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 Undeb Cenedlaethol Cyfieithwyr ar y Pryd Iaith Arwyddion Prydain | Evidence from National Union of British Sign Language Interpreters

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

We agree with the need for a BSL bill to ensure that the Deaf community can access information in their first language and participate fully in every aspect of society—one of the requirements of the UNCRPD. Deaf people face many barriers in daily life that could easily be removed with the right support. Unfortunately, we do not believe that this bill goes far enough to achieve that. As we have already seen with the Scottish BSL Bill and the BSL Act, such legislation lacks teeth and is not delivering the change the Deaf community and its supporters anticipated.

We would also like to raise the issue of this being a Private Member's Bill. It is concerning that this approach is being adopted by both the UK Parliament and the Welsh Parliament, as it makes it very difficult for the bill to be reviewed or amended. Private Members' Bills are not a priority, and we believe that, rather than improving conditions for the Deaf community, this approach does them a disservice. While we do not doubt the Minister's commitment in bringing this bill forward, we still believe it is ill-advised, as it provides no additional funding or enforceable duties

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?

Overall, we do not believe this bill will bring about any meaningful change to the lives of the Deaf community or improve provision. It is too weak and risks becoming a token gesture. Stating that a public body intends to do something is very different from ensuring it actually happens, and we are concerned that no real action will be taken.

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

This duty as worded is too weak to deliver real change. "Promote" and "facilitate" are vague, unenforceable terms; they allow ministers to celebrate pilot schemes and social-media campaigns while everyday services remain inaccessible. What the Deaf community needs is a clear, enforceable duty to provide BSL access across health, education, justice and other

devolved functions, backed by statutory standards, ring-fenced funding and meaningful sanctions for non-compliance.

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

Publishing a strategy and guidance is simply paperwork unless it creates legally enforceable rights. Without statutory standards, earmarked funding and clear sanctions for failure, the document will sit on a shelf while Deaf people still face refused appointments, delayed education support and no BSL access in court. A national strategy must be accompanied by a concrete duty to deliver BSL access in every devolved service, with individuals able to challenge breaches and obtain redress.

3 - A duty on Welsh Ministers to publish BSL guidance

Guidance alone changes nothing: it carries no legal force, no budget and no penalty for ignoring it. Unless the Bill sets clear, measurable duties—specifying where, when and to what standard BSL must be provided—and creates an independent mechanism to monitor, audit and sanction non-compliance, provision will stay patchy and Deaf people will still be treated as second class citizens.

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

A plan on paper is worthless without teeth. The Bill must spell out who will enforce the plans, what sanctions apply if a body fails to meet its BSL commitments, and how individuals can trigger a formal remedy. Without statutory penalties, budget ring-fencing and a named enforcement agency with power to fine or intervene, public bodies will continue to treat BSL provision as optional.

5 - The appointment of a BSL adviser

We welcome the creation of a BSL adviser post, but the Bill must define the role precisely: statutory independence, power to audit public bodies, authority to issue binding improvement notices, and direct access to ministers and the Senedd. If the adviser is merely asked to "encourage" or "review" voluntary plans, the post becomes a fig-leaf. Real change requires the adviser to oversee enforceable standards, publish compliance league tables and trigger financial or legal sanctions when services remain inaccessible.

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

Reporting duties are pointless if no one acts on the reports. The Bill must require:

1. Annual, public-facing reports from every listed body, laid before the Senedd and published in BSL video and English/Welsh text.

2. A single national dashboard (maintained by the BSL adviser) that aggregates data, ranks compliance and flags persistent failures.

3. Mandatory remedial timetables for any body falling below statutory benchmarks, with the adviser empowered to trigger external inspection or financial penalties if improvements are not delivered within three months.

4. A joint Senedd committee hearing each year where ministers and top-tier failing bodies can be questioned in BSL and English, with unedited evidence published.

Without these follow-through mechanisms, reporting becomes an exercise in reputational protection, not accountability.

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

Delegating more power through subordinate legislation is premature when the primary Bill itself sets no enforceable standards, allocates no ring-fenced funding and creates no sanction regime. Subordinate regulations can only flesh out duties that already have legal bite; they cannot conjure up the missing backbone. Until the parent Act imposes clear, justiciable rights to BSL access and an enforcement mechanism with penalties, any future regulations risk being as toothless—and as easily ignored—as the clauses they supplement.

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

Yes—there are three built-in barriers the Bill simply ignores.

1. Capacity gap: councils and health boards already struggle to recruit registered BSL interpreters; the Bill offers no workforce plan, training fund or salary incentives, so most bodies will be unable to meet even the vague "promotion" duty.

2. Cost vacuum: it imposes new planning and reporting obligations without attaching a penny of funding; smaller authorities will either plead financial impracticality or divert money from front-line services, fuelling resentment and non-compliance.

3. Enforcement void: there is no designated tribunal, regulator or ombudsman to hear individual complaints, no fines for non-compliance, and no power to compel emergency provision (e.g. an on-call interpreter for a midnight birth). The Bill therefore takes no account of the very barriers—staff shortages, budget pressure and lack of legal leverage—that have scuppered every previous well-meaning language initiative.

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

This highlights the weakness of this bill. The costing seems to focus on the amount needed to produce guidance and staffing for producing this. No funding is being given to establish new service provision, meaning that public bodies would be expected to find money within existing budgets. This is impossible. Full access and BSL provision need to be properly funded.

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

Our overriding fear is that the Bill will entrench the very exclusion it claims to remedy. By creating a mirage of action—strategies, guidance, future plans—it gives public bodies a ready-made defense ("we're working on it") when a Deaf person is refused an interpreter today. Without an immediate, individual, enforceable right written into the primary legislation, every tribunal or county-court claim will be met with the response, "Compliance is coming via our forthcoming BSL plan," kicking real access ever further down the road. In effect, the Bill risks replacing the present, patchy but occasionally winnable equality-duty arguments with a statutory excuse for delay.

Anything else?

The Bill repeats the two fatal design flaws already visible in the Scottish and Westminster legislation: it imposes new legal duties without a single pound of new money, leaving councils and health boards to fund interpreters and video-relay services from shrinking baseline budgets; and it locks those duties inside a Private Member's Bill, guaranteeing that any future amendment will languish at the bottom of the parliamentary pile. Like the Equality Act's watered-down "reasonable adjustments" clause, the vague verbs: "promote", "facilitate", "have regard to"—give courts an escape hatch and public bodies a shield. Before proceeding, every sponsor of this Bill should read Maartje De Meulder's "A Barking Dog That Never Bites? The British Sign Language (Scotland) Bill": it catalogues how identical promises produced strategy-launch photo-ops but zero enforceable rights, and warns that without upfront funding, statutory standards and a route for individual enforcement, Wales is poised to replicate Scotland's paper triumph and practical failure.