Topic: Workshop – Intersectionality, inequalities & discrimination

DPAC UN CRDP Consultation event. 13th November 2021.

# Feedback notes:

1. **Have things have got better or worse or stayed the same since the last examination in 2017?**

*For feedback to the main meeting just say better or worse, don’t say why but include that in feedback notes*

* It is worse
* Cuts to Universal Credit and no uplift for Legacy Benefits
* Media climate much worse
* Gender experiences worse
* With the context of BLM, situation for Black disabled people is worse or perhaps more widely acknowledged
* Immigrant rhetoric much worse
* Paralympic nonsense –
	+ ‘I was at the protest in my manual wheelchair, and some guy came up to me and was like ‘wow, you should be in the Paralympics!’…
* Transgender people’s situation is getting worse and so it is also for disabled trans people
* Universal credit is aweful
* Extra costs of living have not improved
* Disability employment gap hasn’t moved in 10 years (Scope research)

**2. Which if any of the Committee’s recommendations from 2017 and 2016 have been implemented by the government?**

*For feedback to the main meeting just say yes or no but in the feedback notes please list any that participants think have been and any comments they make*

* [see numbering system below]…
* Def not 12.
* Def. 8 re housing. Meeting no obligations in housing
* ‘As someone who lives in inaccessible housing and therefore can’t use various mobility aids that would make life easier and more accessible, def not 8!’
* 7. No, - PIP and titles example
* 5. ‘I haven’t noticed central gov funding to DDPOs’
* 4 relates to your UC & uplift & PIP appeal rates etc as well, I think you have a very different experience if you’re in the minority of disabled folks who have access to wealth and/or money

**3. Have any new issues emerged since 2017?**

*For feedback to the main meeting just name one but in the feedback notes list them all*

* Discrimination of transgender disabled people accessing healthcare
	+ ‘I applied for PIP yesterday and on the phone call they asked my title. I told them it was Mx. The call person spent 5 minutes with me going back and forth, not understanding what I was saying. Finally, I was put on hold, and when the person came back on the phone, they said to me ‘what did your title used to be?’. It made me feel so horrible and unvalued and like, as a trans person, I couldn’t also access services for disabled people. I know if I had tried to apply just a year ago, I would not have been able to handle that question and so would have been unable to continue with the application. Trans-exclusion is a barrier to equal access to disability benefits.’
* Wider research and acknowledgement of access to treatment for POC
* Brexit
* Covid – Older disabled people’s right to life and DNRs
* Assisted suicide debate has become really loud
* the assisted suicide thing seems louder
* Higher care contributions financially links to poverty again
* Covid response in general re shielding
* Vaccine access

**4. Which are the top three issues in this area are most important to bring to the Committee’s attention?**

* 1. Poverty especially for additionally marginalised disabled people
* 2. Culturally competent care and access.
* 3. Access and rights of disabled Migrants and asylum seekers, lack of awareness of how traumatic and disruptive it can be to have to navigate all these experiences of additional marginalisation for folks who are already disabled before facing these barriers and oppression.

**Overview of recommendations:**

1. Make sure disabled people have equal access to justice, legal advice, and support, especially when their rights have been violated. This access must include reasonable adjustments.

2. Discourage the media and the public from creating and reproducing negative and discriminatory stereotypes and prejudice against disabled people. Combat the incorrect stereotype that people relying on state benefits are just trying to avoid getting a job. Instead, create positive awareness-raising mass-media campaigns in collaboration with disabled people which strengthen the human rights of disabled people.

3. Reports of hate crimes and harassment towards disabled people must be taken very seriously, and those responsible should be held accountable for their actions.

4. Disabled people who are also living on a low income or in poverty, as well as those with intellectual, mental health and multiple conditions must be explicitly considered when designing new legislation, policies, and programmes. The must be the case for all disabled people at a higher risk of exclusion, including women, children, and older disabled people.

5. Fund disabled people’s organisations and ensure their active involvement in the planning and putting in place of all laws and programmes which affect the lives of disabled people.

6. Ensure women’s rights to reproductive and sexual autonomy are respected without legalising selective abortion because of fetal differences such as Downs Syndrome.

7. Explicitly protect people from multiple and intersectional discrimination based on gender, age, race, disability, migrant, refugee, or other status.

8. Anti-discrimination laws must be brought up to date with the Equality Act 2010, including disabled people’s right to accessible accommodation and housing.

9. Protect disabled people in Northern Ireland from direct or indirect disability-based discrimination through implementing the recommendations made by the Equality Commission for Northern Ireland in 2012.

10.                  The rights of disabled women and girls should be explicitly included in all disability and gender equality policies. And multiple and intersection discrimination against disabled women and girls should be prevented, especially for those with intellectual and mental health conditions and neurodivergence in access to education, employment, health, and justice.

11.                  In consultation with Black and minority ethnic disabled people’s groups, abolish all forms of substituted decision-making and create new policies about mental capacity and mental health law

12.                  Ensure that disabled asylum seekers and refugees can exercise their rights as described in the Convention of the Rights of Disabled People.

**The recommendations in full:**

The Committee (in 2016) recommends that the State party:

(f)  Ensure **access to justice**, by providing appropriate legal advice and support, including through reasonable and procedural accommodation for persons with disabilities seeking redress and reparation for the alleged violation of their rights, as covered in the present report

(h) Take appropriate measures to **combat any negative and discriminatory stereotypes** or **prejudice** against persons with disabilities **in public and the media**, including that **dependency on benefits is in itself a disincentive of employment**; implement **broad mass media campaigns**, in consultation with organizations representing persons with disabilities, particularly those affected by the welfare reform, to promote them as full rights holders, in accordance with the Convention; and **adopt measures to address complaints of harassment and hate crime** by persons with disabilities, **promptly investigate** those allegations, **hold the perpetrators accountable** and provide fair and appropriate compensation to victims;

(i)  Ensure that, in the implementation of legislation, policies and programmes, special attention is paid to persons with disabilities living with **a low income or in poverty** and persons with disabilities at **higher risk of exclusion**, such as **persons with intellectual, psychosocial or multiple disabilities and women, children and older persons** with disabilities. Those measures should be put in place within contributive and non-contributive regimes.

The Committee (in 2017) recommends that the State party:

(a) Allocate **financial resources** to support **organizations representing** persons with disabilities, including women and children with disabilities, and develop mechanisms to ensure the inclusive, strategic and active **involvement** of organizations of persons with disabilities, including women, children and intersex persons, **in the planning and implementation of all legislation and measures** that affect the lives of persons with disabilities;

(b) Establish mechanisms to secure the **full participation of organizations of persons with disabilities** in the design and implementation of strategic policies aimed at implementing the Convention across the State party, through objective, measurable, financed and monitored strategic action plans.

13. The Committee recommends that the State party amend its abortion law accordingly. **Women ’ s rights to reproductive and sexual autonomy should be respected without legalizing selective abortion on the ground of fetal deficiency**.

15. The Committee recommends that the State party, in line with Goal 10 and targets 10.2 and 10.3 of the Sustainable Development Goals, **explicitly incorporate in its national legislation protection from multiple and intersectional discrimination on the basis of gender, age, race, disability, migrant, refugee and/or other status**, and provide appropriate compensation and redress for victims, and sanctions proportional with the severity of the violation.

(a) Bring its **anti-discrimination legislation** into accordance with the Convention and speed up the process to **bring into force all legislative provisions in the Equality Act 2010**, including those concerning **reasonable accommodation in the housing sector**;

(b) Take the necessary measures through the appropriate authorities, once the Northern Ireland government is in place, to ensure that the **Northern Ireland Executive reform on disability rights law** reflects the recommendations made by the **Equality Commission for Northern Ireland** in its 2012 **Strengthening Protection for Disabled People** report to protect persons with disabilities in Northern Ireland from direct and indirect disability-based discrimination and discrimination through association.

19. The Committee recommends that the State party, in close consultation with organizations of women and girls with disabilities, **mainstream the rights of women and girls with disabilities into disability and gender equality policies**. It also recommends that the State party, in line with the Committee ’ s general comment No. 3 (2016) on women and girls with disabilities and targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals, adopt inclusive and targeted measures, including the collection of disaggregated data, to **prevent multiple and intersectional discrimination against women and girls with disabilities**, particularly those with intellectual and/or psychosocial disabilities, in education, employment, health and access to justice and in terms of poverty and violence.

23. The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities, **strengthen its awareness-raising campaigns aimed at eliminating negative stereotypes and prejudice towards persons with disabilities**, particularly persons with intellectual and/or psychosocial disabilities and persons with neurological and cognitive conditions such as dementia and Alzheimer ’ s. To that end, the State party should **include mass media strategies and campaigns**, with different target audience groups, based on the human rights model of disability.

31. The Committee recommends that the State party, in close consultation with organizations of persons with disabilities, including those representing **persons from black and minority ethnic groups** and in line with the Committee ’ s general comment No. 1 (2014) on equal recognition before the law, **abolish all forms of substituted decision-making** concerning all spheres and areas of life by reviewing and adopting new legislation in accordance with the Convention to **initiate new policies in both mental capacity and mental health laws**. It urges the State party to step up efforts to foster research, data and good practices in the area of, and speed up the development of, supported decision-making regimes. It recommends that the State party **ensure that asylum seekers and refugees with disabilities can exercise all rights enshrined in the Convention.**

# Other workshop links:

**Topic: Workshop - Independent Living**

Time: Nov 13, 2021 03:00 PM London

Join Zoom Meeting

<https://us02web.zoom.us/j/87206533636?pwd=K1JXTkJPaFBQSlY1QnJnYU9IZ3AvUT09>

Meeting ID: 872 0653 3636

Passcode: 603316

**Topic: Workshop - Climate Changes**

Time: Nov 13, 2021 03:00 PM London

Join Zoom Meeting

<https://us04web.zoom.us/j/76488753437?pwd=dHNqUng1dklGZWNqS2FhT3d1c0UxZz09>

Meeting ID: 764 8875 3437

Passcode: iS1Ag1