
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 Christopher Shank | Evidence from Dr Christopher Shank

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

As a linguist at Bangor University, who is working with an interdisciplinary team of deaf and hearing researchers documenting the Welsh dialect of British Sign Language (BSL), I wish to use my expertise and your respective time, to help address any doubts, questions, or concerns the nature of signed languages as actual languages and to support that position that BSL users, in Wales, are an important indigenous linguistic and cultural minority within Wales and therefore deserve the rights and protections afforded by the BSL (Wales) bill. The bill is long overdue, and it will go a long way towards recognizing and providing critical support for this important and to date, often overlooked and under resourced, minority community.

Following the groundbreaking work of William Stoke (1960), signed languages have since been recognized as natural languages around the world. Research has shown that they display distinct and language specific phonology (handshapes, movement, orientation), morphology (word formation processes), syntax (word order and sentence structure), and semantics (meaning). These linguistic systems are rule-governed and allow users to express abstract, complex ideas, just like spoken languages (Sutton-Spence & Woll, 1999). They are languages in their own right and often not mutually intelligible. For example, BSL is not intelligible with American Sign language (ASL); they are different languages.

Furthermore, just like spoken languages, one sees regional and dialectal variation within signed languages and even within signed language communities. For example, in spoken British English we have well known dialects such as Cockney, Scouse, Black Country and Gorgie. Each is identifiable by idiosyncratic pronunciation patterns, vocabulary, grammatical constructions and so forth. Numerous studies in the UK from the 1990s onwards have shown that BSL also exhibits clear regional and dialectal variation with documented regional variation and differences in things such as lexical items, fingerspelling, and phonological features. For example, (Stamp et al. 2015; Stamp et al. 2014; Schembri et al. 2018) have documented region-specific variants in number and colour signs in eight different areas in the UK. Research by (Brown and Cormier 2017; Sutton-Spence et al. 1990) has shown differences in fingerspelling with deaf communities in Birmingham, Bristol, London, Manchester, Glasgow, and Belfast. More recent research conducted in Leeds by Blount (2018) has revealed clear local variation in the lexicon where younger signers sometimes

adopt or borrow forms from other regions. And finally other research on BSL has shown that, much like spoken languages, variables such as age also plays a central role: older signers retain traditional, regionally marked variants, whereas younger signers favour more standardized forms.

Signed languages also coexist with their spoken community 'counterparts' and are often shaped and influenced by the cultural and environmental domains in which they are used. Wales is no exception. Our project, the Deaf Health Wales project, is the first of its kind to identify, document, and categorize the Welsh dialect of BSL. While still early in the project, our research has shown that a distinct Welsh BSL dialect not only exists, roughly 20-25% of the signs are distinct from standard BSL, and we have also documented regional variation and influences from Welsh language and culture. Many deaf Welsh culturally self-identify as 'Welsh' as one would expect, and this is often represented in their signed language usage. They are an under-recognized, often overlooked, indigenous minority language and cultural group within Wales. The BSL (Wales) Bill is an important step in recognizing, validating, and protecting their linguistic presence, rights and identities and their contributions to the Welsh social, political and cultural landscape.

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?

I approach this bill and its provisions as linguist with expertise in language use, variation and change, as well as the intersection of language, culture and identity; so, with respect to delivering the stated policy intentions I take a more theoretical approach, one guided by reviewing literature and assessing the bills provisions relative to other similar bills and provisions. All in all, I think the bill, which has clearly been guided by similar acts such as that in Scotland, establishes a good framework that should help to elevate the status, recognition and support for the use of BSL in Wales.

I am particularly encouraged by the proposed BSL advisor role and that it requires that the post holder be a native BSL user. This is a very important step in my opinion. It is essential that a deaf community member be in this position, and that they are a BSL user (Foltz, Cuffin & Shank, 2022; Foltz & Shank, 2020). In my professional opinion, as a linguist who has had training and experience working with language minority communities, this type of representation and voice is absolutely critical if the advisor is to have any legitimacy with the community that they represent and advocate for. The deaf Welsh community is not homogeneous in thought, opinion or identity; however, community representation and voice are essential for the person in this role and for that one must have a BSL signer in the post.

Achieving the bill's provisions and goals will require support, resources, community engagement, oversight and clear communication both to and from the deaf community. This will not be easy, but I think it is achievable with what has been proposed.

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

I think that, while well intentioned, when it comes to minority languages, 'promotion and facilitation' aspects, are often the weakest elements and prone to falling well short of goals or targets. Minority languages by definition are spoken by a minority of the population, and in the case of BSL users in Wales there anywhere from 4,000 – 7,000 BSL users (Shank & Foltz, 2019) which is admittedly a small number and one that, if one is not diligent with oversight, review and required reporting and targeted outcomes, promotion and facilitation efforts can be the first to suffer from budget cutbacks because the public, writ large, doesn't see the priority or need. I think that more robust steps will need to be taken to raise the status, visibility, awareness and opportunities to use BSL in Wales and this will in turn require aggressive monitoring and accountability. I think clearer targets and outcomes are needed to help tighten up this element of the bill.

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

I agree with and very much support this provision. It is both welcome and needed. As one who works with in a University environment, we are guided by 1,5- and 10-year guidance plans and strategies. I do think the six-year review cycle is too long and should be shortened to every 2 years or 3 years, for at least the first 6 years of implementation. This is an ambitious bill and the provisions within it may require adjustments and changes following consultations with community members. Community needs and requirements do change, especially as recognition and support and visibility is achieved. This bill will be impactful on deaf Welsh citizens lives in both known and unanticipated ways. I would prefer to see earlier review and assessment to that if substantive changes need to be proposed there is time to do it in accordance with Welsh government policies, regulations and timelines.

3 - A duty on Welsh Ministers to publish BSL guidance

No comments. I trust others who are more knowledgeable and experienced will provide feedback here.

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

No comments. I trust others who are more knowledgeable and experienced will provide feedback here.

5 - The appointment of a BSL adviser

I would refer back to my answer to ‘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?’

In that section I indicated my support for the advisor role and the importance that the person appointed be a native, 1st language, BSL user. In reviewing the provisions, the role seems to be well set out in terms advisory and consultation duties and / responsibilities. I am also pleased to see that the post is an employee of the Welsh government and with it will enjoy the rights, protections, accommodations, line management, and opportunities afford a government employee. The BSL advisor role is not meant to be symbolic, but it will be a symbol of sorts for inclusion and accommodation, and it will also function as a role model for other deaf BSL users who wish to work for the Welsh government.

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

No comment. Again, I trust others who are more knowledgeable and experienced will provide feedback here.

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

No comment. Again, I trust others who are more knowledgeable and experienced will provide feedback here.

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

No comment. Again, I trust others who are more knowledgeable and experienced will provide feedback here.

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

No comment. Again, I trust others who are more knowledgeable and experienced will provide feedback here.

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

I have some final comments regarding the bill and accompanying explanatory memorandum.

To return to my opening statement regarding the linguistic and cultural identity of the Welsh deaf community, and its creation and use of a Welsh dialect of BSL; we have ample and

growing evidence that BSL users are part of and contribute to the unique cultural identity of Wales and as such their voices, contributions and lives need to be acknowledged and afforded the same opportunities and protections as the Welsh hearing population. This bill would help to accomplish this. There are issues that remain such as the lack of qualified BSL interpreters in Wales, the critical lack of BSL translators in Wales, inadequate systems for making and tracking complaints when it comes to health and social services, and a general lack of deaf awareness in both the public and private sector. Too often the hearing world looks at deafness as a disability and something to be fixed or cured. The deaf, BSL users, and their communities are culturally vibrant, linguistically innovative, and these citizens have the same hopes, dreams and aspirations as their hearing counterparts. This bill and its provisions will not fix everything, there is still a great deal of work to be done; however, it is a very positive step in the right direction and, to be honest, it is long overdue in Wales.

Anything else?

References:

Blount, Lily. "Investigating Lexical Variation in British Sign Language in Leeds." *Lifespans and Styles*, 2018.

Brown, Matt, and Kearsy Cormier. "Sociolinguistic Variation in the Nativisation of BSL Fingerspelling." 2017.

Foltz, Anouschka, H. Cuffin, and C. Shank. "Deaf-Accessible Parenting Classes: Insights from Deaf Parents in North Wales." *Societies*, vol. 12, no. 4, 2022, p. 99.

Foltz, Anouschka, and C. Shank. "Deaf Sign-Language Using Patients' Experiences in Health Emergencies in Wales: Perspectives for Improving Interactions." *Frontiers in Communication*, vol. 5, 2020, p. 572855.

<https://www.bangor.ac.uk/deaf-health-wales>

Schembri, Adam, R. Stamp, J. Fenlon, and Kearsy Cormier. "Variation and Change in Varieties of British Sign Language in England." 2018.

Shank, C., and Anouschka Foltz. "Health and Deafness: Exploring the Barriers and Enablers That Impact the Welsh d/Deaf Community's Ability to Access Healthcare Services and Stay Healthy." Bangor University, 2019.

Stamp, R., A. Schembri, B. Evans, and Kearsy Cormier. "Regional Sign Language Varieties in Contact: Investigating Patterns of Accommodation." *Journal of Deaf Studies and Deaf Education*, 2016.

Stamp, R., A. Schembri, J. Fenlon, and R. Rentelis. "Sociolinguistic Variation and Change in British Sign Language Number Signs: Evidence of Leveling?" 2015.

Stamp, R., A. Schembri, J. Fenlon, R. Rentelis, B. Woll, and Kearsy Cormier. "Lexical Variation and Change in British Sign Language." *PLOS ONE*, vol. 9, no. 4, 2014, p. e94053.

Stokoe, William C. Sign Language Structure: An Outline of the Visual Communication Systems of the American Deaf. *Studies in Linguistics, Occasional Papers 8*, 1960.

Sutton-Spence, Rachel, Bencie Woll, and Linda Allsop. "Variation and Recent Change in Fingerspelling in British Sign Language." *Language Variation and Change*, 1990.

Sutton-Spence, Rachel, and Bencie Woll. *The Linguistics of British Sign Language: An Introduction*. Cambridge UP, 1999.

Woll, Bencie. "Regional Variation in British Sign Language." *Sociolinguistics in Deaf Communities*, edited by Ceil Lucas, Gallaudet UP, 1998, pp. 41–61.