that would continue. For example, as I read the bill, it contemplates that a noticeable increase in the provision of Gaelic learners education would be needed. However, education budgets are a tricky issue because the council would be educating those pupils through the medium of English if they were not educating them through the medium of Gaelic, so the additional spend is not great. The headline figure does not necessarily tell us what costs will be incurred as a result of the various obligations that will ripple out, either through direct requirements in statute or things that will come about through standards and guidance.

An important difficulty with the idea of reallocating budgets is that there are constituencies to serve, and there are difficulties in terms of representing communities if you remove certain strands. Generally, in society, there is a view that thinks of arts funding as a sort of frippery, with people saying, for example, that we should just cut the funding for opera and spend it on fixing potholes. That sort of view would be very damaging in the Gaelic context. Gaelic arts are considered to be extremely important to Gaelic culture, and it would demoralise a lot of people who are deeply committed to Gaelic and are really at the heart of the community if we say that we are going to cut funding for mòds, choirs and so on and spend the money on more practical things that will have immediate outcomes.

When you are dealing with a fragile community, there are real difficulties in saying that we are going to cut X in favour of Y. In principle, it is something that should be tried but, knowing the Gaelic communities in the way that I do, I can say that that approach could do real damage and be very harmful, so it is a risky process.

The Convener: That brings us to the end of the public part of our meeting, and we will consider our next agenda item in private. Thank you all for your time.

12:34

Meeting continued in private until 12:57.

Official Report
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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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