



Rights of Persons with Disabilities

The overarching concern with regard to the rights of persons with disabilities is the State's failure to ratify the UN Convention on the Rights of Persons with Disabilities (UNCRPD) which protects a range of civil, political, economic, social and cultural rights as they relate to persons with disabilities.

The UNCRPD was signed in 2007, but not ratified. The Government has noted that Ireland doesn't ratify human rights treaties until domestic law and policy are in line with the relevant treaty. This approach fails to consider the provision in Article 2 of the UNCRPD, which allows for progressive realisation of certain rights, particularly economic, social and cultural rights, in the Convention.

The Government recently published a roadmap of legislative reforms deemed necessary to allow for ratification of the UNCRPD to occur, but a major concern with this roadmap is the Government's indication that it will enter a reservation to Article 27 in respect of reasonable accommodation.

Recommendations

Ratify the UNCRPD and establish a monitoring mechanism under that Convention

Publish a plan for the full commencement of the Education for Persons with Special Educational Needs (EPSEN) Act 2004, Disability Act 2005, and Citizens Information Act 2007

Introduce a statutory transport subsidy scheme for people with disabilities

Remove barriers to employment for people with disabilities

Legislate to officially recognise Irish Sign Language

The Government has not fully implemented the Education for Persons with Special Educational Needs (EPSEN) Act 2004, which gives statutory rights to children with special educational needs in relation to assessment, individual education plans and the right to make appeals.

Another concern is the lack of progress in extending the assessment of need under the Disability Act 2005 to older age cohorts. The Act was to be commenced for those children aged 5-18 years in tandem with the implementation of the EPSEN Act 2004.

The Citizen Information Act 2007 provides for a Personal Advocacy Service for people with disabilities with statutory powers for advocates. It has not yet been commenced.

In 2013, the Government abolished two key transport supports (Mobility Allowance and Motorised Transport Grant) for people with disabilities, with no replacements.

Some people with disabilities are excluded from job activation programmes, and risk the loss of secondary benefits upon employment.

Despite a commitment in the 2011 *Programme for Government* to promote its recognition, Irish Sign Language (ISL) has not yet been officially recognized.

About Your Rights. Right Now

Your Rights. Right Now is a coalition of 17 Irish NGOs, trade unions and civil society groups established by the Irish Council for Civil Liberties (ICCL) in 2010 to coordinate the civil society response to Ireland's first examination under the Universal Periodic Review. This group was re-convened in 2015 in advance of Ireland's second examination. The coalition conducted a number of general and thematic consultations and invited written submissions to inform its report which was submitted to the UN in September 2015.

Members of the coalition are:

- Age Action
- Educate Together
- Free Legal Advice Centres
- Gay and Lesbian Equality Network
- Immigrant Council of Ireland
- Irish Congress of Trade Unions
- Irish Council for Civil Liberties
- Irish Family Planning Association
- Irish Penal Reform Trust
- Irish Traveller Movement
- Mercy Law Resource Centre
- NUI Galway, Centre for Disability Law and Policy
- Pavee Point Traveller and Roma Centre
- Transgender Equality Network Ireland
- Union of Students in Ireland
- Disability Federation of Ireland

For more information see
www.rightsnow.ie

Facts and Figures

There are an estimated 40,000 daily users of Irish Sign Language (ISL) of which 5,000 are Deaf people who have difficulty in accessing public services and information on their rights and entitlements.

