



British Sign Language (Scotland) Bill

Bill Number:	SP Bill 55
Introduced on:	22 October 2014
Introduced by:	Mark Griffin MSP (Member's Bill)
Passed:	17 September 2015
Royal Assent:	22 October 2015

Passage of the Bill

The British Sign Language (Scotland) Bill was introduced in the Scottish Parliament on 29 October 2014 by Mark Griffin MSP. The Education and Culture Committee conducted Stage 1 scrutiny of the Bill at meetings held in December 2014 and also in February and March 2015.

The Finance Committee [wrote a report to](#) the Education and Culture Committee in February 2015 outlining its views on the Bill's Financial Memorandum. On 14 April 2015, the Delegated Powers and Law Reform Committee published its [report](#) on the delegated powers contained in the Bill (21st report Session 4 (2015)).

The Education and Culture Committee published its Stage 1 report on 27 April 2015 (4th report Session 4 (2015)). The [stage 1 debate](#) took place on 5 May 2015. The Scottish Government provided a response to the Stage 1 report in its letter to the Education and Culture Committee dated [30 April 2015](#).

The Education and Culture Committee considered amendments to the Bill at [stage 2](#) on 2 June 2015. The Stage 3 debate took place on 17 September 2015. The Bill, as amended, received Royal Assent on 22 October 2015 to become the British Sign Language (Scotland) Act (asp 11).

Purpose and objectives of the Bill

The Bill is a single purpose Bill intended to promote the use of British Sign Language (BSL). It does this by making provision for the preparation and publication by the Scottish Government and selected national level public bodies of a BSL national plan and the preparation and publication of authority plans by a number of other listed public authorities. In preparation of the BSL

national and authority plans, listed public bodies are required to consult with relevant stakeholders including BSL users and their organisations. They are also required to review and revise published BSL Plans.

The legislation was brought forward as a means of increasing the profile of BSL as a minority language and its use in delivery of public services. It does not go as far as imposing an explicit statutory requirement on authorities to provide BSL interpreters or translation services, nor does it require listed authorities to deliver specific services to BSL users or those wishing to learn BSL. It is for the listed authorities to set out the organisation's planned actions to promote and facilitate the promotion of BSL.

Provisions of the Bill

The key provisions in the Bill are:

- An obligation on the Scottish Ministers and relevant Scotland wide agencies to prepare a plan setting out a strategy for the promotion of BSL – the National Plan. Preparation of the National Plan is to include publication and consultation on a draft plan, ensuring engagement with BSL users and those who represent BSL users.
- An obligation on listed authorities to prepare a BSL plan – “Authority Plans”. The authority plans should set out the measures to be taken by the listed authorities to use BSL when carrying out its functions. The authority plan is to aim to be consistent with the relevant National Plan.
- In preparation of the authority plan, listed authorities should, as with the National Plan, consult with relevant stakeholders and take account of the representations received from BSL users and those who represent BSL users.
- The Bill also requires that a Progress Report be published by the Scottish Ministers and laid before the Scottish Parliament.

Parliamentary consideration

As soon as the Bill was introduced at stage 1, the Scottish Government provided a response (memorandum) to the Member in charge of the Bill offering recommendations for changes to the content of the Bill. The memorandum highlighted support for the proposal for a duty on Scottish Ministers to publish a BSL National Plan. In recognition of the fact that most service delivery takes place within other public bodies, there was also support for the proposal to require a number of public authorities to publish an authority plan setting out how it would work to promote BSL. The requirement for Authority Plans to mirror the priorities in the National Plan was also supported. The view was that this approach would ensure greater consistency across public authorities, while also making it easier to review performance.

While supportive of the principles of the Bill, the Scottish Government's memorandum proposed a number of revisions to the approach taken. This led

to the unusual position where there was discussion of substantive amendments to the Bill very soon after its introduction.

A number of changes were proposed in the memorandum, most being brought forward as amendments at stage 2, including:

- Rationalisation of the approach to consultation with BSL users and organisations to ensure limited resources used to best advantage.
- Plans to be published not just in written report form, but also in BSL.
- The timetable for publishing, reviewing and reporting to be extended to allow adequate time for reporting and then reviewing activity.
- The removal of the original proposal in the Bill that there be a Minister with responsibility for BSL.
- Bringing a number of national bodies, including executive agencies of the Scottish Government, into the reporting at National Plan level rather than reporting separately as listed authorities.
- An explicit reference on the face of the Bill to consideration of tactile forms of BSL (for deafblind BSL users).

At Stage 3, the Bill was passed without opposition.

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