# Related information

## Publications

All publications for this committee are available on the [Oireachtas website](https://www.oireachtas.ie/en/publications/?q=&date=&term=%2Fie%2Foireachtas%2Fhouse%2Fdail%2F33&fromDate=25%2F01%2F2024&toDate=25%2F01%2F2024&committee%5B%5D=%2Fen%2Fcommittees%2F33%2Fdisability-matters%2F)

## Committee videos

Footage of Committee proceedings can be found on the [Committee videos page](https://www.oireachtas.ie/en/committees/33/disability-matters/videos/).

## Contact details

The contact details for the Committee can be found on the [Committee page](https://www.oireachtas.ie/en/committees/33/disability-matters/#contact).

## Terms of reference

Read the [terms of reference](https://www.oireachtas.ie/en/committees/33/disability-matters/our-role/#terms) for the Committee.

# Committee Membership

## Cathaoirleach

[Michael Moynihan TD](https://www.oireachtas.ie/en/members/member/Michael-Moynihan.D.1997-06-26/), Fianna Fáil

## Leas-Cathaoirleach

[Pauline Tully TD](https://www.oireachtas.ie/en/members/member/Pauline-Tully.D.2020-02-08/), Sinn Féin

## Members

[Seán Canney TD](https://www.oireachtas.ie/en/members/member/Se%C3%A1n-Canney.D.2016-10-03/), Independent

[Dessie Ellis TD](https://www.oireachtas.ie/en/members/member/Dessie-Ellis.D.2011-03-09/), Sinn Féin

[Frankie Feighan TD](https://www.oireachtas.ie/en/members/member/Frank-Feighan.S.2002-09-12/), Fine Gael

[Gary Gannon TD](https://www.oireachtas.ie/en/members/member/Gary-Gannon.D.2020-02-08/), Social Democrats

[Emer Higgins TD](https://www.oireachtas.ie/en/members/member/Emer-Higgins.D.2020-02-08/), Fine Gael

[Brian Leddin](https://www.oireachtas.ie/en/members/member/Brian-Leddin.D.2020-02-08/), Green Party

[Jennifer Murnane O'Connor TD](https://www.oireachtas.ie/en/members/member/Jennifer-Murnane-O'Connor.S.2016-04-25/), Fianna Fáil

[Senator Tom Clonan](https://www.oireachtas.ie/en/members/member/Tom-Clonan.S.2022-04-04/), Independent

[Senator Eileen Flynn](https://www.oireachtas.ie/en/members/member/Eileen-Flynn.S.2020-06-29/), Independent

[Senator Erin McGreehan](https://www.oireachtas.ie/en/members/member/Erin-McGreehan.S.2020-06-29/), Fianna Fáil

[Senator Fiona O'Loughlin](https://www.oireachtas.ie/en/members/member/Fiona-O'Loughlin.D.2016-10-03/), Fianna Fáil

[Senator Mary Seery Kearney](https://www.oireachtas.ie/en/members/member/Mary-Seery-Kearney.S.2020-06-29/), Fine Gael

# Cathaoirleach’s Foreword

The UN Convention on the Rights of Persons with Disabilities is transformative as it requires a state to apply the human rights principles from the UN Declaration on Human Rights to the situation of persons with disabilities. The Convention calls the State to move beyond anti-discrimination legislation and harmonise all national laws with the obligations of the Convention.

The Committee has a remit to monitor implementation of the Convention and progress of the drafting and initiation of required and relevant legislation. The Committee held a series of public meetings and received several submissions on the harmonisation of legislation with the Convention which have informed this report.

Ireland ratified the Convention in 2018 and has yet to ratify the Optional Protocol. The Committee continue to call for the ratification of the Optional Protocol which would support a more effective implementation of the Convention.

More action is needed by the State to mobilise cross sectoral actors and establish mechanisms to produce rights-based public policy and truly embed the rights of people with disabilities in Irish society.

The Committee have collectively and actively advocated for the rights of people with disabilities, particularly regarding raising awareness and mainstreaming rights across Irish Society. However, a lack of understanding of the Convention across public bodies and sectors, prevails.

The Committee recognises all the work that relevant Government Departments have undertaken over recent years in developing and revising legislation to allow for greater alignment with the provisions of the Convention.

I would like to thank all the stakeholders who attended meetings and those who made submissions to the Committee for their valuable engagement. Thank you to Committee Members for all their hard work. I also wish to acknowledge the assistance of the Committee support team in preparing this report.

**Michael Moynihan T.D.**

Cathaoirleach to the Committee on Disability Matters

# Content and format of report

The Office of the United Nations High Commissioner for Human Rights (OHCHR) is developing indicators for the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD/Convention) which are beneficial to benchmark progress of a state’s implementation of the Convention[[1]](#footnote-1).

The structural indicators relating to legislative harmonisation that a state must introduce to align with the UNCRPD have been reproduced in this report in a table under each article of the Convention. The Committee’s overall view of Irelands progress against these indicators has also been highlighted.

Conclusions and recommendations are made under each article of the Convention, in line with the OHCHR indicators and previous recommendations of the UNCRPD Committee to other State Parties where there is a similarity to the position in Ireland. The need for better implementation of existing legislation or development of new legislative provisions is also highlighted.

Pre-Legislative scrutiny reports from other Oireachtas Committees have also informed this report, which are referenced within the document.

It is important to note that this information is not comprehensive and is presented as a summary for readers. In this regard, it is not, and should not be taken as, a legal interpretation of any of the referenced legislation.

The below table highlights the legend used throughout this report;

|  |
| --- |
| Progress legend |
| Good progress |
| Limited Progress |
| No progress |
| Regressive |

# Engagement with stakeholders

In line with its Terms of Reference, available in [related information](#_Terms_of_reference), the Joint Committee on Disability Matters (the Committee) considers the UNCRPD Implementation Plan, national strategies including the National Disability Inclusion Strategy (NDIS) and sector strategies for the purpose of monitoring implementation of the Convention, as well as the progress of initiation and drafting of required legislation.

The Committee undertook a module of public meetings, 20 and 27 April 2023 examining a rights-based approach to disability legislation and sought submissions from various stakeholders.

In addition, much of testimony, evidence, and submissions to many other of the Committee public meetings are also relevant. Please see [Appendix 1](#_Appendix_1_-) and [Appendix 2](#_Appendix_2_-) for a list of all public meetings and submissions that informed this report.

# Executive Summary

The UN Convention on the Rights of Persons with Disabilities calls on the State to move beyond anti-discrimination legislation and harmonise all national laws with the obligations of the Convention and ensure appropriate economic and social supports to achieve equal access, participation, and outcomes in all areas of service provision and employment, including independent needs assessment, services, advocacy, and redress.

Ireland already has a well-developed infrastructure for mainstreaming human rights for people with disabilities. The Disability Act 2005 provides the basis through the potential for the re-establishing sectoral planning, to ensure effective mainstreaming with the outcomes of the Convention, whether transport accessibility, Universal Designed housing, community inclusion, employment, or rights-based health.

The Public Sector Equality and Human Rights Duty 2014 also has the potential, if strengthened, to ensure that all public bodies are assessing human rights issues of their service users through meaningful consultation, and undertaking equality and human rights assessments on the legislation, policies, and services that they are responsible for to ensure alignment with the Convention. Disabled Persons Organisations must be consulted with by public bodies under this duty.

The Committee realise there is much work to be undertaken to improve the process of public consultation on legislation and policy in Ireland. All proposed legislation must be subject to public consultation before introduction in Irish Parliament, and fully inclusive and accessible to all. This is vital for a truly inclusive democracy.

There is also considerable revisioning and mainstreaming of disability across health, housing, and community, to enable the outcomes of choice in independent living with adequate supports, if needed, for people with disabilities. A right to independent living, a Public Sector Inclusion Objective that places a duty on all public bodies with regard to Article 19 of the UNCRPD, and a National Accessibility Act with national targets for Ireland to become truly accessible, will begin to develop a culture of human rights for people with disabilities in Ireland.

# Summary of progress against indicators

|  |  |  |
| --- | --- | --- |
| Article Number | Article | Indication of overall progress\* |
| 1- 4 | General provisions | Limited Progress |
| 5 | Equality and non-discrimination | Good Progress |
| 6 | Women with disabilities | Good Progress |
| 7 | Children with disabilities | Limited Progress |
| 8 | Awareness raising | Good Progress |
| 9 | Accessibility | No Progress |
| 10 | Right to Life | No Progress |
| 11 | Situations of risk and humanitarian emergencies | No Progress |
| 12 | Equal recognition before the law | Good Progress |
| 13 | Access to justice | Limited Progress |
| 14 | Liberty and security of person | No Progress |
| 15, 17 | Freedom of torture and [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)\*\* | No Progress |
| 16 | [Freedom from exploitation, violence, and abuse](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-16-freedom-from-exploitation-violence-and-abuse.html) | Limited Progress |
| 18 | [Liberty of movement and nationality](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-18-liberty-of-movement-and-nationality.html) | No Progress |
| 19 | [Living independently and being included in the community](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-19-living-independently-and-being-included-in-the-community.html) | Regressive |
| 20 | Personal mobility | No Progress |
| 21 | [Freedom of expression and opinion, and access to information](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-21-freedom-of-expression-and-opinion-and-access-to-information.html) | No Progress |
| 22 | [Respect for privacy](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-22-respect-for-privacy.html) | No Progress |
| 23 | [[Respect for home and the family](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-23-respect-for-home-and-the-family.html)](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-22-respect-for-privacy.html) | No Progress |
| 24 | [Education](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-22-respect-for-privacy.html) | Limited Progress |
| 25 | [Health](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-22-respect-for-privacy.html) | Regressive |
| 26 | [Habilitation and rehabilitation](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-26-habilitation-and-rehabilitation.html) | Limited Progress |
| 27 | [Work](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-22-respect-for-privacy.html) and employment | Limited Progress |
| 28 | Adequate standard of living and social protection | Limited Progress |
| 29 | Participation in political and public life | Limited Progress |
| 30 | Participation in cultural life, recreation, leisure, and sport | Limited Progress |
| 31 | Statistics and data collection | No Progress |
| 32 | International cooperation | Limited Progress |
| 33 | [National implementation and monitoring](http://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-33-national-implementation-and-monitoring.html) | Limited Progress |

\* Indication of progress is not comprehensive and is presented as a summary for readers and should not be taken as, a legal interpretation of any of the referenced legislation.

\*\* Both these articles are included under the one table in the OHCHR indicators.

# Introduction

1. Ireland ratified the UNCRPD on the 20 March 2018. The Irish Government is committed to the principles of the Convention, to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all people with disabilities and to promote respect for their inherent dignity.
2. A human right is about a long-term guarantee, a set of structural claims, that include a duty not to deprive a right, a duty to protect from deprivation of rights, and a duty to provide aid to those who are deprived of their rights[[2]](#footnote-2). The OHCHR structural indicators measure the acceptance, intent and commitment to human rights and reflect enactment of legal instruments and the adoption of policies for the implementation of human rights[[3]](#footnote-3).
3. Structural discrimination refers to rules, norms, routines, patterns of attitudes and behaviour in institutions and other societal structures that represent obstacles to groups or individuals in achieving the same rights and opportunities that are available to the majority of the population[[4]](#footnote-4). The prevalence of a medical model of disability which treats people with disabilities as medical objects who need to be cared for, can sustain the operation of these obstacles in society and the exclusion and discrimination of people with disabilities.
4. Implementation of the UNCRPD requires a significant level of awareness raising towards the human rights model of disability that views people with disabilities as citizens, capable of contributing to society, and as rights holders. People with disabilities, also need access to human rights training to support capacity building considering many individuals have lived segregated lives.
5. The Committee are aware that the Convention requires State Parties to take measures to realise economic, social and cultural rights progressively, using the greatest amount of available resources to do so, and this obligation acknowledges that it often takes time to realise many of these rights fully[[5]](#footnote-5). The duty of progressive realisation also entails a presumption against retrogressive measures in the enjoyment of economic, social and cultural rights[[6]](#footnote-6). The Committee are mindful of this duty in its consideration of the articles.
6. The Committee are also aware how important the realisation of economic, social, and cultural rights are to enable people with disabilities live independent lives in the community. A movement towards human rights economy, especially post Covid-19 pandemic, is crucial to reinforce and ensure that development, economic, industrial and trade policies are guided by human rights norms and standards and that no one is left behind[[7]](#footnote-7).
7. The Committee have collectively and actively advocated for the rights of people with disabilities, particularly with regard to raising awareness and mainstreaming the rights of people with disabilities across Oireachtas Committees accountability and legislative process. People with disabilities and Disabled Persons Organisations (DPOs) must be consulted on policy and legislation to implement the Convention and there has been a failure with regard to the level of consultation in line with the spirit of Article 4 (3) of the UNCRPD. The Committee make recommendations under Articles 1- 4 to improve mainstreaming the rights of people with disabilities in the legislative process. It is important that measures are introduced that ensure standard consultation by all public bodies.
8. Ratification of the Optional Protocol to the Convention (the Protocol) supports effective implementation of the UNCRPD and therefore Ireland’s delay in ratifying the Protocol may impact effective implementation. The Department of Children, Equality, Disability, Integration and Youth (DCEDIY) is scoping the requirements for earlier ratification of the Protocol with its legal advisors.
9. The delivery of human rights for people with disabilities was considered under the NDIS 2017-2022. However, not all articles of the Convention were aligned with this strategy and the Disability Stakeholders Group (DSG) highlighted to the Committee the impact of the closing of this strategy in 2022 without a successor strategy in place. The Committee are concerned about the impact of this on the realisation of rights and improving the lives of people with disabilities. DCEDIY intend to publish the successor to the NDIS which will also include UNCRPD implementation in early 2024 which should highlight how the State plans to implement all articles of the Convention.
10. As part of the monitoring role of the National Disability Authority (NDA), the fifth and final independent assessment of the NDIS was published in June 2023[[8]](#footnote-8). The Committee also note the lack of progress highlighted by the NDA in their assessment and reflect many of the gaps in this report.

# Articles 1-4 General provisions

|  |
| --- |
| Indication of overall progress |
| Limited Progress |

|  |  |
| --- | --- |
| Number | Indicators |
| 1 | Absence or effective withdrawal of any reservation issued when ratifying or acceding to the CRPD; and/or any interpretative declaration made to provisions of the CRPD which are incompatible with the object and purpose of the treaty |
| 2 | Ratification of the Optional Protocol to the CRPD |
| 3 | Adoption of appropriate measure(s) to incorporate the CRPD in the domestic legal order and/or ensure its direct applicability and enforceability by courts |
| 4 | Legislation enacted on the rights of persons with disabilities in line with the purpose, definitions, principles and general obligations of the CRPD |
| 5 | Adoption of a national plan/strategy for legal harmonisation in line with the CRPD |
| 6 | Adoption of a national action plan/strategy for the implementation of the Convention, which includes timeframes, specific indicators and benchmarks, and data collection and disaggregation by disability and resource allocation |
| 7 | Legal and/or statutory appointment of one or more focal points within government (across all branches and levels of government; across all ministries and sectors) with sufficient authority to mainstream the rights of persons with disabilities for implementation of the Convention |
| 8 | With a view to enhancing national implementation, legal and/or statutory appointment of a coordination mechanism within government to facilitate related action in across different sectors and levels, with a clear structure, mandate, leadership, and sufficient authority to ensure mainstreaming and implementation of the Convention |
| 9 | Legal or regulatory provision(s) which establish inclusive and accessible procedures and mechanisms for the involvement of persons with disabilities, including children with disabilities, and their representative organizations, across all disability constituencies, in the development and implementation of legislation and policies to implement the Convention |
| 10 | Legislation enacted on the right to freedom of association inclusive of persons with disabilities, including supporting the development of organizations of persons with disabilities, and protection against intimidation, harassment and reprisals, particularly when expressing dissenting opinions |
| 11 | Legal provision(s) requiring allocation of funds from the national budget to financially support the development and strengthening of organizations of persons with disabilities to participate in the development and implementation of legislation and policies to implement the Convention |

## Conclusions and recommendations

1. The UNCRPD is the first international, legally binding instrument setting minimum standards for the rights of people with disabilities. Key to effective implementation of the Convention is ensuring representative bodies, DPOs are actively engaged in drafting legislation, policy, and in other decision-making processes that affect them, as required by Article 4 (3) of the Convention.
2. The Programme for Government outlines a commitment to ratify the Protocol to the Convention. Ratification of the Protocol can support effective implementation of the UNCRPD allowing public bodies to be held to account for the delivery of human rights for people with disabilities. The Minister for Children, Equality, Disability, Integration and Youth indicated to the Committee that his Department is scoping the requirements for earlier ratification of the Protocol with its legal advisors and that the decision to ratify will ultimately be taken by Cabinet[[9]](#footnote-9).
3. The Committee are aware of the significant obligations under the UNCRPD to engage with persons with disabilities in the legislative process, as per Article 4 (3) and the Handbook for Parliamentarians on the Convention on the Rights of Persons with Disabilities and its Optional Protocol[[10]](#footnote-10). Currently people with disabilities and DPOs are not being consulted as required by Article 4 (3). The Disability Participation and Consultation Network (DPCN), established in 2020, to facilitate participation by persons with disabilities in the policy development process, in its current format, does not satisfy the requirements of UNCRPD regarding consultation.
4. The Committee continue to call for additional direct consultation with DPOs until such time as the DPCN is developed to align with the Convention’s requirements. The NDA is undertaking an independent evaluation of the DPCN. The Committee look forward to the NDAs recommendations to DCEDIY to inform future decision-making in this space.
5. The Irish Human Rights and Equality Commission’s (IHREC) Human Rights and Equality Grant which provides grant funding to bodies to carry out certain activities to promote human rights and equality in Ireland is crucial in this regard. The Committee continue to recommend the development of a disability awareness raising strategy in line with the human rights model of disability including roll out of standard disability awareness and equality and human rights training for all public sector staff, as well as across all services, in consultation with DPOs.
6. In realising the implementation of the UNCRPD, the Committee heard that significant tensions exist between DPO’s and Disability Service Providers as traditionally the views of the persons with disabilities were dismissed in favour of third-party representatives.
7. There are several existing mechanisms of engagement on disability issues, for example the DSG, DPCN, and IHREC’s Disability Advisory Committee. The NDA suggests that DCEDIY clarify the role of the various stakeholder engagement mechanisms, including setting out in more specific terms how DPOs will be involved within the implementation and monitoring of the Convention[[11]](#footnote-11). The Committee support this recommendation.
8. All Government Departments and public bodies have a duty to mainstream and protect human rights for people with disabilities under the Public Sector Equality and Human Rights Duty (the Duty). Throughout public meetings of the Committee it has become clear how the Duty provides an effective framework for the realisation of human rights for people with disabilities if implemented effectively to support rights of people with disabilities as policy beneficiaries and service users of a public body.
9. The Committee support IHREC’s recommendation to use the Duty as a pathway to transition to a human rights-based model of disability. The Committee has made recommendations in its report ‘Ensuring Independent Living and the UNCRPD’ regarding oversight and accountability of Government Departments and that DCEDIY further develop the Duty and consider foregrounding in the UNCRPD Implementation Plan. The Committee make further recommendations in this report.
10. Legal provision must be strengthened under the Duty to compel all public bodies to consult with people with disabilities and DPOs in the development of legislation and policies to implement the Convention in line with Article 4 (3). A funding stream and supports must be developed so that DPOs can access and participate in consultations to support them to perform their functions under UNCRPD. Funding could be provided by individual departments who are seeking consultation as per NDAs Participation Matters Guidelines.[[12]](#footnote-12)
11. There is a requirement to develop disability inclusion and mainstreaming in all legislation, policies, and programmes across all Government Departments under the Duty. The successor of the NDIS, due to be published in 2024 is utilising a mainstreaming approach, however there is also a need to develop targeted support where necessary and on foot of consultation with people with disabilities and DPOs. The United Nations promotes the “twin-track approach” for equalising opportunities for persons with disabilities, which consists of a balance between mainstreaming strategies and targeted-support tailored to address the needs of specific communities, but the overall goal should always be integrating and including persons with disabilities in all aspects of society and development.[[13]](#footnote-13)
12. Considering the lived reality for people with disabilities and the lack of rights-based policy in areas where rights are impacted, the Committee believe that there needs to be better coordination between Government Departments on policies that impact rights, for example, Our Rural Future: Rural Development Policy 2021-2025 and the Roadmap for Social Inclusion 2020-2025, and in tandem with the successor to the NDIS.
13. IHREC recommends that the human rights model of disability should be fully integrated across all relevant legislation, including the Disability Act 2005, to ensure harmonisation with the UNCRPD.[[14]](#footnote-14)
14. The Handbook for Parliamentarians on the Convention on the Rights of Persons with Disabilities and its Optional Protocol highlights the need to ensure that persons with disabilities are actively engaged in drafting legislation and in other decision-making processes that affect them and that they should also be encouraged to offer observations and guidance when laws are implemented. Parliament, through its oversight function, plays a key role in ensuring respect for the human rights of persons with disabilities through parliamentary committees, commissions of inquiry, direct questioning of ministers, scrutiny of executive appointments, oversight over non-governmental public agencies and budgetary scrutiny and financial control.[[15]](#footnote-15)
15. People with disabilities have highlighted to the Committee the lack of consultation in the legislative process. The Joint Committee on Children, Equality, Disability, Integration and Youth (JCCEDIY) highlighted the failure of meaningful public consultation on the Assisted Decision Making (Capacity) Act 2015, milestone legislative proposal for people with disabilities, in their pre-legislative report on the Assisted Decision Making (Capacity) (Amendment) Bill 2021[[16]](#footnote-16) as well as the Child Care (Amendment) Bill 2023[[17]](#footnote-17). The strengthening of the Duty should support meaningful participation and consultation of persons with disabilities.
16. Most existing Irish legislation which affects people with disabilities predates the UNCRPD and needs to be harmonised with the Convention. The Irish Judiciary played a significant role over the decades in securing rights for children with disabilities, particularly with regard to instances of legislative or policy failure. The Committee note and welcome that some Departments are reviewing the legislation they are responsible for, in line with the UNCRPD. However, there is also a need to strengthen implementation of legislation to deliver human rights more systematically for people with disabilities.
17. To enable harmonisation of existing Irish law with the UNCRPD, DCEDIY must consider introducing legislation so that Irish judges can have regard to the Convention and make decisions regarding compatibility with Irish law, alike the European Convention on Human Rights (ECHR) Act 2003. This legislation must also consider including a provision for a fast-track mechanism which allows Government to immediately amend relevant legislation, where necessary. There is also a requirement for adequate and standard training to support this role, as the UN committee frequently highlights the lack of training for the judiciary, lawyers, and other members of the judicial system.[[18]](#footnote-18) In tandem there is a need to ensure adequate consultation with all applicable stakeholders, including raising awareness with regard how people with disabilities rights are negatively impacted in Ireland.
18. Considering that engaging legislators in post-enactment scrutiny strengthens parliament’s role in all stages of the legislative process and improves legislative scrutiny in general[[19]](#footnote-19), the standardisation of the post legislative scrutiny process to align with the principles of the Convention must also be considered, as well as other relevant safeguards.
19. In September 2022, the Houses of Oireachtas, under Standing Orders, agreed a proposal to create a standard timeframe of eight weeks for pre-legislative scrutiny (PLS). People with disabilities and DPOs were not being consulted on legislation to implement the Convention as required by Article 4 (3) before the eight weeks proposal was introduced, and now may be further excluded under the tightened time frame. The Committee believe that, under the Duty, the Government must develop and streamline the legislative process to make it more transparent and inclusive as well as ensuring the level of consultation as required by the UNCRPD, like many other countries who have undertaken these developments.[[20]](#footnote-20)
20. To support this, the Houses of Oireachtas Service must ensure strengthen implementation of the Duty in the organisation through disability inclusion and mainstreaming the rights of persons with disabilities across committee’s operations as well as promoting compliance with the Principles of the Convention. The Houses of Oireachtas Service must undertake a review of the current approach to mainstreaming disability into committee’s operations and build on existing work. A policy is also required to strengthen system-wide accessibility and ensure mainstreaming of the rights of persons with disabilities to implement the UNCRPD as well as the 2030 Agenda for Sustainable Development, and other international human rights instruments.
21. The Committee also recommend that the Government consider introducing provisions to ensure all proposed legislation is subject to public consultation before introduction in Irish Parliament. Similar initiatives have been introduced in the Scottish Parliament.[[21]](#footnote-21) These provisions must consider that the lead Oireachtas committee within whose remit the proposal falls may recommend that Parliament not take up the bill if it considers that “the consultation on the draft proposal, or the published material referred to in the statement of reasons, does not demonstrate a reasonable case for the policy objectives of the proposal or does not demonstrate that legislation is necessary to achieve those policy objectives.” A provision like this could mitigate against failures in PLS as highlighted by the JCCEDIY with regard their scrutiny of the Assisted Decision Making (Capacity) (Amendment) Bill 2021 and as discussed further under Article 12.
22. This proposed legislation must include a provision for a rights-based disability impact assessment to be undertaken on all draft bills to support mainstreaming of disability within sectors, in line with the Convention and the Duty. This assessment must be published as part of the public consultation to ensure that people with disabilities are aware of the impact on their rights. It is noted that the guidelines ‘How to Conduct a Disability Impact Assessment Guidelines for Government Departments’ are outdated considering these guidelines were published in 2012 prior to ratification of the UNCRPD.
23. In tandem the Government must also introduce a centralised portal for public consultation that ensures transparency and easy access to all open consultations in one place and enables simple commenting on all parts of proposed legal acts. This portal must highlight all upcoming legislation so that citizens, including people with disabilities and DPOs, can plan their resources accordingly. All Bills should be published on this platform in line with the NDAs Customer Communications Toolkit for the Public Service, A Universal Design Approach.[[22]](#footnote-22)
24. The NDIS ended in 2022, following a one-year extension. There has been no overarching policy in place and no real mechanism to support progress on actions under this strategy in 2023. The NDA final assessment of the NDIS highlights that Departmental Disability Consultative Committees (DCCs) are not meeting until such time as a new strategy is in place. The DCCs are an important space for stakeholder engagement and the sharing of progress updates which is now unavailable.[[23]](#footnote-23) The Committee believe that all Departments must establish and maintain a DCC.
25. At its public meeting, 20 September 2023, the Committee heard from the NDA and the DSG who are responsible for monitoring the NDIS about the lack of accountability, engagement, and commitment in some Government Departments. This has led to a standstill in progressing human rights for people with disabilities in Ireland.
26. ‘The future of human rights is movement….a movement of mobilisation, a movement of political process towards accountability and empowerment, and a movement towards norms of freedom, dignity, and equality’.[[24]](#footnote-24)
27. More action is needed by the State to mobilise cross sectoral actors and establish mechanisms to produce rights-based public policy and truly embed the rights of people with disabilities in Irish society. Commencement of the Assisted Decision Making (Capacity) Act 2015 is a milestone in the promotion of human rights and equality for people with disabilities, especially those with intellectual disabilities, and marks a real beginning in terms of change.

### The Committee recommends

|  |  |
| --- | --- |
| Number | Recommendation |
| 1 | The State must ratify the Optional Protocol before the cessation of the 33rd Dáil session. |
| 2 | Incorporation of the UNCRPD into Irish Law similar to that of the European Convention on Human Rights Act 2003 and including adequate consultation across all relevant stakeholders. |
| 3 | A review of the Disability Act 2005 and consider the provision of a right to live independently with access to rights-based services in the community including the creation of a statutory Public Sector Inclusion Objective that places a duty on all public bodies to deliver independent living (Article 19 UNCRPD). As an interim measure, reactivate the use of sectoral plans as provided for under Part 3 of the Disability Act 2005 as a statutory obligation under UNCRPD implementation. |
| 4 | The Government must immediately develop public consultation in the legislative process in line with the Convention and;   1. introduce provisions to ensure all proposed legislation is subject to public consultation in line with Article 4 (3) before introduction in Irish Parliament. 2. develop and introduce a centralised portal for public consultation that ensures transparency and easy access to all open consultations including public consultation intended by the Oireachtas. 3. mandate a rights-based disability impact assessment as a standard across all proposed policy and legislation and published as part of the public consultation. |
| 5 | The Houses of Oireachtas Service must strengthen implementation of the Public Sector Equality and Human Rights Duty and ensure disability inclusion and mainstream the rights of persons with disabilities across Oireachtas Committees operations by;   1. undertaking a review of the Oireachtas Committees current approach to mainstreaming disability into operations in advance of the next Dáil session 2. develop a policy to promote compliance with the Principles of the Convention and the 2030 Agenda for Sustainable Development, and other international human rights instruments. |
| 6 | Departments must develop an intersectional approach and strengthen their collaboration in this regard in relation to policy and proposed legislation that impacts human rights for people with disabilities. |
| 7 | The Government must further develop the Public Sector Equality and Human Rights Duty including strengthening compliance mechanisms on all public bodies in line with the UNCRPD and Article 4 (3) as well strengthening the application of the Universal Design principals across all public bodies. |

# Article 5 Equality and non-discrimination

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| Indication of overall progress |
| Good Progress |

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| Number | Indicators |
| 1 | National constitutional provisions adopted, and legislation enacted recognising the right to equality and non-discrimination of persons with disabilities, including the right to be provided with reasonable accommodation and the duty to adopt specific measures to achieve de facto equality |
| 2 | Adoption of a national strategy and/or plan for equality of all persons with disabilities, in particular the groups more at risk of discrimination |
| 3 | Legal or statutory requirement to collect and publish data disaggregated by disability across all sectors (health, employment, education, violence, access to justice, political participation, among others), including enrolment rate, employment rate, access to health services, victims of violence, complaints on discrimination lodged, etc.) |
| 4 | Legal requirement to establish a marker on all public spending to promote and protect the rights of persons with disabilities |
| 5 | Relevant thematic legislation enacted explicitly prohibiting discrimination on the basis of disability and providing legal remedies for all forms of discrimination |
| 6 | Specific theme/target within national strategy/plan for equality of all persons with disabilities, which ensures the availability of technical guidance, financial incentives and budgetary resources for the provision of reasonable accommodation by public and private actors |

## Conclusions and recommendations

1. People with disabilities are equal citizens in Irish law. IHREC highlights that people with disabilities in Ireland experience higher rates of discrimination than people without disabilities, with on average 15% of people with disabilities experiencing discrimination compared to 11% of those without a disability.IHREC further note that discrimination is mostly experienced in the health services followed by the private sector (e.g., financial institutions, housing, shops, pubs, and restaurants) where people with disabilities were 65% more likely to experience discrimination than those without disabilities.[[25]](#footnote-25) More than 40% of queries about equality issues received by IHREC in 2022 were linked to disability discrimination, according to its annual report.[[26]](#footnote-26)
2. It is crucial that all legislation is reviewed through the equality lens and reformed in line with a modern human rights framework.
3. Equality budgeting was introduced in Ireland on a pilot basis in 2017 as part of a commitment in the Programme for a Partnership Government (May 2016) to “develop the process of budget and policy proofing as a means of advancing equality, reducing poverty, and strengthening economic and social rights”.[[27]](#footnote-27)
4. The Parliamentary Budget Office (PBO) undertook an ‘Analysis of Equality Budgeting Content in the Revised Estimates for Public Services 2023’. This analysis highlights that Gender Equality Metrics are reported by only 12 out of 45 Votes (26%), with the highest number of metrics reported by Department of Enterprise, Trade and Employment. Disability metrics are reported by only 7 out of 45 Votes (15%), with the highest number of metrics reported by Department of Health.[[28]](#footnote-28)
5. The Committee welcome that the Department of Health are leading with the highest number of metrics with regard disability. The Committee are concerned that there is a noticeable absence of intersectionality[[29]](#footnote-29) and therefore a lack of progress with regard ensuring equality, reducing poverty, and strengthening economic and social rights for people with disabilities, especially women with disabilities. The Committee continue to recommend that Equality Budgeting be developed to deliver CRPD compliant budgeting and that all Departments update their budgetary key metrics accordingly and in line with CRPD compliant budgeting.
6. IHREC highlights that under the Employment Equality Acts 1998 – 2015, direct discrimination is when a worker is treated less well than another worker in the same situation or circumstances under any of the nine grounds covered in the Acts. Direct discrimination can also be, for example, an order given by a manager to a worker to discriminate against another worker. Indirect discrimination happens where a worker or group of workers or job applicants are treated less favourably as a result of requirements that they might find hard to satisfy.[[30]](#footnote-30) This clearly highlights how structural discrimination embedded in Irish institutions can result in obstacles to people with disabilities in achieving the same rights and opportunities that are available to the majority of the population.
7. Evidence provided to the Committee defines a “reasonable accommodation" as individually suited measures or tailored measures to the needs of the individual. The NDA carried out research in 2019 on cases taken to the Workplace Relations Court (WRC) in respect of reasonable accommodations and found that where employers had been found against, was often because they had not followed due process or had a discussion with the individual requiring the accommodation.
8. IHREC and the NDA both highlighted the need for strengthening provisions regarding reasonable accommodations.[[31]](#footnote-31) The DPO Network highlighted concern that under the Employment Equality Acts, the denial or refusal of reasonable accommodation by an employer or a prospective employer does not currently constitute an act of discrimination. The UNCRPD expressly describes the denial of reasonable accommodation as a form of discrimination.
9. There is a need to review the Employment Equality Acts and the Equal Status Acts with regard intersectional discrimination and how an individualised approach can be strengthened to assessment under the reasonable accommodation process. Consideration of funding under the Equal Status Act for those with limited resources and an amendment to provide that denial of reasonable accommodation is discriminatory is also necessary. Exemptions to the prohibition of discrimination in the Employment Equality Acts also need to be reviewed, particularly the removal of Section 35(1) on different rates of remuneration for disabled people.
10. There is also a requirement to establish an accurate system of data collection regarding the number of complaints received and dealt with by the institutions tasked with monitoring discrimination, including the complaints process under the Equality Acts. This data should be in the public domain.
11. As referred to previously under Article 1-4, the Public Sector Equality and Human Rights Duty can be used as a framework to realise human rights for people with disabilities, and the importance of this was highlighted to the Committee during proceedings. Section 42 of the Irish Human Rights and Equality Commission Act 2014 requires each public body to develop its public sector duty by consulting with staff and service users, assessing issues related to equality and human rights, putting effective plans in place that will measure those, and reporting on them annually. However, antidiscrimination legislation often lacks adequate enforcement which can undermine the effectiveness of the legislation.
12. The NDA highlighted that the Public Sector Equality and Human Rights Duty could be used as an indicator within a monitoring framework for the UNCRPD implementation strategy.
13. DCEDIY are developing a National Equality Data Strategy in conjunction with the Central Statistics Office (CSO) which will allow for better measurement of the effectiveness of policies and legislation in terms of challenging discrimination, promoting equality, and protecting human rights. This work is a crucial step towards enhancing evidence-informed policy for the effective implementation of the UNCRPD.[[32]](#footnote-32) As highlighted by the Global Partnership for Sustainable Development Data, ‘intersectional approaches to data identify inequality within and between groups of people based on the way multiple facets of an individual's identify interact. They ensure that data contributes to the reduction of inequality’.[[33]](#footnote-33)

### The Committee recommends

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| Number | Recommendation |
| 8 | Developing the Public Sector Equality and Human Rights Duty to include equality considerations regarding the operation of legislation, as well as the design of policies and delivery of services, and strengthening enforcement mechanisms to ensure compliance. |
| 9 | The Employment Equality Acts must be reviewed to align with Article 5 of the UNCRPD and to better combat discrimination and promote equality. |
| 10 | DCEDIY must ensure an accurate and intersectional approach to data collection, including consultation with DPOs regarding the National Equality Data Strategy for identifying current gaps in equality data and solutions on how to fill those gaps. |
| 11 | DCEDIY must establish an accurate system of data collection about the number of complaints received and dealt with by the institutions tasked with monitoring discrimination, including the complaints process under the Employment Equality Acts, and that this data is available in the public domain. |
| 12 | Equality Budgeting must be developed to deliver CRPD compliant budgeting, and all Government Departments must update their budgetary key metrics to include disability metrics. |

# Appendix 1 - Public stakeholder engagement

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| Date of public meeting and transcript | Meeting topic | Witnesses |
| [10 March 2022](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2022-03-10/debate/mul@/main.pdf) | Enabling Financial Independence for Women with Disabilities | * Representatives from Disabled Women Ireland, Amy Hassett, Co-Director, Nem Kearns, Board Secretary & Aoife Price, Partnerships & Outreach Lead * Representatives from Independent Living Movement Ireland, Paula Soraghan & Nicola Meacle |
| [28 April 2022](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2022-04-28/debate/mul@/main.pdf) | Situations of Risk and Humanitarian Emergencies - (Article 11) | * Representatives from European Disability Forum, Catherine Naughton, Director * Dr Mary Keogh, Advocacy Director, CBM Global |
| [05 May 2022](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2022-05-05/debate/mul@/main.pdf) | Situations of risk and humanitarian emergencies, Article 11 - resumed | * Dr. Rosaleen McDonagh IHREC Member * Representatives from WALK, Joe Mason CEO, Catherine Kelly Deputy CEO & Olena Dmytriieva * Representatives from AsIAm, Adam Harris, CEO |
| [01 December 2022](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2022-12-01/debate/mul@/main.pdf) | Disability inclusive participation in political and public life | * Representatives from European Disability Forum, Pat Clarke, Vice President * Representatives from Disability Stakeholder Group, Annette Costello, Robbie Sinnott, John Dolan & Ciarán Delaney |
| [19 January 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-01-19/debate/mul@/main.pdf) | UNCRPD Implementation and the Optional Protocol (resumed) | * Roderic O'Gorman T.D., Minister for Children, Equality, Disability, Integration and Youth * Officials from DCEDIY, Colm O’Conaill, Assistant Secretary General, Niall Brunell, Principal Officer, Tara Smith, Assistant Principal Officer & John Gilbane, Assistant Principal Officer |
| [02 February 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-02-02/debate/mul@/main.pdf) | Public awareness of living with a disability | * Catherine Gallagher, PhD student and Disability Activist * Representatives from Family Carers Ireland, Catherine Cox, Head of Communications and Carer Engagement & Jane Johnstone, Caring Employers Promotions Officer & Family Carer |
| [16 February 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-02-16/debate/mul@/main.pdf) | Disability proofing and data | * Representatives from The Central Statistics Office, Cormac Halpin, Census Outputs Division, Kieran Culhane, Statistical System Coordination Unit & Fiona O’Riordan, Social Data Collection division * Representatives from DPO Network, Jacqui Browne, Chair & Grace Murphy, member, Amy Hassett, member & Nem Kearns, member * Representatives from Irish Human Rights and Equality Commission (IHREC), Sinéad Gibney, Chief Commissioner & Dr Iris Elliot, Head of Policy and Research |
| [09 March 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-03-09/debate/mul@/main.pdf) | Self-Advocacy and Women with disabilities | * Eliona Gjecaj, Disability activist and researcher * Representatives from Disabled Women Ireland, Amy Hassett, Co-director, Nem Kearns, Co-director & Sarah McNabb, Steering Group Member/ Campaigns Lead * Representatives from Inclusion Ireland, Derval McDonagh, Chief Executive Officer & Una Coates, Spokesperson & Chairperson of Inclusion Ireland’s Self Advocacy Committee |
| [30 March 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-03-30/debate/mul@/main.pdf) | Leave no one behind: Climate crisis and disability | * Officials from Dept. of Environment, Climate and Communications, Dr Robert Mooney, Assistant Principal, Climate Engagement and Adaption Division & Hannah Gilmartin, Assistant Principal, Climate Engagement and Adaption Division * Representatives from Independent Living Movement Ireland (ILMI), Damien Walshe, Chief Executive & Peter Kearns, Onside Project Manager |
| [20 April 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-04-20/debate/mul@/main.pdf) | Rights-Based Approach and Disability Legislation | * Representatives from National Disability Authority, Dr Aideen Hartney, Director, Dr Rosalyn Tamming, Head of Policy, Research & Public Affairs & Mr Dharragh Hunt, Senior Policy Advisor |
| [27 April 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-04-27/debate/mul@/main.pdf) | Rights-Based Approach and Disability Legislation | * Officials from DCEDIY, Colm Ó Conaill, Assistant Secretary, Disability & Youth, Niall Brunell, Principal Officer, Disability Equality Policy team, Jason Doran, Assistant Principal, Children’s Services team & Eithne Fitzgerald, Disability Adviser, Disability & Youth Division. * Officials from Dept. of Education, Martina Mannion, Assistant Secretary, Martin McLoughlin, Principal Officer, Special Education, Frank Hanlon, Principal Officer, Special Education & Brendan Doody, Principal Officer, Special Education |
| [01 June 2023](https://www.oireachtas.ie/en/debates/debate/joint_committee_on_disability_matters/2023-06-01/) | DPO’s and the implementation of the UNCRPD (resumed) | * Representatives from Disability Power Ireland, Maryam Madani, Chair/Founder & Peadar O'Dea, Policy Officer * Representatives from DPO Network, Dr. James Casey, Independent Living Movement Ireland, Joe McGrath, National Platform for Self-Advocates & John Sherwin, CEO, Irish Deaf Society * Representatives from Physical Impairment Ireland (PII), Peter Gohery, National Chairperson & Leo Kavanagh, Member * Representatives from Voice of Vision Impairment, Dr. Robert Sinnott, Co-Ordinator * Frances Quan Farrant, Disability and Human Rights Advocate |
| [06 July 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-07-06/debate/mul@/main.pdf) | Increasing employment participation – career progression | * Representatives from European Disability Forum, Haydn Hammersley, Social Policy Coordinator * Officials from Dept. of Social Protection, Fiona Ward, Assistant Secretary, Employment Services, Tadgh O’Leary Principal Officer, Contracted Services & Annette Conroy Principal Officer, Employment Services Policy |
| [13 July 2023](https://www.oireachtas.ie/en/debates/debate/joint_committee_on_disability_matters/2023-07-13/) | Increasing employment participation – self-employment and entrepreneurship for people with disabilities | * Eddie Hennessy * Representatives from Technological University Dublin, Prof. Thomas M. Cooney, Professor of Entrepreneurship * Representatives from Access Earth, Matt McCann, Chief Executive Officer |
| [20 September 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-09-20/debate/mul@/main.pdf) | National Disability Inclusion Strategy (resumed) | * Representatives from National Disability Authority, Dr. Aideen Hartney, Director & Dr Rosalyn Tamming, Head of Policy, Research and Public Affairs * Representatives from Disability Stakeholder Group (DSG), Renée Dempsey-Clifford, Independent Chair & Dharragh Hunt, Secretary to DSG |
| [27 September 2023](https://www.oireachtas.ie/en/debates/debate/joint_committee_on_disability_matters/2023-09-27/) | Accessibility | * Officials from Dept. of Transport, Garret Doocey, Assistant Secretary, Land Transport, John Boylan, Principal Officer, Public Transport & Akriti Brady, Assistant Principal, Accessibility and Rural Transport * Representatives from National Transport Authority (NTA), Anne Graham, Chief Executive Officer & Hugh Creegan, Deputy Chief Executive Officer |
| [04 October 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-10-04/debate/mul@/main.pdf) | Enhanced Transport and Mobility Support Options for People with Disabilities | * Anne Rabbitte, Minister of State at the Department of Health and at the DCEDIY * Officials from DCEDIY, Deirdre Comiskey, Principal Officer, Disability Children’s Services Unit, Tara Smith, Assistant Principal, Disability Equality Policy Unit & Donie O’Shea, Equality Policy Advisor |
| [11 October 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-10-11/debate/mul@/main.pdf) | International co-operation: UNCRPD and the 2030 agenda for sustainable development | * Representatives from CBM Global Dualta Roughneen, CEO, & Mahbub Kabir, Advocacy Manager * Representatives from Irish Aid, Department of Foreign Affairs, Michael Gaffey, Director-General, Irish Aid, Anderson Finlay, First Secretary, Human Rights Unit, Political Division & Dr Sarah Hunt, Director of Policy Unit at Irish Aid * Officials from Dept. of Environment, Climate and Communications, Niall McLoughlin, Principal Officer & Fiona McManus, Assistant Principal |
| [18 October 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-10-18/debate/mul@/main.pdf) | Implementing inclusive education in schools | * Officials from Dept. of Education, Martina Mannion, Assistant Secretary, Inclusion Division, Brendan Doody, Principal Officer, Special Education Section, Frank Hanlon, Principal Officer, Special Education Section, Martin McLoughlin, Principal Officer, Special Education Section * Officials from Dept. of Education, Jill Fannin, Principal Officer, Teacher Education Section & Gráinne Cullen, Principal Officer, Social Inclusion Unit |
| [25 October 2023](https://data.oireachtas.ie/ie/oireachtas/debateRecord/joint_committee_on_disability_matters/2023-10-25/debate/mul@/main.pdf) | Ensuring inclusive local and EU elections | * Representatives from Disability Federation of Ireland, John Dolan, Chief Executive Officer & Joan Carthy * Representatives from An Coimisiún Toghcháin, The Electoral Commission, Art O’ Leary, Chief Executive & Dr Mary Clare O’ Sullivan, Head of Electoral Integrity and Research |

# Appendix 2 - Written Submissions

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| Reference | Topic | Submitter |
| [JCDM-r674](https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint_committee_on_disability_matters/submissions/2023/2023-04-20_submission-disability-power-ireland_en.pdf) | Rights-Based Approach and Disability Legislation | Disability Power Ireland |
| [JCDM-r675](https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint_committee_on_disability_matters/submissions/2023/2023-04-20_submission-dpo-network_en.pdf) | Rights-Based Approach and Disability Legislation | DPO Network |
| [JCDM-r676](https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint_committee_on_disability_matters/submissions/2023/2023-04-20_submission-voice-of-vision-impairment_en.pdf) | Rights-Based Approach and Disability Legislation | Voice of Vision Impairment |
| [JCDM-r677](https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint_committee_on_disability_matters/submissions/2023/2023-04-20_submission-prof-eilionoir-flynn-nuig_en.pdf) | Rights-Based Approach and Disability Legislation | Prof. Eilionóir Flynn NUIG |
| [JCDM-r747](https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint_committee_on_disability_matters/submissions/2023/2023-04-27_submission-department-of-health_en.pdf) | Rights-Based Approach and Disability Legislation | Department of Health |
| [JCDM-r748](https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint_committee_on_disability_matters/submissions/2023/2023-04-27_submission-department-of-further-and-higher-education-research-innovation-and-science_en.pdf) | Rights-Based Approach and Disability Legislation | Department of Further and Higher Education, Research, Innovation and Science |
| [JCDM-r827](https://data.oireachtas.ie/ie/oireachtas/committee/dail/33/joint_committee_on_disability_matters/submissions/2024/2024-01-30_submission-access-earth_en.pdf) | Accessibility | Access Earth |

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3. Office of the United Nations High Commissioner for Human Rights (2020), *‘Frequently Asked Questions on the human rights indicators on the Convention on the Rights of Persons with Disabilities (CRPD)*’. Available at: [CRPD Indicators FAQs (ohchr.org)](https://www.ohchr.org/sites/default/files/crpd-indicators-frequently-asked-questions.pdf) Accessed 08 January 2024. [↑](#footnote-ref-3)
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10. United Nations Department of Economic and Social Affairs Disability, ‘*Handbook for Parliamentarians on the Convention on the Rights of Persons with Disabilities’*. [↑](#footnote-ref-10)
11. NDA (2023), *‘2022 NDA Independent assessment of implementation of the NDIS*.’ pp. 51. [↑](#footnote-ref-11)
12. NDA (2022), ‘*Participation Matters Guidelines on implementing the obligation to meaningfully engage with disabled people in public decision making’.* [↑](#footnote-ref-12)
13. United Nations Economic and Social Council (2011), *‘Mainstreaming disability in the development agenda’* Available at: [Link](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwjwosmS8s2DAxWWU0EAHRp2CSsQFnoECBAQAw&url=https%3A%2F%2Fwww.un.org%2Fdisabilities%2Fdocuments%2Freports%2Fe_cn5_2012_6.doc%23%3A~%3Atext%3DThe%2520twin%252Dtrack%2520approach%2520to%2520mainstreaming%2520disability%2520captures%2520one%2520of%2Cagents%2520and%2520beneficiaries%2520of%2520development.&usg=AOvVaw0q8w4j2Kbwc3J0nNLAREzL&opi=89978449). Accessed 08 January 2024 [↑](#footnote-ref-13)
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