

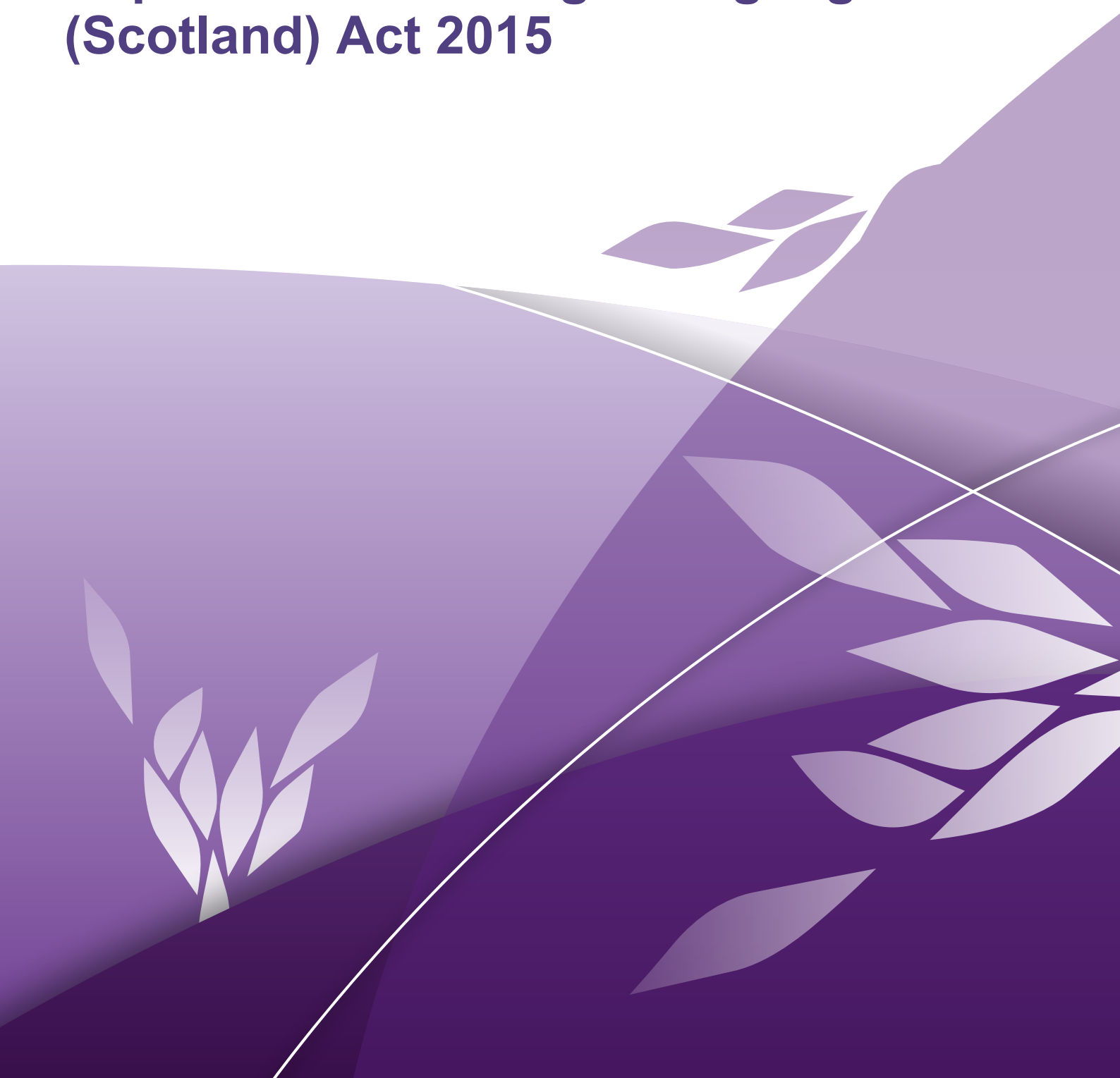


The Scottish Parliament  
Pàrlamaid na h-Alba

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## **Equalities, Human Rights and Civil Justice Committee**

# **Report on British Sign Language (Scotland) Act 2015**



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# Equalities, Human Rights and Civil Justice Committee

To consider and report on the following (and any additional matter added under Rule 6.1.5A)—

- a. matters relating to equal opportunities, and upon the observance of equal opportunities within the Parliament; and
- b. matters relating to human rights.
- c. matters relating to civil justice within the responsibility of the Cabinet Secretary for Justice and Home Affairs.

## 2. In these Rules

(a) “equal opportunities” includes the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions; and

(b) “human rights” includes Convention rights (within the meaning of section 1 of the Human Rights Act 1998) and other human rights as for example contained in any international convention, treaty or other international instrument ratified by the United Kingdom.

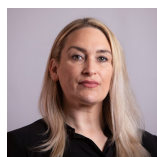


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# Committee Membership



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# Membership changes

The following changes to the Committee's membership occurred during the Committee's inquiry:

- On 19 June 2025, Paul McLennan replaced Evelyn Tweed as a member of the Committee.
- On 2 September 2025, Rhoda Grant replaced Paul O'Kane as a member of the Committee.

# Introduction

1. Given that a decade has now passed since the [British Sign Language \(Scotland\) Act 2015](#) (“the Act”) received royal assent, the Committee agreed at its meeting on 4 February 2025 to hold a short inquiry considering actions taken by the Scottish Government and public authorities listed under the Act to tackle barriers faced by BSL users in Scotland. Specifically, the Committee agreed to focus on:
  - Whether the BSL Act, the current BSL Plan and listed- authority plans are improving the lives of BSL users; and
  - What changes could be made in the shorter and longer term to improve the lives of BSL users.

## Evidence gathering

2. To help inform its scrutiny, the Committee issued a call for views running from 3 April to 2 May in response to which 37 submissions were received. All published responses can be accessed on the Committee’s website. SPICe has also provided a summary of the evidence and a background briefing which can be accessed as an annexe to the [meeting papers from 17 June](#).
3. The Committee then held four formal evidence sessions. At our meeting on 3 June, we heard from representatives of Deaf organisations followed by academics. On 17 June the Committee heard from two authorities listed under the Act before concluding its evidence taking by hearing from the Deputy First Minister (DFM) and Scottish Government officials. The meeting papers, official reports and video recordings (with BSL translation) of both meetings can be accessed via the following links:
  - [Equalities, Human Rights and Civil Justice Committee 15th Meeting, 2025 | Scottish Parliament Website](#)
  - [Equalities, Human Rights and Civil Justice Committee 16th Meeting, 2025 | Scottish Parliament Website](#)
4. In addition to formal evidence taking, the Committee held two informal engagement sessions (one online and one in-person) with BSL users from the British Deaf Association, Deaf Action and Deafblind Scotland on 9 and 10 June to hear first-hand about the experiences and priorities of Deaf and deafblind people. An [unattributed note of these discussions is available on the Committee’s website](#).
5. The Committee is very grateful to all those who contributed to the inquiry by providing written and oral evidence, both formally and informally. It was particularly helpful for us to meet BSL users in person to learn first-hand about their experiences and priorities in an informal setting and the Committee thanks all those who contributed.
6. In this report, drawing on the evidence it received, the Committee reflects on the key themes it set out at the outset of this inquiry and makes recommendations for ways in which the lives of BSL users in Scotland could be further improved.

# Background: The British Sign Language (Scotland) Act 2015

7. The BSL Act came into force on 23 October 2015 and aimed to promote the use and understanding of BSL. It requires Scottish Ministers and listed authorities to publish plans every six years, showing how they will achieve this. These plans should take account of local circumstances and consider how best to respond to BSL users' needs within local communities, organisations or services.

## First British Sign Language National Plan

8. The [first BSL National Plan](#) was published in October 2017. It set out ten long-term goals around BSL in Scotland, covering early years and education, training and work, health, mental health and wellbeing, transport, culture and the arts, justice, and democracy. The plan included seventy actions to achieve these goals by 2020.
9. The [first Progress Report](#) was published in October 2021. Whilst recognising the long-term ambitions in the National Plan, the first Progress Report highlighted some early successes, including:
  - Scotland's Census 2022 which, for the first time, asked the population if they could use BSL. Results showed that 117,300 people could use BSL (2.2% of the population aged three and over) and that two thirds of BSL users were female.
  - The Scottish Government established an expert advisory group in 2019 to develop plans to promote BSL use in schools.
  - A comprehensive review of BSL/English interpreting in Scotland, carried out in 2019 aimed to inform policy decisions around the implementation of the BSL Act and the first National Plan ([The Landscape Review](#)).
10. The findings from the Landscape Review highlighted some concerns, particularly in respect of a shortage of qualified interpreters in Scotland. This problem is even more pronounced in rural areas and impacts significantly on Deaf people's ability to access the services they need.

## Second British Sign Language National Plan

11. In November 2023, the Scottish Government published its [second National Plan](#) covering the period from 2023 to 2029. The second National Plan sets out a range of actions to tackle barriers faced by BSL users to help make Scotland "the best place in the world for BSL users to live, work, visit and learn." The plan contains forty-five commitments within ten policy areas aimed at tackling barriers by embedding the language across health, education, transport, culture and employment. The second National Plan also commits to publishing a progress report in 2026.

## Authority Plans

12. The [schedule to the BSL Act](#) also requires listed authorities including councils, health boards and educational institutions to publish their own BSL plans setting out measures they propose to take along with timescales for their achievement. Authority Plans can be accessed on the Scottish Government's [BSL \(Scotland\) Act 2015 website](#).

## Key themes and policy areas

13. This report considers progress made since the 2015 Act was enacted and the views of stakeholders on the national and authority plans. A number of key themes and policy areas also emerged during the Committee's evidence-taking as follows and each is considered in turn below:

- Education and Access to work
- Justice
- Healthcare
- Transport and Rural Access
- Contact Scotland BSL

# Impact of the British Sign Language (Scotland) Act (2015)

14. Respondents to the Committee's call for views agreed that the BSL Act had increased the visibility and recognition of BSL as a language, helped raise public awareness and led to some improvements in service provision. The ALLIANCE described the Act as "flagship legislation" <sup>1</sup> that Scotland "should be proud of" <sup>2</sup> whilst for BDA Scotland, it had had "a huge positive impact" and provided "a fantastic role model for the rest of the United Kingdom and the world." <sup>2</sup> Dr Adam, Associate Professor in Languages and Intercultural Studies at Heriot-Watt University and a Deaf BSL user, described the Act as being "very powerful and symbolic" <sup>3</sup>. Professor Jemina Napier, Chair of Intercultural Communication and Associate Principal of Research Culture at Heriot-Watt University, and Lucy Clark, a Deaf BSL using Domestic Abuse survivor and researcher at Heriot-Watt University, explained how it helped "empower the Deaf community to have their rights recognised, access services and education, and participate in society using their first and/or preferred language." <sup>2</sup>
15. BDA Scotland highlighted increased representation of BSL, including for example through BSL interpretation of Covid-19 briefings and during Scottish Parliament proceedings, along with the election of Deaf councillors and Members of the Scottish Youth Parliament. Deaf Links stated that another direct impact of the Act had been improved availability of BSL interpretation which "resulted in a significant difference with regard to Deaf people being included in local life and being able to go to things that they would never have been able to go to before." <sup>2</sup>
16. Participants in the informal discussions with stakeholders also broadly agreed that improvements had been made over the last decade, particularly through greater visibility of BSL, strengthening accountability, enabling BSL users to challenge public bodies to enforce their rights, and the establishment of the Contact Scotland BSL online interpretation service. The creation of Contact Scotland BSL was a key benefit identified by several stakeholders and is considered further in paragraphs 149 to 159 below.
17. Listed authorities provided a range of examples of improved access to services for BSL users, such as through better access to interpreter support in a range of settings. Further examples include the creation of a Deaf Dementia toolkit (Stirling Council), Deaf Awareness training for teaching staff (Dundee City Council), and an improved recruitment process to support candidates who use BSL (Aberdeenshire Council). NHS Greater Glasgow and Clyde explained that the Act had seen "a cultural shift led by Deaf leadership" which had "helped to drive inclusive policy development, foster staff engagement, and ensure the lived experience of Deaf people is embedded across the organisation." <sup>4</sup>
18. However, responses were not universally positive. Several responses suggested that the lack of enforceability in the BSL Act had resulted in inconsistent implementation across Scotland. A common theme raised by many respondents was the limited funding and resource available to support the aims of the Act, with Professor Napier stating that "we are facing barriers to the implementation of the

national plan because of a lack of funding, to be honest”,<sup>2</sup> particularly since no additional funding is provided to local authorities or other public bodies to promote BSL. Given the financial pressures faced by public bodies, her concern was that promotion of BSL would not be a priority. Dr Adam highlighted the lack of capacity building, for example in BSL teachers and professionals trained to work with Deaf people, which had not increased as might have been expected in the decade since the Act came into force.

19. **The Committee strongly welcomes the positive feedback received on the impact the Act has had in terms of improving the daily lives of BSL users. Examples include increasing the language’s visibility and helping empower Deaf BSL users to access services and participate in society using their preferred language. However, the Committee also recognises the challenges raised, including in respect of a shortage of qualified interpreters, finite resource to fulfil the Act’s ambitions, and suggestions of a lack of enforceability as discussed further below.**

# Second British Sign Language National Plan

20. Views on the second National Plan among respondents to the call for views were more mixed. Several agreed that it recognises key issues for BSL users, such as education, employment and health but concerns were raised that it lacked focus and does not have measurable goals, timelines or clear accountability mechanisms.
21. Some respondents to the call for views had participated in the Scottish Government consultation on the second National Plan. Rachel O'Neill, a Deaf education pathway co-ordinator at Moray House School of Education and Sport, University of Edinburgh, had conducted research with Dr Rob Wilks, a Deaf BSL using Senior Lecturer in Law at UWE Bristol which was incorporated into the initial draft. However, they expressed disappointment that many of their recommendations had been “watered down” or removed from the published version.<sup>5</sup> BDA Scotland was commissioned to consult on the draft plan with the Deaf community and strongly welcomed this opportunity. However, BDA Scotland viewed the second plan as being less comprehensive than the first. For example, it suggested that it contained missing or weakened commitments, including in relation to emergency services, education, employment support, and services for specific groups of BSL users. Whilst acknowledging that it was still “early days” for the second Plan, BDA Scotland noted a lack of information on why certain actions had been omitted and expressed an interest in establishing the reasons for this.
22. The ALLIANCE pointed out that it was now 18 months since the second Plan’s publication, roughly a quarter of the way through its life, but “we have had little in the way of measurable progress across the piece.” It called for the inclusion of clear targets and deadlines, explaining that this was not about “an immediate quick fix” but about “working out how to be strategic with the resource available.”<sup>2</sup> The ALLIANCE also expressed concern that the second plan did not include costings, particularly for communications support, to facilitate meaningful planning.
23. Deaf Links shared views from the Tayside Deaf Community who were also consulted on the second National Plan. They raised a number of issues including a need for better data collection and for it to be disaggregated, greater promotion of Deaf/BSL awareness in workplaces, and improved opportunities for BSL users to access education, arts and culture. Like others, Deaf Links’ service users had also been disappointed that “a lot had been taken out”<sup>2</sup> of the published Plan compared to earlier drafts and that it lacked robust and measurable accountability actions. Deaf Links explained that the Deaf community had been encouraged by initial drafts but had been left feeling “deflated” by the final version which smacked of an “Oh, well, you don’t really matter” attitude which they had grown used to experiencing from the hearing world. Professor O'Neill told us that the “dramatic” changes had left the University of Edinburgh’s working group feeling “disheartened.”<sup>2</sup>
24. Deafblind participants in the stakeholder discussion also explained how they can feel marginalised and drowned out as a smaller community of which there is less understanding among public and professionals alike. They therefore called for tactile BSL to be routinely included and placed on an equal footing to BSL, and for it

not to be “an afterthought.”

25. The ALLIANCE agreed on the importance of data gathering which it described as “transformative” when applied to progressing human rights and social justice. It explained that:
  - ” “If a BSL language plan does not have an efficient data collection process, individuals will continue to face huge barriers of isolation and loneliness, poorer health and wellbeing, and constrained, disconnected, and restricted lifestyles. It is crucial BSL data includes disaggregated data to reveal inequalities which may be concealed within aggregated data.” <sup>1</sup>
26. Professor Kusters agreed on the need for improved research to better understand the profile of Scottish BSL users stating that “there would be lots of benefits from that Scottish corpus data.” <sup>3</sup>
27. Widespread concerns also emerged that the National Plan is not supported by sufficient resource to fully achieve its aims and is further impacted by a shortage of interpreters. For example, the Scottish Courts and Tribunal Service said it would benefit from greater consideration of the budgetary constraints faced by public authorities and of challenges relating to the availability and accessibility of qualified interpreters. Similar views were shared by others including NHS Forth Valley, NHS Greater Glasgow and Clyde and Social Work Scotland. BDA Scotland noted that whilst some funding had been provided to councils when the first plan was published to help get “the ball rolling”, nothing was provided to help implement the second plan. Rachel O’Neill noted a lack of monitoring and highlighted a specific action relating to increasing numbers of teachers of Deaf children as not being “SMART” (specific, measurable, achievable, relevant and time-bound). Professor Napier noted that tensions between aspirations and available resource were inevitable, but “ultimately, the whole plan has been watered down a lot, because it is about what the Scottish Government felt that it could deliver with the resources that it has ... which is a lot less than what was originally discussed.” <sup>2</sup>
28. Responding to suggestions that the Plan had been “watered down”, the DFM stated that she was not aware of this having happened but had not been involved in the process at that point. Her supporting official confirmed that nothing was “off the table” during the Plan’s development but after wide consultation “we had to distil the main actions for the plan into deliverable actions that would improve outcomes for BSL users. That is why some things did not make the final cut and why others were put in the plan.” <sup>3</sup>
29. With regard to other concerns raised, particularly around a lack of focus, measurable goals, timelines and accountability, the DFM noted that “a plan is only as strong as its implementation.” Her officials explained that every action in the Plan “has been identified as either being short, medium or longer term, and we monitor those actions based on that process ... regularly across Government.” He confirmed that this information is then shared with the Implementation Advisory Group (IAG) and highlighted the statutory duty to produce a progress report in year three which would “detail more succinctly what the status of each action is.” <sup>3</sup> Further information on the IAG is provided in paragraph 32 below.
30. The DFM also confirmed that the Scottish Government was focussed on delivery,

looking for opportunities to strengthen its work, and remained committed to responding to feedback. She highlighted the importance of providing strategic focus given the cross-cutting nature of BSL users' needs, explaining that "it is not just the remit of the BSL team to implement the plan; it requires change from education, justice and so on. Having the national plan brings together or requires responsibility to be taken by other areas of Government." <sup>3</sup>

31. Some stakeholders suggested that re-establishing a National Advisory Group (NAG) which assisted on implementation of the first plan, could help to oversee implementation and address criticisms. For example, the ALLIANCE stated that "there is a space there for something like the national advisory group or a support network, which could have pre-empted some of those problems and created a much more meaningful connection between the ambitions of the national plan and delivery on the ground." <sup>2</sup> BDA Scotland also called for "a NAG part 2 [to] review what has been happening and get the views of the Deaf community." <sup>2</sup> Deaf Links agreed, particularly on including grass roots BSL users with experience of using the language on a daily basis.
32. When the Scottish Government published the second National Plan in November 2023, it committed to establishing a BSL National Plan IAG with representatives of the BSL community to enable it to be "at the heart of our decision-making process in this area... to ensure that the views of the community are properly represented" and to "help us deliver the actions within this plan and make the cross-cutting connections required to progress BSL equality in Scotland" <sup>6</sup> BDA Scotland explained that the IAG and NAG were different bodies with differing purposes but reiterated that a NAG part 2 would bring valuable benefits in terms of co-working and learning between public bodies and the Deaf community. Others agreed, with the ALLIANCE stating that whilst the IAG is welcome, "a Government group that meets four times a year with limited public transparency will not be the sole solution." <sup>2</sup> Dr Adam agreed that such a group would bring "a much more robust process for the national plan" whilst Professor Napier suggested that unlike in England, where a BSL advisory board was created under the UK BSL Act 2022, "there is perhaps a lack of accountability in that sense." <sup>2</sup> She further agreed that accountability being devolved to different policy areas presented a problem to which the creation of a centralised advisory group involving representatives of the Deaf community could provide oversight.
33. Responding to these suggestions, the DFM's supporting official confirmed that discussions had taken place with organisations including BDA Scotland and the ALLIANCE about the possibility of setting up a network to enable the community to "give a live reaction to any policies or emerging issues" and that the suggestion merited further discussion. <sup>3</sup>
34. A final question raised by the ALLIANCE was whether the Committee planned to give further scrutiny to the national and local plans after the midpoint of the plan reporting in 2026-27, "with a view to strengthening some of the calls for meaningful and measurable progress reports." <sup>2</sup> Whilst the current Committee is unable to direct the work of its successor in Session 7, we expect to reflect on the outcomes of this inquiry in our Legacy Report which will be published towards the end of the current parliamentary session and is intended to help inform the scrutiny priorities of our successor committee. The Committee expects to provide clear direction to our

successor that it should continue to monitor the impact and implementation of the Act in the next parliamentary session.

35. **In contrast to much of the feedback received on the first National Plan, the Committee is disappointed to hear of the negative experience of some who contributed to the second Plan. The Committee recognises the challenges created by finite resources and understands that it would not be possible to include every suggestion made in the final Plan. However, it appears to the Committee that greater clarity could have been provided to stakeholders on what they could expect from the development process with a view to helping mitigate the sense of disappointment among many stakeholders that their suggestions had not been included in the final draft. The Committee regrets that the sense of positivity engendered in many stakeholders through collaborative working on the first Plan appears not to have been fully built upon and enhanced during the production of its successor.**

36. **The Committee welcomes confirmation that the Scottish Government will give further consideration to whether a replacement National Advisory Group or similar central oversight body, including representatives of BSL users, should be established. We invite the Scottish Government to provide an update on the outcome of this further consideration when available.**

37. **The Committee also agrees with comments made by stakeholders including the ALLIANCE and Professor Kusters on the importance of having robust disaggregated data on the profile of BSL users in Scotland and invites the Scottish Government to respond to these suggestions.**

38. **The Committee is also sympathetic to suggestions from deafblind stakeholders that they can feel “drowned out” and for tactile BSL to be routinely included on an equal footing to BSL. We therefore invite the Scottish Government to consider what more should be done to ensure parity of esteem for both forms of BSL.**

## Authority Plans

39. The Act requires listed authorities including councils, health boards and educational institutions to publish their own BSL plans setting out the measures they propose to take to promote the language along with timescales for their achievement. Local plans should also try to achieve consistency with the most recent National Plan.

40. Some of the listed authorities which responded to the call for views noted progress including through improved training, accessible websites and community engagement. Dundee City Council had undertaken extensive engagement and consultation over a six-month period involving local and national partners. This led to improved outcomes for BSL users in Dundee as commitments had been shaped

by those with direct lived experience of using the language. NHS Forth Valley spoke of the benefits of co-developing its BSL plan across NHS and local authority partners, noting that such collaboration:

” “...improves both the quality and the impact of actions. BSL users have consistently told us that separate systems across public services can be confusing and exhausting to navigate. Integrated, user-focused planning has real potential to reduce duplication and improve outcomes.”<sup>7</sup>

41. The ALLIANCE agreed, noting examples of good practice including “colleges, health boards and local authorities working together to consult with and work with the people in their communities” which appears to be “a sensible approach.” In its view, this was “a direct consequence of the Act and is really welcome.”<sup>2</sup> Deaf Links confirmed that local authorities and health boards had “been quite good at properly engaging” with BSL users in developing their plans, but this had not been the case with other public bodies who “seem to have taken more of a lip-service approach.”<sup>2</sup> BDA Scotland agreed that “co-production and working together are key”<sup>2</sup> and was keen to support listed authorities to deliver through regular, ongoing engagement with the Deaf community. Dr Adam described co-design as a “a foundational principle” whilst Rachel O’Neill stated that “more of the local plans in the latest round are better” thanks to meaningful consultation which had resulted in fewer “template responses”.<sup>2</sup>
42. BDA Scotland also described positive changes in a range of settings, such as in some health boards and local authorities, including through improved engagement with the Deaf community, increased visibility and the provision of more accessible information. However, it also highlighted inconsistency of application, a lack of accountability, and limited funding to support the plans. Deaf Links spoke of what it considered a “grey area” around health and social care partnerships which can lack accountability as they are not listed authorities under the Act. It explained that “when we ask what they are doing, they say, “that’s not our problem; it’s the council’s problem,” or “that’s not us; that’s health”, something they attributed to such partnerships not being required to produce a plan.”<sup>2</sup>
43. NHS Forth Valley highlighted the importance of sharing best practice and spoke of its close working relationship with Falkirk Council and partners such as Police Scotland, which it hoped to build on with other authorities in its area. It was currently undertaking an evaluation against its action plan which would be subject to robust scrutiny through engagement with BSL users in addition to internal governance processes. Partnership working with local authorities was also expected to bring benefits in terms of evaluation as the Plan would need to go through two separate governance routes. When asked by the Committee how many other NHS boards had adopted a similar approach, it undertook to update the Committee after the meeting. It has since confirmed that of the 14 NHS boards in Scotland, nine have published joint plans with at least one local authority although all others have committed to continued partnership working and collaboration with relevant partners.
44. However, Deaf Links noted that cross-agency collaboration had actually regressed in some cases, explaining that for the first Plan NHS Tayside had collaborated on consultation with all three councils in its area, but this was not repeated for the

second plan.

45. Deaf Links highlighted an “exceptionally welcome” example where Perth and Kinross Council’s Equality Officer had met members of the Deaf community to invite feedback on progress in implementing its plan. BDA Scotland agreed that improved engagement with BSL users by public services had been “a huge and positive step” noting that “because councils and national health service boards have had to create local plans, they have had to engage.”<sup>2</sup> However, not all councils appear to adopt the same approach, at times as a result of dedicated BSL lead roles being discontinued. The BDA highlighted frustrations arising from BSL leads not being replaced when they left the post making it increasingly difficult to know who to follow up with despite their best efforts. Deaf Links described the fact that Angus Council had removed its equality officer post following a restructuring as “extremely worrying” as it had left the role’s responsibilities “diluted among other staff.”<sup>2</sup> Argyll and Bute Council said it did not think its plan had achieved much, partly due to a lack of “a clearly identifiable BSL community, so we struggled to meet the consultation requirements when developing our local BSL plan.”<sup>8</sup>
46. The ALLIANCE also highlighted an inconsistent approach to deafblind people, with more than half of plans being “very tokenistic” and in many cases, literally referring to deafblind people in a single footnote. However, other authorities had worked hard to consult and engage with deafblind BSL users and in the ALLIANCE’s view “stood out as clearly unpacking the distinctions and different forms of support planning that are needed to meet the needs of the different population groups.”<sup>2</sup>

**47. The Committee recognises the importance of effective consultation with Deaf communities and of collaborative working between listed authorities, particularly those covering the same geographical areas. We welcome the positive examples of such work taking place but are concerned at suggestions that this has regressed in some areas and that specialist roles are being discontinued by some authorities. Whilst the Committee is keenly aware of the budgetary restrictions being faced by local government, we consider that such roles should not be removed given the importance of them in acting as a conduit for engagement with BSL users and other less-privileged groups in society. We therefore invite the Scottish Government to confirm what further actions it will take to promote examples of best practice and encourage all listed authorities to adopt a similar best-practice approach.**

**48. The Committee is also concerned by suggestions from the ALLIANCE that deafblind inclusion from some authorities can be “tokenistic” although we welcome its recognition that others have worked hard to consult and engage with deafblind BSL users. This approach is to be encouraged. We therefore invite the Scottish Government to confirm what actions it intends to take to help promote examples of best practice on deafblind engagement to all listed authorities and encourage them to adopt a similar approach.**

## Accountability and monitoring

49. Like the National Plan, several respondents suggested that many of the authority plans were too high-level and lacked sufficient detail with Dr Wilks, for example, stating that a lack of consistent monitoring and accountability in authority plans means their impact is unclear. BDA Scotland agreed that "there is no robust monitoring of the plans in those public bodies"<sup>2</sup> and suggested that NHS boards and councils should provide three-year progress reports to assist evaluation of progress against stated targets. Deaf Links called for authority plans to have "teeth", describing many of them as "very woolly"<sup>2</sup>. However, the ALLIANCE noted that some authorities had "specific measurable and achievable targets" including self-imposed deadlines (i.e. not required under the Act) by which they would report on progress to help provide accountability. In its view, such clarity, even if all the targets are not achieved, provides a helpful model for others to learn from.
50. The ALLIANCE analysed the second round of local BSL plans from all listed authorities and found that only 62% were compliant with the Act which required them to be published by 6 May 2024. It found that by 22 August 2024, 72% of listed authorities had published plans in English but and only 62% had published them in BSL (as required by the Act). In its view, the fact that the Scottish Government was not undertaking or funding such analysis itself indicated that the accountability process had not been "meaningfully embedded"<sup>2</sup>, risking the progress that has been made. Deaf Links agreed that the failure among some listed authorities to comply with the legislation was "extremely disappointing."<sup>2</sup>
51. The DFM confirmed that the Scottish Government was "always looking at ways to fill any gaps in advice and guidance" but emphasised that all partners share a responsibility for the implementation of their duties and "it is up to listed authorities to comply with the legislation by publishing local plans in accordance with the Act." She highlighted significant differences in the priorities of BSL users in different parts of Scotland such as the Highlands and Edinburgh and spoke of the tensions that exist "between firm control being exerted from the centre to direct and dictate what happens in every local area and it being understood that every listed authority and every layer of government has its own duties." For this reason, she was "apprehensive about the Government playing an overly directive role from the centre that misses the distinctive local nuances." However, the Scottish Government would continue to support listed authorities and help "fill any gaps that are identified", something she described as being demonstrative of the difference "between a carrot and a stick" approach.<sup>3</sup>
52. In respect of monitoring, the DFM explained that two specific routes were in place, first, through the Scottish Government's progress report, produced halfway through the lifespan of the plan and secondly via engagement among all the listed authorities for the sharing of best practice. She also pointed out that the Scottish Government provides funding to BDA Scotland to support listed authorities to develop and implement their plans. She confirmed that she was "very open to anything that the committee believes that we can do to improve monitoring" whilst reiterating her reservations "that monitoring can sometimes morph into direction" from central government which can be unhelpful, "especially when national targets are created that may distort what a local area wants to prioritise."<sup>3</sup> However, the DFM agreed that consistency of high-quality service provision across the country

was necessary and was happy to take on board criticisms about inconsistency.

53. The Committee also explored the contrast between financial support for the Gaelic and Scots languages which are spoken by around 2.5 per cent of the population and BSL which is used by around 2.2 per cent of the population. The Scottish Government provides a budget of £30 million a year to support Gaelic and Scots but spend to support and promote BSL is less clear. The DFM confirmed that considerable investment was provided to organisations such as BDA Scotland, the Scottish Ethnic Minority Deaf Charity and Deafblind Scotland whilst separate funding went towards investing in improving services such as the CivTech programme on improving accessibility to interpreters. However, she explained that unlike BSL, Gaelic “...is managed on a more national level rather than on a more local level” and listed authorities such as councils had responsibility to provide specific BSL services, thereby creating greater challenges in monitoring and tracking spending. Whilst she was open to considering alternative proposals, she again emphasised the importance of local bodies having the flexibility to focus on local priorities following engagement with local Deaf communities as opposed to the imposition of a centralised national approach. Her supporting official confirmed that, as the Scottish Government “does not have a regulatory function under the BSL act, it is over to the listed authorities to determine what their spend will be locally.”<sup>3</sup>
54. The DFM explained that she was “keen to see tangible evidence of delivery, particularly when it relates to people’s lives and the barriers that they face.” She stated that “if every listed authority, as well as the Scottish Government, takes ownership of delivering their element to the best of their ability and seeks excellence and effective implementation, you completely shift the dial in removing the barriers that BSL users face.” However, she described some of the concerns raised around a lack of monitoring and tracking of implementation as “compelling” and was “very happy to reflect” on whether a change in approach might be beneficial. Whilst it was right that the Scottish Government and other public bodies were held accountable for delivery, she was clear that careful consultation would be needed with BSL users and listed authorities before any decision was taken.<sup>3</sup>
55. Some witnesses, including Dr Adam and Rachel O’Neill advocated the creation of a similar national body to Bòrd na Gàidhlig to bring oversight of the promotion of BSL in Scotland along with formal, transparent funding mechanisms to do so. Similarly, NHS Glasgow and Greater Clyde called for the establishment of “a National BSL Centre of Excellence, with statutory authority and dedicated funding to lead on BSL policy, learning, and public engagement.”<sup>4</sup> The DFM confirmed that she was open “to radical ideas about how to accelerate progress” but was equally committed to only taking action “that the community asks us to take.” Again, she highlighted the need for “careful consultation on everything that we do ... to understand what structures would be most effective.”<sup>3</sup>

- 56. The Committee understands the Scottish Government’s reluctance to play an overly-directive role and appreciates the importance of having local flexibility to address local priorities but is disappointed that only 62% of listed authorities had met their statutory duties by publishing BSL translations of their plans. We therefore invite the Scottish Government to consider what further steps could be taken to ensure compliance with**

**legislative requirements by all listed authorities.**

57. **The Committee also welcomes the DFM’s recognition that consistency of high-quality service provision across the country is necessary and considers that robust monitoring is needed to achieve this. Bearing in mind the caveats above, and the actions already being taken, we invite the Scottish Government to further consider what additional steps could be taken to improve accountability for the delivery of local plans, including whether requiring three-year progress updates from listed authorities would be beneficial.**

58. **For many Deaf people, BSL is not an additional language but their only language. That difference is crucial. Whilst investment in Gaelic is rightly celebrated, the same parity of esteem has not been extended to BSL. Whilst recognising the need for full consultation with the Deaf community, the Committee therefore invites the Scottish Government to respond to suggestions that a national body along the lines of Bòrd na Gàidhlig or a “National BSL Centre of Excellence” would help bring greater oversight and clarity on financial investment in BSL along with greater parity of esteem with Gaelic and other minority languages.**

59. Having considered feedback on the national and local plans, the Committee then focussed on specific policy areas highlighted by stakeholders as being particular priorities for the Deaf community as discussed below.

## Levels of BSL qualifications

60. One of the key issues raised in evidence was ensuring that interpreters, teachers of the Deaf, teachers of BSL and others providing services to Deaf BSL users are suitably qualified. It is therefore worth explaining the levels of BSL qualifications in the UK.
61. There are currently [five accredited course levels](#) – BSL Level 1,2,3,4 and 6. Level 6 is the highest BSL qualification achievable. It is equivalent to an honours degree and conforms to the [National Occupational Standards](#) for working with languages.
62. It is generally accepted that being qualified at BSL Level 3 means you are reasonably fluent and able to converse in BSL about a wide range of topics. This is typically the level at which BSL learners end their learning journey.
63. However, if you want to become a qualified BSL/English interpreter, it is generally recommended that you acquire Level 6, which means you can cover difficult and complex topics such as court proceedings and police interviews where interpretation errors could have serious consequences.
64. Teachers of the Deaf (including hearing teachers) should ideally be qualified to a minimum of Level 3 so they can convey information in an accessible and clear way for Deaf BSL using pupils. However, this is not a policy requirement, meaning that some teachers are only qualified to Level 1 or Level 2 resulting in Deaf pupils not always understanding what they are trying to convey.

## Education and access to work

65. In terms of specific policy areas, education attracted the most feedback with stakeholders raising issues including early years provision, mainstreaming, support around transitions, qualifications and fluency of teachers in BSL, and the importance of Deaf role models.
66. It is worth highlighting the difference between hearing BSL interpreters and teachers and Deaf people with lived experience who teach others or perform other frontline roles in public services. Lucy Clark spoke of the difference between hearing interpreters and native BSL users, stating that “it must be a deaf person teaching BSL—a native deaf BSL user—not interpreters. That is crucial.”<sup>2</sup> It was also noted that increasing the number of interpreters, whilst welcome, would have no impact on the numbers of Deaf BSL users joining professions like teaching and healthcare. Deaf Links spoke of a need for investment in accredited training for Deaf BSL users to become tutors of BSL at all levels. It explained that “...this has been a major issue for the past 30 years, as there is a dearth of appropriately trained Deaf BSL tutors in Scotland. If this is not addressed, there will never be sufficient numbers of BSL interpreters, adequately trained teachers of the Deaf, hearing people fluent in BSL, BSL training for parents and families of Deaf children or the ability to introduce BSL as one of the 1 + 2 languages in schools.”<sup>9</sup>
67. BDA Scotland noted that the second National Plan failed to mention “qualifications for teachers of the Deaf—not people teaching BSL but teachers of the Deaf who are teachers working with Deaf children.”<sup>10</sup> In respect of the importance of Deaf people with a high level of BSL become teachers it noted that “the structure that would enable people to achieve that is missing” meaning there is no clear pathway to progress further beyond BSL level 1 or 2. Rachel O’Neill noted a current consultation on competencies for teachers of Deaf children, which includes a target of every local authority in Scotland employing at least one teacher of Deaf children with SCQF 6 BSL, something which currently isn’t the case, particularly in rural areas.
68. The ALLIANCE noted increased workforce issues with teachers of the Deaf with some local authorities reducing provision or doing so on a peripatetic basis meaning fewer hours are available for individual students. In its view, “the impact of people not being able to fully access language and education is huge and, potentially, lifelong.”<sup>2</sup> Whilst the ALLIANCE noted some progress on the attainment gap for Deaf children, including the ability to sit exams using BSL, it was clear that more Deaf BSL teachers and Deaf classroom assistants were needed, and investment was essential to achieve this.
- 69. The Committee agrees on the importance of Deaf BSL users with lived experience being qualified to teach BSL-using pupils. We further agree that investment will be necessary to achieve this and invite the Scottish Government to consider what actions could be taken to help increase the numbers of Deaf BSL users being qualified to perform such roles.**

## Early years provision

70. Dr Adam spoke of the importance of providing opportunities for Deaf children to learn BSL “very early on” and questioned what the point was of even having a BSL Act “if you do not make it work for deaf children and their families ... If they cannot actually access BSL learning and quality BSL input at that stage, what does it mean?”<sup>3</sup> Highlighting the benefits this approach would bring, both for the individual and for wider society, in terms of resilience, mental health and career aspirations, he explained that apart from anything else, this would also be less expensive than attempting to “fix problems” at a later stage. BDA Scotland pointed out that Scotland has no Deaf nurseries, which presents a further barrier to children learning BSL from a young age which would “make their transition much smoother.”<sup>2</sup>
71. Rachel O’Neill spoke of the importance of the “basic right” of language acquisition for Deaf children in their early years which requires a minimum of 15 hours a week of contact with fluent BSL users in nurseries. Whilst this could be challenging to arrange, particularly in rural settings, it was “not impossible”, for example through “roving au-pairs or nursery staff who move around.” However, she also highlighted the importance of Deaf children learning BSL “well before” nursery so they have at least one fluent language established by the time that they start school. She further explained that “Deaf children often arrive at school without any well-developed language” and called for language rights to be embedded from the earliest possible stage.<sup>2</sup> Deaf Links told the Committee that “education and ensuring that deaf children have access to their language from birth is the biggest issue” to arise in feedback from the Deaf community. Given the poor experiences many Deaf adults had in childhood, Deaf Links explained that:
- ” “They never want Deaf children to go through what they have been through. They do not want another generation suffering in the way that they have suffered: not being able to get a job or an education; being treated like a second-class citizen; not being able to access the hearing world in any way, shape or form; and having their life chances reduced because they are deaf and use BSL.”<sup>2</sup>
72. Rachel O’Neill also highlighted the role of Deaf support workers (who may be Deaf or hearing and which include Communication Support Workers, who provide communication support in educational and professional settings, and Specialist Support Workers for Supported Living, who help Deaf individuals gain independence) who are poorly paid and underappreciated but perform a valuable role in education and act as role models, often engaging with families of Deaf children during early years. She described the work they do as “quite amazing” given their work with language deprived children and of how they “do the labour of bringing those children into signing and developing a first language.”<sup>2</sup> However, she noted that such workers are largely untrained and unqualified and lack proper career paths.
73. Participants in the informal discussions, also highlighted the importance of access to BSL in a Deaf child’s early years given that it is their first or only language. They also told us that this applies to tactile BSL too, particularly for people with Usher Syndrome who already have hearing loss and whose vision is likely to deteriorate with age, leaving them deafblind.

74. **The Committee strongly agrees on the importance of young Deaf children being able to learn their native language of BSL from the earliest age and considers it unacceptable that some Deaf children can start nursery or school with no knowledge of the language.**

75. **We greatly value the work being done to educate Deaf children by teachers of the Deaf and support workers but recognise that more needs to be done to ensure such learning opportunities are available to all Deaf children. The shortage of qualified Teachers of the Deaf and interpreters of sufficient standard is having a direct impact on children’s learning. Too many Deaf children are leaving school without the language and support they need, and this is setting them up to fail in later life. This is not a future risk but is happening now, with lifelong consequences.**

76. **For many Deaf people, BSL is not an additional language but their only language. That difference is crucial. Whilst investment in Gaelic schools is rightly celebrated, the same parity of esteem has not been extended to BSL, despite the fact that Deaf children cannot simply ‘choose’ another language in order to get on in society. We therefore invite the Scottish Government to set out what additional steps it intends to take to increase the number of qualified teachers of the Deaf, invest in Deaf education, and help bring about a parity of esteem with other minority languages such as Gaelic.**

## Mainstreaming

77. BDA Scotland noted that “most Deaf children are mainstreamed, and they can be the only Deaf child in a mainstream school.”<sup>2</sup> Rachel O’Neill criticised the National Plan’s presumption of mainstreaming which she described as “not a good idea” given the lack of strong BSL skills among teachers. In her view, as with Gaelic education, “you have to accept that there will be settings where Deaf children come together.”<sup>2</sup> She also noted the challenges faced by Deaf teachers in mainstream schools during their probationary year, despite funding being provided for interpreters from the Department for Work and Pensions (DWP). For example, it is difficult for a Deaf BSL using teacher to control a class through an interpreter. In her view, it would make more sense for Deaf teachers to complete their probationary period in resource base schools where Deaf children are also taught. It was also suggested by some participants in the informal discussions that the abilities of some Deaf students who had some hearing or could lip read can be used as an excuse by mainstream schools to avoid having to provide adequate interpretation support.

78. Participants in the informal discussions also told the Committee that mainstream schooling can leave Deaf children feeling isolated from peers and socially excluded. Instead, the preference of many attendees would be for Deaf children to be educated in mainstream schools but with Deaf units grouped in peer cohorts or hubs that would help foster a sense of identity and bring economies of scale.

However, others suggested that the old system of residential schools was better in some ways, as they enabled Deaf children to feel “normal” among their Deaf peers and in their own Deaf spaces.

79. Professor Napier spoke of the benefits of integrating the teaching of BSL into schools, which, over time, would reduce barriers, promote the language and reduce the reliance on interpreters. Rachel O’Neill agreed but noted that this would be “a slow process” and recommended that the initial focus should be on teacher placements in resource base schools where Deaf children would benefit most. She also suggested that the General Teaching Council could create a register of BSL teachers with appropriate teaching qualifications.
80. In addition to teaching Deaf children BSL, Deaf Links also highlighted increased interest in learning BSL from hearing children and their parents in addition to the standard language options on offer in Scottish schools, something it attributed to greater visibility of the language. BDA Scotland also expressed concern that no reference to Scotland’s 1+2 approach to languages had been made in the second National Plan.
81. In respect of transitions, both from primary to secondary and from secondary onwards, BDA Scotland explained that Deaf children and their families need to know what is available. BDA Scotland has its own mentoring and transitions programmes which provide Deaf role models so Deaf children have somebody to look up to. In its view, a key benefit of dedicated deaf schooling is children’s exposure to Deaf teachers and role models to help bring confidence to Deaf children so they can “see the routes that are there for them to progress in life.” In its view, Deaf children in mainstream schools “may not have that identity and may struggle.” BDA Scotland went on to describe Deaf pupils leaving mainstream schools as almost having to “go through rehab when they leave school: they have to figure out who they are, they have to relearn, and they have to learn about a culture in order to become proud of who they are.”<sup>2</sup>

**82. The Committee is concerned about the challenges faced by Deaf pupils (and teachers) in mainstream schools and the impact it can have on them, particularly in respect of a shortage of teachers with adequate BSL skills, and a lack of identity and sense of isolation from the wider Deaf community. We are clear that the status quo is not sustainable and are therefore sympathetic to suggestions from Deaf stakeholders that Deaf pupils should be grouped together in Deaf units, hubs or resource base schools rather than being the only, or one of only a handful of Deaf pupils in a mainstream school. BSL must be understood as a language and culture in its own right, not framed as a disability add-on. We therefore invite the Scottish Government to respond to these suggestions and to suggestions that it may be more beneficial for Deaf probationary teachers to complete their placements in such schools.**

**83. We agree with stakeholders that improved opportunities to learn BSL should be provided to hearing pupils too, given the increased interest in the language and the longer-term benefits that having larger numbers of**

hearing BSL users in Scotland would bring. We therefore invite the Scottish Government to consider what further steps could be taken to expand opportunities to learn BSL for all pupils in Scotland and whether it may be helpful to “pilot” such an approach in a specific area in order to assess its effectiveness in advance of any future roll out.

## Cochlear implants and language choices

84. A further concern raised by Deaf Links related to a potential overreliance on cochlear implants which can lead to people being seen as “half-hearing” and impact on their identity as part of the Deaf community. It highlighted examples of people with implants feeling “lost—not part of the hearing community but not Deaf” and drifting around without any positive role models, noting that when such people eventually become involved with the wider Deaf community they find people they can identify with which “is a revelation for them and hugely helps their mental health.”<sup>2</sup> BDA Scotland agreed on the importance of giving Deaf children “the opportunity to know their identity, the community that they belong to and the journey that they are going to be on.”<sup>2</sup> In Rachel O’Neill’s view, families should have “real choices and do both speech and BSL.”<sup>2</sup>
85. Lucy Clark also spoke of an overreliance on speech and language therapists in audiology and pressure being put on Deaf children to learn how to speak in English which she described as a “burden.” In her view, “speech and language therapy is good, but it is not the only way, and it should not have to be a split. Children and families should be able to have both.” She explained how she had had no exposure to BSL until she started at a Deaf school aged nine leaving her “gobsmacked” and “totally enamoured with BSL.” Her parents had no knowledge of signing either and she emphasised the importance of families being able to sign together and for audiologists to offer opportunities for Deaf children to learn both speech and “their natural language” of BSL. Learning BSL had empowered her and whilst she was able to speak English, losing the pressure to do so “gives us our life back.”<sup>2</sup>

86. **The Committee recognises the benefits that cochlear implants can bring but is mindful of stakeholder comments that they can lead to a sense of isolation from their community for Deaf children. We agree with Lucy Clark that opportunities to learn both speech and BSL should be provided to Deaf children and that adequate information is provided to hearing families of Deaf children to help inform these choices.**

## Access to BSL training

87. A further issue raised by Deaf Links was that many people have no option but to access BSL training online, which is often based in England and “does not take account of regional variations in Scotland”<sup>2</sup> leaving it difficult for Scottish BSL users

to understand English signing. Rachel O'Neill also noted a lack of BSL teacher training in Scotland for BSL tutors who want to work in colleges and advocated the creation of a BSL tutor course for the whole of Scotland, parts of which might be delivered online. In her view, such a course would lead to an increase in BSL teachers trained to work in colleges, meaning more colleges would “take the challenge and increase the number of classes that they offered at higher levels.”<sup>2</sup> A potential route to achieving this may involve the Scottish Funding Council given that it has outcome agreements with colleges.

88. The ALLIANCE welcomed the fact that the Education (Scotland) Bill had been amended to include BSL education and BSL learners but spoke of “tension” around the fact that they had not been included in the original Bill as introduced. In its view, this raised the question of how the national plan was feeding through into legislative developments and whether sufficient thought was being given to the language during the policy development stage.
89. The DFM told the Committee that there was a live consultation on the need to ensure a depth of BSL fluency in schools and opportunities for BSL users to become teachers. Noting how effective access to specialist BSL social workers had been in some areas, she agreed that widening access to such services was something that the Scottish Government needed to work with local authorities on, given that they are primarily responsible for social work.
90. The DFM also agreed that “if you are not able to train them in BSL at a young age, they will miss out on opportunities for the rest of their life.” In her view, the issue came down to numbers of suitably trained teachers in BSL and ensuring adequate competency in the language. The DFM’s supporting officials explained that “there is a tremendous amount of work under way on additional support for learning, which is the broader context in which BSL sits in our policy work.” The Scottish Government was currently consulting on guidance relating to the training and qualifications required for teachers of pupils with sensory impairments and the Cabinet Secretary for Education and Skills had recently committed to a review of additional support for learning to commence in the next parliamentary year. The [consultation closed in July](#) and invited views on competencies for teachers of the Deaf. The DFM committed to returning to the Committee once the consultation responses had been analysed “to summarise precisely what we will do next on some of the criticisms that have been made around the number of teachers with BSL at a suitable level for teaching young BSL users.”<sup>3</sup>
91. The DFM further confirmed that the Education (Additional Support for Learning) (Scotland) Act 2009 placed a duty on education authorities to identify, provide for and review the additional support needs of their pupils, including Deaf children. Whilst the level of support from specialist teachers of Deaf children would vary depending on individual needs, she accepted that action was needed to increase the capacity in schools to provide effective support to Deaf pupils. The DFM then noted actions the Scottish Government was taking including providing specific grant funding for the Scottish Sensory Centre to support staff training and funding for CALL Scotland to provide advice and training to support staff in the use of assistive technology. She further confirmed that Education Scotland has a professional learning resource to support practitioners to engage more effectively with BSL users, whilst the SQA offers qualifications in BSL from level 3 to level 6. The Government also tracked Deaf school leavers to see how many are in a positive

destination nine months after leaving school, “and that number has increased in the past few years.” However, she recognised that not all Deaf children were getting the full package of support they need to enable them to participate as fully as they want to. She was “very conscious” of criticisms that teachers were not always suitably trained or qualified meaning their pupils do not benefit from the “full advanced experience” and repeated her commitment to return to the Committee once the consultation had closed and its responses analysed.<sup>3</sup>

92. The DFM also responded to points raised by deafblind tactile BSL users, some of whom feel that there has not been parity of esteem or parity in respect of education for tactile BSL. She explained that the Scottish Government was responsible for improving the lives of all BSL users, especially Deaf and deafblind people. She noted that deafblind advocates were involved in the implementation advisory group and provide feedback on progress made. It was also noted that the Scottish Government provides funding to Deafblind Scotland “to advise us on the issues that deafblind people face in Scotland and the barriers that they, in particular, are up against.”<sup>3</sup>

**93. The Committee recognises that whilst online learning of BSL is better than nothing, it is not ideal for the reasons set out above. We therefore invite the Scottish Government to respond to suggestions that a BSL tutor course is developed for the whole of Scotland (including through online learning where appropriate).**

**94. In respect of amendments to the Education (Scotland) Bill made at a late stage, the Committee invites the Scottish Government to consider what further steps can be taken to ensure that the inclusion and promotion of BSL is included at the earliest stage of the policy development process.**

**95. We welcome the DFM’s agreement on the importance of Deaf children learning BSL at a young age and agree that sufficient numbers of suitably trained teachers are necessary to achieve this. We therefore await the findings of the recent consultation on competences of teachers of sensory impaired pupils with interest and look forward to considering them further, along with the Scottish Government’s intended next steps, in evidence with the DFM in due course.**

**96. In respect of feedback from Deafblind stakeholders that there is a lack of parity of esteem for tactile BSL, the Committee welcome the DFM’s recognition that the Act was intended to improve the lives of all BSL users in Scotland, including those who use tactile BSL, and invites the Scottish Government to consider what further actions are needed to ensure such a parity of esteem.**

## Access to work

97. An additional issue that followed on from the Committee’s consideration of education related to access to work given that Deaf people typically require interpreters to access, maintain and progress in employment. Whilst the DWP provides funding for this, Professor Napier highlighted tensions around the fact that the DWP caps the number of hours interpreters are paid for, which in her view, suggests “almost an assumption that deaf people will never progress into senior roles.” Whilst she recognised that this was a reserved matter, limitations on funding “restrict what they are capable of doing, which holds them back from making a contribution to our society.” In her view, Deaf people should be able to “pick whatever profession or career that they want and then, when they get into that career, have the resources available to them so that they can progress and do the best job that they can.”<sup>3</sup>
98. Lucy Clark explained that the DWP’s “Access to Work” scheme provides her with an annual budget, but she is responsible for working out how many hours of interpretation it would allow. This creates an additional administrative burden on top of her “day job” and causes stress and concern that the cap will mean she could run out of funding for interpreters by the end of the year, leaving her unable to do her job. She explained that Deaf people wanted to just get on with their jobs in the same way as anyone else and called for systems to be put in place so they did not face these additional burdens.

99. **Whilst the Committee is mindful that the DWP’s Access to Work scheme is reserved, we understand the concerns raised by stakeholders and invite the Scottish Government to consider any additional assistance it may be able to provide to help ease the administrative burden for working BSL users accessing support under the scheme.**

# Justice

100. Another key policy area to arise in evidence was access to justice, in particular for Deaf people with experience of domestic abuse. The Committee heard powerful testimony from Lucy Clark, a Deaf domestic abuse survivor about her own experiences and the specific barriers that BSL users can face when engaging with the police and courts. Professor Napier explained that whilst there had been some progress under the Access to Justice actions in the National Plan, several issues that would improve access for BSL users in the legal system had not been addressed. She also noted that the National Plan is silent on services for Deaf women who experience domestic abuse.
101. Lucy Clark described the experiences of some Deaf women who experience domestic abuse, which some might think is normal due to a lack of accessible information on the law. She explained that some Deaf women “do not know what consent is or means, or what permission means. They do not know about their rights to their body and to say no if they do not feel comfortable.” She contrasted this with the experience of hearing women who are more likely to pick such information up at a younger age meaning alarm bells can ring when something doesn’t feel right. In her view, “Deaf women face a lack of resources, which leaves them vulnerable to domestic abuse.”<sup>3</sup> Professor Napier noted that research in the USA estimated that Deaf women were two to three times more likely to experience domestic abuse than hearing women. She explained that often, this relates to “potential perpetrators using their hearing status as part of the power dynamic, because they can restrict communication and access to information for Deaf women who rely on sign language.” Professor Napier also noted that often, “Deaf women are lumped in with disabled women” in domestic abuse statistics which can “mask” their experiences which “are often quite different, because of the language access issue.” Professor Napier further highlighted examples of Deaf women being offered “safe houses” like other women in the same situation, “but they are then completely isolated when they get there because they cannot communicate with anyone.”<sup>3</sup>
102. Highlighting the fact that Deaf women facing such situations are “doubly disadvantaged” as they experience barriers because they have faced domestic abuse and also because they are Deaf, Professor Napier called for funding to be made available for Deaf specific services “so that Deaf independent domestic abuse advocates can be trained up” along with more funding for regional services. Dr Adam agreed that “we need more capacity building, with Deaf people being trained as experts to support other deaf people in those particular situations.”<sup>3</sup>
103. Ms Clark told the Committee “I have been through it and I want to make sure that it does not happen again and that other deaf women do not go through what I experienced.” She called for Deaf women with experience of domestic abuse and navigating the justice system to be consulted on relevant draft legislation to enable them to say what works for them and what does not. Full access to information through an interpreter or IDAA (Independent Domestic Abuse Advocacy) was vital for survivors as “ultimately, we need to teach Deaf women how the system works ... There are a lot of information gaps for Deaf women, which makes us feel as though we have become confused or that we might have done something wrong. That is not a nice feeling at all.”<sup>2</sup>

104. Responding to questions from the Committee about data collection, the DFM “completely” agreed, highlighting the importance of having “first, monitoring of data; secondly, training in the justice system; and thirdly, representation and access for BSL users to all parts of the justice system. Those are three ways in which we try to tackle what is a completely abhorrent issue in society.”<sup>3</sup>

105. **The Committee agrees with our witnesses that Deaf women in particular should have better access to education and information about their rights and the law and that Deaf specific service providers would help to achieve this.**

106. **The Committee further agrees that it is highly unsatisfactory for Deaf survivors of domestic abuse to be “lumped in” with disabled survivors in domestic abuse statistics, given the differing challenges they face and the importance of having robust, disaggregated data on which to base policy initiatives.**

107. **The Committee therefore invites the Scottish Government to consider what further steps should be taken to:**

- **Help educate Deaf people (particularly women) about their rights and how the justice system works;**
- **Increase the numbers of suitably trained Deaf experts (and failing that, BSL interpreters for IDAAs) to provide support and advice to survivors;**
- **Consider what steps could be taken to improve the accuracy and robustness of data in this area.**

108. **The Committee welcomes the important work currently being undertaken by Professor Napier and Lucy Clark, in conjunction with colleagues at the University of Edinburgh, to [explore the impact of domestic abuse on Deaf survivors and families](#) . We look forward to considering its findings when available.**

## **Emergency responses**

109. BDA Scotland described access to justice as “a massive issue for the Deaf community” explaining that “officers on the front line who go out to attend 999 calls are not Deaf aware. They often speak to the hearing person, and they assume that the hearing person is telling the truth or can communicate for the deaf person with adequate language, which they usually cannot.”<sup>2</sup> Professor Napier noted that, particularly with domestic abuse complaints, often, police officers will not know a person is Deaf until they arrive at a house, and hearing family members, including children, may be drawn in to help with communication which can be highly inappropriate and problematic. In her view, consideration should be given to how police and other emergency services can be alerted to the fact that someone is

Deaf so that appropriate provisions including interpreters (potentially remote) and/or intermediaries can be put in place. However, Professor Kusters told us that “in delicate or sensitive situations, such as domestic abuse, receiving support via video link is not ideal. A different approach is needed.”<sup>3</sup>

110. Lucy Clark also told us of some of the factors that Deaf survivors need to consider which exacerbate what is already a stressful experience, particularly around whether adequate interpretation will be provided to assist with making statements to police. She explained how any delays in arranging interpretation can add to the heightened risk and stress of such scenarios.

**111. The Committee recognises the communication barriers faced by BSL users and emergency service personnel and the potential for them to exacerbate what are often already stressful and traumatic situations. However, the Committee is mindful that it is unrealistic to expect BSL translators to accompany responders on every emergency call.**

**112. The Committee therefore agrees with Professor Napier that consideration should be given to how emergency services should be alerted to the fact that a person is Deaf before attending an emergency call to enable interpretation to be provided, even if initially online. It also recommends that front-line responders are given adequate training in Deaf awareness and communication requirements.**

**113. However, the Committee is less understanding of situations where interpreters have not been organised to enable Deaf complainers to provide statements to the police and invites the Scottish Government to consider what further guidance could be provided to Police Scotland to prevent such scenarios from being repeated.**

## Court proceedings

114. In respect of active court proceedings, BDA Scotland pointed out that unlike in England, the lack of BSL intermediaries in Scotland was “a big gap.” It explained how Deaf people attending court who were unsure of what to expect could feel “a bit out of their depth.”<sup>2</sup> BDA Scotland strongly advocated an intermediary service being made available in Scotland involving Deaf people supporting Deaf participants in proceedings to ensure they fully understood court processes and other relevant information. Lucy Clark told us that “I had no support; often, I had no interpreters, even in court”, further explaining that “if there is no interpreter, that can affect sentencing, meaning that perpetrators can get away with it in a way that leaves deaf women feeling that they have not been listened to.” A further barrier raised by Ms Clark was that court documents are written in English, which as her second language, “takes a lot of processing” leading to increased confusion and leaving her feeling “vulnerable, isolated and trapped.”<sup>2</sup>

115. Professor Napier also highlighted jury service as an area on which swifter progress had been made in England, noting that when a Deaf person presents for jury service in Scotland, “they are told that they are automatically excluded because they are Deaf” whereas in England, Deaf people can now serve as jurors. Whilst discussions had taken place on this issue within the advisory group and there was a consensus that change was needed, “the issue has not gone anywhere.”<sup>2</sup> Responding to this point, the DFM confirmed that the Scottish Government was working on an amendment to the Victims, Witnesses, and Justice Reform (Scotland) Bill “to remove the legislative barrier that prevents people with certain physical disabilities from serving as jurors.”<sup>3</sup>
116. The DFM agreed that often, “if we do not have representation from a community in every aspect of the justice system, we are less likely to see progress.” She agreed that swifter progress was needed not only in terms of supporting Deaf survivors, but in supporting Deaf people to participate in every aspect of the legal system. She further agreed on the importance of providing different forms of support and confirmed that “different types of communication supporters” would be involved in deliberations at a later stage under the Victims, Witnesses, and Justice Reform (Scotland) Bill. She also highlighted the BSL justice advisory group, which brings together different organisations on a quarterly basis “to provide expertise and guidance to justice and legal agencies, and ... to discuss and monitor implementation of solutions for BSL users.” In the DFM’s view “the question is about more than just domestic abuse and the experience of survivors; it is also about how we adapt the entirety of the justice system to take BSL users into account. The more representation you have, the easier it becomes for survivors.”<sup>3</sup>

**117. The Committee understands how challenging it must be for Deaf people to navigate the legal system and notes the calls of stakeholders for information to be provided in their native language. We therefore invite the Scottish Government to set out what steps it intends to take to achieve this and to respond to calls for BSL intermediaries who provide support to Deaf people involved in court proceedings to be introduced in Scotland.**

**118. The Committee welcomes the amendment to the Victims, Witnesses, and Justice Reform (Scotland) Bill agreed at Stage 2 which enables the appointment of communication supporters to enable Deaf people to serve as jurors and participate effectively in trials in that capacity.**

**119. We further welcome confirmation that “different types of communication supporters” are involved in further deliberations on the Victims, Witnesses, and Justice Reform (Scotland) Bill and invite the Scottish Government to update the Committee on the outcome of these deliberations when complete.**

## Civil justice

120. Whilst much of the Committee’s evidence gathering focussed on the experiences of Deaf people involved in the criminal justice system, issues relating to civil justice were also raised with the Committee. Deaf Links told us that “courts are very mindful of the need to book interpreters for witnesses, the accused and so forth in criminal cases, but that is not the case in civil cases, such as divorce cases.” In Deaf Links’ view, this is “because they do not seem to be aware of the need to do that or they do not seem to think that it is important”, something that “probably goes back to the issue of local plans.”<sup>2</sup>
121. **Whilst the Committee received limited feedback on civil justice proceedings, we are concerned at suggestions that the civil courts are lagging behind the criminal courts in terms of access to BSL interpreters and invite the Scottish Government to respond to these comments.**

# Healthcare

122. Another key policy area raised in evidence was health with a particular focus on mental health services although many of the points raised were similar to those raised in respect of other areas such as education and justice. BDA Scotland told the Committee that things were getting worse in terms of access to mental health services and there was simply not enough support available. Whilst it recognised that access to mental health services was a universal issue, BDA Scotland estimated that it was perhaps two or three times worse for Deaf people because of access issues.
123. NHS Forth Valley agreed that Deaf young people faced additional disadvantages and explained that it was looking at ways to ensure accurate information is provided following input from people with lived experience. Discussions had taken place with senior leadership around the use of equality impact assessments and building in the United Nations Convention on the Rights of the Child “to ensure that, from the point of creation, the rights of children are inputted and embedded” including, of course, children who use BSL. This should not be “an afterthought” and it was vital that opportunities for co-production were fully embedded. NHS Forth Valley was also working with the “Bairn’s Hoose” which provides support for children who have experienced trauma and was advocating for the BSL community to ensure their needs were considered.<sup>3</sup> Participants in the Committee’s informal discussions noted examples of Deaf young people being left with no option other than to engage with adult mental health services as interpreters were not available for them to access age-appropriate services.
124. In respect of mental health professionals, Dr Adam repeated his call for more Deaf people to become experts in mental health and undertake roles including therapists and counsellors. Whilst he recognised the context of finite budgets, he was clear that “support for the training of deaf people to become specialists in those areas is necessary.”<sup>3</sup> Professor Kusters agreed that there was a need for more BSL-trained deaf people to receive specialist training in areas such as mental health. She explained that Deaf people experiencing mental health issues need to be able to communicate directly with an expert who can read their body language and understands exactly what they are saying and how that is being expressed.
125. BDA Scotland noted that “there is not much in the second plan about older people in Scotland” and highlighted the situation around residential care and the national care service as being “very vague.” Given Scotland’s ageing population, it called for a more robust approach to the issue as “ensuring that deaf people have access to the appropriate services as they get older is a matter of huge concern.”<sup>2</sup>
126. The ALLIANCE told the Committee that it had recently undertaken work on dementia assessment and referral pathways “to see whether people’s sensory communication needs were being considered, and we found that it has not been built into an awful lot of current practice.” It also highlighted the fact that it was seeing increased numbers of older people “who are experiencing dual sensory loss; in other words, they will be becoming deafblind” something that would exacerbate their feelings of isolation. The ALLIANCE expected deafblindness to become increasingly common given Scotland’s ageing population but noted that very few

organisations were equipped to provide the support deafblind people need. This was an even greater challenge in more isolated rural communities. In the ALLIANCE's view, consideration should be given to increasing the numbers of social workers for the Deaf, of which there were previously "quite a few" but whose numbers had been greatly reduced.<sup>2</sup>

127. Access to health services was also a key issue for participants in the Committee's informal discussions with stakeholders. There was a general consensus that interpreter provision had improved for planned appointments (with some exceptions) but that the situation remained unsatisfactory in emergency situations. The inappropriateness of expecting family or friends to translate for Deaf patients was also raised, as was the fact that an interpreter's job is to accurately interpret language, not to provide emotional or ongoing support to an individual or to ensure they understand complex terminology. Concerns were also raised that medical staff tended to focus on medical interventions such as cochlear implants, but this neglects the importance of Deaf identity and the fact that Deaf people don't necessarily view themselves as having a disability (described by some as an overreliance on the medical model rather than the social model). NHS staff may have limited understanding of Deaf people's needs and this is even more pronounced for Deafblind people with one participant telling us of an experience at an audiology appointment where staff "didn't have a clue" about tactile BSL. The importance of healthcare staff using appropriate language and terminology when engaging with Deaf people and their families was also raised by several attendees.

**128. The Committee considers that the current levels of health service provision for BSL users is inadequate, particularly in respect of mental health services. Given the similarities in concerns raised in relation to health services when compared to education and justice, the Committee reiterates its recommendations above and invites the Scottish Government to set out actions it will take to:**

- **Alert emergency services to the fact that a caller is Deaf to enable translation support to be put in place, both in emergency situations and for planned appointments, particularly in respect of mental health services;**
- **Ensure that greater numbers of Deaf BSL users have opportunities to become healthcare professionals;**
- **Educate medical professionals on attitudes to interventions such as cochlear implants within the Deaf community and the importance of Deaf identity.**

**129. The Committee also invites the Scottish Government to set out what steps it will take to increase knowledge and understanding of tactile BSL among medical practitioners, particularly in fields such as audiology.**

**130. The Committee also invites the Scottish Government to respond to**

**concerns raised by BDA Scotland and the ALLIANCE about the need for a robust approach to ensuring that older Deaf BSL users have access to appropriate services and care packages where appropriate.**

- 131. Finally, the Committee invites the Scottish Government to respond to the ALLIANCE's comments around the likelihood of increasing numbers of deafblind people and its calls for an increase in numbers of social workers for the Deaf.**

## Transport and rural access

132. A thread running through much of the evidence received from stakeholders related to the particular challenges faced by Deaf people living in rural areas, where BSL services are widely acknowledged as being more challenging to access than in the central belt. In addition to shortages of interpreters and suitably qualified professionals, issues relating to transport also bring far greater challenges to people in rural communities, including BSL users, when compared to their more urban peers.
133. The Committee heard that rural authorities can struggle with implementation due to limited resources and fewer deaf residents. BDA Scotland, for example, explained that as island areas may have only a handful of Deaf people living there, it can be very difficult to seek necessary feedback from people with lived experience. In terms of transport, BDA Scotland noted that BSL information was provided on screen in major train stations which was “great”, but this isn’t the case in rural areas where passengers generally need to rely on infrequent and time-consuming bus services. BDA Scotland was engaged in attempts to enable Deaf people in rural areas to engage and share their experiences with councils and NHS boards through online meetings. However, BDA Scotland noted that in some rural areas such as Aberdeenshire, there is a strong, established Deaf community and it highlighted the importance of enabling them to “join up” with other Deaf communities to enable them to share information and best practice.
134. BDA Scotland also told the Committee that a lack of access to Deaf communities means that for Deaf people living in rural areas “their identity is reduced; they just do not know who they are. There are no Deaf clubs for them to go to, and they have no Deaf role models. There is not the same contact.”<sup>2</sup> Participants in the Committee’s informal discussions agreed that Deaf clubs and signing groups were vital to help foster a sense of community, but such facilities were being reduced across the country, something that posed a particular challenge in rural areas, where people may have to travel long distances to access them. Rachel O’Neill also explained that “there is a lot of inequality in education, because rural areas do not have so many schools with resource bases where BSL is more likely to be used.”<sup>2</sup> She confirmed that there are three small Deaf primary schools in Scotland (in Aberdeen, Hamilton and Falkirk) and about 15 resource-base schools, which are largely concentrated in the central belt.
135. Deaf Links agreed on the challenges that transport links in rural areas bring for Deaf people and highlighted the communication barriers they can face with bus drivers. Despite having a national entitlement card, travellers in some areas now need to tell the driver where they want to get off which can be difficult and cause embarrassment and frustration. The Deaf community had suggested a cost-effective solution of providing visual aids such as a laminated route map at the front of the bus so they could simply point to the stop they planned to alight at, but the bus companies had not put this in place.
136. Deaf Links also explained other factors that can leave Deaf people in scattered rural communities feeling isolated and marginalised including cochlear implants and mainstream schooling as previously discussed which can result in people identifying less as members of the Deaf community. In its view, this can make them “become

invisible to local plans” of authorities. Deaf Links also noted that Angus Council had discontinued its equality officer role and called for the post to be reinstated to bring oversight of intersectionalities given that “Deaf people do not live in silos.”<sup>2</sup>

137. In respect of interpreters, BDA Scotland noted that there are very few interpreters in rural areas and those that do become suitably qualified often relocate to the central belt for work given that that is where the greatest demand is. BDA Scotland was keen to encourage such people to remain in their local areas which would help Deaf people living there to access services including healthcare and housing. It noted some areas such as the Highlands and Orkney where there are very few or no interpreters at all meaning that Deaf residents have to rely on infrequent visits from social workers for the Deaf from other areas, although this was far from ideal given that they aren’t qualified interpreters.
138. Lucy Clark agreed that many Deaf people from rural communities relocate to the central belt for better employment and social opportunities. However, she also spoke of people she knew who were keen to remain in the communities where they were born and brought up “but they could not because there are no services, including interpreting services, the council does not provide what they need and they cannot access courses at colleges.”<sup>2</sup>
139. Deaf Links recognised these challenges and suggested that investment in technology and online interpreting could be a cost-effective solution but noted that many Deaf people lack confidence in using IT systems, particularly from home, which had caused major issues during the Covid-19 pandemic. In its view, whilst technology could be a helpful solution in rural areas, “the infrastructure needs to be in place to support them to be able to use it.”<sup>2</sup>
140. Several stakeholders highlighted older Deaf people in rural communities as bringing particular challenges, particularly in terms of care packages for isolated Deaf people with conditions such as dementia. BDA Scotland explained how such people often lack the choice and input that hearing people usually have. Like everyone else, Deaf older people generally want to stay in their own homes as long as possible, but this could be impossible due to a lack of access to the care they need to do so. Care workers are usually unable to sign which means they are unable to communicate with the individual. In BDA Scotland’s view, the solution is “to grow the workforce to ensure that they can go into all the different aspects of deaf people’s lives.”<sup>2</sup>
141. Professor Napier told the Committee that there are only around eighty registered interpreters in Scotland with the majority being concentrated in the central belt. She agreed that students from rural areas who had become qualified in BSL often wanted to move back home, but the numbers of BSL users there would not be enough to sustain a full-time career. She agreed that, as with hearing people, “online provision will make a massive difference” but for her, the question was how to provide equitable services as “whatever we provide for the hearing community, we should provide for the deaf community”<sup>2</sup> too. In her view, a potential solution could involve incentivising interpreters, Deaf professionals and other Deaf people to live in those areas, for example by providing subsidised accommodation. She highlighted the example of Australia where there is an incentive scheme for medical practitioners to go and live in rural areas for a minimum amount of time once they qualify as a model that Scotland could consider.

142. The Committee strongly agrees on the importance of enabling Deaf people in rural communities to access the services they need. However, we are mindful of the lack of adequately trained interpreters and BSL using professionals in such areas and the challenges this brings. The Committee also invites the Scottish Government to consider what actions could be taken to improve Deaf awareness and understanding of communication requirements in the care home workforce.

143. The Committee also recognises the challenges that listed authorities in rural areas can face in engaging with BSL users where they are fewer in number and may have more limited opportunity to engage with other BSL users.

144. The Committee agrees with Deaf Links that technology could form part of the solution but considers that investment in digital literacy through suitable training, infrastructure and equipment is vital for this to work effectively.

145. The Committee shares the concerns of stakeholders about the closure of Deaf clubs and other facilities for Deaf people, which can add to feelings of isolation, particularly in remote areas and invites the Scottish Government to respond to these concerns.

146. As noted above, the Committee invites the Scottish Government to respond to comments about the need for a robust approach to ensuring that older Deaf BSL users have access to appropriate services and care packages where appropriate, something that presents an even greater challenge in smaller and rural communities.

147. In respect of public transport, the Committee invites the Scottish Government to consider what action it can take to encourage transport providers to provide accessible information for BSL users and to implement simple solutions suggested by the community such as having a laminated route map on buses.

148. The Committee also invites the Scottish Government to respond to suggestions that an Australian-style approach to incentivising newly qualified professionals to live and work in rural areas for an initial period after qualification might work in Scotland.

## Contact Scotland BSL

149. One of the key successes of the Act as highlighted by several stakeholders, was the free Contact Scotland BSL service which provides live BSL video interpreting 24 hours a day and seven days a week and was widely praised for improving access. Dr Adam described the service as “a lifeline for deaf people”<sup>3</sup> with the ability to contact essential services outside normal office hours being “life changing.” The ALLIANCE described it as a “massive lifesaver” and “internationally recognised good practice.”<sup>1</sup> Deaf Links noted that the service handles an average of between 3,000 and 4,000 calls per month and records high levels of satisfaction rates among its users and described it as an “amazing move forward, and ... a direct impact of the act.”<sup>2</sup>
150. Describing the positive impact Contact Scotland BSL has had on Deaf people’s daily lives, Deaf Links explained that it “enables them to book a table at a restaurant, phone the hairdressers, phone their general practitioner... Those are things that they could never do before without support.”<sup>2</sup> The ALLIANCE described the service as “a real positive” and highlighted that contrast between Scotland and other parts of the UK where it is not available. Lucy Clark told the Committee about her own experiences of using the service meaning she could access services in her own language rather than having to do so in English and described it as “a definite benefit to the Deaf community” helping them “to have the same independence as everybody else.”<sup>2</sup>
151. Professor Napier described the service as “a brilliant example of an initiative that can help with regard to immediate access”<sup>2</sup> and welcomed the fact that Police Scotland was trying to develop a similar initiative that could be accessed on police radio devices.
152. However, concerns were raised that despite its success, Contact Scotland BSL has faced closure twice, most recently in 2024. Deaf Links described this risk as being demonstrative of the “fragility of progress.”<sup>9</sup> Despite positive feedback, Dr Rob Wilks pointed out that there has been no formal evaluation of Contact Scotland BSL to assess how well it meets the needs of BSL users or whether its quality and cultural appropriateness align with user expectations. The ALLIANCE noted that no equality impact assessment was required or completed when the contract faced cancellation which appeared counter to a “common sense” approach in its view.
153. The Committee also heard from Professor Kusters that there were other issues in addition to the risk of closure including concerns around professional ethics of interpreters and confidentiality. In her view, ongoing monitoring and evaluation was vital to establish Deaf people’s satisfaction with the service and whether there were elements that could be improved.
154. Contact Scotland BSL was also highlighted by participants in the informal discussions as a helpful initiative although it could be unreliable at times due to connectivity problems. This was one reason why many BSL users still prefer in person interpretation given a choice.
155. Responding to questions from the Committee about the risk of Contact Scotland

BSL closing, the DFM confirmed that the Scottish Government had also received positive feedback, but that not all BSL users use the service and some felt that there was room for “significant improvement.” She confirmed that the Scottish Government was currently engaged in live procurement of a new service and stated that she “regret[s] hugely any alarm that was caused by the communication of that new procurement round, and the fears that that gave rise to.” She also stressed that there would be no break in provision and was hopeful that “there will be a new service in place as quickly as possible once the procurement process completes, and there will certainly be no break in services for BSL users as we transition to a new contract.” Noting technological advances, her supporting official looked forward to the solutions that potential suppliers might propose which he described as “an exciting phase of the procurement process” with bids expected to be evaluated in July.<sup>2</sup>

156. The DFM then [wrote to the Committee on 1 September](#) to confirm that the Scottish Government had recently agreed Sign Solutions as its preferred bidder for the Contact Scotland BSL contract. The new contract is expected to take effect from 1 December and the DFM further confirmed that Scottish Government officials were working with the Deaf community to ensure they are kept informed of developments.

**157. The Committee strongly welcomes the positive feedback received on the Contact Scotland BSL service and agrees that it appears to have been “life-changing” for many users.**

**158. The Committee therefore welcomes the DFM’s assurance that there will be no break in service provision and her “regret” that alarm was caused by communications around the procurement exercise to identify the new service provider. We further welcome her confirmation of 1 September that a new preferred bidder has been agreed and is expected to be in place by December.**

**159. However, the Committee notes the absence of a formal evaluation of Contact Scotland BSL to assess the views of its users on how well it meets their needs, why not all BSL users are comfortable using the service, and other potential areas where it could be improved on and invites the Scottish Government to confirm whether it intends to undertake such an evaluation.**

## Conclusion

160. Over the course of this inquiry, the Committee has heard compelling evidence from a range of stakeholders about the impact of the British Sign Language (Scotland) Act 2015. It is clear that the Act has brought significant benefits to BSL users in Scotland, including increased visibility of the language, improved access to services, and greater empowerment of the Deaf community. Initiatives such as Contact Scotland BSL have been transformative, and the establishment of national and authority plans have helped embed BSL into public service delivery.

161. However, the Committee also recognises that progress has been uneven and that substantial challenges remain. These include a shortage of qualified interpreters, limited funding and resources, inconsistent implementation across listed authorities, and concerns around the enforceability and accountability of plans. The second National Plan, whilst ambitious in scope, has been criticised for lacking measurable goals and clarity, and for failing to fully reflect the contributions of stakeholders during its development.

162. The Committee is particularly concerned about the experiences of Deaf children and young people, especially in education and early years provision, and the barriers they face in accessing their native language. The importance of Deaf role models, qualified teachers, and inclusive learning environments cannot be overstated. The Committee strongly agrees on the importance of providing access to the learning of BSL from an early age, both for Deaf and hearing children and considers that without significantly expanding the pool of individuals with knowledge of the language, the shortage of qualified interpreters is unlikely to be resolved. Similarly, access to justice, healthcare, and employment remain significant issues, especially for those living in rural areas. As set out above, the Committee has particular concerns about the barriers and challenges faced by women with experience of domestic abuse.

163. The Committee welcomes the Scottish Government's commitment to ongoing consultation and improvement, including through the establishment of the Implementation Advisory Group and the recent procurement of a new Contact Scotland BSL service provider. Nonetheless, it is clear that further action is needed to ensure that the ambitions of the BSL Act are fully realised. BSL must be understood as a language and culture in its own right, not framed as a disability add-on. For Deaf people, access to their language is central to education, mental health, and inclusion. Recognising BSL on these terms is essential if the Act is to achieve its aims.

164. To that end, the Committee makes a series of recommendations throughout this report and invites the Scottish Government to respond to each in detail. These include proposals to strengthen monitoring and accountability, improve data collection, support the training and employment of Deaf professionals, and ensure parity of esteem for tactile BSL users. The Committee also calls for greater investment in early years provision, education, and rural access, and for consideration to be given to the establishment of a national oversight body as suggested by some stakeholders.

165. The Committee is grateful to all those who contributed to this inquiry. It is essential that the momentum generated by the Act is not lost and that future efforts continue to be shaped by the lived experiences of the Deaf community. The Committee looks forward to discussing the issues raised in this report further in a parliamentary debate on its findings later this year.

# Extracts from the minutes

## [9th meeting, 2025 \(Session 6\), Tuesday 1 April 2025 \(In Private\):](#)

The Committee considered its approach to the inquiry and agreed—

- the terms of the inquiry;
- to issue a call for views;
- to hold three evidence sessions;
- to take evidence from the Implementation Advisory Group and the Scottish Government;
- to agree further witnesses on the basis of the responses to the call for views;
- to undertake engagement work; and
- to take consideration of evidence heard and draft reports on this inquiry in private.

## [13th meeting, 2025 \(Session 6\), Tuesday 20 May \(In Private\):](#)

The Committee further considered and agreed its approach to the inquiry, including a programme of oral evidence.

## [15th meeting, 2025 \(Session 6\), Tuesday 3 June 2025:](#)

The Committee took evidence from—

Alana Harper, Chief Executive Officer, Deaf Links;

Avril Hepner, BSL Scotland Manager, British Deaf Association Scotland;

Dr Hannah Tweed, Scottish Sensory Hub Manager, Health and Social Care Alliance Scotland (the ALLIANCE);

*and then from—*

Lucy Clark, Deaf domestic abuse researcher, advocate and trainer;

Professor Jemina Napier, Chair of Intercultural Communication, Heriot-Watt University;

Rachel O'Neill, Moray House School of Education and Sport, University of Edinburgh.

Maggie Chapman declared an interest as Chief Executive Officer of the Scottish Council for Visual Impairment (SCOVl) until April 2019.

## [16th meeting, 2025 \(Session 6\), Tuesday 17 June 2025:](#)

The Committee took evidence from—

Professor Annelies Kusters, Professor of Sociolinguistics and Dr Robert Adam, Associate Professor in Languages and Intercultural Studies, Heriot-Watt University;

Stacey Gourlay, Disability Liaison Officer and Rachel Tardito, Equality, Diversity and Wellbeing Lead, NHS Forth Valley;

*and then from—*

Kate Forbes, Deputy First Minister and Cabinet Secretary for Economy and Gaelic, Kevin McGowan, Unit Head, Equality Division, Alison Taylor, Deputy Director for Improvement, Attainment and Wellbeing and Robert Eckhart, Additional Support for Learning Policy Team Leader, Scottish Government.

The Committee also held two two informal engagement sessions with BSL users from the British Deaf Association, Deaf Action and Deafblind Scotland on 9 and 10 June. An unattributed note of the discussions is available online.

- [1] The Health and Social Care Alliance Scotland (the ALLIANCE). (2025). Written submission. Retrieved from [https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view\\_respondent?uuld=5023310](https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view_respondent?uuld=5023310)
- [2] Equalities, Human Rights and Civil Justice Committee. (2025). Official Report, 3 June 2025. Retrieved from <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16483>
- [3] Equalities, Human Rights and Civil Justice Committee. (2025). Official Report, 17 June 2025. Retrieved from <https://www.parliament.scot/api/sitecore/CustomMedia/OfficialReport?meetingId=16512>
- [4] NHS Greater Glasgow and Clyde. (2025). Written submission. Retrieved from [https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view\\_respondent?uuld=500676745](https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view_respondent?uuld=500676745)
- [5] Rachel O'Neill. (2025). Written Submission. Retrieved from [https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view\\_respondent?uuld=117310430](https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view_respondent?uuld=117310430)
- [6] Scottish Government. (2023). New BSL Action Plan. Retrieved from <https://www.gov.scot/news/new-bsl-action-plan/>
- [7] NHS Forth Valley. (2025). Written Submission. Retrieved from [https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view\\_respondent?uuld=185644733](https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view_respondent?uuld=185644733)
- [8] Argyll and Bute Council. (2025). Written Submission. Retrieved from [https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view\\_respondent?uuld=469264466](https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view_respondent?uuld=469264466)
- [9] Deaf Links. (2025). Written Submission. Retrieved from [https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view\\_respondent?uuld=780154104](https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view_respondent?uuld=780154104)
- [10] British Deaf Association Scotland. (2025). Written Submission. Retrieved from [https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view\\_respondent?uuld=710992132](https://yourviews.parliament.scot/ehrcj/british-sign-language-bsl-act/consultation/view_respondent?uuld=710992132)



