

## **Assessing the communication challenges faced by the deaf persons in accessing public services at Namibia's Ministry of Home Affairs, Immigration, Safety and Security**

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### **Abstract**

*This study investigated issues of disability and marginalization in public administration, in particular, the communication challenges faced by the deaf persons in accessing public services at the Ministry of Home Affairs and Immigration, Safety and Security (MHAISS), Namibia. The study employed a qualitative research approach, whereby a questionnaire and in-depth interviews were done with purposively sampled participants from the Ministry's front office officials, institutions responsible for the plight of the disabled persons, as well as deaf persons who sought public services from the Ministry. The study's findings revealed that communication is the biggest challenge experienced by both the Ministry's front desk employees and the deaf persons. It was also revealed that there is a lack of policies and guidelines at the Ministerial level, aimed at promoting the full participation and equal enjoyment of human rights, especially by persons with disabilities. It was also noted that despite the existence of national regulatory frameworks in this regard, these were not implemented at Ministerial level as well. Based on these findings, the following recommendations were made: the need to emphasise the Ministry's responsibility and commitment towards compliance to the national legislative framework and the impact the services provided by MHAISS has on the achievement of other national goals, as well as the need for comprehensive sign language training to frontline personnel. It was also recommended that efforts should be made to ensure that frontline staff in public services ought to be deaf friendly, while all other staff must be adequately trained to serve the deaf persons. We also noted the importance of harnessing the power of digital technology public facilities to improve communication for deaf people.*

**Key words:** *Deaf Persons, communication; public services; human rights*

### **Introduction**

Despite the broad commitments expressed in the legislative frameworks (Constitution of Namibia) and the various Acts of Parliament, (the National Policy on Inclusive Education; National Policy on Orthopedic Technical Services and National Policy on Affirmative Action), towards tackling discrimination and prejudice against persons with disabilities, there is limited empirical evidence supporting the inclusion of deaf persons, who can only communicate through the use of Namibia Sign Language (NSL) to allow them to access public services. Additionally, little research exists in Namibia, regarding the challenges being faced by those working in government ministries, in their efforts to provide services to the disabled community, particularly the deaf and dumb. In the Ministry of Home Affairs and Immigration (MHAISS), for example, there is not a single staff member who is acquainted with sign language, yet the deaf and dumb are some of the people who regularly need the services provided by the ministry, for instance, birth and death registrations, national identity, passports, among others. This presents challenges to employees of the MHAISS and consequently,

frustrates the clients whose needs would not have been satisfied due to communication breakdown (Łysik & Pitula, 2016).

### **Contextualising the study: a human rights paradigm**

Globally, the provision of human rights is influenced by the United Nations Convention on the Rights of Persons with Disabilities (CRPD). The framework came into force on 3 May 2008, after receiving its 20th ratification (Dziva, Shoko & Zvobgo, 2018) to “promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity”. Before the adoption of the CRPD, other human rights instruments already addressed disability, either as part of the general focus or more specifically, some, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (UN, 2014). These together constitute the International Bill of Human Rights for everyone, including persons with disabilities, through non-discrimination clause. Other relevant human rights instruments include the declaration on the rights of the disabled persons (1975); the World Programme of Action concerning disabled persons (1982); and the standard rules on the equalisation of opportunities for persons with disabilities (1993).

The CRPD confirmed a paradigm shift from viewing PWDs as recipients of charity, to bearers of human rights and partners for achieving sustainable development. The convention was envisioned from the very beginning as the instrument for inclusive development and for the realisation of universal human rights for persons with disabilities (UN, 2018). It plays a dual role as a development and human rights protection instrument. The guiding principles are respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, non-discrimination, full and effective participation and inclusion in society, equality of opportunity, and accessibility (Steinert, Steinert & Flammer, 2016).

The human rights role of the CRPD is reiterated by the preamble, “which recognize the inherent dignity and worth and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world” (UNGA, 2006, p. 2). The components of the CRPD includes the introductory part (Article 1 to 9), which defines terms and explains the purpose of the convention. Articles 10-30 specifically explain the political, social, economic and cultural rights of PWDs. These articles are followed with implementation and monitoring mechanisms (Article 31-40). Article 33(2) of CRPD provides that:

*“States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention. When designating or establishing such a mechanism, States parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights”.*

A recent report by the United Nations (2018) shows that despite the progress made in recent years, persons with disabilities continue to face numerous barriers to their full inclusion and participation in the life of their communities. The main barriers to inclusion entail discrimination and stigma on the grounds of disability; lack of accessibility to physical and virtual environments; lack of access to assistive technology, essential services and rehabilitation; and a lack of support for independent

living that are critical for the full and equal participation of persons with disabilities as agents of change and beneficiaries of development.

Two issues relating to Article 33(2) of the CRPD in the context of Namibia are examined in the proceeding section.

### **Legislative Framework for Namibia and policy implementation**

On 20 March 1990, Namibia promulgated a new Constitution to replace the South-West Africa Constitution Act, (Act no 30 of 1968) (Katulo, 2019). The Constitution, under Article 10, states that “No person may be discriminated against on the grounds of sex, race, color, ethnic origin, religion, creed or social or economic status” (GRN, 1990). Although the article does not explicitly refer to persons with disabilities, it is generally an important starting point in tackling discrimination and prejudice, even before the ratification of the CRPD. Policy wise, Namibia also committed to the CRPD, Agenda 2030 and has fully absorbed the sustainable development goals (SDGs) into the National Development Plan (NDP5), and the corresponding accelerating tool, the Harambee Prosperity Plan (HPP) 2016-2020. Accordingly, in implementing Namibia’s national development agenda, Namibia is simultaneously working towards the realisation of the global Agenda 2030, Africa Agenda 2063 and the SADC’s Regional Integrated Strategic Development Plan (RISDP).

In 2004, Namibia promulgated a National Disability Policy (Act No 28 of 2004) to ensure that disability aspects are included in all relevant policy-making and national planning activities (NSA, 2016). The leading principle of the policy is that all persons with disabilities and their needs shall be incorporated into the general development plans and not be treated separately. Furthermore “all resources must be employed in such a way as to ensure that every individual has equal opportunity for participation” (GRN, 2004, p. 13). The policy clearly endorses a “social approach disability” (GRN, 2004, p. 13) –referred to as the social model of disability.

Specific to the needs of deaf persons, the State, through the social integration policy, is required to:

*Promote and strengthen the position of the Namibian Sign Language in order to encourage and strengthen communication amongst Deaf persons who use this form of communication and between Deaf and hearing people. The state shall ensure that interpreter-services with qualified sign language interpreters are developed to facilitate appropriate communication between Deaf and hearing people (GRN, 2004, p. 19).*

This section answers the calls by Article 9(1) (b) of the CRPD that calls for member states to ensure access to information and communications. While the inclusion of this right remains important for the integration of deaf persons, resource constraints remain a threat to the realisation of this noble idea.

Several role players play a significant role in addressing the needs of PwDs (UN, n.d & Katulo, 2019). At the macro level, the Department of Disability Affairs is mandated to strengthen and coordinate the implementation of the national and international legal framework, as well as to accelerate access to education, employment, and health, among other services (Katulo, 2019). Generally, the Namibian Government has been successful in creating an enabling environment for policy development in the field of disability, but policy implementation remains a challenge. Of note is the fact that not enough fiscal resources are allocated (Chiringa, 2018, Kooper, 2019; Katulo, 2019), while disability continues to be treated with charity, rather than a human rights approach. For

example, the disability budget for the 2018/19 Medium Term Expenditure Framework (MTEF) was slashed by 40% from 37 to 19 million (Chiringa, 2018) and N\$18 million for the 2019/20 MTEF (Koooper, 2019). This budget also covers the operational activities of the Department of Disability Affairs and the National Disability Council. Thus, the Deputy Minister of Disability Affairs, Alexia Ncube, appealed to the nation to stop criticising her department for being inactive and helpful, as they do not have funding (Koooper, 2019). The implications of this are that the Department of Disability Affairs and the National Disability Council could not implement the planned activities, as the resources available were only sufficient to cover the salaries and basic operational costs, meaning that other associations (for example, Association of the Visual Impaired, NNAD and Albinos Association) relying on subsidies from the government, would have to rely on charity and donor funding.

Even though the state (Department of Disability Affairs and the National Disability Council) carries the main responsibility to strengthen and coordinate the implementation of the national and international legal framework, as well as to accelerate access to education, employment and health, among other services for PwDs, the support of civil society actors is crucial. The CPRD obligates member states to closely consult with and involve PwDs and their representative organisations in all decisions that are relevant to them. Namibia ratified this convention in its national disability policy. The policy acknowledges the “advisory role of the representatives of organisations of and for PwDs as invaluable in planning, implementation and evaluation of services; and in the programmes and strategies relevant to the needs and lives of disabled people” (GRN, 2004, p.25).

In Namibia, the Association for Children with Language, Speech and Hearing Impairments of Namibia (CLASH) and the NNAD are the two associations that advocate for the rights of Deaf persons. CLASH was formed in 1989, as a self-help group for parents, to ensure that children with language, speech and hearing impairments can have access to the support they need. In contrast, NNAD was established in 1991 to advocate for equal rights and opportunities for all deaf children and adults in Namibia.

While the NNAD has been vocal in advocating for the rights of deaf persons, resource constraints remain a threat to the realisation of this noble idea. The Executive National Director of the NNAD, Paul Nanyeni (cited by Andima, 2014, para. 3) underscored that:

*Failure to provide qualified sign language interpreters had resulted in many Deaf people depending on unqualified interpreters who sometimes distorted the messages resulting in misunderstanding between them and other service providers like the health sector and the police (para. 3).*

This call was once again re-emphasised in September 2015, with a call to the government to “pass on a law that will make it mandatory for public and private institutions to employ sign language interpreters at all their offices” (New Era, 2015, para. 1). At the time, there were only 7 qualified sign language interpreters, serving 27,000 Deaf people (Nanyeni, 2017). While it is evident that much time has passed since the year 2015 and, one might assume the challenges above should have been addressed, available data suggests the opposite. The sentiments expressed by Nanyeni and the Deputy Minister for Disability Affairs suggest that the state has failed to live to three policy promises. Firstly, the state in the National Disability Policy promises to “promote and strengthen the position of the Namibian Sign Language in order to encourage and strengthen communication among Deaf people who use this form of communication and between Deaf and hearing people”. The fact that there were only 7 qualified sign language interpreters, serving 27,000 Deaf people in 2017, indicates that the

government has not provided financial resources to train sign language interpreters. Secondly, the state makes a promise to ensure that interpreter services with qualified sign language interpreters are developed to facilitate appropriate communication between the deaf and hearing people. Thirdly, the government has a responsibility in ensuring the adequate training of all personnel at all levels involved in the planning and provisions for persons with disabilities.

In the context of the above, this study sought to answer the following questions: what are the communication challenges being faced by deaf persons in accessing public services at the MHAISS, and how does the MHAISS deal with the identified challenges? These questions designate that the prime purpose of this study was to explore the challenges faced by deaf persons in accessing public services, as well as to suggest measures to mitigate the situation. In doing so, we sought out the deaf persons', as well as the MHAISS employees' personal experiences in this regard.

### **PwDs' challenges with accessing public services**

In their efforts to access public services, PwDs are faced with a myriad of challenges, depending on the nature of their disability. As a linguistic minority, deaf persons often face intersectional challenges when trying to access public services or information, the reason being either the lack of awareness on the part of the service providers, or language barriers (British Deaf Association, 2017) In the UK, The Deaf Health Charity Signhealth (2022), an organisation that is dedicated to improving deaf people's health and wellbeing, conducted a survey regarding access to information and communication needs within the National Health Services (NHS), by the deaf persons. Amongst their findings were the following:

*...67 percent of Deaf people reported that no accessible method of contacting their GP has been made available to them. 81 percent of patients reported having an appointment when their communication needs were unmet. 77 percent of people with accessible information needs reported rarely or never receiving information in alternative formats...Patients shared experiences of a lack of accessible communications as a barrier to making appointments, communicating with health professionals, finding out test results, receiving accessible information on discharge or medication instructions...*

The above findings clearly indicate the gravity of the challenges being faced by PwDs in various sectors. For the health sector, the implications brought about by such challenges can be disastrous- the patients' lives can be put at risk due to the lower quality of healthcare caused by lack of accessible information and communication needs. Similarly, the British Deaf Association (2014) conducted a study aimed at improving access to public services by the deaf people. In expressing their personal experiences of accessing the British Sign Language (BSL) provision within health services, the deaf community indicated major problems in requesting interpreting services during their health appointments, as well as access to council services. The deaf participants also highlighted frustrations with the lack of deaf friendly frontline staff within reception areas. Lumsden and Black (2022) investigated the barriers encountered by deaf persons when accessing police services in England, they found that age, ethnicity and disability impacted on the deaf persons' access to services, as well as their use of technologies to contact the police. The deaf participants also underlined the need to elevate deaf awareness amongst police officers, in order to reduce interactional misunderstandings.

Schwikowski (2023) described how the deaf and hard of hearing people still struggle to access their rights in many African countries like Uganda, South Sudan, Nigeria, among others. In the main, the author lamented the limited access to education and information in sign languages, as a major

challenge. Development Pathways is a global consultancy that specialises in designing and developing social protection systems. In one of their initiatives in Kenya, the organisation recorded that the deaf community encounters various challenges because of discrimination, communication barriers, as well as limited access to essential services. They noted that the deaf community faces challenges in accessing quality education, employment opportunities, as well as limited access to physical infrastructure (Development Pathways, 2023).

Sobuwa (2023) described the challenges faced by the deaf people when accessing healthcare services in South Africa, one of them being the fact that they have longer waiting times at public health facilities, because of the lack of staff that is adequately prepared to serve them efficiently. Sobuwa further highlighted that in June 2023, President Cyril Ramaphosa signed the South African Sign Language Bill into law, meaning that the South African Sign Language (SASL) was only recognised as an official language in 2023. In a way, the delay in officialising sign language in South Africa exacerbated the challenges being experienced by the deaf persons in public facilities.

From the foregoing discussion, the common perception is that the reception areas in public facilities are not deaf-friendly, thereby making it difficult for deaf people to access services. The discussion thus signifies the need to recognise the essence of providing equitable access to public services for PwDs, the deaf persons included, but unfortunately, success in achieving this sustainable development goal has been limited.

### **Theoretical underpinnings**

The study drew from the works of Harris and Enfield's (2003) social disability model. Primarily, the model enables the "identification of a political strategy, namely barrier removal (Shakespeare & Watson, 2002, p. 5), which, in the case of this study, refers to the removal of the factors inhibiting the easy access to public services, by the deaf persons. Barnes (cited in Zhou, 2015, p. 48) underscores that "rather than pursuing a strategy of medical cure or rehabilitation, it is better to pursue a strategy of social change, perhaps even the total transformation of society". Secondly, the social disability model "impacts the PwDs themselves, as the social model replaces the traditional, medical view of disability - in which the problems arose from the deficits in the body - with a social view - people are able to understand that they are not at fault: society is. They do not need to change: society needs to change. Nor should they be sorry for themselves" (Shakespeare & Watson, 2002, p. 5).

Oliver (2004, p. 41) describes the concept of the social disability model "as an attempt to turn the focus away from the functional limitations of individuals with impairment, onto the problems caused by disabling environments, barriers and cultures". The model identifies systemic barriers, negative attitudes and exclusion by society (purposely or inadvertently), implying that society is the main contributory factor in disabling people. While physical, sensory, intellectual, or psychological variations may cause individual functional limitation or impairments, these do not have to lead to disability, unless society fails to take account of and include people, regardless of their individual differences. Tregaskis (2004, pp. 66-67) suggests that "in furthering the agenda for inclusion, the need to form strategic alliances with non-disabled people should be explored, as social change might be best achieved when disabled and non-disabled people work together more systematically to tackle exclusion in all its forms". The social disability model thus perceives 'disability' "as the outcome of the relations between people living with impairments and an environment filled with physical, attitudinal, communication and social barriers" Oliver (2004, p. 41). It thus indicates that the physical, attitudinal, communication and social environment must change, in order to enable people living with impairments to fully participate in society on an equal basis with others.

## Research Methodology

Multiple methods of qualitative data collection were employed, such as the qualitative content analysis of selected policy documents on disability, interviews with MHAISS officials, as well as qualitative questionnaire with the deaf persons. The qualitative content analysis of relevant literature on access to public services by the deaf persons, as well as the policy documents, was necessary to pave the way for the inductive argument. The Turn Around Strategy, which was the most recent document guiding the provision of services to the MHAISS clients, the international conventions documents, as well as the Namibian Legislative Framework documents, were scrutinized to provide the basis for which to design the questions for the participants. Analysing these documents was deemed necessary to determine not just the potential interviewees, but also emerging themes which could be cross-examined through the questionnaire. Purposive sampling was employed to select the participants for the study. Twelve people were purposively selected: four front desk officials at the MHAISS who deal with clients on a day-to-day basis, one MHAISS senior official (Director) involved in the management and policy making, as well as seven deaf persons who had visited the MHAISS in quest of services. Conversations with these people were necessary to get a sense of the opinions of those with first-hand information- the deaf persons themselves, as well as the service providers. The approaches applied in the study thus allowed for “multiple perspectives” on the topic and gathering of “more comprehensive information” (Tuchman, 1991, p.76). Upon analysing the data, it emerged that the themes from the data collected were overlapping. To this end, the data gathered are presented concurrently in the following sections.

## Presentation and analysis of Findings

### The MHAISS employees’ knowledge of the policies guiding interactions with PwDs

The MHAISS employees were engaged on the policies guiding and promoting the full and equal participation of persons with disabilities, especially the deaf persons, in accessing services. Overall, all four front desk participants interviewed were unanimous in their responses, that they were not aware of any specific policy developed by the MHAISS, guiding the full and equal participation of PwDs. One respondent put it this way:

*Policies? No, honestly no. I’m also very ignorant. None. From the Ministerial point of view seriously, I would like to think that I look at the counter and I ask how exactly we accommodate disabled persons. If you go to our counters, we have no measures at all that accommodate disabled persons. Be it people that are deaf, be it people who cannot walk. I don’t see the Ministry putting measures in place and I’m sure I’m not overlooking that.*

The lack of the policies at organisational level was also confirmed by the senior official in the MHAISS, who indicated that:

*Well, first and foremost we are directed by government overall policy, which in particular on the adverts explicitly stated that people with disabilities among others are equally welcome to apply and participate in the process. Of course, one can foresee challenges, right from the start in this. I think it’s more extreme when the person is deaf; there is nobody on the panel doing sign language. We are talking to people that have no clue of what we are talking off. So, I say in our flexibility we accommodate the openness to say people with disabilities can apply. Then further to that also, if not now but fortunate in the system there are persons with various*

*disabilities, we are looking forward in opening up the system more specifically for people with disabilities. With that I mean going to the extent of the associations for people with disabilities, if we have adverts assign it to them specifically and then attend to them in a rather more unique fashion that will only cater and hopefully streamline them being accommodated in the system. So, it is still a learning curve, we still have a long way to go. But we want to keep it as general as possible for now and at one point specifically and uniquely target them and see how to get them on board.*

The responses from the participants reveal two interesting nuances in the attitudes of those employees. One is inclusivity, while the other is ignorance. The inclusive attitude involves awareness of existing policies and a willingness to assist people with disabilities first, in line with the legislative frameworks. On the other hand, ignorance involves a lack of awareness of the legislative policies regarding PwDs, much less the difficulties PwDs face. Two of the respondents showed ignorance and possible lack of interest in the wellbeing and affairs of the deaf persons at the individual level, and by the MHAISS in general.

The above finding echoes Myers et al. (1998) who found three types of attitudes that people without disabilities commonly have towards those living with disability: one inclusive, and the other two exclusionary. The inclusive attitude involves an awareness of, and a willingness to engage with people with disability “as consumers, neighbours and friends”. This covered a broad range of interpersonal relationships, including employer/employee and teacher/student. The second attitude described (and the first of the two exclusionary attitudes) involved a lack of awareness of people living with disabilities, even of their very existence, much less the difficulties they face, as well as their personal support requirements and ambitions.

Further analysis of the Director’s response presented earlier reveals that the MHAISS relies directly on the national legislative policies, the affirmative policy, and the national disability policy. Yet a critical review of the actual implementation of the legislative framework by the MHAISS clearly indicates that the practice is disconnected and contradictory to the national legislative framework. The findings also indicate promising opportunities, especially with recruitment, as the MHAISS can approach associations that can serve on the panels. Nevertheless, the practicality of this, especially for the deaf persons, might be a challenge.

In terms of Chapter 11 of the Constitution, “Every citizen has a right to fair and reasonable access to public facilities and services in accordance with the law”. While this might mean making physical changes to the buildings, especially for those in wheelchairs, for the deaf persons, a right to fair and reasonable access means the availability of employees who are able to communicate in sign language, or the availability of qualified sign language interpreters to facilitate appropriate communication between them and the non-disabled. This finding suggests that the MHAISS is not compliant with this important legislation, and the provisions of the National Disability Act which requires the state “to ensure that interpreter-services with qualified sign language interpreters are developed to facilitate appropriate communication between Deaf and hearing people” (GRN, 2004). Two of the respondents acknowledged that the Ministry does not employ a person who can interpret, so a common scenario is that in most cases, the deaf person is often accompanied by a relative or an associate who can translate or explain the needs/services required by the deaf person.

Part II Section 17 (1) of the Affirmative Law highlights that employers are required to eliminate employment barriers against persons in designated groups, to ensure that all persons have equal



employment opportunities. Yet, one respondent highlighted a dilemma and contradictions in his response. On the one hand, the Director noted that “*in general, the MHAISS is employer open to all groupings of people*”, while at the same time he acknowledged that:

*Of course, one can foresee challenges, right from the start in this. I think it's more extreme when the person is deaf; there is nobody on the panel doing sign language. We are talking to people that have no clue of what we are talking of”.*

This suggests that PwDs, especially the deaf persons, are still being isolated. There is admittance to promising opportunity to work together with associations for people with disabilities to remove the barriers inhibiting the easy access to public services by the deaf persons.

*“We are looking forward to opening up the system, more specifically for people with disabilities...going to the extent of the associations for people with disabilities, if we have adverts assign it to them specifically and then attend to them in a rather more unique fashion that will only cater and hopefully streamline them being accommodated in the system (Director MHAISS).*

Tregaskis (2004) suggests that “in furthering the agenda for inclusion, the need to form strategic alliances with non-disabled people should be explored, as social change might be best achieved when disabled and non-disabled people work together more systematically to tackle exclusion in all its forms” (pp. 66-67).

### **MHAISS employees’ experiences of implementing the Legislative Framework**

Participants from the MHAISS were asked about their general impressions of the implementation of the legislative framework and polices guiding and promoting the full participation and equal enjoyment of all human rights and fundamental freedoms by all persons in Namibia. With the exception of one respondent, there was a feeling of general progress in the implementation of disability policy in Namibia. One respondent indicated that:

*Yes, I'm seeing progress because now they have schools for disabled people, children from a younger age are taken to schools, unlike in the olden days where there were no schools, and these people were treated differently. They would be kept at home, staff like that not to interact with other kids. And society in general, I see them treating disabled people with respect, unlike in the olden days when nobody would care about someone who is limping or in a wheelchair. They would look at them differently, but now I see that they respect them.*

The above perspective is supported by other two respondents, who noted that they were aware that many places have installed readable machines where the deaf and dumb can use to read what it is saying and they can get better assistance. This is supported by the third respondent who noted that:

*Like I said, I haven't read up on them, but I will make it a priority that I do now go and read up and see how I can contribute as a person. However, I feel there is*

*progress in the implementation of the policies because the news on the National Broadcasting Agency is at least interpreted in sign language.*

The above assertions indicate that generally, attitudes towards disability have improved to some extent, which has resulted in the National Broadcasting Agency (NBC) utilising the services of the sign language interpreter during the broadcasting of the news, and people are now more comfortable acknowledging their and or children's disability.

### **Communication between MHAISS officials and the deaf persons**

The prime purpose of this study was to tease out the communication challenges experienced by deaf people in their efforts to access public services. The findings from all four Immigration Officers and the deaf persons reveal that sign language, which is used and preferred by the deaf persons, was not used in the interactions between the MHAISS officials and their deaf clients. Instead, other varying methods of communication were used. The methods of communication used by the four research participants from the MHAISS were revealed, as indicated below:

*Yes, I have, I don't know sign language but just by moving hands. Drawing with your hands basically in the air, like if they need an application form, you draw a shape of the paper.*

*I was trying to read the sign. What she wanted and she was pointing to the ID that is at the counter glass (the lost and found), now she was pointing at it and making the arms like for me to know that the ID is lost. That is how I understood. Answering back now was a problem that I had to write down to her, that she must go to Khomas Regional Office to apply. So, I could not sign language back to her, I just wrote on a piece of paper.*

One other participant also noted that “*We wrote on a piece of paper*”, while another highlighted that she was not sure if the deaf person understood what she wrote on the piece of paper, she guessed that the person might have taken the piece of paper to someone else to read for her. Interestingly, the deaf person assisted by this participant was among those that participated in this study. She narrated her engagement with the Officer as unpleasant, as they could not understand each other. The scenario presented here is similar to the one described by Vernon (2005), who found that in the health care sector, misdiagnosis occurs because diagnosticians were not able to communicate with their patients using sign language. For the deaf persons, although there are many forms of communication, including sign language, lip reading and written language, the preferred language is sign language (Kiriafanis, Aidona, Karaholias & Vital, n.d). The challenge of communication was collaborated by all the participants representing the deaf persons. On a lighter note, we also probed the participants to find out if there were cherished pleasant moments or interactions between the deaf and the employees of the MHAISS. This question produced mixed results, with some participants revealing that they had no pleasant moments, while others narrated some pleasant moments. Three of the deaf persons interviewed described their engagements with MHAISS officials as not pleasant, while the other two shared their pleasant moments when they met the mother of a deaf child who happened to understand their sign language. This finding reveals that knowledge of, and familiarity with PwDs, especially consistent exposure, will most likely lead to full respect and inclusion, consistent with

disability rights principles (Yazbeck et al. 2004). This is reflected by the mother<sup>1</sup> of the deaf child whom the deaf persons chose to be served by, or to interpret for them while they are being served by other MHAISS employees. Nevertheless, while this situation is desirable on a short term, there is a possibility that the staff member in question might leave MHAISS, leaving a gap. Again, despite this, this official's (who understands sign language) main responsibilities have nothing to do with helping citizens at the counters, which becomes an inconvenience when she has to leave his/her desk so that she could assist the deaf persons who would have visited the public office for home affairs related queries.

The findings of this study echo Daisy's (2008) who underscored that "one of the major troubles highlighted in the literature is the communication difficulties between deaf people and the rest of the (hearing) population" (p. 6). For this study, communication challenges are not limited to the counters at the MHAISS, the chairperson of NNAD highlighted that "*sometimes high-level meetings do not go well due to communication barrier*". Likewise, the Office of the President also indicated that they receive complaints from the deaf persons, about frustrations on the lack of interpreters at most organisations, and they feel misunderstood or not understood by people who do not know Sign language.

### **Towards the principles of inclusivity and reducing inequalities in accessing public services**

The respondents for this study were asked to suggest possible measures to ensure that deaf people access services without challenges. All the participants believed that MHAISS needs to put measures in place to ensure that PwDs access services without challenges. Such suggested measures varied, depending on the positions and literacy level of the research participants.

Some of the employees suggested that MHAISS should do the following:

*employ somebody that is knowledgeable in sign language, somebody that understands the language and that can speak it or that can sign it rather. That person may not be deaf, or if they are deaf, as long as they can read and write that would be perfect as well.*

*Each government institution, not only at MHAISS "should create a position especially for Deaf people". It is equally important that MHAISS implements the same position. Whereas that person is available especially at the counters, to any counter. If any of the deaf persons comes at the counter so that he can be assisted.*

The above seems to suggest that deaf persons feel more at home talking to a person who has the same disability as them and also it boosts their confidence. Also, it was further clarified that this practice can motivate deaf person. This is true, as the PwDs often feel they are being discriminated against by society, as echoed in the social disability model described earlier- that it is the society that 'disables' them.

Secondly, all the participants highlighted the pressing need for the Ministry to train the front counter staff, on how to deal with deaf persons when they visit public offices. This was clarified by one respondent who indicated that just the same way they (the Ministry) train front desk staff members on customer care, equally front desk staff members should be trained in basic sign language, so they are able to hold a conversation with a deaf person when the need arises. It was recommended that

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<sup>1</sup> *The mother of the deaf child referred is one of the authors of this article. Although the research participants were aware of this reality, they could not use the actual names to maintain anonymity.*

the training may not be for everyone (considering the cost), but at least it should be attended by employees from each section, so that in case a deaf person visits the premises, there is always someone to assist them.

There was also a recognition that deaf awareness training would not just be provided on a once-off basis, but could be delivered on a regular basis, given the need for refresher courses and because of the movement of staff within public sector organisations. It was also emphasised that the training programmes should be designed in consultation with the deaf community. Thirdly, there were calls for the MHAISS to involve associations representing and promoting the needs and welfare of PwDs, shaping their information and service provision. This is similar to the Employment Equity Commission's (2017) call highlighting the need for the disabled persons organisations (DPO) "to collaborate with the Commission and coordinate efforts aimed at ensuring that this most vulnerable designated group enjoys equal access to employment opportunities". The deaf also highlighted certain things which they wished could be implemented. Two of the respondents from their community suggested that the government should recognise the Namibian Sign Language as an official language of the deaf persons, thus supporting and empowering the deaf community. These sentiments echo Nanyeni, (cited by Andima,2014), that "the right to use one's own language is an important human right". Like all linguistic minorities, members of the deaf community have different degrees of access to the majority language of the wider community. In a related study conducted in Ireland by the Central Information Board (2017), English was found to be the second or even third language, while for some it is inaccessible. Consequently, in addition to spoken communication, written materials are often inaccessible to deaf people.

Rooted in the human rights legislation, the UN CRPD contains five articles referring to national sign languages, requiring their recognition and other linguistic human rights for SLPs. In line with this, the participants felt that the government must provide financial support to develop sign language materials, technology, and support research to make services available to their community. Other measures suggested by the respondents included the following:

- Promotion of deaf staff in different decision-making positions (if they meet requirements), to ensure decisions are fairly relevant to the deaf.
- Training for Sign Language interpreter should be a multi faced task
- Developing pool services for sign language interpreters

### **Concluding remarks**

This study established a lack of policy and guidelines at the Ministerial level, aimed at promoting the full participation and equal enjoyment of all human rights and fundamental freedoms by all persons, as well as their effectiveness. However, it was revealed that, in the absence of the Ministerial policy, the MHAISS relies directly on the National legislative policies (the Constitution, Affirmative Policy & the National Disability Policy). These important legislations provide specific human rights to be complied with, in the provisions of services to PwDs. In Chapter 11 of the Namibian Constitution, on Principles of State policy, the State is mandated to actively promote and maintain the welfare of the people. The state is required to establish a policy that ensures that "Every citizen has a right to fair and reasonable access to public facilities and services in accordance with the law". Thus, the government has fulfilled this promise by promulgating the National Disability Policy (Act No 28 of 2004) in 2004 (National Statistics Agency, 2016).

The leading principle of the policy is that all persons with disabilities and their needs shall be incorporated into the general development plans and not be treated separately. Furthermore “all resources must be employed in such a way as to ensure that every individual has equal opportunity for participation” (GRN, 2004, p. 13). In implementing such policy mandates, one expects each government establishment to have internal policies or guidelines promoting and guiding provision of services to PwDs, which, according to this study, is not the case because it was noted that there is a lack of policy and guidelines at the Ministerial level, and that the MHAISS is first and foremost directed by the government’s overall policy, which in particular explicitly states that PwDs, among others, are equal to persons without disabilities and are welcome to apply and participate in the process.

Yet, a critical analysis of the actual implementation of the legislative framework by the MHAISS indicates a disconnect from what is expected, as guided by the national legislative framework and the actual practice. This was evidenced when some of the respondents indicated that they were not aware of any policy guiding the provisions of services to the deaf persons at the MHAISS. This finding resonates with Donnelly (1994), who noted that “the struggle for human rights will be won or lost at the national and organizational level”. Although the adoption of national legislative framework is a positive step, it is only the beginning of the process.

The premise of this study is that the Ministry must, at a minimum, establish guidelines to guide the provisions of services to PwDs. It is only through the development of correct guidelines at an organisational level that the barriers inhibiting the inclusion of PwDs and the attitudes of employees and the organisation towards PwDs will be changed. This argument correlates with the understanding of Olivier (2004), who pointed that “the physical, attitudinal, communication and social environment must change, in order to enable people living with impairments to participate in society on an equal basis with others” (p.41). A common theme arising from the study is the need for the Ministry to train the front counter staff, on how to deal with the deaf persons when they need services, just the same way the Ministry trains front counter staff members on customer care. Overall, the study has confirmed that the method of communication utilised is not the preferred language, but other methods of communication are used. Moreover, the study has found that although there is sound legislative and national policies guiding, promoting, protecting and ensuring the full participation and equal enjoyment of all human rights and fundamental freedoms by all persons, which the MHAISS is reliant on, a reflection on the actual implementation clearly indicates that the practice is disconnected and contradictory to the National legislative framework.

In light of the discussion in this paper, the following recommendations are made: the need to emphasise the Ministry’s responsibility and commitment towards compliance to the national legislative framework and the impact the services provided by MHAISS has on the achievement of other national goals, as well as the need for comprehensive sign language training to frontline personnel. Essentially, efforts should be made to ensure that frontline staff in public services ought to be deaf friendly, while all other staff must be adequately trained to serve the deaf persons. Leaning on the need to reduce inequalities- one of the sustainable development goals, it is important for the government to invest in ensuring access to information and communication needs of the deaf persons, let alone to harness the power of technology in this regard- digital technology must be encouraged at public facilities to improve communication for deaf people.

## Conflict of Interest

We, **Anna-Lucky Katulo and Hatikanganwi Mapudzi**, wish to confirm that there are no known conflicts of interest associated with this publication, and there has been no financial support for this work that could have influenced its outcome.

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