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**Scottish Courts and Tribunals Service**

**British Sign Language (BSL) Plan 2018 - 2024**

    

**The SCTS is a member of, or accredited by, the above initiatives in support of its equality aims and outcomes.**

**Consultation**

The Scottish Courts and Tribunals Service (SCTS) is currently seeking views on its draft British Sign Language (BSL) Plan.

This plan supports commitments in [the British Sign Language (BSL) National Plan](http://www.gov.scot/Resource/0052/00526382.pdf) and sets out the actions we intend to take to promote BSL and support BSL users[[1]](#footnote-1) (including tactile BSL) over the period covering 2018 to 2024.

You can also view the BSL video which contains the [**draft BSL plan**](https://www.youtube.com/watch?v=QW33HFTeSK4&list=PLrceJJLUdzVMutFFfWHnYbwxseMASsvKs) and details [**on how to respond to this consultation**](https://www.youtube.com/watch?v=kbgiSS6HTS0&list=PLrceJJLUdzVMutFFfWHnYbwxseMASsvKs)**.**

**Giving us your feedback**

**The consultation runs until 31 August 2018.**

You can respond to this consultation in English or BSL.

* **Email** : equality@scotcourts.gov.uk – please email your [**Response Form**](file:///Z%3A%5CCommunications%5CTemp%5CSCTS%20BSL%20Questions%20and%20Response%20Form.doc) and put **BSL Plan** in the subject line;
* **Email** : equality@scotcourts.gov.uk - please send us an email with  youtube or  vimeo links to videos of your responses to the questions and put **BSL Plan** in the subject line (Please do not attach videos to the email as we cannot receive large files);
* **Post** - send your [**Response Form**](SCTS%20BSL%20Questions%20and%20Response%20Form.doc) to: Katarzyna Zduniak, Equality and Diversity Manager, Spur N1, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD.

If you have any questions about this draft plan, or our consultation, please contact equality@scotcourts.gov.uk or you may phone us at 0131 444 3455 through [contactSCOTLAND-BSL](https://contactscotland-bsl.org/) if you are a Deaf BSL user.

**Purpose**

Section 2 of the British Sign Language (Scotland) Act 2015 states that public authorities must publish an Authority Plan in which they set out measures they will take for the use of British Sign Language (BSL) in connection with the exercise of their functions. The Authority Plan must be published within 12 months from the publication of [the British Sign Language (BSL) National Plan](http://www.gov.scot/Resource/0052/00526382.pdf), which was published on 24th October 2017.

**About SCTS**

The Scottish Courts and Tribunals Service (SCTS) is a non-ministerial department established by the Judiciary and Courts (Scotland) Act 2008. Its statutory function is to provide administrative support to the Scottish courts, devolved tribunals and the Office of the Public Guardian (OPG).

The SCTS has a presence in many communities across Scotland. Court and tribunal business is conducted daily across the country in over 40 locations and, in the case of tribunal business, some 70 further remote locations.

In addition to administering Scotland’s courts and tribunals SCTS supports the Office of the Public Guardian and Accountant of Court. The OPG provides guidance and undertakes investigations to protect vulnerable people under the terms of the Adults with Incapacity (Scotland) Act 2000. The Public Guardian is also the Accountant of Court.

The SCTS also provides the staff and administrative support to:

* the Scottish Civil Justice Council, which drafts rules of procedure for the civil courts and advises the Lord President on the development of the civil justice system;
* the Scottish Sentencing Council, responsible for preparing sentencing guidelines, publishing guideline judgments and information about sentences imposed by the courts in Scotland.

 **Introduction**

This Plan sets out the commitments to the use of British Sign Language (including tactile BSL) in connection with the exercise of the functions of the Scottish Courts and Tribunals Service (SCTS).

The purpose of the SCTS is to support the effective administration of justice. We fulfil that purpose by providing the people, buildings and services needed to support the judiciary, courts, devolved tribunals and the Office of the Public Guardian. Therefore we play a crucial role in supporting a safe, just and resilient society. We demonstrate the lengths to which we go to improve the quality of our service by making sure we focus on the individual needs of those who rely on the Scottish justice system. Thus we fully support the Scottish Government vision to make Scotland the best place in the world for BSL users[[2]](#footnote-2) (including tactile BSL) to live, work and visit.

We are committed to improving our services and making them easily accessible by all service users, including those who use BSL. The interests of the Deaf community have been for some time now represented on our Equality Advisory Group (EAG) by the British Deaf Association Scotland. The aim of establishing the EAG was to access objective advice about mainstreaming equality from people who are committed to understanding the role of the SCTS and the challenges it faces in delivering our purpose and outcomes. The main purpose of the group is to act as a ‘critical friend’ to the organisation by giving advice on new and existing policies, procedures and providing fresh insight about developments in the equality sector.

SCTS is committed to pursuing all actions presented in this plan and to regularly report on progress with their implementation. We will provide a contribution for the National BSL Plan Progress Report in 2020.

The SCTS is committed to supporting the long-term goal for all Scottish public services set out in the BSL National Plan, which is:

**SCTS contribution to the BSL National Plan**

***“Across the Scottish public sector, information and services will be accessible to BSL users.”***

**We will support Scottish Ministers’ commitments to:**

* analyse existing evidence we have about BSL users in our area; identity and fill key information gaps so that we can establish baselines and measure our progress;
* improve access to our information and services for BSL users, including making our website more accessible to BSL users;
* promote the use of the Scottish Government’s nationally funded BSL online interpreting video relay services called [‘contactSCOTLAND-BSL’](https://contactscotland-bsl.org/), which allows BSL users to contact public sector services and for these services to contact them;
* signpost staff who work with BSL users to appropriate BSL awareness training, and enable them to take up such training;

In order to do so we are planning the following actions:

* **to consult** with BSL communities around Scotland and facilitate good relationships in order to improve our services and accessibility to employment in SCTS.
* **to work** with specialised providers to introduce video remote interpreting services. The SCTS currently provides BSL/English interpreters to support an accused person in criminal proceedings. We also promote the use of [‘contactSCOTLAND-BSL’](https://contactscotland-bsl.org/) when users are able to contact us by phone. However there is no provision in place to assist with communication when BSL users appear in our venues on an *ad hoc* basis - e.g. to pay a fine or to use our premises as a [Keep Safe](http://www.iammescotland.co.uk/keep-safe/about-keep-safe/)  place when they feel frightened, distressed or are the victim of crime when out in the community. We have accordingly liaised with the provider of Contact Scotland BSL to discuss the possibility of introducing video remote interpreting (VRI) in our venues. There are plans to pilot these services in some sheriff courts located in those areas most populated by Deaf BSL users. We will work closely with local organisations in order to promote and evaluate the effectiveness of this scheme prior to any further rollout across the organisation.
* **to improve** the accessibility of our website by adding BSL/English interpretation and/or subtitles to existing guidance and information videos, including those available in relation to vulnerable witness special measures.
* **to create** a bespoke page on our website that deals entirely with accessibility information and guidance.
* **to promote** use of [‘contactSCOTLAND-BSL’](https://contactscotland-bsl.org/) by updating our website pages with appropriate links to this service and continue to raise awareness of the service among SCTS staff.
* **to offer** Deaf/BSL Awareness sessions for members of our staff and provide Deaf Awareness e-learning to all members of our staff - mandatory for front line staff on an annual basis.

We are also working closely with other justice partners in order to deliver the long-term goal for justice set out in the BSL National Plan, which is:

***“BSL users will have fair and equal access to the civil, criminal and juvenile justice systems in Scotland.”***

**We will support Scottish Ministers’ commitments to:**

* Establish a BSL-led justice advisory group to provide expertise and guidance to justice agencies that will play a key role in developing and delivering a programme of improvements to help the agencies better meet the needs of BSL users;
* Work with partners to deliver and evaluate two training programmes aimed at supporting BSL/English interpreters to work within the Justice sector, with a view to informing a longer-term approach;

In order to do so we are planning the following actions:

* we are actively involved, with other justice partners, in the work to establish a BSL-led justice advisory group.
* a [MSc/Postgraduate Diploma in BSL/English Interpreting](https://www.qmu.ac.uk/study-here/postgraduate-study/2018-postgraduate-courses/msc-pgdip-bsl-english-interpreting-post-registration/)  at the Queen Margaret University was validated at the end of March 2018 and the collaborative work on development of the module on interpreting in justice settings has started. SCTS will take part and support the filming of a court procedure video that will be used as a tool during the course and also work closely with the University and other justice sector partners on reviewing its content where required. It is currently planned that the module be ready for delivery in September 2019.

**Further Actions**

**We are planning** to develop the support available to people in fulfilling their civic duty in the justice system.

A study, [Enabling Jury Service](http://www.scotcourts.gov.uk/about-the-scottish-court-service/reports-data/enabling-jury-service/), was undertaken by a working group chaired by a senator of the Supreme Courts, Lord Matthews. The subsequent report makes a series of recommendations intended to open the way for as many people as possible to serve on juries, taking into consideration their individual needs, impairments or disabilities. It explores what reasonable adjustments and measures might be put in place in courts to support jurors, and the criteria that may be considered by the court in determining the suitability of a person to serve as a juror in a particular case.

The report’s recommendations fall into two categories: those in which procedures can potentially be adapted without changes to legislation and those where it is more likely that new legislation will be required. The second category includes a recommendation which would seek to remove a legislative barrier thereby paving the way for Deaf BSL users to be included in the pool of potential jurors - i.e. creating the possibility for persons other than jury members, for example a BSL/English interpreter, to be present in the jury room during the jury’s deliberations in the case. Where legislative changes have been proposed in the report these will require to be considered by the Scottish Government and may be subject to wider consultation. The report may be found at [this link](http://www.scotcourts.gov.uk/about-the-scottish-court-service/reports-data/enabling-jury-service/).

**We are also planning** to improve access to employment in SCTS for BSL users.

The SCTS is participating in the Scottish Government [Disability Confident Employer scheme](https://www.gov.uk/government/collections/disability-confident-campaign) and therefore there are a number of provisions in place to support recruitment and retention of disabled people, and people with health conditions, for their skills and talent. However we recognise that there is always room for improvement therefore we will look to improve accessibility to employment for Deaf BSL users. In order to do this it has been agreed that a pool of jobs which may prove suitable for Deaf BSL users will be identified and proposals for recruitment and introduction of relevant reasonable adjustments in employment will be process mapped.

We will work closely with local BSL communities, and other organisations, in order to explain how these specific roles have been selected and to make sure that advertisement of these positions is in the format most accessible for Deaf BSL users and is likely to be accessible to the broad BSL community.

We will also explore improving access to the recruitment section of our website by providing BSL/English interpretation and subtitles to the induction video and other materials available for the recruitment/promotional process.

1. Wherever we refer to ‘BSL users’ we mean D/deaf and/or Deafblind people (those who receive the language in a tactile form due to sight loss) whose first or preferred language is British Sign Language. [↑](#footnote-ref-1)
2. Wherever we refer to ‘BSL users’ we mean D/deaf and/or Deafblind people (those who receive the language in a tactile form due to sight loss) whose first or preferred language is British Sign Language. [↑](#footnote-ref-2)