Meeting with TUC Disabled Workers Committee 16.12.2021

Definitions of disability – UN has an extra bit on it “in conjunction with barriers” – more social model. As a signatory to the Un CRDP, the UK Government should have incorporated the CRDP definition into law but they didn’t. This has a real-world impact. For example, whenever you complain to a tribunal, you have to prove whether you are disabled or not. This is a degrading experience that entails reducing yourself down to the things you are unable to do. It is very medical model and is a particular issue for people who are neurodivergent. It means that a lot of people’s cases get thrown out of people don’t bother making them in the first place. If you do take a case, it is then the luck of the draw who is running the tribunal as to whether you will be considered genuinely disabled or not.

Black Activist Rising Against Cuts and groups like them point to how the cuts are racialized. Within groups like DPAC we should be highlighting how these cuts are ableist, how the cuts are deliberate, underhand attempts by government to undermine specific groups of people led by white, able-bodied men. We need to tackle the root of this. Barnet Council has been an example of this kind of approach – when confronted with challenges they were very arrogant and took the approach that this is just “business as usual”. This is an attack on disabled people’s human rights and needs to be called out as such.

Any recommendations for changing the definition of disability used within UK law should not call for changes to the Equality Act itself but rather call for changes to the guidance – so long as we have a government that wants to rip up the Human Rights Act altogether. We can’t give them an excuse to get their hands on the Equality Act. The House of Lords Liaison Committee has highlighted the government’s failure to implement inclusion and equality.

Other issues:

* Green paper on disability and health
* Mental Health Act review white paper and failure to properly engage with mental health survivors and user led organisations, also flying in the face of legal capacity rights

Employment tribunals – 3 months and one day is far too short a time and is a timeframe that can be impossible for people to meet in a number of circumstances, for example if they are hospitalised or having a breakdown – putting all their energy into surviving with none to spare at that time to take a case.

How many people have died unnecessarily?

Parliament – two disabled MPs had to fight for reasonable adjustments for themselves – disabled MPs not given accessible copies of papers they are expected to vote on. We have too few disabled MPs as it is. Parliament should have found ways around the need to vote in person for disabled MPs who are physically vulnerable to COVID and should have adopted hybrid-ways of working to facilitate their equal participation.