

FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES – CONTRIBUTION TO THE FIFTH CYCLE UK STATE REPORT

Cornwall Council welcomes the opportunity to provide a contribution, specifically in respect of the Cornish, for inclusion in the UK Government’s Fifth Cycle State Report.

The Council has outlined progress in relation to satisfying the provisions of the Framework Convention since the Fourth Cycle State Report was submitted in March 2015. Particular focus has been given to the Advisory Committee’s recommendations in respect of the Cornish, as set out in the Fourth Opinion published in May 2016.

The Council continues to express serious concern over the non-compliance of the UK Government [including departments, agencies and public bodies thereof] with regard to the Framework Convention as it relates to the Cornish. Accordingly, the Council calls on the Advisory Committee to take further steps to ensure compliance with all the recommendations set out in the Fourth Opinion.

The recognition of the Cornish minority in 2014 was an important step in acknowledging the unique identity, culture, language and traditions of the Cornish people. Despite a decade of austerity and the constraints of being a local authority as opposed to a devolved administration, Cornwall Council has continued to take appropriate policy and financial steps and furthered partnerships to ensure that persons belonging to the Cornish minority have access to the rights provided by the Framework Convention – examples of which are set out in our submission.

Five years on from the Cornish being recognised under the Framework Convention for the Protection of National Minorities in April 2014, Cornwall Council seeks a new constitutional settlement with the UK Government. This will provide the policy and fiscal autonomy to ensure the full and effective equality of the Cornish in all areas of economic, social, political, public and cultural life, together with conditions that will allow the Cornish to express, preserve and develop their culture, language and traditions.

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

- 1.** The inclusion of a Cornish national identity ‘tick-box’ in the 2021 Census has been the subject of a long and concerted campaign by Cornwall Council and countless organisations and individuals both within and beyond Cornwall.
- 2.** It was also one of the Council of Europe’s key recommendations set out in its Fourth Opinion on the implementation of the Framework Convention by the UK Government. In responding to the Opinion, the UK Government did not make any reference to this specific recommendation and the matter remained with the Office of National Statistics (ONS) for consideration.
- 3.** Emboldened by the Council of Europe’s recommendation, Cornwall Council has continued to campaign on this issue of fundamental importance to the Cornish and in 2017 commissioned Golden Tree Productions Ltd to deliver a project to raise awareness and understanding of the Framework Convention and to gather support for the inclusion of the Cornish ‘tick-box’ in the 2021 Census.

4. The innovative project was delivered through the creation of a mobile 'Cornish Embassy' in the form of a double-decker bus, which provided a safe and friendly space to engage people of all ages in a conversation about what it means to be Cornish. The 'Embassy' has toured extensively across Cornwall and has also been very well received on its visits into Devon and Somerset.
5. The project was an unconditional success, attracting thousands of visitors and extensive positive media coverage. Significantly, the vast majority (94%) of visitors welcomed on board the Embassy supported the inclusion of a Cornish 'tick-box' in the 2021 Census.
6. The majority of Cornwall's Members of Parliament have promoted the case for inclusion with the UK Statistics Authority (responsible for oversight of the Office of National Statistics) on several occasions, with an 'Adjournment Debate' on the issue taking place in House of Commons in June 2018.
7. In December 2018 the Government published a White Paper outlining the proposals for the 2021 Census – 'Help Shape Our Future'. The White Paper stated that the Office of National Statistics (ONS) had reviewed the evidence against the evaluation criteria and determined the need for data on the socio- economic, educational, health and housing conditions of those who identify as Cornish beyond Cornwall is limited. As such the ONS concluded that *"the need for a Cornish tick-box is very localised and not strong enough to justify its inclusion in the nationwide census"*.
8. The alternative proposal put forward by the ONS and outlined in the White Paper is based on the development of a 'search-as-you-type' facility on the online Census form. This proposal will still result in a systematic under representation of the Cornish and falls short of the Council of Europe's key recommendation for the inclusion of a Cornish 'tick-box', which Cornwall Council continues to request on the basis that the Cornish are a recognised national minority and should have parity with the Welsh, Scottish and Irish.
9. The assertion of the ONS that the need for a Cornish tick-box is "very localised" equally applies to the other national minorities, where the demand for the Census data is predominantly from within Scotland, Wales and Northern Ireland respectively.
10. The purpose of the Census is clear and in many ways simple; it is designed to give an accurate picture of the demographic and social changes within the UK, *irrespective* of whether those changes are more localised. The fact that Cornwall has one of the highest net population inflows in the UK amplifies the need to understand the impact of those changes on the existing Cornish population.
11. Over 73,000 people in Cornwall registered as Cornish in the 2011 Census – this represented 14% of Cornwall's population and matched the percentage of people in Wales identifying as Welsh prior to the introduction of a Welsh tick-box, which subsequently increased the figure to 66%. A further 10,000 people living outside of Cornwall identified as Cornish which, given the extensive Cornish diaspora, is further evidence of a significant under-representation of the Cornish both locally and nationally in the Census.

12. Additional corroborative evidence is provided by the January 2017 Department for Education School Census data which, for the first time, resulted in the majority (51%) of pupils in State Maintained Schools in Cornwall identifying as Cornish. This figure has increased year on year from 23% in 2006 with many of those children self-identifying as Cornish in the annual school census expected to do the same as they become eligible to complete the 2021 Census.
13. The local evidence proves beyond doubt that the failure to include a Cornish ‘tick- box’ will result in a systematic under-recording of the Cornish across England and Wales. The under-recording could be exacerbated if the number of respondents completing the hard-copy paper version of the Census – which retains the ‘write- in’ option – falls short of the 70% digital response target envisaged by the ONS.
14. The Government will now prepare a Statutory Order in respect of the 2021 Census to be laid before Parliament in late 2019. The draft Order must be approved by both Houses of Parliament and represents the final opportunity for a Cornish ‘tick-box’ to be added to the national identity question.
15. Cornwall Council continues to work with Members of Parliament and Members of the House of Lords and remain committed to influencing the content of the draft Order and winning parliamentary support for the Cornish case. The Council of Europe is asked to reiterate the importance of this key recommendation with the UK Government before the draft Order is submitted to Parliament.

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

1. The UK Government continues to have no published policy which supports the Cornish language, or which recognises the Cornish language as a part of the UK’s cultural wealth.
2. This is despite the fact that the Council of Europe included a recommendation in the Fourth Opinion that the UK Government “Take all necessary steps to ensure access to the linguistic and cultural rights provided by the Framework Convention to the Cornish minority, in particular by reconsidering the decision to cut all funding for the Cornish language in view of the disproportionate impact such a measure will have on the delicate process of revitalising a minority language when access to other public financial resources is limited.”
3. From 2008 to 2015, the UK Government funded the Cornish Language Partnership with between £120,000 and £150,000 per annum to provide a Cornish language programme and a central office to support a range of community work.
4. This Government funding ended in March 2016, and from 2016, the language programme has been entirely funded locally by Cornwall Council, with £150,000 per annum to employ a language officer and provide a range of community projects including work with schools. The other indigenous languages of the British Isles have devolved administration, so Cornish is the only language programme funded by a local authority, and this leaves the language programme vulnerable to pressure for resources for other essential services.
5. The approach of the UK Government is in stark contrast from that taken by Cornwall Council. In 2013, the local authority adopted a defining policy recognising the importance of the Cornish language as a unique asset which has been central to the defining of Cornwall’s distinct heritage and culture and celebrates the Cornish language as a vital part of Cornwall’s contemporary culture.

6. Following a review of the existing Cornish Language Strategy in 2015, the Cornish Language Partnership was disbanded, and Cornwall Council became the lead body for the promotion of the Cornish language in Cornwall.
7. A new 10-year Cornish Language Strategy 2015-2025 was adopted aiming to double the number of speakers, subject to resources. The Strategy sets out a vision and four key aims for ensuring the future of Cornish as a living, community language:
 - Increase the numbers of Cornish speakers
 - Increase the use of Cornish as a community language
 - Maintain and increase the profile and status afforded to Cornish in public life
 - Maintain and develop Cornish as a dynamic language that can be used for a full range of purposes in all fields of human activity.
8. Allied to the Strategy, the Council adopted a Cornish Language Plan to promote greater use of the Cornish language within the organisation - this Plan has recently been reviewed and refreshed to cover the period 2019 to 2022.
9. The new BBC Charter commits the organisation to supporting “the regional and minority languages of the United Kingdom through its output and services and through partnerships with other organisations”. However, disappointingly, Cornish is the notable absence from the minority languages listed - Welsh, Scottish- Gaelic, Irish and Ulster Scots.
10. This is profoundly unjust, and aberrant to the principles and spirit of the BBC Charter and public service broadcasting. The Council understands that the only way the Charter can be changed is by amending legislation - therefore, once again, the issue rests with the UK Government to address.
11. The negative stance taken by the BBC contrasts markedly with the Arts Council England, The National Lottery Heritage Fund and Historic England, with all three major investors in culture having committed to work closely together to promote Cornwall’s distinct identity. In March 2019, the three organisations agreed a unique Memorandum of Understanding with Cornwall Council and the Cornwall and Isles of Scilly Local Enterprise Partnership, with each of the five partners committing to work together to continue to encourage and support Cornwall’s arts and cultural economy and develop new, sustainable ways to support the growth of creative industries.

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

1. For many years those who identify as Cornish have unfortunately experienced incidents of hate. Sadly, this still continues today through social media, online forums, local and national newspapers. These are often racist and derogatory, saying hateful and hurtful remarks.
2. The Framework Convention for the Protection of National Minorities outlines clearly that hate speech against a national minority is not to be tolerated. As a result of this continual abuse posted online, it was a key topic of discussion at an engagement event to set Equality Objectives for Cornwall. This event consulted with public, voluntary and community sector organisations and emerging from these discussions, eight equality objectives were identified, one of which is to raise awareness of the Framework Convention for the Protection of National Minorities.

3. These objectives have been endorsed by the Cornwall and Isles of Scilly Leadership Board, Executive Group and the Cornwall Equality and Diversity Network. The Council's strategic partners have responded positively to the Cornwall Equality Objectives, with Devon and Cornwall Police adding a classification of 'Cornish' to ensure they can capture any hate incidents reported to them.
4. As a member of all these groups, Cornwall Council has agreed its own set of equality objectives, which will contribute to the wider Cornwall Equality Objectives along with the organisations who have given their endorsement.
5. Specific areas of action the Council has identified are:
 - Increased number of schools using Cornish history, culture and language as part of the curriculum
 - Cornwall Council to lead on the promotion of the use of Cornish by public, private and voluntary sector organisations
 - Promote the importance of collecting Cornish data and using it to shape policies and decisions
 - Increase awareness and support for the request for a Cornish tick box in the 2021 Census
 - The need for a visual Cornish web-based platform supported by the BBC
 - Supporting Community Land Trusts to deliver homes to meet the needs of Cornish residents

Article 9 – Access to Media

1. There is no legal impediment on the use of Cornish language in the media in the UK. However, the BBC only broadcasts five minutes of news in the Cornish language each week on BBC Radio Cornwall. This is the only public service broadcast in Cornish.
2. There is a volunteer-led weekly online radio programme of one hour entirely in Cornish and a monthly online video programme, again made by volunteers.
3. While BBC Radio Cornwall provides varying degrees of coverage of Cornish sport, music and cultural events, there is limited exposure of Cornish culture on television, other than occasional short features on the regional news programmes - there is no programming in Cornish.
4. Representation of Cornish life in UK media is restricted to programmes using Cornish landscape (almost entirely the coast) as a backdrop, particularly in dramas broadcast by BBC and ITV. Although those dramas rarely feature indigenous actors in the key roles, popular programmes such as BBC's Poldark result in an estimated 10 million viewers hearing songs sung partly in Cornish. On the very rare occasions when Cornish language and culture receives national exposure - Poldark being a case in point - it has proved hugely popular and creates a strong and compelling argument for much more.
5. Although there is no legal bar on the use of Cornish in UK media, there are institutional barriers and there is no active commissioning of Cornish programming, not even by public service broadcasters BBC and Channel 4 (other than BBC Radio Cornwall).
6. Cornish culture and expression is far from being mainstream and tends to be patronisingly dismissed by commissioners. As already expressed in respect of Article 5 (see above), despite requests from Cornwall Council and other Cornish organisations, the Government failed to address this matter through the renewal of the BBC Charter.

7. Consequently, a study has been commissioned by the Cornwall Council 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.
8. The aim would be to create a dedicated Cornwall 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.
9. There is a very active creative sector in Cornwall which provides opportunities to support this aspiration, including a strong film community and Falmouth University has an internationally recognised School of TV and Film. Cornwall Council is working with Falmouth University and Creative Kernow to give greater support to film making in Cornwall. As part of the language programme, it supports an annual film competition for films entirely in the Cornish language.
10. The continued status of Cornish as a Part II language under the European Charter for Regional and Minority Languages implies lesser treatment than other indigenous languages in the UK. This has resulted in additional barriers to use in media and despite representations being made – it is worth repeating that there was no support for Cornish in the BBC Charter renewal.
11. In light of this continuing injustice, Cornwall Council calls on the Council of Europe to include Cornish in Part III (Articles 8-14) of the European Charter of Regional or Minority Languages – as is the case for the Irish, Scottish- Gaelic and Welsh languages.
12. Inclusion in Part III of the Charter would prove the catalyst for consideration of a Cornish Language Act to ensure that in the course of public business and the administration of justice, so far as is reasonably practicable, the Cornish and English languages are to be treated on the basis of equality.

Article 10 – Use of language

1. The UK Government, through the European Charter for Regional or Minority Languages, has a legal obligation to promote Cornish which it is failing to fulfil – as a consequence the same is true in respect of the Framework Convention.
2. Currently no UK body makes provision for use of services in Cornish, but some organisations do use the language in their signage.
3. The Cornish do have the right to use the Cornish language in private and in public, but no services are provided in the Cornish language - Cornwall Council is the only body that allows for correspondence in the Cornish language. As an example, in February 2019, a community group (Agan Tavas) attempted to pay a cheque into a bank in Cornish, but this was refused and the group were advised that all cheques must be in English.
4. Cornish speakers are scattered so opportunities to use the language often have to be structured. Even small measures by public bodies can help provide a more positive environment for the language and reducing its otherness, and Cornwall Council is working with various cultural organisations to encourage use of Cornish in museums, theatres and galleries. This also helps create more positive attitudes in the majority population.

5. Hostile attitudes to the language can be experienced in social media, and occasionally in national media (coverage of the UK Government Casey Review in 2017). Generally, media coverage is positive, but usually from a perspective of curiosity rather than active engagement.
6. There has been very positive coverage of the singer Gweno and her critically acclaimed 2018 Cornish language album *Le Kov* ('a place of memory' in Cornish) reached number 13 in the charts. The album was credited with a 15% increase in the number of people registering for Cornish language courses.

Number of speakers

1. In the 2011 UK census, 557 people in England and Wales declared Cornish to be their main language, 464 of whom lived in Cornwall. No language question in respect of Cornish was included in the Census form, so respondents added Cornish language themselves, but the returns do not indicate the degree of fluency.
2. Cornwall Council requested that a Cornish language option be included in the 2021 Census but again this is to be a write-in option. The majority 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.
3. There are active Cornish speaking groups in London, Cardiff and Bristol, so it is difficult for Cornwall Council to organise a comprehensive survey of speakers across the UK. However, Cornwall Council included a question on Cornish language in the 2017 Cornwall Residents Survey with 1.7% of respondents answered that their main language was Cornish (structured base sample of 11,044, population of Cornwall 536,000). Although not a direct comparison this figure compares favourably with the 1.1% of the Scottish population stating in Scotland's 2011 Census that they are able to speak Gaelic.
4. It is accepted that the Residents' Survey figure will include a range of competency in the language with many considering Cornish their language of attachment rather than necessarily fluency. If the number of Cornish speakers is to be accurately assessed in the future, the question of official methods of monitoring will need to be further discussed - such methods are already available to other indigenous minority languages in the UK.

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

1. Cornwall Council policy is to provide all new street signs bilingually and this has contributed to the increased visibility of the Cornish language. Cornwall Council has now extended this to include all signs showing the names of buildings and sites bilingually, such as libraries and Council offices. Some other public bodies also provide bilingual signage at the entrance to their sites such as English Heritage and Devon and Cornwall Police. An increasing number of parish and town councils in Cornwall also use Cornish language on signs.
2. No UK Government department uses Cornish language on signs, but a number of Government departments used Cornish language on social media to celebrate St Piran's Day in 2019, which represented a positive step change. Cornish language is used by bus companies in Cornwall, but not on train services or railway stations other than on the night train and a welcome sign at Saltash.

3. Cornish language is permitted and used, but more bodies would have confidence to use the language if Cornish were specifically mentioned in the Traffic Signs Regulations 2016. These Regulations set out to all highway authorities in the UK the legal content of road signs and Cornish is the only indigenous language that is not explicitly permitted. To this end, Cornwall Council calls on the Department for Transport to correct this omission and sanction the use of Cornish language place names on signs.

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

1. All schools in Cornwall have to teach the National Curriculum with limited opportunity to teach Cornish culture, or about the other national minorities of the British Isles. There are limited resources available to enable teachers to teach Cornish culture and to integrate Cornish perspectives into the curriculum – this challenge is exacerbated by the fact that 58% of Cornwall’s 270 schools are now academies. Cornwall Council commissioned Azook Community Interest Company to undertake a study in 2018 to provide an overview of the barriers to teaching Cornish culture in schools and a roadmap to prioritise the provision of resources to teachers and schools.
2. Main recommendations from this study, in order to secure systematic and sustained education provision with regards to Cornish culture and language, were;
 - a. Address, as a matter of urgency, the lack of systematic education provision relating to the Cornish language and Cornish culture in schools.
 - b. Engage the UK Government in dialogue about how it intends to fulfil its responsibilities with regards to education provision relating to Cornish culture and language.
 - c. Engage the UK Government and the devolved administrations in dialogue and potential partnership regarding a pan-UK learning initiative which would address FCNM requirements with regards intercultural learning across the UK
 - d. Collect data pertaining to pupils self-identifying as Cornish in order to inform the design of future provision and meet future need.
 - e. Engage those national grant funding organisations which have an equality, diversity and human rights remit, to explore funding for a pan-UK, intercultural learning initiative.
 - f. Provide training and awareness sessions regarding the FCNM and its implications for the Cornish national minority for those involved in education strategy development in Cornwall.
 - g. Invite the Portfolio Holder for Education to join the Cornish National Minority Working Group.
 - h. Submit copies of this report to the Council of Europe Advisory Committee on the FCNM.
 - i. Ensure that schools and teachers are informed about the outcomes of this report. Any future work delivered as a consequence of this report should include the active participation of teachers and young people.
 - j. Formulate a Cornish National Minority Education Strategy or Plan for Learners.
3. 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, although the future of the ICS is currently subject to an internal review. 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 – the loss of the ICS would be serious blow for Cornish culture.

4. Within the community there are a number of less formal learning initiative – including the Women’s Institute, the Workers Educational Association and U3A. In the evolving process of engaging the community with the principles and opportunities of the Framework Convention there is much to do to engage in these quarters and likewise in terms of the provision of formal adult education courses.

5. *Kresen Kernow*

1. Cornwall Council has provided circa £9.3m, with a further £11.7m from the Heritage Lottery Fund, to create a £21m new state-of-the-art Cornish archive centre – called Kresen Kernow (‘Cornwall Centre’) – which will house 1.5 million documents, including the world’s largest collection of historic documents relating to Cornwall.
2. Kresen Kernow is due to open in autumn 2019 and will provide an exemplary modern archive and library space, bringing together the world’s largest collection of manuscripts, books and documents related to Cornwall, as well as Cornwall Record Office, the Cornish Studies Library and the Cornwall and Scilly Historic Environment Record.
3. Partnerships with major archival institutions (e.g. Bodleian Library) have been negotiated to borrow and exhibit key texts of the Cornish narrative. In engaging with these institutions the status of the Cornish as a national minority is proving instrumental.
4. The Council has designed Kresen Kernow to be a bespoke building, with excellent digital facilities and a diverse range of events, exhibitions and activities, which will improve access and attract wider audiences to celebrate and share in Cornwall’s rich and distinct history.
5. Kresen Kernow will also safeguard the historic Redruth Brewery building at the heart of the Cornish Mining World Heritage Site in Redruth. Moreover, it will act as a catalyst for a heritage-led regeneration scheme, unlocking three hectares of derelict land at the gateway to Redruth, leveraging in £40m of private sector investment which will deliver 150 homes, £1.7m per annum additional spend in the local economy and create 300 jobs through the developments.
6. At a time when investment in arts, museums and culture is at risk as a result of a decade of austerity, Cornwall Council’s inclusive commitment to the distinctive cultural needs and rights of the Cornish (and other national minorities present in Cornwall) has evolved positively, unlocking investment and awareness.

Article 14 – Education – right to learn the minority language

1. Cornwall Council calls on the Department for Education to provide greater backing for the Cornish language, including financial support to broaden and accelerate the learning of Cornish culture and for Cornish language across all ages.
2. As part of the Cornish Language Programme, Cornwall Council is leading by example through commissioning Golden Tree Productions Ltd to promote and provide Cornish language learning opportunities via a suite of ‘Go Cornish’ resources.
3. Golden Tree Productions partnered with First Kernow to give the bus departure lounge at Lemon Quay in Truro a Cornish makeover with walls illustrating useful Cornish phrases. This enables members of the public to learn some Cornish whilst waiting in the bus lounge. Golden

Tree also created a bespoke Go Cornish-branded double decker bus, with entertaining conversations in Cornish on the seatbacks that travels around the Duchy and beyond.

4. Partnering with app providers Magi Ann and Memrise, Golden Tree has created a series of content rich courses with audio to help people learn Cornish on the go. The Magi Ann team provided a series of 12 simple stories to help children learn Cornish by enabling users to read along, listen and tap on the words to hear the pronunciation and to see an English translation.
5. Memrise created a language learning app that is both scientific with fast learning methods and fun in its use of games and quizzes. The *Go Cornish* course provides excellent language content that guides learners through greetings, asking and answering questions, numbers and simple mutations.
6. Golden Tree is also working with 20 schools in two clusters to train teachers to teach Cornish language and provide an introductory course of six lessons in these schools. An app has been created for pre-school children (in partnership with Menter Iaith in Wales) to enable teaching in pre-school settings, with the first school at Nancledra running a course in 2019.
7. Voluntary community groups provide a network of adult language classes and a series of accreditations - 77 residents took the Cornish Language Board exam in 2018. Cornwall Council is working with volunteer teachers and WJEC, the Welsh assessment board, to develop a nationally accredited assessment.
8. Technology is helping to provide a greater variety, and more flexible ways to learn, but more teachers are required to meet demand for teaching adults and children. The teachers are Cornish speakers and not necessarily trained teachers, so teacher training is required to ensure effectiveness, and better-quality teaching resources are needed.
9. Teaching capacity is the main barrier to development of use of the language and there are great demands on existing volunteer teachers to run weekly classes, develop resources and administer exams. In a small language community, this locks speakers into teaching provision and prevents development of fluency and use of Cornish in the wider community.
10. The structured teaching of Cornish in schools is a step forward, and the cluster approach is intended to develop sustained teaching of Cornish in those two areas. The limitations of the funding available have restricted the teaching of Cornish to only 5% of schools in Cornwall and is at a very basic level.
11. A far greater funding allocation would be required to provide adequate opportunities for Cornish children to be taught the language or to receive instruction in this language. Experience in the Isle of Man and Brittany shows that a school environment entirely in that language is essential to a new generation of fluent speakers and developing the full range of teaching resources.
12. Both the Isle of Man and Brittany achieved immersion in schools, meeting demand from concentrations of local families but this will be difficult to replicate in Cornwall given the scattered population and with the academisation of schools.

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

1. Cornwall Council, unlike the administrations of Wales and Scotland, does not have a defined set of devolved powers that allow for primary law-making or raising of local income tax. The

devolved administrations, through their local legislative branches, have significantly more powers that allow them a degree of autonomy to shape key policy areas, including those that relate to their cultural, social and economic aspirations.

2. Furthermore, both Wales and Scotland still receive Government support for their language and culture programmes, in addition to their own funding programmes, whereas due to the constraints of the English funding formula, Cornwall Council has far less flexibility to raise funds that are not primarily focussed on statutory services.
3. While Cornwall is one of only ten areas in England to secure a Devolution Deal with the Government (in July 2015), this does not include any fiscal devolution that provides absolute local control, with the focus more on joint programmes of work and elements of permissive legislation that can be adapted to local needs.
4. There is a strong and growing argument, particularly in a post-Brexit landscape, that the Government's constitutional position in respect of Cornwall should incrementally move closer to that of Wales. This would shift more of the responsibility for adherence to the Framework Convention from the Government to Cornwall, with the Council and local partners having a strong track record of delivery.
5. The current limited level of support from Government has prompted Cornwall Council to develop the *New Frontiers* prospectus, which seeks further powers and support from Westminster across a variety of themes, including 'asks' designed to strengthen and promote Cornish culture and heritage.

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

1. In 2016 the Boundary Commission for England (BCE) announced a review of Parliamentary constituencies with final recommendations submitted to the Government in 2018.
2. Despite the vocal protests of numerous individuals and countless organisations, including Cornwall Council, the BCE has put forward a recommendation for the creation of a 'Bideford, Bude and Launceston' constituency crossing the Cornwall border. If Parliament agrees the changes to boundaries, the new constituencies will take effect at the next scheduled General Election in 2022.
3. This is a clear violation of the legal principles which Council of Europe Member States undertake to respect in order to ensure the protection of national minorities.
4. By their own admission the BCE was sympathetic to the arguments against a cross-boundary constituency. However, it is constrained by the statutory rules of the Parliamentary Voting System and Constituencies Act 2011.
5. It should be noted that the same statutory rules deem four constituencies (two in the Scottish islands, and two for the Isle of Wight) 'protected' in the sense that they are reserved for the specified areas and thereby not subject to some of the criteria and statistical calculations applied to all other constituencies - in particular as regards electorate size.
6. The Council argues that the Framework Convention for the Protection of National Minorities provides sufficient justification for the Government to give the same 'protected' status to the

Cornish parliamentary constituencies to ensure that they are wholly in Cornwall - as is the case in Wales, Scotland and Northern Ireland.

7. The Government is yet to announce when the secondary legislation formally proposing the changes to the constituencies will be laid before Parliament. At that point the legislation will be debated and voted on by both the House of Commons and House of Lords.
8. Cornwall Council maintains the strongest possible objection to the BCE's proposal and calls on the Council of Europe to recommend that the integrity of Cornwall's boundaries is maintained.

This submission was prepared and agreed by Cornwall Council's Cornish Minority Working Group.

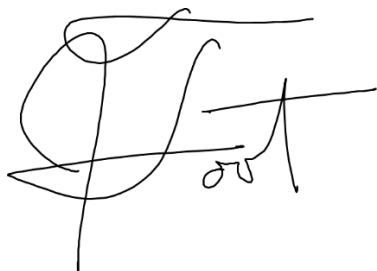
Established in June 2015, the Working Group was created with the primary aim of ensuring that the local authority leads by example in satisfying the provisions of the Framework Convention and encouraging other public bodies, including the Government and their agencies, to do the same.

The specific functions of the Working Group are as follows:

1. Lead, promote and celebrate Cornish National Minority Status.
2. Support initiatives to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.
3. Draft and keep updated an action plan to address the provisions of the Framework Convention and monitor its implementation.
4. Provide supporting information for the Advisory Committee Opinion on the UK Government's compliance reports and formulate responses to future compliance reports as needed; and
5. Exercise an advisory role in liaising with the Council of Europe and UK Government on the Framework Convention.

In accordance with function no.4, the Working Group has provided an update on the Framework Convention as it applies to the minority status of the Cornish.

Chair, Cornish Minority Working Group Councillor Jesse Foot



Deputy Leader, Cornwall Council Councillor Julian German



