

# **UN CRPD Article 23 – Respect for home and the family: Opening Statement to the Joint Oireachtas Committee on Disability Matters**

**Disabled Women Ireland**

**22nd November 2023**

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Dear Cathaoirleach, Leas Chathaoirleach and Committee members, thank you for your invitation to speak with you today and for examining this difficult and urgent topic, one which shapes the lives and families of disabled people up and down this country yet one it is incredibly difficult to persuade non-disabled people to engage with.

The sheer scale of the discrimination and violence our community faces around sexuality, gender and reproduction too often leads those in positions of power and decision-making to dismiss our experiences and voices as not being credible. It is too unbelievable that the country we imagine ourselves to be would stand idly by and allow this to continue into the 21st century. If we believe that up to 1 in every 3 victims of domestic abuse are disabled women, then it would be ridiculous for our national strategies, our campaigns and our laws combating violence to not mention disabled women as a focus, wouldn't it? So it can't be happening. If we accept that the enforced poverty and financial dependency our social protection system deliberately creates - which is likely to be exacerbated under the new Green Paper - plays into the hands of abusers, wouldn't that make us complicit? So it can't be happening. If we understand that there are women in Ireland today whose children are torn from them, whose right to start a family is restricted, whose lesser status is codified in the laws we pass, based solely on their identity as disabled people, we'd have a responsibility to do everything we can to stop this injustice wouldn't we? So it can't be happening.

The reason I am here today is to stand witness to the brave women, girls and non-binary people who have shared their stories and their trust with DWI and to say on their behalf: This is happening. This is real. Hear us.

Society's discomfort with disabled people's sexuality starts from a young age. Although circumstances have greatly improved in recent years, from a standard of disabled people being nearly 10 times less likely to receive sex education, disabled children and young people are still being denied access to sexual education, or receiving curtailed information far too often. Where education on sex and relationships is offered, it rarely, if ever, includes mention of disability and far too often all LGBTQIA+ content is removed, despite disabled people being significantly more likely to be members of the LGBTQIA+ community. There are also generations of disabled women, particularly those in long-term institutional settings, who never received sex ed in school and who therefore remain overlooked all their lives.

This stigma hurts us, and sometimes kills us. Disabled women are 3-5 times more likely than non-disabled women to have experienced sexual violence, or in other terms more than 80% of all disabled women have survived sexual violence, the majority more than once<sup>12</sup>

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<sup>1</sup> Violence against women: An EU-wide survey' by the European Union Fundamental Rights Agency (FRA), p.186 (2014): <https://fra.europa.eu/en/publication/2014/violence-against-women-eu-wide-survey-main-results-report>

<sup>2</sup> Nosek, M.A. (1996). Sexual abuse of women with physical disabilities. In D.M. Krotoski, M.A. Nosek, & M.A. Turk (eds)

It is essential that robust education on sexuality, relationships and consent is available to all young people, including those not in school settings, that it meaningfully reflect disabled experiences and that we eliminate compliance-based educational and therapeutic models wherever they occur. Many disabled children are exposed to hundreds or thousands of hours of interventions in which adults touch and move their bodies without their consent, penalising the children for showing distress and rewarding them for full, unquestioning compliance. Even receiving the sexual education available to their non-disabled peers cannot undo the harm caused by such methods, leaving these children exponentially more vulnerable to abuse in both childhood and adulthood.<sup>3</sup>

Discomfort and stigma around disabled sexuality persists throughout our lives and in all sectors of society. Although 67% of disabled women in Ireland are parents, centuries of viewing disabled women's fertility as a problem to be controlled or eradicated linger within our healthcare, psychiatric and judicial systems. This prejudice reveals hints of itself in disparate ways: in the discriminatory provisions of the Health (Assisted Human Reproduction) Bill 2022, in the use of contraceptives on disabled women against their expressed wishes or without their consent - an act classed as forced sterilisation by the CEDAW Convention - which continues despite the promises of the Assisted Decision-Making (Capacity) Act, in adoption and fostering decisions, in the inaccessibility of maternity and community supports, in attitudes expressed and comments made in our hospitals, our streets and our media, in social workers invoking Túsla to persuade expectant mothers to give up parental rights for their much-wanted child with a phrase echoed by too many of the women who have come to us: *"I can't imagine how someone like you could possibly be a good parent."*

Disabled people report being exposed to stigmatising and negative attitudes, ignored and offered fewer support options than non-disabled people in both maternity care and post-natal services.<sup>4</sup> This is borne out by the findings of the 2021 NDA study, which found that disabled women were almost 3 times less likely to be given any choice in their care, and national maternal death enquiries which showed that 68% of all maternal deaths in Ireland were those of disabled women and those with other conditions.<sup>5</sup> Despite these shocking findings, data disaggregation on disability is not included in standards measurements of maternity and post-maternity services or reports of obstetric violence to the best of our knowledge.

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<sup>3</sup> How much compliance is too much compliance: Is long-term ABA therapy abuse? - A.H. Sandoval-Norton et al (J.A. Rushby ed) Cogent Psychology Vol. 6 Iss. 7 (2019): <https://www.tandfonline.com/doi/full/10.1080/23311908.2019.1641258>

<sup>4</sup> Experiences of Women with Disabilities in their Journey through Maternity Services in Ireland - National Disability Authority (May 2021): [https://nda.ie/uploads/publications/experiences-of-women-with-disabilities-in-their-journey-through-maternity-services-in-ireland\\_nda21.pdf](https://nda.ie/uploads/publications/experiences-of-women-with-disabilities-in-their-journey-through-maternity-services-in-ireland_nda21.pdf)

<sup>5</sup> M.F. O'Hare, E. Manning, P. Corcoran & R.A. Greene on behalf of MDE Ireland, University College Cork (Dec. 2017): Confidential Maternal Death Enquiry in Ireland: Report for 2013 – 2015: <https://www.ucc.ie/en/media/research/maternaldeathenquiryireland/Confidential-Maternal-Death-Enquiry-Report-2013---2015--Web.pdf>

The Abortion Rights Campaign (ARC) research on experiences of accessing abortion care in Ireland since Repeal found that almost half of disabled respondents reported additional barriers and/or had a more negative experience of accessing care, due to their being disabled<sup>6</sup> For more than 5 years, Disabled Women Ireland have provided submissions and expert opinions to all stakeholders to highlight the inequalities of access to this healthcare under the current system, yet there is every indication that this inequality will persist after the Review. We see these systemic barriers reflected in access to cancer screening and other areas of women's health and a similar lack of Governmental will to commit to the changes needed to remove them.

The lack of data available on the many forms of inequality disabled gender minorities are subjected to can be used to discount experience after experience and account after account. Every time disabled women report discrimination and inequality we view it as an unfortunate failure of the system in isolated occasions, thereby hiding the reality of their systemic disenfranchisement in plain sight. We don't measure what we don't value, and at this point in time it's difficult to claim that Ireland truly values the lives, health and families of disabled women.

When we begin counting, valuing and listening to people marginalised by the systems our society has built, and find the courage to face hard truths and commit to ambitious action, then we can create the country we like to imagine ourselves to be. There is nothing standing in our way except our wish to disbelieve and to deny both the reality disabled womens' experiences and our responsibility to change it.

Thank you again for taking this first step towards that change.

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<sup>6</sup>Abortion Rights Campaign and Lorraine Grimes (Sept. 2021), 'Too Many Barriers: Experiences of Abortion in Ireland after Repeal': [https://www.abortionrightscampaign.ie/wp-content/uploads/2021/09/Too-Many-Barriers-Report\\_ARC1.pdf](https://www.abortionrightscampaign.ie/wp-content/uploads/2021/09/Too-Many-Barriers-Report_ARC1.pdf)