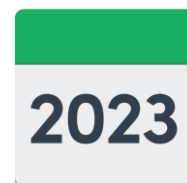


Convention on the Rights of Persons with Disabilities (CRPD)

UK Independent Mechanism Seven Years On – (Part 1 of 2)

Disabled people's rights to independent living, work and standard of living in the UK



What is UKIM?



The United Kingdom Independent Mechanism (**UKIM**) is made up of:

- the **EHRC** – Equality and Human Rights Commission
- the **ECNI** - Equality Commission for Northern Ireland
- the **NIHRC** - Northern Ireland Human Rights Commission
- and the **SHRC** – Scottish Human Rights Commission

The Independent Mechanism for Northern Ireland (**IMNI**) is the ECNI and the NIHRC.



Human rights are freedoms protected in law that make sure we are treated fairly and with dignity.



UKIM promotes, protects and checks how the **CRPD** is put in place across the UK.

The **United Nations** Convention on the Rights of Persons with Disabilities (**CRPD** for short) is an international human rights agreement that protects the rights and dignity of people with disabilities.



The **United Nations** (or **UN** for short) is an organisation that works with countries to keep peace and security across the world.



The UKIM report was made after consultations with disabled people and their organisations.

IMNI and the SHRC have added new recommendations for Northern Ireland and Scotland.



This document is an Easy Read version of the UKIM report.

Explaining the UK to the UN



The UK Parliament makes laws for the UK.

The Scottish Parliament, the Welsh Parliament and the Northern Ireland Assembly have **devolved** powers.

Devolved powers to make laws and policies have been moved from the UK Parliament.



Both the UK and devolved governments are responsible for making sure UN human rights treaties are respected and that they happen.

Chapter 1 – background information



In 2016 there was an **inquiry** to check if the UK was respecting the rights in the Convention.

An **inquiry** is a type of review into what went well and what could have been done better.



The inquiry process looked at:

- **social security**
- independent living
- work
- and how disabled people's rights had been affected by how the government spent money on these things

Social security or benefits is the money some people get from the government to live on.



The Committee on the Rights of Persons with Disabilities is looking at what has happened after the inquiry.



Disabled people have been particularly affected by:

- the COVID-19 pandemic



Disabled people were at a greater risk of becoming unwell or dying, and visits to care homes were restricted.

Public health information was not always available in accessible formats.



- the cost of everyday things we need like food, clothes and heating has got much more expensive



Disabled people and their households are already more likely to live in **poverty** and to face higher costs because of their health conditions.

Poverty means not having enough money to buy basic things like food or housing.

The most important things



- work to make the UN CRPD 2016 inquiry recommendations happen is going too slowly



- governments do not do enough work to ask disabled people what they think

- there are not enough facts, figures and information about the experiences of disabled people



- the design of the **social security system** and the support it offers does not support what disabled people need

The **social security system** manages claims for benefits and pays money.



- the COVID-19 pandemic had more of an effect on the human rights of disabled people than on other groups



- Governments have not done **cumulative impact assessments** of social security and tax reforms to help them make decisions.



A **cumulative impact assessment** is a way to check:

- how policies will affect people
- how all the policies together affect different groups of people

Chapter 2: Progress assessments

114(a): The UN Committee recommended that the UK review the combined impact of changes to tax and benefit system since 2010



There has been no progress on this recommendation and it is still true for all parts of the UK.

UK and England



The UK Government has not had a cumulative impact assessment of its tax and social security reforms since 2010.



In 2018 an EHRC cumulative impact assessment of welfare reform in England, Scotland and Wales showed that these changes badly affected some groups more than others, especially:

- disabled people
- some ethnic minority groups
- women
- people on lower incomes

Wales



The Welsh Government has looked into some of the impacts of the UK Government's Welfare reforms on households in Wales.

They did this most recently in 2019.

Scotland



The Scottish Government has:

- done some impact assessments of income tax
- an equality and fairer budget statement
- not said when a new disability equality plan will be published



The Scottish Government, NHS and local councils do not understand enough about what disabled people need.

Northern Ireland



In 2019 the NIHRC showed there was a link between households with disabled people and households losing money because of tax and social security reforms.

There will be large cuts to services in 2023-24.

Scottish Human Rights Commission recommendations



The Scottish Government should:

- have a cumulative impact assessment of devolved policies
- collect more facts, figures and information about disabled people's lives and needs

IMNI recommendations



- UK and devolved Governments should have ways to check the cumulative impact of tax and social security reforms



- the CRPD Committee should ask the Secretary of State for Northern Ireland to make sure that budget cuts do not make things worse for disabled people

114(b): The UN Committee recommended that the UK make sure any changes to the welfare system protect human rights



There has only been a bit of progress on this recommendation and it is still true.

UK and England



The UK Government has not made changes to the benefits system based on human rights.

The UK Government has said it will make the benefits system easier for disabled claimants.



More **sanctions** and changes to assessments will limit support for some disabled people.

A **sanction** is a punishment for not following a rule.

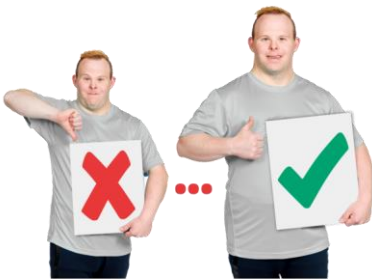


The UK Government has stopped temporary increases to Universal Credit and Working Tax Credit that supported people during the pandemic.



The Work and Pensions Committee found that bad physical and mental health experiences, as well as deaths of disabled people, are connected to using the benefits system.

Different groups have found that health assessments for benefits are upsetting for many people.



The EHRC is working with the Department of Work and Pensions (DWP) on a legal agreement to treat disabled people better when they are claiming benefits.

Wales



Social Security is not devolved in Wales.

The Welsh Government gives money to services that make sure people know about the benefits they can use.

Scotland



A Scottish social security system for some benefits was set up in 2016.

It includes 3 new benefits for disabled people:

- Adult Disability Payment
- Child Disability Payment
- Age Disability Allowance



The new Scottish system promised to follow human rights standards but does not go far enough.

This makes it difficult to make sure rights are being fully respected.



Disabled people helped to design the Social Security Charter and a group give advice to the Scottish Government.



Social Security Scotland takes a long time to process some benefits claims and this makes life harder for disabled people and their families and carers.



Some people think the Adult Disability Payment is too much like the UK Personal Independence Payment (PiP).

Scottish Government benefits have gone up for 2023-24 but they do not cover the extra costs that disabled people have.

Many people are not applying for benefits they could get.

Independent Living Fund



The Independent Living Fund Scotland protects the rights of disabled people in Scotland to live independent lives.

It has been closed since 2015.

Northern Ireland



In 2015 the Northern Ireland Executive agreed to find ways to help people who have less money because of the UK social security reforms.

They will spend up to £585 million until March 2025.



But most people with a disability still say they do not have enough money.

SHRC recommendations:



The Scottish Government should:

- keep checking to see if the social security system is working well



- have better ways to make sure more people know about new benefits



- have a law that gives disabled people a right to social security



- make sure people can get **advocacy** and advice

An **advocate** is a person who will support you to have your views heard.



- reopen the Independent Living Fund

IMNI recommendations



The Northern Ireland Executive should find ways to:

- stop the negative impact of UK social security reforms
- make sure that disabled people have an adequate standard of living

114(c): The UN Committee recommended that new UK laws or policies respect the rights of disabled people



There has been some progress on this recommendation and it is still true.

UK and England



A National Disability **Strategy** in 2021 was made to support disabled people to take part in society with no barriers.

A **strategy** is a large plan.



Some disabled people were concerned that the UK Government did not properly involve them in developing the strategy.

The UK Government plans to make a Disability Action Plan in 2023.



Work

The **disability employment gap** is the gap between:

- the number of disabled people who have a job
- and the number of people who are not disabled who have a job

The UK Government has:

- set out ways to reduce the **disability employment gap** and get 1 million more disabled people into employment by 2027
- got feedback on plans to make employers check and report on disability



Disabled people are less likely to be working than non-disabled people, but this gap is narrowing over time.

The EHRC has recommended:

- disability pay and employment reporting
- that the UK Government check if voluntary reporting schemes or the [Disability Confident Scheme](#) support disabled people into employment



Standard of living and social protection



The UK Government has suggested changes to the benefit system to support disabled people including:

- new employment support programmes
- accessible forms
- a new 'tell us once' service for reasonable adjustment requests
- removing the Work Capability Assessment and replacing it with the Personal Independent Payment Assessment



Not all changes suggested by the UK Government have been welcomed by disabled people and some are worried that they will not get the money they need.

Independent living



Many disabled people are not getting enough support, especially during the cost-of-living crisis.

The UK Government has:

- a commitment to have better accessibility standards for new homes in England



- committed to have a law to protect access to cash in the UK

A cashless society will exclude some disabled people.



- delayed a commitment to cap the amount that anyone in England will spend on care
- a draft Mental Health Bill to replace the mental health laws in England and Wales



- an aim to have accessible transport by 2030

There are still concerns that:

- transport is not accessible for disabled people
- transport workers are not trained well enough to support disabled people



Accessible transport is important for independent living.



In 2021 the EHRC made recommendations to the UK Government to bring about the right to independent living in the UK.

These recommendations have not happened.

Wales



The Welsh Government has:

- a Learning Disability Action Plan
- committed to working with disabled people and their organisations to make a disability equality action plan
- committed to putting the CRPD into Welsh law



Independent living

The Welsh Government:

- has a Housing Adaptations Service Standard
- has a Lifetime Homes Standard that all homes must meet
- have committed to having accessible public transport

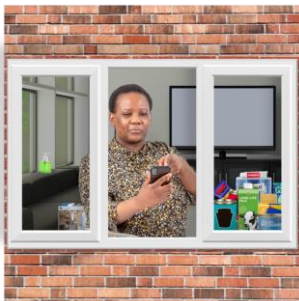


Work and employment

The Welsh Government has Disabled People's Employment Champions to provide advice, information and support to employers across Wales.



Scotland Independent living



Things are harder for disabled people because:

- people had their care packages reduced or stopped in the COVID-19 pandemic
- there is less money for social care, more people need it and there are not enough staff
- many disabled people were stuck at home with no support or were in residential settings that were not right for them
- many people who have learning disabilities and autism:
 - do not have choice and control over where they live and who with
 - do not have equal access to services in their community
- human rights are not at the centre of proposals for a National Care Service
- people are still charged for care and charges are going up in many parts of Scotland



- people do not have equal access to **self-directed support (SDS)** that gives people more choice and control of their care and support services

Standard of living and social protection



The number of disabled people with a job has gone up since 2016, but the disability pay gap has got larger at the same time.

Barriers for disabled people in employment include:

- not enough support from education to employment, or in the workplace
- **prejudice** – being judged in a negative way
- employers need disability training
- employers not making **reasonable adjustments**



Reasonable adjustments are changes employers must make to give a person who is disabled the same chance as anyone else to get and do a job.



Scottish Government policies to support disabled people into work are:

- not working well enough
- are not **ambitious** – they do not want to achieve a lot

SHRC recommendations

The Scottish Government should:



- stop charging for social care
- make sure disabled people and their organisations:
 - help to design the National Care Service
 - design a disability strategy based on human rights



- develop employment support for disabled people
- make sure people who have a learning disability or autism are not kept in hospital

Northern Ireland



Northern Ireland does not have a disability action plan.

There have been no discussions about policies to protect the rights of disabled people.

Accessible Housing



The Disability Strategy Expert Advisory Panel has reported that:

- there is still not enough accessible and affordable housing for disabled people
- disabled people should be considered 'homeless' if there are no accessible houses



- there are more disabled people in institutions like long-stay hospitals or assessment and treatment units



- disabled people who were abused at Muckamore hospital must have their rights protected when they get new homes
- Personal Assistants must be recognised as being different from carers and they must be available to all disabled people

Independent living



The Independent Living Fund cannot be reopened in Northern Ireland without an Executive and Health Minister.

There is no right to Independent Living in UK or Northern Ireland law.



If all services worked together there would be more support for disabled people to live independently.

Self-directed support in Northern Ireland is still in the early stages of development.

Work and employment



The rate of unemployment for disabled people is higher in Northern Ireland than in any other part of the UK.

Disability **discrimination** is the most common thing that the Equality Commission for Northern Ireland is asked about.

Discrimination means treating someone unfairly.



There are new legal protections for disabled people in Northern Ireland law but **Brexit** means there is less money for supported employment.

Brexit is the way that the UK has come out of the European Union.

IMNI recommendations



The Northern Ireland Executive should:

- have strategies for:
 - disability
 - disability employment
 - anti-poverty



- make sure disability employment projects have long-term funding



- re-open the Independent Living Fund

- have more accessible housing



- make disability equality laws better