

My name is David Digan. I am a 39 year old, father of a 7 year old daughter from County Westmeath. I am a self advocate single arm amputee. I have been advocating for change in Primary Medical Certificate(PMC) as the 1968 outdated criteria only includes 6 disabilities and single arm amputees is not one of them. The UNCRPD Law is been breached by the Irish Government as my rights are being hindered because of various barriers due to the PMC criteria. I am being isolated from my local community and it is effecting me from participating in society as an equal basis with others.

I need to be able to afford to run my car so I can attend hospital appointments in Dublin, travel to collect my daughter who lives 20 kilometres away. The free travel pass does not bring me directly to these places. My annual car tax is €710 as I have an older car. I am on disability allowance so this is leaving me either to chose between food or tax on my car.

I have advocated for myself through social media, newspapers and radio interviews. I have gone to many TD's who have sent letters to the Department of Finance. Myself and my partner have emailed the Minister for Finance, Minister for Health, the 2 Ministers for children, equality, disability, integration and Youth and the Taoiseach Leo Varadkar. All of the Ministers emailed back to say that it was the Department of Finance that is over the Primary medical Certificate. Deputy Carol Nolan asked the Taoiseach Leo Varadkar at leaders Questions on the 30th January 2024 to amend the PMC Criteria and his response was "he committed himself to review the PMC Criteria" and to talk to the Minister for Finance about the PMC Criteria. But to this date nothing that was promised has been done.

The Minister for Finance Private Secretary replied to myself and my partner and the following was stated in an email “The Department has carried out a review of the Disabled Drivers and Disabled Passengers scheme(DDS) and had found that it is no longer fit for purpose due to the narrow medical criteria on which it is based on”. They then go on to say “that the National disability Inclusion Strategy (NDIS) Transport working group, chaired by Minister Anne Rabbitte endorsed proposal to replace the DDS and noted these were clear deliverable for the future but however the report did not set out the next steps. The talks for this has been ongoing since 2021 so there has been no change or any steps put in place for this new proposed scheme. The board for the Primary medical certificate resigned in November 2021 as they too believe it is not fit for purpose. Action is now needed, the time for talking is over.

The key issue is that the Irish Government is not abiding by the UNCRPD that they signed into and ratified in 2018. It does not meet the needs of a significant group of those with disability impairment. It requires the disabled person like myself a single arm amputee to prove that they are sufficiently disabled. This is isolating individuals with disabilities like myself and not including us as an equal individual in the community.

Article 26 (Title 3: Equality) is entitled Integration of a person with disabilities. I think this needs to be used as a platform by the Irish Government, this will ensure that people like myself with disabilities benefit on a personal, social and occupational integration in society.

Please refer to the evidence I have provided about The United Nations Convention on the rights of People with Disabilities (UNCRPD) page 11 “Reasonable Accommodation”.

- The UNCRPD “elaborates for the first time in a legally binding international human rights convention the concept of reasonable accommodation, explicitly linking it to the relaxation of all human rights – civil, political, economic, social, cultural and embedding it within the non- discrimination mandate”.
- Reasonable accommodation is any facilitated change that is required to enable a person with a disability.
- Reasonable accommodation is also a central theme of the UNCRPD.

Article 2 states: Reasonable accommodation means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.

Article 5 of the UNCRPD states that the function of reasonable accommodation is to ‘Promote equality and eliminate discrimination.

The UNCRPD defines the denial of reasonable accommodation as a mode of discrimination.

Discrimination on the basis of disability means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of reasonable accommodation.

So on reading the “Reasonable accommodation” section on my evidence it is clear to see that the Irish Government are not holding up to the UNCRPD Law as they are breaching my rights as a disabled person as I cannot integrate with my local communities socially. I want some sort of independence in my life. Is losing 1 arm not enough to qualify as disabled. I am paralysed for the rest of my life, I have a long term disability.

The Irish Government spent 1.3million last year on advertising for Disability in Ireland, if that money was invested in supporting people with disabilities we would not need this meeting here today.

I wanted to ask “were was the details of the Joint committee on disabilities matters meeting advertised”? I believe that people with disabilities have to play cat and mouse to find out information to try and get what we are entitled to. The fact I have to speak to you about this is a disgrace. I thought that been a disabled person was hard enough but now I have to fight for what I am entitled to. I want my independence and not to be relying on others for transport. It is shocking in this day and age that I have to talk to you about how as a disabled person in Ireland I am been fobbed off by Ministers and not getting help or support from the Irish Government. The least the Irish Government can do is include other disabilities such as single arm amputees to the PMC Criteria, this can be done with pressure put on by the UNCRPD as it is the UNCRPD Law that is been broken.

Any evidence I have submitted has references and links so I have evidence to back up what I am saying.

People with disabilities are been forgotten about and we are not going to allow this any more. It’s time for Action and change now.

