

National Disability Authority Presentation to the Joint Committee on Disability Matters – 11th November 2020

Introduction

The National Disability Authority (NDA) would like to thank the Chair and the members of the Joint Committee on Disability Matters for the opportunity to present on progress under the National Disability Inclusion Strategy 2017-2021 (NDIS).

The NDA was established in 2000 to provide independent and evidence informed advice to the Minister on matters of policy and practice relevant to the lives of persons with disabilities, and was given added functions to operate a Centre for Excellence in Universal Design from 2007. Universal Design promotes the design of the built environment, products, services and ICT, so that they can be accessed, understood and used by everyone, regardless of age, size, ability or disability. Our role means we cover a very wide range of policy areas. Our work includes research, advice, guidelines, codes of practice, and input to standards, and is also informed by the experiences and views of persons with disabilities captured in surveys and consultation exercises.

We will be assigned an additional function in relation to the provision of information and statistics to IHREC to support that body in its role as the independent monitoring mechanism for the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD or ‘The Convention’).

NDA Role in Monitoring NDIS

The NDA has a role to support the implementation of the NDIS through the delivery of its own committed actions, as well as the development of annual independent assessments of progress. Since the Strategy began, we have published two such assessments, with the third due in early 2021.

To prepare our assessments, the NDA considers bi-annual reports prepared by Departments on progress against their commitments under the Strategy, but also our broader research and policy work, informed by the lived experience of persons with disabilities, and their family members or carers.

The NDA has also developed a suite of indicators to show the overall outcomes associated with implementation of the Strategy. They are measured through robust and reliable data sources such as CSO datasets, or data captured by public bodies. Our first report against these indicators was published earlier this year.

Progress and challenges in implementation of NDIS

The NDIS is one of the mechanisms to drive progressive realisation of the goals of the Convention. A key commitment within the first half of the Strategy's lifetime was the ratification of the Convention in Ireland. The NDA recognises that further work is required to facilitate ratification of the Optional Protocol.

The NDA has also welcomed the publication of key reports during the Strategy to guide policy development for meaningful impact on the lives of persons with disabilities, including:

- The Make Work Pay report
- The report of the Taskforce on Personalised Budgets;
- Ongoing implementation of the Comprehensive Employment Strategy
- A pilot programme for the school inclusion model
- On-going implementation and review of the Access and Inclusion Model.

The NDA has also identified areas where further progress is required, in order to deliver the NDIS, and to realise the goals of the UNCRPD.

- Commencement of the Assisted Decision Making (Capacity) Act 2015
- Development of Protection of Liberty Legislation
- Reform of the Mental Health Act 2001
- Passage of the Disability Miscellaneous Provisions Bill (2016)
- Commencement of the Irish Sign Language Act 2017
- Full commencement of the EPSEN Act (2004)

The NDA also notes that progress in implementation of some actions within the NDIS has been slower than anticipated, and advises these areas for further focus, including:

- Continued work to implement the Time to Move On from Congregated Settings Policy
- Improvements in provision of statutory assessments of need as per Part 2 of the Disability Act
- Continued focus on the actions committed under the CES.

Last year's mid-term review of the Strategy allowed the opportunity to take stock of actions which needed to be revised, and to include new actions in recognition of emerging priorities, informed by consultation with persons with disabilities and their families.

Implementation Challenges

There are challenges to the implementation of some of the range of policies and programmes in relation to disability. In the NDA's work, we play a role in identifying these challenges and in working with stakeholders to consider potential solutions, informed by evidence.

Some of the cross-cutting challenges include:

- Absence of dedicated funding to transition to new models of service provision;
- Challenges in supporting structured cross-departmental working, as many barriers can only be addressed through a 'whole-of-system' approach;
- Challenges in gathering and accessing harmonised data on disability.

UNCRPD

As Ireland prepares to deliver its first State Party Report to the UN Monitoring Committee, the NDA is working to collect and analyse data in relation to a number of the Articles of the Convention that address significant aspects of the lives of persons with disabilities, e.g. education, employment, and independent living.

We also advise that it will be important to consider what ongoing implementation of the Convention looks like, in particular as the current NDIS comes to an end in 2021. The NDA notes the commitment in the Revised NDIS

to develop an overall Implementation Plan for the Convention and separate departmental plans. It will be critical that government departments and their agencies translate the aims of the Strategy into specific and measurable action plans for implementation at local level, in keeping with the government policy of mainstreaming.

COVID-19

We would like to take this opportunity to highlight the extent to which the COVID-19 pandemic has impacted the lives of persons with disabilities, including through: increased unemployment for those working in sectors vulnerable to restrictions; closure or reduced capacity of day and respite services; gaps in educational provision for children with disabilities; reduced or delayed access to non-COVID health interventions; and increased isolation for persons with disabilities.

We recognise that the pandemic has brought additional challenges and delays to implementation of some commitments under the NDIS. However, there has also been learning and opportunities to explore new ways of working that could inform future direction for disability services and supports.

Conclusion

The NDA advises the importance of the whole-of-government approach to disability encapsulated by the NDIS. While there may be some gaps in the areas covered by the Strategy, and while progress on some actions has been slower than anticipated, it nevertheless serves as a mechanism to coordinate cross-government activity, and a means of focusing attention on this key area. This in turn will enable Ireland to continue on its journey of progressive realisation of the goals of the Convention. We will continue to provide support for implementation through the provision of evidence-informed advice and guidance, and would be happy to provide more detail on any of the areas summarised within this statement.

ENDS