

UN Convention on the Rights of Persons with Disabilities

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Overview

- + Introduction to the UN Convention
- + Importance of the UN Convention for Ireland
- + Implications of ratification on Ireland's legislative and policy framework
- + Implications of UN Human Rights Council recommendations in UPR for Ireland

Introduction to the Convention

- + Restates all existing civil, political, economic, social and cultural rights as apply to people with disabilities
- + Greatest level of civil society involvement
- + Creative restatement of rights and unique features e.g. domestic monitoring, data and statistics
- + First UN human rights convention to which the EU is a State Party



Importance for Ireland

- + Prominent role in drafting process and one of first countries to sign
- + Opportunity to review existing law and policy as well as monitoring processes
- + Broad-ranging scope of Convention highlights all of the aspects to be addressed in domestic law and policy
- + EU's ratification will have significant knock-on impact for Ireland

Two big questions

+ Legal Capacity



- + Recognising the validity of people's choices
- + Structures and supports to exercise capacity

+ Independent Living



Choice of where and with whom to live

Services and supports to enable independence



Implications on Legislative and Policy Framework

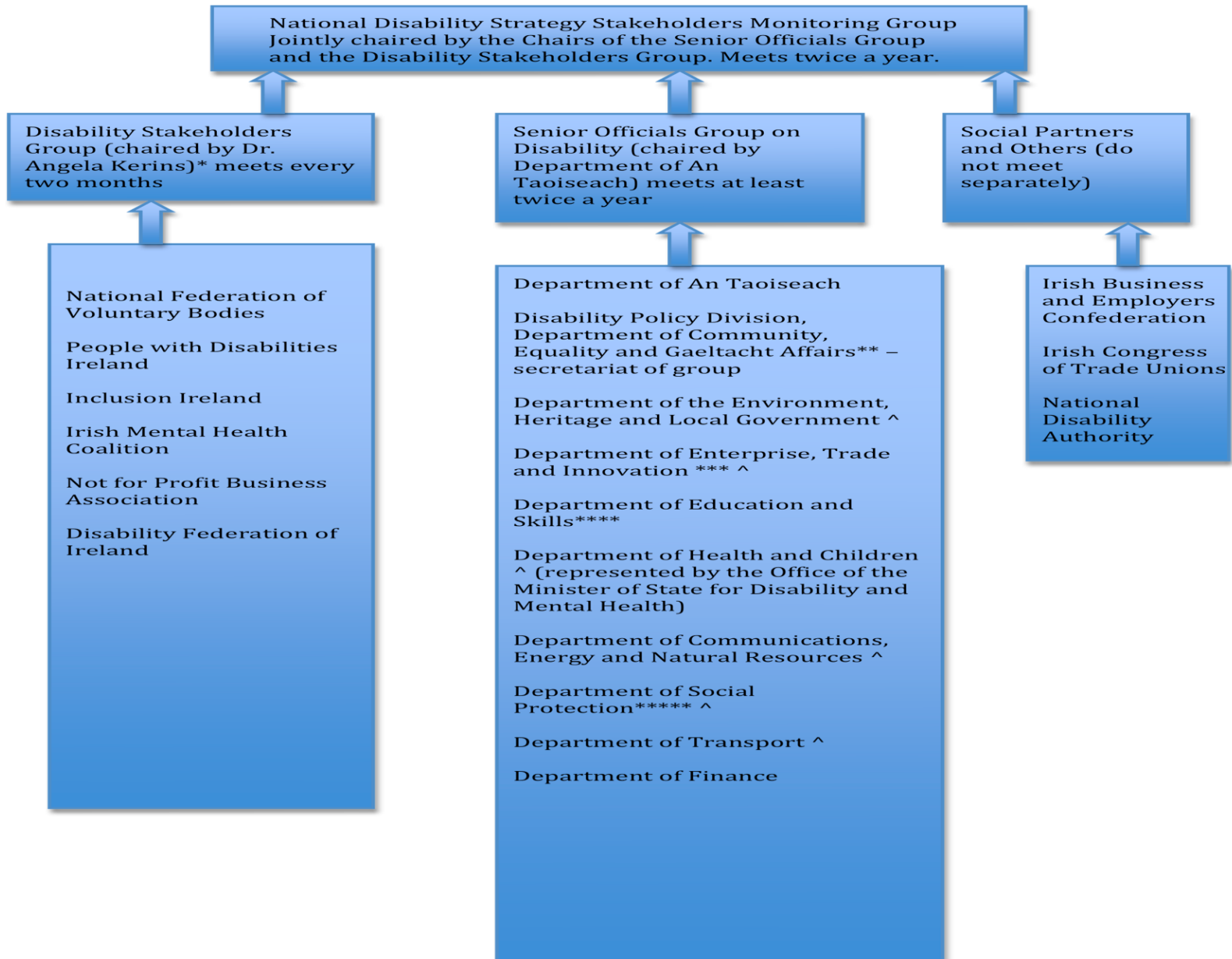
- + Mental Capacity Bill
- + Review of Mental Health Act
- + Congregated Settings Report
- + DOHC Review of Disability Policy – report and consultation



What does the Convention require?



- + Focus on supports rather than on deficits
- + Joined up thinking between policy initiatives
- + Active involvement of people with disabilities
- + Independent national monitoring



Implications of HRC Recommendations

- + Ireland's opening statement:
- + Work proceeding on Mental Capacity Bill
- + Housing Strategy launched
- + Minister Lynch reviewing arrangements for monitoring NDS
- + Calls to ratify Convention from 11 countries
- + Take steps to prevent discrimination
- + Ensure access to education, employment, housing, transport, cultural life, public places and services

Conclusions

- + Option 1: rush through Mental Capacity Bill similar to 2008 Scheme in order to enable ratification
- + Option 2: set out timetable for key reform demands (supported decision-making, individual budgets, move from congregated settings) which will be joined up, and make a real difference in people's lives
- + Ratify once key building blocks are in place – otherwise, ratification will be meaningless