

**Disabled Women Ireland (DWI) Submission to the Committee on Disability Matters**  
**9<sup>th</sup> March 2021**  
**“Achieving Equal Rights and Equity for Disabled Women”.**

On behalf of Disabled Women Ireland, I thank the Chair and the members of the committee for the invitation to speak at today's meeting on “Achieving equal rights and equity for... [disabled women]”. We particularly welcome the approach of the Disability Matters Committee in consulting with disabled people and engaging with our representative organisations in a meaningful way.

First, we add our voices to the many others calling for the immediate ratification of the Optional Protocol of the UN Convention on the Rights of Persons with Disabilities.

Disabled Women Ireland (DWI) is the national Disabled Person's Organisation (DPO) representing disabled self-identified women and non-binary people. A DPO is an independent membership organisation, run by and for, disabled people. They are separate from service provision and exist to serve and represent their members on all issues which impact them. DPOs have an unrivalled expertise which is essential to bring to all conversations about disability matters. Drawing on our collective lived experience, we can provide an analysis of the systematic barriers that impact us and provide the solutions to these issues. Too often we find ourselves spoken about but not spoken to. Disabled Person's Organisations (DPOs) must receive meaningful financial and practical support to cultivate this expertise, so we are enabled to have real input on the decisions that impact our lives.

Most recently, this has been highlighted over the COVID 19 pandemic, where Disabled Person's Organisations were overlooked and ignored. This is particularly jarring - given that the data on disability deaths that other experts should supposedly have access to, does not seem to exist. We call for this information to be made available as a matter of urgency, so that we can accurately measure the scale of the challenge and, together, face it effectively. We are very well versed on the impact COVID has had on our lives, our access to health care and our access to support. DPOs should be consulted.

DWI is guided by Article 6 of the UNCPRD which recognises that disabled women experience multiple additional forms of discrimination, and that appropriate measures must be taken to enable disabled women and girls to access their rights.

DPOs are needed to ensure that the diverse and inter-related barriers affecting our communities are not overlooked. Across society, the various aspects of our identities - whether it be our sexuality, our membership of an ethnic minority or, indeed, our gender - inform the barriers we encounter in all aspects of our lives. Disabled people also need to be facilitated in engaging meaningfully with advocacy related to other areas of their identity.

Historically, women have found themselves marginalised and excluded from decisions that impact their lives; the glass ceiling that women have experienced is double glazed for disabled women.

Disabled women are more likely to be subjected to domestic, sexual and gender-based violence, yet a significant proportion of the gender-based services in Ireland are not accessible to disabled women, including intimate partner violence supports.

Screening and diagnostic tools (such as cervical and breast check) are not accessible to many disabled women nor, for that matter, are a number of sexual and reproductive healthcare services that others take for granted. As we move towards the review of the

Termination of Pregnancy Act, we are very conscious that the three day wait, and restrictive gestational limits laid out in the legislation disproportionately impact disabled women.

Education and employment attainment is lower among disabled people than in the general population and is notably lower again for disabled women.

Disabled people fought for decades for remote learning and employment, to be told it was impossible. Yet this week last year, it was brought in overnight. For those that are in employment, there is no guarantee that working from home provisions will be supported as a reasonable accommodation in the aftermath of the pandemic. We also must ensure that remote working does not become a replacement for accessible workplaces. Flexible working conditions are particularly important for disabled women, who are more likely to have care responsibilities for children or other family members.

These, among other factors, result in a sizable portion of disabled women living in consistent poverty. Ireland is lagging behind the rest of Europe in adequately facing these issues, being one of the 5 countries with the lowest performance both in terms of unemployment rates and in terms of the risk of poverty for disabled people. Indeed, the poverty trap that disabled people face was highlighted in the Dáil last week.

It was encouraging to see some small steps being taken to address the issues causing widespread poverty in our community such as Minister Humphreys' prompt response to the barriers facing disabled students offered scholarships, so effectively raised by Catherine Gallagher. Disabled people should not have to choose to live in poverty rather than meet their educational goals. However, in this particular case, it is not yet clear to what extent disability allowance will be granted to students and whether supports such as Medical Cards and Public Services Cards will be provided. Addressing this type of overlooked poverty-traps for disabled people is important, but we need to become more ambitious in our scope.

Individual changes are welcome, but we also must look at the systematic approaches which create this environment.

Currently the majority of supports and provisions available to disabled people are means tested. The "Make Work Pay" scheme goes some way to alleviate this issue, but disabled people still risk losing their supports if they want to return to work. This particularly creates barriers to disabled women who find themselves impacted by the gender pay gap as well. We call for a removal of means testing for all disability services and supports. The state has routinely failed to account for the cost of disability. We pay a disability tax effectively, which is not optional and is necessary for us to engage in an inaccessible world.

Moreover, recently released figures reveal that in 2018, 42% of Disability Allowance applications were disallowed. Yet at the appeal stage, 70% were granted.

Poverty restricts our choices, poverty undermines our dignity, and has been a root cause of us experiencing institutionalisation.

2021 has reminded us how inherently abusive institutions are with the (shambolic) Mother and Baby Homes report. As we fight to reckon fully with our institutional past, we must also end all modern institutions - including nursing homes, psychiatric care facilities, long term residential care facilities - but also direct provision and homelessness hubs. Institutionalisation makes disabled women particularly vulnerable. The horror in response to modern and supposedly historical institutional abuse, must be met with meaningful critique of the systems that facilitate it. Institutions at their best continue to segregate disabled people and deny their agency.

We must recognise that private homes can be institutionalised settings when no real option for independent living exists. Disabled women, and older disabled women in particular, need to have choice in where and with whom they live. Moreover, disabled women need autonomy over decisions concerning their lives including autonomy over their finances. Independent living requires appropriate, secure, accessible housing, but it also requires a rights-based approach to services including expanding Personal Assistance Service (PAS).

It is also crucial that while we explore new options for better social, legal and economic inclusion, we don't drop the ball on ensuring that past achievements are properly carried through. While women and disabled people are subjected to the paternalistic attitudes endemic in our society, disabled women are particularly exposed.

We note that provisions of the Disability (Miscellaneous Provisions) Act 2016 and the Irish Sign Language Act 2017, have not yet been fully and effectively enacted, and urge that all effort is made to commence the Assisted Decision-Making (Capacity) Act 2015 as soon as possible so that it does not join the long list of promises made and broken. Disabled people are the only people still denied legal capacity in Ireland. When combined with sexism, this structural denial of autonomy is worse for disabled women. It is imperative that disabled women's autonomy is respected and that we are supported to make decisions in all aspects of our lives, be it about reproduction, where and with whom we live, or medical treatment. While we battle with paternalistic legal structures, we also need to challenge broader social paternalism which limits our choices, in employment, in choosing where we live, in healthcare, in education and in our political systems.

Today DWI task you with the following four issues:

1. Allocate funds to DPOs and to women's organisations to ensure involvement of disabled women in these organisations.
2. Ensure that all institutions are relegated to the past where they belong, and that disabled people are supported to live where and with whom they choose.
3. Ensure that all gender-based supports and services are disability proofed, including gender-based violence services.
4. Ensure that disabled people are not confined to living in poverty by providing a non-means-tested disability payment and access to the supports and services that we need to live our lives.

### **Conclusion:**

We are speaking here today at the end of our #DisabilityIsn'tADirtyWord Campaign. This campaign aims to highlight and challenge the language used around disability, by inviting disabled women and non-binary people to share their experiences of using the word "Disability". We need to move away from terminology that does not serve disabled people. This campaign is a response to the language and approaches to disability which are patronising and distance us from our rights. These attitudes have been socially dominant throughout our lives but have been magnified and intensified by the recent pandemic, which has devalued disabled lives.

We are here today to mark International Women's Day, the 8th of March.

But what we hope we have communicated to you, is that if you see us only as disabled people, you miss out on seeing the impact of other aspects of our identity.

There is nothing which concerns disabled people, which does not impact us specifically as disabled women and non-binary people. There is no issue which impacts women, that does not impact us specifically as disabled women. As disabled women, we need to be involved in the conversations and at every stage of the policy making on both disability issues and gender issues.