

# **Green Party Policy for Persons with Disabilities**

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## Contents

<b>1</b>	<b>Policy Document on Disability</b>	<b>3</b>
1.1	Carers	3
1.2	Scope of Policy	3
1.3	Language and Terminology	3
1.4	Background	3
1.5	Key Principles enshrined in this Document	4
<b>2</b>	<b>Policy</b>	<b>6</b>
2.1	Disability and Other Policies and Departments	6
2.2	Awareness	6
2.3	Accessibility	6
2.4	Participation in Public and Political Life	7
2.5	Personal Life and Relationships	7
2.6	Inclusive Education	7
2.7	Day Services and Residential Care	9
2.8	Employment	10
2.9	Sustainable Development and Disability	10
2.10	Housing	10
2.11	Independent Living	11
2.12	Transport	11
2.13	Participation in Sporting and Recreational Facilities	11
2.14	Health	12
2.15	Social Protection	
2.15	Legislation	12
2.16	Review	13

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# 1 Policy Document on Disability

## 1.1 Carers

This policy document does not include carers, since we believe that the role and function of a carer is of integral importance and should have a different and separate policy and policy group to address specific needs.

However, the provisions on carers in the previous Disability and Carers Policy will remain in force till replaced.

## 1.2 Scope of Policy

This policy relates to physical, intellectual, sensory, mental health and neurodiverse persons. It recognises that each person, regardless of receiving a professional diagnosis, experiences challenges in their day-to-day life and disability is understood as a social construct that is evolving. This policy addresses challenges to the full realisation of social, economic, cultural, political and civil rights on an equal basis with others. It seeks to support through policy, the full participation of people disabled by barriers in society. This document should be seen as a signpost to more detailed changes in other policies, or to the creation of further policies since disability affects every area of human existence.

## 1.3 Language and Terminology

Language and terminology are used in accordance with the National Disability Authority Draft advice paper on Disability Language and Terminology. There are different perspectives on language. In short, some people use what is known as 'person first' language while others prefer 'identity first' language. For example, one person may prefer to be described as a person with Down Syndrome (person first) and another would prefer to be described as an autistic person (identity first). It is important to recognise both forms of language use.

## 1.4 Background

In the past, legal and policy views of 'disability' have been based on the 'medical' or 'individual' model. 'Fixing' impairments through aids, assistive technology and rehabilitation have been emphasised where the individual model dominates. While we need effective provision in this area to enable people to live good fulfilling lives, it is important to understand that some disabled people face challenges unrelated to their impairment.

The social model of disability is based on the view that it is society that disables. This approach focuses on the need to adapt society to enable (rather than disable) people with impairments. The barriers to equality arise in the main from the environment, such as inaccessible buildings and services, attitudes including stereotyping, discrimination and prejudice, and through policies and practices that deliberately or unwittingly exclude people from access to civil, social and political society. Disability is imposed on people's impairments by the way they are unnecessarily isolated and excluded from full participation.

The rights-based approach to disability is built on the conviction that disabled and non-disabled people should be equally valued. Disabled people cannot be squeezed into narrow concepts of normality. Disability can be considered a normal part of being a human being. The Green Party Policy on Disability is rights based.

There are several pieces of legislation in Irish law that attempt to deliver rights to disabled people. However, many contain the phrase 'in as far as is practicable'. The Green Party supports the EU in viewing disability as a social construct and advocates discrimination law and policy that include persons with disabilities in the areas of education, health, transport, employment, housing, services and goods and in a context that provides social protection.

The Green Party policy aims to promote a person centred and rights-based approach to disability across all areas of civil, political and cultural rights as articulated by People with Disabilities Ireland in 1997<sup>1</sup>. Its primary objective is the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and the promotion of their inherent dignity.

## 1.5 Key Principles enshrined in this Document

- a. The full enjoyment of all human rights for all persons with a disability [https://www.un.org/disabilities/documents/convention/convention\\_accessible\\_pdf.pdf](https://www.un.org/disabilities/documents/convention/convention_accessible_pdf.pdf)
- b. The engagement in effective collaboration with relevant government departments
- c. The raising of awareness amongst government officials and the general public
- d. Accessibility for all persons with a disability
- e. The right to equitable participation in public and political life
- f. The right to make personal choices and to enjoy relationships
- g. The right to an inclusive education
- h. The right to access care where and whenever necessary, inclusive of day services and residential care
- i. The right to employment with equal pay
- j. The right to participate in sustainable development
- k. The right to adequate housing
- l. The right to live independently

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<sup>1</sup> People with Disabilities 1997

- m. The right to access transport
- n. The development of strategies to ensure that persons with disabilities achieve their full potential through community participation and activity and inclusion
- o. The assurance of equitable access to health services
- p. The progressive development of legislation and the review of legislation to ensure full protection of the rights of all persons with disabilities.

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## 2 Policy

### 2.1 Disability and Other Policies and Departments

The Green Party commits to ensuring that its policies of inclusion and full rights for all, infiltrate each of its other policies and works towards the inclusion of such policies within the infrastructure of all government departments and budgetary allocations.

### 2.2 Awareness

All progress in the field of disability rests on the raising of awareness of the rights, equality of persons, the needs and capabilities of persons with disabilities and their protection from all discrimination.

It is incumbent on governments, business and civil society to provide education and training in the area of disability rights to facilitate awareness within the populace. This should not be on a voluntary or ad hoc basis, but should be carefully monitored and regulated to ensure best practice and up to date knowledge and research.

The media must be held responsible for generating positive images of those who have any form of disability. They should be prompted to include the features and figures of persons with physical, intellectual disabilities and sensory and mental health issues. This mandate for ensuring visibility should be written into the code of practice of all media houses.

Political parties should encode their commitment to such elements of public education through their mission statements and policies. These should be visible in every area of political engagement.

Communities should be provided with funding and incentives to enable programmes in disability awareness.

### 2.3 Accessibility

Accessibility covers physical, social and political access. Public bodies have a statutory duty to eliminate discrimination, promote equality, and protect the human rights of staff and service users.

This legal duty needs to be fully implemented by local authorities as declared in Section 42 of the Irish Human Rights and Equality Commission Act 2014.

<https://www.ihrec.ie/documents/ihrec-act-2014/>

People with disabilities are protected by The **Equal Status Acts** 2000-2018 and The Equality Employment Acts 1998-2015; however, breaches of these acts continue. There needs to be a continuous rolling government advertising campaign, highlighting the requirements to ensure adherence to all legislation.

## **2.4 Participation in Public and Political Life**

### **Political Rights**

All persons, regardless of their disability, have a right to vote and should be provided with, or offered, readable, clear and accessible material to enable them to exercise this right. This should include the provision of a voting paper that has names and photographs to help persons make considered choices.

Persons with disabilities must be actively included in decision making in politics. Policy makers and officials must also take cognisance of the fact that there are persons who may not be able to advocate for themselves, and their voices should be facilitated in the decision-making process. All persons should have access to politics and to decision making in politics.

Persons with disabilities should be explicitly included in public consultation processes.

In the area of political access, specific groups such as persons with intellectual disabilities and those with literacy difficulties, should be provided with easy-to-understand classes in voting and rights-based legislation.

## **2.5 Personal Life and Relationships**

Every individual with a disability has a right to privacy and to choose his or her own relationships. This right extends to the right to marry and to choose where and with whom an individual resides. It also includes the right to inherit property and to make a will to leave property, within the workings of assisted decision making. This policy supports the Assisted Decision Making (Capacity) (Amended) Bill 2022 and its full enactment as soon as possible.

## **2.6 Inclusive Education**

Persons with a disability are entitled to equal access to education that suits their needs. This should begin at birth through early intervention initiatives that provide support for parents and give the child the capacity for ongoing development. Early intervention includes the provision of physiotherapy, speech therapy and childhood occupational therapy to meet the needs of a growing child with a disability. Funds must be made available for these resources and access to such facilities must be managed to accommodate persons living in rural areas.

Not all children can access or benefit from mainstream education, though this policy recognises that education within communities is key to full inclusion within society. Special schools must seek to fully educate children with disabilities into society through the teaching of life skills and involvement in communal activities and through the recognition and facilitation of skills and capabilities.

Inclusion means that children should, whenever possible, be taught within the classroom and individual teaching whereby the child is withdrawn from the class should be kept at a minimum. It is imperative that there should be special teachers both within and outside the classroom and special needs assistants when and where necessary. Continuing discussion and negotiation with trade unions and teachers' unions should form part of the process of such accommodations. Specific planning and funding to provide training for all teachers into the needs of children with disabilities should be mandatory for all teachers<sup>2</sup>.

### **Mainstream Education**

We recognise that mainstream education is an ideal to which we should aspire. To this end, any child who wishes to access mainstream education should be supported to do so and policies or practices that inhibit this right, where they exist within any school, should be identified and removed.

Additional funds and resources must be allocated to ensure full access to education at all levels. This should include an assessment of the extra costs incurred by persons with disabilities who seek to access mainstream learning. These might include the cost of carers and assistants and mechanical or technical aids and the cost of additional staff. Where necessary, additional places in colleges should be provided.

### **Primary Education**

At primary school all children should have access to mainstream education with appropriate supports. It is not sufficient to agree to mainstream education in principle.

### **Secondary Education**

Secondary education must be accessible to all persons with disabilities within the scope of their capacity. Full teaching support is essential. This support includes technological support that is current. No child or young adult should be left behind. Facilities and supports in secondary schools must match those of primary schools.

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<sup>2</sup> Teachers should have a minimum level of training in special education so that teachers understand that persons with disabilities are fully human



## Tertiary Education

At tertiary level government needs to maintain clear guidelines and oversight of projects that seek to integrate persons with a range of disabilities into third level colleges and universities. This should include the provision of new support systems where these become necessary<sup>3</sup>.

At all levels, supports must enable participation within the classroom. These facilities must be appropriate to all individuals in education, regardless of their age, and should include provisions to accommodate those with specific sensory needs and those who require ongoing assistance.

Funding must be provided to enable students with disabilities to take advantage of initiatives in education and training. This should include travel to and from places of education where public transport is not available or accessible.

## Lifelong Learning

Persons with disabilities require lifelong learning to ensure fullness of life and an adequate quality of life. Projects and funding for educational projects online and in person should be provided as a right.

## 2.7 Day Services and Residential Care

It is the right of an individual to access day services where appropriate; and if, or when, it becomes necessary, full residential care should be provided.

- Such services should maintain the respect for the full dignity of the human person
- Services should include support for persons in decision making
- The integrity of the person should be respected including respect for the right to be consulted
- Such services should include lifelong learning and activities to ensure physical and mental fitness.

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<sup>3</sup> See Trinity College Dublin JoinIn Integrated inclusive programme. Also, see Third level colleges such as Cavan Institute where students with intellectual disabilities and autism have successfully integrated.

## 2.8 Employment

Every individual has a right to work and to be paid for work. Persons with disabilities often require on the job training and tailored courses in work skills. This should be prioritised to enable participation in the workplace. Employers need to be encouraged and provided with training and incentives to motivate and encourage their employment of persons with intellectual, physical and sensory impairments. This should include subsidising pay and providing properly trained job coaches who actively seek out and liaise with potential employers. In addition, it should be recognised that many persons with a disability may not be able to work for long hours; there should, therefore, be a reduction of the number of hours a person needs to work to enable employers to access financial support<sup>4</sup>.

Individual circumstance should also be taken into account before the disability allowance is reduced or cut, once employment is obtained.

## 2.9 Sustainable Development and Disability

Persons with disabilities can work in agriculture and related areas with full pay and benefits. This should not mean 'locking' persons into certain types of work, but rather recognises the role that individuals with disabilities can play in creating self-sufficient environments while earning a wage. All persons with disabilities should be able to access places in training colleges, including agricultural colleges, with adequate support and should have access to all available training. Funds must be provided to enhance skills and encourage production and development.

## 2.10 Housing

Housing is a human right and persons with a disability have a right to adequate housing of their own choice. Persons with a disability in the main live in private homes with relatives with a substantial number living alone. However, persons with disabilities comprise 87 % of the occupancy of residential care facilities. A significant number, 27.1%, are homeless. Of these 11.9% have a diagnosis of a psychological or emotional condition. The Green Party advocates for the assessment, care and the financial support and provision of adequate housing for all persons with disabilities<sup>5</sup>.

Regardless of where a person resides, housing should be fit for purpose. Persons no matter where they live should have maximum autonomy and have a right to be asked their opinion. Home aids should be available and respite care accessible.

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<sup>4</sup> See accessible guide: <https://www.ahead.ie/legislation-work>

<sup>5</sup> See NDA HOUSING AND DISABILITY factsheet

## 2.11 Independent Living

It is the right of every individual to live independently and to access supports for independent living.

The ultimate goal of disability activism is to ensure the greatest possible independence and the full human dignity of persons living with a disability. To this end educational, creative and cultural resources must be channelled to provide support for each individual. Creative work maximises human potential and communal activities can be structured to ensure participation within inclusive environments. Education and work extend the potential for independence and the fulfilment of the individual.

## 2.12 Transport

The capacity to travel and be mobile is an urgent requirement for those who have a disability. Most persons with any form of disability have difficulty in accessing transportation and are often dependent on subsidiary means of transport. In rural Ireland this is a particularly chronic need. Transportation in the form of linked buses or other systems should be woven into the fabric of community living to enable access to employment, education and training and recreational and health facilities. Policies need to address this lack of access and administrative systems and budgetary provisions must be provided to this end.

We call for the urgent re-introduction of mobility grants.

## 2.13 Participation in Sporting and Recreational Facilities

Recreation covers a broad spectrum of activities from sport, casual exercise, to group activities.

- Communities need to be incentivised to host and manage activities that enable the participation of persons with disabilities. These activities should be made accessible to those who have physical issues or suffer chronic pain, for example through the provision of additional seating and ramps.
- Safe cycle lanes help those in wheelchairs to travel to activities safely. Cycle lanes also encourage the use of hand-bikes providing access to a physical exercise previously denied to those in wheelchairs. More emphasis is therefore needed on the benefits of safe cycle lanes for all, including persons in wheelchairs and those on the autistic spectrum and other disabilities where individuals suffer from sensory overload.

- The promotion and investment in sport aimed at those with a range of disabilities needs to be increased. Sports like boccia, blind football, amputee football, wheelchair rugby and goalball can be of great social benefit to those with a disability.

## 2.14 Health

Health subsidies and provisions are imperative for those with disabilities and should be crafted around specific and individual requirements. These include physical health and mental health.

People with disabilities also experience mental health issues. Disability should not be a barrier to accessing mental health services. It should be incumbent on the HSE to provide mental health care to all individuals, and no one should be excluded on the basis of a diagnosis of autism or an intellectual disability.

We call for the implementation and adherence to the existing Disability Act which places a statutory obligation on the Health Service Executive to begin an assessment for disability within 3 months and complete the assessment within another 3 months. These targets are currently not being met and only refer to those born after 2002. The Disability Act must be amended to include all residents within the state. Rationale

## 2.15 Social Protection

The Green Party acknowledges the findings of the Indecon report 'The Cost of Disability in Ireland' (December 2021) and supports the introduction of a cost of disability allowance to help alleviate some of the direct costs of living with a disability - as a component of a whole-of-government approach to addressing the systematic inequalities outlined in this report.

## 2.16 Legislation

Ireland's ratification of the UN Convention on the Rights of Persons with Disabilities makes it incumbent on legislators to ensure the progressive passage of adequate laws and the enactment of such legislation to protect the rights and principles enshrined in the UNCRPD. The Green Party supports the adoption of what is known as 'the optional protocol' of the UNCRPD without further delay.

## 2.17 Review

The Green Party makes a commitment to review all policies regularly and consistently to ensure that the rights of persons with disabilities remain paramount.