#

# United Nations Convention on the Rights of Deaf and Disabled People

# UK Civil Society Shadow Report 2022

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# March 2022

1. **About the List of Issues**

The List of Issues has emerged from an independent assessment of implementation of the United Nations Convention on the Rights of persons with disabilities in the UK.

Its production has been led by Disability Action (NI)[[1]](#footnote-1), Disability Wales[[2]](#footnote-2), Inclusion London[[3]](#footnote-3) and Inclusion Scotland[[4]](#footnote-4) and the assistance of Steering Groups in England and Wales, Northern Ireland and Scotland.

The UK List of Issues is drawn from a synthesis of separate reports produced concerning implementation of the CRPD in England and Wales, Northern Ireland and in Scotland. These have been submitted to the Committee as supplementary evidence[[5]](#footnote-5).

1. **Structure**

This report outlines the list of issues as identified through the independent assessment of the implementation of the UNCRPD in the UK. The list of issues is presented on an Article-by-Article basis. Issues are listed by jurisdiction alphabetically, therefore issues identified within Northern Ireland are listed first and those which apply to the UK Government in Westminster are listed last. Therefore, on reading the issues within the devolved administrations appear first. Themes may be similar across jurisdictions. It is important to note that each jurisdiction operates within its own particular context. Similar questions have not been grouped to prevent confusion as to where the issue has emerged and where the solution is sought. It should be noted that issues which have been identified which apply to Westminster Government will impact upon the devolved nations. Spending levels and reserved policy are set at Westminster. Therefore, decisions taken at Westminster have wide-reaching impacts across the UK even when devolution allows for variation in policy.

1. **Abbreviations**

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| --- | --- |
| NI | Northern Ireland |
| SG | Scottish Government |
| WG | Welsh Government |
| WeG | Westminster Government |

1. **UK List of Issues**

### Articles 1-4 – General obligations and principles

1. What action will the State take to ensure the legal incorporation of the UNCRPD in NI and how will it ensure that appropriate legislation, policies and programmes are in place and resourced which advance the rights of Deaf and Disabled people?
2. What is the SG doing to ensure full, genuine and consistent involvement of Deaf and Disabled People (Deaf and Disabled people) and their organisations in the design and implementation of strategic policies aimed at implementing the Convention?
3. How will the SG ensure policies and action plans aimed at implementing the Convention are objective, measurable, financed and monitored?
4. How will the SG ensure that Disabled People’s Organisations are adequately funded to provide a wide range of support (including peer support and capacity building) to Disabled people?
5. How do the UK and WGs intend to successfully implement articles 2 and 3?
6. How will the WG seek to re-establish and fully implement the social model of disability into their policy programmes?
7. What actions have been taken and what plans does WeG have for strengthening compliance with the Convention at all levels of government and including remedies for domestic breaches?
8. What progress has been made towards adopting legally binding instruments to implement the concept of disability, in line with Article 1 of the Convention, and ensure that all new and existing legislation follows the human rights model of disability?
9. What has WeG done to implement and monitor the Convention in British Overseas Territories?
10. When can we expect all parts of the Equality Act 2010 to be brought into force, in particular Section 1 and the introduction of a socio-economic duty on all public bodies? Additionally, what steps have been taken or are planned to strengthen compliance with and enforcement of the Equality Act? This includes addressing the disparity in protections between NI and the rest of the UK.
11. What action was taken to identify and mitigate against negative consequences for Deaf and Disabled people as a result of EU withdrawal?

### Article 5 – Equality and non-discrimination

1. What action is the State taking to remove the identified differences in disability discrimination protection between NI and GB since the introduction of the Equality Act 2010 only into GB?
2. What is the SG doing to monitor and challenge negative attitudes and discrimination against Deaf and Disabled people?
3. What is the SG doing to raise awareness of and address multiple and intersectional discrimination against Deaf and Disabled people?
4. Will the SG use the review of the Public Sector Equality Duty to place additional duties on public bodies to: a) collect and use intersectional data to advance equality, and b) develop and consistently produce accessible and inclusive communications?
5. What measures are the WG taking to close the implementation gap between policy intentions aimed at achieving disability rights and equality and provision of services that do no deliver this?
6. What actions are being taken by the WG to support Disabled people with multiple marginalised identities?
7. Abortion legislation still allows for selective abortion on the ground of foetal deficiency. What measures have been taken or are planned to amend legislation to bring cut off dates for termination fully in line with legislation covering other abortions, without compromising women’s rights to reproductive and sexual autonomy?
8. What measures are in place to explicitly protect against multiple and intersectional discrimination on the basis of gender, sexual orientation and gender identity, age, race, disability, socio-economic position, migrant, refugee and/or other status, and provide appropriate compensation and redress for victims, in line with Goal 10 and targets 10.2 and 10.3 of the Sustainable Development Goals.
9. To what extent does WeG recognise that discrimination occurs not just from individuals, but on an institutional basis and what steps is it taking to address this?

### Article 6 – Disabled women

1. How will the State in NI ensure that programmes and policies to eliminate exploitation, violence and abuse include targeted specific actions to address the issues for Deaf and Disabled women?
2. What is the SG doing to address the impacts of the Covid-19 crisis on Disabled women?
3. How does the SG monitor health inequalities for Disabled women and what specific measures are it taking to address these health inequalities?
4. How does the SG consistently monitor and address the priority issues facing Disabled women?
5. What progress is the Welsh Government making towards the development of a women’s health strategy?
6. What mechanisms are in place to ensure that support programmes funded by local authorities to work with Deaf and Disabled women, including those who have had children removed, are in line with a human rights model of disability?
7. What specific actions within the Violence Against Women and Girls Strategy or otherwise have been taken to address the barriers Disabled women face when seeking safety, justice and recovery?
8. What mechanisms are in place to understand the priority issues facing Deaf and Disabled women, including Deaf and Disabled migrant women, refugees and asylum seekers, and to implement policies in response, including equal protections from gender-based violence and crime?

### Article 7 – Disabled children

1. What action is the State in NI taking to ensure that Deaf and Disabled children have access to age-appropriate mental health services?
2. What action is the State in NI taking to ensure that Deaf and Disabled children have access to play, and leisure on an equal basis with others?
3. What action is the State in NI taking to ensure that Deaf and Disabled children can express their views on an equal basis as others in respect of the development of legislation and policy which impacts on their lives?
4. What is the SG doing to ensure Deaf and Disabled children who lost out on support during the pandemic have their support reinstated and increased if required?
5. How does the SG monitor bullying of Deaf and Disabled children at a national level and what steps are the SG taking to tackle bullying of Deaf and Disabled children in schools?
6. What is the SG doing, beyond raising awareness, to enable children, families and carers to learn BSL?
7. What actions are the SG taking to address the high levels of restraint and seclusion used against Deaf and Disabled children in schools?
8. What monitoring does WeG have in place regarding provision of education, healthcare and social care support provision for Deaf and Disabled children and young people (CYP) and progress towards realisation of their rights under the CRDP, including for those experiencing multiple discrimination? How does WeG collect data on unmet need?
9. What benchmarks are used to measure the life chances of Deaf and Disabled CYP compared to their non-Disabled peers?

### Article 8 – Awareness-raising

1. What action is the State in NI taking to ensure that it promotes positive public awareness of the capabilities and contributions of Deaf and Disabled people?
2. What evaluation has the SG done of awareness raising campaigns ‘Get past the awkward’ and ‘Different minds’ and how does it use these evaluations to inform subsequent campaigns and maintain messaging?
3. What awareness-raising campaigns and evaluations has the SG undertaken and is planning to undertake which aim to eliminate negative stereotypes and prejudice against Deaf and Disabled people?
4. What monitoring does WeG have in place regarding provision of education, healthcare and social care support provision for Deaf and Disabled children and young people (CYP) and progress towards realisation of their rights under the CRDP, including for those experiencing multiple discrimination? How does WeG collect data on unmet need?
5. What benchmarks are used to measure the life chances of Deaf and Disabled CYP compared to their non-Disabled peers?

### Article 9 – Accessibility

1. What is the State in NI doing to ensure Deaf and Disabled people can travel as freely as others?
2. What action is the State in NI taking to ensure that Deaf and Disabled people in rural areas are able to access services and their community on an equal basis as those living in urban areas?
3. What action is the State in NI taking to ensure that Deaf and Disabled people in rural areas are able to access services and their community on an equal basis as those living in urban areas?
4. What accessible support is the SG putting in place to ensure Deaf and Disabled people with a range of impairment types have affordable access to the technology and skills needed to use the internet?
5. What is the SG doing to evaluate the impact of digital by default policies on Deaf and Disabled people and adopt appropriate mitigations?
6. What is the SG doing to ensure schemes like ‘Spaces for People’ and ‘Low Emission Zones’ fully take account of the needs and views of Deaf and Disabled people prior to and throughout implementation?
7. How is the SG ensuring Deaf and Disabled people are involved in the ‘just transition’ agenda?
8. What is being done to improve public transport in Wales? Why are there still persistent issues with access to public transport, especially in North Wales?
9. 1What data is collected by central government on digital exclusion of Deaf and Disabled people that cannot be met merely through skills training or provision of digital equipment in order to accurately evaluate the impact of digital by default policies and adopt appropriate mitigations?
10. What improvements have been made to access for Deaf and Disabled social security claimants and how has implementation at ground level across the system been measured?
11. What actions have been taken to ensure that changes to the public realm do not create additional barriers for Disabled people and how has Disabled people’s right of access been incorporated within the extended nationally set Permitted Development Rights?

### Article 10 - Right to Life

1. What specific measures are being taken by the State in NI to ensure that any requirements to ensure the full protection of the right to life for all people with Deaf and Disabled people are being addressed?
2. What is the SG doing to determine how many Deaf and Disabled people died during the pandemic, both as a result of Covid-19 and for other reasons such as loss of social care support?
3. What steps are SG taking to identify how many Deaf and Disabled people who died during the pandemic had a voluntary or involuntary DNAR notice?
4. What measures will the WG put into place to ensure that the right to life of Disabled people is respected in healthcare settings? What is being done to ensure that what happened in Maesteg will never reoccur?
5. What investigations have taken place to identify causes and learn lessons from the disproportionate loss of Deaf and Disabled people lives during the pandemic both directly through Covid-related deaths and as a consequence of the handling of the pandemic? What are the findings, to what extent have Deaf and Disabled people been involved in reaching these and what actions have been implemented as a consequence?
6. What responsibility has WeG taken for continuing deaths and suicides of Deaf and Disabled people following changes to their benefits, what lessons have been learned, and what robust safeguarding measures have been put in place?

### Article 11 - Situations of risk and humanitarian emergencies

1. What measures will the state in NI take to ensure that Deaf and Disabled people are engaged in Covid-19 planning and in the response to similar situations should they arise?
2. How will the SG ensure that the specific needs and circumstances of Deaf and Disabled people are adequately addressed, and that Deaf and Disabled people and their representative organisations are meaningfully consulted and involved, in planning for disasters and responding to emergencies?
3. What lessons have the WG learned from the coronavirus pandemic in relation to Disabled people and what policies and or approaches are they changing in consequence?
4. What systems are in place to ensure that specific needs and circumstances of Deaf and Disabled people, including those experiencing intersectional issues, are adequately addressed in all disaster planning and responses to humanitarian emergencies and that these are adequately based on feedback from Deaf and Disabled People’s Organisations?
5. What actions have been taken to protect the safety of Deaf and Disabled people residents following the Grenfell fire inquiry and to ensure suitable evacuation plans are in place for all individuals who are potentially at risk?

### Article 12 – Equal recognition before the law

1. What measures is the State in NI taking to ensure that Deaf and Disabled people can enjoy the same fundamental freedoms as others?
2. What measures is the State in NI taking to ensure that Deaf and Disabled people can enjoy the same fundamental freedoms as others?
3. How long after publication of the Mental Health Law Review in September 2022, will the SG introduce amendments to abolish substituted decision-making under mental health and capacity law and introduce supported decision-making regimes?
4. What measures does WeG have in place to bring an end to substitute decision-making in its mental capacity and mental health legislation? What steps is WeG taking to ensure that there is, instead, an effective and country-wide use of supported decision-making?
5. What measures are in place to ensure that good quality independent advocacy is both available and routinely provided for any decisions relating to the support and treatment of people judged to lack mental capacity.
6. Will WeG introduce a right for people with learning difficulties and/or who are neurodiverse and their families to challenge decisions to admit them to institutions or keep them there, accompanied by free support from an independent advisor?

### Article 13 – Access to justice

1. What actions has the State taken in NI to ensure that Deaf and Disabled people have equal access to the justice system to attain their rights?
2. What assessment has the SG done to assess the actual and potential impact on Deaf and Disabled people of the adoption of audio-visual technology and remote trials in the justice system?
3. What is the SG doing to ensure all people working in the justice system understand disability, the social model and reasonable adjustments?
4. What actions has the State in NI taken to ensure that there is an adequate provision of BSL and ISL interpreters within the Criminal Justice System?
5. What is the SG doing to ensure Deaf and Disabled people are able to fully access legal advice and representation?
6. When will the SG change the law so that Deaf BSL users are able to serve on juries?
7. What is the SG doing to ensure Deaf and Disabled people requiring reasonable adjustments when getting any legal advice are eligible for legal aid for these adjustments?
8. What measures have been adopted to guarantee provision of reasonable adjustments within courts and the criminal justice system and access to a fair trial for Deaf and Disabled people?
9. What plans are there to improve availability of legal advice and representation for those on low incomes?
10. How will Deaf and Disabled people’s Article 13 rights be protected within WEG proposals to restrict access to judicial review and the Human Rights Act reform, in particular relation to avoidance of any additional barriers to challenging government policy this discriminates against Deaf and Disabled people?
11. What steps will WeG take to ensure that mental health service users, people with learning difficulties and neurodiverse people in the criminal justice system do not fare even less well than other patients under planned changes to the MHA 1983?
12. How will WeG meet its commitment to break the pattern of mental health service users from Black communities being disproportionately represented in the criminal justice system?

### Article 14 – Liberty and security of person

1. What actions is the State in NI taking to end the deprivation of liberty of Deaf and Disabled people within institutions?
2. What is the SG doing to address the rise in detentions under the Mental Health (Care and Treatment) (Scotland) Act 2003 and the low rate of compliance with safeguards such as Mental Health Officer consent and Social Circumstances Reports?
3. What is the SG doing to ensure people detained inappropriately in assessment and treatment units and out of area placements are moved to appropriate housing in a community of their choice?
4. How does WeG justify continued use of forced detentions and compulsory inpatient and community treatment of people living with mental distress, who are neurodiverse and/or have learning difficulties?
5. What decisive steps is WeG taking towards the closure of all hospital units which employ involuntary detention and treatment on the basis of a disability and the transfer of funding from these to community resources, including a wide range of non-clinical resources?

### Article 15 - Freedom from torture or cruel, inhumane or degrading treatment or punishment

1. What actions is the State in NI taking to ensure compliance with and completion of the hospital resettlement programme?
2. What action is State taking in NI to reduce the use of restraint (both physical and chemically) down to zero?
3. How does WeG justify continued use of physical restraint and seclusion within institutions for both children and adults including special schools and what measures have been taken to prevent/reduce the use of restraint?
4. What measures are in place to monitor and improve conditions experienced by Deaf and Disabled people detained in any setting including refugee detention centres, the criminal justice system and secure institutional settings?

### Article 16 - Freedom from exploitation, violence and abuse

1. How will the State ensure that hate crime legislation in NI is effective, particularly in relation to prosecution?
2. What preventative policies and measures is the State in NI undertaking to ensure that Deaf and Disabled people and children are not subject to abuse?
3. What is the SG doing to tackle the increasing number of hate crimes against Deaf and Disabled people?
4. What is the SG doing to record and publish data on intersectional hate crime?
5. What is the SG doing to tackle domestic violence against Disabled women and to understand the extent of the issue and support needs of Disabled women?
6. What national initiatives are in place to address exploitative practices commonly used within criminal enterprises such as ‘cuckoo-ing’ and targeting of young people with SEND by drug gangs?
7. What measures are in place to address the problem of disability hate crime including initiatives to tackle hostile attitudes against other characteristics such as benefit claiming that in practice get targeted at Deaf and Disabled people, and to increase prosecution rates?
8. What measures have been put in place to protect Deaf and Disabled people from abuse by non-family carers?

### [Article 17 – Protecting the integrity of the person](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-17-protecting-the-integrity-of-the-person.html)

1. How does WeG justify continued use of forced treatments?
2. What measures are in place to promote availability of a wide range of support and resource options for voluntary engagement by people living with mental distress with choice and control over the support/resource they receive?

### Article 18 – Liberty of movement

1. What is the SG doing to address the impact of Brexit on Deaf and Disabled peoples right to liberty of movement (within its competence)?
2. What is the SG doing to make it remove the barriers so that Deaf and Disabled people can move their care packages/plans when they move to another local authority area?
3. How does WeG continue to justify its reservation under Article 18?
4. What systems are in place to identify and meet the needs of Deaf and Disabled refugees and asylum seekers, what gaps did the pandemic reveal and what lessons have been learned?

### Article 19 – Living independently and being included in the

1. Does the State in NI intend to reopen the Independent Living Fund to new Users?
2. What is the SG doing to address the issues with implementation of Self-Directed Support identified by Audit Scotland and others?
3. What is the SG doing to ensure that all social care support lost during the pandemic is fully reinstated and that Deaf and Disabled people whose support needs have changed are able to access additional support?
4. Given that the UN CRPD will be incorporated into Scottish Law, how will the proposed National Care Service ensure Deaf and Disabled peoples Article 19 rights are met?
5. Since the publication of *Action on Disability: A Framework for Independent Living,* what improvements have been made by the WG for Disabled people accessing public services?
6. How do the WG propose to address the lack of under provision of accessible social housing? Why has there not been more accessible homes built in Wales?
7. What mechanisms are in place to prevent retrogression against Deaf and Disabled people’s right to living independently and being included in the community?
8. What if any evaluation has WeG undertaken to assess the impact of social care charging on Deaf and Disabled people’s independent living?
9. What measures are in place to stimulate the commissioning of community support services and bring an end to institutional placements?
10. What is WeG doing to prevent community services themselves from being mainly clinical or institutional in nature and to ensure a strong focus on alternative options, including everyday community resources, Deaf and Disabled peopleO provision and address intersectional issues?

### Article 20 – Personal Mobility

1. What action will the State in NI take to ensure that Deaf and Disabled people have access to appropriate aids and equipment in a timely fashion?
2. What monitoring is in place to assess how many Deaf and Disabled people live without the ability to be mobile and travel outside their home (including residential settings) and for what reason, and to track progress towards implementation of this right?

### Article 21 – Freedom of expression and opinion, and access to information

1. How will the State ensure that there is adequate provision of British Sign Language and Irish Sign Language interpreters in NI?
2. What is the SG doing to ensure that all of its consultations are fully accessible and accessible formats are available from the outset of the consultation period?
3. What steps will WeG take to ensure that measures such as the Police, Crime, Sentencing and Courts Bill allow Deaf and Disabled people still to express opposition to government legislative and policy measures in a peaceful manner in sight of Parliament?
4. How will WeG improve transparency and access to disability-related information?
5. What has been done to improve access to British Sign Language and a range of communication support both in person and using remote technology as best meets the access needs of the individual?

### Article 22 – Respect for privacy

1. What action is the State taking to ensure that Deaf and Disabled people have access to this information in accessible formats so that their right to privacy is protected?
2. How is information about data sharing, for example through NHS Digital, communicated to Deaf and Disabled people so they are aware of their right to opt out and are able to exercise this right?

### Article 23 – Respect for home and family life

1. What action is the State in NI taking to ensure that parents with a disability have access to the appropriate support to raise their family on an equal basis as others?
2. What evaluation has WeG taken of the impact of Universal Credit (and the way it assesses finances on a household rather than an individual basis) on Deaf and Disabled people’s right to family life?
3. When will the Department for Health and Social Care either produce new up-to-date guidelines for working with Disabled parents or support the most recent guidelines produced by the Working Together with Parents Network?

### Article 24 – Education

1. What action is the state in NI taking to close the attainment gap between Deaf and Disabled children and non-Disabled children?
2. What is the SG doing to address the high levels of school exclusions amongst Deaf and Disabled children?
3. What is the SG doing to prevent the education attainment gap between Disabled and non-Disabled children increasing?
4. What is the SG doing to monitor and improve attainment of Deaf BSL users?
5. What is the SG doing to ensure further and higher education and other forms of post-school adult education are accessible to Disabled people?
6. How does WeG continue to justify its reservation under Article 24?
7. How is WeG ensuring that Deaf and Disabled pupils have equal chances to access mainstream education and are not forced into the special schooling system due to a lack of resources in the mainstream system?
8. What measures is WeG taking to ensure that Deaf and Disabled pupils experiencing intersectional issues, for example from Black and racialised minority communities, have equal chances within the mainstream education system and have access to the support they need to participate in learning?

### Article 25 – Health

1. What measures is the State in NI taking to ensure that Disabled people have equal access to health and related services?
2. What is being done to combat negative attitudes to Disabled people in healthcare in Wales? What measures are in place by the WG to mitigate issues or support Disabled people who have experienced discrimination in healthcare settings?
3. What actions is the State in NI putting in place to remove barriers to accessing mental health provision and to increase the provision of mental health services in the community?
4. What measures are the SG putting in place to ensure Deaf and Disabled people who lost out of health care during the pandemic are not left further behind?
5. How is the SG monitoring the impact of the pandemic on Deaf and Disabled peoples health?
6. What is the SG doing to ensure mental health services are accessible to Deaf and Disabled people with different impairment types?
7. What measures are in place to ensure that a human rights model of disability is embedded at every level within the NHS and in every aspect of its work?
8. What specific actions are the WeG taking towards ensuring Deaf and Disabled people’s right to access healthcare on an equal basis with others?

### Article 26 – Habilitation and rehabilitation

1. What action is the State in NI taking to ensure that children and adults with disabilities will have access to appropriate habilitation services?
2. Why there are no specialist services for visually impaired children in Wales, are the WG consulting with visually impaired children and their parents on this issue? Are there any future plans for these services?
3. How has WeG assessed the impact of austerity measures on rehabilitation services and what mechanisms are in place to ensure that available provision matches need?

### Article 27 – Work and employment

1. What actions will the state in NI take to close the Disability Employment Gap?
2. What measures are the SG taking to address the disability employment gap and the disability pay gap?
3. What is the SG doing to ensure the disability employment gap does not increase as a result of the pandemic?
4. What measures is WeG taking to address the disability pay gap?
5. How are new Universal Credit claimants made aware of the option to apply for Limited Capability for Work/Work-related Activity status and what measures are in place to ensure that Deaf and Disabled people on Universal Credit are not coerced into taking unsuitable work?
6. What, if any, measures are planned to ensure that disability employment support programmes are based on the human rights approach to disability?

### Article 28 – Adequate standard of living and social protection

1. What is the State in NI doing to measure and reduce poverty and food insecurity experienced by Deaf and Disabled people and their families?
2. What action will the State in NI take to ensure that Deaf and Disabled people have access to appropriate public housing, within adequate timescales, and that will meet their needs?
3. What targeted measures are the SG taking to address the disproportionately high levels of poverty and child poverty in households with a Deaf and Disabled people?
4. What is the SG doing to address the disproportionately high levels of food insecurity amongst Deaf and Disabled people?
5. What is the SG doing to address the impact of rising costs of energy on Deaf and Disabled people?
6. Will the SG abolish social care support charges and ILF “available income” charges?
7. How has WEG assessed the impact of the Welfare Reform and Work Act 2016, looking not only at employment figures but also at impacts on physical health, mental distress levels, poverty, community dislocation and off flows into the criminal justice system?
8. What safeguarding measures are in place to ensure that interactions with the social security system do not jeopardise the mental well-being or physical health of benefit claimants?

### Article 29 – Participation in political and public life

1. What action will the State in NI take to ensure that Deaf and Disabled people can fully participate on an equal basis in the development of policies, programmes, and politics?
2. What is the SG doing to remove barriers for Disabled people to be fully included in our democratic processes including running for elected office?
3. Will the SG commit to the continuation of the Access to Elected Office Fund that removes some of the financial related barriers to running for elected office?
4. What is being done to ensure that the role of elected members is accessible and open to all Disabled people and to ensure that all reasonable adjustments in carrying out these roles are met?
5. What steps are being made to support Disabled people being able to vote independently and in person in Welsh elections?
6. What measures are in place to ensure that Deaf and Disabled Parliamentarians have the same chances to fulfil their roles and responsibilities as non-Disabled Parliamentarians and are not discriminated against either by Parliamentary procedures or government ministers?
7. What support is available to Deaf and Disabled people so that they can both stand for political or public office and be able to fulfil their roles if successfully elected/appointed?

###  Article 30 – Participation in cultural life, recreation, leisure and sport

1. What measures is the State in NI taking to ensure the recognition, support and resource of sign languages and Deaf culture on an equal basis with others?

1. What steps are being made to improve access to cultural life, recreation and sport in Wales?
2. What evaluations have been undertaken to assess the impact of welfare policies such as surveillance of benefit claimants on Deaf and Disabled people’s participation in sport and leisure activities?
3. What support is available to Deaf and Disabled people to participate in leisure activities and sport and how does WeG monitor the availability of this support and its effectiveness in meeting Deaf and Disabled people’s right to participation?

### Article 31 – statistics

1. How will the State in NI develop indicators that will relate to the UNCRPD and be comparable against other devolved nations and internationally (and be inclusive of Deaf and Disabled children and adults with disabilities)?
2. How does the SG identify data gaps in relation to disability and what is the SG doing to contribute to filling these gaps?
3. What disability-related data gaps did the pandemic highlight and what measures have been put in place to fill these?
4. What measures are in place to ensure welfare policies do not discriminate against Deaf and Disabled people given the limitations of the non-disaggregated data collected through Universal Credit?

### Article 32 – International Cooperation

1. What mechanisms are in place to promote Deaf and Disabled people’s rights under the CRPD in British Overseas Territories?

### Article 33 – National Implementation and Monitoring

1. What action will the State take to ensure the full incorporation of the UNCRPD and to develop a credible strategy for implementation and monitoring?
2. What mechanisms for implementation and monitoring of the CRDP does WeG have in place and which nations and territories do these cover and how?
3. What mechanisms are in place for engagement with Deaf and Disabled People’s Organisations specifically (as opposed to organisations for Deaf and Disabled people) on implementation and monitoring of the CRPD?
4. How are government departments and LAs made aware of their obligations to engage specifically with Deaf and Disabled People’s Organisations (as opposed to organisations for Deaf and Disabled people), especially those government departments with the most relevant responsibilities such as the Department for Health and Social Care and the Ministry of Justice? And how are they being made aware of their obligations also to engage effectively with Deaf and Disabled People’s Organisations representing people experiencing more than one form of discrimination?

**Appendix 1- Legislative Issues within the Devolved Administrations**

**Northern Ireland**

Issues on which the Northern Ireland Assembly has full legislative powers:

* health and social services
* education
* employment and skills
* agriculture
* social security
* pensions and child support
* housing
* economic development
* local government
* environmental issues, including planning
* transport
* culture and sport
* the Northern Ireland Civil Service
* equal opportunities
* justice and policing[[6]](#footnote-6)

**Scotland**

The Scottish Parliament has power to make laws on a range of issues devolved matters which include:

* agriculture, forestry and fisheries
* benefits – some aspects
* consumer advocacy and advice
* economic development
* education and training
* elections to the Scottish Parliament and local government
* energy – some aspects
* environment
* equality legislation – some aspects
* fire services
* freedom of information
* health and social services
* housing
* justice and policing
* local government
* planning
* sport and the arts
* taxation – some aspects
* tourism
* transport – some aspects[[7]](#footnote-7)

**Wales**

In Wales the Senedd's responsibilities include:

* Agriculture, forestry and fishing
* Education
* Environment
* Health and social care
* Housing
* Local government
* Highways and transport
* Some control over income tax, stamp duty and landfill tax
* Welsh language[[8]](#footnote-8)
1. [Disability Action NI](https://www.disabilityaction.org/) is a membership organization led by Disabled people primarily working in NI [↑](#footnote-ref-1)
2. [Disability Wales](http://www.disabilitywales.org/about-us/) membership organization of Disabled people’s organisations across Wales and is led by Disabled people [↑](#footnote-ref-2)
3. [Inclusion London](https://www.inclusionlondon.org.uk/about-us/) is a consortium of DPOs and individuals. [↑](#footnote-ref-3)
4. [Inclusion Scotland](https://inclusionscotland.org/) - consortium of Disabled people’s organisations and Disabled individuals, established in 2001 and working mostly in Scotland. [↑](#footnote-ref-4)
5. The Equality and Human Rights Commission and Scottish Human Rights Commission covering England, Wales and Scotland funded the production of these reports. Funding was not made available for equivalent work in Northern Ireland. Work in Northern Ireland was undertaken and funded by Disability Action. [↑](#footnote-ref-5)
6. NIO (2013) [Devolution settlement: Northern Ireland](https://www.gov.uk/guidance/devolution-settlement-northern-ireland) (accessed 17 March 2022) [↑](#footnote-ref-6)
7. Scottish Parliament (2022[) Devolved and Reserved Powers](https://www.parliament.scot/about/how-parliament-works/devolved-and-reserved-powers) (accessed 18 March 2022) [↑](#footnote-ref-7)
8. BBC (2021) [Devolution: What is it and how does it work across the UK?](https://www.bbc.co.uk/news/uk-politics-54974078) (accessed 18 March 2022) [↑](#footnote-ref-8)