

DEPARTMENT OF ARTS AND CULTURE

NO. 1273

04 OCTOBER 2019

PAN SOUTH AFRICAN LANGUAGE BOARD ACT OF 1995**(ACT NO. 59 OF 1995) AS AMENDED****CALL FOR COMMENT****CLOSING DATE: 11 October 2019****South African Sign Language Charter**

Members of the public are invited to submit written comments and/or objections regarding the published Draft South African Sign Language Charter on or before 11 October 2019 to:

The Acting Chief Executive Officer
Dr Mali Nomfundo
Attention: Ms Olga Blose: Chief Language Practitioner
Pan South African Language Board
Private Bag X08
Arcadia
0007
Fax: 012 341 5938
Tel: 012.341 9638
E-mail: olga@pansalb.org

Should no comments/objections be received by 11 October 2019, the draft will be confirmed as the final South African Sign Language Charter and will be passed for implementation.

SOUTH AFRICAN SIGN LANGUAGE CHARTER

INTRODUCTION

WHEREAS the Pan South African Language Board (PanSALB) was foreshadowed in Section 6(5) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), the Constitution, and established through the Pan South African Language Board Act 59 of 1995;

RECOGNISING that the Constitution requires PanSALB to promote, and create conditions for the development and use of South African Sign Language (SASL)

REAFFIRMING that the Constitution requires PanSALB to ensure respect for all languages commonly used by communities in South Africa;

ACKNOWLEDGING that the South African Deaf community is not a single homogenous group of people and that there are several unique Sign Languages that have developed and are used in different parts of the world;

CONSIDERING that the South African Sign Language was officially included in the Constitution of the Republic of South African of 1996 as the primary language used by the Deaf community in South Africa and is a fully-fledged language that is indigenous to South Africa;

THEREFORE, PanSALB, through the South African Sign Language national language Body (SASL NLB) produced this Charter that:

- a) applies to all segments of the South African society;
- b) sets out key Pledges that take into consideration the inter-relatedness of the challenges facing the Deaf community as well as the need for cross-sectoral policies and programmes pertaining to the needs of the Deaf community in a holistic manner; and
- c) creates obligations, through the Pledges, that are intended to not only improve the Deaf community's access to quality information and services in general, but also to ensure the effective protection of the linguistic rights of the Deaf community in a manner that is equitable and courteous

PLEDGE 1**THERE MUST BE A BETTER UNDERSTANDING, NATIONALLY, OF SASL AS A LANGUAGE IN ITS OWN RIGHT**

1. South African Sign Language (SASL) is the primary language of Deaf persons in South Africa and must be respected as a language of choice to be used in all interactions. It is an indigenous language that constitutes an important element of South African linguistic and cultural heritage.
2. Notably, SASL has its own distinct grammatical structures and lexicon and it is independent of any other language. It is conveyed by means of parameters (handshapes, location, movement, palm-orientation and non-manual features). Furthermore, SASL is capable of expressing the entire range of human experience and it is useful for communication in every setting. It also provides a source of delight through artistic forms of expression. In addition, SASL facilitates the expression by the Deaf community of, among others, social relationships and cultural identity.
3. Importantly, SASL is not a communication option or a tool for inclusion. Instead, it is a primary and native language in its own right. Therefore, the use of SASL in all forms of communication and interaction in South Africa will be of benefit to all the people of South Africa.
4. Now, therefore, all South Africans must:
 - 4.1 Take steps aimed at ensuring that SASL is advanced, promoted, maintained and regularly used in all aspects of life in South Africa;
 - 4.2 Ensure that SASL is protected and preserved as part of Deaf Culture and heritage.

PLEDGE 2

THERE MUST BE SELF-DETERMINATION BY DEAF PEOPLE

1. The principle of equality and the disability movement's "Nothing about Us without Us" underlies all our claims in this Charter.
2. Section 9 of the Constitution provides that no person may be unfairly discriminated against based on, among others, disability. In line with the principle of equality, Deaf people have an inherent right to represent themselves in any aspect of their lives. In addition, they have the right to privacy and to expect and receive adequate advice and be consulted on an ongoing basis on their needs.
3. **Now, therefore,** all South Africans must:
 - 3.1 accept, recognise and respect the Deaf person's inherent right to use SASL; and self-determination
 - 3.2 create a society where SASL is advanced, promoted, maintained and regularly used in all aspects of Deaf persons' life in South Africa.
 - 3.3 ensure that decisions are not made on behalf of Deaf people in any setting; without their informed consent

PLEDGE 3**THERE MUST BE A PROMOTION OF LEARNING AND HIGH QUALITY TEACHING OF SOUTH AFRICAN SIGN LANGUAGE**

We recognise that South African Sign Language is a primary means of communication and a carrier of Deaf culture. The right to have access to learning, and use South African Sign Language is not a privilege or luxury, but a basic human right for all.

Now, therefore, all South Africans must:

1. Instead, learning, using and having access to SASL is recognised as a basic human right for all people.
2. **Now, therefore:**
 - 2.1 there must be a maintenance of high standards and impeccable quality in the teaching and assessment of SASL at all times;
 - 2.2 SASL Practitioners and Educators must be professionally qualified and well-resourced and they should be well trained in SASL and Deaf culture as well as in SASL literature;
 - 2.3 Deaf schools and higher education institutions must have SASL literature as part of SASL curriculum;
 - 2.4 all SASL educational materials should be verified and authenticated by PanSALB through the SASL NLB;
 - 2.5 continuous professional development of SASL Practitioners, Educators and Teaching Assistants must be maintained through the creation of accessible learning opportunities and resources;
 - 2.6 the appointment of SASL practitioners, Educators and teaching assistants as well as the appointment of SASL subject advisors, Deaf persons must be given first preference provided that minimum requirements are met;
 - 2.7 SASL Practitioners, Educators and Teaching Assistants should have access to skills development through qualifications that are accredited by the South African Qualifications Authority;
 - 2.8 SASL Practitioners, Educators and Teaching Assistants should be accredited as such by a recognised skills authority.

-
- 2.9 Parents, guardians and caregivers of Deaf children must be afforded the opportunity to learn SASL and, where necessary, they should receive financial support from spheres of government and private sectors.
- 2.10 early identification of deafness at clinics, hospitals and schools and the implementation of appropriate intervention measures must be promoted;
- 2.11 all Deaf children must have access to quality early childhood development, care and education;
- 2.12 Higher Education institutions in South Africa must require students who are studying towards a qualification in SASL related specialisation, to carry out Deaf community service before being granted the qualification;
- 2.13 a teaching and learning programme focusing on tactile signing is encouraged and must be created;
- 2.14 Different types of digital dictionaries must be developed to support SASL users and learners;
- 2.15 every Deaf child must be allowed the joy of learning and understanding Deaf culture and SASL literature; and
- 2.16 mechanisms must be put in place for SASL experts to monitor and evaluate the overall use of SASL.

PLEDGE 4**MULTILINGUAL DEAF EDUCATION FOR DEAF CHILDREN MUST BE ENCOURAGED AND PROMOTED**

We recognise that education is a fundamental human right and the main driver of development. We reaffirm our focus on efforts of access, equity and inclusion, quality and learning outcomes and the mainstreaming SASL in teacher training and curricula.

Now, therefore:

1. Multilingual education is a fundamental human right and the main driver of development. As such, this Charter reaffirms its commitment to efforts aimed at ensuring the accessibility, equity, inclusion and the mainstreaming of SASL in the training of SASL Practitioners, Educators and Teaching Assistants. In this regard, SASL must be included in South African school curriculum in order to ensure a multilingual education, which includes SASL in South African schools.
2. Now, therefore:
 - 2.1 All Deaf children must enjoy the right to a multilingual education and they must be involved in decisions and choices concerning their multilingual education.
 - 2.2 The right of Deaf learners to learn other official languages of their choice must be given effect.
 - 2.3 All members of the Deaf community, including children, youth and adults, must be provided with lifelong learning opportunities to learn and to be trained in SASL.
 - 2.4 Deaf people must be provided with equitable and increased access to quality technical and vocational education and training and higher education, research, and quality assurance.
 - 2.5 Language development and communication needs of Deaf children must be given special attention in order to ensure equitable, Early Childhood Development (ECD) Foundation, Intermediate and senior phase Further Education and Training (FET) education and higher education.
 - 2.6 All staff members at Deaf schools and institutions must have satisfactory SASL proficiency levels.
 - 2.7 (a) Deaf children must be provided with support in their language development from early stage.
(b) Hearing children of Deaf adults have the right to acquire SASL as their home language.

- 2.8 The Department of Education and relevant stakeholders must increasingly provide support to ensure that suitably trained educators with a qualification in SASL are recruited as SASL educators within schools.
- 2.9 When the critical mass of educators with formal qualification in SASL is adequate to service more than only schools for the Deaf, then SASL FAL curriculum should be written and SASL can be made available as a subject choice that is taught at ordinary schools.
- 2.10 There must be recognition of SASL and cultural diversity at schools and across society.

PLEDGE 5**THERE MUST BE GUARANTEED ACCESSIBILITY TO SERVICES AND INFORMATION**

The effect, among others, of having a limited use of SASL is that the Deaf community is presented with barriers in various aspects of life. There are innumerable barriers for the Deaf community in accessing information and services and in seeking to fully participate in various activities and initiatives as a result of the limited use of SASL.

Now, therefore:

We recognise the importance of removing barriers to access to information to enable Deaf people to access local services and information and to participate fully and lead independent lives in all aspects of life. It is our responsibility to ensure that.

This SASL Charter recognises the importance of removing the barriers to enable the Deaf community to have equal access to information and services and to participate fully and lead independent lives in all aspects of life.

Now, therefore:

1. Training and awareness campaign, including Deaf sensitisation training, must be provided on an ongoing basis, particularly for front facing/and front-line employees at all entities;
2. Whenever SASL interpreting services are required, the interpreting must be carried out by SASL interpreters and Deaf interpreters who are appropriately qualified, suitable and acceptable;
3. Video-relay communications centres, contacted with local Deaf associations, must be established to enable the Deaf community to contact local authorities using SASL in case of emergency;
4. Service providers and the members of the public must be sensitive and knowledgeable towards the Deaf community and Deaf culture;
5. Technology must be made available to facilitate public display systems so that public announcements can be made through SASL or close captioning, particularly at the public transport points, train stations, airports, banks, hospitals and other similar points;
6. Close captions and subtitles must be diligently provided across all television programmes, live streaming, social media and real time captioning;

7. South African TV channels must have Deaf interpreters and SASL interpreters inserted in all TV programmes, important announcements and speeches, emergencies and national commemorations.

PLEDGE 6**PERSONS WORKING WITH DEAF PEOPLE MUST MEET THE MINIMUM STANDARDS OF COMPETENCY IN SOUTH AFRICAN SIGN LANGUAGE**

All staff members who deal regularly with Deaf people should receive awareness training and learn basic SASL. Staff who provide essential and support services and deal more frequently with Deaf people, for example social workers, police officers should receive advanced level training (level three).

1. It is critical that all public servants who engage with the Deaf people meet the minimum standards of competency in SASL.

2. Now therefore:

- 2.1 SASL awareness and training should be mandatory to all staff members in the employ of government including municipalities, non-governmental organisations or in the private sector.
- 2.2 all staff members in the employ of government, non-governmental organisations or the private sector and who provide essential and support services to, and engage more frequently with, the Deaf community (i.e. health care workers, administrators and members of the South African Police Service, etc.), must receive Deaf sensitisation training and be taught from basic to advanced level in SASL.
- 2.3 SASL Awareness and SASL training should be given to the government, non-governmental organisations or the private sector by organisations of Deaf and Hard of hearing and not to a hearing person.

PLEDGE 7**LOCAL DEAF COMMUNITIES MUST BE CONSULTED ON A REGULAR BASIS**

Local Deaf communities should be consulted on an ongoing basis to ensure that services are appropriate for and responsive to local needs and promote accountability and transparency, participatory governance and coordinated partnerships.

1. In addition to promoting accountability, transparency and ensuring that the concept of participatory governance is given effect, those who provide services to members of the Deaf community must engage with the members of such a community so that coordinated partnerships with the Deaf community can be formed and enhanced.
2. **Now, therefore:**
 - 2.1 the Deaf community must be consulted on an ongoing basis to ensure that services are appropriate for, and responsive to, the needs of each local Deaf community; and
 - 2.2 Deaf organisations must be involved in the community service training and be invited to participate in state-supported training programmes.
 - 2.3 Deaf community members must be invited to and participate in all government events and public engagements including *izimbizo*, *lekgotlas*, *Macufe*, etc. and SASL interpreting services must be provided.

PLEDGE 8

PROFESSIONAL SASL INTERPRETING AND TRANSLATION SERVICES MUST BE READILY AVAILABLE

SASL interpreter and translator who are able to interpret effectively, accurately and impartially both receptively and expressively, using any necessary specialised vocabulary

1. SASL Interpreters and translators must use their SASL skills and spoken languages skills (or any other official South African Languages including Khoe and San languages) to bridge the communication gap.
2. The information that the SASL Interpreters and translators hears in the spoken language must be conveyed to a Deaf person in SASL whereas the information expressed by a Deaf person in SASL should be conveyed to the hearing people in the spoken language that they prefer.

3. Now , therefore:

- 3.1 whenever there is planning for meetings, conferences, workshops, seminars events and activities, all efforts must be made to communicate with Deaf persons well in advance in order to arrange the most linguistically appropriate services.
- 3.2 All Deaf Interpreters and SASL Interpreters must be professionals who are fluent in the use of SASL and any of the official languages including Khoe and San languages where applicable.
- 3.3 All Deaf interpreters and SASL Interpreters must sign the Code of Ethics of the profession and adhere to the Code. Deaf clients of Deaf interpreters must be empowered with the training of code of Ethics and the role of SASL interpreting.
- 3.4 Deaf interpreters and SASL Interpreters must facilitate communication in a neutral manner that ensures equal access to information and participation.
- 3.5 Deaf people have the right to utilise Deaf Interpreters and SASL Interpreters of their own choice who are qualified, suitable and acceptable and therefore SASL users/Deaf participants must be consulted on their SASL Interpreter preferences.
- 3.6 A National Interpreting Resource Centre must be established to assist in the training, regulation, monitoring and maintenance of databases of accredited, qualified and experienced professional SASL Interpreters. The National Interpreting Resource Centre must also make South African Sign language Interpreters (SASLI) accessible to whoever requires their services.

- 3.7 SASL Trainers and Interpreters must be accredited and be in possession of qualifications that are accredited by the South African Qualifications Authority.
- 3.8 Government, non-governmental organisations and the private sector must appoint and/or source SASL Interpreters for their Deaf employees for meetings, workshops and training seminars that they organise.
- 3.9 Deaf organisations should monitor and evaluate the performance of SASL Interpreters and Deaf Interpreters.
- 3.10 SASL Interpreters should undergo refresher training for a week every 6 months.
- 3.11 In all events that last for more than two hours and at which SASL Interpreters or Deaf Interpreters are required to provide interpreting services, at least two Deaf Interpreters or SASL Interpreters must be sourced.
- 3.12 Deaf people should be consulted on whether they prefer SASL Interpreters to stand or sit in front of their audience, as Deaf people are
- 3.13 Tactile signing is another form of communication that takes place through feeling signs being made by the interpreter (Deaf-Blind) and is related to SASL and must be made available wherever such a service is required.
- 3.14 Institutions of Higher Education, technical colleges and other skills development centres must provide SASL Interpreting services for Deaf students, trainers, apprentices, etc.
- 3.15 Government, non-governmental organisations and the private sector must book SASL Interpreters through registered, NGOs and accredited service centres – not use grassroots interpreters who are not skilled and also have not signed the Code of Ethics.