



Convention on the Rights of Persons with Disabilities

Distr.: General
3 October 2017

Original: English

Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland*

I. Introduction

1. The Committee considered the initial report of the United Kingdom of Great Britain and Northern Ireland (CRPD/C/GBR/1) at its 348th and 349th meetings (see CRPD/C/SR.348 and 349), held on 23 and 24 August 2017. It adopted the present concluding observations at its 356th meeting, held on 29 August 2017.
2. The Committee welcomes the initial report of the State party, which was prepared in accordance with the Committee's reporting guidelines. It also appreciates the State party's written replies (CRPD/C/GBR/Q/1/Add.1) to the list of issues prepared by the Committee (CRPD/C/GBR/Q/1). It further appreciates the clarifications provided in response to the questions posed orally by the Committee.
3. The Committee appreciates the constructive dialogue held during the consideration of the report and commends the State party for its delegation, which included delegates from various departments of the Government of the United Kingdom of Great Britain and Northern Ireland, authorities from Northern Ireland, and the governments of Scotland and Wales.

II. Positive aspects

4. The Committee commends the State party for the withdrawal of its reservation to article 12 (4) of the Convention.
5. The Committee welcomes the information about the adoption of legislative and policy measures that develop different aspects of the Convention and in the design of which organizations of persons with disabilities were involved, such as the national plan of action to implement the Convention launched in 2016 in Scotland, and the Scottish social security system. It also welcomes the adoption in 2016 of the Accessible Travel Framework in Scotland, which includes provisions on accessibility for persons with disabilities, and the Social Services and Well-being (Wales) Act 2014, which provides a framework for social services and health.

* Adopted by the Committee at its eighteenth session (14-31 August 2017).



III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1-4)

6. The Committee welcomes the information about the support of the Government of the State party to the Crown Dependencies and Overseas Territories for the extension of the Convention. However, it observes with concern:

(a) The insufficient incorporation and uneven implementation of the Convention across all policy areas and levels within all regions, devolved governments and territories under its jurisdiction and/or control;

(b) The lack of consistency across the State party in the understanding of, adapting to and applying the human rights model of disability and its evolving concept of disability;

(c) The absence of a comprehensive and cross-cutting review of the State party's legislation and policies, including within the devolved governments, in order to harmonize legal content and practice with the Convention;

(d) The existing laws, regulations and practices that discriminate against persons with disabilities;

(e) The lack of information on policies, programmes and measures that will be put in place by the State party to protect persons with disabilities from being negatively affected when article 50 of the Treaty on European Union is triggered.

7. **The Committee recommends that the State party:**

(a) **Incorporate the Convention into its legislation, recognizing access to domestic remedies for breaches of the Convention, and adopt an appropriate and comprehensive response to the obligations enshrined in the Convention in its policies and programmes across the State party, including all devolved governments;**

(b) **Strengthen its efforts to extend the Convention and support its implementation in the Overseas Territories;**

(c) **Adopt legally binding instruments to implement the concept of disability, in line with article 1 of the Convention, and ensure that new and existing legislation incorporates the human rights model of disability across all policy areas and all levels and regions of all devolved governments and jurisdictions and/or territories under its control;**

(d) **Undertake a comprehensive cross-cutting review of its legislation and policies to bring them into line with article 1 of the Convention, and ensure that the legal framework protects persons with disabilities against discrimination on the grounds of disability. The State party should involve organizations of persons with disabilities and national human rights institutions in this process;**

(e) **Expedite the process to develop a measurable strategic framework and plan of action, with sufficient financial resources, aimed at abolishing laws, regulations, customs and practices that constitute discrimination against persons with disabilities and ensuring the equal protection of persons with disabilities;**

(f) **Prevent any negative consequences for persons with disabilities resulting from the decision to trigger article 50 of the Treaty on European Union, in close consultation with organizations of persons with disabilities.**

8. The Committee is concerned at the lack of State party-led initiatives aimed at assessing and sufficiently addressing the inclusion of and living conditions for persons with disabilities, particularly in Northern Ireland and the territories under its jurisdiction and/or control.

9. **The Committee recommends that the State party collect information and adopt a strategic and measurable plan of action for improving the living conditions of all**

persons with disabilities, including in close cooperation with the authorities in Northern Ireland and the territories under its jurisdiction and/or control.

10. The Committee is concerned about:

(a) The challenges facing organizations of persons with disabilities, including organizations representing women, children and intersex persons with disabilities, in accessing support and being consulted and actively involved in the implementation of the Convention;

(b) The lack of sufficient mechanisms to ensure the effective participation of all organizations of persons with disabilities in decision-making processes concerning policies and legislation in all areas of the Convention, such as the strategy entitled “Fulfilling Potential: making it happen”.

11. **The Committee recommends that the State party:**

(a) **Allocate financial resources to support organizations representing persons with disabilities, including women and children with disabilities, and develop mechanisms to ensure the inclusive, strategic and active involvement of organizations of persons with disabilities, including women, children and intersex persons, in the planning and implementation of all legislation and measures that affect the lives of persons with disabilities;**

(b) **Establish mechanisms to secure the full participation of organizations of persons with disabilities in the design and implementation of strategic policies aimed at implementing the Convention across the State party, through objective, measurable, financed and monitored strategic action plans.**

B. Specific rights (arts. 5-30)

Equality and non-discrimination (art. 5)

12. The Committee is concerned about perceptions in society that stigmatize persons with disabilities as living a life of less value than that of others and about the termination of pregnancy at any stage on the basis of fetal impairment.

13. **The Committee recommends that the State party amend its abortion law accordingly. Women’s rights to reproductive and sexual autonomy should be respected without legalizing selective abortion on the ground of fetal deficiency.**

14. The Committee is concerned that the State party’s anti-discrimination legislation does not provide comprehensive and appropriate protection, particularly against multiple and intersectional discrimination, including in access to housing. It is also concerned about the low level of redress in rulings adopted by the judiciary when adjudicating cases of discrimination against persons with disabilities.

15. **The Committee recommends that the State party, in line with Goal 10 and targets 10.2 and 10.3 of the Sustainable Development Goals, explicitly incorporate in its national legislation protection from multiple and intersectional discrimination on the basis of gender, age, race, disability, migrant, refugee and/or other status, and provide appropriate compensation and redress for victims, and sanctions proportional with the severity of the violation.**

16. The Committee is concerned that the duty to make reasonable adjustments to the common parts of residential properties in the Equality Act 2010 is not yet in force, and that persons with disabilities living in Northern Ireland are not adequately protected against direct and indirect disability-based discrimination and against discrimination by association.

17. **The Committee recommends that the State party:**

(a) **Bring its anti-discrimination legislation into accordance with the Convention and speed up the process to bring into force all legislative provisions in the Equality Act 2010, including those concerning reasonable accommodation in the housing sector;**

(b) **Take the necessary measures through the appropriate authorities, once the Northern Ireland government is in place, to ensure that the Northern Ireland Executive reform on disability rights law reflects the recommendations made by the Equality Commission for Northern Ireland in its 2012 Strengthening Protection for Disabled People report to protect persons with disabilities in Northern Ireland from direct and indirect disability-based discrimination and discrimination through association.**

Women with disabilities (art. 6)

18. The Committee is concerned that the rights of women and girls with disabilities have not been systematically mainstreamed into both the gender equality and disability agendas. The Committee is also concerned at the lack of measures and available data concerning the impact of multiple and intersectional discrimination against women and girls with disabilities.

19. **The Committee recommends that the State party, in close consultation with organizations of women and girls with disabilities, mainstream the rights of women and girls with disabilities into disability and gender equality policies. It also recommends that the State party, in line with the Committee's general comment No. 3 (2016) on women and girls with disabilities and targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals, adopt inclusive and targeted measures, including the collection of disaggregated data, to prevent multiple and intersectional discrimination against women and girls with disabilities, particularly those with intellectual and/or psychosocial disabilities, in education, employment, health and access to justice and in terms of poverty and violence.**

Children with disabilities (art. 7)

20. The Committee is concerned about:

(a) The lack of a policy framework addressing the poverty of many families with children with disabilities;

(b) The failure to incorporate the human rights model of disability in public policies and legislation concerning children and young persons with disabilities;

(c) The lack of monitoring mechanisms and reliable indicators, particularly concerning bullying against children with disabilities in school;

(d) The absence of a general statutory duty upon public authorities to ensure adequate childcare for children with disabilities;

(e) The reported increase of incidents of bullying, hate speech and hate crime against children with disabilities.

21. **The Committee recommends that the State party, in close consultation with organizations representing children with disabilities, develop and implement policies aimed at:**

(a) **Eliminating the higher level of poverty among families with children with disabilities;**

(b) **Incorporating the human rights model of disability into all laws and regulations concerning children with disabilities;**

(c) **Setting up an independent monitoring mechanism to assess the situation of children with disabilities in school, particularly those facing bullying, through reliable indicators;**

(d) **Securing sufficient and disability-sensitive childcare as a statutory duty across the State party;**

(e) **Strengthening measures to prevent bullying, hate speech and hate crime against children with disabilities.**

Awareness-raising (art. 8)

22. The Committee is concerned at the persistence of negative attitudes, stereotypes and prejudice against persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities and persons with neurological and cognitive conditions such as dementia and Alzheimer's, and about their social protection entitlements

23. The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities, strengthen its awareness-raising campaigns aimed at eliminating negative stereotypes and prejudice towards persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities and persons with neurological and cognitive conditions such as dementia and Alzheimer's. To that end, the State party should include mass media strategies and campaigns, with different target audience groups, based on the human rights model of disability.

Accessibility (art. 9)

24. The Committee is concerned by the insufficient scope, content and number of obligatory and implemented accessible standards relating to, among others, the physical environment, affordable housing, information and communications technology (ICT), transport and information in urban and rural areas. It is also concerned that austerity measures have hindered the advancement of accessibility for persons with disabilities.

25. The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities:

(a) **Identify outstanding gaps across the State party in terms of obligatory accessibility standards in all areas of the Convention, among others, the design of affordable and accessible physical environments, housing, ICT, information formats and transport infrastructure, including emergency services and green and public spaces in both urban and rural areas, and ensure that the standards are met;**

(b) **Pay attention to the links between article 9 of the Convention and the Committee's general comment No. 2 (2014) on accessibility, and targets 9, 11.2 and 11.7 of the Sustainable Development Goals;**

(c) **Monitor the development towards full inclusion through accessibility and sanction violations of accessibility regulations.**

Right to life (art. 10)

26. The Committee notes with concern that the substituted decision-making applied in matters of termination or withdrawal of life-sustaining treatment and care is inconsistent with the right to life of persons with disabilities as equal and contributing members of society.

27. The Committee recommends that the State party adopt a plan of action aimed at eliminating perceptions towards persons with disabilities as not having "a good and decent life" and recognizing persons with disabilities as equal to others and part of the diversity of humankind. It also recommends that the State party ensure access to life-sustaining treatment and/or care.

Situations of risk and humanitarian emergencies (art. 11)

28. The Committee is concerned about the impact on persons with disabilities in situations of emergencies, including floods and fire, and the absence of comprehensive policies related to disaster risk reduction that include persons with disabilities in the planning, implementation and monitoring processes of disaster risk reduction.

29. The Committee recommends that the State party:

(a) **Adopt a comprehensive disaster risk reduction plan and strategies that provide for accessibility and inclusion of persons with disabilities in all situations of risk, in line with the Sendai Framework for Disaster Risk Reduction, in close consultation with organizations of persons with disabilities;**

(b) **Mainstream disability in all humanitarian aid channels and involve organizations of persons with disabilities in setting priorities on aid distribution in the context of risk and humanitarian emergencies, paying attention to the Charter on Inclusion of Persons with Disabilities in Humanitarian Action;**

(c) **Develop information and warning systems in humanitarian emergencies that are accessible for all persons with disabilities;**

(d) **Ensure that organizations of persons with disabilities participate in resilience teams at the local level and have an active role in advising on and formulating policies and guidelines regarding disaster preparedness and planning.**

Equal recognition before the law (art. 12)

30. The Committee is concerned about:

(a) The legislation in the State party that restricts the legal capacity of persons with disabilities on the basis of actual or perceived impairment;

(b) The prevalence of substituted decision-making in legislation and in practice, and the lack of full recognition of the right to individualized supported decision-making that fully respects the autonomy, will and preferences of persons with disabilities;

(c) The insufficient support to all asylum seekers and refugees with psychosocial and/or intellectual disabilities in exercising their legal capacity;

(d) The high number of black people with disabilities who are compulsorily detained and treated against their will.

31. **The Committee recommends that the State party, in close consultation with organizations of persons with disabilities, including those representing persons from black and minority ethnic groups and in line with the Committee's general comment No. 1 (2014) on equal recognition before the law, abolish all forms of substituted decision-making concerning all spheres and areas of life by reviewing and adopting new legislation in accordance with the Convention to initiate new policies in both mental capacity and mental health laws. It urges the State party to step up efforts to foster research, data and good practices in the area of, and speed up the development of, supported decision-making regimes. It recommends that the State party ensure that asylum seekers and refugees with disabilities can exercise all rights enshrined in the Convention.**

Access to justice (art. 13)

32. The Committee is concerned about:

(a) The low level of awareness among the judiciary and law enforcement officials about the human rights of persons with disabilities;

(b) Reports of persons with psychosocial and/or intellectual disabilities who do not receive appropriate support in exercising their legal capacity and access to justice;

(c) The barriers faced by persons with disabilities in accessing civil legal aid as a consequence of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 in England and Wales and the introduction of fees for employment tribunals in the State party;

(d) The fact that the regulations exclude persons with hearing impairments from participation in jury proceedings, and that personal assistants/interpreters are not deemed to constitute procedural accommodation.

33. **The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities:**

(a) **Develop and implement capacity-building programmes among the judiciary and law enforcement personnel, including judges, prosecutors, police officers and prison staff, about the rights of persons with disabilities;**

(b) **Design and implement a decision-making regime with guidelines and appropriate resources, focusing on respecting the will and preferences of persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities, in court proceedings;**

(c) **Provide free or affordable legal aid for persons with disabilities in all areas of law and remove fees to access courts and employment tribunals, bearing in mind the Supreme Court ruling of 26 July 2017 regarding the Employment Tribunal's fees (*R (on the application of UNISON) (Appellant) v. Lord Chancellor (Respondent)*);**

(d) **Ensure that all persons with disabilities enjoy the right and are provided with adequate procedural accommodation within the justice system, and enable in particular deaf persons through the use of sign language interpreters, to fully and equally participate as jurors in court proceedings;**

(e) **Take measures to empower persons with disabilities to work in the justice system as judges, prosecutors or in other positions, with the provision of all necessary support.**

Liberty and security of the person (art. 14)

34. The Committee is concerned that the State party's legislation provides for involuntary, compulsory treatment and detention both inside and outside hospitals on the basis of actual or perceived impairment.

35. **The Committee recommends that the State party:**

(a) **Repeal legislation and practices that authorize non-consensual involuntary, compulsory treatment and detention of persons with disabilities on the basis of actual or perceived impairment;**

(b) **Take appropriate measures to investigate and eliminate all forms of abuse of persons with disabilities in institutional facilities.**

Freedom from torture and cruel, inhuman or degrading treatment or punishment (art. 15)

36. The Committee is concerned about the continued use of physical, mechanical and chemical restraint, including the use of Taser guns and similar weapons, on persons with disabilities, which affects persons with psychosocial disabilities in prisons, the youth justice system, health-care and education settings, as well as practices of segregation and seclusion. The Committee is deeply concerned that these measures disproportionately affect black and other persons with disabilities belonging to ethnic minorities. It is also concerned about the absence of a unified strategy in the State party to review these practices. The Committee is further concerned at the occurrence of non-consensual electroconvulsive therapy across the devolved governments and particularly in Northern Ireland, and about excessive antipsychotic medication in England and Wales.

37. **The Committee recommends that the State party:**

(a) **Adopt appropriate measures to eradicate the use of restraint for reasons related to disability within all settings and prevent the use of Taser guns against persons with disabilities, as well as practices of segregation and isolation that may amount to torture or inhuman or degrading treatment;**

(b) **Set up strategies, in collaboration with monitoring authorities and national human rights institutions, in order to identify and prevent the use of restraint for children and young persons with disabilities;**

(c) **Implement the outstanding recommendations contained in the February 2015 report of the inquiry by the Equality and Human Rights Commission entitled "Preventing Deaths in Detention of Adults with Mental Health Conditions";**

(d) **Prohibit any use of non-consensual electroconvulsive therapy on the basis of any form of impairment, in all regions, ensure that safeguards are based on the human rights model and are not limited to medical criteria, and work through**

appropriate authorities to ensure monitoring of this development, particularly in Northern Ireland.

Freedom from exploitation, violence and abuse (art. 16)

38. The Committee is concerned about abuse, ill-treatment, sexual violence and exploitation of women, children, intersex persons and elderly persons with disabilities, and the insufficient measures to prevent all forms of exploitation, violence and abuse against persons with disabilities. It is also concerned at reports of cases of disability hate crime, in the absence of consistent data collection and differences in legal provisions for sentencing different types of hate crime, particularly in England and Wales.

39. The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities, and in line with target 16.3 of the Sustainable Development Goals:

(a) **Establish measures to ensure equal access to justice and to safeguard persons with disabilities, particularly women, children, intersex persons and elderly persons with disabilities from abuse, ill-treatment, sexual violence and exploitation;**

(b) **Define comprehensively the offence of disability hate crime, and ensure appropriate prosecutions and convictions;**

(c) **Ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities, in accordance with article 16 (3) of the Convention.**

Protecting the integrity of the person (art. 17)

40. The Committee is concerned that persons with disabilities, including women, intersex persons, girls and boys, reportedly continue to be subjected to involuntary medical treatment, including forced sterilization and conversion surgeries.

41. The Committee recommends that the State party repeal all types of legislation, regulations and practices allowing any form of forced intervention or surgery, and ensure that the right to free, prior and informed consent to treatment is upheld and that supported decision-making mechanisms and strengthened safeguards are provided, paying particular attention to women, intersex persons, girls and boys.

Liberty of movement and nationality (art. 18)

42. The Committee is concerned that the State party maintains its reservation to article 18 of the Convention.

43. The Committee recommends that the State party withdraw its reservation to article 18 of the Convention.

Living independently and being included in the community (art. 19)

44. The Committee is concerned about:

(a) The fact that the State party's legislation fails to recognize living independently and being included in the community as a human right that enshrines individual autonomy, control and choice as intrinsic aspects of that right;

(b) Policies and measures that affect the ability to live independently in the community, such as the reduction in social protection schemes related to housing, household income and budgets for independent living, as well as the closure of the Independent Living Fund;

(c) The fact that responsibility for supporting independent living has been transferred to the devolved administrations and local authorities without providing appropriate and earmarked budget allocation;

(d) The fact that many persons with disabilities are still institutionalized and deprived of the right to live independently and be included within the community, when: (i)

they lack the financial resources to afford personal assistance; (ii) local authorities are of the opinion that they can provide assistance within care homes; and (iii) the cost rationale constitutes the main parameter of an assessment;

(e) The lack of support services and accessible public facilities, including personal assistance, for persons with disabilities, regardless of sex, gender, age and other status, to live independently and be included in the community.

45. The Committee recommends that the State party, in line with the Committee's general comment No. 5 (2017) on living independently and being included in the community and the Committee's report on its inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out under article 6 of the Optional Protocol to the Convention:

(a) **Recognize the right to living independently and being included in the community as a subjective right, recognize the enforceability of all its elements, and adopt rights-based policies, regulations and guidelines to ensure implementation;**

(b) **Conduct periodic assessments in close consultation with organizations of persons with disabilities to address and prevent the negative effects of policy reforms through sufficiently funded and appropriate strategies in the area of social support and living independently;**

(c) **Provide adequate, sufficient earmarked funding to local authorities and administrations, including the devolved governments, to be able to continuously allocate adequate resources allowing persons with disabilities to live independently and be included in the community and to exercise their right to choose their place of residence and where and with whom to live;**

(d) **Set up a comprehensive plan, developed in close collaboration with organizations of persons with disabilities, aimed at the deinstitutionalization of persons with disabilities, and develop community-based independent living schemes through a holistic and cross-cutting approach, including education, childcare, transport, housing, employment and social security;**

(e) **Allocate sufficient resources to ensure that support services are available, accessible, affordable, acceptable, adaptable and are sensitive to different living conditions for all persons with disabilities in urban and rural areas.**

Freedom of expression and opinion, and access to information (art. 21)

46. The Committee notes with concern:

(a) The limited provision of accessible information from public services and authorities and the insufficient obligatory standards for making websites accessible and for monitoring ICT-accessibility;

(b) The insufficient resources for the education and training of sign language interpreters and the insufficient availability of and access to high-quality educated sign language interpreters, especially in relation to education, employment, health and leisure activities;

(c) The lack of training and education for families, classmates and co-workers in high-quality sign language communication in order to better provide for the inclusion within the community of deaf persons and hard of hearing persons.

47. The Committee recommends that the State party, in consultation with organizations representing persons with disabilities:

(a) **Identify outstanding gaps in the implementation of obligatory accessibility standards on information channels based on ICT;**

(b) **Ensure that legislation provides for the right to high-quality sign language interpretation and other forms of alternative communication in all spheres of life for deaf persons and hard of hearing persons, in accordance with the Convention;**

(c) **Allocate resources for the education of children with hearing impairments, their families and others, such as classmates and co-workers, in British Sign Language and tactile language.**

Respect for privacy and the family (art. 23)

48. The Committee is concerned that parents with disabilities do not receive appropriate services and support, resulting in children being removed from the family environment and placed in foster care, group homes or institutions. It is also concerned at the insufficient funding for parents of deaf children to learn sign language.

49. **The Committee recommends that the State party:**

(a) **Ensure appropriate support for parents with disabilities to effectively fulfil their role as parents and ensure that disability is not used as a reason to place their children in care or remove them from the family home;**

(b) **Ensure that local authorities have the legal duty to allocate and provide funds for parents wishing to learn sign language.**

Education (art. 24)

50. The Committee takes note of the information provided by the State party about its reservation to article 24 (2) (a) and (b) of the Convention in relation to new evidence or research findings.

51. **The Committee recommends that the State party withdraw its reservation to article 24 (2) (a) and (b) of the Convention without further delay.**

52. The Committee is concerned at:

(a) The persistence of a dual education system that segregates children with disabilities in special schools, including based on parental choice;

(b) The increasing number of children with disabilities in segregated education environments;

(c) The fact that the education system is not equipped to respond to the requirements for high-quality inclusive education, particularly reports of school authorities refusing to enrol a student with disabilities who is deemed to be “disruptive to other classmates”;

(d) The fact that the education and training of teachers in inclusion competences does not reflect the requirements of inclusive education.

53. **The Committee recommends that the State party, in close consultation with organizations of persons with disabilities, especially organizations representing children and young persons with disabilities, and in line with the Committee’s general comment No. 4 (2014) on the right to inclusive education and targets 4.5 and 4.8 of the Sustainable Development Goals:**

(a) **Develop a comprehensive and coordinated legislative and policy framework for inclusive education and a timeframe to ensure that mainstream schools foster real inclusion of children with disabilities in the school environment and that teachers and all other professionals and persons in contact with children understand the concept of inclusion and are able to enhance inclusive education;**

(b) **Strengthen measures to monitor school practices concerning enrolment of children with disabilities and offer appropriate remedies in cases of disability-related discrimination and/or harassment, including deciding upon schemes for compensation;**

(c) **Adopt and implement a coherent and adequately financed strategy, with concrete timelines and measurable goals, on increasing and improving inclusive education. The strategy must:**

- (i) **Ensure the implementation of laws, decrees and regulations on improving the extent and quality of inclusive education in classrooms, support provisions and teacher training, including pedagogical capabilities, across all levels providing for high-quality inclusive environments, including within breaks between lessons and through socialization outside “education time”;**
- (ii) **Set up awareness-raising and support initiatives about inclusive education among parents of children with disabilities;**
- (iii) **Provide sufficient, relevant data on the number of students both in inclusive and segregated education, disaggregated by impairment, age, sex and ethnic background, and on the outcome of the education, reflecting the capabilities of the students.**

Health (art. 25)

54. The Committee is concerned about the uneven access to health across the State party, including under the devolved governments, and about:

- (a) Systemic, physical, attitudinal and/or communicative barriers preventing persons with disabilities from accessing mainstream health services, such as inaccessible furnishing, training and treatment equipment, medicine and supplies, means of information and communication, limited access to clinics and health-care professionals, hospitals, dentists, gynaecologists and obstetricians;
- (b) Barriers for persons with disabilities to obtain privacy regarding management of personal health-related data;
- (c) Multiple barriers to access to sexual and reproductive health-care services and insufficient information and education on family planning in accessible formats for persons with disabilities, particularly women and girls;
- (d) Reports of cases in which no attempt was made to resuscitate persons with intellectual and/or psychosocial disabilities;
- (e) The suicide rate among persons with disabilities, particularly in Northern Ireland.

55. **The Committee recommends that the State party, in close collaboration with representative organizations of persons with disabilities:**

- (a) **Develop a targeted, measurable and financed plan of action aiming at eliminating barriers in access to health care and services, and monitor and measure its progress, especially in relation to persons with intellectual and/or psychosocial disabilities and those with neurological and cognitive conditions;**
- (b) **Set up protocols for medical services that respect the right of persons with disabilities to privacy in information about health;**
- (c) **Ensure equal access to sexual and reproductive health-care services, as set out in target 3.7 of the Sustainable Development Goals, and provide information and education on family planning for persons with disabilities in accessible formats, including Easy Read;**
- (d) **Ensure that medical professionals are under the obligation to enforce standards set in guidance and criteria on “do not resuscitate” orders for persons with disabilities on an equal basis with others;**
- (e) **Address the high suicide rate among persons with disabilities, especially persons with intellectual and/or psychosocial disabilities.**

Work and employment (art. 27)

56. The Committee is concerned about:

(a) The persistent employment gap and pay gap for work of equal value affecting persons with disabilities, especially women and persons with psychosocial and/or intellectual disabilities, as well as persons with visual impairments;

(b) The insufficient affirmative action measures and provision of reasonable accommodation to ensure that persons with disabilities can access employment on the open labour market, despite the obligations contained in European Union Directive 2000/78/EC on non-discrimination in the workplace;

(c) The process related to the Employment and Support Allowance and the fact that the Work Capability Assessment emphasizes a functional evaluation of skills and capabilities, rather than recognizing the interactions between impairment and barriers in society faced by persons with disabilities;

(d) The State party's upholding of its reservation to article 27 of the Convention, which disproportionately affects persons with disabilities who are actively involved in military matters.

57. The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities, and in line with the Committee's report on its inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out under article 6 of the Optional Protocol to the Convention:

(a) Develop and decide upon an effective employment policy for persons with disabilities aimed at ensuring decent work for all persons with disabilities, bearing in mind the State party's target of 1 million jobs for persons with disabilities, and ensure equal pay for work of equal value, focusing especially on women with disabilities, persons with psychosocial and/or intellectual disabilities and persons with visual impairments, and monitor those developments;

(b) Ensure that reasonable accommodation is provided to all persons with disabilities who require it in the workplace, that regular training on reasonable accommodation is available to employers and employees without disabilities, and that dissuasive and effective sanctions are in place in cases of denial of reasonable accommodation;

(c) Ensure that the legal and administrative requirements of the process to assess working capabilities, including the Work Capability Assessment, are in line with the human rights model of disability, that those who conduct the assessments are qualified and duly trained in that model, and that the assessments take into consideration work-related as well as other personal circumstances. The State party must ensure that the adjustments and support necessary to access work, as well as financial support, are provided and that they are not subject to sanctions or conditional upon carrying out job seeking activities;

(d) Withdraw its reservation to article 27 of the Convention;

(e) Bear in mind the links between article 27 of the Convention and target 8.5 of the Sustainable Development Goals.

Adequate standard of living and social protection (art. 28)

58. The Committee is concerned about:

(a) The impact of austerity measures and anti-poverty initiatives introduced as a consequence of the financial crisis in 2008/09, which resulted in severe economic constraints among persons with disabilities and their families, particularly families with children with disabilities, including increased reliance on food banks;

(b) The negative impact on the standard of living of persons with disabilities of, among others, the reductions in social support, unemployment allowance, independence payments and Universal Credit payments and the insufficient compensation for disability-related costs;

(c) The eligibility criteria for and the local differences to social protection and support, and the introduction of the Personal Independence Payment, which has reduced the

number of recipients of disability-related allowances and had a negative impact on the standard of living of many persons with disabilities and their families;

(d) The detrimental impact of the Employment and Support Allowance conditionality and sanctions on persons with disabilities and the limited access to reconsideration and appeal procedures.

59. The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities across all territorial entities, in line with the Committee's report on its inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out under article 6 of the Optional Protocol to the Convention, guided by article 28 of the Convention and implementing target 10.2 of the Sustainable Development Goals:

(a) **Introduce, adopt and implement legislative frameworks to ensure that social protection policies and programmes across the State party secure income levels for all persons with disabilities and their families, by taking into account the additional costs relating to disability, and ensuring that persons with disabilities are able to exercise their parental responsibilities. The State party must ensure that members of the new Employment and Support Allowance work-related activity group have access to full compensation of disability-related costs;**

(b) **Carry out a cumulative impact assessment, based on disaggregated data, of the recent and forthcoming reforms of the social protection system for persons with disabilities, and in close collaboration with organizations of persons with disabilities define, implement and monitor measures to tackle retrogression in their standard of living and use the cumulative impact assessment as a basis for policy development across the State party;**

(c) **Repeal the Personal Independence Payment (Amendment) Regulations of 2017 and ensure that eligibility criteria and assessments to access Personal Independence Payments, Employment Support Allowance and Universal Credit are in line with the human rights model of disability;**

(d) **Ensure that the budget allocation is sufficient for local authorities to meet their responsibilities regarding assistance for persons with disabilities, and extend support packages to mitigate the negative impacts of social security reform in Northern Ireland;**

(e) **Conduct a review of the conditionality and sanction regimes concerning the Employment and Support Allowance, and tackle the negative consequences on the mental health and situation of persons with disabilities.**

Participation in political and public life (art. 29)

60. The Committee is concerned at the insufficient information on accessibility and reasonable accommodation for persons with disabilities at all stages of the electoral cycle aimed at facilitating the exercise of the rights to vote, to vote in private and to be assisted by an assistant of one's own choice. It is also concerned about the low number of persons with disabilities running for or holding elected public office.

61. The Committee recommends that the State party, in close consultation with organizations of persons with disabilities, take appropriate measures to secure accessibility for persons with disabilities, regardless of the type of impairment, repeal provisions restricting the right of persons with disabilities to vote, and ensure the provision of reasonable accommodation to guarantee the possibility of and right to universal and secret suffrage.

Participation in cultural life, recreation, leisure and sport (art. 30)

62. The Committee is concerned that the State party has not ratified the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. It is also concerned about the low level of accessibility to sports stadiums with individual seating for persons with disabilities and

their families, friends and personal assistants, and to national heritage sites, including those appointed as United Nations Educational, Scientific and Cultural Organization (UNESCO) heritage sites.

63. **The Committee recommends that the State party:**

(a) **Take all necessary steps to ratify and implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled as soon as possible;**

(b) **Adopt a concrete plan of action, with resources and measurable objectives, to implement legislation, regulation and standardization to ensure that persons with disabilities have access to inclusive participation in all sports facilities and heritage sites, including UNESCO heritage sites.**

C. Specific obligations

Statistics and data collection (art. 31)

64. The Committee is concerned at the lack of a unified data-collection system and indicators across the State party concerning the situation of persons with disabilities. It notes the limited collection of disaggregated data in surveys and censuses on the general population.

65. **The Committee recommends that the State party, in line with Sustainable Development Goal 17, significantly increase the availability of high-quality, timely and reliable data disaggregated by, among others, income, sex, age, gender, race, ethnic origin, migratory, asylum-seeking and refugee status, disability, geographic location and other characteristics relevant in national contexts, including in all general population surveys and censuses. It also recommends that the State party use the sets of questions and tools developed by the Washington Group on Disability Statistics for the collection of comparable disability statistics.**

International cooperation (art. 32)

66. The Committee is concerned that the State party is not yet systematically mainstreaming the rights of persons with disabilities across all its international cooperation and development programmes.

67. **The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities in the countries where it works:**

(a) **Expedite the process to update the Disability Framework of the Department for International Development, including by adopting measurable targets and specific commitments to advance the rights of persons with disabilities in the countries where it works;**

(b) **Put in place the necessary measures to ensure that all relevant departments of the State party that allocate overseas development assistance funds systemically monitor and include persons with disabilities in their international development and cooperation;**

(c) **Carry out a consultation process involving organizations of persons with disabilities on all policies and programmes aimed at implementing the 2030 Agenda and the Sustainable Development Goals, nationally and internationally.**

National implementation and monitoring (art. 33)

68. The Committee notes with concern the lack of comprehensive mechanisms and sufficient resources, which limit the Office for Disability Issues in its mandate to coordinate the implementation of the Convention across the State party, as provided in article 33 (1) of the Convention.

69. **The Committee recommends that the State party set up an appropriate coordinating structure of focal points with sufficient funding to strengthen the implementation of the Convention under all devolved governments and territories under its jurisdiction and/or control.**

70. The Committee is concerned about the lack of resources available for the effective and comprehensive monitoring conducted by the independent monitoring framework established in accordance with article 33 (2) of the Convention, which limits the support provided to organizations of persons with disabilities to participate in the monitoring process.

71. **The Committee recommends that the State party ensure in all its entities the independence of, and provide sufficient funding for, both established monitoring frameworks and organizations of persons with disabilities to enable them to monitor the implementation of the Convention across the State party, taking into account the guidelines on independent monitoring frameworks and their participation in the work of the Committee (see CRPD/C/1/Rev.1, annex).**

Cooperation and technical assistance

72. Under article 37 of the Convention, the Committee can provide technical guidance to the State party on any queries addressed to Committee members through the secretariat. The State party can also seek technical assistance from United Nations specialized agencies with offices in the country or the region.

IV. Follow-up

Dissemination of information

73. **The Committee requests the State party to provide information, within 12 months of the adoption of the present concluding observations and in accordance with article 35 (2) of the Convention, on the measures taken to implement the Committee's recommendations contained in paragraphs 45 (living independently and being included in the community), 57 (work and employment) and 59 (adequate standard of living and social protection).**

74. **The Committee recommends that the State party, in close cooperation and collaboration with organizations of persons with disabilities, initiate a process to implement and follow-up the recommendations issued by the Committee in its report on its inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out under article 6 of the Optional Protocol to the Convention, and provide the Committee with information on the progress and achievements made in that regard every 12 months until the consideration of the next periodic report takes place.**

75. **The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and Parliament, officials in relevant ministries, devolved administrations, Crown Dependencies, Overseas Territories, local authorities, organizations of persons with disabilities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.**

76. **The Committee strongly encourages the State party to involve and financially support civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.**

77. **The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and organizations of persons with disabilities, and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in**

accessible formats, including Easy Read, and to make them available on the government website on human rights.

Next periodic report

78. The Committee requests the State party to submit its combined second, third and fourth reports by 8 July 2023 and to include in them information on the implementation of the recommendations made in the present concluding observations. The Committee also requests the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report of a State party. The replies of a State party to such a list of issues constitute its report.
