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An Comhchoiste um Nithe a bhaineann le Míchumas
Maoiniú ar Mhíchumas a chomhfhogasú le Coinbhinsiún na
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Buiséad 2022 Aighneacht Réamh-Bhuiséid

Lúil 2021

Joint Committee on Disability Matters
Aligning Disability Funding with the United Nations
Convention on the Rights of Persons with Disabilities
Budget 2022 Pre-Budget Submission

July 2021

Membership



Holly Cairns
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TD - IND



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Chairman's Foreword

The remit of the Joint Committee on Disability Matters (the Committee) is to consider all disability matters including monitoring Ireland's implementation of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

The UNCRPD is a landmark Convention, one of history's most widely adopted conventions, which simply seeks to ensure that people with disabilities can enjoy the same human rights as everyone else.

A key measure to aid translation of the UNCRPD into law is ensuring adequate funding is allocated in the national budget for the various sectors relevant to the realization of the rights of people with disabilities.¹ Also required is that the human rights of people with disabilities and support for their social inclusion is upheld throughout all further phases of policy development and implementation activities of the State and most importantly that people with disabilities, across all groups, are consulted with throughout these phases.

Therefore, there is a clear need to ensure that overall public expenditure policy, strategy and related reporting aligns with the objectives of the UNCRPD while ensuring funding for a rights-based model of care for disability services over the next 3-5 years.

To ensure that the budget is aligned to realise the rights of all groups of people with disabilities, there needs to be clear commitments to equality proofing of Budgets and the wider Public Duty on Equality and Human Rights must be strongly and visibly reflected in Ireland's next Budget with resources to progress implementation of the UNCRPD as a key measure of that.

The Committee believes that the Optional Protocol to the UNCRPD must also be urgently ratified to ensure that the voice that people with disabilities have actively taken under the Convention, and which all sectors of society need to hear, must not be silenced by Ireland not ratifying the Optional Protocol. The mechanisms for delivery of the Optional Protocol must also be funded under Budget 2022.

Currently the rate of poverty and social exclusion for people with disabilities in Ireland is one of the highest in the EU at 38.1% and EU figures show Ireland to be the country with the lowest employment rate of people with disabilities, at 32.3%.² The rise in the poverty rate for people with disabilities was exacerbated by the 2008

¹ UN, OHCHR, IPU, 2007, *From Exclusion to Equality: Realizing the Rights of Persons with Disabilities Handbook for Parliamentarians*, N° 14. [Accessed 02-07-21] Available at: [DocHdl1OnPTR2tmpTarget \(ipu.org\)](https://www.ohchr.org/Documents/HRBodies/HRCouncil/Handbook14.pdf)

² European Disability Forum, 2020, *Poverty and Social Exclusion of Persons with Disabilities European Human Rights Report*, Issue 4, pp. 19, 48

financial and economic crisis and subsequent response of austerity, as the consistent poverty rate for people with disabilities was 9% in 2009³ and increased significantly to 24% in 2017.⁴

People with disabilities and their families and carers have also been further and significantly impacted by the Covid-19 pandemic because of the regression caused by the loss of services and their non prioritisation in contingency planning across various sectors.

The implementation of the UNCRPD also includes significant legislative and administrative requirements to be met which will require subsequent funding commitments to ensure timely implementation.



Michael Moynihan

Chair to the Committee

Joint Committee on Disability Matters

July 2021

³ Central Statistics Office, 2009, *Survey on Income and Living Conditions*. [Accessed 02-07-21] Available at: [SILC 2009.vp \(cso.ie\)](#)

⁴ Central Statistics Office, *Survey on Income and Living Conditions*, 2017. [Accessed 02-07-21] Available at: [Poverty and Deprivation - CSO - Central Statistics Office](#)

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Optional Protocol to the UNCRPD

The Committee believes that the Optional Protocol to the UNCRPD must be ratified urgently to ensure that complaints can be submitted directly to the UN Committee by individuals if they feel that their rights have been violated under the UNCRPD, and for the UN Committee to undertake subsequent inquiries.

Recommendation

1. The Committee recommends that the mechanism for delivery of the Optional Protocol be developed in parallel with the ratification process and that funding be allocated in Budget 2022 in expectation of ratification including resources as may be necessary in absence of ratification, to ensure effective operation of the Optional Protocol when it is ratified in 2022

General provisions of the Convention

The UNCRPD sets out Universal Design Thinking as a key strategy for the design and development of products, services, ICT and buildings that are accessible and usable to the widest range of users possible regardless of age, size, disability or ability.⁵ Universal Design Thinking, as an approach for economic recovery, has greater potential benefits, given it benefits a range of groups including disability groups⁶ and this will be especially important considering the growth in the ageing population and the longer term challenges for that group. Please refer also to paragraph 9.

⁵ National Disability Authority, *What is Universal Design*, Available here: [Submissions | Centre for Excellence in Universal Design](#)

⁶ C. Barnes, G. Mercer, 2004, *Implementing the Social Model of Disability: Theory and Research*; Chapter 2, Leeds: The Disability Press, pp. 18-31). [Accessed 02-07-21] Available here: [Microsoft Word - implementing the social model - chapter 2.doc \(leeds.ac.uk\)](#)

Recommendation

2. The Committee recommends-
 - a) developing an economic model based on Universal Design Thinking, as an approach for economic recovery which will develop and sustain a systemic approach to disability budgeting and proofing to ensure alignment with the objectives of the UNCRPD
 - b) that Universal Design Thinking is placed at the centre of Government policy development and at local government level to ensure an integrated approach to legislative development which is inclusive of human rights

Ireland must ensure long term change and transition from its reliance on GDP (gross domestic product) as a measure of national economic achievement, which is fuelling short-termism and inequality, and urgently move to a new model of inclusive growth and development,⁷ in alignment with the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs).

Recommendation

3. The Committee recommends that-
 - a) new models of inclusive growth and development are considered to ensure that the most vulnerable and people with disabilities are placed at the centre of strategies for the transition from Covid-19, which should be aligned to the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs)
 - b) Equality Budgeting and Wellbeing Budgeting are implemented as a matter of urgency and that multi annual funding for specific services that require capacity building is prioritised

⁷ Irish Times, *Ireland is world's eighth-most 'inclusive' advanced economy*, 22 Jan 2018, referencing World Economic Forum report, Inclusive Development Index 2018 Summary and Data Highlights

There is a clear need for adequate funding to be allocated in the Budget for the realisation of the rights of people with disabilities including resources for the monitoring and progressing of the implementation of the objectives of the UNCRPD.

Recommendations

4.	The Committee recommends increased multi-year funding for both Disabled Person's Organisations (DPO's) and Disability Representative Organisations to strengthen their advocacy and policy work and ensure they have the financial capacity to engage with multiple public bodies and processes
5.	The Committee recommends the inclusion of a Subhead or Budget line within each Vote specifying the resources to support UNCRPD implementation

It appears to the Committee that the State is in a position of relative strength economically and should use the flexible financing opportunities to deliver accelerated progress on UNCRPD implementation.

Recommendation

6.	The Committee recommend that the State use the flexible financing opportunities to deliver accelerated progress on UNCRPD implementation
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Integration with the objectives of the UNCRPD applies equally to projects funded by the EU.

Recommendation

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| 7. | The Committee recommend that measures to advance implementation of the UNCRPD are reflected in all plans for drawdown from the Recovery and Resilience Fund, the Just Transition Fund, and other EU Funds |
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The Programme for Government 2020 commits to work towards implementing the most recent Disability Capacity Review. This Review specifies the investment required to meet future needs for specialist disability services based on demographic and geographic considerations. The Report from this Review should be published together with the Indecon Cost of Disability Report commissioned in 2019. Transparency will enable full integration with the Budgetary Framework and evidence-based planning to address the significant needs of people with disabilities.

Recommendation

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| 8. | The Committee recommend that the Disability Capacity Review report, and the Indecon Cost of Disability Report commissioned in 2019 by Government, are published immediately to inform the Budget process and ensure funding is provided to implement the recommendations made |
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Equality and non-discrimination

To ensure the advancement of equality, poverty reduction and social rights it is vital that the process of budget and policy proofing is developed. The Irish Human Rights and Equality Commission has noted that the Public Sector Equality and Human Rights Duty offers a pathway to transition away from the medicalised and charitable

model of disability services to a human rights-based model of disability services.⁸ In this scenario, people with disabilities access all publicly funded services and supports by right as members of society. The principles of the Public Sector Equality and Human Rights Duty should, where feasible, be included in all public procurement processes for relevant public service provision.

Recommendation

9. The Committee recommends that-
 - a) the Government revise the Public Sector Equality and Human Rights Duty (2014) in line with the UNCRPD and use it as a model for transitioning to a human rights-based model of disability service provision
 - b) funding be increased for the Irish Human Rights and Equality Commission to support its role in monitoring implementation of the UNCRPD

Accessibility

The Committee accepts that transport and housing are key drivers in enabling people with disabilities to live independently. Capital investment in universally accessible public transport services, the built environment and housing (including new and legacy infrastructure) is key to transforming the lives of people with disabilities and accommodating an ageing population. UNCRPD objectives should be reflected in new capital investments.

⁸ Irish Human Rights and Equality Commission, 2020, *Consultation on Terms of Reference and Work Programme for the Joint Oireachtas Committee on Disability Matters Submission by the Irish Human Rights and Equality Commission*, Available here: [IHREC Word Accessible Guidelines](#)

Recommendation

10. The Committee recommends that all capital investment is aligned with Universal Design Thinking. Capital investment programmes should ensure that-

- a) investment in transport infrastructure considers and supports accessibility, mobility, and inclusion for people with a disability
- b) new building projects are aligned with Universal Design Thinking
- c) an option combining disability/accessibility retrofitting with environmental/emission reduction retrofitting is developed and provided, as part of any major new programme of retrofitting

The Committee further recommends-

- d) funding for Universal Design advisory services
- e) the prioritisation of, and targets for, universally accessible public transport services including annual targets for the retrofitting of older public transport infrastructure
- f) the introduction of national targets to ensure that new housing is increasingly accessible or adaptable for people with disabilities
- g) the specification of a minimum requirement for the provision of “universally designed housing units”
- h) additional funding for Housing Adaptation Grants
- i) funding for Local Authorities to ensure that accessibility and Universal Design Thinking underpin the built environment at all stages of the planning process

The Committee views the current delays with the Primary Medical Certs (PMC's) process and the closure of the Mobility Allowance and Motorised Transport Grant, as limiting the transport options for people with disabilities. This increases the potential for isolation and could, unnecessarily confine people to their homes which is not consistent with Article 9 of the UNCRPD.

Recommendation

11. The Committee recommends that funding is made available to finalise and introduce a comprehensive Transport Support Scheme (to replace the Mobility Allowance and Motorised Transport Grant) as a matter of priority and to reinstate the Primary Medical Cert (PMC) process

The Committee is concerned at the lack of fully accessible toilet facilities (including with changing places toilet facilities). This is a barrier to people with disabilities and their carers participating in their communities and public spaces.

Recommendation

12. The Committee recommends that funding is made available to enable Local Authorities to provide at least one fully accessible toilet including changing place toilet facilities in publicly accessible buildings in their area of responsibility. A complete and accessible list of fully accessible public toilets, including changing place facilities, should be published enabling people with disabilities to plan their journeys

Independent and adequate standard of living and social protection

The Committee is aware that people with intellectual disability are experiencing significant delays in the allocation of social housing because of their social care requirement. There is also a need to deliver a person-centred model of support in the community when enabling people with disabilities to live independently in the community, in line with their will and preference.

Recommendations

13. The Committee recommends support for the change from a traditional institutional model of service to a person-centred model of support in the community, as outlined in the HSE National Service Plan 2021. Funding should be allocated to accelerate the development and implementation of a sustainable disability residential funding model and management information system, on a non-statutory basis to improve choice and quality service provision for people with disabilities and their families. This transition should be informed by the learning from the current placement improvement programme, as outlined in the HSE National Service Plan 2021
14. The Committee further recommends a strategy for coordination of Local Authorities, Approved Housing Bodies (AHB) and the HSE Disability Services in the delivery of residential support services, including Personal Assistance services. This will enable a pathway to support's for people who are in need of social housing and allow the Department of Health and the HSE to set a minimum timeline for implementation of HSE social care plans

There is a need for commitment to support the 1,953 people that remain in congregated settings⁹ to move to more appropriate, community-based residential services. There is also a need for dedicated capital investment for housing and the provision of both revenue funding and enabling funding to assist the transitions. This funding is required to ensure all people with disabilities have access to appropriate residential services in the community.

⁹ HSE, *Progress made under Time to Move on Policy in 2019*. [Accessed 02-07-21] Available at: [infographic-time-to-move-on-policy-2019.pdf \(hse.ie\)](https://www.hse.ie/infographic-time-to-move-on-policy-2019.pdf)

Recommendation

15. The Committee recommends that funding is made available to support the remaining people in congregated settings transition to appropriate settings with appropriate supports in the community within the next 3 years. Choice, in consultation with family, supporters and friends is key. The Committee also recommends the cessation of new admissions to institutions

Separately, the Committee is aware that the number of people under 65 residing in nursing homes is approximately 1,300 but that this number only includes those that are funded through the Nursing Homes Support Scheme (NHSS).¹⁰ Immediate action is needed as outlined in the Ombudsman's report, *'Wasted Lives Time for a better future for younger people in nursing homes'* to assess the number of these individuals and their will and preference regarding choice of residence and to introduce necessary and adequate supports to rehome these individuals and to ensure compliance with Article 19 of the UNCRPD.

Recommendations

16. The Committee recommends that funding is made urgently available to implement the recommendations as called for by the Ombudsman on foot of his investigation into young people residing in nursing homes¹¹ and in particular immediately fund a national survey of nursing homes to assess the actual number of people under 65 currently residing in nursing homes, including whether a person is NHSS, HSE, self or other funded, while assessing their will and preference regarding their choice of where they want to live and transition these individuals from nursing homes within the next 3 years while ensuring that;

¹⁰ Ombudsman, 2021, *Wasted Lives: Time for a better future for younger people in nursing homes*, Available here: [OMBWastedLives2021.pdf \(ombudsman.ie\)](#)

¹¹ Ombudsman, 2021, *Wasted Lives: Time for a better future for younger people in nursing homes*

	<ul style="list-style-type: none"> a) dedicated pathways are developed and funded for these individuals to be transferred to their preferred choice of residence while ensuring necessary and adequate access to community-based support and inclusion b) the practice of accommodating young people with serious disabilities in nursing homes is eliminated c) fully informed consent is provided and documented in each and every case where a person applies for the Nursing Homes Support Scheme
17.	The Committee recommends that the HSE undertake a review of other large residential settings for people with disabilities including residential centres for people with Autism, and Intentional Communities, as recommended by the Working Group under the <i>Time to Move on from Congregated Settings</i> report and develop appropriate pathways to ensure these individuals can access the same levels of community-based support and inclusion being proposed for residents of congregated settings
18.	The Committee recommends that urgent priority is given under the <i>Vision for Change</i> implementation process to develop a programme for the number of people with disabilities still living in mental health settings and their accommodation and support needs as recommended in <i>Time to Move on from Congregated Settings</i> ¹²

As noted in the *HSE's National Service Plan 2021*, a reformed model of service delivery to underpin the planned home support statutory scheme is being tested and evaluated which will help prepare for the regulation of home support services. This initiative will involve the roll-out of a pilot service model, aligned to the home first approach and the ECC programme, integrated across community and acute services.¹³

¹² HSE, 2011, *Time to Move on from Congregated Settings A Strategy for Community Inclusion*, pp. 23 Available here: [1 \(hse.ie\)](https://www.hse.ie)

¹³ HSE, 2021, *National Service Plan 2021*, pp. 47. Available here: [HSE National Service Plan 2021](https://www.hse.ie/national-service-plan-2021)

Recommendation

19. The Committee recommends that funding must be made available to ensure that the statutory entitlement to homecare can be urgently introduced, along with comprehensive, rights-based regulation of the homecare sector and that the number of people receiving home support and the number of home support hours per person is increased

The Committee are aware that currently the rate of poverty and social exclusion for people with disabilities in Ireland is one of the highest in the EU at 38.1%¹⁴ and that there is a need for the most vulnerable members of our society to be adequately supported.

Recommendation

20. In addition to the point at paragraph 7, the Committee recommends-
 - a) a cost of disability payment is introduced to ensure the same standard of living for people with disabilities as non-disabled people and ensure alignment with Article 28 of the UNCRPD
 - b) all relevant family carer payments, such as the Carer's Allowance and Domiciliary Care Allowance are reviewed to ensure that such payments take into account the care need and contribution that care givers provide as well as the additional costs associated with disability, to ensure that family carers are not placed at undue risk of consistent poverty

Personal assistance and personal budgeting are key tools for enabling the vision of independent living (Article 19 of the UNCRPD). Personal budgeting enables people with disabilities to make their own arrangements to meet their support needs, instead of having their needs met directly for them by the HSE and HSE funded services

¹⁴ European Disability Forum, 2020, *Poverty and Social Exclusion of Persons with Disabilities European Human Rights Report*, Issue 4, pp. 19, 48

providers.¹⁵ The personalised budgets demonstration project, which will test different budgeting models is running behind schedule due to the Covid-19 pandemic¹⁶ and should inform the development of a national service framework for personalised budgets.¹⁷

Recommendation

21. The Committee recommends that-
- a) the personalised budgets demonstration project is funded to ensure the timely development of a national service framework for personalised budgets
 - b) current pathways to accessing Personal Assistance in Ireland be expanded, with a view to establishing an appropriately funded and standardised national Personal Assistance system in keeping with Article 19 of the UNCRPD

Employment

Employment is key to delivering social inclusion and improved economic welfare for people with disabilities¹⁸. Employment rates of people with disabilities in Ireland are low and must be increased. Moreover, those experiencing consistent poverty must receive additional supports.

¹⁵ HSE Website, *Personalised Budgets for People with a Disability* [Accessed 02-07-21] Available here: [Personalised Budgets for People with a Disability - HSE.ie](https://www.hse.ie/eng/health/mental_health/mental_health_services/personalised_budgets_for_people_with_a_disability/)

¹⁶ Disability Services Data, Tuesday 17 November 2020, Parliamentary Questions (829, 841). Available here: [Disability Services Data – Tuesday, 17 Nov 2020 – Parliamentary Questions \(33rd Dáil\) – Houses of the Oireachtas](https://www.oireachtas.ie/en/debates/parliamentary-questions/2020/17-november-2020/)

¹⁷ HSE, *National Service Plan 2021*, pp. 64

¹⁸ D. Watson, M. Lawless, B. Maître, 2017, *Employment Transitions Among People with Disabilities in Ireland an Analysis of the Quarterly National Household Survey*, ESRI, Research Series Number 58. Available here: [Employment transitions among people with disabilities in Ireland: An analysis of the Quarterly National Household survey \(esri.ie\)](https://www.esri.ie/publications/employment-transitions-among-people-with-disabilities-in-ireland-an-analysis-of-the-quarterly-national-household-survey)

Recommendation

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| 22. | <p>The Committee recommends-</p> <ul style="list-style-type: none"> a) an upwards adjustment in the income disregard for those people with disabilities engaged in employment, a relaxation on the time limit placed on people with disabilities as regards engagement with employment support services and sufficient budgeting for Personal Assistance Services b) the Reasonable Accommodation Fund is sufficiently resourced so that all complete applications may be granted and that it is available to all people who need support in access |
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Education

It is important that an empowering and rights-based approach to learning is reflected at every level of our educational system and that supports, and services are in place to ensure equality of educational opportunity and progression for people with a disability. The UNCRPD is regarded as the benchmark model of inclusive equality and intersectionality and identifies inclusive policy opportunities. This benchmark should inform all future policy developments to drive forward inclusive policy, and the State must strive to embody the inclusivity as expressed by the UNCRPD.

Recommendations

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| 23. | <p>Children with special educational needs have the same rights to appropriate education as children without special educational needs. Accordingly, the Committee recommends that the Education for Persons with Special Educational Needs Act 2004 (EPSEN Act) is commenced and fully implemented to ensure that children with special educational needs are educated, where possible, in an inclusive environment</p> |
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| 24. | The Committee recommend that the Department of Further and Higher Education, Research, Innovation and Science consider expanding its role as the model of rights-based service provision will require sufficient budgeting to enable transition between educational services |
| 25. | The Committee recommend that provision be made in Budget 2022 to ensure all students have access to appropriate assistive technology (such as AAC devices) as required |
| 26. | The Committee recommend funding be allocated to accelerate the roll out of ASD units and SNA supports in all schools. This will mitigate the risk of disabled students being refused on the basis of lack of resources |

Health and life

Covid-19 has had a significant negative impact on disability service provision. The current approach to implementing disability strategy and policy is reported as financially unsustainable.¹⁹ Funding gaps need to be addressed to build capacity of disability organisations and to develop sustainable models of service and governance.

¹⁹ Irish Times, 3 August 2020, *HSE says provision of disability services by voluntary bodies not sustainable*. [Accessed 02-07-21] Available here: [HSE says provision of disability services by voluntary bodies not sustainable \(irishtimes.com\)](https://www.irishtimes.com/news/social-affairs/hse-says-provision-of-disability-services-by-voluntary-bodies-not-sustainable-1.4411111)

Recommendation

27. The Committee recommends that-
- a) an operationally and financially sustainable model of service and governance is developed, and this model should feature multi annual investment planning to respond to demography and changing population health need and should be based on community centred services
 - b) an independent review be conducted into the financial deficits of organisations providing publicly funded disability services. In the interim funding should be continued to ensure the reform of disability services and build capacity of disability organisations consistent with Article 19 of the UNCRPD
 - c) additional investment is made to meet identified need by 2025
 - d) levels of unmet need are assessed in each Community Healthcare Organisations (CHOs) and funding is allocated to support unmet applications for disability services
 - e) all supports such as disability services, homecare, or respite for people with disabilities and their carers which have been disrupted or ceased as a result of Covid-19 are reinstated. Where services cannot be reinstated, in-home and alternative models of respite which meet the needs of the service user and their family should be considered
 - f) that Primary Care Funding is fully integrated with Disability Service planning and a renewed focus on the implementation of Sláintecare which is fully inclusive of disability services needs should be a priority
 - g) direct client support services, such as those provided by Irish Guide Dogs for the Blind, should receive sufficient public funding to enable them to provide their core client services. Reliance on charitable donations leaves such services vulnerable and limits their operational scope

The Committee is aware that the non-implementation of Progressing Disability Services (PDS) model may significantly impact alignment with Article 25 of the UNCRPD and the right for people with disabilities to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. In this regard, it is imperative that this model receives year-on-year investment as costed by the Disability Capacity review report²⁰ and that onsite services that are currently provided in schools are maintained.

Recommendation

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| 28. | <p>The Committee recommends that-</p> <ul style="list-style-type: none">a) the Progressing Disability Services (PDS) model is fully funded and that dedicated funding streams are introduced to quickly build the capacity of the new Children Disability Network Teams (CDNT's) on time and on targetb) funding is made available to keep on site services that are currently in place in schools and sufficient therapist posts are funded throughout the system of service provisionc) year-on-year investment in the 91 CDNT's including new therapies and additional posts required to ensure full roll out of the PDS model |
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The Committee is aware that there are significant waiting lists for the assessment of need (AON) process (approximately 1,400 assessments are overdue). While the AON mechanism has value, it does not include diagnosis, proper intervention, or planning and therefore impacts upon the early intervention of children with special needs and disability. Accordingly, the full-scale requirement of assessments need to be funded to include full diagnosis, proper intervention, or planning.²¹ The Committee

²⁰Joint Committee on Disability Matters debate, Thursday, 13 May 2021, *Progressing Disability Services Model and Withdrawal of Occupational Therapies from Schools: Engagement with HSE*. Transcript Available here: [Joint Committee on Disability Matters debate - Thursday, 13 May 2021 \(oireachtas.ie\)](https://www.oireachtas.ie/en/jointcommittees/disabilitymatters/debates/2021/05/13/progressing-disability-services-model-and-withdrawal-of-occupational-therapies-from-schools-engagement-with-hse/)

²¹Joint Committee on Disability Matters debate, Thursday, 13 May 2021, *Progressing Disability Services Model and Withdrawal of Occupational Therapies from Schools: Engagement with HSE*. Transcript Available here: [Joint Committee on Disability Matters debate - Thursday, 13 May 2021 \(oireachtas.ie\)](https://www.oireachtas.ie/en/jointcommittees/disabilitymatters/debates/2021/05/13/progressing-disability-services-model-and-withdrawal-of-occupational-therapies-from-schools-engagement-with-hse/)

is also aware that the non-implementation of the PDS model may significantly impact the ability to meet statutory obligations under the Disability Act 2005.

Recommendation

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| 29. | <p>The Committee recommends-</p> <ul style="list-style-type: none"> a) that funding is urgently made available to ensure that the 1,400 overdue AON are completed to achieve early intervention outcomes b) the PDS model is fully funded to meet the statutory obligations of the AON process under the Disability Act 2005 c) having regard to the commencement of sections 3-13 of the Education for Persons with Special Educational Needs Act 2004 (EPSEN) Act, a review should be undertaken of the access criteria for all services for which a diagnosis is still generally required, and ensure a clear and timely pathway to services for all children according to need, as recommended by the Ombudsman for Children²² d) that funding is provided to create diagnostic services for adults with additional needs, particularly autism and ADHD |
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Respite services are crucial in addressing the impact of loss of services during the Covid-19 pandemic. It is critical that additional respite nights are made available for families impacted by loss of services.

Recommendation

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| 30. | <p>The Committee recommends that additional funding is made available for additional respite facilities and respite nights in line with the demand in waiting lists for respite services</p> |
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²² Ombudsman for Children's Office, 2020, *Unmet Needs A report by the Ombudsman for Children's Office on the challenges faced by children in Ireland who require an assessment of their needs*, pp. 28

The Committee heard that, owing to accessibility issues, there is a low uptake of health screening services, such as cervical and breast check, by women with disabilities.²³ The Committee recommends that all necessary measures be implemented to ensure that women with disabilities across all groups of disabilities can access health screening services and all data on uptake is recorded.

Recommendation

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| 31. | The Committee recommends the allocation of appropriate funding to address the inaccessibility of National Screening Services which has resulted in people with disabilities having the lowest screening rate of all patient cohorts |
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Freedom from exploitation, violence, and abuse

Witnesses to the Committee highlighted that women and other gender minority people with disabilities are at a significantly increased risk of experiencing sexual and gender-based violence.²⁴ The Committee recommends that State agencies establish measurable targets to ensure that gender-based supports, refuges, housing, services, and information be made accessible to people with disabilities as a matter of urgency. The process of establishing these targets must include the identification of robust funding models and appropriate performance-reporting metrics to ensure real service transformation and include trauma informed training for Local Authorities and An Garda Síochána.

²³ Joint Committee on Disability Matters debate, Tuesday, 9 Mar 2021, *Nothing About Us Without Us - Achieving Equal Rights and Equity for Women with Disabilities: Discussion*. Transcript Available here: [main.pdf](https://www.oireachtas.ie/main/pdf) ([oireachtas.ie](https://www.oireachtas.ie))

²⁴ *Nothing About Us Without Us - Achieving Equal Rights and Equity for Women with Disabilities: Discussion*.

Recommendation

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| 32. | The Committee recommends the immediate allocation of funding to gender-based support services to make them accessible. This is particularly urgent in the case of gender-based violence support services which are widely inaccessible, and which do not have the necessary funding to address this need |
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Autonomy and integrity

The Committee notes the Assisted Decision-Making (Capacity) Act 2015 is a priority in the Programme for Government 2020 and essential to compliance with the UNCRPD.

Recommendation

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| 33. | The Committee recommends that funding is allocated to ensure the full commencement and implementation of the Assisted Decision-Making (Capacity) Act 2015 along with funding to ensure the commencement and operation of the Decision Support Service by 20 June 2022 |
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Participation in political and public life

To ensure alignment with the UNCRPD, it is vital that the Government hears the “lived experience” and analysis of people with disabilities, across all groups of disabilities and that the capacity building of individuals and Disability Persons Organisations (DPO’s) continues to be developed so that DPOs and individuals can effectively inform the policy experience and decisions that affect their lives.

Recommendations

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| 34. | The Committee recommends that the Disability Participation and Consultation Network (DPCN) be funded to include a DPO for each group of disabilities in alignment with Article 4(3) of the UNCRPD and the voices of those with diverse intersectional experience of disability |
| 35. | The Committee recommends the allocation of funding to pilot a fund to support disabled candidates to stand for election at all levels of public office, modelled on the UK's Access to Elected Office Fund |
| 36. | The Committee recommends the allocation of funding to improve access to the voting for people from all groups of disabilities |
| 37. | The Committee recommends the allocation of specific funding to the Arts Council to support disabled artists and the examination of restrictions stipulated under State disability payments which disbar disabled artists from taking up grants and work |

Statistics, national implementation, and international cooperation

The work of the Central Statistics Office and other public statistical analysis, (including financial modelling and analysis) should contribute to and strengthen understanding of the implementation and achievement of UNCRPD and the SDGs targets and indicators in respect of disability. Data should be disaggregated by age, gender, ethnicity, and disability.

Recommendation

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| 38. | The Committee recommends the immediate allocation of funding for improved data collection and disaggregation |
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Appendix - UNCRPD Categorisation

Categorisation	Articles
General provisions of the Convention	Articles 1–4
Equality and non-discrimination	Article 5
Accessibility	Articles 9, 21, 30
Independent and adequate standard of living and social protection	Articles 19, 20, 26, 28
Employment	Article 27
Education	Articles 7, 24
Health and life	Articles 10, 23, 25
Freedom from exploitation, violence, and abuse	Articles 6, 16
Autonomy and integrity	Articles 12, 14, 15, 17
Participation in political and public life	Article 29
Statistics, national implementation, and international cooperation	Article 31, 32, 33

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