The Scottish Council on Deafness represents over seventy organisations working with and on behalf of Deaf Sign Language users, Deafblind, Deafened (Acquired Profound Hearing Loss) and Hard of Hearing people in Scotland; and individuals who have an interest in deaf issues or are deaf themselves.

Our membership provides an effective working partnership between the Voluntary Sector, Social Work and Education Departments, NHS Trusts, Health Boards and the Government.

**Background to Contribution**

One in five of the population in Scotland has a hearing loss. This means there are over one million people in Scotland with a hearing loss, from the profoundly deaf to those who are hard of hearing. They have different communication needs. There are approximately 6,000 deaf people whose first or preferred language is British Sign Language (BSL).

Deaf people do not have equality of access to the information that enables them to be able to make informed choices in their day-to-day lives nor do they have access to the same information as their hearing peers when it comes to making decisions as to whether or not to be active in the democratic processes in Scotland.

The First Minister and the Prime Minister signed the Edinburgh Agreement on the referendum for independence for Scotland which states

“The governments are agreed that the referendum should:
- have a clear legal base
- be legislated for by the Scottish Parliament
- be conducted so as to command the confidence of parliaments, governments and people
- deliver a fair test and a decisive expression of the views of people in Scotland and a result that everyone will respect.”

If the referendum is to deliver the “decisive expression of the views of people in Scotland”, then all information about the referendum, the views of both sides and the actual referendum must be fully accessible to all Scottish citizens, including all Scottish citizens who have a hearing loss.

**Contribution**

The Scottish Council on Deafness is asking for the wording of the Scotland Act 1998 (Modification of Schedule 5) Order 2013 to go further than simply allowing for an independence “referendum campaign broadcast” and an independence “referendum
mailshot to every elector or household free of charge”. We would like to see the Order guaranteeing that all referendum information, campaign broadcasts and mailshots, and the independence referendum itself are fully accessible to all Scottish citizens, but more importantly from our point of view, fully accessible to all deaf citizens and all citizens with a communication support need in Scotland.

What would this mean in practice? It would mean changing the legislation to include a definition of “fully accessible” and to produce guidance containing the Principles of Inclusive Communication as published by the Scottish Government and written by the Independent Living in Scotland Inclusive Communication Working Group using co-production. In the Principles document, there is information about the Scottish Accessible Information Forum guidance on producing fully accessible publications and broadcasts; this guidance was paid for by the Scottish Government.

In terms of current legislation, the minimum the Scottish Government should be prepared to do is to make a “reasonable adjustment” in producing information that is accessible i.e. written in plain language, available in a selection of different formats – British Sign Language DVD, Braille, Moon, Easy Read, all broadcasts contain captions and BSL interpretation. All public debate, including that which is broadcast on the TV, should be fully captioned and include BSL interpretation so that deaf people can be fully included in any debate and so that they receive the same information as their hearing peers. Any cost should be covered by Scottish Ministers in the same way that the Royal Mail can recover the cost of postage for mailshots from the Scottish Ministers. SCoD and its members are quite prepared to advise Ministers and campaigners on both sides of the independence argument on how to make sure that all information, etc is fully accessible for all deaf people in Scotland.

But the Scottish Government has given its commitment to ensuring the independence referendum is carried out in a manner that meets the “highest standards of fairness, transparency and propriety” and so should be willing to include accessibility of all information, debate, campaign materials and the independence referendum itself in the Scotland Act 1998 (Modification of Schedule 5) Order 2013.

By doing so, the Scottish Government would be sending a clear message to all the people in Scotland that it values all its citizens no matter their communication and language needs and that it is willing to extend the same fairness, transparency and propriety to its deaf citizens/electorate that it is extending to its hearing citizens/electorate, and by doing so, declaring Scotland is a true democracy.

Mandy Reid
Policy & Research Officer
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