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RESEARCH ARTICLE

Unseen and unheard: how the Future Generations Act is not addressing the needs of the Welsh deaf community

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ABSTRACT

The Well-being of Future Generations (Wales) Act 2015 places a duty on public bodies to consider the impact of their decisions on future generations and to work towards achieving the seven well-being goals. Using doctrinal, socio-legal and autoethnographic methods, this article seeks to ascertain whether the needs of the Welsh deaf community have been considered. The Act does not explicitly mention them, and there is no evidence that public bodies have taken their needs into account when implementing the Act. The Welsh deaf community is marginalised in Welsh society, and this has been exacerbated by the closure of deaf schools and the decline of deaf clubs. The Welsh Government and the Future Generations Commissioner have a responsibility to ensure that the well-being of the Welsh deaf community is considered in the implementation of the Act and recommendations and thoughts are put forward on how they can achieve this.

Points of interest

- The law for the well-being of future generations in Wales requires government and public services to think about how their decisions impact the future.
- The Welsh Deaf community faces barriers in society, made worse by the closure of deaf schools and a decline in deaf clubs.
- The Welsh Government and the commissioner responsible for the well-being of future generations need to ensure that the law benefits everyone, including the Welsh Deaf community.
- Recommendations for action are suggested, and the Welsh Government and commissioner should ensure the Welsh Deaf community is included when they think about the well-being of future generations.

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Introduction

The Well-being of Future Generations (Wales) Act (2015) (the Act) is the first legislation in the world to require public bodies in Wales to consider the interests of future generations (Davies 2017). It aims to improve the well-being of current and future generations in Wales by taking a sustainable development approach, requiring public bodies to consider the impact of their decisions on the well-being of future generations and to work towards achieving the seven well-being goals outlined in the legislation. Its mission is to improve the well-being of Wales as a whole, and while its citizens are a core part of it, it also covers the economy and the natural environment, which contribute to the well-being of people, directly or indirectly. Ultimately, Wales is to be a positive contributor to the achievement of the United Nations' global Sustainable Development Goals through its own set of well-being goals (Hayles 2018). Hussey and Weatherup (2016) go as far as to say that the Act provides an opportunity for a step change in the way public services tackle some of the main health and other societal challenges that will serve and sustain future generations. After all, caring for future generations now has positive implications for the well-being of present generations as well, making it a 'win-win' situation (Slaughter 1994).

Despite its broad scope and intention to promote inclusivity and social justice, its specific relevance to the deaf community is not explicitly addressed in the Act, the well-being goals and the subsequent well-being objectives. Nonetheless, the legislation presents an opportunity for the public sector in Wales to address the unique challenges they face. The deaf community has long advocated for equal access to services, communication, and opportunities, and above all, a British Sign Language (BSL) Act for Wales. This article argues that the Act holds immense potential to enhance the lives of deaf people and the Welsh deaf community. However, it also stresses that its successful implementation hinges on actively engaging deaf individuals and the community they represent. By incorporating their perspectives and experiences, the Act can effectively address the unique needs and aspirations of deaf people, ensuring they reap the benefits of a sustainable and prosperous future. Throughout this article, reference will be made to 'deaf' or 'Deaf.' For clarification, 'deaf' is used to describe all kinds of deaf persons, and 'Deaf' is used to refer to sociocultural entities or established theoretical concepts such as 'Deaf culture' (Kusters et al. 2015).

Painting a picture of the status of the deaf community in Wales is a difficult task simply because there is a dearth of research in this area, with most existing research tending to focus on Great Britain, that is, England, Wales and Scotland (for example Emond et al. 2015b; Kim, Byrne, and Parish 2018). They also focus on other countries entirely, such as Israel (Alhuzail and Levinger 2024), New Zealand (Watene, Mirfin-Veitch, and Asaka 2023),

Australia (Byatt, Duncan, and Dally 2023; Treloar 2023) and Brazil (Brito and Prieto 2018). They may also focus on the status of sign languages (for example Sousa 2022; Meulder, Murray, and McKee 2019; Batterbury-Magill 2014; Timmermans 2005). This article aims to bring various strands together into one place to ensure that the needs and rights of deaf individuals as full citizens are fully recognised and integrated into all aspects of Welsh society (Ash 2022), with a view to ensuring the well-being of future generations of deaf people by participating in all spheres of society (Emery 2006). In particular, this article contends that by establishing a robust link between the Act and deaf people, the public sector in Wales can ensure the inclusion and empowerment of deaf people and the preservation of the Welsh deaf community for future generations. We will assess how far the Future Generations Commissioner (FGC) for Wales, the Welsh Ministers and other public bodies have gone and could go to ensure well-being objectives with a particular focus on how the sustainable development of deaf people and their communities in Wales can be realised.

For ease of navigation, this article is arranged as follows. Following the introduction, the article begins with a detailed examination of the Act, which sets the legal framework. The methodology employed in this study is then outlined. Next, we delve into the context of the Welsh deaf community, with subheadings focusing on key areas such as deaf education, deaf clubs, information, communication and access and Deaf leadership. A roadmap is then presented for the well-being goals of the Welsh deaf community, divided into several key sections: a prosperous Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, of vibrant culture and thriving Welsh language, a resilient Wales, and a globally responsible Wales. The paper concludes by summarising the findings and implications for the future.

The Act

The United Kingdom (UK) is made up of four distinct nations: England, Wales, Scotland and Northern Ireland. The Houses of Parliament and Government – based in London – are the legislative and executive powers that govern the UK, whereas certain powers have been devolved to Scotland, Northern Ireland and Wales (Lawson et al. 2019). In Wales, the Senedd Cymru or Welsh Parliament is the law-making and tax-setting parliament (Senedd Cymru 2021).

The approach taken by the Senedd through the Act has had a profound impact on the way Wales approaches policy, decision-making, and ways of working in Wales (Messham and Sheard 2020). It essentially places a duty on public bodies (including Welsh Ministers) to set and publish well-being objectives with a particular focus on sustainable development (section 3(2)), and then take reasonable steps to meet them (section 3(2)(b)).

The Act defines five principles that public bodies must demonstrate in decision-making, such as thinking for the long-term and collaboration (Carter and MacKillop 2023). Interestingly, section 5(1) stipulates that the Welsh Ministers and public bodies must ensure 'the needs of the present are met without compromising the ability of future generations to meet their own needs,' and a list of factors to take account of are contained in the subsequent sub-sections. These place an onus on all public bodies in Wales – including local authorities, health boards, Public Health Wales, fire services, the Higher Education Funding Council for Wales and the National Library of Wales – to consider the impact of their present policies and procedures on future generations and ensure that their actions in the present maximise the well-being of Wales' citizens of the future (Jones 2019).

Annual reports must be produced by the Ministers and public bodies each financial year (sections 12(1)(a), 13(2)), and, in the case of the Ministers' reports, reviewed (section 12(2)) and revised if necessary (section 12(3)). Wallace (2018) argues that the emphasis is on public sector reform and the concepts of prevention, collaboration, integration, involvement, and long-term thinking. As a result, the Act places sustainability and the well-being of present and future generations at the heart of public services and government (Messham and Sheard 2020).

Sustainable development is defined as the process of improving the economic, social, environmental and cultural well-being of Wales by taking action to achieve the well-being goals (section 2), which are a prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and thriving Welsh language, and a globally responsible Wales (section 4). The national indicators for Wales measure the progress towards the well-being goals and must be measurable (quantitatively or qualitatively) against a particular outcome (sections 10(1) and 10(2)(a)). They also need to contain milestones to assist in measuring progress (section 10(3)). The future trends report must consider the UN's Sustainable Development Goals and must be produced within 12 months of a Welsh general election.

Section 17 of the Act also allows the Welsh Government to appoint an FGC to promote the sustainable development principle (section 18(a)) by acting as a guardian of the ability of future generations to meet their needs (section 18(a)(i)) and encourage public bodies to take greater account of what they do (section 18(a)(ii)) and monitor progress (section 18(b)). The FGC has the power to review and make recommendations to public bodies (sections 20-21). These recommendations are, however, not legally binding and can be rejected under certain circumstances. The FGC's influence is clearly crucial, but concerns exist regarding the Act's definition of 'long-term' and the limited budget of the FGC's office (Davies 2017).

Method

This article examines the development, interpretation, and application of the Act as it relates to the Welsh deaf community, ensuring methodological soundness by combining doctrinal, socio-legal, and autoethnographic approaches.

While at its most fundamental level this article examines the law and legal concepts (Hutchinson and Duncan 2012), that is, the traditional black-letter law approach, modern scholars, most notably Cotterrell (1998), argue that true legal scholarship entails a sociological understanding of law. Indeed, law cannot be separated from social, political, and economic issues (Scarman 1968), and Singhal and Malik (2012) warn against relying solely on doctrinal research for this reason. However, particularly in the UK, there is a lack of in-depth engagement with, or development of, debates about methodology (Mulcahy and Cahill-o'callaghan 2021). This article addresses these gaps by employing a multi-faceted approach.

Socio-legal scholars employ various methods, including empirical research (Webley 2019), case studies (Argyrou 2017), historical analysis (Seal and Neale 2019), and theoretical critiques (Cotterrell 2017, 2023). They examine legal systems, legal institutions, legal actors, and legal processes, seeking to uncover the underlying social dynamics that influence the production, interpretation, and application of law (Socio-Legal Studies Association 2021; Creutzfeldt 2019; Cownie and Bradney 2017; Wheeler and Thomas 2000). By understanding how law interacts with society, socio-legal research can inform legal reform, promote social justice, and enhance our understanding of the human condition (Feenan 2013). This article will explore how the Act interacts with and advances the position of deaf people in Wales.

Empirical research involves systematic investigation through direct observation or experimentation, gathering and analysing data to test hypotheses and answer research questions (Blackham 2022). Methods such as interviews, ethnography, archival research, surveys, and mixed methods approaches (Hillyard 2007) are common. This article primarily uses content analysis, which involves analysing the content of textual, visual, or audio information (Krippendorff 2022), applied to secondary data such as published works, official documents, individual communications, historical documents and legislation. Given the lack of individual-level information (Firebaugh 1978) about deaf people in Wales, this aggregate data has a number of associated issues such as a lack of detail and broad generalisations. To mitigate this, the author employs autoethnography to complement the doctrinal and socio-legal methods employed here. Autoethnography is 'a form of self-narrative that places the self within a social context' (Reed-Danahay 2020, 9). As a Welsh deaf individual, the author is well placed to utilise narrative data gathered from his lived experiences as a Welsh deaf person, alongside conversations

with deaf friends and family residing in Wales. After all, the 'voice of the insider is assumed to be more true than that of the outsider' (Reed-Danahay 2020, 4). While acknowledging the limitations of personal experiences and potential biases within these narratives, this approach complements the legal analysis by providing valuable insights into the lived realities of deaf people in Wales and how the Act might impact their well-being.

In summary, this article examines the development, interpretation, and application of the Act, its interaction with deaf people in Wales, and its impact on their position. A mixed-methods approach combines content analysis with autoethnography. Relevant documents such as the Act, government reports, and published works are analysed for ('hearing reality'). To capture the lived experiences of the deaf community, the author's lived experience and that of his family and friends will be incorporated, addressing the research gap and providing a comprehensive understanding of the Act's impact.

The Welsh deaf community

Before exploring the relevance of the Act, its well-being goals and objectives to the deaf community, it is important to first understand the unique challenges they face. It is generally thought that there are 4,000 deaf people living in Wales (Terry et al. 2021; Foltz and Shank 2020) although this figure is likely an underestimation. A Welsh Government report estimates the Welsh BSL population to be between 5,600 and 7,300, representing 0.18% to 0.23% of the Welsh population (Bowen and Holtom 2020). More recently, Scotland's 2022 Census (2024) found 117,300 people use BSL in Scotland, 2.2% of people aged 3 and over. Against a Welsh population of some 3.136 million, 2.2% would amount to a total of 68,992 BSL signers, the majority of whom would be deaf.

Meanwhile, Wales has a rich linguistic heritage, with Welsh and English both playing significant roles in its society. The history of the Welsh language in Wales has seen periods of neglect and systematic destruction (Williams 2010). The strong cultural identity associated with the Welsh language has been crucial for the language's survival (Mackie 2018) and these efforts continue with the Welsh Government's ambition to see the number of people able to enjoy speaking and using Welsh reach a million by 2050 (Welsh Government 2017a). Today, while Welsh is a robust minority language with 29.2% of the Welsh population able to speak Welsh (Welsh Government 2024a), English remains the primary language of education, government, and daily communication, underscoring the importance of bilingualism in Welsh society.

Within this context, BSL lacks the same level of legal recognition and support that Welsh and English enjoy, and the deaf community often faces challenges as deaf BSL signers in Wales are 'limited twice' by the two spoken languages (Foulkes 2023). The author estimates (through personal experience) that there are at least four regional variations of BSL in Wales: North Wales,

Mid-Wales, West Wales and South Wales, with Rowley and Cormier (2021) confirming that BSL has extensive regional variation at the lexical level. While Rowley and Cormier focus on Belfast, Birmingham, Bristol, Glasgow, London and Manchester, given that four of these six regions are in England, it stands to reason that there would be regional variations of BSL within Wales itself. Foulkes (2023) refers to the practice of 'mouthing' in the context of 'Welsh BSL' for proper nouns such as Welsh place names, for example, Beddgelert, whereby the 'dd' is pronounced in Welsh as 'th.' Mouthing is common in many sign languages (Proctor and Cormier 2023) and uses the mouth pattern for the corresponding word in the spoken language at the same time it is signed (Woll and Sieratzki 1998; Vinson et al. 2010; Lewin and Schembri 2011). This practice has particular significance for some Welsh deaf individuals depending on their level of proficiency and understanding of the Welsh language and culture.

In order to unpack the relationship between the Act and deaf people and their communities, there are a number of particularly pertinent issues to bear in mind which have been raised in a number of conversations the author has been engaged in with friends and family. These include the role of deaf education, deaf clubs, information, communication and access, and Deaf leadership. Being aware of and understanding these issues and their impact on the Welsh deaf community will assist this exploration of the Act.

Deaf education

There are no deaf schools in Wales and considerable challenges within deaf education (Wilks and O'Neill 2024, 2022; National Deaf Children's Society 2023). A respondent in interviews conducted for O'Brien et al.'s study (2019, 912) explained the mental health impact of deaf schools closing on deaf children:

> I'm very concerned about the deaf schools closing because it means that all the deaf children are going to end up in mainstream schools and the identity and cultures of these people is going to be very mixed. I work a lot in the mental health sector and I think that this sector is going to have to grow massively in the future because those who haven't been able to engage with their identity, who they are, how they can express themselves in sign, I think we'll be seeing and having to support a lot more of them. I do worry.

The Consortium of Research in Deaf Education's Wales report (2023) states that there are 2,260 deaf children living in Wales, eight percent of who attend resource base schools, and at least 64.3 full-time equivalent teachers working as Teachers of Deaf Children and Young People. 16% of specialist staff working with these deaf children have no formal qualifications in BSL and are not a first language BSL signer, and 15.7% have Level 1 BSL or equivalent, decreasing incrementally through Levels 2 to 4 to one percent with Level 6 BSL or equivalent. With no deaf school in Wales, the predominantly mainstreaming policy means that deaf children and young people do not have

opportunities to meet each other, denying them the significant benefits of doing so (Stander and Mcilroy 2017; Golos, Moses, and Wolbers 2012; Murray, Hall, and Snoddon 2019; Lieberman 2015).

Deaf clubs

The deaf club holds great significance within the community, not only serving as a repository of history, but also as a central space that solidifies the social connections of the deaf community. However, deaf clubs in Aberdare, Brecon, Cwmbran, Llanberis, Merthyr, Mold, Narbeth and Neath have closed in recent years (Eveleigh and Bryan 2023). It is estimated that there were 23 deaf clubs in Wales up to the year 2000, and now there are five deaf clubs with dedicated use of buildings and two who meet in community centres or pubs, a total of seven. The main reasons touted for this development is austerity, which has reduced funding for deaf clubs and deaf centres (O'Brien, Stead, and Nourse 2019; Swinbourne 2011), and generational decline: as older generations – the traditional members of deaf clubs – pass away, younger generations are not taking their place. Traditionally, deaf clubs were the place where members were able to access general information and incidental knowledge, originally from missionaries and then later social workers (Attfield 2013), and from each other, and they provided opportunities for language acquisition (Bryan and Emery 2014). Deaf clubs could therefore be a cost-effective solution for public services to engage with the deaf community.

The stability provided by the deaf club allowed those in need to easily locate and access the community, including deaf individuals from hearing families and those seeking to immerse themselves in Deaf culture and language (O'Brien, Stead, and Nourse 2019). Hadjikakou and Nikolaraizi (2011) argue that deaf clubs serve as custodians of Deaf culture and heritage, ensuring its preservation and transmission to future generations and provide invaluable role models for young deaf children and their families, nurturing their sense of identity and belonging, further emphasising their importance in Wales. Deaf people are also geographically spread across Wales within little pockets isolated from each other, and with the advance of technology shifting interactions online (Blom et al. 2014; Maiorana-Basas and Pagliaro 2014), the future of the deaf community is not assured. In O'Brien et al.'s study (2019), most elderly individuals interviewed expressed their disapproval towards the encroachment of technology in their lives, attributing it to the disintegration of their community. Another reason is the shift of interest to the domestic sphere, whereby deaf people stayed at home more to watch subtitled television or films (Padden 2008). The closure of deaf clubs and the fragmentation of deaf communities across Wales means that generational transference (Thibodeau 2019) between older generations of deaf people to the younger generations is not possible.
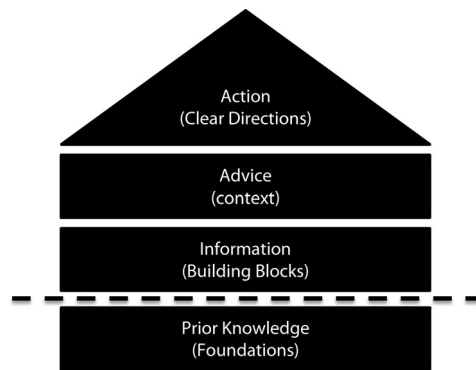
Figure 1. Acquiring information and acting on it.

Information, communication and access

Emery (2006) argues that information, communication and access to society are vital to citizenship as they enable social cohesion. Everyday communication is regarded by society as a mutually beneficial process in which all individuals actively participate, and it encompasses the exchange of language between individuals or groups, as well as textual or visual forms of interaction. It can also be non-verbal through body language and facial expressions. Communication manifests itself in various ways, including how institutions engage with citizens through media channels, government initiatives, the legal system, and other avenues, and is vital to the public sphere. In the case of deaf people, however, information is not always accessible and access to services is thereby limited and communication between deaf and hearing people often fraught with problems. Wilks and Brattan-Wilson (2012) explore the information, communication and access concept in the context of legal advice, explaining that the acquisition of information assumes that the acquirer has the prior knowledge needed to comprehend and understand that information. If they do, and they receive information, they can receive and understand the advice given and take the necessary action (see Figure 1). If, however, they do not have the prior knowledge, then the whole process of acquiring information and moving forward armed with that information will simply not happen.

Information acquisition is also referred to as incidental learning (McKee and Hauser 2012), described as informal or unintentional learning (Watkins and Marsick 1990) that occurs outside of formal education or work, which is generally not accessible for deaf individuals due to communication and language barriers. Incidental learning can occur through listening to the radio, podcasts, watching television and social conversations (Valentine and Skelton 2009), situations where interpreters are not generally provided or made available. The lack of incidental learning opportunities is an experience shared by many deaf individuals and it can have a negative impact on their physical and mental health and academic achievement (McKee and Hauser 2012).

Deaf leadership

There are no or a very small number of Deaf leaders in Wales with the gap instead filled by hearing people who dominate the voluntary sector land-scape. The only deaf-led organisation with a presence in Wales – seen as London- and English-centric – has yet to make inroads (Wilks 2024). The liter-ature on Deaf leadership is limited and what does exist focuses on the United States, where models include transformational leadership, grassroots leader-ship, and professional leadership. Transformational leaders engage with others and create a connection that raises motivation and morality in both the leader and the follower (Kamm-Larew et al. 2008). Grassroots leaders are commonly monolingual sign language users with a large network of deaf people, while professional leaders are often bilingual and bicultural, allowing them to move between deaf and hearing communities while supporting deaf cultural values and beliefs (Thibodeau 2019). The latter tend to follow the transformational leadership model and are caring individuals who want to meet the needs of the deaf community (O'Brien and Robinson 2017). These models of leadership highlight the importance of cultural and linguistic knowledge, empowerment, role modelling, self-advocacy, and decision-making skills (Taylor 2013; Haggerty 2016). The conditions required to produce such leadership in Wales require generally well-educated deaf individuals who have access to a strong deaf community network with the resources available to advance the cause. There is currently a skills gap compounded by the lack of deaf schools and the declining and fragmented nature of the deaf community in Wales.

A roadmap for the well-being goals of the Welsh deaf community

It is ultimately argued that the aforementioned issues can be tackled by introducing a BSL Act for Wales. Member of the Senedd (MS) Mark Isherwood argues that a BSL Act is needed for Wales: 'now that both Westminster and Holyrood have passed BSL bills, we hope that this Bill would complement those pieces of legislation and help to improve the provision of BSL across Wales' (Senedd Cymru 2022, para. 260). On 24 April 2024, Mark Isherwood's proposal for a BSL (Wales) Bill won a ballot and the Senedd considered the introduction of this bill on 19 April 2024 (Senedd Cymru 2024a). Despite the Welsh Government's opposition to the bill, the proposal to introduce the bill was passed (Senedd Cymru 2024b; Bryan and Wilks 2024) and it is now mov-ing forward in the legislative process (Isherwood 2024).

The Public Health (Wales) Act (2017) and the Environment (Wales) Act (2016) are examples of legislation that have been introduced or amended to align with the well-being goals (Hussey and Weatherup 2016). It is therefore argued that the first step to be taken by the Welsh Government would be to support Mark Isherwood MS' bill which would go some way to address the lack of con-sideration given to the Welsh deaf community under the Well-being of Future

Generations Act. The bill specifically mentions that the purpose of such a bill would be to strengthen the seven well-being goals of the Act as they relate to BSL. This would entail the establishment of a BSL Commissioner to formulate BSL standards, establish an advisory panel, produce reports and guidance and require public bodies to report on their progress in promoting and facilitating BSL through their well-being reporting cycle (Senedd Cymru 2024a).

Aside from a BSL (Wales) Act, it is further argued that the issues can be tackled by interpreting the Well-being of Future Generations Act in a way that includes deaf people and the deaf community. In fact, the well-being reports and other documentation produced by the Welsh Government and various public bodies highlight similar issues, thus showing that the Act can be deployed as a useful tool to enhance deaf people's lives. When the main provisions of the Act came into force on 1 April 2016, the Welsh Government produced core guidance for public bodies, community councils and public service boards (Welsh Government 2016b, 2016c, 2016d, 2016e). The core guidance does mention the nine protected characteristics of the Equality Act (2010), which includes disability. It does not directly mention deaf people or BSL. The public bodies tend to incorporate their individual well-being objectives into their corporate or strategic plans (see for example Caerphilly Borough County Council, n.d.; National Library of Wales 2021) or as a dedicated webpage (see for example Aneurin Bevan University Health Board, n.d.). These examples do not mention deaf people or BSL, nor do the national indicators (Welsh Government 2016a) and future trends report (Welsh Government 2021a).

Since 2017, the Welsh Government has produced 'Wellbeing of Wales' reports annually (Welsh Government 2018, 2019, 2020, 2021c, 2022, 2023). While they do mention disabled people generally, those reports, and the FGC's first report (2020) do not mention deaf people, the deaf community or BSL, although there is a BSL summary available of the FGC's report (2020). This – together with the examples above – suggests that none of the well-being objectives produced by the Welsh Ministers and other public bodies mentioned or included the views of the Welsh deaf community nor consulted with them. In addition, the section 26 advisory panel and section 29 public service boards do not include any deaf people or their representatives. It is clear, therefore, that deaf people and the Welsh deaf community have been either ignored or forgotten by the Welsh public sector.

As evidenced by the Wellbeing for Wales reports published between 2017 and 2023, while there has been some progress towards achieving the well-being goals outlined in the Act, significant challenges remain. The reports highlight that inequalities in income, health, and access to opportunities continue to persist, with the Welsh language also facing decline (Welsh Government 2018, 2019, 2020, 2021c, 2022, 2023). The Welsh Government is committed to addressing the identified challenges and building a more prosperous, healthier, and more equitable Wales for all, as reflected in the

ongoing publication of the well-being reports. Following an analysis of the Wellbeing for Wales reports and the wider literature including published works, official documents, individual communications, historical documents and legislation, the findings and recommendations of this study are outlined below and grouped according to the Act's seven goals.

A prosperous Wales

To achieve a prosperous Wales, a skilled and well-educated population in a wealth-generating economy with employment opportunities in a low carbon society is needed (Welsh Government 2016b). The higher-than-average unemployment and economic inactivity rates for disabled people in Wales total 48.4% and 45% respectively (StatsWales 2023). StatsWales states that the definition of disabled is 'persons who are disabled according to the Equality Act 2010 definition of disability.' Given that there is no breakdown of the disabilities included, there is also no breakdown of the data to indicate whether these 'deaf people' are BSL signers, oral deaf, or hard of hearing, or indeed whether they are English or Welsh speakers, this data is only of limited use, highlighting the need for more accurate data. In any case, given that deaf people are likely to be included in this category, we can surmise that many deaf people are likely to be unemployed or economically inactive.

To further emphasise the issue, the 'disability employment gap' in Wales is higher compared to the UK as a whole (Senedd Research 2023; Department of Work and Pensions 2023). Unemployment or economic inactivity will impact average incomes for deaf people and mean that they are not in a position where they can contribute to society and the Welsh economy in the way that they would if they were employed and paying taxes (Welsh Government 2017b). These rates are compounded by deaf attainment rates which make it difficult for deaf people to compete for jobs in the labour market. Kim, Byrne, and Parish (2018) confirm that deaf individuals in the UK face significant economic disadvantages compared to hearing individuals, and have lower household incomes, greater difficulty in making ends meet, an inability to pay unexpected expenses, and lower employment rates. Therefore, the Welsh Government should concentrate its efforts to close the gap between deaf people and the rest of the working population, and indeed, it has expressed its commitment to do so for disabled people (Welsh Government 2021d).

In travel, the 2022 Wellbeing of Wales report sets out the Welsh Government's commitment to promoting sustainable transport and reducing the reliance on cars (Welsh Government 2022). To do so, the public transport system should be made accessible for deaf people. Hersh, Ohene-Djan, and Naqvi (2010) reported that the provision of BSL-English Interpreters at information centres and ticket windows at bus, coach, and railway stations was minimal and that understanding announcements was a problem, highlighting a need for visual

information to be available. This is a common problem across the globe, where deaf individuals need adequate information and communication to help them plan their daily journeys on the road (Gautam et al. 2024). This is an issue that should be dealt with as part of the Wales Transport Strategy (Welsh Government 2021b), and could include solutions such as ensuring front line staff have basic BSL and deaf awareness training, providing visual alternatives to audio information as a matter of course, requiring project designers to engage with deaf people who have direct experience of access issues, and involving deaf user groups in developing policy.

A healthier Wales

This goal expects people's physical and mental well-being to be maximised (Welsh Government 2016b). Deaf people in Wales experience negative health and mental health outcomes (Foltz and Shank 2020; Terry et al. 2021) compounded by a lack of interpreters in Wales. The Accessible Communication Standard (NHS Wales 2013) has failed to capture just how many deaf people require services in BSL, and there is a limited number of BSL-English Interpreters (Department for Work and Pensions 2017), with only 51 Registered Sign Language Interpreters (Foulkes 2023) for 7,300 deaf people, which signifies a ratio of one interpreter to 143 deaf individuals. If we use the 68,992 BSL signers figure, this equates to one interpreter for every 1,352 BSL signers. Either way, there is clearly a chronic shortage of BSL-English Interpreters in Wales, meaning that many deaf people are not able to access the workplace and various services when they need to. Most interpreters also live in the south east of Wales, making it difficult for deaf individuals in the west, mid-Wales and the north to access their services (Foulkes 2023; South Wales Interpreters and Translators, n.d.). The true scale of this problem in Wales is unknown due to the lack of data available.

Wider afield, it has been found that deaf people have poorer health attributed to problems accessing health care and communicating with health-care professionals (Emond et al. 2015a, 2015b), with deaf people finding it difficult to get help, missing potentially life-threatening health conditions, and receiving poor treatment when a diagnosis is made (SignHealth 2014). Within audiology services, a study found that deaf people experienced disempowerment and lack of autonomy, and that there is a need to build a more culturally sensitive and tailored service (Hulme, Young, and Munro 2022).

In mental health, the Hidden Inequality report (Terry et al. 2021) sheds light on the concerning mental health disparities experienced by the deaf community in Wales. Alarmingly, deaf individuals are twice as likely to grapple with mental health challenges compared to their hearing counterparts. However, a lack of accessible and culturally sensitive mental health services leaves this vulnerable group without adequate support. This report serves as

a crucial call to action, urging the Welsh Government to implement a national specialist deaf mental health service, ensure accessibility across all mental health services, and provide comprehensive training for mental health professionals on Deaf culture and communication needs (Terry et al. 2021). Addressing these critical gaps in support is essential to foster a healthier Wales particularly for the deaf community, but this starts with a recognition of deaf people's health inequalities in the first place, and further research particularly in relation to deaf people's general health in Wales is needed.

The Wellbeing of Wales reports emphasise that investing in early years support can have a significant impact on children's long-term health and well-being (Welsh Government 2018, 2019, 2020, 2021c, 2022, 2023). This is especially important in the case of deaf children. The prevailing approach in deaf education often emphasises audiological solutions, such as hearing aids and cochlear implants, for newly diagnosed deaf children, which can influence parents to prioritise these interventions in the hope of enabling their child to function similarly to hearing children (Wilks and O'Neill 2022, 2024). This is at the expense of rapid and effortless language acquisition through exposure to BSL from the outset unless deaf parents or individuals from the deaf community inform them (Hall 2017; Rowley and Sive 2021). With BSL included as an international language in the Curriculum for Wales (Welsh Government 2024b), the time is ripe to ensure that deaf children have access to BSL from an early age to improve their literacy and educational attainment (British Deaf Association 2023).

The older generation of deaf individuals today face challenges in their health, well-being, access to resources, and safety due to the social, educational, and economic circumstances they grew up in, and maintaining social and cultural networks is crucial for their overall health and well-being (Young 2014). A 2010 study commissioned by the then Welsh Assembly Government concluded that current residential care provision for deaf people in Wales was inadequate, failed to meet deaf older people's needs, affected their quality of life and had the potential to cause significant harm, and that there was no specialist provision currently available in the form of residential care or supported living environments in Wales (Hunt, Oram, and Alys 2010). The position remains unchanged 14 years later (Wilks, Wilks, and Lawrence 2023).

A more equal Wales

The goal for a more equal Wales aspires for a society that enables people to fulfil their potential regardless of background or circumstances. The UK Equality Act (2010) covers Wales and aims to eliminate discrimination and other prohibited conduct (Introductory Text). It brings individuals with the protected characteristics of gender, race, disability, age, sexual orientation, gender reassignment, religious and philosophical belief, marital status and

pregnancy and maternity within its purview (section 4(1)). Deaf people come within the Equality Act's protection through the characteristic of disability, but it is worth noting that deaf people will also be covered by the other characteristics. Therefore, it is important to not only focus on deaf people's disability status, but also their position as men or women and their ethnicity, age, sexual preferences, relationship status, beliefs, and stage of reassignment.

The Equality Act's public sector equality duty is also relevant to the present discussion. It aims to make the promotion of equality on all the equality grounds central to the work of public authorities so that they take account of equality in the day-to-day work of policy making, service delivery, employment practice and other functions (Manfredi, Vickers, and Clayton-Hathway 2018). This duty is extended in Wales by the Equality Act 2010 (Statutory Duties) (Wales) Regulations (2011) which include express provisions about engagement and equality impact assessments. It is contended that the public sector equality duty can be utilised to accommodate deaf people through sign language interpreters, captioning, and other types of assistive technology.

BSL-English Interpreters are reasonable adjustments for deaf people (see Reynolds, Nelson & Cassandro v Live in the UK Ltd 2021). However, Wilks (2019) points out that following a review of existing case law, it appears that single, one-off adjustments tend to be considered more reasonable than recurrent adjustments. The Welsh Government could therefore – through their public sector equality duty – ensure that all public authorities have systems in place to ensure the provision of BSL-English Interpreters for deaf individuals in Wales and address the shortage of such interpreters in Wales by asking further and higher education institutions to introduce BSL courses up to level 7 and interpreting and translation programmes.

In politics and public life, there is a clear absence of deaf individuals representing their local communities at a local or national level, compounded by the lack of support from political parties to tackle barriers and the financial costs of candidacy to stand for elected office (Evans and Reher 2021, 2022; Pring 2018; O'Dell 2021; UK Parliament 2016). Following a pilot operated by Disability Wales (2022), a Welsh Government-commissioned report (Davies, Dawkins, and Lewis-Richards 2023) recommended that provision for disabled candidates seeking election in Wales should be made available in future. From the point of view of the electorate, while attempts have been made by organisations to make elections accessible to deaf people in Wales (see for example Deaf Hub Wales 2017), the lack of access generally is documented. Deaf people generally find political information limited (Valentine and Skelton 2009) and a survey found that deaf citizens were unable to influence the political system in their own country and did not fully understand what their national parties stood for (Pabsch 2014). Ensuring Welsh deaf individuals can participate in politics is an important aim, and Emery

(2006) recognises that to be able to engage in political action and to relate to representatives involved in government, feeds into the experience of being an equal citizen.

In terms of socio-economic disadvantage, a study by Kim, Byrne, and Parish (2018) concluded that deaf people experienced significantly greater economic hardship than hearing people due to environmental and attitudinal barriers, institutional and systematic discrimination in education and employment, and low expectations and lack of access to information to make informed choices. Many of these issues are raised elsewhere in this paper, and clearly need to be addressed to deal with deaf people's socio-economic disadvantage. To enhance the socio-economic status of deaf individuals, education and vocational training are crucial in improving employment outcomes for deaf individuals. Studies have demonstrated that intensive vocation-related courses have a positive impact on employment outcomes for deaf individuals (Cawthon et al. 2016) as can establishing inclusive workplaces through awareness, acceptance, and learning sign language (Rahman et al. 2021), and providing appropriate accommodations and support in the workplace while recognising the unique strengths and abilities of deaf workers (Stokar and Orwat 2018). Above all, addressing societal attitudes towards deafness as a disability is crucial (Winn 2007).

A Wales of cohesive communities, of vibrant culture and thriving Welsh language

The Act emphasises the importance of cohesive communities that are viable, safe and well-connected, and a society that promotes and protects Welsh culture and heritage (Welsh Government 2016b). Deaf communities in Wales are an integral part of the social fabric, and their well-being is crucial for building strong and connected communities. By ensuring that the needs of deaf individuals are met, the Act provides an opportunity for the Welsh Government to promote a sense of belonging and social cohesion within these communities and address the issues experienced by deaf people as outlined above. This means recognising and supporting the deaf community's unique cultural and linguistic identity, promoting the use of BSL, celebrating Deaf culture, and creating spaces and opportunities for deaf individuals to come together and participate fully in society. By embracing and valuing the cultural and linguistic diversity of the deaf community, public bodies can contribute to the creation of a more vibrant and inclusive Wales.

This can be achieved in a number of ways: developing or preserving Deaf spaces such as deaf schools and deaf clubs and centres, providing opportunities for deaf children and young people to congregate and revive the deaf community and BSL, reviving Deaf sport and providing Welsh deaf

sportspeople with funding to participate in national and international events such as the Deaflympics, allowing deaf individuals of all ages to engage in leadership development programmes, curating and archiving all historical records relating to deaf people in Wales, including video testimony of deaf people's experiences through the twentieth century, and ensuring that Wales' distinctive regional signs are represented on Welsh in-vision programming and video channels by relying on Welsh translators and interpreters (Foulkes 2023).

It is also important to allow Welsh deaf individuals to participate in Welsh cultural life, such as heritage sites, museums, the theatre, cinemas, libraries and events such as the National Eisteddfod, an annual celebration of Welsh arts, language and culture, and Calan Gaeaf, which marks the end of the autumn harvest and the beginning of winter in Wales the day after Halloween. Focusing on disabled people generally, Leahy and Ferri (2023) recommend that policymakers address legislative gaps and focus on implementing existing laws and policies effectively, involve disabled people in cultural and policymaking processes, and provide adequate income and support services available to facilitate cultural participation. These suggestions are equally useful to ensure deaf people's participation.

A resilient Wales

The goal of a resilient Wales is broadly taken to mean the maintenance and enhancement of a biodiverse natural environment, ecosystems to support social, economic and ecological resilience, and the capacity to adapt to change. Generally, the goal of a resilient Wales focuses on the country's natural landscape and coastlines, animals and plant species, the quality of the air, soil and water and recycling initiatives. At first glance, this goal would appear to have little or no relevance to deaf people or the deaf communities of Wales. However, the UN Sustainable Development Goals (United Nations 2024) go further and suggest resilience also needs to be developed within infrastructure and in the promotion of inclusive and sustainable industrialisation (Goal 9), and make cities and human settlements inclusive, safe, resilient and sustainable (Goal 11). We would therefore argue that resilience also includes accepting responsibility at a central level and ensuring that the infrastructure is put into place to ensure the barriers deaf people experience are recognised, particularly as they do not generally have access to information and services. If Wales is to be resilient, measures must be implemented to ensure that deaf people are fully informed regarding the goal of a resilient Wales, particularly in relation to climate change, recycling and industrialisation. After all, if they are included, they can contribute to the efforts to meet targets in relation to manufacturing and growth and to reduce CO_2 emissions.

A globally responsible Wales

Lastly, the Act promotes global responsibility, whereby actions to achieve the well-being goals should take account of how such actions can make a positive contribution to global well-being. Deaf people and their communities in Wales are part of a global community, and their well-being is interconnected with that of others around the world (Kusters and Friedner 2015). By ensuring that the needs and rights of deaf individuals are fully recognised and integrated into society, the Act contributes to a more globally responsible Wales. The Welsh Government could support deaf people in Wales to establish a national deaf association for Wales who would then join the World Federation for the Deaf and the European Union of the Deaf, represent Welsh interests and establish Welsh deaf people as influential leaders on the global stage for the deaf community, contributing their unique perspectives and experiences to create positive change and inspire others worldwide.

Conclusion

The Act provides a transformative framework for addressing the multifaceted needs of the Welsh deaf community. However, its true potential can only be realised through a comprehensive and inclusive approach that actively engages deaf individuals and their representatives in policymaking and implementation processes. The Act's current oversight of specific provisions for the Welsh deaf community underscores a critical gap that must be addressed to ensure their equitable participation and benefit from societal advancements.

To bridge this gap, several key steps are imperative. Firstly, introducing a BSL Act tailored to Wales is crucial. This would institutionalise the promotion and facilitation of BSL, ensuring it is integral to public services and communications, thereby strengthening the seven well-being goals as they pertain to the Welsh deaf community. Secondly, addressing the absence of dedicated deaf schools and the decline of deaf clubs is essential. Revitalising these institutions will provide critical spaces for cultural transmission, socialisation, and support, fostering a robust Welsh deaf community. The development of accessible, culturally sensitive health services, including a national specialist deaf mental health service, is vital. This will address the pronounced health disparities faced by deaf individuals and ensure they receive appropriate care and support. Thirdly, enhancing educational attainment and employment opportunities for deaf people will enable their fuller participation in Wales' economic prosperity. Finally, facilitating the active political engagement of deaf individuals, both as candidates and as informed voters, will ensure their voices are heard and their interests represented. This requires the elimination of barriers to political participation and the provision of accessible political information.

By adopting these measures, the Welsh Government can ensure that the Act truly serves all its citizens, including the Welsh deaf community. Such an inclusive approach not only aligns with the Act's ethos of sustainability and social justice but also enriches Welsh society by embracing its diverse cultural and linguistic heritage. Only through the genuine inclusion and empowerment of deaf individuals can Wales build a more equitable, prosperous, and vibrant future for all its generations.

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Disclosure statement

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