

**Written Submission on Public Consultation on the Draft Initial State Report under the United Nations Convention on the Rights of People with Disabilities (UN CRPD)**

**April 2021**

**The Union of Students in Ireland (USI)**

The Union of Students in Ireland (Aontas na Mac Léinn in Éirinn) is the national representative body for third-level Students’ Unions in Ireland. Founded in 1959, USI now represents more than 374,000 students in Further and Higher Education Colleges across the island of Ireland. The goal of USI is to work for the rights of students and a fair and equal post-secondary education system in Ireland. USI is a full member of the European Students’ Union (ESU) which represents students from 46 National Students’ Unions in 39 countries, and a member of Eurodoc, the European Council for Doctoral Candidates and Junior Researchers.

The Union of Students in Ireland (USI) welcomes the opportunity to respond to the Public Consultation on the Draft Initial State Report under the United Nations Convention on the Rights of People with Disabilities (UN CRPD) and we have grouped our submission in the following areas:

We have grouped our responses into the following key areas:

1. Implementation of the Convention
2. Access to Education
3. Healthcare
4. Accommodation within Third Level
5. Entering the workforce
6. Awareness and Access to Supports
7. **Implementation of the Convention**

The Union of Students in Ireland is aware of the importance steps taken by the Irish Government in signing the United Nations Convention on the Rights of Persons with Disabilities in 2007 and later ratifying the Convention in March 2018, which ensures people with disabilities are not treated differently or unfairly because of their disability. Yet, for many the positives of the ratification of the Convention are yet to be felt.

Alongside the ratification of the Convention the National Disability Inclusion Strategy 2017 – 2021 and the Employment Strategy for People with Disabilities 2015-2024, we saw a whole of Government approach to improving the lives of people with disabilities and enable people with disabilities to fulfil their potential.

Since Ireland ratified the Convention, a number of strides and actions have taken place to ensure people with disabilities are supported and included within the development of this work including the development of the NDIS Steering Group (NDISSG) and the Disability Stakeholder Group (DSG) which encompasses disability organisations and individuals with a lived experience of disability ensuring all policy development is devised with those with lived experience.

An important step by several departments to establish their own Departmental Consultative Committees (DCC) in order to ensure NDIS actions are achieved within each Government department is an important move to meeting our commitments within the United Nations Convention on the Rights of People with Disabilities (UN CRPD).

1. **Access to Education**

The United Nations Convention on the Rights of People with Disabilities (UN CRPD) plays an important role in combating the risk of systemic poverty and unemployment of people with disabilities and we need to ensure Ireland meets its commitments United Nations Convention on the Rights of People with Disabilities (UN CRPD), and achieve its United Nations Sustainable Development goals. As a state we must ensure there is equity of access to Further and Higher Education to support those with a disability reach their educational goals. Under Article 24 of the UN CRPD, it outlines the important role the state plays in ensuring that people with disabilities have an equal right to access tertiary education. Difficulties in accessing relevant supports can cause disengagement with education and result in people with disabilities being unable to continue within third level education.

In recent years, a large amount of work has been undertaken to ensure that access that people with disabilities can access education. Yet, research undertaken by AHEAD found that 15,696 students with disabilities registered with disability support services for the academic year 2018/2019, representing 6.2% of the total student population in the institutions researched out of a total of 253,178 students.[[1]](#footnote-1)[[2]](#endnote-1) In contrast to 4,853 in the 2008/2009 academic year meaning over the past ten years there has been a 200% increase in the number of students registered with disability support services in Ireland.[[3]](#footnote-2)

While in comparison to postgraduate study only 2.4% of students are registered with disability support services, highlighting the significant access barriers present at this level. [[4]](#footnote-3) Research within the National Access Plan outlined that the target of 8% that was set for the lifetime of the Plan was exceeded by the Progress Review stage in 2018.[[5]](#footnote-4)

While great progress has been made to support increased access and participation by students with disabilities within Higher Education, we still have some way to go to address physical, financial, and societal barriers to accessing Higher Education. In March of this year, issues in accessing PhD/Postgrad Scholarships and the impact on accessing Disability Allowance were brought to public attention. With the Union of Students in Ireland and AHEAD Ireland coming together to highlight this issue for many students with disabilities progressing to postgraduate studies.[[6]](#footnote-5)

For those accessing third level education on a part time basis, they are met with further barriers. One of the major barriers is lack of access to student grant supports for part time students and reduced access to financial supports while in College. Research conducted by AHEAD saw an increase of 21 percent of the number of students with disabilities studying part-time in higher education in the 2018-2019 academic year. [[7]](#footnote-6) Due to the increase in students with disabilities deciding to study part-time highlighted we need to address these barriers immediately.

If we are committed as a state to ensure people with disabilities are supported and empowered through our commitments under the United Nations Convention on the Rights of People with Disabilities (UN CRPD) we must proactively incorporate Universal Design for Learning principles into our education system.

Recommendations:

* Increase financial supports for disability related supports and initiatives within Higher and Further Education.
* Increase financial supports to ensure more students with disabilities can access postgraduate studies.
* Increase awareness of support services on campus and within the community.
* Higher Education Institutions should increase levels of resources to disability support services to ensure quality and support a whole college approach to inclusion.
* Through cross sector collaboration identify potential access barriers to third level for students with disabilities.
* Identify cross departmental barriers to accessing third level education, with a particular focus on greater communication and supports between the Department of Social Protection and the Department of Further and Higher Education, Research, Innovation and Science.
* Increase Student Grant rates to reflect the rise in the cost of living and incorporate additional costs for students with disabilities.
* For the Department of Further and Higher Education, Research, Innovation and Science and the Department for Public Expenditure and Reform to restore the grant thresholds to their pre-Budget 2011 rates.
* Ensure SUSI allows for flexibility for students with disabilities as not every application can fit the criteria as comfortably as others.
* Ensure that the same grant supports for full-time students be extended and offered to parttime students who qualify under the other criteria.
1. **Healthcare**

For many people with disabilities access to adequate and appropriate healthcare is vital. For many having access to a medical care is imperative to them in accessing essential healthcare. According to Irish Health Survey 2019 - Persons with Disabilities, a quarter of persons with a disability report that their health status is bad or very bad, which is well in excess of the 4 percent of those without a disability who also report their health status as Bad or very bad.[[8]](#footnote-7) Alongside reporting a bad or very bad health status 43 percent of persons with disabilities report some form of depression, which is far above the State average of 14 percent. [[9]](#footnote-8)

In recent years, we have seen long waiting lists to access vital healthcare. For people with disabilities a quarter report having unmet health care needs due to waiting times in accessing medical services, compared to the average of 14 percent for the general population. [[10]](#footnote-9) It is very apparent that Ireland has a two tied healthcare system and paying for treatment is often the only way to get treatment when it is needed. Therefore, for many accessing private health insurance is necessary to get the healthcare they need. According to Health Insurance Authority, 2,312,000 people insured with inpatient health insurance plans at the end of December 2020. This represents an increase in the number of insured people of 36,000 over the past 12 months.[[11]](#footnote-10) For many people with disabilities, they are focused to go to another jurisdiction to access specialist services, for example psychological services for deaf people.[[12]](#footnote-11)

People with disabilities have been disproportionately affected by fiscal policy decisions made as part of successive austerity Budgets. People with disabilities are massively impacted by cuts to social welfare payments, changes in medical card eligibility, increased prescription charges, and cuts to supports such as respite, home support hours, and housing adaptation grants. As a result of these cuts and changes makes it difficult for some people to continue to live in their communities.

People with disabilities have also been greatly impacted by COVID-19 and access to essential services and supports which would normally be available to them. As we begin to move out of lockdown restrictions, we need to ensure people with disabilities are supported and prioritised. Work has been undertaken to gather date on the cost and issue around disability payment. Although, despite the Government commissioning work on the cost of disability payment we have yet to see steps being taken towards its introduction. If we are to meet our commitments under the United Nations Convention on the Rights of People with Disabilities (UN CRPD) the extra costs associated with having disability should not be borne by people with disabilities alone.

Recommendations:

* Greater support and investment is needed in disability supports and services as we move out of lockdown restrictions.
* Gather data on the support and shortfalls of disability payment and work with all stakeholders, representative organisations and those with lived experience of disability to address the recommendations of this work.
* Address areas shortfalls in services and supports within the Irish healthcare system.
* Reverse cuts and changes made to disability supports and services made in previous budgets.
* Address the need to greater awareness and training of disability for all healthcare professionals.
* Put in place greater financial supports to address the greater need for mental health supports for those with disabilities.
1. **Accommodation within Third Level**

For many students attending College is an exciting time, yet for students with disabilities they are met with further barriers to accessing third level. Within the National Housing Strategy for People with a Disability 2011 – 2016[[13]](#footnote-12), supporting students with disabilities is only briefly outlined.

Students with disabilities encounter many additional costs when renting accommodation and may require additional reasonable accommodations or assistive technology/ ergonomic furniture and these additional costs can result in an inability to access third level education and gain independence. [[14]](#footnote-13)

Recommendation:

* Address the lack of suitable accommodation provisions for students with disabilities within Purpose Built Student Accommodation (PBSAs) and other accommodation providers.
* Increase supports for students with disabilities when moving away from home for educational purposes as for many students with disabilities have additional accommodation related costs.
* Introduce financial supports to offset the costs related to alternative equipment or ergonomic furniture.
1. **Entering the workforce**

According to research undertaken by the European Disability Forum, people with disabilities are twice as likely to live in poverty than those with no disability[[15]](#footnote-14) and nationally in Ireland we see this statistic replicated here.[[16]](#footnote-15) They are also less than half as likely to be in employment as their non-disabled peers.[[17]](#footnote-16)

People with disabilities are more likely than the general population to be poor and to depend on social welfare payments for their income with one of the biggest reasons for this being the difficulty they have in gaining or retaining employment.[[18]](#footnote-17)

According to the most recent Survey on Income and Living Conditions (SILC) data it outlines the stark differences in poverty rate between those with a disability and those without:

* The consistent poverty rate for people not at work due to illness or disability is 18.1%. This rate for the general population is just 5.5%, meaning people who rely on state disability payments are more than 3 times as likely to live in consistent poverty as the average person. [[19]](#footnote-18)
* The ‘at risk of poverty’ rate for this group is 37.5 percent. By contrast, the ‘at risk of poverty’ rate for the general population is 12.8 percent, 3 times lower than that for people with disabilities.[[20]](#footnote-19)

For many entering or returning to the work force is their overall aim yet for many reasons including financial barriers and loss of social welfare supports would inhibit people with disabilities from returning to the workforce. Although a large amount of work has been done to increase access to Further and Higher Education, we need to address the barriers for people with disabilities undertaking apprenticeships. At the end of 2020, only 2.7 percent of apprentices self-declared having a disability and where in receipt of supports. [[21]](#footnote-20)

Recommendations:

* Continue to address the barriers to entering the work force for people with disabilities.
* Provide training and supports to employers to encourage greater inclusion of people with disabilities within the workforce.
* Increase existing supports for persons with a disability completing an apprenticeship.
* Introduce a cost of disability allowance to address the poverty and social exclusion of people with a disability. [[22]](#footnote-21)
* Introduce a living wage to ensure all workers meet the average minimum essential costs. [[23]](#footnote-22)
1. **Awareness and Access to Supports**

Navigating the supports available to those with disabilities can be difficult. Therefore, increased awareness of the supports available both locally and nationally and for students while studying in third level is needed. From engaging with students with disabilities USI is cognisant that some students are not aware of the supports available to them on campus. This is particularly the case of students with mental health illnesses as they are more likely to be unaware or unsure that they can assess supports through their College Disability Service.

It is not only the sole responsibility of Disability Support Services to support students with disabilities, in order to meaningfully commit to the United Nations Convention on the Rights of People with Disabilities (UN CRPD) we must move towards implementing the principles of Universal Design (UD) and Universal Design for Learning (UDL) across our educational institutions. All staff and students within our institutions must take proactive steps in ensuring the needs of students with disabilities are supported throughout their time in college and when entering the workforce.

Recommendations

* Increased financial supports for Disability Services and Access Services within Higher Education Institutions.
* Ensuring Universal Design (UD) and Universal Design for Learning (UDL) principles are central to all developments within the education sector.
* Increased financial supports to be made available to increase awareness of support services at a college level, locally and nationally.
* Increased investment in supports for the transition from college into the workforce through supporting initiatives like [Willing Able Mentoring (WAM)](https://ahead.ie/wam) and others.

**Concluding Statements**

The Union of Students in Ireland welcome the opportunity to participate Public Consultation on the Draft Initial State Report under the United Nations Convention on the Rights of People with Disabilities (UN CRPD). USI welcomes the progress made to date in relation to policy development and changes to legislation does suggest positive commitment from the state in upholding our commitments under the United Nations Convention on the Rights of People with Disabilities (UN CRPD) while also vindicating the rights of persons with disabilities but still have a number of barriers and challenges that exist for people with disabilities in Ireland.

Yet, USI understands we have some bit to go in meeting our obligations to protect, respect and uphold the human rights of persons with disabilities. We must ensure persons with disabilities are equal partners, primary stakeholders and full participants in State decisions affecting their lives and only with their expertise and experience can we get a clear picture of the barriers and challenges that exist for people with disabilities in Ireland.

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