

## **P-03-288 National Strategy on Independent Living**

Disability Wales (DW) values this further opportunity to respond to the Government's proposals for addressing the issues raised in our petition for a National Strategy on Independent Living, as outlined in the Deputy Minister for Social Services' letter of 22 February 2011.

The Government's proposal is to protect disabled people's right to Independent Living and achieve improved service outcomes by imposing specific public sector duties on public authorities under the Equality Act 2010.

As the Deputy Minister states, this legislation aims to "protect the rights of individuals and advance equality of opportunity for all" and to "deliver a simple, modern and accessible framework of discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society".

DW welcomes the Welsh Government's commitment to equality and the protection of rights and look forward to engaging in the forthcoming evidence gathering exercise to develop the equality objectives. We will take this opportunity to present evidence which highlights the need for objectives which promote implementation of the Social Model of Disability and Independent Living. In doing so we will reference Article 19 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) which enshrines disabled people's right to Independent Living.

The vital importance of Article 19 is highlighted by the on-going Joint Committee on Human Rights Inquiry "into the implementation of the right to Independent Living for disabled people, as guaranteed by Article 19, UNCRPD". DW's evidence to the Inquiry is appended for information.

The Committee's call for evidence noted that:

*“Independent living was placed at the heart of the last [UK] Government's policy on disability. Each of the three main political parties expressed their approval of the Independent Living Strategy published in 2008...In June 2010, the Government explained that it was looking at further ways of taking the Independent Living Strategy forward.*

*In December 2009, the Scottish Government, the Confederation of Scottish Local Authorities (COSLA) and the Independent Living Movement in Scotland signed up to a shared Vision for Independent Living in Scotland. No similar national strategy exists in Northern Ireland or in Wales.”*

In her letter of 22 February, the Deputy Minister stated that “independent living features in many policies and strategies across the Welsh Assembly Government”.

We have been unable to find many direct references to Independent Living – in the way that we have defined it – in Government policy and strategy documents. Where “independent living” is used it usually refers only to housing, i.e. the ability to live in one's own accommodation, rather than in publically provided residential homes.

However, Independent Living – which has its roots in the Social Model of Disability – is a much broader issue. Whilst health and social services are key to Independent Living for many disabled people, education, employment, housing, transport, leisure, access to information, advice and advocacy, access to goods and services, access to aids and equipment, and access to the built and green environments are also vital to enabling Independent Living and social inclusion for disabled people.

The specific actions required to tackle the many different barriers to Independent Living across all these policy areas are far too numerous and complex to be addressed successfully under the Equality Act 2010.

The Government's paper on *Sustainable Social Services*, published in March 2011, does contain a single reference to Independent Living in relation to children's services:

*3.36 We will work with stakeholders to determine appropriate arrangements to assist young people towards independent living and to take advantage of opportunities for education and work.*

The paper includes other proposals which will support Independent Living for disabled adults, and which we welcome, e.g. Citizen Centred Services. However, we consider it vital that Independent Living – as defined by disabled people – is thoroughly understood by policy makers and adopted as the conceptual framework from which policy making is developed *across all departments*.

We are very clear that most current policy making is not based on an understanding of Independent Living or, indeed, of the Social Model of Disability. Consequently, initiatives such as Citizen Centered Support in social care are taken forward in isolation from other, equally important policy areas. In Wales we therefore lack a coherent, joined up, whole system approach to Independent Living policy development.

We suggest that this will remain the case until disabled people have an opportunity to work alongside policy makers in developing a National Strategy on Independent Living or, as in Scotland, a Shared Vision for Independent Living.

DW have given careful consideration to the Government's proposals, and have sought guidance from political advisors, including an Assembly Member. As stated above, we welcome the Government's commitment to equality and human rights and believe that imposing equality objectives on public authorities under the Equality Act 2010 will go some way towards reducing discrimination and achieving some improved service outcomes.

However, DW is concerned that Independent Living for disabled people will not receive the prioritisation that is needed within the context of the Equality Act legislation. We remain convinced that a National Strategy on Independent Living is a necessary prerequisite to the development of a cross departmental policy framework which can achieve the wide range of

outcomes that are necessary to enable disabled people in Wales to live independently.

Acknowledging the Government's concern about the failure of some (but not all) strategies to achieve significant change on the ground, DW ask the Government to give further consideration to supporting development of a National *Delivery* Strategy on Independent Living.

Following the 'Yes' vote in the 3 March referendum, DW also propose that consideration is given to the development of pioneering new legislation to enforce implementation of a National Delivery Strategy on Independent Living. Whilst existing legislation may be sufficient to achieve this, we propose that the issue of enforcing the strategy should form part of the agenda in developing a National Delivery Strategy on Independent Living.

In conclusion, the challenge of achieving Independent Living for disabled people in Wales demands a comprehensive, whole system approach based on listening to, learning from, and engaging directly with disabled people's experience of Independent Living and the lack of it.

The Government's current proposals, whilst welcome in their own right, do not have the scope to achieve Independent Living for disabled people in Wales.

DW trust that the newly elected Government will recognise this and support development of a National Delivery Strategy on Independent Living.

## **Appendix**

Disability Wales' submission to the Joint Committee on Human Rights JCHR inquiry into implementation of the right to Independent Living for disabled people, as guaranteed by Article 19, UNCRPD.