



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of the United Kingdom of Great Britain and Northern Ireland*

A. Purpose and general obligations (arts. 1-4)

1. Please provide information on:

(a) Initiatives adapting current models to the human rights model regarding the understanding of the evolving concept of disability;

(b) Initiatives aimed at analysing the living conditions of persons with disabilities in overseas territories;

(c) How the Convention is systematically incorporated, implemented and coordinated among all devolved governments and local authorities and across all policy areas, and how organizations of persons with disabilities, including organizations of women with disabilities and children with disabilities, are consulted in such processes;

(d) Initiatives taken by the State party, its devolved governments and public authorities at the local level to streamline the scope of disability in accordance with article 1 of the Convention. Please also indicate what remedies are available for persons who claim protection of their rights under the Convention;

(e) The implementation and outcomes of the “Fulfilling potential: making it happen” strategy and updated information about strategies and action plans to implement the Convention by all devolved governments;

(f) The measures taken to protect the right to life of persons with disabilities on an equal basis with others and to tackle inequalities in life expectancy and end-of-life care for persons with disabilities.

B. Specific rights (arts. 5-30)

Equality and non-discrimination (art. 5)

2. Please provide information on:

(a) The measures taken to prevent discrimination on the basis of potential impairment as regards termination of pregnancy;

(b) Concrete measures to prevent and eliminate multiple and intersectional discrimination on the grounds of disability, age and sex, in accordance with targets 10.2 and 10.3 of the Sustainable Development Goals;

* Adopted by the pre-sessional working group at its seventh session (13-20 March 2017).



(c) The measures taken to address discrimination and racism against persons with disabilities belonging to ethnic minority groups;

(d) The measures taken by the State party, including the devolved governments, to address legislative gaps in the protection of persons with disabilities against disability-based discrimination, including the denial of reasonable accommodation. Please also report on measures to bring into force outstanding provisions of the Equality Act 2010 and bring the Disability Discrimination Act 1995 of Northern Ireland into line with the Convention.

Women with disabilities (art. 6)

3. Please provide information on:

(a) How women with disabilities are included in gender policies across the State party and the devolved governments. Please also report on the measures taken to eliminate multiple and intersectional discrimination of women and girls, especially those with intellectual and/or psychosocial disabilities, in education, employment, health, combating poverty and violence and access to justice, and the data available thereon, in line with targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals;

(b) The measures taken to address all forms of violence against women with disabilities, including domestic and sexual violence, and effectively assist the women and girls affected, in line with the Committee's general comment No. 3 (2016) on women and girls with disabilities.

Children with disabilities (art. 7)

4. Please provide information on:

(a) The steps taken to address the higher level of poverty among families with children with disabilities;

(b) The steps taken to monitor disability-related discrimination and/or harassment in all schools and the remedies available regarding compensation and injunctive relief;

(c) How children with disabilities and their families are included in decision-making regarding the assessment and allocation of their support.

Awareness-raising (art. 8)

5. Please provide information on the measures taken by the State and the devolved governments to address prejudices against and negative attitudes towards persons with disabilities, in particular persons with neurological conditions such as dementia and with intellectual and/or psychosocial disabilities.

Accessibility (art. 9)

6. Please provide updated information on the implementation, coordination, monitoring and sanctioning of violations of building regulations or design plans regarding accessibility in facilities open to the public, in transport systems and in information and communication, including in information and communication technologies, in both urban and rural areas and in accordance with targets 11.2 and 11.7 of the Sustainable Development Goals, including within the devolved governments.

Equal recognition before the law (art. 12)

7. Please provide information about the measures taken to repeal legislation that restricts the full legal capacity of persons with disabilities on the basis of actual or perceived impairment (see CRPD/C/GBR/1, paras. 104-105, 107-108, 111 and 114). Please also report on the measures taken since the ratification of the Convention to ensure that persons with disabilities regain full legal capacity and on measures to provide access to individualized support that fully respects the autonomy, will and preferences of persons with disabilities. Please further explain how the devolved governments provide appropriate

support for exercising their legal capacity to asylum seekers and refugees with psychosocial and/or intellectual disabilities who are prevented from doing so.

Access to justice (art. 13)

8. Please provide information on:

(a) The steps taken to secure the maximum support for persons with intellectual disabilities to exercise their legal capacity, especially as it relates to access to justice through speedy, effective and efficient procedures, and ensure that no costs are incurred by them which would not be incurred by others;

(b) The remedies and legal aid available for persons with disabilities who experience breaches of rights under the Convention and the impact of the reforms introduced by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 in England and Wales and the introduction of fees for employment tribunals, as well as the measures taken to address any adverse impacts on persons with disabilities;

(c) The conditions under which deaf persons or hard of hearing persons can participate in jury selection processes on an equal basis with others;

(d) The training of the judiciary and the provision of reasonable accommodation to persons with disabilities for accessing the justice system.

Liberty and security of the person (art. 14)

9. Please provide information on:

(a) The legislative safeguards protecting persons with disabilities against deprivation of liberty on the basis of impairment;

(b) The measures taken to eliminate the involuntary detention of persons with disabilities in psychiatric hospitals, institutions and/or care homes on the basis of actual or perceived impairment and the measures taken in response to the abuse of persons with disabilities in such places.

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

10. Please provide information on:

(a) The use of all forms of restraints and on the measures taken to eliminate such restraints in all settings;

(b) The measures taken to implement the recommendations of the Equality and Human Rights Commission, arising from its inquiry on “preventing deaths in detention of adults with mental health conditions”, aimed at enhancing article 2 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

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

11. Please provide information on:

(a) How women, children, intersex people and elderly persons with disabilities experiencing abuse, ill-treatment, sexual violence and/or exploitation are protected and have access to justice in line with target 16.3 of the Sustainable Development Goals;

(b) The work programme to tackle hate crimes (see CRPD/C/GBR/1, para. 153) and on measures to address and explain the underreporting of disability hate crimes and harassment and on how to secure prosecution of such incidents, including within the devolved governments;

(c) The circumstances under which the use of electroconvulsive therapy without consent is permissible across the devolved governments and especially in Northern Ireland. Please provide information about the measures taken by the State party and the devolved governments to eradicate the use of restraint for reasons related to disability in all settings.

Protecting the integrity of the person (art. 17)

12. Please explain measures to criminalise sterilisation of women and girls with disabilities and intersex people by consent of any third party rather than their own free and informed consent.

Liberty of movement and nationality (art. 18)

13. Please provide information on when and how the State party intends to withdraw its reservation to article 18 of the Convention (see CRPD/C/GBR/1, para. 171).

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

14. Please provide information on:

(a) The measures taken to ensure that the right to live independently in all forms, regardless of where and with whom one lives, and to be included in the community is recognized as a statutory right;

(b) How persons with disabilities can claim protection of their right to independent living;

(c) How the State party calculates the costs of independent living vis-à-vis institutionalization of persons with disabilities;

(d) The measures implemented by each of the devolved governments and in the overseas territories to ensure access to and sufficient budget allocation for independent living.

15. Please report on the legal initiatives taken to maintain existing and establish new options for support services that allow children, teenagers, adults and elderly persons with disabilities to live independently in a house or apartment of their personal choice and participate spontaneously and be included in the community.

16. Please report on how the devolved authorities ensure support for independent living for persons with disabilities, including personal assistance and accompanying persons.

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

17. Please provide information on the measures taken, including within the devolved governments, to ensure the legal recognition and availability of and sufficient funding for high-quality and trained sign-language interpreters, thus securing full inclusion for persons with disabilities in relation to education, employment, health and leisure activities. Please further report on the availability of courses for all deaf and deaf-blind children, their families and others, such as classmates or co-workers, in British tactile and sign language.

Education (art. 24)

18. Please provide information on:

(a) When and how the State party will withdraw its reservation to article 24 of the Convention;

(b) The progress made in mainstreaming inclusive education at all levels for pupils with disabilities, on how the system is geared to cope with the demands of inclusive education, including pedagogical capabilities, and which initiatives are taken in line with target 4.5 of the Sustainable Development Goals;

(c) The number and percentages of students with disabilities in both the segregated and mainstream education system, disaggregated by impairment, age, sex, gender and ethnic background;

(d) Initiatives to inform and raise awareness among parents of children with disabilities rejecting the right to and potential of inclusive education;

(e) The measures taken to ensure access to education for young persons with disabilities, in particular from low income households, vis-à-vis the reduction in the disabled students' allowance in England;

(f) The education and/or training enabling teachers to teach children with disabilities within the mainstream education system, to make it become inclusive and give pupils with disabilities an optimal outcome.

Health (art. 25)

19. Please provide information on:

(a) How free and informed consent is secured for persons with disabilities with regard to any form of medical, surgical, invasive or psychiatric treatment or procedure;

(b) Measures aimed at ensuring accessible health care, including to physical facilities, such as furnishings, medical equipment, high-quality medicine and supplies, as well as training, information and communications;

(c) The measures taken to ensure that women with disabilities have equal access to sexual and reproductive health information and services;

(d) The measures taken to educate health-care personnel on the rights of persons with disabilities, in accordance with target 3.7 of the Sustainable Development Goals, and how the impact is measured;

(e) How health inequalities for persons with disabilities, in particular persons with psychosocial or intellectual impairments, are monitored and eliminated;

(f) The criteria applicable regarding "do not attempt resuscitation" orders relating to persons with intellectual and/or psychosocial disabilities;

(g) The measures taken to address suicide rates among persons with disabilities, including in relation to disability-related discrimination, by the State party, the devolved governments and the overseas territories.

Work and employment (art. 27)

20. Please report on measures, including specified targets, to ensure non-discrimination, affirmative action and reasonable accommodation at the workplace, in accordance with European Union regulations to reduce unemployment among persons with disabilities. Please indicate how development is monitored, measured and non-compliance sanctioned.

21. Please provide information on how the pay gap for work of equal value between persons with and without disabilities is measured and eliminated in accordance with target 8.5 of the Sustainable Development Goals.

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

22. Please report on the measures taken to monitor and address the impact of the welfare reform and anti-poverty initiatives on an adequate standard of living of persons with disabilities and their families, including the consequences on disability-related costs, following the financial crisis in 2008.

23. Please provide information on the measures taken by the State party and its devolved governments to:

(a) Address poverty among persons with disabilities and the outcomes of strategies to combat poverty;

(b) Monitor the impact of the welfare reforms and tax policies regarding persons with disabilities, including the cumulative impact of individual policies;

(c) Ensure equal access to social support in all its forms by persons with disabilities, irrespective of their impairment, level of support required, gender, age, social background, ethnicity, or migrant, asylum seeker or refugee status;

(d) Ensure support is provided to persons with disabilities in the exercise of their parental responsibilities, and to the parents of children with disabilities;

(e) Ensure that work capability assessments are individualized and based on the human rights model of disability and not on the type of impairment.

Participation in political and public life (art. 29)

24. Please report on the measures taken and the time frames established to secure the right, encouragement and ability to vote in private and to be assisted by an assistant of one's own choice at all elections and referendums by all persons with disabilities.

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

25. Please provide information on how persons with disabilities following sport events can do so in an inclusive environment, sitting together with accompanying persons, such as family and friends.

C. Specific obligations (arts. 31-33)

Statistics and data collection (art. 31)

26. Please report on the development and use of disability equality indicators in accordance with target 17 of the Sustainable Development Goals and on how the State party consults organizations of persons with disabilities in this regard.

International cooperation (art. 32)

27. Please provide information on the policies, programmes and measures that will be put in place by the State party to protect persons with disabilities from being negatively affected by the triggering of article 50 of the Treaty on European Union.

28. Please provide information on how and to what extent persons with disabilities are involved in international cooperation, including in programmes aimed at implementing the 2030 Agenda for Sustainable Development.

National implementation and monitoring (art. 33)

29. Please provide detailed information on the scope of work of the focal point and the coordination mechanisms, including with the overseas territories, for implementation of the Convention, in cooperation with organizations of persons with disabilities. Please also report on concrete measures taken to ensure the involvement of organizations of persons with disabilities in the monitoring and reporting of the implementation of the Convention, on the financial resources allocated to that purpose, and on the allocation of sufficient funding for the monitoring mechanisms.

Follow-up to proceedings under the Optional Protocol

30. In accordance with rule 90.2 of the Committee's rules of procedure, please report on the measures taken by the State party to address the findings and recommendations issued by the Committee in its report on the inquiry undertaken under article 6 of the Optional Protocol.
