

General approach

1. In the Policy Memorandum, Mark Griffin MSP says he considered a number of alternative approaches to achieve his intention of promoting BSL, for example, by establishing a voluntary code or adapting existing legislation, such as the Equality Act 2010. He concluded that introducing the BSL Bill was the best approach. Do you think we need to change the law to promote the use of BSL and, if so, why?

1. We have tried a few times to establish voluntary code, or use the Equality Act 2010. It seems the act is like a barking dog that never bites. Whereas Under the Disability Discrimination Act 1995, people could sue the provider/employer for unlawful discrimination, hardly anyone has been sued successfully under the Equality Act 2010. The Government need to adopt the bill and set example. It has to be enforced. The voluntary code turn the quest for BSL support into an act of charity where Deaf people have to beg for access. This is not acceptable.

2. Mark Griffin MSP hopes that the obligations under the Bill will, in practice, “lead public authorities to increase the use they make of BSL and the extent to which they are in a position to respond to demand for services in BSL” (Financial Memorandum, paragraph 4). How realistic do you think this aim is and to what extent do you believe the Bill can achieve this objective?

2. The BSL Charter has tried voluntarily to encourage Local Authorities to sign the charter voluntarily. Only a handful signed the charter so far. A bill could make a difference. No Local Authority would want to be sued over not following a Bill.

3. The Bill is solely about the use of BSL. Could there be unintended consequences for other languages or forms of communication used by the deaf community?

Duties on the Scottish Ministers

3. Don't know

4. The Bill will require the Scottish Government to prepare and publish a BSL National Plan (Section 1) and a BSL Performance Review (Section 5) in each parliamentary session (that is, normally every four years). The Scottish Government will also be required to designate a Minister with lead responsibility for BSL (Section 2). What should this Minister do?

4. This Minister should regularly contact with people involved in the national plan (section 1) bring it up in SP update the house and show

kin interest and due care for this topic. As to section 5 this MP need to ensure that they have full and regular update to brief the Scottish Government. Ensure that there is a review and comparison of development year by year.

5. The BSL Performance Review provides the basis for the Parliament to hold the Scottish Ministers to account, and for Ministers to hold listed authorities to account. If listed authorities say they will do something relating to the promotion of BSL, will the Performance Review process ensure they are held to account?

BSL Authority Plans

5. I believe that the dog called Performance Review should be allowed to bite. Yes listed authorities should be held to account.

6. The Bill requires listed authorities to prepare and publish BSL Authority Plans in each parliamentary session. The Bill sets out what a BSL Authority Plan should include (Sections 3(3) and 3(4)). Do you have any comments on the proposed content of the Plans?

6. I do hope that authorities regularly update their development on this issues and how they are planning to meet all the points in these sections. This should even linked to either withholding funding, or some other kind of warnings and penalties or else nothing will ever change.

7. The Policy Memorandum (see diagram on page 6) explains the timescales for publication of Authority Plans. Do you have any comments on these proposed timescales?

7. I am sure that these times scaled were believed to be reasonable and achievable. Though we might want the outcome sooner, we need to make sure it happens and properly and will sustain.

8. In preparing its Authority Plan, a public authority must consult with those who are “likely to be directly affected by the Authority Plan or otherwise to have an interest in that Plan” (Section 3(6)) and must take into account any comments made to it during the consultation (Section 3(5)). What effect do you think these requirements will have on you or your organisation?

8. I believe that the Authority should carry consultation with Deaf people and listen to what they say. There will be other affected financially by this but the wellbeing of deaf people in Scotland especially those isolated in rural area should come first. They pay same tax and but are forgotten.

9. The Bill (Schedule 2) lists 117 public authorities that will be required to publish Authority Plans. Would you suggest any changes to the list of public authorities?

9. I think that it will be better for some local authority especially smaller ones to get partnership and support so that they can share the burden and cost together. I am not sure if it will work but maybe a pilot case somewhere can explore that.