

Disability Wales' response to WEN Wales CEDAW shadow report consultation

1. Introduction

Disability Wales/Anabledd Cymru (DW) is the national association of disabled people's organisations in Wales striving for the rights and equality of all disabled people, including for independent living. Our core role is to reflect the views of our members to Government with the aim of informing and influencing policy.

Disability Wales subscribes to the Social Model of disability, by which we mean that "disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others" (*UN Convention on the Rights of Disabled People*).

This response will provide evidence on the CEDAW articles of specific relevance to the work that Disability Wales has undertaken with disabled women.

We have used a number of sources to complete this response including; the experiences of our members and the concluding observations of the United Nations Committee for the Convention on the Rights of Disabled people (CRDP). In 2017/18, with funding from the Fawcett Society and Spirit of 2012, DW celebrated the Centenary of Women's Suffrage by running a project called Embolden: Spirit of D/deaf and disabled women. Its vision was to change negative perceptions of D/deaf and disabled women and girls. When researching the funding application, we discovered how invisible disabled women are in terms of imagery, media representation and recognition with the exception, perhaps of Paralympians. The rights of disabled women are often ignored in the

gender equality agenda or the disability equality movement. We have also noticed a shortage of data that reflects intersectional differences of women.

The Embolden project included three workshops (based in Cardiff, Haverfordwest and Wrexham) involving D/deaf, disabled and non-disabled women and girls. This response includes the views of the women and girls that attended these workshops.

We are all very familiar with the level of poverty and unemployment faced by disabled people in general and lack of access to information, support and services. However if you break that down by gender, then it becomes clear that the pattern of gender inequality experienced by non-disabled women is equally reflected in the experience of disabled women.

2. Article 2 - Obligations to eliminate discrimination

In 2010/11 Disability Wales (DW), Welsh Women's Aid and University of Glamorgan worked together to research and produce a report on Domestic Abuse and Disabled Women. The ground-breaking research highlighted many issues and barriers that may affect disabled women experiencing domestic abuse. These included:

- Limited data on the prevalence of domestic abuse experienced by disabled women in Wales, needed to inform domestic abuse policy and practice.
- Lack of accessible information in a range of formats on domestic abuse.
- Limited availability of emergency accommodation that meet the access requirements of disabled women.
- Lack of Disability Equality Training for service providers - only 46% of the domestic abuse service providers surveyed had received Disability Equality Training.

- Inconsistent provision of accessible domestic abuse support services.
- Limited capacity and resources have been highlighted as a key barrier experienced by service providers, which prevents them from making adjustments to the built environment to improve physical access.

Disabled women experiencing domestic abuse often fall through the gaps as mainstream domestic abuse services do not have the resources to support them.

The Welsh Government led the way with the introduction of the Violence against Women, Domestic Abuse and Sexual Violence (Wales) Act 2015. The Act aims to improve prevention, protection and support for domestic abuse survivors. Despite disabled women being more likely to experience domestic abuse than non-disabled women, the act overlooks disabled women and it fails to include provisions that would strengthen the support available for disabled women experiencing domestic abuse. Discussions during the Embolden workshop highlighted that disabled women are still experiencing barriers to domestic abuse services. Issues raised included:

- A lack of accessible information – particularly an issue for D/deaf women accessing services
- Poor awareness and understanding from professionals when reporting incidents of domestic abuse. Women felt that their experiences were not taken seriously
- A lack of accessible emergency accommodation
- A lack of accessible homes available to the local authority, which meant disabled women were kept in refuge longer than necessary

The experiences shared by disabled women highlight that more needs to be done to support disabled women experiencing domestic abuse in Wales.

We call on the Welsh Government to address the specific issues of disabled women in line with the recommendations of the 2011 joint report by Disability Wales and Welsh Women's Aid.

3. Article 7 – Women's representation in political and public life

The Committee of the UNCRDP highlighted concerns regarding the low representation of disabled people in political and public life. Although the current parliament is the most diverse yet, the number of disabled women MP's does not reflect the population. In addition, the National Assembly for Wales has a strong track record of promoting gender equality amongst Assembly Members. However, schemes to increase representation have failed to increase the number of disabled women in political or public life. Attitudinal, financial and organisational barriers are preventing disabled people from standing for election and holding an elected position in their local council, the National Assembly for Wales or at Parliament level.

The Access to Elected Office fund provided vital financial support to disabled people standing for the 2015 general elections. This scheme provided eligible disabled people with the financial support to acquire support including a support worker or a British Sign Language Interpreter, for example. The scheme was suspended following the elections, however the Scottish government reinstated the scheme for disabled candidates standing in the 2017 elections in Scotland. Since the closure of the fund in 2015, disabled people standing for election have had to finance any support out of their own pockets. This is not acceptable and has resulted in fewer disabled people being able to stand for elections.

Disabled people are being denied their right to vote. A report by Scope in 2010 revealed that 67 per cent of polling stations had one or more significant access barriers for disabled people¹. Inaccessible polling stations are forcing disabled people to use the postal voting system as they are unable to enter their local polling station. Although polling station accessibility has improved disabled people wishing to vote in the 2017 General Elections were turned away from their polling station due to poor access, lack of accessible equipment or refusal of polling staff to support the individual to vote².

Disability Wales recommends the Welsh Government to introduce a Welsh version of the Access to Elected Office fund including measures to ensure that disabled women have equal opportunities to benefit from the fund.

4. Article 11- Employment

The concluding observations of the UN Committee for the CRDP stated a concern for the high employment gap for disabled women. Despite

¹ Scope – Polls Apart 2010 - <http://www.scope.org.uk/Scope/media/Documents/Publication%20Directory/Polls-apart-2010.pdf>

² Electoral Commission – Lessons for everyone - https://www.electoralcommission.org.uk/__data/assets/pdf_file/0008/237194/Accessibility-report-call-for-evidence.pdf

increasing employment rates across the country disabled women are being left behind in the labour market.

The current pay gap between disabled and non-disabled women is 22 per cent³. Despite qualifications, disabled women have lower participation rates in higher skilled jobs and work fewer hours than both non-disabled women⁴. Additionally, 27% of disabled women are economically inactive compared with 16% disabled men⁵.

Discussions within our Embolden workshops highlighted that disabled women are prevented from entering employment due to inflexible working patterns and a lack of awareness from employers. Many women reported a desire to start up their own businesses, but could not find suitable professional services to support them in establishing their ventures. There is widespread evidence that disabled people are still facing discrimination when applying for jobs, due to incorrect stereotypes of their impairments or health conditions.

The Welsh Government has recently published its [Employability Plan](#) which aims to tackle unemployment and economic inactivity in Wales. This plan to not highlight the specific issues that disabled women face in relation to employment.

Disability Wales recommends that Welsh Government fully addresses the specific issues that disabled women face in entering and sustaining employment, particularly in regards to equal pay.

³ The Papworth Trust – Disability in the United Kingdom - <http://www.papworthtrust.org.uk/sites/default/files/Disability%20Facts%20and%20Figures%202016.pdf>

⁴ All Party Parliamentary Group for Women and Work. 2016. Women Returns Annual Report 2016. <https://connectpa.co.uk/wp-content/uploads/2016/03/Women-and-work-Annual-report-low-res.pdf>

⁵ The Poverty Site, 2011 <http://www.poverty.org.uk/45/index.shtml>

5. Article 12- Health Care

Disabled women living in Wales, do not have equal access to health care as non-disabled women or men.

The Welsh Government introduced the All Wales Standards for Accessible Communication and information for people with Sensory Loss in 2014. Despite the standards;

- Almost half (42%) of Deaf BSL users say communication at their appointments isn't adequate because they don't have an interpreter
- More than a quarter (29%) of people surveyed said that they have to ask a family member, friend or support worker to call their GP surgery on their behalf⁶.

The Committee for the UNCRDP noted that disabled women and girls were being forced to undergo medical procedures such as sterilisation. The forced use of sterilisation has been highlighted amongst women and girls with learning difficulties. The committee highlighted the multiple barriers disabled women faced when accessing sexual and reproductive health services.

Provisions for mental health services have shown some improvement however:

- Disabled women with a mental health problem die on average 13 years earlier than the general UK population⁷.
- Nearly half of female prisoners in the UK have been identified as having anxiety and depression. This is double the rate of male prisoners.

⁶ Action on Hearing Loss Cymru -

<https://www.actiononhearingloss.org.uk/how-we-help/information-and-resources/publications/research-reports/good-practice-wales/>

⁷ Equality and Human Rights Commission. 2017. Being Disabled in Britain. <https://www.equalityhumanrights.com/sites/default/files/being-disabled-in-britain.pdf>

What's more, nearly half female prisoners (more than double the rate for men) report attempting suicide⁸.

Disability Wales recommends that the Welsh Government takes measures to remove the barriers that disabled women face in accessing healthcare in Wales, particularly in respect to mental health, sexual and reproductive services.

6. Article 15- Equality before the law and civil matters

The Committee for the UNCRDP raised concerns that disabled women do not have equal access to justice.

Current central Government austerity measures particularly with regards to welfare benefits have significantly reduced disabled women's choice on where to live. Changes to Housing benefit eligibility has surely restricted disabled women's right to choose where and who they live with.

We call on the Welsh Government to review the current support available to disabled women seeking access to justice, including provisions to mitigate central government austerity measures, where possible.

7. Additional recommendations

Framework for Action on Independent Living

⁸ Light, M., Grant, E. and Hopkins, K. (2013), 'Gender differences in substance misuse and mental health amongst prisoners: Results from the Surveying Prisoner Crime Reduction (SPCR) longitudinal cohort study of prisoners'. <https://www.gov.uk/government/collections/surveying-prisoner-crime-reduction-spcr>

Introduced in 2013, following DW's successful campaign Independent Living Now, it is a cross-cutting approach to tackling a range of barriers to independent living, underpinned by the Social Model of Disability and UNCRDP.

Over the last year the Framework has been undergoing a review, following engagement with disabled people around Wales.

Our aim is for the revised Framework to be aligned more closely with Welsh Government Plans & policies as well as the CRDP as well as reflected the diverse situations and experiences of disabled people.

Disability Wales calls on the Welsh Government to align the revised Frame for Action on Independent Living, more closely to current Welsh Government plans and policies as well as, to the principles of CEDAW and the CRDP.
