

# How is the UK performing on disability rights?

The UN's recommendations for the UK

 Equality and  
Human Rights  
Commission





# Introduction

The United Nations Convention on the Rights of Persons with Disabilities ('the Convention') is an international legal agreement about the human rights of disabled people. Many countries around the world – including the UK – have signed up to the Convention, which means they have made a commitment to promoting and protecting disabled people's human rights.

In August 2017, the UK's progress against the Convention was reviewed by a group of international experts in Geneva.

The group of experts, called the United Nations Committee on the Rights of Persons with Disabilities ('the UN Committee'), monitors how well the Convention is being put into practice in the countries signed up to it through reviews that take place in Geneva about every four years.

After reviewing the UK in August 2017, the UN Committee published a report known as the 'Concluding Observations', which listed its main concerns about disability rights in the UK, and made over 80 recommendations for action by the UK Government and the devolved governments of Wales, Scotland and Northern Ireland.



This document sets out the key issues raised in the Concluding Observations for those who are not familiar with the Convention. It does not seek to provide an official account of the UN Committee's views, or to present every point from their report. For example, it does not include points about the UK's Overseas Territories. In addition, the importance of working closely with disabled people's organisations to implement the UN Committee's recommendations applies throughout. For simplicity, this document will refer to the UK and devolved governments as 'the UK'.

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# The UN Committee's Concluding Observations



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## The UN Committee's Concluding Observations

# Positives

The UN Committee began by welcoming some developments in the UK that may help make some of the rights in the Convention a reality for disabled people, including a Scottish national plan of action on disability rights launched in 2016, the 2016 Accessible Travel Framework in Scotland, and the Social Services and Well-being (Wales) Act 2014.

The Committee was pleased that some of these initiatives were designed with the involvement of disabled people's organisations.



The UN Committee's  
Concluding Observations

## Main areas of concern and recommendations: general principles and obligations

The UN Committee then set out its main concerns about the UK's progress against the Convention and made recommendations for how the UK should improve, starting with Articles 1 to 4 of the Convention, which cover its purpose, key principles and general obligations.





## ❗ Concerns

The UN Committee was concerned that not enough is being done to apply the Convention consistently across the UK, to involve disabled people in decisions that affect their lives, and to put the human rights model of disability (see Box A) into practice.

The Committee noted that there has not been a full review of the UK's laws and policies, that some laws and practices discriminate against disabled people, and that there is not enough information on what the UK is doing to stop disabled people being negatively affected as the UK leaves the European Union (EU).

### A. The human rights model of disability



focuses on the dignity of disabled people, views disabled people as part of human diversity, and acknowledges that disabled people have human rights

recognises that people are disabled not by their impairment, but by barriers in the society and environment they live in, such as negative attitudes and inaccessible public spaces.

## ✅ Recommendations

The UN Committee said that the UK should:

**Make the Convention a part of UK law**, so that it can be enforced in UK courts.

**Ensure that the human rights model of disability is protected by law** and informs policies affecting disabled people across the UK.

Carry out a **full review of the UK's laws and policies** to bring them into line with the Convention

Develop a plan of action to **abolish any laws, regulations, customs and practices that discriminate against disabled people**. This plan should be measurable and fully funded.

**Stop disabled people being negatively affected by the UK leaving the EU.**

Collect information and **set out a plan to improve disabled people's living conditions**.

Financially **support disabled people's organisations**, and ensure that disabled people are **fully involved in developing and implementing all policies and laws** that affect their lives. This includes developing **action plans for implementing the Convention across the UK** with the **full participation** of disabled people. These plans should be measurable, properly funded and regularly monitored.

The UN Committee stressed that the UK should involve disabled people and their organisations when implementing all of its recommendations.

## The UN Committee's Concluding Observations

# Main areas of concern and recommendations: specific rights

The UN Committee highlighted its concerns about how the UK is implementing the specific rights in the Convention, from Article 5 through to Article 30, and recommended improvements.

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## Equality and non-discrimination (Article 5)

### ⚠ Concerns

The UN Committee was concerned that some people think that disabled people's lives are less valuable than the lives of non-disabled people. In addition, there are gaps in the UK's anti-discrimination laws, particularly when people experience intersectional discrimination (see Box B), and for disabled people living in Northern Ireland.

### ✓ Recommendations

According to the UN Committee, the UK should:

**Change its abortion laws** so that they do not allow selective abortion at any stage of pregnancy because the foetus has an impairment, while respecting women's rights to reproductive and sexual freedom.

**Legally protect people from intersectional discrimination**, and ensure that victims get the right amount of compensation and there are appropriate penalties in place.

**Bring into force all the provisions of the Equality Act 2010**, including the duty to make reasonable adjustments (see Box C) to the shared parts of residential properties (such as communal hallways).

Ensure that the Northern Ireland government, once in place, reforms disability discrimination law to **protect disabled people from all kinds of disability discrimination**.

### B. Intersectional discrimination

is where people are discriminated against on the basis of more than one characteristic. For example, a person may be discriminated against because of their disability **as well as** their gender, race, age, sexual orientation, religious beliefs, or for being a refugee or migrant.

## C. Reasonable adjustments

Where someone is disabled (according to the definition in the Equality Act 2010), employers and service providers are required to make **reasonable adjustments** to anything that places a disabled person at a substantial disadvantage compared with a person who is not disabled by (i) changing rules or practices, (ii) changing or removing physical barriers, and (i) providing support through services or devices. Factors such as how expensive or practical it is to make an adjustment, and the resources available, may be relevant in deciding what is 'reasonable'. Further information can be found [here](#).

The UN Committee often uses the term 'reasonable accommodation' which has a similar meaning.





## Women with disabilities (Article 6)

### ⚠️ Concerns

The UN Committee was concerned that the rights of disabled women and girls are not being included in policies and programmes on both gender equality and disability, and that not enough is being done to protect disabled women and girls from intersectional discrimination.

### ✅ Recommendations

The UN Committee said that the UK should:

**Include the rights of disabled women and girls in both its gender equality and disability policies**, in close consultation with disabled women's organisations.

Take action to **prevent disabled women and girls** – especially those with learning disabilities and/or mental health conditions – **from experiencing intersectional discrimination**.



## Children with disabilities (Article 7)

### ⚠ Concerns

The UN Committee expressed concern that there is no plan to address the problem that many families with disabled children live in poverty, and that laws and policies affecting disabled children and young people are not based on the human rights model of disability.

Data on bullying of disabled children is not adequately monitored, despite evidence of a rise in bullying, hate speech and hate crime against disabled children. Public authorities are not generally required to ensure that disabled children have adequate childcare.

### ✓ Recommendations

The UN Committee recommended that the UK takes action to:

**Cut the high levels of poverty** among families with disabled children.

Ensure that all **laws and policies affecting disabled children are based on the human rights model of disability.**

Set up an **independent monitoring process** to review how disabled children in school are doing, especially those facing bullying.

Make it a legal duty to **provide adequate childcare for disabled children.**

Do more to **stop bullying, hate speech and hate crime** against disabled children.





## Awareness-raising (Article 8)

### ⚠ Concerns

The UN Committee was concerned about negative attitudes and prejudice towards disabled people, and towards disabled people's entitlement to social protection, for example state social security benefits.

### ✓ Recommendations

The UN Committee recommended that the UK:

**Strengthens its awareness-raising campaigns to improve attitudes** towards disabled people, especially those with learning disabilities or mental health conditions, and people with neurological and cognitive conditions such as dementia and Alzheimer's.

## Accessibility (Article 9)

### ⚠ Concerns

The UN Committee was concerned that legal standards need to be improved to make the physical environment, housing, transport, information and other services more accessible to disabled people, and that austerity measures are obstructing improvements in accessibility for disabled people.

### ✓ Recommendations

The UN Committee said that the UK should:

**Improve legal accessibility standards** across all areas of the Convention, including: the design of the physical environment; green and public spaces; housing; information and digital technology; transport and emergency services.

**Monitor progress towards improving accessibility for disabled people** and take action against those who ignore their responsibilities.

## Right to life (Article 10)

### ⚠ Concerns

The UN Committee was concerned that decision-making on behalf of disabled people about stopping their medical treatment and care is not in line with their right to life and position as equal members of society.

### ✓ Recommendations

The UN Committee called on the UK to:

Produce an **action plan to stop disabled people being perceived as not having ‘a good and decent life’** and to recognise that they are equal to other people.

Ensure that disabled people have **full access to life-sustaining medical treatment and care.**

## Situations of risk and humanitarian emergencies (Article 11)

### ⚠ Concerns

The UN Committee was concerned about the impact of emergency situations, such as floods and fires, on disabled people, and that disabled people are often not involved in making plans to reduce the risk of disasters.

### ✓ Recommendations

The UN Committee said that the UK should:

Produce a thorough **plan for reducing the risk of disasters, and strategies to ensure that disabled people are included** and able to access emergency support.

Ensure that **disability is always considered when responding** to an emergency.

**Develop accessible information and warning systems** for use in emergencies.

Ensure that **disabled people’s organisations play an active role** in helping to prepare for disasters.

## Equal recognition before the law (Article 12)

### Concerns

The UN Committee was concerned that some UK laws restrict the legal capacity (see Box D) of disabled people on the basis of their impairment, and that disabled people often have their decisions made for them ('substituted decision-making') instead of being given support to make their own decisions ('supported decision-making').

The high number of Black disabled people who are detained and treated against their will was also of concern to the Committee.

### Recommendations

That UN Committee recommended that the UK takes action to:

**Abolish 'substituted decision-making'** where decisions are made for disabled people, by reforming mental capacity and mental health laws and policies.

**Improve 'supported decision-making'** by developing ways of supporting disabled people to make their own decisions, for example through research and sharing good practice.

Ensure that **disabled asylum seekers and refugees can exercise all rights** in the Convention.

### D. Legal capacity

includes:

The ability to hold legal rights and duties (legal standing)

The ability to exercise legal rights and duties (legal agency).

Having legal capacity means that a person is entitled to the full protection of their rights by the legal system, and is able to act under the law (for example, to enter into a legal contract).



## Access to justice (Article 13)

### ⚠ Concerns

The UN Committee was concerned about low awareness of disabled people's rights among judges, prosecutors, police officers and prison staff, and that people with hearing impairments who need a sign language interpreter are not allowed to sit on a jury.

In addition, people with mental health conditions or learning disabilities do not always receive the right support to access justice, and disabled people in England and Wales face barriers to accessing civil legal aid.

### ✓ Recommendations

The UN Committee said that the UK should:

Develop and introduce programmes to **make judges, prosecutors, police officers and prison staff aware of disabled people's rights.**

Put in place a **system to support disabled people**, particularly those with learning disabilities and mental health conditions, **to make decisions in court proceedings.**

**Provide free or affordable legal aid for disabled people** in all areas of the law.

Ensure that all disabled people are **able to exercise their rights within the justice system** by making appropriate adjustments.

**Enable deaf people to sit on juries** through the use of sign language interpreters.

**Encourage and support disabled people to work in the justice system.**

## Liberty and security of the person (Article 14)

### ⚠ Concerns

The UN Committee was concerned that laws in the UK allow disabled people to be involuntarily detained and treated, both inside and outside of hospitals, on the basis of their impairment.

### ✓ Recommendations

The UN Committee said that the UK should:

**Reverse laws that allow people to be detained and treated without their consent** on the basis of their impairment.

Properly **investigate and put an end to all forms of abuse** of disabled people in institutions.

## Freedom from torture and cruel, inhuman or degrading treatment or punishment (Article 15)

### ⚠ Concerns

The UN Committee was concerned that physical, mechanical and chemical restraint, including the use of Tasers, continues to be used on people with mental health conditions in prisons, the youth justice system, health-care and education settings. There was also concern about the use of segregation and seclusions in these settings. The Committee was concerned that ethnic minority disabled people are more likely to experience restraint, segregation and seclusion. In addition, electroconvulsive therapy continues to be used in the devolved nations and particularly in Northern Ireland.

### ✓ Recommendations

The UN Committee called on the UK to:

**Put an end to restraint for reasons related to disability**, and end segregation and isolation practices, in settings such as prisons, hospitals and the youth justice system.

**Prevent the use of restraint on disabled children and young people.**

**Ban the use of electroconvulsive therapy without consent and put in place safeguards**, particularly in Northern Ireland.

## Freedom from exploitation, violence and abuse (Article 16)

### ⚠ Concerns

The UN Committee was concerned that disabled women, children, intersex people and older people continue to suffer abuse and exploitation, and that there are differences in laws and sentences for different types of hate crime, particularly in England and Wales.

### ✓ Recommendations

The UN Committee said that the UK should:

Make sure that disabled people (particularly women, children, intersex people and older people) have **equal access to justice, and are protected from abuse and exploitation.**

**Develop a clear definition of disability hate crime**, and ensure that people who commit these crimes are prosecuted and convicted.

Ensure that there is **independent monitoring of all facilities and programmes designed for disabled people** to prevent violence, exploitation and abuse.

## Protecting the integrity of the person (Article 17)

### ⚠ Concerns

The UN Committee was concerned that disabled people – including women, intersex people, girls and boys – continue to be subjected to forced medical treatment, including sterilisation.

### ✓ Recommendations

The UN Committee recommended that the UK:

**Reverses all laws, regulations and practices allowing any form of forced medical care or surgery.**

Ensures that disabled people (especially women, intersex people, girls and boys) are **supported in making decisions.**



## Liberty of movement and nationality (Article 18)

### Concerns

The UN Committee was concerned about the UK's reservation (see Box E) to Article 18 of the Convention. Article 18 recognises disabled people's rights to a nationality, and to freedom of movement and to choose where they live on an equal basis with others. The reservation limits the impact of this Article and indeed the whole Convention in the UK with respect to immigration.

### Recommendations

The UN Committee recommended that the UK:

**Removes its reservation** to Article 18 of the Convention in order to **fully accept its requirements**.

### E. A reservation

is a statement by a country that has signed up to the Convention to say that it will not (or not yet) take steps on a certain issue, or which limits or modifies the legal effect of the treaty in any way.

## Living independently and being included in the community (Article 19)

### ⚠ Concerns

The UN Committee was concerned that living independently and being included in the community is not recognised as a human right in UK law, and that recent policy changes – such as the closure of the Independent Living Fund as well as a lack of support services and accessible public facilities – are undermining this right. Responsibility for supporting this right has been transferred to devolved governments and local authorities without enough dedicated funds, and some local authorities are telling disabled people they have to live in care homes because it is cheaper than living in the community.

### ✓ Recommendations

The UN Committee, in line with its 2016 inquiry report (see Box F), said that the UK should:

**Recognise disabled people's right to live independently and be included in the community in UK laws**, so that it can be enforced in UK courts.

Carry out regular checks, working closely with disabled people's organisations, to **make sure that policy reforms do not have negative effects on disabled people** by ensuring sufficient funding and strategies for social support and independent living.

Provide adequate, dedicated funding to local authorities and administrations, including the devolved governments, **to enable disabled people to live independently and be included in the community**, and to choose where they live and who they live with.

Work closely with disabled people's organisations to draw up a thorough plan to **move disabled people from institutions into the community**, and ensure they are fully supported in the community.

**Fully fund support services** to ensure that they are available, affordable and suitable for the needs and living conditions of all disabled people.



## F. The UN Committee's inquiry into the UK:

The UK Government has signed up to an extra legal agreement called the Optional Protocol to the UN Convention on the Rights of Persons with Disabilities – which enables the UN Committee to carry out an inquiry if it receives reliable evidence that there have been serious or widespread violations of disabled people's rights under the Convention.

In 2014, the UN Committee launched an inquiry into the UK after receiving evidence from a variety of sources, especially from disabled people's organisations. The inquiry examined the overall impact of changes to law and policy in the UK since 2010 on disabled people's right to: live independently and be included in the community (Article 19); an adequate standard of living and social protection (Article 28); and work and employment (Article 27).

The UN Committee published its report in November 2016. The report concluded that there was reliable evidence of grave or systematic violations of the rights of disabled people in the UK, and made a number of recommendations to the UK. The UK Government rejected the inquiry's conclusions.



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

### ⚠ Concerns

The UN Committee was concerned that public services and authorities do not provide enough accessible information, and that legal standards for ensuring the accessibility of websites and other forms of digital communications technology are not good enough.

There are also gaps in the availability of high-quality sign language interpreters, and insufficient resources are dedicated to training people in sign language interpretation.

### ✓ Recommendations

The UN Committee called on the UK to:

Improve **legal accessibility standards** for digital information services.

Ensure that UK law provides for **the right to high-quality sign language interpretation** and other forms of alternative communication **for people who are deaf or hard of hearing across all areas of life.**

**Provide funding for the education of children with hearing impairments**, their families and other people such as their classmates, **in British Sign Language and tactile language.**

## Respect for privacy and the family (Articles 22 and 23)

### ⚠ Concerns

The UN Committee expressed concern that there is not enough support for disabled parents, which may result in their children being placed in care. It was also concerned about the lack of funding for parents of deaf children to learn sign language.

### ✓ Recommendations

The UN Committee recommended that the UK:

Ensures that **disabled parents get the support they need** to look after their children, and that disability is not used as a reason to remove children from their families.

Ensures that local authorities have a legal duty to provide **funds for parents of deaf children who want to learn sign language.**



## Education (Article 24)

### ! Concerns

The UN Committee highlighted the UK's reservation on Article 24, meaning that the UK does not fully accept the requirements of inclusive education (see Box G) as defined by the UN Committee, or that all disabled children should be able to access education in their own communities.

The Committee was concerned that the UK's education system still includes special schools, that the number of disabled children attending special schools is increasing, and that the UK education system is not yet equipped to deliver high-quality inclusive education.

### ✓ Recommendations

The UN Committee said that the UK should:

Remove its reservations to this Article, so that it **fully accepts that all disabled children should receive an inclusive education** within their own communities.

Develop **laws and policies to support inclusive education**, set a timeframe for improving the way schools include disabled children, and make sure that all teachers and all other professionals who work with children understand the importance of inclusive education.

Do more to **check whether schools are enrolling disabled children**, and tackle disability-related discrimination or harassment.

Put in place a **fully-funded strategy, with concrete timelines and measurable goals, to make education more inclusive**. The strategy should cover implementation of laws and policies, teacher training, awareness-raising among parents of disabled children, and data collection about where disabled children go to school.

### G. Inclusive education



According to the UN Committee, this means that all parts and levels of the education system should meet the requirements of all students, so that disabled learners can learn alongside their non-disabled peers within mainstream school classrooms. This means that resources for improving education for disabled children should be focused on improving provision in mainstream schools, rather than on maintaining separate special schools. All parts of the education system – including teacher training, the curriculum and the physical school environment – should be reformed to be inclusive of all learners.

## Health (Article 25)

### ⚠ Concerns

The UN Committee was concerned about widespread barriers – including those in the physical environment, and in relation to information, communication and attitudes – that stop disabled people from accessing mainstream health services, and keeping personal health-related data private.

The Committee also expressed concern about barriers to accessing sexual and reproductive healthcare, especially for disabled women and girls, and reports of cases where no attempt was made to resuscitate people with learning disabilities or mental health conditions. There is a high suicide rate among disabled people, particularly in Northern Ireland.

### ✓ Recommendations

The UN Committee said that the UK should:

Develop a focused and fully-funded **action plan to remove barriers in disabled people's access to health care and services**, and monitor and measure its progress.

Set up clear rules for medical services that **respect disabled people's right to privacy** in information about health.

Ensure that disabled people have **equal access to sexual and reproductive healthcare services**, and make information on family planning available in accessible formats.

Ensure that medical professionals **follow guidance on 'do not resuscitate' orders** for disabled people on an equal basis with others.

Address the **high suicide rate among disabled people**, especially people with learning disabilities or mental health conditions.

## Work and employment (Article 27)

### ⚠ Concerns

The UN Committee was concerned that disabled people are still less likely to be in employment, and are paid less on average than non-disabled people, and that not enough has been done to ensure disabled people can gain and maintain employment.

There are also problems with Employment and Support Allowance, including the fact that the Work Capability Assessment does not take account of all the barriers to work that disabled people face.

### ✓ Recommendations

The UN Committee, in line with its 2016 inquiry report (see Box F), recommended that the UK takes action to:

Develop, introduce and monitor an **effective employment policy for disabled people** to ensure that they can access decent work, and that there is equal pay for work of equal value.

**Ensure that reasonable adjustments (see Box C) are made** for disabled people who need them to do their jobs, that regular training on reasonable adjustments is available to employers and employees, and that there are effective penalties when reasonable adjustments are not made.

Ensure that the process of **assessing the ability to work**, including the Work Capability Assessment, takes into account the various barriers to work that disabled people face, in line with the human rights model of disability (see Box A).

Ensure that the support disabled people need in order to work, as well as financial support, are **not subject to sanctions or conditional** upon disabled people seeking jobs.



## Adequate standard of living and social protection (Article 28)

### ⚠ Concerns

The UN Committee was concerned that austerity measures have had a severe impact on disabled people and their families (especially families with disabled children), leading to increased reliance on food banks. Particular problems noted included:

- the criteria for accessing social security and support
- reductions in the level of social security through the welfare system
- the lack of compensation for disability-related costs
- problems with Personal Independence Payments and Employment and Support Allowance

### ✓ Recommendations

The UN Committee, in line with its 2016 inquiry report (see Box F), said that the UK should:

Bring in laws to ensure that social security policies and programmes **protect the income levels of disabled people** and their families, taking into account the extra costs that come with disability. The UK should ensure that people in the work-related activity group of the Employment and Support Allowance can access financial support to cover additional living costs related to their impairment.

**Carry out an assessment of the overall impact** of the recent and forthcoming changes to the social security system on disabled people, and take action to tackle reductions in disabled people's standard of living.

**Repeal the Personal Independence Payment (Amendment) Regulations** of 2017, and ensure that eligibility criteria and assessments for Personal Independence Payments, Employment and Support Allowance and Universal Credit are in line with the social model of disability (see Box A).

**Ensure that local authorities have enough funds** to meet their responsibilities to support disabled people, and to continue efforts to mitigate the negative impact of social security reform in Northern Ireland.

**Review the circumstances under which receiving the Employment and Support Allowance is conditional and under which claimants can be sanctioned**, and tackle the negative impact of this on disabled people.

## Participation in political and public life (Article 29)

### ⚠ Concerns

The UN Committee was concerned that there is not enough information on accessibility and reasonable adjustments to help disabled people vote, and to vote in private. The Committee also noted its concern that very few disabled people run for or hold elected public office.

### ✓ Recommendations

The UN Committee said that the UK should:

Take steps to **make voting accessible for people with any type of impairment**, remove restrictions on disabled people voting, and ensure that there are reasonable adjustments so that disabled people can exercise their right to vote in private.

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

### ⚠ Concerns

The UN Committee was concerned that the UK has not ratified the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, which would allow for exceptions to copyright laws to enable the creation of accessible versions of books and other printed works for visually impaired people. In addition, the Committee noted its concerns that not enough sports stadiums and national heritage sites are accessible.

### ✓ Recommendations

The UN Committee said that the UK should:

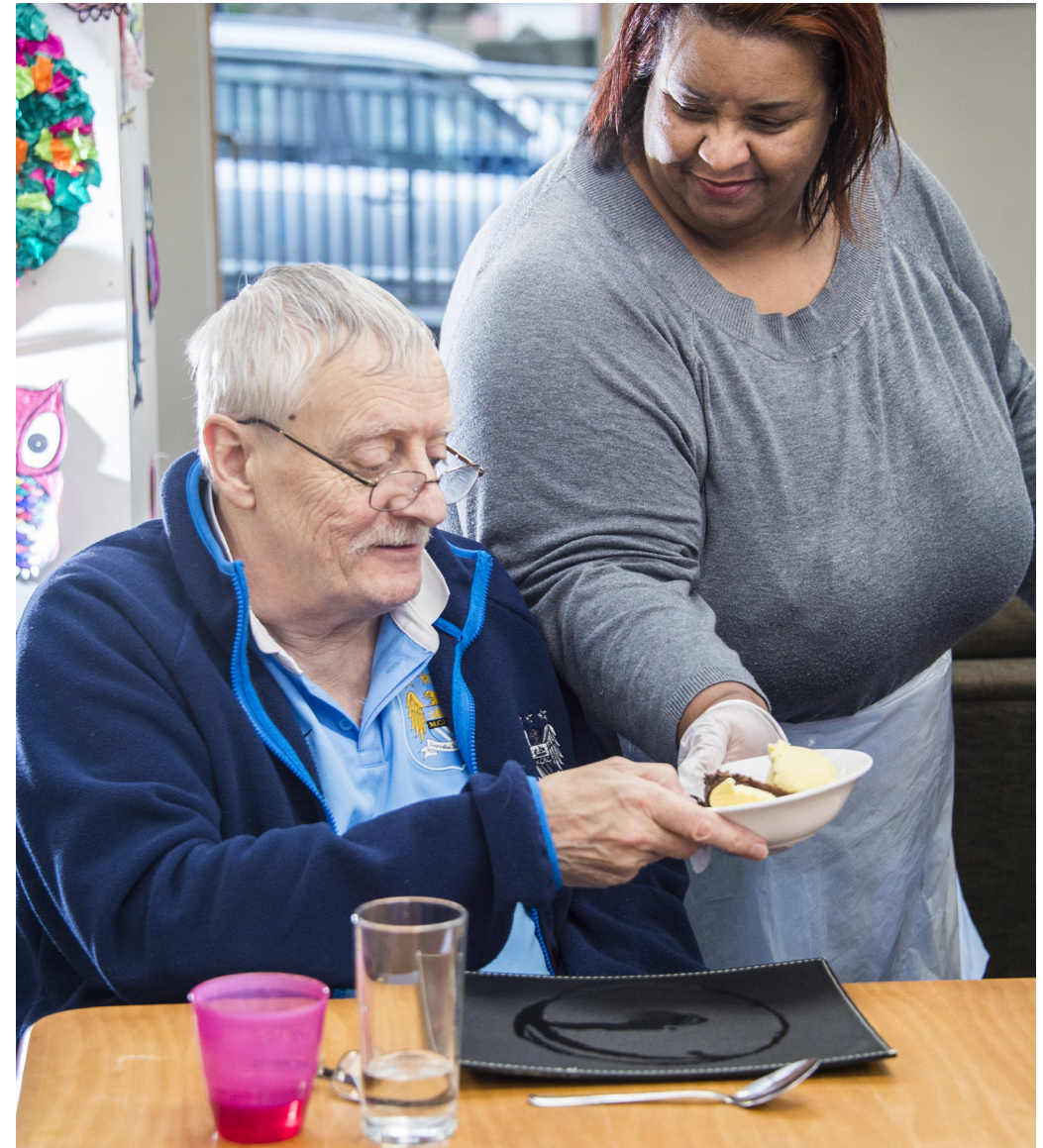
**Ratify the Marrakesh Treaty** as soon as possible.

Adopt a well-resourced, measurable action plan, to **ensure that disabled people have access to all sports facilities and heritage sites.**

The UN Committee's  
Concluding Observations

## Main areas of concern and recommendations: specific obligations

The UN Committee then turned to Articles 31 to 33 of the Convention. These cover specific duties to collect data, co-operate with other countries and monitor progress, which the UK must perform in addition to its general obligations to put in place laws and policies to implement the Convention.





## Statistics and data collection (Article 31)

### ⚠ Concerns

The UN Committee was concerned by the lack of a joined-up system of data collection to measure disabled people's circumstances, and the limited collection of data focused on disabled people in surveys of the general population.

### ✓ Recommendations

The UN Committee said that the UK should:

Significantly **increase the availability of high-quality data** broken down by income, sex, age, gender, race, ethnic origin, status as a migrant, asylum-seeker or refugee, disability or geographic location, (including in surveys of the general population), and follow international standards for collecting comparable statistics on disability.

## International co-operation (Article 32)

### ⚠ Concerns

The UN Committee was concerned that the UK does not systematically take account of disabled people's rights and inclusion in its work to support developing countries, such as in programmes on health, poverty, disaster relief and education.

### ✓ Recommendations

The UN Committee said that the UK should:

**Update the Department for International Development's Disability Framework** without delay, adopting measurable targets and specific commitments to promote disabled people's rights in the countries where it works.

Ensure that all UK government departments that allocate overseas development aid **include and take account of disabled people** in their work.

Consult with disabled people's organisations on policies to **implement the Sustainable Development Goals** (globally agreed goals to improve life in all countries around the world by 2030), both in the UK and internationally.

## National implementation and monitoring (Article 33)

### ⚠ Concerns

The UN Committee was concerned that the Office for Disability Issues (see Box H) does not have the resources needed to co-ordinate the implementation of the Convention across the UK. It also highlighted the lack of resources for the independent monitoring framework (see Box H) to monitor the UK's compliance with the Convention. The lack of resources limits the ability of disabled people's organisations to participate in monitoring progress.

### ✓ Recommendations

The UN Committee recommended that the UK:

**Sets up a structure to coordinate implementation** of the Convention in all parts of the UK and ensures it has sufficient funding.

**Provides enough funding for the independent monitoring framework** and to disabled people's organisations, so that they can monitor the implementation of the Convention.

## H. Implementation and monitoring mechanisms

Article 33 of the Convention says that there should be **one or more 'focal points within government'** to coordinate putting the Convention into practice. The **Office for Disability issues (ODI)** is the focal point within the UK Government, and there are also focal points in the devolved governments of Wales, Scotland and Northern Ireland.

Article 33 also says that there should be '**a framework, including one or more independent mechanisms**' to monitor and promote implementation of the Convention. The **UK Independent Mechanism (UKIM)** performs this role. UKIM is made up of all four independent equality and human rights commissions in the UK: the Equality and Human Rights Commission, the Scottish Human Rights Commission, the Northern Ireland Human Rights Commission, and the Equality Commission for Northern Ireland.

# Next steps

The UK should now act upon the UN Committee's recommendations, and this should be done with the full involvement of disabled people and their organisations.

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The UN Committee asked the UK to:

Implement the recommendations in this report, sharing them with all relevant government departments, devolved governments, local authorities, the media, and other relevant groups.

Share the conclusions of this report widely among disabled people's organisations, other disability groups, disabled people and their families, in national and minority languages and accessible formats.

Provide an update within 12 months on the actions it has taken on three areas: living independently and being included in the community; work and employment; and an adequate standards of living and social protection.

Work closely with disabled people's organisations to follow-up on the recommendations in the UN Committee's inquiry report and provide updates every 12 months until the next review of the UK.

Submit its next progress report by 8 July 2023, and include information on how it has implemented the Committee's recommendations.

Involve disabled people's organisations when it prepares its next report for the UN Committee, and provide funding to support their involvement.



National actors – including equality and human rights bodies and disabled people’s organisations – play an important role in calling on the UK to implement the UN Committee’s recommendations.

The Equality and Human Rights Commission will work with the other UK equality and human rights commissions (the Northern Ireland Human Rights Commission, the Equality Commission for Northern Ireland and the Scottish Human Rights Commission) and, in discussion with disabled people and their organisations, seek progress on the areas of concern in the UN Committee’s report.

You can read the UN Committee’s full report on their [website](#).

### **The Equality and Human Rights Commission**

is a statutory body established under the Equality Act 2006. We operate independently to encourage equality and diversity, eliminate unlawful discrimination, and protect and promote human rights. We contribute to making and keeping Britain a fair society in which everyone, regardless of background, has an equal opportunity to fulfil their potential. The Commission enforces equality legislation on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

We encourage compliance with the Human Rights Act 1998 and are accredited by the UN as an ‘A status’ National Human Rights Institution. Find out more about our work on our [website](#).



# Contacts

This publication and related equality and human rights resources are available from the Commission's website:

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Questions and comments regarding this publication may be addressed to:

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The Commission welcomes your feedback.

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## EASS

For advice, information or guidance on equality, discrimination or human rights issues, please contact the Equality Advisory and Support Service, a free and independent service.

Website **[www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com)**

Telephone 0808 800 0082

Textphone 0808 800 0084

Hours 09:00 to 19:00 (Monday to Friday)  
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