

Agenda – Equality and Social Justice Committee

Meeting Venue:	For further information contact:
Committee Room 5 (Ty Hywel)	Rhys Morgan
Meeting date: 29 September 2025	Committee Clerk
Meeting time: 11.00	0300 200 6565
	SeneddEquality@senedd.wales

**** In addition to the breaks published on the agenda there will also be periodic comfort breaks, called by the Chair ****

Pre-meeting

(10:30–11:00)

Public session

(11:00–14:45)

1 Introductions, apologies, substitutions and declarations of interest

(11:00)

2 Stage one scrutiny of the British Sign Language (Wales) Bill: evidence session five

(11:00–12:30)

(Pages 1 – 18)

Kieran Sawdon, National Deaf Children’s Society

Jamie Martin, National Deaf Children’s Society

Rocio Cifuentes, Children’s Commissioner

Break

(12:30 – 13:30)

3 Stage one scrutiny of the British Sign Language (Wales) Bill: evidence session six

(13:30–14:45)

(Pages 19 – 36)



Dr Kate Attfield, Cardiff Metropolitan University

Dr Rob Wilks, University of the West of England

4 Papers to note

(14:45)

4.1 Correspondence from the First Minister of Wales to the Llywydd regarding Committee recommendations

(Pages 37 – 39)

4.2 Correspondence from the Llywydd to the Chair regarding Committee effectiveness

(Page 40)

5 Motion under Standing Order 17.42 (vi) and (ix) to resolve to exclude the public from the remainder of this meeting

(14:45)

Private session

(14:45–15:20)

6 Stage one scrutiny of the British Sign Language (Wales) Bill: consideration of the evidence

(14:45–15:00)

7 Reviewing Committee Effectiveness in the 6th Senedd: consideration of response

(15:00– 15:20)

(Pages 41 – 53)

Document is Restricted

Senedd Cymru

Y Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol

Ymchwiliad: Bil Iaith Arwyddion Prydain (Cymru)

Ymateb gan: Cymdeithas Genedlaethol Plant Byddar

Welsh Parliament

Equality and Social Justice Committee

Inquiry: British Sign Language (Wales) Bill

Evidence from: National Deaf Children's Society



Senedd Cymru | Welsh Parliament

Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol | Equality and Social Justice Committee

Bil Iaith Arwyddion Prydain (Cymru) | British Sign Language (Wales) Bill

You do not need to answer every question, only those on which you wish to share information or have a view.

What are your views on the general principles of the Bill?

(We would be grateful if you could keep your answer to around 500 words).

The National Deaf Children's Society warmly welcomes the general principles of the British Sign Language (Wales) Bill. The current legislative picture in Wales in relation to BSL is unequal. Reserved services are legally bound to the Westminster BSL Act 2022, yet no comparable legislation exists in the devolved context. This is despite legislation for BSL being in place in Scotland since 2015 and similar legislation for both BSL and ISL currently progressing through the Northern Ireland Assembly with Executive backing. We have spoken in the past of our concern that this imbalance results in deaf communities in Wales feeling let down and ignored by their institutions.

Whilst it is commendable that the Welsh Government formally recognised BSL in 2004, it is not a substitute for a legally binding framework to promote and facilitate BSL. Given this context, we believe that the Bill not only sends a positive message to BSL signers in Wales, but it also creates the potential for signers to use BSL more in their everyday lives. We especially welcome the recognition of Members that this is inherently a Bill which is of a linguistic nature, and not a Bill in relation to accessibility. BSL is not a simple communication aid, but a rich language with its own culture, history and complexity. Under the current legal framework where access to BSL is viewed primarily as an accessibility matter, we have unfortunately been told by our members that they hit barriers when accessing public services through BSL as it is viewed as one of many options of communication support rather than as a language in its own right.

The Consortium for Research in Deaf Education (CRIDE) 2024 report stated that there are 2,227 deaf children in Wales, although the report itself acknowledges that due to issues in the data outside of its control that the number is likely higher. As an organisation we believe that parents of deaf children should be given enough knowledge and ability to make an informed choice on what is best for their child – until the child is old enough to make decisions for themselves. Many parents have unfortunately told us that due to a lack of local provision, BSL being a language of choice for their child is simply not practical regardless of whether it would be the best for the child. This is an unsustainable position. It is our hope that the provisions of the Bill will strengthen access to BSL in communities in make it easier for children and their families to gain access to the language.

What are your views on the Bill’s key provisions (set out below), in particular are they workable and will they deliver the stated policy intention?

(We would be grateful if you could keep your answer to each section to around 500 words).

Overall, we believe that the Bill’s key provisions provide a significantly stronger framework compared to the similar pieces of legislation currently in place in England and Scotland. The main risk of the legislation in its current form is that the measures that the Bill outlines, such as the duty on Welsh Ministers to promote BSL or duties of specified public bodies to publish BSL plans, become performative in nature. However, providing the role is given enough resource, we believe that the proposed BSL Adviser has the potential to mitigate this risk. We also welcome the requirement for the Welsh Government’s national strategy to be laid before the Senedd, as it enables an additional level of political scrutiny.

1 – A duty on Welsh Ministers to promote and facilitate the use of BSL

We welcome the requirement for Welsh Ministers as a collective to have the duty to promote and facilitate the use of BSL. By focusing on the Ministers as a whole rather than primarily through an equality and social justice angle, we hope that this will result in a wider inclusion and consideration of BSL in policy areas such as education, healthcare and public transportation. We also note that this angle is similar to the duties the Welsh Ministers have under the Welsh Language (Wales) Measure 2011, where responsibility for the Welsh language is shared by all rather than a sole Minister with a Welsh language remit. We acknowledge however that the duty itself within the Bill appears more symbolic compared to the standards set out in the Welsh Language (Wales) Measure 2011, and lacks any targets or measurables. It is important therefore for this duty to not be viewed in isolation,

and instead as a duty which is expressed through the duty for Welsh Ministers to publish a national strategy and accompanying guidance.

2 - A duty on Welsh Ministers to publish national strategy and guidance

We welcome the duty on Welsh Ministers to publish a national strategy and accompanying guidance. As previously referenced, we also strongly welcome the requirement for the national strategy to be laid before the Senedd as this will increase the level of political scrutiny both the Welsh Government's commitments and its progress in meeting them. We also welcome the requirement for the national strategy to be produced in consultation with the proposed BSL Adviser, although we would stress the need also for the strategy to be produced in a model of co-production with Welsh BSL signers. Whilst we acknowledge that long term change cannot be a rushed process and that practice will take time to embed, we do have concerns over the frequency of the national strategy publication cycle as currently outlined. Under the Violence Against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015 - which the BSL Bill has drawn some comparisons to due to the inclusion of the BSL Adviser - the Welsh Ministers have a duty to produce a VAWDASV national strategy every five years, with this at the time of the legislation's passage representing a full Senedd term. The Senedd Cymru (Members and Elections) Act 2024 changed the length of a Senedd term to four years, yet the BSL Bill's current proposal is for the BSL national strategy to be published once every six years. Whilst we note that the three-year reporting cycle may mitigate any risks associated with this, as well as knowing the benefits of a long-term strategy, we are conscious that it could result in the national strategy being revised due to political reasons rather than to allow the strategy to respond to emerging issues. As such, we would ask the Committee to consider whether the Bill's duty on publishing a national strategy should be aligned to Senedd terms, as is currently the case in the VAWDASV Act.

3 - A duty on Welsh Ministers to publish BSL guidance

Whilst we agree that the duty on Welsh ministers to produce BSL guidance is necessary, a significant measure of the effectiveness of the guidance will be based on whether the guidance produced is statutory, and how much of the guidance is co-produced with BSL signers. People who sign know what is needed to improve their experiences with public services, and we would strongly urge the Welsh Government to include members of the community when drafting the guidance. This would likely be facilitated by the BSL Adviser.

4 - A duty on specified public bodies to publish BSL plans

We agree with the proposed duty on specified public bodies to publish BSL plans, although we like other organisations question the lack of inclusion of bodies such as Qualifications Wales, Estyn and Medr. Given local authorities will be required to produce their own plans, which will by extension mean schools will be required to work towards the aims of the Bill, it does not make sense to us to not include the body that is responsible for overseeing schools, or in Medr's case, the body with responsibility for sixth forms. We would strongly encourage the Committee to consider expanding the number of named public bodies in order to avoid any potential inconsistencies. The Bill in its current form also relies on the Welsh Ministers being the final authority on whether a listed public body has produced a robust enough plan, highlighted by the extract in Section 4 (3) (b) of the Bill. We believe that the BSL Adviser should also have a say in this process and should also be named in the Bill in this area.

5 - The appointment of a BSL adviser

The appointment of a BSL Adviser is a welcome addition to the Bill and sets it apart from similar legislation in other parts of the UK. We additionally welcome the assurance that the Adviser will be somebody who is able to communicate effectively in BSL. Whilst the framework of the position will result in the Adviser being an employee of the Welsh Government, we would like to see an addition to the legislation which underlines that the Adviser is able to act independently of the Welsh Ministers, and we would expect that any preferred candidate be subject to a pre-appointment scrutiny session with the Equality and Social Justice Committee, similar to the VAWDASV Adviser. We acknowledge that this position has come into being following a compromise on the previously proposed BSL Commissioner, and whilst it is still a strong feeling within the community that a Commissioner role would be more suitable and would give BSL parity with Welsh, we concede that this is a strong replacement for the proposed Commissioner provided the office is given the necessary tools. In relation to the supporting BSL advisory panel which will exist to support the Adviser, we strongly urge the inclusion of representatives of deaf children and their families in order to ensure that their specific needs and viewpoints are addressed. This would additionally be in line with Article 12 of the United Nations Convention on the Rights of the Child.

6 - Reporting duties to be imposed on the public bodies and Welsh Ministers in relation to these duties.

Whilst these duties are a positive step and one that we agree with, we also believe that the BSL Adviser should be involved with these reports in order to ensure that it does not become a neglected exercise. The involvement of the Adviser will ensure that the Welsh Government and listed public bodies are accurately

challenged in the development in their reports, and that they give a realistic picture of what success have taken place, what areas need to be reviewed, and also what learning is there for the organisation in question as well as other public bodies. The Bill in its current form makes this provision for Welsh Government reports, however no similar provision appears to be in place for the listed public bodies.

How appropriate are the powers in the Bill for Welsh Ministers to make subordinate Legislation?

(We would be grateful if you could keep your answer to around 500 words).

The powers listed in the Explanatory Memorandum are mostly appropriate in form and scope, although we would like to flag a concern with the powers under Section 4 (1) (c). We do not disagree with the proposal of this provision being via a negative procedure, however given this section is in relation to the content required in the BSL plans of listed public bodies, we would expect to see a requirement for the BSL Adviser to be consulted by the Welsh Ministers. We understand that this will likely be the “de jure” practice, although we feel it would be best for this to be explicitly stated in the Explanatory Memorandum. Given this is already a requirement in the other set of powers under Section 8 (2), we hope this will be an uncontroversial amendment.

Are there any barriers to the implementation of the Bill’s provisions and does the Bill take account of them?

There are significant barriers to the Bill’s implementation, most notably in relation to the number of interpreters and the availability of BSL education. However, we believe that these barriers can be overcome providing there is a political will to do so. Whilst it is important to stress that this is a Bill in relation to linguistic rights of a pre-existing community rather than accessibility for learners, in order for the Bill to be successful public services will need to consider how they improve access to BSL for learners in order to support the growing needs of the workforce as the Bill’s impact becomes more widespread. The Welsh Government’s national strategy must take this into account, and local authorities must be supported in facilitating an expansion in education and training. This also goes beyond education and training, but also into technological advancement. Listed public bodies will need to consider how they make their systems more accessible to BSL signers. Failure to do this will result in the Bill’s aims being purely symbolic rather than deliverable.

What are your views on the assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?

(We would be grateful if you could keep your answer to around 500 words).

Whilst the assessment of the financial implications within the Explanatory memorandum is useful in assessing the administrative costs of the legislation, by its own admission it cannot quantify the true cost over a ten-year period for both the Welsh Government and listed public bodies – as such we expect the overall cost to be higher to accommodate for improvements to education, training, access and implementation. However, we strongly believe that the benefits of the Bill for the signing community will justify the costs over the period specified, and that the overall cost will likely go down over time as practices become embedded.

Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum?

N/A

Anything else?

In preparation for this consultation, we asked our members and supporters to contribute to a survey of what BSL means to them. Of the responses we received, there was an overwhelming amount of support for BSL as a language in its own right, with many parents of deaf children stressing the positive impact on their ability to communicate with their children.

“As a family we need BSL. My child can only communicate with BSL.”

“It's their only form of communication - it means everything to them”

Additionally, our supporters highlighted that given BSL's status as a language, it cannot break or fail as other communication methods can. Given that BSL is unfortunately currently viewed as one method of many in terms of communication support rather than a language in its own right, we believe this stresses the need for a specific focus on BSL as a method of communication on par with English and Welsh. It is the hope of our supporters that the Bill rectifies this.

“(BSL) is very important... hearing technology can fail or break and with long waits in the NHS ... to have equipment replaced... can leave children without communication.”

In terms of healthcare in particular, there was a considerable emphasis on the need for BSL to be supported. Deaf children have just as much a right to know what is happening to them in a healthcare setting as their hearing peers, and an expansion of support for BSL in the healthcare system would enable this. Currently, too often parents are expected to interpret for their children rather than healthcare professionals explain what is happening themselves.

"Using BSL (healthcare professionals) can communicate directly with the young person..."

However, many families also stressed how difficult it can be to learn BSL due to a lack of local availability and the current high costs attached. Given the vast majority of deaf children are born to hearing families, this can potentially lock deaf children out of a language and culture that is their own. As such, there was an overwhelming amount of support in our survey for the Bill to make BSL more accessible for families so that deaf children are not priced out.

"BSL learning should be funded. We're funding BSL privately, but we can't afford it"

"The cost of BSL learning is prohibitive for many families"

"Increasing the use of BSL supports the dignity of deaf people"

Agenda Item 3

Senedd Cymru | Welsh Parliament

Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol | Equality and Social Justice Committee

Bil Iaith Arwyddion Prydain (Cymru) | British Sign Language (Wales) Bill

Ymateb gan Dr Kate Attfield | Evidence from Dr Kate Attfield

What are your views on the general principles of the Bill?

The general principles of the Bill are extremely sensible, and really important.

Please can we change the initial introduction of the Bill, which currently states:

"About the Bill

British Sign Language (BSL) is a language that uses gestures, handshapes, facial expressions and body language to convey meaning and which, in its tactile forms, can also use touch."

The reason why the above description needs to be changed is because it is a condescending, and misleading, description of BSL.

Imagine if you described English like this: 'English is a language that uses mouthing, shouting, moderate sound and whisper, gestures and body language to convey meaning, and which in its tactile forms, can also use touch.' I would suggest that this description does not effectively get across that English is a useful means of communication, that it holds credibility, or that it has any intellectual basis or planned system.

The current description does not convey that signed /gestural attempts of any of Makaton, sign supported English, or total communication are not being included in this category (none of these are independent whole languages, and none equal to the attributes of BSL). There are also over 300 signed languages around the world, which makes this description rather inadequate.

Instead BSL should be introduced like this:

'British Sign Language (BSL) is a signed language that has its own grammar that is different to English and Welsh. This means that BSL has its own syntax, morphology and phonology.'

I'm sure the Welsh general public can cope with difficult terms - if not, they can always look these up.

What are your views on the Bill’s key provisions (set out below), in particular are they workable and will they deliver the stated policy intention?

Legislation in this area, with these general principles, is essential. These are an excellent beginning to a sustained strategy that will eventually ensure meaningful acceptance of Deaf people, Deaf people's membership of society, and Deaf people's proactive contribution to societal progress and GDP.

Currently most of society does not recognise that Deaf people exist, or that they have an independent language that is real. So organisations do not tend to consider Deaf people and their language in their general service provision, or in attempting to access Deaf people's contribution for their output. The BSL Bill (and Act) Wales is desperately needed to challenge this backward situation.

I believe that [REDACTED] would make an excellent BSL adviser, specifically appointed for the BSL Bill.

I recommend that the BSL advisory panel specifically advises public organisations about their BSL plans, so that these are in keeping with Deaf people's own priorities for their access, contribution, and ultimately for their citizenship.

What are your views on the Bill’s key provisions (set out below), in particular are they workable and will they deliver the stated policy intention?

1 – A duty on Welsh Ministers to promote and facilitate the use of BSL

Yes, depending on several key aspects.

It depends on the quality of the advice given to Welsh Ministers on this.

It also depends on how much long-term funding is invested into this whole area, to make a meaningful and sustained difference to Welsh Deaf people's lives.

A research team will need to thoroughly, and continuously, consult with the Welsh Deaf community and Deaf academics to ascertain what their priorities are in relation to the promoting and facilitating of BSL.

Deaf people (adults and children) need their own BSL linguistics education and training, in order to have a high grammatical command of their own language. This will enable them to access overall education more easily, and subsequently to secure employment that matches their intellectual capacities. This must be Welsh Gov funded; Deaf people largely cannot afford such training and education, as they have had an artificial learning ceiling placed on them, are thereby generally undereducated, and so under-employed, thus not having available money to invest in themselves.

hearing people equally need to be given full opportunities to learn BSL to a fluent level, and also be taught BSL linguistics. Anyone trying to learn BSL currently finds it very difficult to access adequate courses. Professionals who are experts in their own fields need to be able to learn BSL - in order that BSL can become a normal working language of Welsh society. It is also very expensive to learn BSL - perhaps this could be Welsh Gov funded /supported.

Organisations need to incorporate Deaf considerate and BSL policies and practices, and themselves promote and facilitate the use of BSL for existing staff, new employees and customers. They will need expert advice to be able to do this.

Prisons, the police, mental health centres, homelessness services, hospitals and health centres, social services, care experienced children's services and other services involving vulnerable people (as well as other public services) absolutely must be allocated expertise relating to Deaf people, and that is provided in BSL. Deaf people must be able to fully express themselves and converse in their own natural language directly with professionals.

It is not sufficient to presume that any investment can be in hearing BSL interpreters; we need to get past this assumption.

2 - A duty on Welsh Ministers to publish national strategy and guidance

Yes, IF a dedicated team is allocated generous resources, staff support, expertise and funded time to produce these.

3 - A duty on Welsh Ministers to publish BSL guidance

Yes, as above.

4 - A duty on specified public bodies to publish BSL plans

Yes, as above.

5 - The appointment of a BSL adviser

Yes this is a workable solution. And yes they will surely deliver the stated policy intention, IF you support this appointee with generous training, financial investment and staff support.

I recommend [REDACTED]

6 - Reporting duties to be imposed on the public bodies and Welsh Ministers in relation to these duties.

Yes, as above.

How appropriate are the powers in the Bill for Welsh Ministers to make subordinate Legislation?

Definitely appropriate - this is well considered. This will support mechanisms behind the stated principles to work in practice.

Are there any barriers to the implementation of the Bill's provisions and does the Bill take account of them?

I think barriers would be limits on sustainably funding this Bill, and/or a lack of support across the Equality and Social Justice Committee, or even the Welsh Gov itself.

What are your views on the assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum?

Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum?

I am delighted that this Bill is currently in progress. This is a huge step forward for the whole of Welsh society.

Anything else?

I would like to be involved in the advisory panel (although I do have a full time academic post).

[Bil Iaith Arwyddion Prydain (Cymru) | British Sign Language (Wales) Bill]

Senedd Cymru

Y Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol

Ymchwiliad: Bil Iaith Arwyddion Prydain (Cymru)

Ymateb gan: Dr Rob Wilks

Welsh Parliament

Equality and Social Justice Committee

Inquiry: British Sign Language (Wales) Bill

Evidence from: Dr Rob Wilks



BSL (Wales) Bill

Consultation Response for the Equality and Social Justice Committee

Dr Rob Wilks



Bristol Law School, University of the West of England Bristol, Bristol, UK

Correspondence: Bristol Law School, UWE Bristol, Frenchay Campus,
Coldharbour Lane, Bristol BS16 1QY, [REDACTED]

What are your views on the general principles of the Bill?

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(We would be grateful if you could keep your answer to around 500 words).

Unlike Welsh and English, which enjoy strong legal and cultural protections, British Sign Language (BSL) lacks equivalent recognition, leaving deaf people 'limited twice' by the dominance of both spoken languages. Welsh BSL signers also faces additional challenges from limited education provision, restricted access to information and services, health inequalities, poor mental health outcomes, and the decline of traditional deaf spaces such as clubs (Wilks, 2024). These inequalities highlight the precarious position of deaf people in Wales and the urgent need for stronger legal and policy measures.

Since 1999, the struggle for BSL recognition has been a long-drawn out process, and the Welsh Government's formal recognition of BSL as a language in 2004 and the BSL Futures project which aimed to increase BSL teaching capacity and train more interpreters (Welsh Government, 2014), failed to address the systematic and structural issues faced by BSL signers in Wales. Despite the recognition of BSL by the Scottish Parliament in 2015, the UK Parliament in 2022, and the commitment by the Northern Ireland Assembly to legislate for BSL and Irish Sign Language (ISL) since 2016, Wales has lagged behind in legislating for BSL, despite its robust track record for the protection of language minorities, namely the Welsh language.

Therefore, the introduction of the BSL (Wales) Bill and the recognition of BSL in Welsh law is long overdue. The Bill will go some way to recognise BSL not just as a language, but also for having symbolic and cultural value in Welsh life and culture, on par with Welsh and English. It also takes a step towards recognising Welsh BSL signers not just as a disability group, but also a language minority.

Wilks (in press) has undertaken a systematic and comparative review of the UK's sign language law, and likens each of the UK's four nations to animal symbols to reflect the strengths, challenges, and opportunities for BSL recognition across the UK. Therefore, Scotland is the 'barking dog,' England is a 'caged lion,' and Northern Ireland a 'steadfast elk.' Wales is currently described as a 'roarless dragon.'. The BSL (Wales) Bill provides an opportunity for Wales to give the dragon back its roar, but this will only be the case if the public body duties proposed by the Bill are substantive, otherwise it risks reinforcing the Deaf Legal Illusion, which refers to law that appears progressive but in practice delivers little meaningful change for deaf people (Wilks, forthcoming).

The Equality and Social Justice Committee (the Committee) is reminded of Wales' obligations under international law, namely the Convention for the Rights of Persons with Disabilities (United Nations, 2006), which stipulates that state parties should:

- provide professional sign language interpreters to facilitate accessibility;
- accepting and facilitating the use of sign languages;
- recognising and promoting the use of sign languages;
- facilitate the learning of sign language;
- promote the linguistic identity of deaf communities;
- take appropriate measures to employ teachers; and
- recognise and support of deaf people's specific cultural and linguistic identities, including sign languages and deaf culture.

The BSL (Wales) Bill is therefore crucial in terms of meetings these obligations in respect of BSL signers in Wales.

Further, the Committee is reminded of Wales' obligations under the Well-being of Future Generations (Wales) Act 2017, and that to date, Welsh deaf BSL signers have been excluded from the efforts undertaken by public bodies to meet those obligations. (Wilks, 2024).

What are your views on the Bill's key provisions (set out below), in particular are they workable and will they deliver the stated policy intention? 388

(We would be grateful if you could keep your answer to around 500 words).

Taken together, the Bill's provisions provide a coherent framework that has the potential to significantly improve the position of BSL in Wales. The combination of ministerial duties to promote and facilitate BSL, a requirement to publish a national strategy and guidance, public body BSL plans, oversight by a BSL adviser, and a reporting cycle, creates a more structured package than elsewhere in the UK. This approach is more ambitious than the English Act, which imposed minimal duties, and in some respects stronger than the Scottish Act, which relies heavily on non-binding planning mechanisms.

The duties on Welsh Ministers represent an important step forward, but they risk being aspirational unless underpinned by measurable outcomes. A national strategy will only be effective if it contains specific, time-bound targets. Guidance

for listed bodies will provide useful direction, but the impact of this provision will depend on how seriously public bodies take the guidance.

The requirement for public body BSL plans is one of the Bill's strongest provisions, moving beyond the Scottish model by imposing a clear statutory duty. However, its effectiveness is undermined by the ability of bodies to explain why they are not following the guidance, and by the omission of key bodies such as Estyn, Qualifications Wales, the Ombudsman, further and higher education institutions, and Transport for Wales.

The creation of a BSL adviser role is welcome, especially with the requirement that the post-holder must be a BSL signer. In many respects the adviser could perform some of the functions of a commissioner, but independence and resources will be crucial. If under-resourced or overly controlled by Ministers or the civil service, the role may struggle to have impact. The advisory panel also has potential.

The reporting duties on public bodies and Ministers are workable in theory, but there is a danger that they become descriptive exercises. To deliver the policy intention, reporting must be tied to progress against measurable targets, rather than simply recording activities. Independent evaluation or commentary from the adviser would provide the transparency needed to make these reports meaningful.

In conclusion, the Bill's provisions are broadly workable and aligned with its policy intention, but success will depend on whether they are delivered with sufficient ambition, resourcing, and independent scrutiny. Without these elements, there is a real risk that the Bill will remain symbolic rather than transformative.

1 – A duty on Welsh Ministers to promote and facilitate the use of BSL 384

It is important to be aware that there are different standards currently in force or proposed around the UK. The Scottish Act requires Scottish Ministers to 'promote, and facilitate the promotion of, the use and understanding' of BSL, whereas the English Act requires the Secretary of State to 'report on the promotion and facilitation of BSL by ministerial government departments.'

The Sign Language Bill in Northern Ireland will require that the Department for Communities must promote the 'greater use and understanding of BSL and ISL'

and that individuals in the deaf community have a 'general entitlement' to use either language 'as necessary or convenient in the course of everyday activities.' The Bill also requires the Department of Communities to promote the 'deaf community's culture.'

The BSL (Wales) Bill requires the Welsh Ministers to 'promote and facilitate the use of BSL,' which is most similar to the Scottish Act which imposes the duty on Scottish Ministers. It is stronger than the English Act, which only imposes a duty to report on the promotion and facilitation of BSL, rather than a duty to promote and facilitate BSL. The Northern Ireland Bill will only impose a duty to promote on one government department, but gives deaf individuals the right to use BSL or ISL in everyday activities, and also includes a duty to promote deaf culture, not just BSL and ISL. This right-giving provision is a significant development in UK sign language law.

In terms of the BSL (Wales) Bill, there is a danger that this duty will only extend to symbolic awareness-raising, and therefore more detail may be required to be included in the Explanatory Memorandum. The duty to promote should include active steps to raise the visibility and status of BSL, and the duty to facilitate should include removing barriers so that BSL can actually be used by deaf individuals throughout Wales.

The duty on Welsh Ministers to promote and facilitate the use of BSL does not currently have any measurable outcomes. In its present form, the obligation is framed in broad terms without specifying what success would look like, how it would be monitored, or who would be accountable. Without measurable outcomes, the duty risks becoming symbolic rather than substantive, making it difficult to assess whether real progress is achieved for deaf BSL signers.

2 - A duty on Welsh Ministers to publish national strategy and guidance 264

The duty to publish a national strategy and guidance is welcome as this will provide the framework for the implementation of the Bill. This combines the measures within the Scottish Act, which provides for a national plan to be produced every six years, and the English Act, which requires the Secretary of State to issue guidance about the promotion and facilitation of the use of BSL. The guidance in the English Act will, however, only provide advice for government departments, although it may be used wider afield once published.

The BSL (Wales) Bill provides that the national strategy be reviewed at least once every six years. While it can be argued that a six-year review cycle is too long, the fact that strategy can be reviewed at any time during the six-year period and the Welsh Ministers have to publish a progress report at least once every three years mitigates this.

Similarly to the duty on Welsh Ministers to promote and facilitate the use of BSL, the national strategy should include measurable, time-bound targets. This will avoid the national strategy becoming symbolic rather than substantive, a criticism that has been levelled at the English Act's annual BSL reports (Wilks, in press).

Section 2(4) states that before publishing the national strategy, and any revised version of it, the Welsh Ministers must consult the BSL adviser and 'any other persons they consider appropriate.' While the latter group is a useful catch-all, a requirement that the national strategy should be co-produced with the Welsh deaf community, who are the primary users of BSL, should be expressly stated.

3 - A duty on Welsh Ministers to publish BSL guidance 132

While BSL guidance for listed public bodies will indeed be useful in terms of establishing best practice and minimum standards, there is a risk that such guidance will result in tokenism rather than substantive outcomes, a tick-box exercise rather than transformative change.

Section 4(1)(b) states that listed public bodies should describe, as part of their BSL plan, how it intends to follow the BSL guidance or explain why it does not intend to do so. While this sub-section will generate accountability on the part of the listed public bodies, it is not clear what the consequences of non-compliance would be, suggesting that there will be minimal to no enforceability in terms of the BSL guidance.

A stipulation that the BSL guidance should be co-produced with the Welsh deaf community should be included.

4 - A duty on specified public bodies to publish BSL plans 395

The duty on listed public bodies to publish their own BSL plans is welcome and is similar to the duty on listed authorities under the Scottish Act. The requirement that listed public bodies review their plans if so directed by the Welsh Ministers is also welcome. The Northern Ireland Bill stipulates in section 3 that all prescribed organisations must take 'all reasonable' steps to:

- ensure that information and services provided by the organisation are as accessible to individuals in the deaf community as they are to individuals who are not in the deaf community, and
- offer or facilitate the use of BSL and ISL for the benefit of individuals in the deaf community in accessing information and services provided by the organisation.

This 'all reasonable steps' requirement goes considerably further than the Wales Bill and should be considered for inclusion.

The listed public bodies must consult with any persons it considers appropriate prior to publishing its plan or revised version, pursuant to section 4(6). The Welsh deaf community should again be expressly mentioned here.

Section 8 sets out which persons are listed public bodies for the purposes of the BSL (Wales) Bill. While we welcome the inclusion of local authorities, health boards and other health authorities, and NHS Trusts, this list is considerably shorter compared to say, the Scottish Act's. It is important to add the following public bodies from the outset:

- Children's Commissioner for Wales
- Citizen Voice Body for Health and Social Care (Llais)
- Education Workforce Council
- Estyn
- Fire and Rescue Authorities
- Further Education Institutions
- Future Generations Commissioner for Wales
- Higher Education Funding Council for Wales
- Higher Education Institutions
- Natural Resources Body for Wales
- Older People's Commissioner for Wales
- Public Services Ombudsman for Wales
- Qualifications Wales
- Senedd Commission
- Social Care Wales
- Standards Commissioner for Wales
- Transport for Wales
- Welsh Language Commissioner for Wales

The following should be also added, but their inclusion is not as much of a priority:

- Arts Council for Wales
- Auditor General for Wales
- Commission for Tertiary Education and Research
- Commission on Justice in Wales
- Design Commission for Wales
- National Adviser for Violence against Women and other forms of Gender-based Violence, Domestic Abuse and Sexual Violence
- National Library of Wales
- National Museum Wales
- Sports Council for Wales
- Wales Audit Office

This will ensure that a wide range of public bodies are accountable to BSL signers in Wales in all walks of life and the necessary steps taken to address many of the inequalities and barriers that Welsh deaf BSL signers experience.

5 - The appointment of a BSL adviser 378

The original draft Bill made provision for the appointment of a BSL Commissioner, which has been removed from the current draft Bill and replaced with a BSL adviser. Comparative evidence from the UK and beyond shows that the most effective governance models, including the Welsh Language Commissioner, are those built on a statutory foundation, with independent scrutiny powers, the authority to investigate, enforce, and influence public bodies, and direct accountability to the communities they serve. By contrast, advisory-only structures (such as stakeholder groups or non-statutory panels) consistently lack the influence or continuity to deliver sustained improvements. These models have often resulted in symbolic recognition without the tools for real change.

Within this context, the appointment of a BSL adviser is very welcome. This provision sets the BSL (Wales) Bill apart from its counterparts in Scotland, England and Northern Ireland. The role of the BSL adviser is clearly set out in section 5(4) to provide information to advice to the Welsh Ministers, to any 'person promoting and facilitating the use of BSL in Wales,' and to consult the BSL advisory panel. Section 5(7) is also particularly welcome, as it requires listed public bodies to provide the adviser with any information that they may so request, and if they do not, to explain why to the BSL adviser in writing (section 5(8)).

Schedule 1 makes it clear that the BSL adviser will become an employee of the Welsh Government. The Welsh Government may also 'provide the BSL adviser with such staff, accommodation, equipment and other facilities as the Welsh Ministers consider necessary for the exercise of the BSL adviser's functions.'

This too, is welcome, although assurances regarding their independence as an employee of the Welsh Government would be appreciated.

In essence, the role of a BSL adviser is not dissimilar to that of a commissioner. For completeness, the BSL adviser:

- Should be a deaf BSL signer, as opposed to being 'able to communicate effectively in and uses BSL', in order to ensure that the role is undertaken by an individual with lived experience of being deaf and a fluent BSL signer;
- Should have the authority to investigate, enforce and report on the listed public bodies; and
- Should be accountable to the Welsh deaf community in the exercise of their functions.

6 - Reporting duties to be imposed on the public bodies and Welsh Ministers in relation to these duties. 128

The proposals to impose reporting duties on the Welsh Ministers and the listed public bodies are acceptable and consistent with UK sign language law. However, thought should be given as to how to reduce the risk of 'descriptive reporting', as has been the case in Scotland and England (Wilks, in press). There should be a focus on measurable outcomes rather than activities within the reports.

The BSL adviser could be required to produce an annual report which would ensure accountability and progress in relation to the national strategy and BSL plans. This would allay concerns that work towards achieving the outcomes set out in the national strategy and BSL plans will peak in years two and five in each reporting cycle rather than consistently throughout the six years.

How appropriate are the powers in the Bill for Welsh Ministers to make subordinate Legislation? 207

(We would be grateful if you could keep your answer to around 500 words).

The proposed powers for Welsh Ministers to make subordinate legislation is important, not only in terms of adding or removing public bodies from the list, but also to make provisions in order to enact goals within the national strategy. This is particularly important as the removal of barriers for Welsh deaf BSL signers will

not always be straightforward and may require the power of the law to ensure that the necessary changes are made.

A concern is that decisions by Welsh Ministers to make subordinate legislation will invariably be politically motivated, depending on the priorities of the political party with a mandate to run the Welsh Government. It is therefore important that such powers are exercised with clear safeguards, transparency and accountability, and that the Welsh deaf community is consulted effectively, to ensure that implementation remains consistent with the purpose of the primary legislation rather than short-term political interests.

The flexibility afforded to the Welsh Ministers in section 8(2) to add or remove public bodies to or from the list is welcome, and the requirement that they consult the BSL adviser and 'other persons as the Welsh Ministers consider appropriate,' is sensible. Again, a requirement to consult with the Welsh deaf community in particular should be added.

Are there any barriers to the implementation of the Bill's provisions and does the Bill take account of them? 234

A number of barriers will challenge the implementation of the Bill's provisions. Even if the listed public bodies commit to increasing the visibility of BSL, there is currently a shortage of qualified BSL-English interpreters and translators, and BSL teachers, meaning demand will outstrip supply. The Bill's objectives also depend on strengthening deaf education in Wales, yet no systematic bilingual education infrastructure presently exists. At community level, the decline of deaf clubs and other deaf spaces has weakened opportunities for intergenerational transmission of BSL.

Within public services, cultural competence remains limited, with many providers defaulting to tokenistic measures such as occasional interpreting or captioning rather than developing deaf-centric, language-concordant services. Unconscious bias and entrenched audist attitudes also risk undermining delivery, especially when weighed against competing budget pressures. Furthermore, most public information is still not available in BSL, and translation capacity remains scarce.

A critical barrier to the Bill's success is the national shortage of qualified BSL-English interpreters. Without addressing this, the new duties risk becoming aspirational rather than deliverable. To overcome this, ring-fenced funding is needed to support interpreter training and continuous professional development.

The national strategy should also set clear workforce targets to expand capacity over time. The BSL adviser could play an important role by advising on interpreter workforce planning, qualifications, and standards.

Without tackling these systemic issues across education, health, justice and community infrastructure, the Bill's duties risk being undermined in practice.

What are your views on the assessment of the financial implications of the Bill as set out in Part 2 of the Explanatory Memorandum? 89

(We would be grateful if you could keep your answer to around 500 words).

The assessment of financial implications in Part 2 provides a helpful outline of the anticipated administrative costs for Welsh Ministers and listed public bodies. However, as the Explanatory Memorandum itself notes, the wider implementation costs are not yet quantifiable and will depend on the national BSL strategy and the plans developed by public bodies. It will be important that future financial appraisals take account of the need to invest in workforce development, interpreter provision, BSL education and BSL materials, as these will be critical to achieving the Bill's objectives.

Are there any other issues that you would like to raise about the Bill and the accompanying Explanatory Memorandum? 446

A number of additional points arise in relation to the Bill and the Explanatory Memorandum.

First, the Bill risks offering BSL signers weaker protection than other groups in Wales. Welsh speakers, children, and older people all benefit from independent commissioners with statutory powers. By contrast, deaf people are reliant on an adviser whose powers and independence are less clear. At present, the Bill's Schedule suggests that the Adviser will have sufficient resources and visibility to avoid being a token role, but more assurances may be needed in this regard.

Second, the framing of the Bill is critical. BSL must be positioned as a language right, not simply an access tool. Deaf people in Wales are often 'limited twice' by the dominance of English and Welsh, yet unlike those languages, BSL has little statutory protection. Corpus work by the Deaf Health Wales project shows the richness of BSL in Wales with regional and generational variation, as well as cultural practices such as mouthing Welsh place names. This confirms that BSL is a living, diverse language within Wales' multilingual landscape and it should be recognised as such.

Third, the Bill should be explicitly aligned with the Future Generations Act well-being goals. Promoting BSL directly advances a healthier Wales (by reducing health inequalities), a more equal Wales (by removing systemic barriers to participation), and a Wales of vibrant culture and thriving Welsh language (by acknowledging BSL as part of the nation's multilingual heritage). Embedding this alignment would provide policy coherence and demonstrate that the Bill is not operating in isolation but contributes to the broader vision of a sustainable Wales.

Fourth, the list of public bodies omits important public bodies, notably Estyn, Qualifications Wales, the Education Workforce Council, Transport for Wales, the Public Services Ombudsman, and further and higher education institutions. If not included during the legislative process, the process for expanding the list will be left largely to ministerial discretion, with no guarantee of consultation with the deaf community. A stronger mechanism for expansion, or at least a requirement for consultation, would give greater confidence in the Bill's reach.

Fifthly, the Bill is silent on independent monitoring. Without clear requirements for external review, or for the adviser to report directly to the Senedd, there is a risk that public body plans and ministerial strategies will become descriptive exercises rather than drivers of systemic change. Sustainable funding for interpreter training, BSL teachers, and linguistic research is also essential if the Bill is to achieve more than symbolic recognition.

Finally, consideration should also be given to how deaf people can raise complaints if duties are not met, whether through the Public Services Ombudsman or another mechanism.

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Our ref: FM/PO/371/25

Rt Hon. Elin Jones MS
Chair
Chairs Forum

23 July 2025

Dear Elin,

I attended the Committee for the Scrutiny of the First Minister on 13 December 2024, and whilst I made clear my view that Senedd Committees do great work, I also expressed concern about the volume of recommendations which are often made by Committees to the Welsh Government.

As a government, we need to be realistic about our ability to deliver Committee recommendations and of the need to consider recommendations in the context of the limited resources which are available. If the current volume continues, the government is likely to need to reject more recommendations going forward to ensure we can continue to focus on delivering for the people of Wales.

I am keen to get to a position where Committees, in carrying out their work, concentrate on fewer recommendations, with a focus on specific and clearly defined recommendations which will have the greatest impact as appropriate to the matter under consideration.

In making these observations, I do not seek to fetter the critical work of our Senedd Committees in scrutinising and holding the government to account. Targeting efforts and experience in this way however, will help us collectively to continue to deliver effectively for the people of Wales.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I would be grateful if this could be fed back to the Chair of each Committee, who I'm sure will wish to consider prior to the expansion of the Senedd. We will also respond with further detail to your letter of 8 July seeking views as part of the Chairs' Forum review of Committee operations in the sixth Senedd.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eluned Morgan', written in a cursive style.

Eluned Morgan

Senedd Committees

Via e-mail

8 July 2025

Consultation: Reviewing Committee Effectiveness in the Sixth Senedd

Dear Chair,

You will be aware that the Chairs' Forum is currently considering how committees have operated during the Sixth Senedd. The aim of this work is to identify whether committee procedures and practices can be improved to ensure the scrutiny function is as effective as possible, and to use this information to inform the Seventh Senedd. The Forum is keen to consider wider cultural issues around the operation of Senedd committees, as well as practical matters such as size and function.

The Future Senedd Committee has also made a [number of recommendations](#) to the Forum about the committee system and considerations for the Seventh Senedd, and these have been factored into our work on this matter.

The Forum has launched a [consultation](#), and we would be grateful for the views of individual Committees on the questions in the [consultation document](#), and any reflections that you may consider relevant by **12 September 2025**.

Yours sincerely,



Elin Jones MS/AS

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg / We welcome correspondence in Welsh or English



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