

UNCRPD examination of UK State Party: Geneva

UKIM Submission to the UN Committee on the Rights of Persons with Disabilities

23 August 2017 (Day 1)

>> CHAIR: I call to the order the 348th meetings of the Committee on the Rights of Persons with Disabilities. I welcome with great pleasure the distinguished delegations from the United Kingdom, honourable head of delegation, Karen Jochelson, welcome to the Committee, welcome to the Committee to every member of the delegation, welcome to civil society, welcome to representative of the National Human Rights Institutions, welcome to Committee members again, welcome to everyone who is watching us via Internet. We are looking forward to a very constructive dialogue and without further ado I give the floor to honourable head of delegation, Mrs. Jochelson for presenting the State Party report. You have the floor.

>> Thank you. Good afternoon, Madame Chairperson, and distinguished members of the Committee. My name is Karen Jochelson, and I'm the head of the United Kingdom government's office for disability issues. It is my great pleasure to be here today as head of this delegation, which includes representatives from across the United Kingdom of Great Britain and Northern Ireland, that I will henceforth refer to as the UK. I want to thank you for inviting us to this dialogue. This is the UK's first periodic review regarding the Convention on the Rights of Persons with Disabilities, a Convention that the UK is proud to say it played a part in drafting. I speak for the whole UK delegation when I say that we are very much looking forward to this dialogue. I would also like to read a message from our minister of state for disabled people, Penny Mordaunt, she states: I thank the distinguished Committee for the opportunity to discuss how the UK can continue to progress disabled people's rights. The UK has been a global leader in driving forward disability rights and promoting inclusion, and we are acutely aware of the catalyst we could be to help our international partners achieve more on this agenda. The government has a real focus on enabling disabled people to fulfil their potential, as I'm sure will be demonstrated during this dialogue. I am determined to ensure that government policy, public services and our policy across other sectors is developed by consultation with disabled people about their needs, views and experiences. As the first minister of state states, she continues, to have this expanded portfolio, I have been able to raise the profile of this agenda and ensure it is as comprehensive as it must be. I look forward to considering how your concluding observations can support the UK in our ambitions. I would also like to pay particular tribute to the Committee, its Secretariat, and many others behind the scenes, for working with my team to enable delegation members in London to participate via videoconference in this dialogue. This is a truly positive step enabling greater engagement. I would also like to thank the UK National Human Rights Institutions and disabilities civil society that have so actively engaged in the review process. To continue this, as I speak, the UK's Office for Disability Issues is hosting a live feed event of the dialogue for civil society from our office in London. The UK has a long and proud history of furthering the rights of disabled people. In 1970 the UK introduced the world's first legislation recognizing and giving rights to disabled people. Since our ratification of the Convention we have strengthened our disability with equality act 2010, implemented in England, Scotland and Wales, it strengthens protection against discrimination on the base you of

disability, recognizes indirect disability discrimination and goes further than previous legislation to protect disabled people. In Northern Ireland, the Northern Ireland Act, 1998, section 75, places a statutory duty on public authorities to have due regard of the need to promote equality of opportunity between disabled and non-disabled people, and the Disabilities Discrimination Act of 1995 provides consideration of the rights of disabled people. The UK legislative framework, taken alongside our commitment to this Convention, provides a strong framework for ensuring and progressing the rights of disabled people. However, the UK recognizes that there is more still to be done in all aspects of society and life, to progressively realize the Convention articles. And we are taking positive steps towards this. For example, the UK has set a clear and time bound goal to get one million more disabled people and people with health conditions into work over the next ten years. This will go a significant way towards realizing article 27. In England in relation to article 24, the Children and Families Act 2014 introduced important reforms to provision for children and young people with special educational needs and disabilities. In Northern Ireland, the Mental Capacity Act, Northern Ireland 2016, will support disabled people with mental health conditions to ensure that they are treated on an equal basis as per article 17. Scotland published its new accessible travel framework in 2016, and has funded an inclusive communication hub, so progressing article 9. In Wales, the Social Services and Well-being, Wales Act 2015, provides the statutory framework to deliver the Welsh Government's commitment to transform social services to improve the well-being of people needing care and some carers, advancing article 25 -- Welsh. I can assure the Committee that the UK is determined to ensure that it is a place that works for everyone, and that disability does not dictate the path that a person takes in life. And our commitment to these ambitions is not altered by the UK decision to leave the European Union. We have a long standing tradition of protecting citizens' rights and liberties domestically and of fulfilling our international obligations. We do not intend to change this. Our commitment to the Convention is also unaltered by the recent Optional Protocol proceedings and the differences of views between the UK government and the Committee. We consider this dialogue a chance to continue to share information about a wide range of UK policies and programs, and to reflect further on the esteemed Committee members' comments across a variety of issues. Constructive dialogue, collaboration and coproduction with disabled people is key to the UK meeting its ambitions to progressively realize disabled people's rights. We recognize the benefits of embracing a nothing about us without us approach wherever possible. It is in fact through discussions with civil society that the UK government and involved administrations adopted the term disabled people rather than persons with disabilities. As highlighted in our response to this Committee's list of issues, there is cross sector agreement that this term best fits with the UK's understanding of the social model of disability, which informs our approach to policy. In the preparations for this dialogue we heard concerns from civil society about the systematic implementation of the social model across government policy. I want to confirm that the UK strongly acknowledges the very real value of the social model which underpins this Convention. We remain committed to thinking about how to remove physical, social environmental barriers to enable disabled people to realize their aspirations and potential. And we will continue to work with disabled people, civil society and businesses to find solutions. The UK also plays an international role recognizing that we cannot end extreme poverty and meet the sustainable development goals without enabling disabled people in developing countries to fulfil their potential. We therefore ensure disabled people are included in,

and benefit from, international aid and humanitarian assistance and work in partnership with a range of organizations, as we realize that governments alone cannot deliver the Sustainable Development Goals. We will be glad to expand on the UK's approach later in this dialogue. I would like now to provide a brief overview of the UK's constitutional makeup to provide a context for the dialogue and the UK's approach. The UK is a multi-national country. Different political parties with different and distinct policies lead each of the devolved governments. The UK government has responsibility in England and retains responsibility UK-wide for certain policies, such as immigration and defence. The governments for Northern Ireland, Scotland and Wales have legislative responsibility for major areas of public policy, including health, education, housing, and in northern Ireland and Scotland, justice. The Office for Disability Issues plays a leading role as the UK focal point for the Convention, according to article 33. But responsibility for driving the progressive implementation of the UK's obligations reaches across administrations in Northern Ireland, Scotland and Wales. Reflecting our joint commitment to UN processes today, I'm pleased to be joined by the representatives of these administrations. I would like to put on record at this point that in the temporary absence of a devolved government in Northern Ireland, the position of future ministers must be reserved. The direction of disability policy in Northern Ireland will remain subject to review and approval by future ministers with responsibility for the issues concerned. During the dialogue we will reflect on the differing experiences and approaches of the devolved administrations. Although not part of the UK, the UK retains responsibility for the international representation of the Crown dependencies and overseas territories at the UN. This Convention has yet to be extended to these countries, and we are working with the territories to support and encourage extension of this Convention. I will now introduce our delegation. The range of departments represented today is indicative of UK's concerted efforts to mainstream disability issues across government and devolved administrations. With me today are representatives from the following departments: The department of work and pensions, the northern Ireland executive, the Scottish government, the Welsh government, the department for education, department for communities and local government, department for transport, Ministry of Justice, Department of Health, home office, foreign and commonwealth office, and the UK mission in Geneva. To conclude, Madame Chair, distinguished committee members, ladies and gentlemen, on behalf of the UK delegation, we welcome this dialogue, and know that our progress is strengthened by open and constructive discussion. We look forward to hearing the Committee's views and responding to your questions. Thank you.

>> CHAIR: I thank the head of the delegation, Mrs. Jochel and I will give the floor now to the representative of the UK, on an independent monitoring mechanism, you have the floor.

>> Through ratification of the Convention and the Optional Protocol the UK and devolved governments made a commitment to comply with the standards in the Convention and raise expectation that the rights of disabled people would at last be realized. Almost a decade on we find ourselves in Geneva reporting on a UK in which Social Security reforms have led to finding by this Committee of evidence of grave and systemic violations of the right to adequate standard of living, right to social protection, right to live independently, and right to work. The Committee is clear and measured recommendations based on overwhelming evidence have not yet received meaningful consideration, and further regressive measures have been introduced,

there continues to be gaps in legal protections provided by the equality act 2010 and legislation in Northern Ireland provides a lower level of protection from disability discrimination than in the rest of the UK. The disabled people in particular children continue to encounter difficulties in accessing mental health services, and people with learning disabilities or autism continue to be excluded from their communities by being placed in psychiatric hospitals, inappropriately, or for lengthy periods of time. The full inclusion of disabled children in our education system is not being realized in practice. In prisons, hospitals, nursing homes and other settings, disabled people continue to be subject to physical, chemical and mechanical restraint. There is no consistent human rights based approach to address this problem. Third parties continue to make decisions for disabled people on the basis of their perceived best interests, and legislative attempts to promote supported decision-making have not led to the required paradigm shift. Disabled people increasingly feel they are not meaningfully and actively included in the decision-making processes, a reality which is reflected by the number of Disabled Peoples Organizations who travelled to Geneva today to have their voices heard. We would like to see recommendations from the committee on all these areas, and on other concerns raised in the UK shadow report.

>> CHAIR: I thought you were finished, I'm sorry.

>> Thank you, in addition in Scotland, while the Scottish government publicly commits to CRPD action in reality, disabled people continue to be omitted from key policy areas concerning them. For example the Scottish government's work on tackling child poverty does not acknowledge or address the additional support and resources disabled children need to achieve the same outcomes as others. Secondly, a range of policies while positive in intent are not adequately supported to deliver disabled people's rights in practice. For example, self directed support which claims to provide choice and control over independent living has led to limited choice, cuts to personal budgets and to some groups being excluded. Legislation regarding legal capacity has led to increasing amounts of substitute decision-making. Lastly new legislation restricts disabled children's access to justice and additional support needs by introducing unnecessary assessments of their capacity.

>> In Northern Ireland, we would welcome a recommendation from the Committee that the Northern Ireland executive reforms the disability discrimination act of 1995 in line with the recommendations of the equality commission. This would harmonize, simplify and strengthen the legislation, ensure protection against indirect discrimination and discrimination arising from a disability and reflect the definition of disability in article 1 of the Convention. We would also welcome a recommendation that the Northern Ireland executive addresses the underrepresentation of disabled people in public life, and ensures the active involvement of disabled people in the development of a disability strategy and action plan to eliminate key inequalities and mainstream disability rights across government departments.

>> In England and Wales changes to legal aid obstruct disabled people's access to justice across areas including housing and Social Security. We would welcome a recommendation from the Committee for a full review of the impact of the changes on disabled people, and for swift action to safeguard disabled people's access to justice. Finally, on the legal framework for protection of rights across the UK, we wish to stress our view that the UK government's reply to the Committee's list of issues

overstates the ability of the equality act 2010 to make Convention rights a reality. The equality act does not cover the full scope of the CRPD, and does not negate the need to enhance the status of the Convention in domestic law. The UK's planned exit from the European Union may pose a significant risk of regression in disability rights protections. The UK government must ensure this does not happen. We would like to see the government commit to protecting and strengthening disabled peoples' rights within the post exit legal framework. This should be done with the meaningful and active involvement of disabled people, throughout the negotiation process. We look forward to observing the constructive dialogue over the next two days and to working with UK and devolved officials to take forward the resulting recommendations. Thank you.

>> CHAIR: I thank the four distinguished representatives of the UK, independent monitoring mechanism. I give the floor now to our Country Rapporteur, Stig Langvad. You have the floor.

>> STIG LANGVAD: Thank you very much, Chair. I welcome the representatives from the State Party. I have looked very much forward to meet and engage with you in the forthcoming dialogue. I also give a warm welcome to the representatives from civil society who are present in the room, especially all of you coming from organizations representing persons with disabilities. I also welcome the representatives from the independent monitoring frameworks. To those following the dialogue on-line, I extend a special greeting and welcome. I'm happy that the dialogue between the Committee and the State Party can be on the web. It is a way to democratize human rights and to enable persons with disabilities all over the world to utilize these rights in their everyday life. Through the inputs coming from organizations of persons with disabilities, national human rights institutions and other stakeholders, the Committee becomes able to promote concrete and implementable recommendations to the State Party. Recommendations that provides real changes within the State Party, changes that at the end of the day ends the discrimination of persons with disabilities across the State Party, including all devolved governments and overseas territories. When regarding the briefings provided by representative stakeholders, I have become aware of the fact that access to the human rights enshrined in the Convention is too limited and uneven across the State Party. The State Party is obligated, is obligated, sorry, to ensure that human rights are realized and protected in all parts of the State Party. This great responsibility cannot be decentralized. It is though not only through national policies and legislation that persons with disabilities are affected. They are also affected by international commitments, and there by heavily dependent on the outcome of the negotiations towards the implementation of the so-called Brexit. It is the first time that the Committee is witnessing a State Party which is going through a significant process of transition that brings uncertainty to all people living in the State Party, particularly persons with disabilities. I encourage the State Party during the upcoming dialogue in detail to inform the Committee on how organizations of persons with disabilities will be involved in the negotiations, in the negotiations concerning the withdrawal from the European Union. I hope and expect that this dialogue will contribute significantly to the positive narrative of the importance and impact of the United Nations. It is vital to show the value and efficiency of the United Nations in these times where human rights are under philosophical and political pressure and disregarded by many actors. The importance of the process and dialogue in the context of the United Nations and the recommendations from the United Nations committees are more important than

ever. The United Nations cannot change everything by itself, but by bringing stakeholders together, and provide a forum that can pave the way for a better society in the future. State Parties within the United Nations have agreed upon and committed themselves to the implementation of the sustainable development agenda, which is in line with the Convention on the Rights of Persons with Disabilities. Action must be taken by the State Parties to implement this agenda. To measure the development in opportunities and the equal recognition of persons with disabilities, the Washington Group on disability statistics has developed a set of indicators that measure and facilitate the changes to improve the life of millions of persons with disabilities who are living on the edge of society. State Parties must make sure, must measure the development and inspire each other by providing and leading the good examples. During the preparation of this dialogue, I have been deeply moved by the overwhelming interest in the dialogue concerning the situation of persons with disabilities in the State Party, its devolved governments and overseas territories. During the last two years or so, the Committee has received more than 2,000 pages of input from the State Party, human rights institutions, civil society, and especially from the many organizations representing persons with disabilities. I thank all of you for the genuine interest and the many very valuable contributions. The numerous contributions have been supplemented by the findings of the inquiry report adopted by the Committee pursuant to article 6 of the Optional Protocol to the Convention. This report concludes on grave and systematic violation of the rights of persons with disabilities in the State Party, and its recommendations will be taken into account in the dialogue. I am confident that the State Party remains committed to fulfil its international obligations. I am further certain that we will have a fruitful dialogue with a rewarding outcome. This is the time to go beyond highlighting the initiatives already decided upon, on the journey towards implementation of the CRPD, the Convention. Now it is time to identify the missing initiatives within the policies and regulations of the State Party when implementing the Convention. I promise you that my colleagues and I are prepared to ask the necessary, and sometimes considered to be nasty, questions to you, representatives of the State Party, not just because we can, but because we are supposed to. We do it because it is crucial to improve the conditions of life for persons with disabilities to become included in their community across all parts of and within all sectors of the State Party. After these remarks, and before I hand over the floor to the Chair, I once again express my hope that we will have a fruitful and stimulating dialogue. Thank you. And Madame Chair, Theresa, the floor is once again yours.

>> CHAIR: I thank the distinguished Country Rapporteur. This opens the round for the first set of questions on article 1, to article 11. Article 10. Article 1 to article 10. The first speaker is Robert Martin.

>> ROBERT GEORGE MARTIN: Thank you, Madame Chair. Thank you very much to the delegation of the United Kingdom for your country report. The first one is article 4.3, I would like to know how the government is making sure to involve disabled people organizations in decisions that affect disabled people and their families including children with disabilities on a national level in each country. Article 5, I've heard that a big problem in the UK is disabled people are facing discrimination when they are trying to get housing because landlords and agents are not representing to people on housing benefits or job-seeker. What are the government's plans to make sure disabled people are not discriminated against in the housing market? Thank you.

>> CHAIR: Thank you. The next speaker is Mr. Danlami Umaru Basharu. You have the floor.

>> DANLAMI UMARU BASHARU: Thank you very much, Madame Chair. I welcome the delegation from the United Kingdom. I have a few quickies, one, please describe how the State Party understands and applies the human rights based model of disability, article 1 of the Convention in its efforts to implement the Convention, and whether the new disabilities strategy under preparation in 2011 has been published. Two, please indicate whether section 6 of the equality act which defines disability as a physical or mental impairment required to be compliant with the human rights based model of disability. On article 5, when does the Northern Ireland government intend to bring into action legislation that will provide equal protection under the law for persons with disabilities, alongside their counterparts in the rest of the United Kingdom. On women with disabilities, we learn that women with disabilities experience disproportionate levels of different forms of violence and abuse with several various access and support, including insufficient funding. Moreover, the United Kingdom government is yet to ratify the Istanbul Convention preventing and combating violence against women and domestic violence. Please inform on effective measures aimed at preventing violence and abuse against women with disabilities and when the government intends to ratify the Istanbul Convention. Children with disabilities, high levels of poverty have been reported among persons with disabilities and families with children with disabilities. Besides reports reveal a huge amount of bullying and physical abuse of children with disabilities in school settings with no data from the State Party detailing such cases. Please explain what measures address the poverty gap amongst people with disabilities in the United Kingdom and measures to eliminate bullying and physical abuse of children with disabilities in school settings. Finally, can the State Party evaluate the impact and effectiveness of its awareness-raising campaigns within the general public and particularly with regard to the way in which the media portrays persons with disabilities. Thank you.

>> CHAIR: Thank you very much.

>> SAMUEL NJUGUNA KABUE: Thank you very much, Madame Chair. May I take this opportunity to thank the delegation from the UK. I come from one of those countries where we are product of UK having been a part of them at one time. It is true we believe that UK is apparently championing issues of rights. That said, I have a few questions, mainly emanating from the report we have from you and from other agents that are dealing with the issues of disabilities in UK. My first question is, you relate to again article 4.3, you have clearly indicated in your report as well as in the list of issues that there is consultation with organizations of persons with disabilities. This has been disputed by both those organizations as well as, as we have heard this afternoon from the human rights people. Could you please explain the mechanism that is in place for the consultation with the people with disabilities particularly on policy, policy decision-making and in legislative processes. My second question relates to article 7 on children. The provisions of the Convention require that children are given a place for self-expression. We have heard of the issues of education and other dealings with the children in UK. Would you please help us to understand what mechanism is in place to make children able to express themselves and to provide their needs in accordance with their understanding. The third question relates to the whole question of awareness. My question is again related to the

involvement of persons with disabilities and their organizations. How are persons with disabilities enjoined in raising awareness on disability as it seems that there still needs to be a lot of awareness building in UK, and we believe that people with disabilities are the one who knows where best to provide this awareness.

>> CHAIR: Thank you. Chaker, please.

>> IMED EDDINE CHAKER: Thank you, Madame Chair. I have a short question, concerning the article 10, the right to life. Would you please inform, maybe explain also the high rate of suicide among persons with disabilities, in particular persons with autism, with intellectual or psychosocial disabilities. That's all, thank you.

>> CHAIR: Thank you very much. Mr. Jun Ishikawa.

>> JUN ISHIKAWA: Thank you, Madame Chair. And very welcome distinguished delegation from the UK to the dialogue with the Committee. I have three questions for this round. First, about article 8. Please provide information about regular and targeted measures to overcome negative attitudes stereotypes and prejudices against persons with disabilities, in particular persons with dementia, with autism, with intellectual or learning disabilities, with psychosocial disabilities, and intersex persons in the State Party and that devolved governments. My second question is about article 9. Please provide information about measures taken to promote digital accessibility including accessibility of Internet, both public and private websites, and eBook accessibility. My third question is also about article 9. I understand European Union accessibility standards EN301549 was developed for the implementation of public procurement directive, which is equivalent to rehabilitation act Section 508 standard of the United States. I would like to hear how UK will do after, with approval from the European Union, will UK use EN just as Australia decided to use. I wish very detailed accessibility standard as EN to be international de jure standard, which work as more powerful to promote accessibility. May we hear your strong commitment to the improvement and promotion of accessibility nationally and globally. Thank you.

>> CHAIR: Thank you very much.

>> VALERY NIKITKH RUKHLEDEV: Thank you very much. Microphone, please. I'd like to thank the delegation of United Kingdom and Northern Ireland. First of all article 6, women with disabilities I have questions. I'd like information to be given regarding what accessible measures of support exist for women who are subjected to violence or domestic violence, what kind of training do specialists receive from the support centers to be able to work properly with disabled people. Also describe specific measures adopted to give women the right to provide women's, disabled women the right to education, employment and access to justice. Under article 7, children with disabilities, please provide information on the national policy including monitoring mechanisms geared towards tackling problems of poverty among children with disabilities. Please explain the high level of families of, families with disabled, disabilities and what is the percentage compared to families without disabled people. Under article 9, accessibility, please inform the Committee on what measures and programs have been adopted towards addressing problems linked to a lack of qualified professional sign language interpreters, and workers who could provide support in all spheres of life, including measures towards improving access to cheap and effective, cheap and high quality sign language courses. Thank you.

>> CHAIR: Thank you very much. Mr. Babu and after, I have Laszlo Gabor Lovaszy. Mr. Babu. You have the floor.

>> It is interesting to interface with the United Kingdom. They may think I come from India. I come from Uganda. I have come to learn that the UK African Caribbean communities are subject to highly cohesive and illicit violence when detained within psychiatric institutions and other custodial settings. This learning is further informed by the 2016 report of the Committee on the elimination of racial discrimination signed. Within its concluding observations to the UK highlighted I quote, the Committee is particularly concerned at the reports of disproportionate overrepresentation of persons of African, Caribbean descent, in psychiatric institutions and of higher likelihood that they are subject to restraints, seclusion and overmedication, end of quote. The Committee then called on the UK government to adopt measures to address the matter. My question therefore is, when does this State Party or the government of the United Kingdom plan to address the discriminatory and disproportionate use of mental health act against its people of African descent living in the UK. Or put the other way, same question, does the State Party plan to address the oppressive way that the mental health act is used as a tool of state oppression against people from the UK's African, Caribbean communities. The second question, that was on article 5, equality and nondiscrimination, and the second question on article 7, children with disabilities. Please inform the committee on the monitoring function of the office for standards in education, children services and skills, and about the content of the national approach to anti bullying for Scotland's children and young people. Please also inform whether a similar policy is in place in Northern Ireland. Thank you, Chair.

>> CHAIR: Thank you. Mr. Laszlo Gabor Lovaszy.

>> LASZLO GABOR LOVASZY: Thank you, Chair, good afternoon to all, I welcome the delegation of the United Kingdom and all the esteemed members of the delegation. I also welcome civil society, the UK DPOs in particular. My question relates to disabilities bearing in mind there is an ongoing program to reform the assessment procedure regarding children with disabilities at local level by next March, when in December the concept of disability enshrined in the Convention I'd like to know what steps have been taken to ensure that all children with disabilities are eligible for this assessment procedure. We have the proper reports in terms of negotiation with relevant accessible and easily available safeguards for their parents and indeed provide most of the support. Thank you.

>> CHAIR: Thank you very much. Mr. Monthian Buntan, please.

>> MONTHIAN BUNTAN: Thank you, Madame Chairperson. Very warm welcome to the distinguished delegation from the United Kingdom. Since many questions have already been addressed by my colleagues, I will focus on article 5, which to some extent overlaps with article 13, but I'll just take this chance now. We know that much of the change has been brought to protect the rights of persons with disabilities through the equality act of 2010. However, the way in which persons with disabilities can seek legal aid is brought to by the introduction of the legal aid and sentencing and offenders act in 2012, causing, and also this equality act turned the responsibility of, to persons with disabilities, to take initiative in bringing the discrimination cases to the court themselves to seek remedies. So the result is that there are very low incidence of cases of discrimination being decided. I know that in 2015, 2016, there

were only five cases, and that covers all cases of discrimination, not only disability specific. My question is, what measures have the State Party taken to ensure that persons with disabilities can exercise their right to access goods and services, and what measures have been done to monitor the, to monitor and evaluate the effectiveness brought by the last poll with regards to the ability of persons with disabilities to seek legal aid, since it's conditioned by the amount income earned by an individual, and not taking into consideration all aspects of limitation causing persons with disabilities ineligible to get legal assistance. And so in that case, the mandate of the equality act has not been brought into reality, and limit the chance of persons with disabilities of fulfilling their rights. Thank you very much.

>> CHAIR: Thank you. The next speaker is Mr. Jonas Ruskus, followed by Mr. Parra.

>> JONAS RUSKUS: Thank you, Madame Chair. I welcome the delegation of the United Kingdom to the Committee on the Rights of Persons with Disabilities of the United Nations. I equally welcome representatives with disabilities persons organizations. I have several concerns and questions arising from the state report and report by representative organizations of persons with disabilities. I would like to hear your replies on it. On article 1 first, I understand that the leading definition of disability stipulated within the equality act 2010, I have concerns with the definition. Firstly I consider definition not fully covering the purpose of the Convention, that even more impairment based than rights based. There isn't explicit mention to barriers that may hinder persons with disabilities their full and effective participation in society on an equal basis with others. Secondly, the CRPD is rather not incorporated in domestic laws. There is a lack of explicit strategy to domestic eight framework of requirements of international legislation, policies and practice, including human rights based definition of disabilities. Thirdly, I am concerned about the status of persons with chronic urge neurologic and cognitive disabilities but especially status of dementia within the UK disability definition and concept. And under other disability related legislation and policies, I'm concerned that dementia is still viewed through the medical model of disabilities rather than human rights model of disability. Can you please comment and inform about measures by government regarding these three issues of disability definition that I've just raised. Also I have more questions, the first one is on article 6. Could you please indicate whether the government plans to integrate a specific disability gender focus in all existing programs and policies, combating violence against women, in England, Northern Ireland, Welsh, Scotland and please provide data on the outcomes and expected outcomes of these strategies with regard to disability. Article 7, I'd like to know more about what kind of support and protection is provided for children with disabilities when their parents are disabilities especially learning and psychosocial disabilities including those in poverty and those whom parental rights are suspended. I would like to know about state provision for children with mental health issues, especially after the budget cuts when the number of children was separated from families and communities, and into mental health services, which number is raising in the UK. Please inform about plans by the UK government to stop institutionalization of children with mental health issues and ensure safe living in families and communities with quality support.

>> CHAIR: Thank you very much. Mr. Parra, please.

>> CARLOS ALBERTO PARRA DUSSAN: Thank you, Madame Chair. I too would like to welcome the distinguished delegation of the UK as well as the Special

Rapporteur, he made an excellent presentation to the State Party. Three questions, working on the basis, there was a challenge to assess the UK because of the UK's withdrawing from the EU. It is a common law country. We work on the basis of Roman case law. So there is also the geopolitical aspect, that escapes this Committee but we are making efforts though to understand the situation further. The first thing is the definition of disability as has been commented on. It's curious that British sociologists spoke of the social model, nevertheless the definition of the 2010 law isn't technically in line with the definition of disability depending on barriers and the human rights focus. We want to know if this definition is going to be brought into line more with the Convention. Secondly, on article 4.3, what does, since the E, since the UK now that it's withdrawing from the EU, does it intend to amend its legislation, because since you are now going to be representatives of the State Party. And third is there any economic calculations of what the repercussions could be of Brexit withdrawing from the EU, how will this affect persons with disabilities if there is any economic repercussions, when it comes to the benefits provided, the resources provided, that was also coming from the European Union, because this could be a challenge for us, because we too don't really know, we don't know this EU model as well, and we have never seen the situation where a country is withdrawing from the European Union. Thank you.

>> CHAIR: Thank you very much. Mr. Tatic, please.

>> DAMJAN TATIC: Thank you, Madame Chairperson. Honorable Ms. Jochel, distinguished members of the United Kingdom, distinguished representatives of the National Human Rights Institutions in the State Party, distinguished colleagues from the civil society, especially from disability movement in UK, and warm welcome to you all here in Geneva, also warm greetings to everybody in the UK especially persons with disabilities who follow us via webcast. I would like to extend my appreciation to my dear colleague Mr. Langvad interpreter for his opening remarks. I would -- Rapporteur. I would like to express my appreciation to each and every one who submitted us and sort of we were under an avalanche of submissions, more than 2,000 pages. We had to read through all of that. But it makes our work very much easier so I deeply appreciate that. And on a note I have to say as Great Britain is truly one of the countries with long tradition of law and one of the countries which has indeed played important negotiations, on the rights of persons with disabilities, I had the pleasure of sitting in the building in New York sitting next to the delegation of UK during negotiations. It is nice to see familiar faces both from the government and nongovernmental and national human rights side here in this hall. So since you are one of the leaders using the supporting method which I love to use we will set the bar very high for you and our expectations from UK I would say are just high. So I will now focus on two articles for this first cluster of questions. First one is in a way actually, sharing with the world that on Friday we will be having a day on general discussion on equality and nondiscrimination of persons with disabilities, so it is quite natural that this is one of the articles of the Convention that is close to my heart. I will ask you something. And I will take a cue from the long tradition, legal tradition of UK. I have had the pleasure while I was doing my PhD studies UK law from the 1990s was one of the first international comparative documents I had pleasure to read. Since there has been some time since the initial report has been submitted, and your common law country which is important role of jurisprudence and judiciary, I would like to receive updated information on number of complaints submitted to courts due to disability based discrimination, and if you have updates from the court decisions.

Especially we would be interested in the resolved cases where defendants were obliged to provide reasonable accommodations to plaintiffs. That will be very welcome. Of course I do hope that somebody from the UK delegation will be with us also on Friday when we talk about the equality. The other article of the Convention and people know it, it's my favourite article, article 9, accessibility, and as my dear friend and colleague refers it to backbone of the Convention, so I have a number of concrete questions. My typical question for State Party would be about practical accessibilities, but since I have been to UK many times and know the situation well, my questions will be more specific here. First one, of course Convention sets out the minimal accessibility standards, and these are according to the submissions incorporated in domestic law. But I would like to hear from you how accessibility requirements of persons with disabilities that go beyond minimum accessibility standards are met in practice. And maybe you can share somewhat Committee has said in general comment number 2 on accessibility. Now I'm going to one of the world governments and one of the territories of the United Kingdom, Northern Ireland, I would like to hear more specific information on provision of accessible public transport in the rural areas of Northern Ireland, that was one of the submissions we have been receiving. But of course if you have, we know that always there is difference, big cities like London or Belfast or Edinburgh, Manchester, Liverpool, other great cities in UK and rural areas in the hilly parts of the country, so we would like to hear about that. Then I would like to hear something as an example hopefully good practice on any trainings that were given to taxi drivers who are driving customers with disabilities, because I have been using the magnificent black cab in many cities of UK with varied experiences. In some cities, I felt I was on the silver stone racetrack and other cities it was very pleasurable experience. So that is a query. Now since accessibility is not just physical environment or public transport, it is the information, communication, I will in a way compliment what my dear friend and colleague has asked you about the accessibility of your information, also asked about sign language. According to the information we have received, information standards, hearing communication correspondence with healthcare professionals and social care professionals is not obligatory to make it fully accessible. For example, for persons with intellectual or, and or psychosocial impairments or with deaf persons, sometimes some of the services provided in the reform of social care we heard were provided just by telephone. So I'm wondering what measures would the State Party in the meantime take to ensure that all public entities in the State Party in the governments provide services to the public to persons with disabilities, provide accessible information and communication, especially when you are talking about the provision of healthcare or social protection or later on in the field of employment, support employment for persons with disabilities. All your replies will be much appreciated. Thank you very much.

>> CHAIR: Thank you very much. Next, Mr. Ahmad Alsaif.

>> AHMAD ALSAIF: Thank you, Madame Chairperson. I welcome to distinguished delegate of United Kingdom. I have some questions firstly concerning purpose and general obligations, article 1.24. Please explain how the State Party's efforts to implement the Convention are coordinated among the State Parties developed governments and local authorities. For example, when incorporating the Convention into national legislation and when deliberating policies and legislations, also please explain how organizations of persons with disabilities and the National Human Rights Institutions are consulted in the process. In addition to that, would you please inform

on State Party efforts to review and harmonize national legal practice with the Convention. Also please provide information on how the State Party ensure the laws, regulations, customs and practices which discriminate against persons with disabilities are applied. My final question is regarding accessibility, article 9. Please provide data on number of cases when sanctions referred to in paragraph 41 of reply to the list of issues were applied and notices given in practice. Thank you very much.

>> CHAIR: Thank you. Mr. Coomaravel Pyaneandee.

>> COOMARAVEL PYANEANDEE: Colleagues, extend a warm welcome to the distinguished delegation of United Kingdom and the DPOs whose work has already helped us for this constructive dialogue. My questions are, certainly the United Kingdom is a unitary state, and we would all expect that the principle of equality and nondiscrimination would apply across the board that is in all the territories. However, this is not necessarily the case. One example is in Northern Ireland disability discrimination act 1995 which doesn't make provision for indirect discrimination or discrimination by association or even perceived discrimination, so my question is does the UK government intend to implement the equality commission's recommendation on this issue and bring it in line with article 1 and 5 of the Convention and even for that matter the equality act 2010. The second disparity relates to British sign language, again here the act of 2015 guarantees greater protection to deaf persons, but again, not the same kind of protection afforded to persons in England and Wales. My question is, do you intend to remedy this disparity and this inequality and if so, when. My third question in relation to that is, how do you intend to bring the entire equality act in line with the Convention, because there are certain areas, especially in relation to civil and political rights, access to justice, the provision of which are simply not in line with the Convention. Finally, my question relates to article 5, 6 and probably 13 at the same time, to build up from what my colleague Martin Babu touched upon, and I would refer to a case, you are probably aware of a case of Sarah Reed a black woman who committed suicide while in jail, and one doesn't know why she was in jail in the first place, a person with psychosocial disability, pending the determination as to whether she could take a plea or not, which constitutes also deprivation of liberty. This raises the whole question about multiple discrimination in the United Kingdom and whether existing legislations should not be brought in line with the Convention, so that that kind of situation never repeats again. Thank you very much indeed.

>> CHAIR: Thank you very much. Before I turn the floor over to the most extraordinary Country Rapporteur, I have three questions myself. I join my colleagues on the questions relating to article 10, regarding the high suicide rate among disabled people in UK and also relating to article 7. I would like to have information on the treatment of intersex children in the UK. We have information that there is widespread intersex genital mutilation going on, and you know that this Committee and other Treaty Bodies regard that harmful practice as a violation of our Convention. And my final question goes to article 5 and 6, and it relates to the serious crime act of 2015, which might discriminate against women, and people with intellectual disabilities, because as far as I understand, it makes coercive and controlling behaviour in an intimate or family relationship a criminal offense, the act provides that it is a defence for a perpetrator to show that they believe themselves to be acting in the victim's best interest. And this was intended to cover carriers and that is why this defence risks preventing disabled women and people with learning

disabilities or intellectual disabilities from seeing their abusers brought to justice. I hand over to our Country Rapporteur now.

>> STIG LANGVAD: I dare say, wow. I'm expecting to see every single delegate from the UK delegation to be appearing tomorrow red-eyed, tired, and ready to give good answers. And I will allow you to spend the night as well. When I was young, I always said to myself, in case of war in Europe I would seek asylum on the Falkland islands. A few years later, they were actually experiencing a situation of war. This brings me to my first question, which is additional to the battery of questions that you have received from other members of the Committee. And that is, I would like to be informed about the state in which way it will support the overseas territories, especially the Falkland islands, in their initiatives aiming, analyzing and addressing the living conditions of persons with disabilities and mention collaboration programs and their outcomes related to the rights of persons with disabilities, because I can see that we have a different perception of the State Party responsibility towards the devolved country governments and the overseas territories. I will also ask you to inform on the existence of or efforts to implement a specific or single overarching formal mechanism to ensure a streamlined and systematic implementation of the Convention in close consultation with organizations of persons with disabilities. And finally, I would like you to explain how the State Party and the devolved governments in its efforts to implement the Sustainable Development Goals, especially goal number 10, and goal number 5, and how you will be guided by article 5 and article 9, and how you will be aware of the, how the state, the Committee -- no, just a minute. It's because I have to look into my papers. I would like to know how you are guided as, how you are, your efforts to implement the sustainable goals, especially goal 10 and 11, guided by article 5 and article 9. Thank you.

>> CHAIR: I thank you very much. And we will break now for 15 minutes, so that the delegation has time to answer our questions, and may I recommend to the head of delegation that you might consider to answer some of our questions tomorrow, because we are already 12 minutes over our time. We asked too many questions, I'm afraid. So I can give you discretion to decide that some of the questions from the first round will be answered again tomorrow. But so you cannot, you don't have to answer all our questions after this break. 15 minutes break now.

>> CHAIR: Welcome back after the break. I give the floor to the head of delegation, Mrs. Jochelson for answering our first round of questions. You have the floor.

>> Thank you very much, Madame Chair and esteemed members of the Committee. Thank you very much for your challenging and wide ranging questions. We have bundled the questions into different groups to try and address common topics, addressed by the different speakers. We will reserve some of the questions on specific questions on digital and ICT and court cases which we will pick up tomorrow. I'm going to start the process by addressing questions around the use of the human rights model and application of the Convention at different levels of government and engage, on engagement and awareness. Then I shall pass it on to my colleagues. There are several Committee members raised questions about the application of the human rights model, and whether the UK applied this. We do feel that the human rights model is reflected through the social model, and I have, I am very confident that the social model is widely applied across government and underpins the development and implementation of policies. We regard the model as significant, as

it reflects, it allows us to consider the specific needs of disabled people, and also helps us consider how to find solutions to the barriers they face in work or social life. Turning to the implementation of the Convention at different levels, the office of disability, for disability issues is a UK government's focal point for the Convention, as per article 33. We support the Minister for disabled people in her cross government role and this provides the Office for Disability Issues with the appropriate levers to promote approaches that align with the Convention, in line with the Convention disability is mainstreamed. That means every government is ultimately responsible for considering disability in the development and implementation of its policies. The responsibility is also made clear through legislative duties placed on all public bodies via the public sector equality duty and equality act of 2010, and the Northern Ireland act, 1998, in Northern Ireland. There are also focal points in each of the devolved administrations, which ensure that the departments of each administration are aware of their duties regarding the Convention. And again the public sector equality duty applies in Scotland and Wales although with some local differences, and there is also legislation in Northern Ireland setting out its statutory duties on public authorities outlined in section 75 of the Northern Ireland act of 1998. At local government level, as before, it is the equality act of 2010 and the public sector equality duty that ensures that equality issues and the needs of disabled people are fully considered and mainstreamed into the policies and programs of all public authorities. Turning to the overseas territories the UK ratification of the Convention has not been extended to the overseas territories however the UK encourages establishment of treaties when the territories are able to implement them -- has not been extended. Finally, we were asked about whether we would incorporate the international treaty into domestic law. As a general principle the UK does not do this. We believe the equality act of 2010 enshrines the rights of people in Great Britain with any of the nine protective characteristics including disability to live free from difficulties, crime, harassment or victimization -- discrimination, and have equal opportunities in domestic law. I was asked about the fulfilling potential strategy. This was published in July, 2013. Last year we committed to reviewing the strategy and we will be using the concluding observations from this dialogue to help inform our future thinking. Several questions were asked around our engagement in consultation with disabled people in the development of policy. The UK has a strong record in engaging with disabled people, Disabled Peoples Organizations, representative groups and service users to inform and influence policy. We believe disabled people who make up 21 percent of our population have a unique perspective to offer. There are clear consultation guidelines that set out that government officials should consider the full range of people, business and voluntary bodies that are affected by proposed policies, and should ensure access to consultation. And building on this we are increasingly seeking new ways of engaging with ever greater ranges of people. For example, in our recent improving lives work and health consultation, regarding work and health outcomes, we organized 166 accessible events and used accessible communication methods, such as a web platform that allowed us to reach disabled people and grass-roots practitioners directly. As a result, we received 6,000 responses which we are now analyzing. In addition to consultation around proposed policies, there are also other ways we have of involving disabled people in the implementation of CRPD or holding government to account. Accountability to Parliament is assured through processes such as responding to parliamentary questions, debates with select committees and disabled people have the same rights as others to instigate such activity and frequently do. In addition, the equality and Human Rights Commission

also has a monitoring and enforcement role in relation to the equality act. In preparation for this review, the office of disability issues held several large events with civil society groups to promote the review and offer an opportunity for disabled people and their organizations to tell us directly how we feel we have done in implementing the Convention. I think the 2,000 pages of writing and information that the Committee received is a testament to our efforts and also those of the National Human Rights Institutions and civil society. I was asked questions around raising awareness. The UK's ambition is to eliminate discrimination against disabled people, and one way of doing this is to foster greater awareness and understanding of disability to facilitate inclusion. This means implementing far beyond government, so as to give you some examples, we have invested significant resources in awareness campaigns, for example, dementia friends, campaign which we mentioned in our recent response to the Committee, and in Northern Ireland the public awareness campaign features real people living with dementia and looks to reduce stigma and raise awareness. Our work in health paper I referred to earlier looks at ways of tackling attitudes to the welfare state that are ingrained in the minds of employers and across wider society and our disability confidence scheme will look at ways of transforming employer attitudes to disabled people. Our sector champions are helping businesses understand how they can view disabled people as consumers and gain the benefits of that. We believe we have, we are promoting awareness of disability in many different ways. I'd like now to turn to the accessibility of information across government. Sorry, I'm going to leave that until tomorrow. I'm going to turn to the questions about Brexit, about the UK's departure from Europe. The UK is already a world leader in disability issues and leaving the EU will not change this. We will plan to continue promoting good practice and implementing improvements for disabled people. The European Union withdrawal will convert EU law into domestic law when the UK exits the EU. This means whenever practical and appropriate, the same rules and laws will apply on the day after the UK leaves the EU as did before. The UK is currently working across departments to consult, to conduct second material and regulatory analysis to identify the key factors that will affect negotiations with the EU -- sectorial. And we are developing plans for further engagement across the Disabled Peoples Organizations sector, as we will want to ensure that ministers and government officials hear the concerns for the sector to inform the process going forward. In terms of the economic repercussions of leaving Europe, government will continue to consult stakeholders to review all EU funding schemes in the round and to ensure that any ongoing funding commitments best serve the UK's national interests. We are aware of the important contributions that the European social fund has made to the lives of disabled people. Then there were some questions around British sign language interpreters and the state of the market. The UK recognizes British sign language in 2003 and we regard this as a form of reasonable adjustment. Most sign language interpreters are freelance or self-employed, and we recently conducted a market review of British sign language and communication provision, and the government will use this information to assist departments when preparing new communications contracts with interpreters and interpretation services. I'm now going to turn to Northern Ireland, who will answer some of the questions raised about legislation, and they will be followed by the government equalities service who will address questions around the definition of disability in the equality act.

>> Thank you. The Committee has asked how the Northern Ireland executive will address legislative gaps. The Northern Ireland act 1998 section 75 places a statutory duty on all public authorities when conducting their functions to have due regard to

the needs to promote equality of opportunity between persons with a disability and those without. The disability discrimination act of 1995 sets out the rights of disabled people and requires designated public authorities to have due regard to the need to promote positive attitudes towards disabled persons and to the need to encourage participation by disabled people in public life. In Northern Ireland, the executives draft program for government 2016 to 2021 and the associated draft delivery plan relating to disabled people includes a proposal to amend the disability discrimination act of 1995, to increase the level of statutory protection for disabled people. The published draft program for government remains under development and in the temporary absence of a devolved government remains subject to the review and approval of future ministers. Thank you. I pass over to the government equalities office.

>> Thank you. Before I start, I'd like to thank the Committee for allowing me to speak via videophone to you this afternoon. I will first of all address the question on the definition of discrimination in the equality act, and how this relates to a social model and legal rights models of disability as adopted in the Convention. The equality act definition states that a person is disabled if they have a physical or mental impairment and the impairment has a substantial, long term adverse effect on their ability to carry out normal day-to-day activities. This is not seen as aligned to the social model as some Disabled Peoples Organizations, because it defines a disabled person by how limiting their condition is, therefore focusing on a person's impairment. However the act must be seen as a whole. Reasonable adjustment provision then in the public sector equality duty align the act with the social model through their focus on ensuring that people have a duty to consider and where possible, remove social physical environmental barriers. These provisions are specific only for disabled people. So not for people with other protected characteristics in the act, whereas the overall, to create a level playing field, with disability measures go further, and require disabled people to be treated more favourably than nondisabled people. I'd like to add that reasonable adjustment looks at what service providers and employers can do to remove barriers for disabled people. And the duty requires public authorities to consider equality issues including disability when developing policy or practice. On the issue of our implementation of the United Kingdom's implementation of Convention rights, I would like to speak a little on the British bill of rights, Human Rights Act 1998 gives further effect to rights contained within the European Convention on Human Rights. And the UK government has stated that the UK will remain parties to the Convention for the duration of its Parliament. The UK government will consider further the human rights legal framework when the process of leaving the European Union concludes and will consult fully on any proposals in the full knowledge of the new constitutional landscape, that this will create. The Committee asked about the status of dementia and its definition in relation to the equality act. I would like to state that the dementia is a wide ranging condition, and that varies from the barely perceptible to one that incapacitates the individual completely. The UK believes a flexible approach to such a condition, an approach adopted in the equality act, 2010, is appropriate. An approach that looks at the effects of the condition on the individual, and their ability to lead their life, and whether this is a long or short-term impact upon them. The Committee asked about and cited several examples of discrimination or multiple discrimination, a concept that is described. The United Kingdom government has no plan to implement section 14 of the equality act 2010 which covers discrimination. These provisions were considered as part of domestic equality right challenge, reduce regulatory burdens on business and were not implemented because of the regulatory complexity and the

assessed cost to business. In addition section 14 is considered unnecessary, since the equality act provides for protection across a range of protected characteristics, to enable a person to bring a claim under more than one ground. For example, disability and sex or gender disability and age. The government is concerned that introduction of a geodiscrimination provision could result in considerable new perplexity in the system for employers, employees, service providers, customers and the courts, with potentially minimal actual benefit in terms of new protection for disabled people and others. In the case of disability, section 14 if commenced will not apply to reasonable adjustments or indirect discrimination, or discrimination arising from disability, harassment or victimization. So its use and impact as far as disabled people are concerned is likely to be particularly limited. The Committee asked about reasonable adjustments and access to justice. Access to justice was cited as a specific example. The UK is committed to improving life choices and opportunities of disabled people in their private lives, in their communities and in employment. The equality act places public bodies to consider the potential effects on groups with protected characteristics, when designing the policies or delivering services. The reasonable adjustment duty in the equality act is an anticipatory duty. This means that all those providing goods, services, including for example the courts, to members of the public, are expected to anticipate the requirements of disabled customers, and the adjustments that may have to be made for them. However, the legislation recognizes the need to strike a balance between the needs of disabled people and the interests of service providers. What is reasonable will vary from one situation to another, as factors like practicability of making the adjustment, cost of the adjustment and resources available and facility and provider will vary. I'll now hand over to my colleagues in the administration office to say a bit more on access to justice in this context.

>> Thank you very much. Thank you very much to the Committee for some very interesting questions. I think it was Mr. Buntan who specifically raised a question on legal aid. I think the question was very focused on the changes that have taken place in England and Wales following the implementation of the legal aid sentencing and punishment of offenders act 2012. I'd like to reassure the Committee that legal aid is, provides equal access to justice. Legal aid continues to provide this in the highest priority cases for all applicants who meet the eligibility criteria. This includes disputes with local authorities, community care service for disabled people, and for discrimination and welfare benefit claims, relating to the Convention of the equality act. Legal aid is also available for judicial reviews, including those relating to welfare benefit policies. In trying to support those who need extra help to access this service, we have the civil legal aid advice telephone line, which provides a number of adaptations and adjustments to help people who need those adjustments to access the service. For example, there is text relay and British sign language via web cam for deaf and deafened clients. In addition, clients are allowed to have an authorized friend, family member, support worker or other professional to communicate on behalf of the client. With respect to monitoring the impact of the reforms on access to justice from the legal aid sentencing and punishment offenders act 2012, the UK government regularly produces statistics on activity in the legal aid system in England and Wales. Data on legal aid characteristics are collected to fulfil legal aid agencies, public sector equality duties under section 149.1 of the equality act 2010. Ethnicity, sex, disability, age information is requested from clients, published annually and monitored to ensure that the legal aid agency continues to cater for a diverse population. Published data on client disability are available for some areas of legal

aid from 2008 to 2009, and for all areas from 2012, '13 onwards. From 2012-13 there's also been more detail collected on the type of disability for civil legal aid clients. I'd also like to address the issue of reasonable adjustments during proceedings. Her majesty's courts and tribunal service takes its responsibilities under the equality act seriously providing staff with guidance on the duty to consider reasonable adjustments and provide equal access to services and facilities. Customer feedback is used to improve the provision of services to disabled users. Courts and tribunals are encouraged to record reasonable adjustments electronically in order to help with making decisions in the future, enable detailed analysis of reasonable adjustments made across the courts and tribunals and to inform future service improvements and identify good practice. I'll briefly deal with the question that the Committee made about a very sad case of a suicide in prison. I think it would be not suitable for me to discuss an individual case. But I would say that her majesty's prison and probation service makes considerable efforts to learn from every person in custody, a prison's response fatal incident report will include an action plan prepared by a custody team to respond to any recommendations where a coroner makes a report to her majesty's prison and probation service highlighting concerns about risk of future deaths, the service has a statutory duty to respond to those concerns and the responses are published on the chief coroner's website. Thank you. I'll now pass on to my colleague David in the Department of Health.

>> Thank you. My thanks to the Committee for their questions. There is a number of questions asked under article 10, relating to suicide rates amongst disabled people, and relevant government actions. In England, the cross government suicide prevention strategy which is published in 2012 includes key actions to take tailored approaches to meet the mental health of people with specific needs to address their risk of suicide. This strategy was updated in January, 2017, and set out ways in which the government aims to strengthen delivery of key areas for action. The government has asked local authorities in England to implement multi agency suicide prevention strategies by the end of this year. It includes working with local agencies such as health and other statutory services and the voluntary sector to develop local strategies which take account of people with specific needs. The updated strategy also made a commitment for the national health service to take further action to address suicide of people in contact with mental health services which would include disabled people. There was a question asked by the Committee about accessible information in health and social care. To reduce unacceptable variation in the provision of accessible information and communication support, NHS England introduced in 2015 the accessible information standard. The standard aims to make sure that people who have a disability impairment or sensory loss are provided with information that they can easily read and understand and with support, so they can communicate effectively with health and social care services. From the first of August 2016 onwards, all organizations that provide NHS care or adult social care have been legally required to follow the accessible information standards. There was a question by the Committee relating to restraint in health and social care setting, first I would like to set out the use of restraint without specific legal authorization may be a criminal offense and/or civil wrong. In England data is collected relating to restraints on people in contact with mental health, learning disability and autism inpatient services. Data prior to January 2016 recorded whether restraint had taken place for particular person and the duration of the restraint. Since January 2016, the data includes a greater level of information about the type of restrictive intervention used, physical, chemical, mechanical, seclusion or segregation. The positive and proactive

care guidance was published in 2014, it provides guidance for health and social care staff to develop culture where restrictive interventions are only ever used as a last resort for adults with behaviour challenges. The positive and proactive care guidance emphasizes the need to identify causes of challenging behaviour to work to prevent the situation from escalating to a point where restricted intervention is needed. Thank you. I'll hand over to my colleague from the home office.

>> Thank you. I will address the Committee members' various thoughtful questions on protecting women and girls from violence and abuse. The government foundation says no victim of abuse is turned away from the help they need. The UK government recognizes different people have different needs in terms of service provision, it's important for Commissioners to understand the barriers that disabled women and girls can face in reporting abuse and accessing the support they need. We have set out a clear blueprint for local action from a new national statement of expectations to ensure that local services are flexible and responsive to a victim's experience. This includes providing access to a broad diversity of provisions, considering how services will be accessible to disabled women. Promoting touch points in communities, so that disabled people and people with learning difficulties are able to disclose abuse or sexual violence safely to trained professionals, taking into account the additional barriers that they can face in accessing support. In terms of monitoring, the domestic abuse Commissioner appointed under the domestic abuse bill will play a role in monitoring the outcomes of service provision locally. The robust monitoring of projects will be shared with a network of violence against women and girls experts. Regarding the Committee's questions on funding, the government has pledged increased funding of 100 million pounds for its violence against women and girls strategy between now and 2020. As part of this, it has provided 17 million pounds for violence against women and girls transformation fund to support projects such as transforming sexual violence program which received 420,000 pounds to make innovative improvements to its services for victims with complex needs and learning difficulties. In addition the tax fund will provide 15 million pounds to causes focused on improving the lives of disadvantaged women and girls, experiencing violence and abuse, and this includes the sign health project which received 200,000 pounds to establish domestic violence support service for deaf women and girls in greater Manchester. Regarding the Chair's important question on genital mutilation, female genital mutilation is an issue which the government takes extremely seriously. The government has set up a specialist unit which is driving a step change in nationwide outreach on FGM. The government introduced mandatory duty for front line professionals to report cases and a protection order to prevent children at risk being taken out of the country. Regarding the further question on coercive control, this means the context of the relationship will be considered as part of charge, prosecution and execution of coercive control. Regarding the question on the ratification of the Istanbul Convention, the correlation government signed the Convention in 2012. This government is fully committed to ratifying the Convention. That is why it's supported the preventing and combating violence against women and domestic violence act which requires the government to make annual reports on measures taken to enable the ratification of the Convention. The first report on this will be first of November this year. In most respects the UK already complies with or goes further than the Convention requires. However, we cannot ratify the Convention until we are fully compliant with it. And there remains outstanding issues including in relation to extra territorial jurisdiction. We will introduce the extra territorial jurisdiction measures necessary for compliance in England and Wales as part of the domestic

abuse bill, and we are engaging with devolved administrations on the measures necessary to ensure compliance in Scotland and Northern Ireland. I'd now like to pass over to my colleagues from Scotland to explain further.

>> To respond specifically to the question raised by Mr. Babu in relation to anti bullying for Scotland's children, in Scotland our national approach to anti bullying for Scotland's children and young people guidance is currently being refreshed, to communicate and promote a common vision to encourage all sectors to deliver holistic approach to anti bullying, including prejudice based bullying in Scotland. The refreshed guidance will include strengthening messages on on-line and off line bullying, and the refreshed guidance will be published later this year. The additional support needs tribunals for Scotland provides a remedy for disabled related discrimination in schools. The tribunals provide a public report on the number of cases each year. However, due to the small number of cases, individual information about cases is not yet published, due to the risk or likelihood of identification of individuals. I will now pass to my colleague from department for education.

>> Thank you. Thank you to the Committee for your questions on the relating to disabled children. I'm going to be asking, answering in relation to policy relating to England and services in England, where we have made major reforms to the system of education and care for children with special educational needs and disabled children and young people. Turning first to questions about the participation of Disabled Peoples Organizations in the policy process, and how we support children and young people's self expression, my first point is that we have worked very closely with Civil Society Organizations in the development and implementation of our major reforms through the children and families act 2014. The Act enshrines the principle that disabled children and young people and their families must be fully involved in decisions about the support and education that they receive, so that they have appropriate choice and control. The act places a clear duty on local authorities to have regard to the views and feelings of children and their parents and make sure that children and young people are able to participate fully in decisions that affect them, and that they are fully involved in the development of education, health and care plans which set out the provision that they will be receiving. We have also worked closely with the council for disabled children to put in place a participation project for young people, which enables young people's views to be heard at national level, and we have provided funding of over a million pounds for the establishment of a young people's group flare which has established groups in regional areas and enables young people to offer training to professionals, that have an important impact. We also support our independent supporters program, which helps children, young people and families navigate their way through the system. Turning now to question about the progress in implementing the reforms to the special educational needs and disability system, and the impact that those have had on young, disabled young people, reforms are now well under way, and are due to be received full implementation by March 2018. We are carefully monitoring the impact of the reforms. They are a major change program, and there is a lot of hard work still to be done in order to make the important impact. But we are beginning to see very positive feedback. For example, a survey of over 13,000 parents and young people found that 73 percent agreed that their education, health and care plan had led to the child getting the help they needed, and over two-thirds of those responding agreed that it had improved children's experience of education. Now I'm going to respond to questions about bullying in schools and the role of offstead, it is a independent

inspector responsible for inspecting schools, colleges in early year settings, it registers and inspects social care provisions for all children and young people. It plays an absolutely vital role in ensuring high standards and high quality, and specifically offstead looks at bullying in schools, reviews evidence and has played a key role in holding schools to account in relation to bullying. Clearly, it is never acceptable for a child to be bullied, victimized or harmed in any way. Disability discrimination is illegal, clearly under the 2010 act. And all schools are required by law to have a behaviour policy in place, with measures to tackle bullying among peoples. We survey the incidence of bullying in schools through national surveys, and we publish that information and take the findings of those surveys very seriously. I was also asked about support for families for disabled children, where parents are either disabled themselves or who are no longer able to look after their own children. All disabled children are regarded as children in need, under section 17 of the children act, and authorities are required to safeguard and promote their welfare. Local authorities have a duty to provide short breaks for families and disabled parents under the care act 2014 can be considered for an assessment of support as a carer. Finally, I was asked about support for young disabled people with mental health needs. We recognize that there is more, more is needed to improve support for mental health. The government has invested an additional 1.4 billion over the coming years to 2020 in order to improve services, and we will be publishing by the end of the year a green paper which will set out further proposals for reform of children and young people's mental health services. I'd like now to hand over to James Wolf in department of work and pensions.

>> Thank you very much. I'd like to respond briefly to two specific questions raised by members of the Committee, which touch on the benefits system in the UK. Firstly, Mr. Martin asked a question regarding landlords renting properties to people on benefits. We note the Committee's concern. It is clearly the UK government's view that landlords should not discriminate against disabled people. There is no reason why a private landlord should know whether someone is claiming a disability benefit, and also as we roll out universal credits, landlords will not know why someone is claiming that benefit or even whether or not they are in work. Hopefully that will go some way to addressing those concerns. The second question from Mr. Alsaif was about numbers of sanctions. I'm assuming paragraph 41 of our response was around working benefits, that this is a number of people claiming support allowance. I can say that less than 1 percent of people claiming that benefit have been sanctioned, with more than 99 percent complying with the reasonable requirements every month. Of course people receiving this benefit cannot be sanctioned for not finding work or for failing to apply for jobs. I'd like to hand over to my colleague Miriam from the department of transport.

>> Thank you. To the Committee's question on taxis, I'd like to outline the government's position. Taxis and private hire vehicles provide an especially important service for disabled passengers, ensuring they are able to complete door to door journeys as independently where modes of transport may not be accessible. On the 6 of April this year the provisions of sections 165 and 167 of the equality act 2010 were brought into force in Great Britain. It is now a criminal offense for drivers of taxis and private hire vehicles to refuse passengers with assistant dogs or charge extra for doing so. It is also illegal to refuse the wheelchair users to fail to provide appropriate assistance and to charge such passengers extra. We are also aware, disability awareness training can be an effective tool in helping transport providers to

understand the rights, expectations and needs of disabled passengers. Licensing authorities already have the power they need to require drivers to complete such training, and we encourage them to do so. I will now pass over to my colleague from Wales, please.

>> Thank you. Welcome this opportunity to set out how the Welsh government is taking forward the implementation of the UN Convention on the rights of disabled people, and to briefly highlight a number of distinctive Welsh legislative actions and programs relating to matters raised by members of the Committee. The Welsh government recognizes that full recognition of Convention rights and the application of the social model of disability which underpins them requires cultural change and leadership across government, public services and the private and voluntary sectors in Wales. The social model of disability was formally adopted by the Welsh government in 2000 two. Our framework for action on independent living was published in 2013. And the framework is currently being reviewed with the aim of publishing a new version by the end of 2017. We are very pleased that this process of review and, renewal is being fully supported by disabled people and their representative organizations including through a steering group chaired by the chief executive of disability Wales. And I'm pleased that she is able to be with us here today. We will set out a practical program of action to ensure tangible progress in tackling some of the key barriers identified by disabled people, their families and their carers. Turning to violence against women domestic abuse and sexual violence, it was asked about concrete measures. A act brings about public sector response to violence against women. The act addresses domestic abuse and sexual violence perpetrated against all people in Wales. A national strategy to help fulfill the purposes of the act was published in November 2016. In relation to tackling poverty and especially child poverty, Welsh government's 2016 strategic equality plan highlights the importance of taking action in this area. The plan includes a new objective, to reduce poverty, mitigate the impacts of poverty and improve living conditions for those groups most at risk of living. In relation to suicide prevention, talk to me too suicide and self-harm prevention strategy for Wales 2015 to 20 takes a targeted approach identifying particular groups of people who are especially vulnerable. We remain determined to reduce suicide rates by further promoting, coordinating and supporting the plans and programs that can help prevent and reduce suicide behaviours. In relation to housing under regs Wales introduced by the Housing Wales act 2014 all private landlords need to be registered and if they manage the property themselves, to be licensed. Registration and licensing will enable local authorities to target enforcement at rogue landlords who provide substandard and overcrowded accommodation. I'll pass back to my colleague from the Scottish government.

>> Thank you. A number of Committee members raised the point about engaging with Disabled Peoples Organizations and disabled people. I'd like to say a little about what we are doing in Scotland around that. My government is committed to working in partnership with the disabled people and their organizations and the development of legislation, and those policies which could have an impact on their lives. Ministers have consistently given assurances in the Scottish Parliament, in the media and in public pronouncements that in taking forward our policies on improving the life of disabled people, we will work with them, not for them. That is an important distinction and one which ministers view as being paramount. For example, disabled people and Disabled Peoples Organizations worked in partnership with my government during

the development of a fair Scotland for disabled people, which is our delivery plan for implementation of the principles of the Convention. I know that Committee members were sent a copy of the publication. While the final version did not address every single concern raised by disabled people, it does represent an across government commitment to delivering transformational change in the lives of disabled people in Scotland. I would like to thank Mr.

>> VALERY NIKITKH RUKHLEDEV: Vool for raising the issue of sign language. 36 funded places for new interpreters under the modern apprenticeship scheme and funding for two programs to upscale qualified interpreters working in specialist health and justice settings. In October, my government will publish Scotland's first British sign language national plan, which will set out further measures to promote and support British sign language access across Scotland. Mr. Tatic also asked about measures to make public services more accessible. And in relation to British sign language, access to public services for British sign language users has been much improved in Scotland with provision of Scotland British sign language which enables DSL users to contact public services through on-line BSL interpreters. I will pass to my colleague Brenda from Northern Ireland.

>> Thank you. The Committee raised a number of issues in relation to Northern Ireland. I will firstly address the question of transport. Northern Ireland is developing an accessible transport strategy which sets out a vision of an inclusive and accessible transport network to address the travel needs of all including disabled people. Trans link the named public transport operator in Northern Ireland has developed an access policy and guide for disabled people. Work is currently ongoing on a solution for rural routes, including engaging and encouraging disabled people to participate on a consultation panel. Steps to improve access to taxis for disabled people, modernizing the technical requirements for wheelchair accessible taxis and requiring all taxi drivers to undertake regular disability awareness training is under way. The recently established taxi advisory forum has permanent representation from the inclusive mobility and transport advisory Committee to ensure that disabled people have a voice during policy formulations. More generally in relation to Northern Ireland and the implementation of article 7, in Northern Ireland the executive during its 2016 mandate included a disability indicator in a draft program for government 2016 to 2021 with an explicit reference to improving the lives of people with disabilities and their families. The associated draft delivery plan was developed and codesigned following extensive consultation with disabled people, their families, carers and the representative organizations. The views of children and young people were also utilized in the design and development of the new children and young people's strategy 2017 to 2027. As the draft program for government devolves there will be further engagement with disabled children and young people. I pass back to Karen.

>> Thank you. We still have a few minutes remaining. So I'd like to address one of the issues we were going to defer to tomorrow. That was several questions around the accessibility of governments, ICT and digital services. We recognize the digital services are playing an increasingly important role in today's society, and that improved connectivity is revolutionizing the UK's quality of life from how we work to how our children learn, to how we spend our leisure time, do our shopping or engage with public services. It's vital that disabled people are not left behind, and have the same opportunity as nondisabled people. In addition to providing superfast

broadband, and local networks to enable more people than ever before to benefit from fast and reliable Internet connection, we are also looking to increase accessibility of websites in the UK. In implementing the government website, gov.uk we considerably increase the accessibility of government, the accessibility of government services. This website gov.uk is constructed to WCAG 2.0 level AA, international web accessibility standard. The website holds information on services and policies across government, and is designed to easily adapt to different users. It connects seamlessly to assistive technology and allows users to customize its appearance. We are continuing to improve the accessibility of our digital services, and have created a UK wide digital community to enable cross government collaboration and set the requirements for the process. I was asked a question about accessibility in relation to welfare. As one example, last year in relation to welfare benefits we prepared general guides in easy read for two main benefits, the universal credits and employment support allowance, we also provide video relay service for people with hearing loss, who wish to find out more or apply for personal independence payments, attendance allowance and access to work which are welfare benefits. We know that in this, since their launch, 1692 employment and support allowance customers have asked for information in alternative formats. In relation turning again to the standards of the gov.uk site, the EU directive on web accessibility for public sector websites will be transposed into UK regulations in time to be included in the forthcoming repeal bill so it will continue in UK law. To conclude, I'd like to thank Madame Chair for allowing us the full allocation of time today. We are aware that there are three questions that we haven't addressed, in relation to international requirements on the sustainable development goals, intersex children and discrimination in court cases which we would like to take up tomorrow. Thank you for your patience.

>> CHAIR: Distinguished head of delegation, distinguished members of the delegation, thank you for your comprehensive answers for the first round of questions. This opens the second round of questions. May I remind my fellow Committee members that we only have half an hour left. Please be brief and short. All the wishes for long time work in the evening, I can do at the end. Not every one of us has to do it. Thank you. First speaker will be Mr. Ruskus.

>> JONAS RUSKUS: Thank you, Madame Chair. My question relates to article 14 and 15. I read the state report that the mental capacity act 2005 the provision of liberty safeguards protect people who are unable to make clear treatment decision for themselves because they lack as the act says the mental capacity to do so, and who need to be deprived of the liberty as the act says, their own best interests. This provision is clearly noncompliant with the Convention. We have information that compulsory detention is rising quickly in the UK. In the same time, a number of unexpected death is rising, especially of those living in institutions, and there is investigations in that. We have information of inappropriate use of psychiatric medication in mental care institutions. Please inform whether there are plans by governments to provide detention on basis of impairments and repeal provisions which allow for involuntary commitment of persons with disabilities in mental health institutions based on actual or perceived impairments according to the jurisprudence of the Committee, guidelines on article 14 of the Convention, on the right to liberty and security of persons with disabilities. Please inform us if there are any independent mechanism for monitoring the implementations of human rights and protection of persons with mental health conditions or psychosocial disabilities in

mental health hospitals and treatment and care facilities especially those of long-term care. My next question with regard to article 15, I have information about the illicit use of police taser firearms against patients in secure mental health settings. Does the state ensure that there is a statutory requirements in place for both the police force and statutory mental health providers to report every incident where police officers use of taser or firearm then in attendance at the psychiatric, to the relevant authorities within 24 hours respectively. Please inform whether the state plans to ban the use of the police taser firearm against the teen patients in secure mental health settings. Thank you.

>> CHAIR: Thank you. The next speaker is Mr. Buntan, followed by Mr. Alsaif, Tatic and Kabue.

>> MONTHIAN BUNTAN: Thank you very much, Madame Chairperson. I would like to ask some follow-up questions from the previous round, some of which I did ask the questions, some of which comes from other colleagues. As the State Party indicated that it is committed to involve active participations by persons with disabilities and representative organizations, and I'm quite thankful for the Scottish government and the Welsh government to say that they involve participation actively, however, as indicated by the Rapporteur that we have not seen a very concrete infrastructure or the overarching structure which requires the involvement or allows active participation by persons with disabilities in decision-making or formulation of policies and implementation of such policies, including the effective monitoring. So I would like to hear more in detail whether the State Party has by law taken action to ensure the support which enabled organizations of persons with disabilities to really effectively participate in this ongoing process of decision-making, implementation and monitoring. The second one is from my own question, and I appreciate your lengthy explanation on the last, I understand the intention is not to undermine the practice of enhancing equality, but I would like to know whether the State Party has monitored or conduct any evaluation on the impact of such act so called last bo whether it has a negative impact on access to justice, especially by persons with disabilities, and it has a lot to do with the court cases which seem to be dropped, and as you said that you would give more detail tomorrow, I look forward to that. I also would like to know whether you have taken any measures to mitigate the situation of those who have been negatively affected by such approach to legal aid. My last question is concerning article 16. I would like to know if the State Party has had any independent mechanism to investigate, monitor the case of violence, abuse and exploitation against persons with disabilities, particularly women and girls with disabilities, living in, especially those who live in the institutions, and whether any mechanism that is available to the general public against the domestic violence are available and accessible to persons with disabilities. Sometimes they exist, but the matter is whether the system that exists is accessible to persons with disabilities so as to ensure that they are protected in all aspects. Thank you very much. I hope you have a good evening. Thank you.

>> CHAIR: Thank you. Mr. Alsaif, please.

>> AHMAD ALSAIF: Thank you, Madame Chairperson. I have just a couple of questions. Firstly, regarding access to justice article 15, would you please provide information including data about cuts in legal aid and introduction of employment tribunal fees, does the government plan to review these policies? The second

question, regarding article 19, please provide information on whether EU structure funds have been used for any deinstitutionalization personal assistants project, and the fate of the social protection of persons with disabilities. Also please provide more information on the training personal assistant received. Thank you very much.

>> CHAIR: Thank you. Mr. Tatic, please.

>> DAMJAN TATIC: Thank you, Madame Chairperson. Thanks to the delegation of United Kingdom for replies. I will be looking forward to the ones on jurisprudence, especially if there had been any court cases to follow up on which colleagues have said against the landlords who discriminated potential times on grounds of disability. I have one follow-up question to the statement of honourable head of delegation Ms. Jochelson when you spoke about the monitoring role of parliamentary commissions, and National Human Rights Institutions. I think it will be nice to share with us information about the measures which government of United Kingdom has taken to implement the various recommendations which different interparliamentary commissions of the house of Lords and house of commons have made in respect in regards to the welfare of system reform especially in regards to the rights to independent living of persons with disabilities. Now I have three specific questions, two questions are pertaining to article 11, and that article is always a challenging hard one. But I think it is important to ask the questions. One is if you could please tomorrow share with us information on measures which State Party takes to ensure that when persons with disabilities are provided with accessible social housing, that housing is safe. I was asking this in view of the recent horrible tragedy in Great Britain. My second question is also relatively hard one, but I think it's important to bring it to the attention of the State Party because it's a question which I have asked another State Party which is like unfortunately many democracies in the world of today are exposed to the threat of terror and State Parties take legitimate measures to protect themselves from the terrorism. I'm talking about hypothetical situation. For example, there is counter terrorist action by security staff of the State Party in some urban area, and there are of course civilians whom security person want to protect. Is there any type of training to make security staff aware of the fact that hypothetically speaking for example there is a deaf person, who is turned with their back to the soldiers or policemen who are chasing after terrorists, and they issue orders and they don't know that the person is deaf. Are they aware that a person may not respond to their requests and legitimate commands because they are deaf, was that paid attention because unfortunately some countries there were cases when persons with sensory or intellectual impairments were not aware, and security personnel didn't know how to communicate to them. It is relatively hard question but with a country which leads important role, global fight against terrorism and along with long tradition I hope you share examples of good practice. Last but not least, it is sort of linked between article 13 and 19, I always like to talk about the Convention as a big jigsaw puzzle and it touches upon article 28 also. So, please tomorrow, if you could share with us what are the possibilities in terms of court proceedings, if an individual has under the new care act, had his care package diminished by local authorities, since we know that it says in, many State Parties have been transferred to the local authorities. I want to know what are possibilities if someone has care package and it has been dim finished, how they can change in court and if you have any on that -- diminished.

>> CHAIR: Thank you very much. Mr. Kabue.

>> SAMUEL NJUGUNA KABUE: Thank you very much. Again welcome to the delegation. It is exciting to interact with you. I have three questions. Two of them are follow-up of issues that you have addressed but in a way that I feel needed a little bit of more clarification. But the first one which has not been tackled, on article 11, and Britain is well-known for humanitarian action, not only within Britain but elsewhere. My question is, in the grants that are given relating to humanitarian action, if disability, is disability and inclusion considered as an important factor to ensure that people with a disability are included in such responses. What is the position of Britain in regard to the send aye framework of action and still on that. What is the position of Britain in regard to the chapter on inclusion of persons with disabilities in humanitarian action. The other question which is a follow-up is related to article 13 on access to justice. The presentations we have heard from elsewhere in regard to Britain is that it is too expensive for individuals to prosecute their own case even those of violation of their rights. What plans are there, or what measures are there to ensure that inability to pay does not become an impediment to access to justice. The last one relates to both articles 15 and 16 on torture as well as violence and abuse, and it's very specific on the use of the taser guns in psychiatric settings against people who are unarmed. Is this something that happens officially, or is it something that is not sanctioned by the government, and if so, what measures are put into place in order to trace that kind of behavior by the police? Thank you very much.

>> CHAIR: Thank you very much. Mr. Babu followed by Mr. Martin and Mr. Basharu.

>> MARTIN BABU MWESIGWA: Thank you, Chair. I wanted to kindly request the delegation that my question on article 5 was not, it was not part of those carried forward to tomorrow. But my question is a general one, Chair. When I was last in the UK about four, five years ago I realize that the internationally known sign that is used to identify disability, or people with disabilities, in the UK it is used across the board for people with health related issues such as those living with HIV and AIDS. Now my question is, doesn't the multiple use of this internationally known to identify or reflect disability or persons with disabilities bring about conflicting interpretations and understanding of the definition of disability as laid out in the Convention, and as such creating confusion in interpretation and clarity on what disability ought to be understood as. Thank you. I look forward to a restful evening for the delegation and I hope that my question previously that I've asked will also be answered tomorrow. Thank you.

>> CHAIR: Thank you. Mr. Martin, please.

>> ROBERT GEORGE MARTIN: Thank you, Madame Chair. I'm worried to hear that people going to court often have no trained assistants or accessible information, also to hear that there are plans to bring a system of greater guardianship in some countries in the UK, and to use, keep using substitute decision-making, which is, which doesn't set right with the Committee. Please can you tell me how you are putting in place article 12, including removing guardianship laws and putting supported decision-making in line with general comment 1. Article 19, I would like to know why you have cut access to funding in services, including benefits and advocacy services, especially people with what you call mild or moderate disability. If you cut funding in services, the people will lose the ability to live independently in the community. And this is not a way forward if you want to implement the Convention. I've heard that, under article 19, I've heard that around 83 percent of public toilets

and accessible toilets have been closed down since 2013. This is having a real impact on disabled people's ability to go out and live with dignity and independence in their community. I understand that it might save money, but it affects people's lives. I think it is the state's job to provide this public service. What are you going to do to turn this problem around? Thank you.

>> CHAIR: Thank you. Mr. Basharu followed by Mr. Pyaneandee and Chaker.

>> DANLAMI UMARU BASHARU: Measures for women with disabilities, particularly women with psychosocial and intellectual disabilities, to access protection mechanisms against violence and abuse, particularly those placed in institutional care and those who are, have been denied their legal capacity. On article 15, I'm concerned about the first sentence in paragraph 1.47 of the report which states and I quote, in England and Wales, medical research need only be carried out on people who lack capacity to consent, when it is considered to be of potential benefit to the individual science and society and under very strict regulations. Question: Do you not think that the interest of the science community may in most cases override the interests of the individual in carrying out medical research on people who are presumed to lack capacity and will of course disproportionately affect persons with disabilities particularly persons with psychosocial and intellectual disabilities, would the State Party consider measure to repeal or review this aspect of the mental capacity act 2005 regardless of the safeguards in place. Article 19, please explain the consequences of the termination of the Independent Living Fund and its transfer to local authorities and administration. How will the State Party ensure that persons with disabilities are not negatively affected through the transition. Also provide more information on how does Scotland continue to function or receive new clients after the closure of the Ilef in view of the publication of the Convention under article 4E extends to all parts of the country without any limitations on it or exceptions. Finally, on mobility what measures are in place to provide training in mobility, for blind persons and their teachers and assure affordability of necessary mobility aids and assistive devices and ensure the safety of blind persons and independent mobility considering that I perfected my own mobility skills in the United Kingdom. Thank you.

>> CHAIR: Thank you. Mr. Pyaneandee.

>> COOMARAVEL PYANEANDEE: Thank you, Madame Chair. I have one follow up. I don't understand on the one hand you are saying equality act complies with the provision of the CRPD, and yet you are saying that you are unwilling to implement provisions relating to multiple discrimination contained in the equality act. I suppose this is contrary to and violative of the article, how do you reconcile the two? I'm not convinced at all by your explanation. Is it yet another regressive measure by the State Party. My second question is, by the biggest stretch of the imagination, I do not see how article 13 access to justice in its version treated in the light of the jurisprudence of this Committee falls within the ambit of the equality act, procedural accommodation and what measures do you intend to take because you don't intend to harmonize domestic law with the CRPD as I understand it, because you believe that the equality act is doing everything when in fact it doesn't. What measures do you intend to bring if any to harmonize article 13 with the equality act or other legislative measures. My final question touch upon the same concern expressed by my friend Ruskus and Kabue in relation, I mean that was raised in relation to article 15 torture. That was raised by the Special Rapporteur of the UN on torture in 2013. It

was raised equally in parliamentary debate in June, 2016, in the house of commons relating to the use of taser gun. My question is, can you today or tomorrow rather, take commitment that there would be a complete ban on the use of taser gun on persons who are detained in psychiatric settings. Thank you.

>> CHAIR: Thank you. Mr. Chaker.

>> IMED EDDINE CHAKER: Thank you, Madame Chair. As for the question as usual what steps are you taking to ensure compliance with the CRPD for the law concerning legal capacity, and let me remind you that legal capacity concerns the article 12. Thank you.

>> CHAIR: Thank you very much. Mr. Lovaszy. >> LASZLO GABOR LOVASZY: Thank you, Madame Chair. I have a follow-up question regarding bullying, children with disabilities. Please enlighten us whether the effective measures to fight bullying children with disabilities, what steps have been made to reverse the reported trends in bullying and whether children with disabilities themselves have effective, even independent mechanism and support to protect themselves from bullying, and appropriate decisive measures are available in terms of the perpetrators. In relation to access to communication, and my next question will also more or less be a follow-up one, and bearing in mind that the application of services provided in terms of sign language in Scotland acknowledged by the relevant DPOs as well as encouraging developments report in Northern Ireland, I know wondering the government of the State Party intends to rely on the good examples in Scotland when improving the provisions as well as application of the BSR in all entities in the State Party within the framework of equal protection and exercise of the rights of persons with disabilities when accessing to information. Thank you.

>> CHAIR: Thank you. Mr. Kim.

>> HYUNG SHIK KIM: Question from article 16, provide information and data on the current use and scope of a nonconsensual electroconvulsive therapy on persons with disabilities across the devolved governments, and especially in Northern Ireland. Also please inform the Committee about concrete measures for and mechanisms put in place to monitor and assess all care institutions and penal institutions in the UK, in accordance with the article 16, paragraph 3. Thank you.

>> CHAIR: Thank you. Mr. Rukhledev.

>> VALERY NIKITKH RUKHLEDEV: Thank you, Chair. I have a question under article 13. I have information that deaf people are denied the possibility of carrying out their civic duty as members of jury during trials. As a sign language interpreter is meant to provide interpretation to deaf people, would this be in contravention of UK law. Also, deaf people are subject to covert denial of their right to justice and to appear in juries. Please inform us what are the prospects for deaf people to not suffer restrictions and to enjoy equitable participation in legal cases. Also I'd like clarity on issues of deaf people who received, who have been found guilty and who are taking the sentences, does the government provide assistance, there is no support or assistance is provided to deaf people who are in prison. Therefore, they are denied the right to information, and ought to corresponding rehabilitation programs to provide training in the penitentiary systems. Therefore, they are denied their right to probation, or early release. In so doing they are victims of dual discrimination and

dual punishment. Will the UK be considering any measures to exclude dual discrimination in prisons, in places of detention for deaf people. Thank you.

>> CHAIR: Thank you. All my questions have been asked by Committee members, except one, which is relating to article 12.3 and 13. Please inform on supports services granted to asylum seekers and refugees with psychosocial and or intellectual disabilities, in the traditional proceedings regarding their, yeah, their stay in UK. With that, we have concluded a second round of questions. I thank everyone for being precise and brief, we wish the distinguished delegates of United Kingdom, head of delegation, a good evening, we know that we will have to work hard, we hope you get some rest. And we are looking forward to your answers tomorrow. The meeting is adjourned.

(meeting adjourned at 1800)