

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

BRITISH SIGN LANGUAGE BILL

Wednesday 23 February 2022

CONTENTS

CLAUSES 1 to 4 agreed to.
SCHEDULE agreed to.
Title amended.
Bill, as amended, to be reported.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Sunday 27 February 2022

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The Committee consisted of the following Members:

Chair: MRS MARIA MILLER

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|---|---|
| † Aiken, Nickie (<i>Cities of London and Westminster</i>) (Con) | † Lockhart, Carla (<i>Upper Bann</i>) (DUP) |
| † Aldous, Peter (<i>Waveney</i>) (Con) | Longhi, Marco (<i>Dudley North</i>) (Con) |
| † Bacon, Gareth (<i>Orpington</i>) (Con) | † Penning, Sir Mike (<i>Hemel Hempstead</i>) (Con) |
| † Clarkson, Chris (<i>Heywood and Middleton</i>) (Con) | † Rimmer, Ms Marie (<i>St Helens South and Whiston</i>) (Lab) |
| † Cooper, Rosie (<i>West Lancashire</i>) (Lab) | † Smith, Chloe (<i>Minister of State, Department for Work and Pensions</i>) |
| † Crosbie, Virginia (<i>Ynys Môn</i>) (Con) | † Williams, Craig (<i>Montgomeryshire</i>) (Con) |
| † Eagle, Maria (<i>Garston and Halewood</i>) (Lab) | Adam Mellows-Facer, <i>Committee Clerk</i> |
| † Fellows, Marion (<i>Motherwell and Wishaw</i>) (SNP) | |
| † Foxcroft, Vicky (<i>Lewisham, Deptford</i>) (Lab) | |
| † Greenwood, Lilian (<i>Nottingham South</i>) (Lab) | |
| † Kruger, Danny (<i>Devizes</i>) (Con) | † attended the Committee |

Public Bill Committee

Wednesday 23 February 2022

[MRS MARIA MILLER *in the Chair*]

British Sign Language Bill

10 am

The Chair: Please note that our proceedings are being streamed on parliamentlive.tv with British Sign Language interpretation. If any hon. Members use BSL, they should translate it into spoken words for the benefit of our colleagues in *Hansard*.

My selection and grouping list for today's sitting is available online and on the table at the front of the room. We will have a single debate covering the four clauses of the Bill, the schedule and amendment 1 to the long title. The formal decisions will be taken, without further debate, at the end in the normal way—do not worry: I have the script in front of me. If any Members want to participate in the debate, please rise to indicate that you do; otherwise, it can be awkward to see who wants to participate.

Clause 1

RECOGNITION OF BRITISH SIGN LANGUAGE

Question proposed, That the clause stand part of the Bill.

The Chair: With this it will be convenient to discuss the following:

Clauses 2 to 4 stand part.

That the schedule be the schedule to the Bill.

Amendment 1, title, line 1, leave out from beginning to end of line 5 and insert

“Recognise British Sign Language as a language of England, Wales and Scotland; to require the Secretary of State to report on the promotion and facilitation of the use of British Sign Language by ministerial government departments; and to require guidance to be issued in relation to British Sign Language.”

This amendment brings the Bill's long title in line with the contents of the Bill.

Rosie Cooper (West Lancashire) (Lab): I begin by thanking you, Mrs Miller, as the Chair, the members of the Committee, and Adam Mellows-Facer and the other parliamentary officials for the work they have done, which has allowed us to get to this point. It really has been an uphill struggle from the start. I was 20th out of 20—last—in the private Member's Bill ballot. Many people counselled me that my Bill had no chance, even before I decided to present a BSL Bill, because I would be very unlikely to get any debate time. Despite that, I pressed on to develop this Bill into one that will truly make a difference for the deaf community and that might actually get over the line with the support of MPs and the Government. As we know, private Members' Bills are already in a precarious position, especially if the Government are not supportive, or if just a single MP does not want a Bill to go through—that can stop it dead in its tracks. That is why I am so pleased to have been able to work with the Minister to strengthen the Bill, and to have Government support.

I have tabled the amendment to the Bill to ensure that the long title reflects the changes made to the Bill between its initial presentation in June 2021 and how it appears today. It is unfortunate that a few people have questioned the changes to the Bill and misattributed them to a supposed weakening of the original Bill. I would like to be clear with everyone here and anyone watching these proceedings that the Minister and I have not been in a tug of war against each other. In fact, we have been on the same side throughout, seeking to make the Bill stronger at every opportunity, notwithstanding the fact that that is limited by the legal and parliamentary realities of private Members' Bills—it is as simple as that.

I am also pleased to say that I have worked closely with the nine deaf organisations responsible for the BSL Act Now! campaign during this process and have used the Bill that they initially drafted and suggested to me as the basis for the Bill that we now have. There are some key differences between the first draft that I discussed with them in June and the Bill that we are now scrutinising, which was published in January. This Bill was the product of many meetings that I held with deaf organisations and the Minister, roundtables and, frankly, many battles with the lawyers, who ensured that we got the fine detail correct—we have.

I will clarify each of the changes and how they relate to the amendment that I have tabled to the long title. Clause 1 has always been the symbolic acceptance of BSL as a language. The Bill that the British Deaf Association and the rest of the BSL Act Now! campaign suggested to me was centred on clause 1(1), which stated:

“BSL is declared an official language of the UK.”

That was purely totemic, and was clarified in subsection (2), which read:

“Section 1...does not create any legally enforceable rights.”

Plenty of people pointed out to me after the presentation of the original long title that there is no such thing as an official language of the UK—even English is not an official language in the UK. This clause of the Bill caused the lawyers an awful lot of consternation and, I am sure, more than one sleepless night. In the end, it was agreed that there was no practical way to refer to BSL as an official language. The Bill was amended to “recognise” BSL as a language in its own right. In functionality and outcome, the change of wording to “recognise” makes no difference. BSL is recognised in legal statute, and that gives it the standing it needs.

Clause 1(2) now clarifies that

“Subsection (1) does not affect the operation of any enactment or rule of law.”

That is similar to the disclaimer in the original Bill—nothing has changed. Without this measure, the Bill would need to delve into all the other pieces of legislation we have to see how they fit together. Clearly, that level of detail is not possible in a private Member's Bill.

I am sure everyone will be happy to know that I am not going to go through the rest of the Bill line by line, but it is important to explain these subsections, as they are essential to understanding that the changes to the Bill have not been made to weaken it or lessen its impact. Like all similar Bills, this Bill is limited by the scope afforded to private Members' Bills. Many deaf organisations will want it to go further, and that can be examined later in the advisory body and so on. Today is not a drop-dead day—today is the beginning.

One limitation is that a private Member's Bill cannot create new public expenditure. The original proposal was for the creation of a BSL statutory council. So as not to create expenditure, that has become a non-statutory advisory board, made up of a diverse group of deaf people and BSL users. The Minister has already set out how that can be created. Every day, the plans for the board are progressing—we are moving on.

The advisory board will play a key role in developing guidance that the Secretary of State will issue to ministerial Departments. The guidance will be relevant to all functions within those Departments and will feed into the public bodies they operate. This is where the Bill will make the biggest difference, creating a mechanism for deaf people to directly influence official guidance that the Government will publish. That will give a voice to around 90,000 deaf people who know better than anyone else the day-to-day problems they experience. The guidance will tackle those issues.

For instance, just last week it was reported that the number of specialist teachers in deaf schools is at its lowest point for a decade and that deaf children are struggling as a result. We will now be able to directly single out such problems and make it clear through guidance exactly what is needed to give deaf children the equal access to quality education that they deserve.

In hospitals, medical professionals will no longer be able to use an excuse when they fail to provide a qualified interpreter. With guidance in place, it will be clear throughout the health service what requirements should be met to facilitate BSL users. That point will be reflected in all the interactions between BSL users and Government. There is now much interest in BSL and in learning to sign, which will benefit everyone and surely create more opportunities to become a BSL interpreter.

Working with the Minister, we have added a clause that requires each ministerial Department to report every three years on exactly what it has done to use BSL in its public communications. This will be an invaluable tool for the deaf community in holding each Department to account on whether it is following the guidance issued by the Secretary of State. The Bill will help every deaf person to engage with public bodies to ensure that their needs are met, and to hold to account the Government, councils, schools, hospitals, doctors and anyone they interact with so that they have one voice that is heard and finally understood.

The changes will not happen overnight. They may be incremental, but there will be a steady improvement, step by step. The changes will encourage equal access for deaf people across all public services. Once it has started, the pace of this change will be dictated by the deaf community and its campaigning and involvement to gain full access to everything we in the hearing world take for granted.

We have already seen how powerful the cultural shift has been towards understanding and accepting BSL across the UK. We must capitalise on that momentum by pulling together, getting the Bill on the statute book and unleashing the potential of BSL users for the benefit of us all. We worked together on Second Reading. Everybody noticed how well the House came together to deliver something for the deaf community. Let us move on and get the Bill on the statute book.

Sir Mike Penning (Hemel Hempstead) (Con): I will not detain the Committee for too long, because what is happening today has been set out brilliantly by the sponsor of the Bill. I want to speak on behalf of my constituents and the deaf community as a whole.

I am enormously jealous of the Minister. When I was the Minister with responsibility for this issue, I wanted to be sitting where she is, bringing these measures through as a Government Bill or a Back-Bench Bill—I did not care. As we can see, the Minister has been much more successful than me. We got pushback after pushback, and having spoken to previous Ministers from other Administrations, I know they had similar pushbacks over the years, even though, in theory, we had had recognition in 2003.

I support all the provisions today, but I want to say to the community listening today that there are massive restrictions on any Back-Bench Bill coming through Parliament. I have been lobbied extensively—"Could we have this amendment? Could we have that amendment?"—and I have passed those comments to the Minister so that we can look at them as we go forward to the advisory panel and to the Lords. The amendment is vital to make sure that the Bill is successful. As has been explained, changing the long title in no way changes the importance or the powers of the Bill; it actually takes the Bill in the opposite direction.

For those listening to the Committee this morning who are wondering why we cannot do this or that, there is one key point. This is a Back-Bench Bill and the rules for them are quite difficult, but because the Minister has worked so closely with the hon. Member for West Lancashire we have got around many of those problems. Let us get this Bill on the statute book. Let us get the advisory panel set up.

We can learn from other countries. Some of the papers I passed to the Minister last night show that we do not need to reinvent the wheel very often. If other countries are successfully doing things, we can do them too. When we brought through the Welsh language legislation all those years ago, for instance, a lot of the scaremongering about costs was categorically wrong. The Treasury may have a lot of concerns, and we need to prove those wrong too.

I welcome the amendment and I welcome the Bill. Hopefully we will not detain the Committee much longer and we can get the Bill through this House and do what the deaf community expects of us by passing the Bill.

Maria Eagle (Garston and Halewood) (Lab): I very much congratulate my hon. Friend the Member for West Lancashire, who is promoting the Bill and doing so in a way that has enabled it to progress further than one might have expected, given that she came at No. 20 in the ballot for private Members' Bills. The only time I came up in the ballot, I was at No. 2—we will not go into the Fur Farming (Prohibition) Bill, but something pretty similar ended up on the statute book. However, I was not at No. 20, which is the last place in the ballot and the one most likely to see a Bill ruled out for time purposes when it comes to the day when these things are given priority. My hon. Friend has done well to use her opportunity to create this consensus.

10.15 am

Like the right hon. Member for Hemel Hempstead, I was a Minister for disabled people—back in 2001 to 2005—and British Sign Language was not recognised at the time as a language even in a declaratory form. Half of the officials in what was then the new Department for Work and Pensions—it was formed only in 2001—were from the education side of things and genuinely saw BSL as a distraction from learning to lip read. They saw no cultural issues and had no understanding that there was a deaf culture. They were not horrible or evil people; they simply had not had enough connection and dealings with deaf people—prelingually deaf people—to understand that there was a culture.

I remember making a speech in those very early days, using lines from some of those officials, and I was immediately challenged thereafter by deaf people and asked what on earth I was talking about. That enabled me to go back to the officials, and I understood then that there is a culture of prelingually deaf people, which is different from that of people who become deaf later in their lifetimes, and that there was an issue there that was not being recognised by officials.

It was my Secretary of State, Andrew Smith, who made the declaration in 2003. I was the Minister who was responsible for the policy and I was saying that we very much had to do this, because there was no recognition of sign languages even in the Council of Europe's charter for regional or minority languages at that time. We were a long way back from where we are now, but now is the time to take further steps.

BSL has been recognised in a declaratory way as a language since 2003, but we need to see more practical improvements for deaf people who use BSL. The key to that, as any former Minister for disabled people will tell you is for deaf people to have access to the Minister and to officials. They are the people who will bring their experience to bear and who will make it pretty clear pretty quickly what is right and what is wrong with how things are being done. They could be key to making things better for the deaf community and to promoting proper understanding.

It is absolutely time for recognition of British Sign Language to be in statute. That is so important—to be in statute, and not just in declaratory form. I agree with my hon. Friend the Member for West Lancashire about the issue with official languages, and I came across the same thing in my time as a Minister in 2003: we could not say that BSL was an official language, and that is still true now. That is not an attempt to water down efforts to enable BSL to be recognised and to be promoted properly in the way the Bill will facilitate.

The Bill is entirely a good thing. It will improve the capacity of deaf people who use BSL to participate in and get access to public services and proper provision, as the Equality Act 2010 assumes they should be able to. Provision of this kind of translation is a service and, in Equality Act terms, deaf people should not be discriminated against in the provision of services.

The Bill is entirely a good thing to the extent that it will focus the minds of officials and Ministers, who come and go over the years in Departments, on the needs, aspirations and requirements of deaf people. In that respect, guidance and reporting help to focus minds in Departments and can make a real difference.

Over a shortish period of time, we will discover if other measures are necessary or if other statutes must be passed to facilitate access and participation, and to enable the language to be properly used, recognised and expanded. That will become clear to Ministers and officials, and future Governments will be able to act on that.

The Bill is the next stand and the next important part of promoting BSL as the language that it is, enabling deaf people who use BSL as their first language to participate fully in society. It is entirely good. I am pleased to serve on this Committee, so long after I was behind the written declaration of recognition of the language. It is a landmark day.

When the Bill returns for its remaining stages, I hope this House can facilitate its passage to the other place quickly, and that the other place will see its importance and facilitate its passage on to the statute book as soon as possible. It will be a moment to celebrate for the deaf community, and it is appropriate that my hon. Friend the Member for West Lancashire, who comes from a deaf family, will be able to say that she did this. It matters so much, to so many.

Virginia Crosbie (Ynys Môn) (Con): It is an honour and a privilege to serve on the Committee. I congratulate and thank my hon. Friend the Minister and the hon. Member for West Lancashire for championing the British Sign Language Bill.

As the Member of Parliament for Ynys Môn, I am learning Welsh, because it is the language of the island and of my constituents. I have seen first hand how important it is to be able to communicate with my community in a common language. Making BSL an official language of the UK recognises the importance of BSL as a common language for our deaf communities. Around 70 children on Anglesey are registered as deaf or hard of hearing, and the Bill will improve their life chances. On behalf of those children, I say diolch yn fawr.

Peter Aldous (Waveney) (Con): It is a pleasure to serve with you in the Chair, Mrs Miller.

I congratulate the hon. Member for West Lancashire on sponsoring the Bill, and on defying gravity and conventional wisdom. The normal advice we give to constituents and non-governmental organisations is that if Members are in the top five in the ballot, they have a chance, God willing, but if they are No. 20 they have no chance whatever. The fact we are here today is a tremendous tribute to the hon. Lady's sterling efforts and those of my near neighbour, the Minister, who has worked with her. What they have done is brilliant.

I will not detain the Committee for long, but I want to pick up on an issue raised by the hon. Member for West Lancashire in her opening speech—she got to the nub of the issue very quickly—when she said that one aim of the Bill is to give deaf children equal access to the education that they need. That campaign is close and dear to the hearts of my constituents, Ann and Daniel Jillings.

Over the years, Daniel has met a number of Ministers to make the case for the GCSE in British Sign Language. I know it takes time to get the curriculum right, but it is taking rather a long time. The pilot by Signature was carried out in 2015, and we are now seven years on. Daniel will soon be leaving school and he will not be

able to take the GCSE in BSL while at school. I urge my hon. Friend the Minister to emphasise to the Department for Education the need to get on with this. It will mean a great deal to people such as Daniel. It will give them an opportunity, as well as helping the hon. Lady achieve an early win, dare I say it, for the objectives of the Bill.

I will not speak any longer, because time is of the essence—not just today, but for the remainder of this Session. We need to get the Bill speedily through this place and on to the other place.

Marion Fellows (Motherwell and Wishaw) (SNP): It truly is a delight to serve under your chairmanship on this important Bill, Mrs Miller. I, too, congratulate the hon. Member for West Lancashire and, surprisingly for me, the Minister. They have worked so closely together to make this happen, and I think deaf people across the UK, including in Scotland, will be extremely pleased about the Bill. It was very important that the hon. Member for West Lancashire said that this is the first step, which it is.

The hon. Member for Waveney talked about qualifications. In Scotland, we have a Scottish Qualifications Authority qualification in BSL from level 3 to quite high up—I cannot quite figure out how high it goes, but it is there and is happening. In Scotland, we have lots of public presentations where signage is just there—it is not unusual—and it is really good that this is happening across the UK.

I will not take up much more time, but I know deaf folk in Motherwell and Wishaw, especially those in the Lanarkshire Deaf Club, will be absolutely delighted about the Bill, which is a first step. Let us keep going, and let us keep the pressure on, on behalf of folk who are deaf.

Vicky Foxcroft (Lewisham, Deptford) (Lab): It is a great pleasure to serve under your chairship, Mrs Miller, and on such an important Bill, which will have a positive impact on so many people. I congratulate my hon. Friend the Member for West Lancashire on all her work in this area. We heard her speak so eloquently on Second Reading about her deeply personal connection with British Sign Language and, as a child of deaf parents, she spoke about how so many children who support their loved ones are forced to grow up too fast. She should be proud of the Bill and the future progress made in this area, which will support so many young people who shoulder responsibilities well beyond their years.

I would like to place on the record my thanks to the BSL Act Now! campaign and the many disabled people, disabled people's organisations and charities involved for their tireless work and commitment to the campaign. We all know that getting a private Member's Bill through takes resourcefulness, dedication and passion—qualities that we can all agree those involved have shown. I commend them all.

As we all know, British Sign Language is the primary form of communication for approximately 90,000 residents of the UK, with around 150,000 users in total. Its vocabulary and syntax do not replicate spoken English, and many deaf citizens have a much lower reading age than the general population. Sadly, too many deaf people in the UK continue to face barriers to communication, which affects employment, education

and access to healthcare. The Bill will begin to tackle some of those significant issues. If it becomes law, the Bill will achieve legal status for British Sign Language as the primary language of the deaf community in the United Kingdom. Achieving legal recognition of BSL through an Act of Parliament would be a huge step forward in improving deaf people's quality of life, their inclusion and autonomy in British society, their educational and professional opportunities, and even their health outcomes.

I strongly welcome the fact that the Bill also contains provisions for Government Departments and certain public service providers to publish and adhere to the guidance, setting out the steps that need to be taken to meet the needs of BSL users. I believe such guidance will improve the delivery of many public services and help BSL users to overcome the current limitations of the Equality Act 2010, which sadly mean that many providers do not know how to make reasonable adjustments for them.

Although I welcome the positive strides the Bill will enable, I know that, like me, many of my colleagues will see it as something that we must build on, and I want to touch briefly on a few crucial areas that I hope we can explore further in the future. The first is on data. As it stands, the Government do not capture sufficient data to give us a clear picture of the deaf community. Current statistics capture people based on terms such as "difficulty in hearing" and "hearing impairment". The use of "impairment" is unhelpful and outdated, and may have a negative impact on how BSL users respond. In short, the Government do not really know how many deaf people use BSL. That is concerning given they use that data as the evidence base for making decisions about how to support BSL users, a group of people who face some of the biggest barriers in society, whether in employment, education, health, wellbeing or other areas.

10.30 am

The second area I wish to focus on is the non-statutory board of British Sign Language users and associated persons who will advise the Secretary of State. While I warmly welcome the commitment to consult deaf people, we must ask why the body advising on such an important issue will be a non-statutory board. Does that mean Ministers will not have to listen to or act upon its recommendations? Ministers need to be clear about how the members of the body will be recruited. It is my sincere hope, and indeed expectation, that the body will be made up predominantly of disabled people and disabled people's organisations. I cannot stress enough, as other Members have, that the experts by experience must have a clear line to the Secretary of State. It is vital that this body is fully transparent and that it communicates clearly with the deaf community. Will the minutes and recommendations of the body be made public? While we should all welcome the move in principle, the devil will be in the detail, as always.

I hope to see improvements to strengthen the interaction a future BSL Act will have with other legislation and Government strategies. Hon. Members will know the Government's national disability strategy was recently found to be unlawful by the High Court, as the consultation process failed to engage correctly. Sadly, the Government have a poor record when it comes to doing the right thing by disabled people, so it would be remiss of us not

to consider strengthening Bills with adequate checks and balances. When reading the Bill, I noted with concern subsection (2) of clause 1, which states:

“Subsection (1) does not affect the operation of any enactment or rule of law.”

Disabled people’s trust in this Government is low. I do not think provisions like that will fill the deaf community with hope. Future improvements must strengthen the Bill and give it more power.

In conclusion, once again I congratulate my hon. Friend the Member for West Lancashire, and the BSL Act Now! campaign, on the progression of the Bill. It is a good start, but I hope hon. Members will agree that we can and should go a lot further.

The Minister of State, Department for Work and Pensions (Chloe Smith): It is a pleasure to work under your chairmanship, Mrs Miller, as you are a former Disability Minister. I think between current and former, that makes four of us in this room on a cross-party basis, which is a wealth of experience to have in any Committee. I welcome the formation of this Committee and the cross-party consensus that I think we have to make real change, which I am pleased and proud to be part of, in support of my new friend the hon. Member for West Lancashire (Rosie Cooper).

I will first speak about the Government’s support for the Bill and in the short time available, I will make a couple of additional points that I hope will be helpful to the Committee and to have on record. The Government are committed to the Bill because we are committed to supporting all people with a disability, including deaf people, to lead fulfilled and independent lives. For deaf people, that must include the ability to communicate with others through British Sign Language or other forms of deaf communication.

BSL is a rich, vibrant language in its own right that helps to build a sense of community for many deaf BSL users. It helps to shape deaf culture, reflecting unique characteristics found among the population of deaf and hearing-impaired people. I acknowledge the point made by the hon. Member for Garston and Halewood. We expect to update the explanatory notes to reflect the importance of deaf culture.

On clause 1, BSL was recognised as a language in its own right by a ministerial statement in 2003. As has been explained, the Bill will provide that recognition in a statutory format. I acknowledge the hard work of not only the hon. Member for West Lancashire, but all campaigners who have brought the notion to this point. I have no doubt that their work will improve the lives of deaf people and those in the BSL community.

I will set out, in response to the hon. Member for Lewisham, Deptford, what is going on in clause 1(2), because I would like to have that on the record. Eagle-eyed readers will know the subsection makes clear that the Bill does not affect the operation of any enactment or rule of law, for a very particular reason. It is to ensure legal certainty so that recognition of BSL would not generate confusion or disputes. For the good reasons already set out by the hon. Member for West Lancashire, we want to achieve something quickly and effectively, but the legal certainty is also important. It is an underpinning standard that we should seek to achieve in all our work. The purpose and effect of clause 1(2) is to leave the existing balance of legal protections of the Equality Act 2010 unaffected, and that is important.

Clause 2, as the Committee knows, requires the Secretary of State for Work and Pensions to regularly report on what each relevant Department—those detailed in the schedule of the Bill—has done to promote or facilitate the use of BSL in its communications with the public. I will give a few examples, which I hope will be helpful to the Committee. We expect that the communications could include public announcements, the publication of a plan, strategy or consultation document, or activities promoting the Department’s work, such as press conferences. The reporting will give us a much better understanding of how BSL is being used across Government and crucially how we can continue to improve communication for BSL users.

I acknowledge the argument made by my right hon. Friend the Member for Hemel Hempstead and his long-standing work and experience in this area. He has highlighted to me the example from the New Zealand Act, which seeks to ensure ongoing reporting about the operation of that Act. I acknowledge the argument and, of course, any legislation contains the ability to be reviewed because that is what we do in Parliament anyway, but in this particular case, I hope he also takes reassurance from the three-year reporting cycle encapsulated in clause 2.

Lilian Greenwood (Nottingham South) (Lab): Does the Minister agree that it would be valuable if Government time were made available for a debate on those reports when they were published? Many of us would like the opportunity to scrutinise and press the Government on the contents of those reports.

Chloe Smith: I am always delighted to discuss and debate matters to do with disability. Indeed, I note there is a debate in Westminster Hall tomorrow led by the hon. Member for Motherwell and Wishaw. Unfortunately, I have a medical appointment and will not be able to attend myself. However, the point the hon. Member for Nottingham South makes is a good one and I will convey it to my colleagues—the Chief Whip and the Leader of the House—who will be delighted to see what they can do to ensure the Bill is properly effective, that Parliament does its part to ensure the Government and Departments fulfil the duties in the Bill, and that Parliament can underline the importance of BSL going forward, which we would all agree on.

Clause 3 places a duty on the Secretary of State for Work and Pensions to issue guidance on the promotion and facilitation of BSL, which will be developed together with deaf BSL users as part of the non-statutory board. The guidance may include advice on reporting requirements, best practice for BSL communications and case studies to set out the value of BSL provision. I am keen to work with the board of BSL users and of course BSL users themselves to explore the best approaches, to ensure that the guidance is targeted at everyday interactions for deaf BSL users, and to ensure that the guidance helps service providers adhere to the requirements of the Equality Act 2010, particularly the duty to make reasonable adjustments and the public sector equality duty.

In addition, there are non-statutory measures that go even further to support British Sign Language users. This is right and proper. Some things we do in statute and some we do beyond statute, and together they make an effective package. To complement the approach set out in the Bill, therefore, we are developing a suite of

non-statutory measures that will help to promote and facilitate the use of BSL. Those measures include: establishing the non-statutory advisory board of BSL users, which we have already discussed; examining how we might increase the number of BSL interpreters, which I know is a crucial issue in the community; reviewing and updating Access to Work products to ensure that they are fully accessible for all BSL users, and ensuring that BSL users are well informed about what Access to Work can do for them; and aiming to update the national disability strategy to facilitate and promote BSL usage. I will say a little more about each before the Committee rises.

I am committed to creating a non-statutory board that will represent a broad variety of BSL users, with the intention of advising the Government on matters relating to BSL, including helping to formulate the guidance set out in clause 3 of the Bill.

Sir Mike Penning: In the formulation of the board, it is fundamentally important that BSL users and the charities are involved, but there are those outside who say, “No, this is too difficult to do”, so we need some outside influence as well. If we are not careful, it could become slightly too insular with regards to why we can or cannot do this. It is important that we have the right people on the board, but people from outside the community might also be important.

Chloe Smith: I am grateful for those remarks and for those made by my right hon. Friend on Second Reading about the need to widen the board’s membership beyond the bigger charities. I also acknowledge the point made by the hon. Member for Lewisham, Deptford that it is really important to work with a range of people and organisations that can best convey the needs of disabled people. I have already said that I want to make sure that BSL users themselves are central to the board. I cannot put it any simpler than that.

I have already asked officials in the Department to look at the composition and remit of the board. I hope to be able to confirm details in the summer and then seek nominations for members, who will be appointed by the Secretary of State.

Let me turn to the matter of increasing the number of BSL interpreters. I made this point in a letter to hon. Members. I have worked closely with the hon. Member for West Lancashire, and we have agreed that the Bill will recognise BSL, with the objective of increasing access to BSL interpretation. We therefore need to look behind the scenes to ensure that we have the right capacity to support BSL users.

I also mentioned in the list of non-statutory measures Access to Work. I am committed to making sure Access to Work is widely known. It is sometimes thought of as a well-kept secret, but it should not be. All of us want Access to Work to be widely understood, widely adopted and known to prospective employees and employers. That is critical, and it goes alongside the work we are doing with the Bill.

I will touch again on the national disability strategy and how that links to the Bill. The strategy was published in July 2021 and aims to improve disabled people’s everyday lives. It sets out a wide-ranging set of practical actions. We are committed to taking those actions and

to making society work better and fairer. That is critical in the context of this Bill. It is why we want to facilitate and promote BSL usage, and to do so through the work on the national disability strategy.

10.45 am

I endorse everything that the hon. Member for West Lancashire said about the amendment to the long title, and urge hon. Members to support it.

Let me turn to how the Bill should work across Great Britain. I want to be able to improve the lives of deaf and disabled people across Great Britain and Northern Ireland. The Bill does not extend to Northern Ireland, which is perhaps an easily understood point. Both British Sign Language and Irish Sign Language are in use in the Northern Irish deaf community. I am also aware that the Northern Ireland Executive are considering proposals to take forward their own Bill, recognising both languages. For those reasons, this Bill does not extend to Northern Ireland.

We need to use the Bill to improve the lives of disabled and deaf people across England, Wales and Scotland. I welcome the support of the hon. Member for Motherwell and Wishaw, as well as the remarks of hon. Members from Wales, including my hon. Friend the Member for Ynys Môn, who spoke today. There is a shared culture and similar challenges based on communication needs. The Equality Act 2010, on which this Bill builds, also provides for the same rights. Our aspiration is for this Bill to have a GB-wide impact for BSL users, while respecting existing and planned legislation in Scotland and Wales. We will of course continue to work closely with colleagues in the devolved Administrations to make sure the Bill is a success.

I acknowledge the points made about the experience of deaf people in, for example, NHS settings or in the classroom. We heard some really moving points, particularly on Second Reading, which referred to the really challenging positions that family members of BSL users, especially children, have been placed in.

I want to put it on the record today that NHS providers already have a legal duty to meet the needs of deaf people; they must comply with the duty in the Equality Act. They are also required to comply with the accessible information standard. The responsibility for meeting those obligations rests with the providers of NHS services. Let the message go out from this Committee today that we expect them to do so and we intend this Bill to aid them in doing so.

My hon. Friend the Member for Waveney made a point about the BSL GCSE and the use of BSL in classrooms. I can provide an update, which is that the Department for Education is at the moment working with subject experts to develop content for the BSL GCSE, and with Ofqual to ensure that the content can be assessed appropriately. The aim is to consult publicly on drafts of that content later this year. Ahead of the Committee today, I wrote to the Minister for School Standards, my hon. Friend the Member for Worcester (Mr Walker), to see what more can be done to accelerate that piece of work. We also have a champion for disability in every Department—a Minister in every Department—who I am involving in this effort, so that they can do what is needed in their Departments to promote and facilitate the use of BSL.

In closing, I thank you, Mrs Miller, for your stewardship of the Committee today. I also thank all hon. Members and right hon. Members who have taken part. A range of valuable points have been made, which will help make the Bill—the Act, in due course—the best that it possibly can be. I thank all the campaigners who have brought the work to this point, supporting the hon. Member for West Lancashire. Together, we have the prospect of actually making change, and that is something of which we can all be incredibly proud. We will do it right. We will make sure this Bill is a success. I am very pleased to have had the chance to put on record my intention to do so much more in addition.

Rosie Cooper: In closing, I would like to acknowledge that this Bill is not a silver bullet for all the ills faced by the deaf community. Let us be clear: it never could be. As a private Member's Bill, last on the list and brought forward by an Opposition MP, it is incredible that we have got this far. It is a testament to what can be achieved when we work together across the House, doing the right thing.

The Bill is a huge step in the right direction: the landmark recognition of BSL in legislation, backed by requirements for the Government to consider the needs of BSL users and create guidance on those needs, as well as to report on their success in doing so. To respond to the comments made by the Minister, those organisations in the health sector, for example, that are not delivering and may have been approaching this issue in a very sloppy fashion will know that BSL users are not going to put up with this for very much longer, and each and every one of us across the House has constituents who will tell us when those organisations are not behaving themselves. That will absolutely not be acceptable.

The deaf community have had a long and hard-fought path to get here. Progress has been made, but deaf people are still having to fight for the most basic provisions for BSL use, as we have described. As recently as 2014, a similar private Member's Bill was rejected. It cannot be overstated just how momentous legal recognition of BSL will be for every deaf person who has struggled through unbelievable hardships and campaigned relentlessly for their language to be accepted.

I must admit, I was tempted to be very naughty at one point and just sign a whole paragraph or two to let us into the world of deaf people, as Rose Ayling-Ellis did when that music stopped for those 10 seconds. If I signed a whole paragraph of my speech to Members, they would all be wondering what was going on. That is the experience of deaf people for so much of their lives, and it is just not acceptable.

No one understands the problems that deaf people face more than deaf people themselves. We will now hear those people, and hear what they have to say.

We have a chance to help them, and in so doing, they will help us as a society. We truly have a chance to make a difference in people's lives. Allowing deaf people to have a voice and enabling them to engage with public services in the same way as everybody else will be revolutionary.

The deaf community have so much to offer, but they have been silenced, sidelined and ignored for too long. This Bill will finally remove many of the barriers they face and allow them to make a huge contribution to society, including to the advisory body that will advise Ministers. The Minister has made it absolutely clear that she wants that body to be fair and equitable. It will not just be made up of deaf organisations and campaigners who own the territory; it will be representative, and that is right.

The lack of amendments today is a result of what we saw in January's debate. This Bill is about not politics or party political bickering, but getting the job done and making a difference. I thank everybody who is here today: you, Mrs Miller, as the Chair; the Clerks; all the people who work in the ministerial office, and helped to keep me on the straight and narrow when I sometimes got a bit tetchy; and every MP who spoke in January's debate and has supported this Bill. Particular thanks go to the Minister, with whom it has been an absolute pleasure to work on this Bill.

We have pushed for this Bill to be as strong as it can be, and we have cross-party support for it. What we need to do now is get it through and start making the difference. To echo the words of the hon. Member for Waveney, we need to get on with it.

The Chair: And that we will do.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 to 4 ordered to stand part of the Bill.

Schedule agreed to.

Amendment made: 1, in line 1, leave out from beginning to end of line 5 and insert,

“Recognise British Sign Language as a language of England, Wales and Scotland; to require the Secretary of State to report on the promotion and facilitation of the use of British Sign Language by ministerial government departments; and to require guidance to be issued in relation to British Sign Language.”—(*Rosie Cooper.*)

This amendment brings the Bill's long title in line with the contents of the Bill.

Bill, as amended, to be reported.

10.55 am

Committee rose.