Disability Federation of Ireland

Disability Funding and Budget Proofing the 2019 Budget

24th April 2018

Disability proofing and budgeting timely and welcome:

The Disability Federation of Ireland, DFI welcomes the opportunity to speak to the Committee on disability funding and budget proofing.

Integrating disability proofing throughout the budgetary process would be a big win. It could have long-term and far-reaching improvements on the lives of people with disabilities.

DFI will focus in our presentation on the wider issue of ‘disability proofing’ the budgetary process.


The commitment in the Programme for Partnership Government to ‘develop the process of budget and policy proofing as a means of advancing equality, reducing poverty and strengthening economic and social rights’ is welcomed.
DFI acknowledges the important equality budgeting initiative and the gender proofing pilot project. We particularly welcome the learnings already being drawn from these and similar processes from other jurisdictions.¹ Many of these can be readily adapted and expanded to disability proofing of the Budget. Including:

- Disability budgeting and proofing should extend across:
  - Expenditure
  - revenue and income transfers
  - macro-level budgetary decisions
  - both formal and informal barriers, including unstated assumptions behind policies.²
- Data and statistics must be gathered and disaggregated by disability and by type of disability supports and services.³
- Good quality and realistic objectives must be identified. They must be linked to budget resources to track real and measurable results.⁴

DFI would highlight that in 2012 the Department of Justice published *Guidelines for Government Departments on How to Conduct a Disability Impact Assessment*.⁵ The question must be considered; to what extent is this working? What more needs to be done or how does it need to be done differently?

Example of need for disability proofing the budgetary process includes:

- Rebuild Ireland relies hugely on the private rental market to address social housing need. But the rental strategy did not even reference particular consideration of people with disabilities. Despite a 2011 report by the Housing Agency which set out particular barriers experienced by people with disabilities in availing of the rental market.⁶

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³ *Equality Budgeting: Proposed Next Steps in Ireland*, p. 20

⁴ Ibid.


• Funding supports for people with disabilities in education do not extend to part time students. Supports also need to be extended to access mainstream further education and training (FET) programmes managed through the Education and Training Boards (ETBs).

However, DFI submits that disability funding and budget proofing is not just desirable; it is a legal obligation under ‘Public Sector Duty’ and ratification of the UN CPRD.

**Disability proofing is obligatory under Public Sector Duty:**
Under section 42 of the Irish Human Rights and Equality Act 2014 the State already has a legal obligation to ensure that all public bodies take proactive measures to eliminate discrimination against people with disabilities. It must also promote the equality and protect the human rights of persons with disabilities. This is part of the wider ‘public sector duty’.

Compliance with the public sector duty is monitored by the Irish Human Rights and Equality Commission. According to Commission, public sector duty also applies to public bodies in relation to budgeting and procurement. This means that all public bodies, such as government departments and the HSE, must plan their budgets with equality and human rights in mind – including in specific to persons with disabilities.

While government sets the annual budget, it is public bodies who expend and execute it. If the budget has already been planned with equality in mind, public bodies will find it easier to spend their budget in a way that reflects their duty towards persons with disabilities.

**Public Bodies have a Public Sector Duty to comply with the UN CRPD:**
Ireland has ratified the UN CRPD. This is a commitment to respect the standards set out, and respect the human rights of people with disabilities. In meeting their public sector duty, public bodies must be informed by the UN CRPD.

**Disability funding and Budgeting must go beyond siloed programming and measurements:**

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7 Section 42 of the Irish Human Rights and Equality Act 2014 states that: ’(1) A public body shall, in the performance of its functions, have regard to the need to: 1. eliminate discrimination, 2. promote equality of opportunity and treatment of its staff and the persons to whom it provides services, and 3. protect the human rights of its members, staff and the persons to whom it provides services.’
The UN CRPD sets out how the range of human rights apply to people with disabilities. It is useful to set out a sample of its Articles to demonstrate that disability matters are no longer confined to health budgeting alone. Disability matters must be budgeted and incorporated across government departments, local authorities and the full range of public bodies. Because people with disabilities do not live their lives confined to just one aspect or area. For example:

<table>
<thead>
<tr>
<th>UN CRPD Article</th>
<th>Areas potentially affected include</th>
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</thead>
<tbody>
<tr>
<td>Article 9 – Accessibility</td>
<td>Transport, Communications</td>
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<tr>
<td>Article 19 – Living independently and being included in the community</td>
<td>Housing, Transport, Communications, Health</td>
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<td>Article 24 – Education</td>
<td>Education, Children, Life long education, Employment Activation</td>
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<td>Article 25 – Health</td>
<td>Health, Employment Affairs and Social Protection</td>
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<td>Article 27 – Work and employment</td>
<td>Employment Affairs and Social Protection, Housing, Transport, Health</td>
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<tr>
<td>Article 28 – Adequate standard of living and social protection</td>
<td>Employment Affairs and Social Protection, Housing, Transport, Health</td>
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This demonstrates that we must have a systemic rather than systematic approach. Issues and challenges must be traced back to the root cause. Disability issues are not health matters only. Policies, across all areas, including economic and social, are interlinked and interdependent. They do not exist in a vacuum; they affect each other and ultimately the lives of people, including people with disabilities.

A pioneering initiative in the Oireachtas which is building on this approach is the forthcoming coordinated initiative of the Oireachtas Committees on Health, Education and Social Protection and Employment. These will be looking together on activation/employment for people with disabilities.

**UN CRPD compliance assists alignment with EU Semester and funding requirements:**

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Similarly, the UN CRPD compliance will also assist in aligning the Irish Budget to the EU Semester Process, and EU funding considerations as the EU has also ratified the UN CRPD in its own right.

For example, further to UN CRPD compliance, the Fundamental Rights Agency of the EU has published a report on using the European Structural Funds and Investment Funds as well as domestic funds to promote deinstitutionalisation of persons with disabilities.\(^9\)

**Key Budget 2019 Priorities:**

DFI understands and will to Budget 2019 on the basis of the need for a systemic approach to disability budgeting and proofing.

- Increase Disability Allowance by €20 a week to provide an adequate minimum income that guards against poverty.

• Invest an additional €30m to increase the number and availability of Personal Assistants, home care and home help supports, and to better support family carers.
• Invest an extra €7m in post-acute rehabilitation beds, rehabilitation supports, and community supports.
• Replace the Mobility Allowance with the Transport Support Scheme as a matter of urgency.
• Assess the reliance on the private rental sector in delivering social housing and its impact on people with disabilities.
• Incentivise private property developers to build new accessible housing for people with disabilities which would go beyond the Part M requirement of being visitable. Incentivise private landlords adapt their properties to make them fully accessible and not just visitable. Link any incentive to the renting of this property to people on the social housing waiting list on the grounds of disability.
• Tackle the high costs of prescriptions charges, medicines, and hospital charges to offset the costs of disability and illnesses experienced by people with disabilities.
• Grant Medical Cards based on a person’s medical needs, not on their income.

In conclusion:
DFI welcomes this discussion on disability funding and budget proofing. It can could meaningful integrate and implement the UN CRPD.

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