

# From Barking Dogs to Roaring Dragons

## The Fight for BSL Recognition in the UK

Presented by

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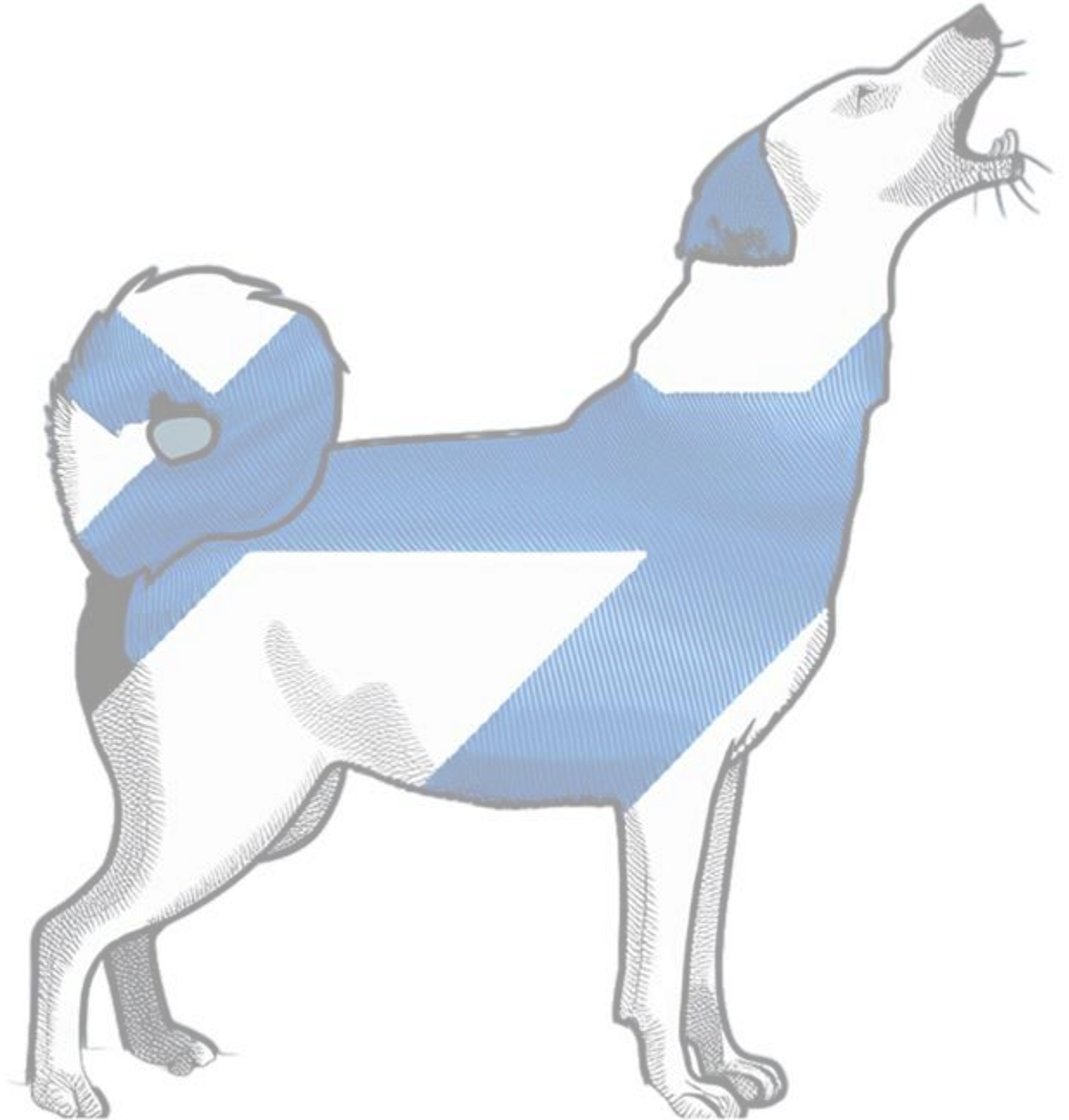


8 November 2024

## BSL (Scotland) Act 2015

- Aims to promote use and understanding of BSL
- Requires the Scottish Government to prepare and publish a national plan in relation to BSL, which is expected to set out their BSL strategy
- Requires public authorities
  - to prepare and publish own BSL plans
  - setting out measures to be taken in relation to the use of BSL
- Scottish Government must publish national plan every six years
- Similar to Gaelic, Act does not establish any rights in education, even though this was a key concern of deaf campaigners

(De Meulder et al, 2019; Wilks, 2020; Wilks & O'Neill, 2021, 2022)



# Positives and negatives

## Positive

- National plans created by Government in consultation with Deaf community
- Obligations on public authorities to create local BSL plans
- Evidence of language planning at Government and national public body level
- Some bodies doing better than others, e.g. University of Edinburgh

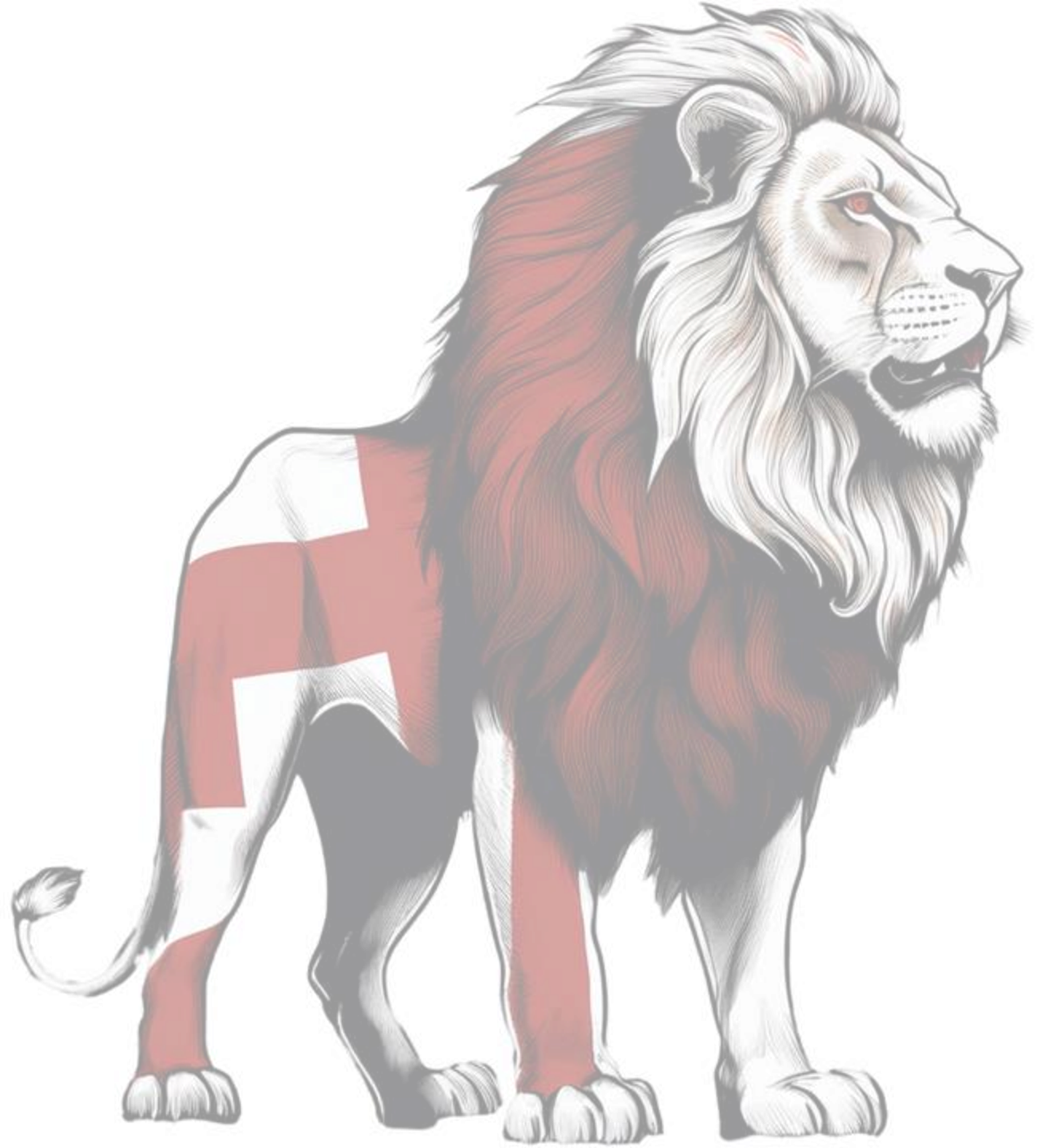
## Negative

- Doesn't confer any new rights
- No enforcement mechanisms
- Depends on Government's agenda/priorities
- Little evidence of change in Scotland, e.g. deaf education, usual barriers still exist



## BSL Act 2022

- Came into force 28 June 2022
- Recognises BSL as language of England, Wales and Scotland
- Northern Ireland expressly not covered
- Requires SoS for DWP to prepare and publish BSL reports every 3 years
- SoS has duties to promote and facilitate use of BSL
- Each government department also required to do so in communications with public
- Guidance for promotion or facilitation
- Non-statutory board, BSL Advisory Board
- Predominantly covers England



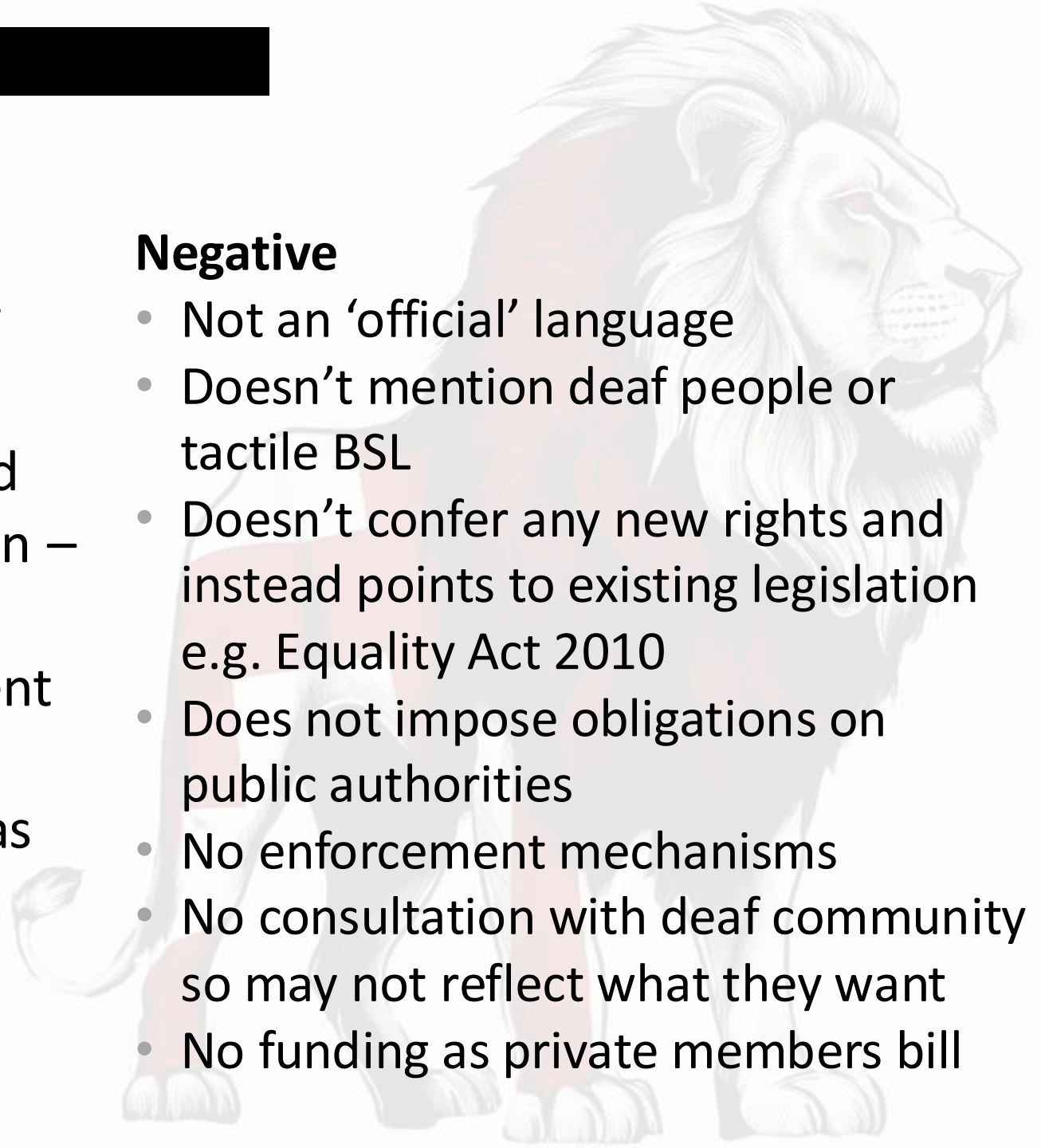
# Positives and negatives

## Positive

- Recognises BSL as a language of the UK
- Establishes a BSL Advisory Board that will oversee implementation – how much power does it have?
- May make reasonable adjustment argument more convincing
- May help society reframe deaf as *language minority* instead or as well as *deaf-disabled*

## Negative

- Not an 'official' language
- Doesn't mention deaf people or tactile BSL
- Doesn't confer any new rights and instead points to existing legislation e.g. Equality Act 2010
- Does not impose obligations on public authorities
- No enforcement mechanisms
- No consultation with deaf community so may not reflect what they want
- No funding as private members bill



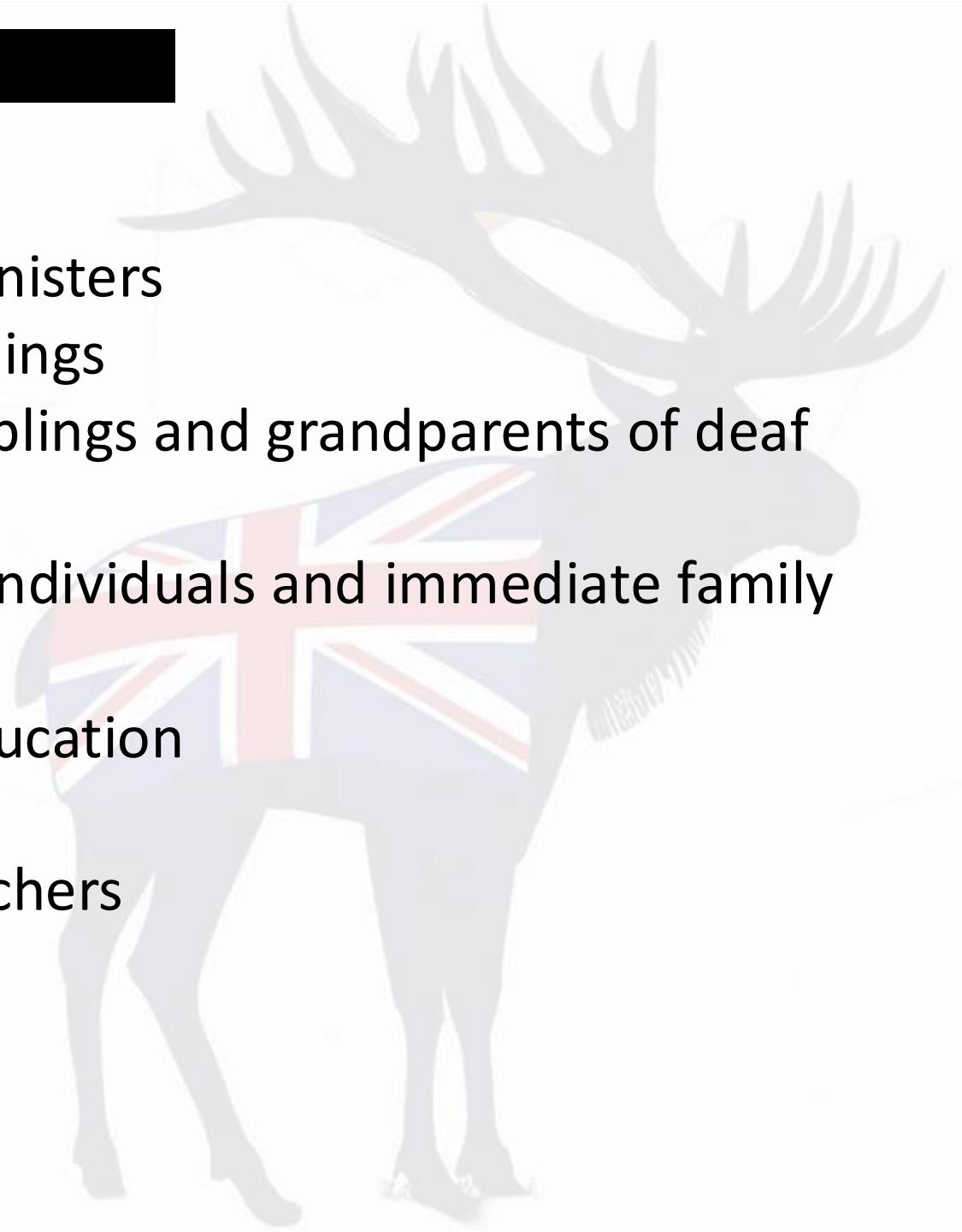
## A BSL Act for Northern Ireland?

- BSL and ISL recognised as minority languages in March 2004 by then SoS for Northern Ireland
- Sign Language Framework in March 2016 contained policy proposals for legislation
- Power-sharing executive collapsed in January 2017, rebuilt February 2024
- Referenced in New Decade New Approach agreement in January 2020
- Communities Minister Gordon Lyons outlines plan for development of SLs in February 2024
  - Develop policy, increase number of interpreters
  - Executive approval to introduce bill to assembly
  - Funding for Foyle Deaf Association to provide interpreter training
  - Talks with Queens' University to provide academic route to qualification



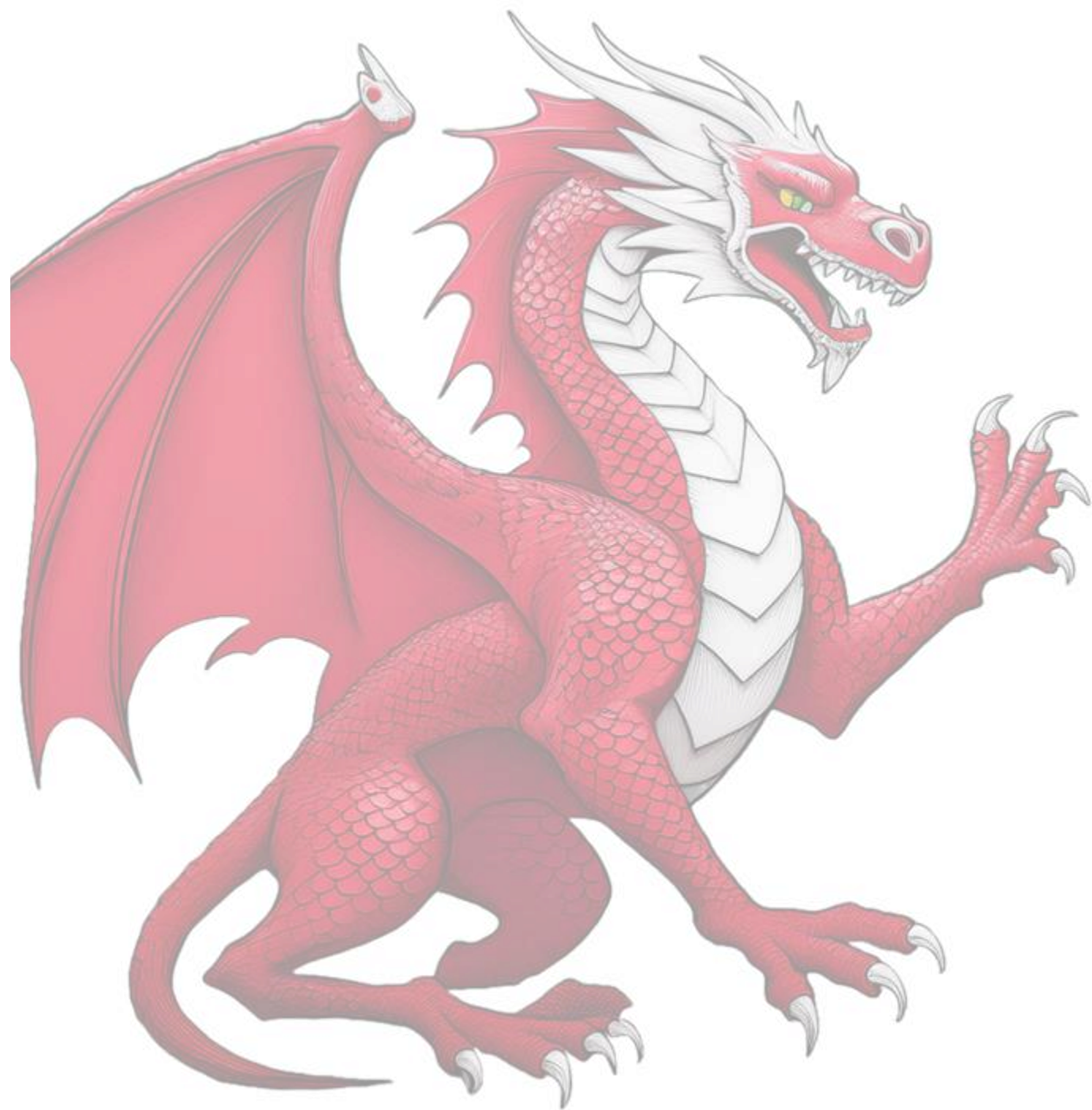
# Northern Ireland proposals

- Apply to functions of Executive Ministers
- Use of ISL and BSL in legal proceedings
- Provide free classes for parents, siblings and grandparents of deaf children
- Provide free classes for deafened individuals and immediate family members
- Provision of ISL and BSL in deaf education
- Provision of interpreters
- Regulation of interpreters and teachers



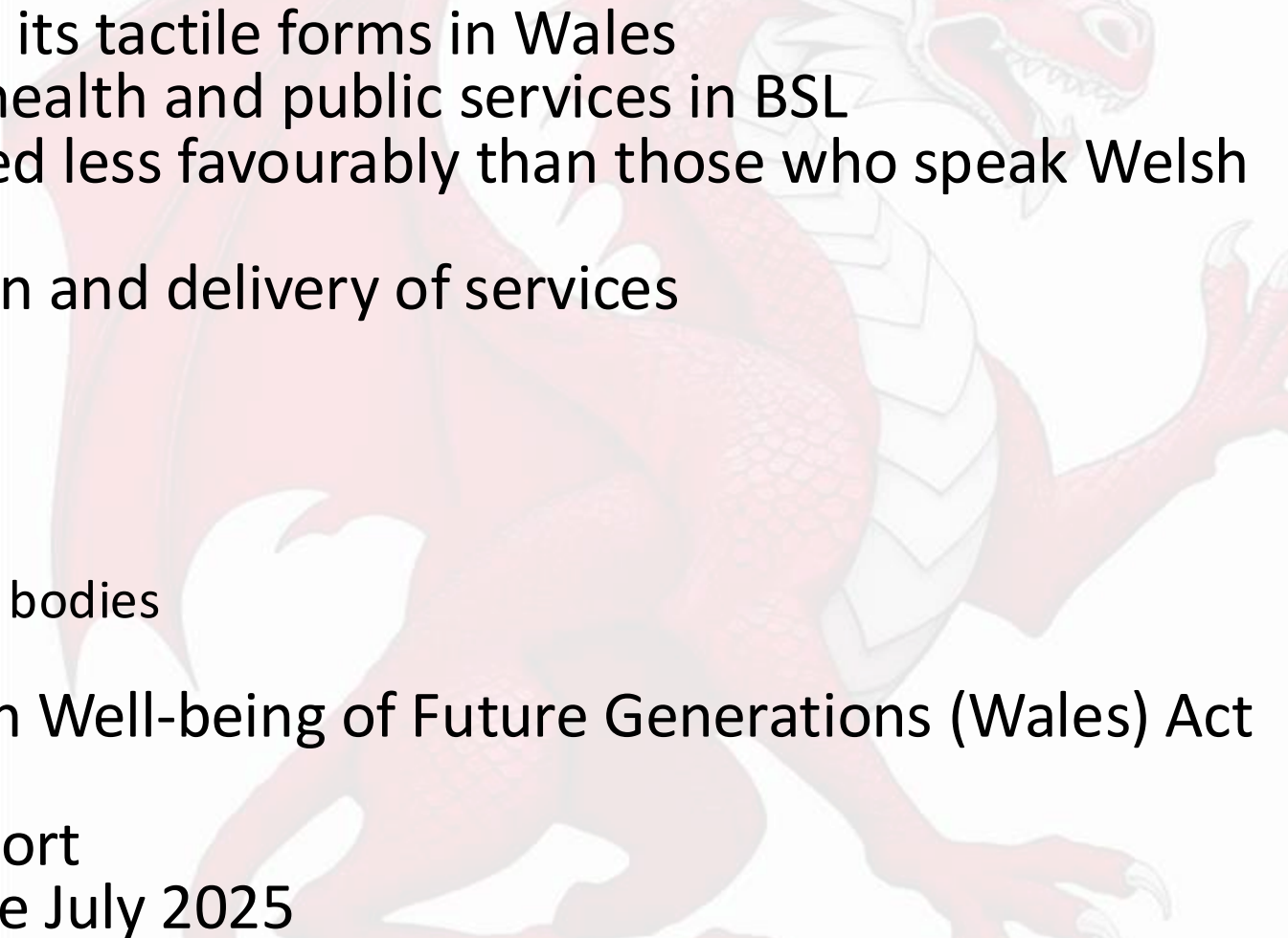
## A BSL Act for Wales?

- Campaign for a BSL Act in Wales since 1999
- BSL Futures project 2006
- Deffo!, deaf youth forum Senedd petition in 2019 to improve access to education and services – no further action taken
- Motion by Mark Isherwood MS in February 2021
- Motion by Mark Isherwood MS in December 2022
- British Deaf Association's BSL audit of Welsh Government published 14 February 2023
- Mark Isherwood MS' BSL private member bill picked in ballot in April 2024
- 20 June 2024 – Senedd passed proposal, but Welsh Government opposes, campaign underway





# BSL (Wales) Bill

- Promote and facilitate BSL and its tactile forms in Wales
  - Improve access to education, health and public services in BSL
  - Work to ensure deaf not treated less favourably than those who speak Welsh or English
  - Deaf to have voice in the design and delivery of services
  - BSL Commissioner to:
    - Formulate standards
    - Establish BSL Advisory Panel
    - Reports every 5 years
    - Guidance and process for public bodies
    - Complaints procedure
  - Public bodies to report through Well-being of Future Generations (Wales) Act 2015 reporting cycle
  - Welsh Government annual report
  - Legislative process, final debate July 2025
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# Conclusions

**Scotland** - vocal, well-intentioned, but with limited practical impact

**England** - despite initial strides, lack of follow-through and new governmental disinterest have muted impact

**Northern Ireland** - slow but steady, political obstacles and delayed progress, but moving towards real change

**Wales** - Welsh deaf community is loud and persistent, but efforts ignored by a government unwilling to engage, BSL Bill has potential to be strong if passed



The barking dog that never bites



The elk on the winding path



The caged lion's silent roar



The roaring dragon in the shadows