

FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES CONTRIBUTION TO THE FIFTH CYCLE UK STATE REPORT (2021 ADDENDUM)

Cornwall Council welcomes the opportunity to provide an update to its original 2019 submission, specifically in respect of the Cornish, for inclusion in the UK Government's Fifth Cycle State Report.

This document should be read alongside Cornwall's original submission dated May 2019 and provides a factual update on work carried out from May 2019 – June 2021. The numbering of the points detailed below correspond to the numbering in the original document.

Article 3 – Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present Framework Convention

11a. Cornish was not afforded a tick-box in the 2011 Census but, through the write- in option, over 73,000 people self- identified as Cornish across England and Wales. Gypsy or Irish Traveller accounted for 58,000 people over the same geography, making it the smallest ethnic category (with a tick-box) in 2011. Whilst we fully support the continued inclusion of a Gypsy or Irish Traveller tick- box under ethnic group, it was contrary to the Framework Convention and the Council of Europe's explicit recommendation not to have granted the Cornish the same consideration in the 2021 Census.

12a. Annual data from the Department for Education School Census shows that those identifying themselves as Cornish has increased since the tick-box option was introduced, from 23.7% in 2006 to 45.9% in 2020¹. Many of those children self-identifying as Cornish in the annual school census are expected to continue to so as they become eligible to complete future national Census.

12b. Currently all UK Government data collection systems align with definitions recorded in the Census, which results in Cornish identity not being properly recognised within central government processes. Government departments do not routinely consider the Cornish within policy considerations, monitoring or data collection activities, which impacts on the consideration of issues specific to the Cornish at national level. It inhibits a proper understanding of the risks of relative deprivation amongst the Cornish, as well as potentially negatively impacting upon funding decisions for the region. It also prevents many of Cornwall's local statutory services from accurately recording Cornish national identity. Many rely on central UK Government IT systems to record their data which does not include the facility to identify as Cornish.

12c. The lack of a tick-box also inhibits our understanding of the relative deprivation suffered by the Cornish. There is a correlation between 'deprivation' and those who identify as Cornish living in Cornwall, and those who do not. We know that there are areas of deprivation across Cornwall, and also that these are traditionally areas in which more residents identify as Cornish. This evidence comes from various sources, such as housing and parish plan surveys, partial data from the 2011 Census, and data from the Community Network Health Profiles in Cornwall. In terms of housing, health, cultural provision, education and employment opportunities in Cornwall, the limited data that we have indicates that those who identify as Cornish fare worse than those that don't. Whilst there are significant numbers of residents who identify as Cornish across Cornwall, the Council's data mapping intelligence demonstrates where identification is much higher.

¹ *The PLASC data for 2020 shows an underrepresentation of those identifying as Cornish due to an issue with how the data of some Cornish primary school pupils has been recorded. A number of schools migrated to a new school management system between Spring 2017 and Spring 2019, and during this process those pupils identifying as 'White Cornish' were inadvertently changed to 'Any Other White'. 51.1% of pupils identified as Cornish in 2017.*

12d. The value of the Census in providing accurate data to meet the needs of our local communities through service provision is invaluable. This type of information alongside multivariate analysis, where available, will assist the Council and its partners in targeting policies, service and resource allocation, assessing inequalities between areas, and identifying local needs. Only with clearer Census data on those who identify as Cornish can we fully understand the apparent relative deprivation suffered by the Cornish, and thereby tailor policy interventions to meet their needs.

15a. The Statutory Order in respect of the 2021 Census was laid before Parliament in late 2019. Cornwall Council worked alongside Members of Parliament and Members of the House of Lords with the aim of influencing the content of the draft Order and winning parliamentary support for the Cornish case. Despite Cornwall's best efforts and high-profile campaigning, the Census (England and Wales) Order 2020 was passed without the addition of the Cornish tick-box.

16. In the absence of a tick-box in the 2021 Census, the Council commissioned a high-profile, multi-media engagement campaign in the run up to Census Day on 21 March, covering local radio and digital channels with the aim of maximising completion rates and encouraging people to self-identify as Cornish. This resource intensive activity would not have been necessary at that scale had a Cornish a tick-box been present.

17. In summary, the Cornish continue to be the only national minority recognised by the Government under the FCPNM, that does not have the option of a tick- box in the census. No other recognised group face this inequity. We are not on an equal footing with other recognised minorities and as such, the Census is not fully inclusive.

18. The Cornish should have the right and opportunity to identify themselves as Cornish in the same way as other Celtic nations. The write-in option proposed by the White Paper was not a suitable substitution, even with the affirmed strong marketing and communications campaign. The Council recognises that there is a limitation to the number of response options for census questions, but the ONS argument against a Cornish tick-box was lacking. The Gypsy/Irish Traveller group has a 'tick-box' under 'ethnic minority', despite their populations being lower than that of the Cornish. The introduction of a dedicated 'tick box' is a more appropriate way to record persons belonging to a recognised national minority.

19. The ONS recommendation, and the subsequent decision by Parliament not to offer the Cornish a tick-box in the Census, will make it difficult for the Government and Cornwall Council to meet their responsibilities under the Framework Convention. There is no other large scale, reliable analysis that adequately supports the Government, the Council and other partners to identify issues specific to Cornish identity.

20. The Council of Europe is asked to reiterate the importance of its key recommendation 'to take the necessary measures to include a Cornish 'tick- box' in the next Census in view of the Cornish people's recognition as a national minority'. Cornwall Council remains committed to this outcome as it relates to the next Census in 2031 and in the interim, for all Government departments and agencies to include 'Cornish' on equality monitoring forms used to collect personal data from individuals.

Article 5 – Conditions for national minorities to maintain and develop their culture

12. Following the Council elections in May 2021, which resulted in a Conservative controlled Council, the newly appointed Cornwall Council Cabinet remains committed to developing Cornish culture and heritage through supporting Cornwall's bid to become the UK City of Culture in 2025. Likewise, and more immediately, the Council's newly appointed Cabinet Portfolio Holder for Economy (which expressly includes responsibility for 'cultural services and the Cornish language') has announced the return of the historic Cornish language manuscripts to Cornwall for a unique exhibition taking place over the Summer. Both these initiatives highlight the importance and value of Cornish culture, heritage and identity.

Article 6 – encouragement of a spirit of tolerance and take effective measures to promote mutual respect and understanding and co-operation among all persons.

6. In December 2021, following an extensive community listening and engagement exercise, the Cornwall and Isles of Scilly Leadership Board endorsed Gyllyn Warbarth, Together We Can: The Cornwall Plan 2020-2050. One striking feature of the engagement was the strength of support and pride in Cornwall's rich culture, heritage and sense of belonging.

7. Valuing everyone's cultural heritage and celebrating diversity in all its forms are also at the heart of the vision within the 2018-2022 Cornwall-wide equality objectives. The Cornwall Equality and Diversity Network are in the process of refreshing objectives for 2022-2026.

8. As a Council, and as part of our own equality objectives, we have continued to promote Cornish culture and identity, both for our workforce and our residents. We continue to work with the Cornish National Minority Working Group to raise awareness of the Framework Convention for the Protection of National Minorities and provide guidance around how organisations can contribute to the Framework Convention. A refresh of the current Council equality objectives is also taking place and the Framework Convention will remain an important anchor as these are developed.

Article 9 – Access to Media

8a. Cornwall Council commissioned a research study in 2019 to explore the case for a public service broadcaster for the Cornish national minority – the only national minority in the UK without such a service. It demonstrated the case for a Cornish broadcaster, tapping into a rich and varied cultural scene, providing opportunities for the TV and film talent, and creating a distinctive new broadcaster that speaks and looks to the wider world. At present, programming is made about us, not by us.

Article 10 – Use of language

7. In early 2021, the Council responded to a Law Commission (LC) consultation on the review of Marriage Law for England and Wales, calling for a legislative change to permit the use of the Cornish language in wedding ceremonies. The LC has taken note of the Council's request and, under their provisional proposals, it would be possible for a couple to express their consent to be married using the Cornish language, provided that they, the officiant, and two witnesses understood the words being spoken. Final recommendations are to be published towards the end of 2021. It will then be for the UK Government to consider the recommendations and decide whether to implement them.

8. Whilst it is positive news that the LC initial proposals support the use of the Cornish language in marriage ceremonies, we call upon the UK Government to support and implement the LC recommendations when they are laid before Parliament. Maintaining the current status quo, where Cornish is not permitted to be used in wedding ceremonies in England and Wales, would be in direct contravention of the Framework Convention.

Number of speakers

2a. A Cornish language option was included in the 2021 Census, but this was only available as a write-in option. The majority of Cornish speakers do not know that they are able to write in Cornish as their language so, as in the case of the question of nationality, there is a risk of under-reporting. This is particularly the case with the language question in the Census which only allows for one answer for 'main' language. Most Cornish speakers are UK residents and also speak English so although they may speak Cornish fluently, they will record their main language as English. Nevertheless, the Census figure for Cornish speakers is used by the media and researchers as the 'official' number of Cornish speakers.

Article 11 – Signs which display traditional local names, street names and other topographical indications

No additional update.

Article 12 – Education and research – right to foster knowledge of the culture

2a. Curriculum Kernewek is being developed by the Council's Together for Families service. This curriculum framework for schools aims to affirm and create the opportunity for children and young people in Cornwall to express, preserve, share and develop their distinct culture and identity. A range of learning materials and lesson plans have been created which have been incorporated into the current Personal, Social and Health Education (PSHE) curriculum, and this will be monitored by the PSHE curriculum board to ensure that Curriculum Kernewek elements are foregrounded, evaluated and adjusted as appropriate. The PHSE programme launched virtually in July 2020, with over 200 attendees from schools. A second wave of promotion will take place during 2021, representing a great opportunity to establish Curriculum Kernewek in a wider range of schools.

2b. The Council is supporting schools with educational resources and visits to facilitate the roll out of Curriculum Kernewek and is producing a standardised template which will assist in the creation of web-based resources. In 2020, the Council employed three full-time Curriculum Advisers, whose main focus is Curriculum Kernewek development. The Advisers are engaged with supporting schools to ensure that there is a strong, integrated Curriculum Kernewek thread running through their teaching, and that is distinctive to the context of their school and community.

2c. A series of curriculum development workshops are taking place, which will produce units of work that can be delivered from September 2021. The Council is also looking to place Curriculum Kernewek at the heart of the Cultural Belonging strand of the Belonging Framework with the aim of shifting away from the 'additional, experiential curriculum enhancement' model to an 'embedded content' model, making Curriculum Kernewek the 'golden thread' running through the curriculum, not a commissioned additional experience. This long-term project is designed to develop and embed a Kernow-centric curriculum and intended to stop Cornwall and Cornish culture being seen as marginal.

2d. The Council is currently considering the development of a 'quality mark' for schools that engage with Curriculum Kernewek development work, with three levels reflecting the extent of their engagement. The Council is also exploring, the possibility of aligning the Curriculum Kernewek development work to higher education accreditation, offering the potential for teachers who develop curriculum content and then engage in action research to trial it in the classroom, achieve a Post Graduate certificate or diploma towards Masters level study.

3a. In terms of higher education, the University of Exeter (UoE) continues to host the Institute of Cornish Studies (ICS) at the Penryn campus in Cornwall. ICS is the only academic institution with a dedicated Cornish focus and offers interventions into a range of UoE courses and modules, moderates PhDs and undertakes a range of funded studies, including a significant audio archive of contemporary recordings. With the support of the ICS, the University plans to start teaching Cornish language as an undergraduate module in autumn 2021.

Kresen Kernow

1a. Opened in Autumn 2019, Kresen Kernow ('Cornwall Centre'), is a £21m new state-of-the-art Cornish archive centre and houses 1.5 million documents, including the world's largest collection of historic documents relating to Cornwall. The project was funded by circa £9.3m from Cornwall Council and £11.7m from the Heritage Lottery Fund.

Article 14 – Education – right to learn the minority language

3a. Golden Tree Productions has developed high quality teaching resources for adults and for schools, and an entry level website as a portal for learning Cornish. Golden Tree supported around 20 schools in two clusters in west and east Cornwall, training teachers to deliver basic conversational Cornish as a modern language in primary schools. At the end of term, pupils took part in town treasure trails where they could use their Cornish language in shops. With a budget of £50k and constant churn in teachers, it has been difficult to develop the number of schools taking part and to increase the amount of Cornish being taught.

3b. Following a review in 2020, a new approach has been developed based on the charter for schools in Wales. This will provide a base level set of resources for any primary school for using Cornish language with minimal support, so that active training and support can be freed up for schools who intend to teach the language more fully in future years. This scheme is to be launched in June 2021.

7a. Voluntary community groups provide a network of adult language classes and a series of exams - 77 students took the Cornish Language Board exams in 2018 and this increased to 90 entries in 2021. Cornwall Council is also working with WJEC, the Welsh assessment board, to develop a nationally accredited assessment which can be offered to adults and secondary school students.

8a. The teachers are, first and foremost Cornish speakers, who then go on to teach Cornish, and are not necessarily trained teachers. Teacher training is required to ensure effectiveness but is difficult to access for these community educators who are not looking for formal qualifications or a career in teaching.

10a. The structured teaching of Cornish in schools since 2016 is a step forward and the charter approach, to be launched in 2021, is intended to develop sustained teaching of Cornish further. The limitations of the funding available have restricted the teaching of Cornish to only 5% of schools in Cornwall so far and is at a very basic level.

Article 15 – Protect conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them

No additional update.

Article 16 – Protect against measures which change the proportion of the population in areas inhabited by persons belonging to national minorities

8. The Council, alongside Cornish MPs, lobbied the House of Commons and the House of Lords at every opportunity as the legislation proceeded through the Parliamentary process. The Parliamentary Constituencies Act received Royal Assent on 14 December 2020.

9. The BCE formally launched its consultation on the 2023 Review of Parliamentary constituencies on 05 January 2021. On 08 June 2021, the BCE published its initial proposals for the new constituency boundaries and commenced an 8-week consultation process, closing on 02 August 2021. A further 2 rounds of consultation are planned during 2022, with final recommendations being presented to Parliament by July 2023.

10. It is positive news that the previous Boundary Review proposal for a parliamentary seat that straddled Devon and Cornwall has been dropped. It is also positive that BCE initial proposals published on 08 June 2021 propose relatively minor changes, keeping the six existing constituencies wholly within Cornwall. This, however, is by no means a foregone conclusion in the future. The creation of any parliamentary constituency that straddles Devon and Cornwall would be in direct contravention of the Framework Convention.

11a. It would be appropriate to afford ‘protected’ status to the Cornish parliamentary constituencies to ensure they remain wholly in Cornwall, and we will continue to campaign for the territoriality of Cornwall to be safeguarded in legislation for future reviews – just as the integrity of the borders of Wales and Scotland are already protected.

This document is an Addendum to Cornwall's original 2019 submission and provides an update on work carried out from May 2019 – June 2021.



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