



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

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

A. Purpose and General Obligations (Art 1-4)

1. Please provide information about:

- (a) Initiatives adapting current models to the human rights model regarding the understanding of the evolving concept of disability;
- (b) Initiatives aimed at analysing the living conditions of persons with disabilities in overseas territories;
- (c) How the Convention is systematically incorporated, implemented and coordinated among all devolved governments and local authorities and across all policy areas, and how organizations of persons with disabilities, including organizations of women with disabilities and children with disabilities are consulted in such processes;
- (d) Initiatives taken by the State party, its devolved governments and public authorities at the local level to streamline the scope of disability in accordance with article 1 of the Convention. Please also indicate what remedies are available for persons who claim protection of their rights under the Convention;
- (e) The implementation and outcomes of the 'Fulfilling Potential: Making it Happen' strategy, as well as updated information about strategies and action plans to implement the Convention by all devolved governments; and
- (f) Measures to protect the right to life of persons with disabilities on equal basis with others and to tackle inequalities in life expectancy and on end of life care among persons with disabilities.

B. Specific rights

Equality and non-discrimination (art. 5)

2. Please provide information about:

- (a) Measures to prevent discrimination on the basis of potential impairment as regards pregnancy termination;

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

- (b) Concrete measures to prevent and eliminate multiple and intersectional discrimination on the grounds of disability, age and sex, in accordance with targets 10.2 and 10.3 of Sustainable Development Goals;
- (c) Measures to address discrimination and racism against persons with disabilities belonging to ethnic minority groups; and
- (d) Measures taken by the State party including the devolved governments to address legislative gaps in the protection of persons with disabilities against disability-based discrimination, including the denial of reasonable accommodation. Please also report about measures to bring into force outstanding provisions of the Equality Act 2010 and bring the Disability Discrimination Act 1995 of Northern Ireland into line with the Convention.

Women with disabilities (art. 6)

- 3. Please inform on the following:
 - (a) How women with disabilities are included into gender policies across the State and the devolved governments. Please also report about measures and available data taken to eliminate multiple and intersectional discrimination of women and girls, especially those with intellectual and/or psychosocial disabilities in education, employment, combat of poverty, health, violence and access to justice, in line with targets 5.1, 5.2 and 5.5 of Sustainable Development Goals; and
 - (b) Measures taken to address all forms of violence against women with disabilities, including domestic and sexual violence and effectively assist women and girls affected, in line with the Committee's General Comment No. 3 (2016) Women and girls with Disabilities.

Children with disabilities (art. 7)

- 4. Please inform on the following:
 - (a) Steps taken to address the higher level of poverty among families with children with disabilities;
 - (b) Steps taken to monitor and remedies against disability-related discrimination and/or harassment in all schools regarding compensation and injunctive relief; and
 - (c) How children with disabilities and their families are included in decision-making regarding assessment and allocation of their support.

Awareness Raising (art. 8)

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

Accessibility (art. 9)

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

Equal recognition before the law (art. 12)

7. Please inform about measures to repeal legislation that restricts full legal capacity of persons with disabilities on the basis of actual or perceived impairment (See CRPD/C/GBR/1 paras. 104, 105, 107, 108, 111, 114). Please also report about measures to regain full legal capacity to persons with disabilities since the ratification of the Convention, and on measures to provide access to individualized support that fully respects the autonomy, will and preferences of persons with disabilities. Please further explain how the devolved governments provide appropriate and independent support to asylum seekers and refugees with psychosocial and/or intellectual disabilities detained to exercise their legal capacity.

Access to justice (art. 13)

8. Please inform on the following:
- (a) Steps taken securing the maximum support to exercise legal capacity by persons with intellectual disabilities, especially related to access to justice through speedy, effective and efficient procedures, and ensuring that no costs are incurred which would not be incurred by others;
 - (b) Remedies and legal aid available for persons with disabilities who experience breaches on rights under the Convention and on the impact of the reforms introduced by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 in England and Wales and the introduction of fees for Employment Tribunals, and measures in place to address adverse impacts on persons with disabilities;
 - (c) Conditions under which the deaf and hard of hearing persons can participate in the jury selection processes on an equal basis with others; and
 - (d) Training of judiciary and the provision of reasonable accommodation to persons with disabilities to access the justice system.

Liberty and security of the person (art. 14)

9. Please inform on the following:
- (a) Legislative safeguards protecting persons with disabilities against deprivation of liberty and to ensure that the measures are based on the principle of supported decision-making; and
 - (b) Measures taken to eliminate involuntary detention of persons with disabilities in psychiatric hospitals, institutions and/or care homes on the basis of actual or perceived impairment, and further inform on measures taken in response to abuse of persons with disabilities in such places.

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

10. Please provide information on:
- (a) The use of all forms of restraints and on measures taken to eliminate such restraints in all settings; and
 - (b) Measures to implement the recommendations of the Equality and Human Rights Commission inquiry into deaths in detention of adults with mental health conditions, aimed at enhancing art. 2 of the European Convention on Human Rights (See EHRC, (February 2015), Preventing Deaths in Detention of Adults with Mental Health Conditions: An Inquiry by the Equality and Human Rights Commission.

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

11. Please inform about the following:

- (a) How women, children, intersex people and elderly persons with disabilities experiencing abuse, ill-treatment, sexual violence and/or exploitation are protected and have access to justice in line with target 16.3 of Sustainable Development Goals;
- (b) The work programme to tackle hate crimes (See CRPD/C/GBR/1 para. 153) and on addressing and explaining the under-reporting of disability-motivated hate crimes and harassments and on how to secure prosecution of such incidents, including within devolved governments; and
- (c) The circumstances under which the use of Electro-convulsive therapy without consent is permissible, across the devolved governments and especially in Northern Ireland. Please provide information about measures taken by the State party and devolved governments to eradicate the use of restraint for reasons related to disability in all settings.

Protecting the integrity of the person (art. 17)

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

Liberty of movement and nationality (art. 18)

13. Please inform when and how the State party intends to withdraw the reservation to article 18 of the Convention (See CRPD/C/GBR/1 para. 171).

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

14. Please inform on the following:

- (a) Measures to ensure that the right to living independently in all its forms regardless of where and with whom one lives, and to be included in the community is recognised as a statutory right;
 - (b) How persons with disabilities can claim protection of their right to independent living;
 - (c) How the State party calculate the costs of independent living vis-à-vis institutionalization of persons with disabilities; and
 - (d) Measures implemented by each of the devolved governments and in overseas territories to ensure access to and sufficient budget allocations for independent living.
15. Please inform on legal initiatives taken to maintain existing and establish new options of support services that allow children, teenagers, adults and elderly persons with disabilities to live included and independent within a house/apartment of personal choice, and participate spontaneously within the community.
16. Please report on how devolved authorities ensure support for independent living for persons with disabilities, including personal assistance and accompanying persons.

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

17. Please provide information on measures taken, including within the devolved governments, ensuring legal recognition, availability of and sufficient funding for high-quality educated sign

language interpreters securing full inclusion in relation to education, employment, health and leisure activities. Please further inform on the availability of courses for all deaf and deaf-blind children, their families and others, such as classmates or co-workers in British tactile and sign language.

Education (art. 24)

18. Please provide information on:

- (a) When and how to withdraw the reservation to article 24 of the Convention;
- (b) Progress of mainstreamed inclusive education at all levels for pupils with disabilities and on how the system is geared to cope with demands of inclusive education, including pedagogical capabilities; and further which initiatives are taken in line with SDG 4, target 4.5;
- (c) Number of students with disabilities both in the segregated and mainstream education system disaggregated by impairment, age, sex, gender and ethnic background;
- (d) Initiatives to inform and raise awareness among parents of children with disabilities, rejecting the right to and potential of inclusive education;
- (e) Measures to ensure access to education to young persons with disabilities in particular from low income households vis-à-vis the reduction in the Disabled Students' Allowance (DSA) in England; and
- (f) Education and/or training enabling teachers to teach children with disabilities within the mainstream education system to make it become inclusive and give pupils with disabilities and optimal outcome and inclusion.

Health (art. 25)

19. Please inform on the following:

- (a) How free and informed consent is secured to persons with disabilities with regard to any form of medical, surgical, invasive or psychiatric treatment or procedure;
- (b) Measures aimed at ensuring accessibility to healthcare, including to the physical facilities, such as furnishings, medical equipment, high-quality medicine and supplies as well as training, information and communication;
- (c) Measures to ensure that women with disabilities have equal access to sexual and reproductive health information and services;
- (d) Measures taken to educate health-care personnel on the rights of persons with disabilities in accordance with target 3.7 of Sustainable Development Goals and how the impact is measured;
- (e) How health inequalities for persons with disabilities, in particular persons with psychosocial or intellectual impairments, are monitored and eliminated;
- (f) Criteria applicable regarding 'Do not attempt resuscitation orders' among persons with intellectual and/or psychosocial disabilities; and
- (g) Measures taken to address suicide rates among persons with disabilities, including in relation to disability-related discrimination, within the State party, devolved governments and overseas territories.

Work and employment (art. 27)

20. Please report on measures, including specified targets to ensure non-discrimination, affirmative action and reasonable accommodation at the workplace, in accordance with European Union regulations to reduce unemployment among persons with disabilities. Please indicate how development is monitored, measured and non-compliance sanctioned.
21. Please inform on how the pay gap for work of equal value among persons with and without disabilities are measured and eliminated in accordance with target 8.5 of Sustainable Development Goals.

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

22. Please inform on measures to monitor and address the impact on adequate standard of living of the welfare reform and anti-poverty initiatives towards persons with disabilities and their families, including the consequences on disability-related costs, following the financial crisis in 2008.
23. Please inform about measures taken by the State party and its devolved governments to:
 - (a) Address poverty among persons with disabilities and the outcomes of strategies to combat poverty;
 - (b) Monitor the impact of the welfare reforms and tax policies regarding persons with disabilities, including cumulative impact of individual policies;
 - (c) Ensure equal access to social support in all its forms by persons with disabilities irrespective of their impairment, level of support required, gender, age, social background, ethnicity, migrant, asylum seeker or refugee status;
 - (d) Ensure support to persons with disabilities in the exercise of their parental responsibilities, parents of children with disabilities, and others; and
 - (e) Ensure that work capability assessments are individualised and based on the human rights model of disability and not on the type of impairment.

Participation in political and public life (art. 29)

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

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

25. Please inform how persons with disabilities following sport events can do so in an inclusive environment, sitting together with accompanying persons like family, friends and others.

C. Specific obligations

Statistics and data collection (art. 31)

26. Please inform on the development and use of disability equality indicators in accordance with target 17.18 of Sustainable Development Goals and on how the State party consult organisations of persons with disabilities in this regard.

International cooperation (art. 32)

27. Please provide information on what policies, programmes and measures will be put in place by the State party to protect persons with disabilities from being negatively affected, upon triggering article 50 of the Treaty on European Union (The Lisbon Treaty).
28. Please provide information on how and to what extent persons with disabilities are involved in and being subjects to the international cooperation, including in programmes aimed at implementing the 2030 Agenda and Sustainable Development Goals.

National implementation and monitoring (art. 33)

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

Follow-up to proceedings under the Optional Protocol

30. In accordance with the Committee's Rules of Procedure (CRPD/C/1/Rev.1 Rule 90.2), please report about measures taken by the State party to address the findings and recommendations issued by the Committee in its report of the inquiry procedure under article 6 of the Optional Protocol (See CRPD/C/15/R.2/Rev.1 para. 114).
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