



RADAR
the disability network

Briefing
Disabled People's
Priorities for the New
Parliament

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Introduction

Later this year we will have a new Parliament. As the General Election is approaching, Baroness Campbell and Roger Berry MP, the co-chairs of the All Party Parliamentary Disability Group, invited the disability spokespersons of the three main parties to talk about their proposals to take forward disability equality post General Election 2010. To inform the debate the co-chairs asked disabled people to send their priorities for the new Parliament.

This paper outlines the emerging priorities. Disabled people are telling us that they're being held back from exercising choice and control, are denied opportunities to fulfil their potential, and frequently have their dignity undermined. Anecdotal evidence tells us that disabled people in the margins of society (homeless people, prisoners and refugees) suffer severe infringements to their human rights, yet we don't know enough of their experiences.

In the 21st Century, discrimination and exclusion are still the order of the day for many disabled people. This harm to their human rights and wellbeing is caused by failures in the support system, ignorance and prejudice, and obstacles in the environment. Often the role of disabled people in society is reduced to monetary values (i.e. cost of support), however true cost to society arises from disability poverty, lack of dignity, limited quality of life, and restricted choice and control. A perception exists amongst disabled people that disability discrimination and exclusion is not taken as seriously as it should be.

The Office for Disability Issues has a vital role in the machinery of government which needs to be sustained and strengthened in the new Government. Their Roadmap 2025 provides a guide which needs to be implemented.

Many advances have been made towards disability equality, and disabled people have said that they would like to highlight these positive changes and encourage others to follow.

Even so, not enough is being done to actively break down the barriers in society, and to allow disabled people to be equal citizens, and disabled people have come up with ideas how the new Parliament can turn around the persistent inequality.

Disabled people's priorities fall into five main areas:

1. Independent living

Real rights to choice and control publicly funded support services in a new national, joined-up, portable support system that boosts participation. This needs to be underpinned by a sustainable network of centres for independent living, an Independent Living Act and a drive to deliver more accessible housing.

2. Real inclusion in society

Through action on inclusive education, action to boost inclusion in employment, careers and public life, and action to tackle stigma, lack of awareness and hate crime.

3. An end to disability poverty

Through developing and delivering a strategy.

4. Full equality before the law

Comprehensive rights we can enforce easily, including repeal of s 141 of the Mental Health Act.

5. Access all areas

Practical measures to boost access to public transport, products, information and the built environment.

1. A stronger legislative framework

Legislation creates rights and entitlements, and can boost positive change in society. That is why disabled people call for:

- A new legislative framework for independent living rooted in the principles of freedom, dignity, choice and control and geared towards boosting opportunities for disabled people to participate in community and wider society.
- A new set of specific duties (public sector equality duty) that insists on involvement and equality impact assessments.
- Equality before the law where this currently doesn't exist, in particular regarding matters of mental capacity, but also jury duty.
- Duties for inclusive design and manufacture.
- Standards for access to the built environment, including planning and development.
- A specific duty on service providers to provide accessible information for blind and partially sighted people and other print disabled people¹.
- A legal right to a mainstream education placement with all necessary support for learning.
- The right to disability leave and the right to request flexible working.
- A British Sign Language Act to protect, promote, and respect BSL and its users, including a right to bilingual education.
- The reservations and interpretative declaration to the UN Convention on the Rights of Disabled People to be withdrawn.

2. Effective enforcement

Few disabled people go as far as challenge discrimination in a court. The enforcement figures do not match the evidence of discrimination on the ground.

Disabled people are calling for:

- Stronger and more effective enforcement of anti-discrimination legislation as well as hate crime law.
- Access to free legal support for disabled people to challenge discrimination.

¹ This will hopefully be resolved at House of Lords Report Stage of the Equality Bill.

- A review of the enforcement of anti-discrimination legislation, looking at why so few cases go to court, and identifying disabling barriers (e.g. costs, access to support, timelimits), followed by an action plan and its implementation.
- Monitoring of the implementation of the Equality Bill, and take action where it is not delivering positive outcomes for disabled people.
- Full implementation and monitoring of the public sector equality duty, and tackling failure to comply with the duty.
- Raising awareness amongst disabled people of their rights.
- Collate and promote positive outcomes of DDA cases.

3. Nothing about us without us

User-led organisations (ULOs, centres of independent living, disabled people's organisations) provide a vital link for delivering equality. They provide information, advocacy, peer support to disabled people, raise awareness in the local community, and can inform local authorities as well as amenities how to build disability equality into their work as well as highlight the needs of disabled people in the community. ULOs act as a champion for disabled people and as a challenger of bad practice.

Disabled people want:

- recognition of ULOs as equal partners in bringing about change
- sustained and adequate funding for ULOs.
- a strong duty of local authorities to engage with ULOs and disabled people, with appropriate enforcement.
- Access to free support, advocacy and information in an appropriate format so that disabled people are empowered. Note should be taken of the fact that the digital age bypasses many disabled people.

Disabled individuals are the experts of their own needs and as such need to be properly involved. Disabled people's needs change through age, and are influenced by family, work and community. The range of impairments is broad and varied and so are its effects on individuals. A high number has two or more impairments, and its combined impact can be different per individual. Disabled people complain about lack of understanding of less common illnesses and impairments, especially fluctuating conditions.

4. Challenging stigma and prejudice

Negative attitudes and prejudice from the general public are possibly one of the main causes of social exclusion. This can occur on a very basic level, for example people on buses don't give up space for a wheelchair user, but also in a way that puts disabled people's safety and security at risk, for example disability hate crime.

- A campaign to tackle ignorance and prejudice, and to promote awareness and celebrate difference, including
 - Better understanding of the range of health conditions and impairments and its effects on individuals.
 - Increased awareness about mental health.
- Promote 'attitudinal change' as a requirement of disability equality (direct discrimination, harassment, reasonable adjustment).
- Ensure that the overall portrayal, coverage and reporting of disability is informed, balanced, fair and non-prejudicial.

Disabled people also highlighted the need to target children and young people, and they called for steps to:

- Encourage better understanding of disabled people, by introducing positive images and teaching social skills to engage positively with disabled people.
- Establish a Disability Equality Week in schools, and resource it properly.²

5. Tackling abuse of disabled people

The 2008 report 'Getting away with murder'³ exposes the high level of crime against disabled people and the abuse they suffer at the hands of the public.

² Secretary of State for Education commitment in his report on Disability Equality, December 2008

Disabled people are calling for an end to violence and abuse against disabled adults and children, in a way that doesn't harm their dignity (for example, by restricting their freedom or treating them as 'vulnerable').

This can only happen if local authorities, the police and housing providers take this issue seriously.

Disabled people welcome the EHRC inquiry into violence against disabled people, and will push for eventual recommendations to be implemented.

A national register of incidents and outcomes would reveal the extent of violence against disabled people and identify areas where action is required.

6. Eradicating Poverty

Three out of 10 disabled adults of working age are living in poverty and the proportion is increasing. More than a-third of children living in poverty in the UK live in low-income households with a disabled member.⁴

Disabled people are calling for:

- A strategy to eliminate disability poverty by 2025, committed by all parties and cross-government, including indicators and monitoring.
- A benefits system that is supportive not disabling, and which enables disabled people to retain human dignity and pay for the costs of living with a disability.
- Winter fuel payment to those in receipt of higher rate DLA.

Disabled people do not want to see the Disability Living Allowance or the Attendance Allowance scrapped.

7. A national care and support system

Disabled people are calling for a national Care and Support system, based on needs not means, ending the variation across the country with:

- guaranteed rights to independent living.

³ Scope, Disability Now magazine and the UK Disabled People's Council (2008) Getting Away with Murder.

⁴ Leonard Cheshire Disability (2008) Disability poverty in the UK.

- fair, and minimal, assessments putting the disabled individual central.
- full portability.

The system must be designed to give disabled people control of support and equipment needed for full participation in the community, education and employment, with a minimum of bureaucracy so that money is used effectively. It must include support for family and carers, including high quality breaks for disabled children and adults.

Disabled people want a fairly funded and adequately resourced system so that support is free at the point of use, without charging. At the very least, the DLA and the AA must be safeguarded from being included as a factor in determining need or level of charging, and the AIDS Support Grant must be retained.

8. An equitable healthcare provision

Disabled people want an equitable health care system in which the patient's perspective stands central. We're calling for:

- an education programme for people working in the health sector to eliminate prejudice and advance understanding of disability and disabled people which leads to better informed judgments about disabled people's quality of life and 'best interest' tests.
- More research and education of medical professionals around proper diagnosis and treatments, especially regarding rarer and fluctuating conditions.
- More and better resourced prevention and early intervention programmes.
- Availability of treatment, especially in relation to mental health care where there are great differences across communities in terms of access.
- An end to the postcode lottery.
- An end to inequity between services offered to disabled people of working age and older people.
- Abolition of prescription charges.
- Improved and free provision of equipment, such as wheelchairs and white canes.

9. A fully inclusive education system

At the age of 16, young disabled people are twice as likely not to be in any form of education, employment or training as their non-disabled peers. 21% of disabled people aged 16-24 have no qualifications, compared to 9% of non-disabled people of the same age. This stark contrast predicts the difficulties that young disabled people will encounter in the labour market. This is why education needs to be dramatically improved.

Disabled people have called for:

- More choice in pre-school childcare for disabled children.
- A review of 'Building Schools for the Future' programme focused on access for disabled learners, parents and teaching staff.
- Inclusion of educational support in Individual Budgets.
- Maintaining support for disabled students in higher education.
- A robust effective funding structure to support disabled learners in further education and apprenticeships (Apprenticeships, Skills, Children and Learning Act 2009).
- Highlighting good practice in education.
- Targeted training to increase independence and mobility as well as enhance emotional wellbeing of disabled children and young people.
- Better support for families.
- Supporting transition of disabled children into post-16 education.
- Funding of support and information structure to facilitate transition.
- Focusing on transport provision for disabled learners.
- A plan to withdraw the interpretative declaration and reservation from Article 24 of the UN Disability Convention (Education).

10. Careers: Entering and staying in employment

There are 6.8 million disabled people of working age in Britain, but only half are in work, compared with four-fifths of the non-disabled population.⁵

Disabled people are calling for:

- Action to break down barriers to real careers and leadership for disabled people.
- More employment opportunities for a broad range of disabled people (including fast-track programmes and targeted recruitment).
- Personalised employment support, meeting individual needs and job requirements.
- Everyone on benefits should be told what support they would be entitled to from Access to Work if they get a job.
- Access to Work funding must be safeguarded, made more flexible (with funding for internships and temp cover for example) and include the public sector.
- Employers need to be given support to employ disabled people, as well as an awareness raising campaign.
- Disabled prisoners must have access to education and training programmes so that they can gain meaningful employment upon leaving prison.
- The PSA 16 must be kept in place: it aims to ensure that the most socially excluded adults have the opportunity for a better life.
- New Horizons (national mental health strategy) must be implemented.

11. Accessible, affordable and available housing

- Lifetime Homes Standard must be mandated as the basic standard for all new housing as soon as possible.
- Changing local housing allowance rules to that disabled people who have a live-in/sleep-in support worker/PA can claim for a second bedroom, so ending the penalty for disabled people who rent privately.

⁵ Disability Rights Commission (2006) Disability Briefing.

- Access to funding for housing costs and adaptations, that is not means-tested.

12. A fully integrated, accessible transport system

Transport is the means through which people get out and about, travel between home and school or work, and meet friends and family. Disabled people are often reliant on one type of transport. So when a transport link is broken, then a disabled person will be effectively stuck at home.

Disabled people have been calling for:

- A seamless network of accessible public transport, so people are not being penalised for not using a car.
- Accessible bus travel with universal provision of audiovisual information.
- Free bus travel before 9am so that disabled parents can take their children to school on the bus.
- Issue taxi accessibility regulations with effective implementation and enforcement.
- Review of Blue Badge Scheme to ensure that people who need it have it and to increase availability of Blue Badge parking bays.

13. An inclusive environment at home...

Even in their homes disabled people can struggle with features of products that render their functionality null and void, and force disabled people to rely on others rather than being independent. Yet these products are not covered by equality legislation or enforceable standards.

That's why disabled people are saying that:

- Principles of inclusive design must be followed from drawing board to the end product, for example ability to use telecommunication services on an equal basis to others with provision of auxiliary support if needed, for instance access to modernised and appropriately funded telephone relay services). This should also include awareness training for manufacturers and service providers.

- Action must be taken to ensure full access to broadcasting services through television and Internet.

14. An inclusive environment outside the house...

Until disabled people can routinely get out of their houses and go to local amenities or visit public places, social exclusion will persist. Some issues are straightforward, for example steps to a library without ramps will form an obvious barrier, but are planners aware that tilting pavements pose a particular danger to wheelchair users who are at risk of losing their balance and tip onto a street amidst motorised traffic? Disabled people are calling for:

- Enforceable rights to access of built environment, particularly stronger involvement in planning and development.
- An end to shared surface streets.
- Better access to public places.

15. And we want disabled people in places that make a difference...

Despite a rise in the number of disabled councillors, disabled people are significantly absent from elected and appointed roles. This means that they're not in the bodies that make decisions that affect disabled people's lives. This casts doubt over how these bodies can make informed decisions that affect disabled people.

Disabled people call for:

- Speaker's report recommendations to be implemented in full.
- Repeal of Section 141 of the Mental Health Act (under which MPs who are sectioned for 6 months would lose their seat)
- Funding to be made available in a broad sense, for example a disabled councillor attending a non-council meeting to find out views of his constituency.

About RADAR.

RADAR is the Royal Association for Disability Rights. We are a pan-disability organisation led by people experiencing ill health, injury or disability and people who are Deaf. With a membership of over 900 individuals and organisations across the UK and partnerships across the public and private sector, we are a powerful, positive movement for change. Our vision is a just and equal society whose strength is human difference. Our mission is to support individuals, networks and policy-makers to do things differently.