



Jenny Rathbone MS
Chair, Equality and Social Justice Committee
Senedd Cymru
Cardiff Bay
CF99 1SN

17 September 2025

Dear Jenny,

British Sign Language (Wales) Bill

I was grateful for the opportunity to provide evidence to the Equality and Social Justice Committee on the British Sign Language (Wales) Bill. I very much welcome the opportunity to work with the Committee as the Bill progresses through Stage 1.

On that basis, I wanted to follow up on an important area of questioning raised at the evidence session, and provide some further clarity if I could. This relates to Section 5(7) of the Bill, which states that:

5(7) If the BSL adviser requests that a listed public body provides the adviser with information for the purpose of the exercise of any of the adviser's functions, the body must comply with the request unless it considers that doing so would conflict with its duties or have an adverse effect on the exercise of its functions.

You asked why the Bill had been drafted to include a 'get out' for public bodies relating to any conflict with its duties or adverse effect on the exercise of its functions.

I would like to first confirm that it is not my intention that this provision could or should be used as a general get out for public bodies. It should only be used when there is a genuine reason that would prevent that public body from providing the information requested. That could include, for example, information that, if released, could breach a duty of confidentiality held by that body.

MARK ISHERWOOD MS|AS

Member of the Welsh Parliament for **North Wales**
Aelod Senedd Cymru dros **Ogledd Cymru**



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As I outlined during the meeting, I did have concerns about the inclusion of this wording in the Bill. First and foremost I believe that public bodies should do all they can to comply with their duty under the Bill to provide the information requested. I also believe that the instances where the provision of information would conflict with a public bodies' duties or have an adverse effect on the exercise of its functions, would be relatively low, and would happen only in specific circumstances.

Discussion held during the drafting of the Bill also highlighted that it is not uncommon for such provisions to be included in legislation. Similar provisions are included in other Senedd Acts, including in particular, the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015, which also sets out the model for the Adviser on which we based the equivalent provisions of the BSL Bill.

However, notwithstanding the above, I fully understand the Committee's concern about the potential misuse of this provision, and would want to do all I can to avoid that. If the Committee's view is that this provision should be amended to help prevent such misuse, I would be very happy to explore that as the Bill progresses, including holding further discussion with the Cabinet Secretary for Social Justice.

Yours sincerely

A handwritten signature in black ink that reads "Mark Isherwood". The signature is written in a cursive style and is positioned above a horizontal line.

Mark Isherwood MS
Member of the Welsh Parliament for North Wales