



## Scottish Churches Parliamentary Office Briefing Paper

### British Sign Language (Scotland) Bill

November 2014, Briefing 2014/10

---

#### The British Sign Language (Scotland) Bill

This SCPO Briefing is also available as a [British Sign Language video on the Church of Scotland's YouTube channel](#).

#### Overview and Stage One Call for Evidence

Mark Griffin MSP (Labour, Central Scotland) has introduced a [Members' Bill which aims to promote the use of British Sign Language \(BSL\)](#).

Mark ran an initial consultation on his proposals in the summer of 2012. He received over 200 responses, from a range of organisations, [including the Church of Scotland](#), as well as individuals. These helped to refine his ideas, which he put down in a final proposal. Mark managed to secure enough cross-party support in the Scottish Parliament so that on 29 October he was able to formally introduce the Bill for scrutiny and decision.

Like all Bills in the Scottish Parliament, it is examined in three different stages. At Stage One the Bill is given to one of the Parliament's Committees (made up of MSPs from different parties). The Committee asks for ideas and comments from the general public, and usually takes evidence from experts. The Committee then publishes a report on the Bill, highlighting any important issues. The whole Parliament then debates the issues and votes on the broad principles of the Bill. If the Bill succeeds at Stage One, it has a pretty good chance of becoming law – as the SNP have a majority in the Parliament, Mark needs to persuade them to support his proposals.

Stages Two and Three have less opportunity for public engagement – Stage Two is when MSPs look at the Bill in detail, line-by-line, and consider any amendments that other MSPs have suggested. Stage Three is a final opportunity for the whole Parliament to debate and vote on the final wording.

Mark's Bill has been given to the [Education and Culture Committee, who have issued a call for evidence on the Bill](#). They would welcome written and BSL (video) submissions. You can see the BSL call for evidence [here](#), or read the English call for evidence [here](#).

The deadline for getting your responses in is 2 February 2015.

#### What does the Bill seek to do?

The Bill aims to promote the use of BSL by requiring BSL plans to be published by the Scottish Government and various public authorities.

Scottish Government Ministers will be responsible for promoting the use of BSL through a National Plan, on which they must consult people and groups that use BSL (or their representatives). They will have to review performance and submit a report to the Parliament from time to time, and they must appoint a Minister who will have lead responsibility for BSL.

Listed public authorities include local councils, health, education, welfare, policing and justice bodies. A full list can be found in Schedule 2 of the Bill. They will each be required to publish their own plans for promoting BSL. They will also be required to consult relevant users and groups.

It is hoped that by having plans, and accountability for their delivery, the outcomes expressed in a 2009 working group report might be achieved:<sup>1</sup>

- Families with Deaf<sup>2</sup> babies would be supported to meet the linguistic needs of their child at the appropriate age
- Deaf pupils would have the same school attainments as their peers
- BSL would be offered as an educational tool for Deaf pupils who prefer it
- Pupils could study BSL and Deaf culture as a curriculum subject, from primary school through to university
- All public services would be Deaf and Deafblind aware
- Deaf and Deafblind people would be provided with timely information
- Information would always be provided in a range of accessible formats
- The implications of Deafness would be understood and valued by society

## BSL, the Church and Deafness in Scotland

BSL is the first language of many Deaf people in Scotland. There are estimated to be between 5,000-6,000 Deaf BSL users in Scotland

The [Church of Scotland was the only Church which responded to Mark Griffin's initial consultation in 2012](#), though its views are likely to be shared by other Christian traditions.

The Church of Scotland recognises that Deaf people have a strong and distinct cultural identity. Hearing loss or impairment is not in and of itself a disability, rather it is societal dominance of the English language which can prevent Deaf people from fully participating in their communities. The Church of Scotland's work to promote [One Scotland, Many Cultures](#) means that it is not appropriate to expect Deaf people simply to learn to lip-read or carry a notepad and use written English as their primary form of communication. In the same way that Gaelic is recognised and protected as a minority indigenous language with a strong culture and proud history, so are we to consider the role and status of BSL.

The [Church of Scotland supports the work of Deaf ministry](#), enabling individuals and congregations to pray and worship in their first language. Deaf and BSL issues are, for the Church, not primarily a question of compliance with equality legislation and disability rights – these are a given. Instead the question of celebrating the diversity of our culture and working and living alongside groups which are often marginalised by mainstream attitudes which can be well-meaning, but can sometimes be counter-productive.

The leaders of the Scottish Reformation believed that God's word in the Bible ought to be available to every person in their own language *'that the word of God dwelling plentifully in all, they may worship him in an acceptable manner, and, through patience and comfort of the scriptures, may have hope.'*<sup>3</sup> Since the 16<sup>th</sup>-Century the Church of Scotland and other Reformed Churches have had

---

<sup>1</sup> August 2009, Scottish Government BSL and Linguistic Access Working Group *The Long and Winding Road – A Roadmap to British Sign Language and Linguistic Access in Scotland*. [weblink]

<sup>2</sup> Like many other organisations, we capitalise the 'D' in Deaf to refer to people who have a strong deaf cultural identity – often as a result of being born deaf. By contrast, a lower-case 'd' deaf person is used when someone has acquired hearing loss and consider the deafness only as a medical condition, and do not consider themselves to be part of a cultural Deaf community.

<sup>3</sup> Westminster Confession, Chapter 1: VIII

the view that each language group should have access to worship and scriptures in their own language. One project which the Church of Scotland's Deaf Development Worker, Rosie Addis, is involved in at the moment is collaboration with other BSL users to produce a BSL translation of the Bible in video format which can be accessed via the web. The [BSL Bible Translation Project](#) is a continuation of the Church's role in ensuring everyone has the ability to know God's love for them and to understand this in their first language.

The Church of Scotland's Ministries Council (which has responsibility for Ministry amongst Deaf people) responded to Mark Griffin's initial consultation. It supported the Bill, and in its submission made the following points:

- The Bill should aim for better awareness of BSL among the hearing population.
- BSL should be recognised as a language in its own right and not as a communication support need for disabled people. Someone who speaks a foreign language but not English is not considered disabled; why should Deaf BSL users be considered disabled if their first language is not English?
- A Government Minister with responsibility for BSL should work to raise awareness in both hearing and Deaf communities through easily accessible training programmes.
- The Bill and related publications will be an opportunity for a wider public debate about inclusive language support, Deaf and BSL training, the provision of information and services for BSL users in the public and voluntary sectors, and to acknowledge the rich culture and history of the Deaf community and Deaf churches in Scotland.

## Next steps

Individuals and groups are invited to look at the Call for Evidence from the Education and Culture Committee and respond by the deadline of 2 February.

The written English version of the Call for Evidence is here:

<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/83906.aspx>

The video BSL version of the Call for Evidence is here:

<http://www.scottish.parliament.uk/help/83958.aspx>

Responses are invited in written English or video BSL.

The Church of Scotland is likely to submit a response from the national offices; this will be the responsibility of the Ministries Council and the Church and Society Council.

## Read more

- ❖ [BSL video introduction to the Bill and Call for Evidence](#)
- ❖ [2012 Consultation](#)
- ❖ [Church of Scotland response to consultation](#)
- ❖ [Summary of all consultation responses](#)
- ❖ [The Bill](#)
- ❖ [Explanatory Notes](#)
- ❖ [Policy Memorandum](#)
- ❖ [Delegated Powers Memorandum](#)