



Irish speakers will fight on to have ancient anti-Irish law repealed

'We are disappointed but not surprised. And this is not the end of the story, either, but another step in the path towards the repeal of this discriminatory Act. We shall be taking legal advice on this, and we shall not stop working on this matter until the 1737 Administration of Justice (Language)(Ireland) Act is gone.' This is the message from POBAL's CEO, Janet Muller, speaking about today's High Court ruling that the British government will not be obliged to repeal the Act, which bans the use of Irish in the courts.

Janet Muller said, 'Today's decision proves the urgent need for an Irish Language Act to properly protect the rights of Irish speakers. What the judge, Séamus Treacy said today shows that Irish speakers cannot get fair treatment under the law as it stands at the moment. The Good Friday Agreement is not enough, the Human Rights Act is not enough, the European Charter for Regional or Minority Languages is not enough. Therefore, it is clear that the Irish language Act is needed.

'The 1737 Act on the Administration of Justice is an anti-Irish language law. The Irish language is the only one in the north that is affected by this ban. Ethnic minority languages are accommodated every day in the courts in the north, as is right and proper. It is remarkable that the British government has so fiercely defended the continuing operation of such an old fashioned and discriminatory law, which is repressive of the Irish language and of Irish speakers. In Wales, Welsh speakers have had the right to use Welsh in all kinds of courts since 1942. In Scotland, there are a number of courts where Gaidhlig can be heard every day if its use is requested. This case shows that the British government is once more guilty of operating a double standard in its treatment of the users of different indigenous languages on these islands. Some of the evidence we put before the court shows that the British government itself has recognised several times that it will have to repeal this law. Forward planning for court services through Irish has been undertaken by the British government in recent years, but it has not been put into action. It is time to stop trying our patience and to repeal the 1737 Act. Once that is done, there will need to be a comprehensive legislative framework developed for the Irish language in all walks of life, including the courts.

Last year, POBAL supported an individual Irish speaker, Caoimhín Mac Giolla Chatháin from the Shaws Road Gaeltacht in Belfast to challenge the 1737 Act. Janet Muller was one of several language and history experts who prepared submissions to the court calling for the repeal of the 272 year old law.

Nic Sadlier, POBAL Development Officer said, 'The British government and the NIO recognise that the 1737 Act breaks its own commitments made eight years ago in the Review of Criminal Justice. Recently, when it published its second consultation paper on the Irish language Act NI in 2007, it admitted that the 1737 Act had to go. It is time for them to act on this recognition now, and we shall be taking legal advice on the next steps to be taken in this matter.'

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