



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.

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](#), which was published on 24th October 2017. The SCTS BSL Plan supports commitments in the British Sign Language (BSL) National Plan and sets out the actions we intend to take to promote BSL and support BSL users¹ (including tactile BSL) over the period covering 2018 to 2024.

You can also view the BSL video which contains [this plan](#).

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.

Foreword from the Chief Executive



This, our first authority BSL Plan, clearly demonstrates our commitment to support the Scottish Government ambition to make Scotland the best place in the world for BSL users to live, work and visit. We understand how important it is that Deaf and Deafblind BSL users are fully involved in daily and public life in Scotland, as active citizens and are able to make informed choices about every aspect of their lives.

The Scottish Courts and Tribunals Service remains deeply committed to mainstreaming equality, diversity and inclusion. All the work we do is underpinned by our core values of Respect, Service and Excellence. Our vision is to build a Stronger Courts and Tribunals Service focused on providing access to justice, maximising the benefits of technology and improving the service we provide to all users. We consistently improve our services to make sure that they are responsive and accessible and that they recognise the diverse needs of all users. One example is the study, [Enabling Jury Service](#), which was drawn up by a working group chaired by a senator of the Supreme Courts, Lord Matthews. We recognise that jurors play a pivotal role in Scotland's criminal justice system and Lord Matthews' report gives us the opportunity to explore how we can make reasonable adjustments in order to meet a potential juror's specific needs.

We are also committed to providing an inclusive workplace where all employees feel valued for who they are regardless of their age, religion or belief, race, sexual orientation or gender identity and disability. We are working to improve accessibility of our employment to BSL users and to provide a level playing field so potential can be recognised and people are able to give of their best.

I look forward to leading SCTS into this exciting new era and I believe that this Plan will help ensure that we make substantial progress towards meeting the Scottish Ministers ambition for British Sign Language.

Eric McQueen

*Chief Executive SCTS
Equality Champion*

Foreword from the member of the SCTS Equality Advisory Group



As a member of the Equality Advisory Group, which represents the interests of the Deaf community, I am delighted to write this Foreword for the Scottish Courts and Tribunals Service's BSL Plan.

The British Deaf Association Scotland was proud to witness history being made via the passing of the British Sign Language (Scotland) Act 2015 in the Scottish Parliament on 17th September 2015.

We want to support the Scottish Government's vision of making Scotland the best place in the world for BSL users and Deafblind people to live, work and visit. Deaf and Deafblind BSL users want and deserve equal access to services, which will, in the long-term, lead to better life outcomes.

The SCTS wants to consult and work with the BSL community in Scotland in order to improve its services and accessibility for BSL users. This will enable it to fulfil its civic duties in the justice system, in line with the BSL (Scotland) Act 2015 and BSL National Plan.

The SCTS will also benefit from the BSL Plan. Not only does it add a new dimension to communication with BSL users and staff, it also makes good organisational sense to become accessible to BSL users throughout Scotland.

The BSL community is a linguistic minority with a rich history, identity, language and culture. I believe equal opportunities can be achieved by working together.

The SCTS's BSL Plan highlights good practice and will build better relations with the BSL community.

Yours in BSL,

Avril

*Avril Hepner,
Community Development Manager
British Deaf Association (BDA) Scotland*

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 supervises those individuals who have been appointed to manage the financial and property affairs of adults who lack capacity to do so for themselves; investigates circumstances where their property or financial affairs appear to be at risk; registers deeds and other orders made in terms of the Adults with Incapacity (Scotland) Act 2000; offers support and guidance to customers; and maintains the public register in respect of AWI registrations. 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 our 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 (including tactile BSL) to live, work and visit.

We are committed to improving our services and making them easily accessible to all service users, including Deaf or Deafblind users of BSL. The interests of the Deaf community have for some time been 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 we face in delivering its 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 and procedures, by 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 to the National BSL Plan Progress Report in 2020.

SCTS contribution to the BSL National Plan

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

“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; identify 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’](#), 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 during the course of 2019:

- **consult** with BSL communities and support organisations around Scotland with a view to establishing what are seen to be gaps in service provision for BSL users. We will consolidate that information with other data held nationally in order to set out measurable actions which will sit alongside our current Action Plan for our Equality Outcomes. We will also raise awareness by explaining the role the Scottish Courts and Tribunals Service fulfils in the justice system. By improving understanding of our role we will also seek to improve accessibility to employment in SCTS for BSL users.
- **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’](#) when users are able to contact us by way of telephone links for routine enquiries and arranging meetings etc. There is however, at present, no structured provision in place to assist with communication should BSL users appear in our venues on an *ad hoc* basis - e.g. to pay a fine, make general enquiries or to use our premises as a [Keep Safe](#) place should they become distressed or are the victim of crime when out in the community.

We are currently scoping the potential to video link with relevant interpretation service

providers in order that support may be made available at public counters. This will include examining models which may be available through external service providers. We currently intend to pilot services in early 2019 in some sheriff courts located in those areas where the Deaf BSL user population is known to be greater. 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.

- **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. Scoping work in relation to existing guidance will commence in December 2018.
- **create** a bespoke page on our website that deals entirely with accessibility information and guidance (by April 2019).
- **promote** use of '[contactSCOTLAND-BSL](#)' by updating our website pages with appropriate links to this service and continue to raise awareness of the service among SCTS staff (by December 2018).
- **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 the justice sector 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 provide that support:

- we are actively involved, with other justice partners, in the preparatory work to establish a BSL-led justice advisory group.
- a [MSc/Postgraduate Diploma in BSL/English Interpreting](#) 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](#), 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](#).

An implementation group has been established to take forward the remaining recommendations of the report with a view to having certain measures in place by the end of April 2019. Elements of those recommendations specific to Deaf BSL users, in the context of jury service, will not be actioned until the legislative hurdle can be overcome. Additional information however, in accessible format, will be created for the SCTS website in order to explain the current position for BSL users who would wish to serve as jurors. None of the foregoing detracts from the overarching obligations incumbent upon SCTS in relation to the general provision of information and services to all court users.

We are also planning that by 2020 we will have enhanced processes in place in order to improve access to employment in the SCTS for BSL users. The SCTS is participating in the Scottish Government [Disability Confident Employer scheme](#) 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 to Deaf BSL users and 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 processes.