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*Barr a chomairle chòid,*

**THE DRAFT CULTURE (SCOTLAND) BILL – RESPONSE**

I have pleasure in enclosing Comunn na Gàidhlig's response to the Draft Culture (Scotland) Bill.

Our responses are limited to Sections 2, 3, and 6 of the Draft Bill Consultation Document.

*Leis gach deagh chùisneach,*

*Donald*

Donald Martin  
 Chief Executive

## DREACHD BHILE CHULTAIR (ALBA)

### FREAGAIRT BHO CHOMUNN NA GÀIDHLIG

1. Am bheil thu a' smaoinichadh ma thèid leasachadh a thoirt air còraichean cultair ionadail gun cuidich sin le barrachd dhaoine a bhith a' gabhail com-pàirt ann an tachartasan?

*Chan urrainn seo a dhèanamh mur a faigh na buidhnean a tha an sàs ann a bhith a' leasachadh còraichean cultarail seilbhean sònraichte bhon Riaghaltas. Bu chòir an dleasdanas fo Achd na Gàidhlig (Alba) 2005 a thaobh an Planaichean Cànan Gàidhlig a thoirt gu aire nam buidhnean sin gus an tèid maoinichadh riatanach a chuir an lùib na Planaichean gus cinnt a dhèanamh gun tèid obair mu choinneimh leasachadh còraichean cultarail ionadail co-cheangailte ri Gàidhlig a dhèanamh gu math foilleasach. Ma tha còraichean cultarail gu bhith soirbheachail feumar sanasachd dian a dhèanamh gus am bi cinnt gum bi cothrom aig a' chuid mhòr dhan t-sluagh air na còraichean cultarail ionadail agus gum faigh am poball fios mun deidhinn.*

2. Ma thu den bheachd gu bheil dòighean a bharrachd no eadar-dhealaichte a dhìth, dè iad?

*Tha e deatamach gum biodh e mar fhiathachadh air ùghdarrasan ionadail, buidhnean poblach agus buidhnean cultarail eile mar Creative Scotland, solarachadh riatanach a dhèanamh taobh a-staigh am Planaichean Cànan Gàidhlig fo Achd na Gàidhlig (Alba) 2005, gus còraichean cultarail Gàidhlig a leasachadh mar ghnìomhachd chumanta agus dèanamh cinnteach gu bheil an dealas seo air a mhaoineachadh gu ìre riatanach. Bu chòir slatan-tomhais inbhe mu choinneimh an cànan 's an cultair Gàidhlig a bhith air an gabhail a-staigh don dearbhadh deagh-ghnè a tha na h-ùghdarrasan ionadail am beachd a ghabhail os làimh.*

3. Dè an dòigh a b' fheàrr a tha thu a' smaoinichadh a b' urrainn an Riaghaltas agus na h-ùghdarrasan ionadail cothrom a ghabhail air buaidh agus innleachdas gnìomhachd chultarail?

*A thaobh a bhith a' dian agus a' leasachadh an cànan agus an cultar Gàidhlig, rud a tha an Riaghaltas air a ghealltainn, tha sinn den bheachd gur e an aon dòigh 's urrainn seo a dhèanamh san le bhith a' fill a-staigh a' Ghàidhlig agus an cultar mar phàirt de phrògram a' Chlàir Teagaisg air Sàr Mhaitheas. Le bhith a' dèanamh seo bidh an Riaghaltas a' toirt mothachadh cho cudromach 's a tha Gàidhlig mar phàirt sònraichte de dhualchas Alba agus ionannachd nàiseanta agus*

*ga brosnachadh mar phàirt de na seirbheisean choitcheann a tha an Riaghaltas agus na h-ùghdarrasan ionadail a tabhann. Tha na bha am Ministear, Patricia NicFhearghais, ag ràdh anns a phàipear Scotland on Sunday air an 25mh den Mhàrt mu leasan Gaidhlig a bhi ann airson clann air feadh Alba, na mhisneachd agus tha sinn gu mòr a chur ar làn thaic ris a' mholadh seo.*

4. Am bheil thu den bheachd gu bheil a' chiad dreachd stiùireadh fon Phàirt seo den Bhile Chultair soilleir agus cuideachail? Am bu chòir an còrr a bhith ann?

*Tha sinn den bheachd gu bheil dìth gealltanais bhon Riaghaltas anns an dreachd stiùireadh gus cultar agus cànan na Gàidhlig àrdachadh mar phàirt chudthromach de dh' ionannachd nàisein Alba, a rèir na h-iarrtasan ann an Achd Cànan Gàidhlig (Alba) 2005 agus na h-iomairtean ann a' Cùmhnant nam Mion-chànanan, a tha Riaghaltas Bhreatainn agus Riaghaltas Alba fo chùmhnant a chuir an gnìomh. Feumar aghaidh a chuir air na cùisean sin ann an Achd a' Chultair. Bu chòir iomradh sònraichte mu ullachaidhean Achd Cànan Gàidhlig 2005 agus a' Chùmhnant Eòrpach a bhith ann an Earrann 7 den Bhile.*

5. Am bheil thu ag aontachadh gum bu chòir aon bhuidheann a bhith ann airson leasachadh cultair aig ìre nàiseanta?

*Tha sinn a' cur taic ri aon bhuidheann air am biodh an t-uallach leasachadh a thoirt air gach roinn de dh' ealain nàiseanta agus air cultar fhads' a bhiodh e mar phàirt den dleasdanas cuideachd dèanamh cinnteach gum biodh leasachadh agus àrdachadh inbhe nan ealain Ghàidhlig agus stuth fiolaman Ghàidhlig mar phrìomhachais aca. Tha sinn mothachail air an obair a rinneadh le Comhairle na h-Ealain Alba thairis nam bliadhnachan ann a bhith a' toirt taic do dh' ealain Ghàidhlig agus bhiodh e tàmailteach mar a biodh e comasach don bhuidheann ùr an aon phrìomhachais agus ghealltanais a thoirt do leasachadh na h-ealain Ghàidhlig. Bu chòir don bhuidheann ùr cuideachd gabhail a-staigh na dleastanasan a bha aig Scottish Screen agus taic agus àrdachadh inbhe a thoirt do fiolman Ghàidhlig.*

6. Am bheil thu ag aontachadh leis na raoin-ùghdarras a tha san amharc airson Creative Scotland? Am bheil na cumhachdan agus na dleastanasan ceart air?

*Bu chòir raon-ùghdarras Creative Scotland a bhith mar shamhla air a' mhìneachadh a tha UNESCO (1982) a' toirt air cultar. Tha am mìneachadh seo gu soilleir a' gabhail a-staigh cànan mar Gàidhlig, agus bu chòir raon-ùghdarras na buidhne ùr iomradh sònraichte a' thoirt air dleastanasan ann a bhith a' cuir air adhart agus a' leasachadh cultar Gàidhlig. Tha sinn a' moladh gu làidir gum bi an t-uallach airson a bhith a' cur air adhart ealain Ghàidhlig agus fioman Gàidhlig a bhith air a' chur an cèill gu soilleir mar aon de na dleastanasan a bhios air Creative Scotland agus gun tèid a ghabhail a-staigh do dh' Achd a'*

***Chultair. Dh' iarramaid cuideachd gum biodh e na riatanas reachdail aon bhall den Bhòrd aig Creative Scotland a bhith fileanta sa Ghàidhlig le eòlas agus fiosrachadh mu ealain Ghàidhlig. Dh' fheumadh a' bhuidheann gabhail ri fèin-aithne chorporra dà-chànanach mar chomharradh air an dleastanasan agus an gealltanais do chànanain nàiseanta Alba.***

7. Am bheil thu ag aontachadh gum bu chòir do Creative Scotland obair ann an co-bhonn ri Riaghaltas na h-Alba gus poileasaidh cultarail nàiseanta a chuir an cèill?

***Tha. Mar bhuidheann den Riaghaltas, bhiodh sùil gum biodh Creative Scotland a' co-obrachadh le Riaghaltas na h-Alba gus poileasaidh chultarail nàiseanta a libhrigeadh an co-bhonn ri buidhnean iomchaidh eile mar ùghdarrasan ionadail, buidhnean ealain agus buidhnean leasachaidh cànanain mar Bòrd na Gàidhlig, Comunn na Gàidhlig, Pròiseact nan Ealan, Fèisean nan Gàidheal agus An Comunn Gàidhealach. Feumaidh Creative Scotland a bhith mothachail na h-uallaichean agus an cunntachalachd a tha air Riaghaltas Westminster agus air Roinnean Whitehall a thaobh gnothaichean cultarail nach eil na chùis ghlèidhte. Tha craoladh mar eisimpleir air seo agus gu h-àraidh craoladh Gàidhlig.***

**(NOTA: CHAN EIL SINN A TOIRT BEACHDAN AIR CEISTEAN 8 – 13)**

- 14 Am bheil thu ag aontachadh gum bu chòir cead a bhith aig ùghdarrasan ionadail fiosrachadh a chraoladh mun cuid seirbheisean?

***Tha, agus far am bheil e freagarrach agus comasach bu chòir ùghdarrasan ionadail am fiosrachadh sin a sgaoileadh tro mheadhan na Gàidhlig air rèidio, telebhisean agus air an eadar-lìon.***

- 15 Am bheil thu den bheachd gu bheil e riatanach am barrantas seo a thoirt do dh' ùghdarrasan sa Bhile neo am bu chòir do dh' ùghdarrasan ionadail a bhith air am fàgail an urra ri “cumhachd adhartas a thoirt air soirbheas” mar a tha ann an Earrann 20 de Achd Ùghdarras Ionadail (Alba) 2003?

***Bhon nach eil na h-ùghdarrasan ionadail air a bhith a' cleachdadh a' bharrantais a tha ann an Achd 2003 tha seo a' sealltainn gu bheil am barrantas gu beag feum neo mi-shoilleir. Mar sin thathas a' moladh gun dèanar an suidheachadh nas soilleire le bhith a' toirt barrantas riatanach do na h-ùghdarrasan ionadail taobh a-staigh Bile a' Chultair.***

***Comunn na Gàidhlig, Steòrnabhagh  
Màrt 2007                      [www.cnag.org.uk](http://www.cnag.org.uk)***

## DRAFT CULTURE (SCOTLAND) BILL

### RESPONSE FROM COMUNN NA GÀIDHLIG

- 1 Do you think that developing local cultural entitlements will help to increase participation in cultural activities?

*This can only be achieved if the agencies tasked with the duties to develop cultural entitlements are given the necessary resources by the Executive. These agencies should be made aware of **their obligations under the Gaelic Language (Scotland) Act 2005** in relation to their Gaelic Language Plans so that appropriate provision should be made within these Plans to ensure that activities in developing local cultural entitlements in respect of Gaelic are highlighted. For cultural entitlements to be a success, there needs to be targeted publicity to ensure that there is maximum uptake for local cultural entitlements so that the public are made aware of their purpose and availability.*

- 2 If you believe further or alternative measures are necessary, what are they?

*It is essential that local authorities, public bodies and other cultural bodies such as the proposed Creative Scotland are required to make adequate provision within their Gaelic Language Plans, under the Gaelic Language Act (2005), to develop Gaelic cultural entitlements as a mainstream activity and ensure that such a commitment is fully resourced. The proposed quality assurance framework to be undertaken by local authorities should include quality criteria regarding the Gaelic language and culture.*

- 3 How do you think the Scottish Executive and local authorities can best utilise the influence and impact of cultural activity?

*In respect of the protection and development of the Gaelic language and culture, which the Executive is fully committed to, we believe that the only way in which this can be undertaken effectively is through the incorporation of Gaelic and its associated culture as **part of the Curriculum of Excellence programme**. In doing so, the Executive will be recognising the importance of Gaelic as a significant part of Scotland's heritage and national identity and encouraging its normalisation as part of the mainstream services provided by the Executive and local authorities. Against this background, **the statement by the Minister Patricia Ferguson in the Scotland on Sunday newspaper on 25 March in which***

*she supported the provision of lessons in Gaelic to be available to children across the country is reassuring and welcomed.*

- 4 Do you think that the initial draft guidance under this Part of the Culture Bill is clear and helpful? Is there anything else it should contain?

*We believe that the draft guidance lacks a firm commitment by the Executive to promote the Gaelic language and culture as an important aspect of Scotland's national identity, in accordance with the aspirations of the Gaelic Language (Scotland) Act 2005 and the undertakings of the European Charter of Regional and Minority Languages, which the UK Government and the Executive are obliged to implement. These issues must be addressed in the Culture Act. There should be a specific reference in Section 7 of the Bill to the provisions of the Gaelic Language (Scotland) Act 2005 and the European Charter.*

- 5 Do you agree that there should be a single national cultural development body?

*A single unified body responsible for the development of all aspects of the national arts and culture is supported provided it is given the task of ensuring that the development and promotion of the Gaelic arts and Gaelic film material is an area of priority. The work undertaken by the Scottish Arts Council in supporting the Gaelic arts over the years is recognised and commended and it would be unfortunate if the new body was not able to give the same priority and commitment to the development of the Gaelic arts. The new body should also take account of its responsibilities in respect of the support and promotion of Gaelic film as part of the Scottish Screen remit.*

- 6 Do you agree with the remit proposed for Creative Scotland? Has it the right powers and functions?

*The remit for Creative Scotland should mirror the definition of UNESCO (1982) in relation to culture. This definition clearly covers languages, in our case Gaelic, and the remit of the new body should make a specific reference to its obligations in promoting and developing Gaelic culture. We strongly recommend that the responsibility for promoting the Gaelic arts and Gaelic film material should be clearly stated as one of the functions of Creative Scotland and embodied in the Culture Act. We would also request that it should be a statutory requirement that one of the members of the board of Creative Scotland should be a Gaelic speaker with a knowledge and background of the Gaelic arts. The body should also be required to adopt bilingual corporate identity to reflect its responsibilities and commitment to Scotland's national languages.*

- 7 Do you agree that Creative Scotland should work in concert with the Scottish Executive to implement national cultural policy?

*Yes. As an agency of the Executive, Creative Scotland would be expected to co-operate with the Executive in delivering a national cultural policy along with other relevant agencies such as local authorities, arts organisations and language development bodies such as Bòrd na Gàidhlig, Comunn na Gàidhlig, Proiseact nan Ealain, Feisean nan Gaidheal and An Comunn Gaidhealach. Creative Scotland also needs to take into account the obligations and responsibilities of the Westminster Government and Whitehall Departments in relation to those aspects of culture which is not a reserved matter. An example of this is broadcasting and specifically **Gaelic broadcasting**.*

**(NOTE: WE ARE NOT COMMENTING ON QUESTIONS 8 – 13)**

- 14 Do you agree that local authorities should have a general power to broadcast information about their activities?

*Yes, and where it is appropriate and possible local authorities should ensure that such information should be made available through the medium of Gaelic on radio, television and the internet.*

- 15 Do you think that it is necessary to give authorities this power in the Bill or should local authorities be left to rely on “the power to advance well-being” in Section 20 of the Local Government (Scotland) Act 2003?

*The fact that local authorities have not so far made use of the power in the 2003 Act, suggests that this power is either unclear or inadequate. It is, therefore, suggested that the position should be clarified by giving the necessary powers to local authorities in the Culture Bill.*

*Comunn na Gàidhlig,  
Stornoway  
March 2007  
[www.cnag.org.uk](http://www.cnag.org.uk)*