

# **ANNUAL GENERAL MEETING OF THE NORTH WEST FORUM OF PEOPLE WITH DISABILITIES HELD 27 JANUARY 2025 IN DISABILITY ACTION, GORTFOYLE HOUSE**

## **CHAIRPERSON ADDRESS**

I am delighted to welcome everyone today. The past year has been a very busy one for the Forum as we were all out and about again following our isolation during COVID. I know by the number of groups and organisations that we are part of and meetings etc attended that again we have worked continuously to achieve Human Rights and Equality for disabled people living in Northern Ireland and beyond. I know that the Forum has made its mark (including UNCRPD Geneva) and encouraged and attained changes for disabled people as one of the few Disabled People Led Organisations (DPLO) in NI.

It was with sadness but understanding that we accepted the resignation of Sean Murphy as Chairperson. However we were delighted that he has remained a founding and valued member of the Forum.

I was delighted and happily accepted the position of Chairperson. I hope to continue in this position for the allotted term.

We have kept up to date with all the committee meetings, networks and organisations that we work with and are represented on. We have worked tirelessly to provide information, advice and support to people with disabilities who come to us for much needed help and advice.

### **Summary of Activities Report Annual Report 2023/24**

UNCRPD Committee Investigation Welfare Reforms and Public Expenditure Cuts against Disabled People

People. Northwest Forum evidence to the UN Committee - Geneva visit August 2023 and March 2024

In 2016 the UK was investigated under the Optional Protocol of the UN CRPD following a formal request from Disabled People Against Cuts (DPAC) alleging that the welfare reforms proposed by the government were in violation of key human rights of disabled people.

Specifically focusing on:

- changes to disability benefits making it more difficult for disabled people to access Social Security protections, the introduction of the personal independence payment, reducing housing benefit, the closure of the independent living fund.
- Article 13: Access to Justice, Article 19: Independent Living, Article 27: Employment, Article 28: Adequate Standard of Living and Social Protection.

Evidence gathered from disabled people's organisations across the UK including Northern Ireland according to the conclusions of the UN committee that the UK government was guilty of grave and systemic human rights violations against disabled people with regard to the above articles.

The committee agreed to do a follow-up review of this investigation which took place from August 2023 until March 2024. Disabled people's organisations including the Northwest Forum of People with Disabilities, met with the UN committee in Geneva to give evidence including case studies around the operation of work capability assessments and entitlement to the severe disability premium within Universal Credit; cut to discretionary support; higher threshold limit for access to direct payments and access to supported living assistance for disabled people in the community.

The UN Committee on the Rights of Persons with Disabilities published a report, after looking at the UK government's progress since 2016. This was when the same committee found that austerity and welfare policies were leading to grave and systematic violations of Disabled People's Human Rights. The UN Committee did not see any progress in addressing those violations, moreover, it documented evidence of retrogression.

### Key quotes from the report

- *"The Committee concludes that **no significant progress** has been made ... The Committee also notes that while some measures have been taken to address its recommendations ... there are also signs of regression"*
- *"The Committee found that the State party had **failed to take all appropriate measures to address grave and systematic violations** of the human rights of persons with disabilities".*

The Committee concluded the government did not consult with Disabled people and our organisations as it is obliged to (73) and uses a "**rhetoric that devalues disabled people and undermines their human dignity**" (74).

The committee substantive investigation focused on 3 articles:

### **Article 19: Right to live independently and be included in the community**

Disabled people are offered “**bare subsistence**” instead of “full enjoyment of the right to live independently and in the community” (77).

More and more disabled people are stuck in institutions with **no plans to end “disability-based detention and compulsory treatment”** (78-79).

### **Article 27: Right to work and employment**

The “Work Capability Assessment (WCA) process is complex and onerous” and the “assessors are inexperienced and/or unqualified” (82).

### **Article 28: Right to an adequate standard of living and social protection**

PIP is insufficient and its eligibility criteria are “contrary to the human rights model of disability” (76).

In 2023 **UK was in violation of international law in not providing social protection** which ensured an adequate standard of living, including for disabled people (86).

Evidence provided to the UN committee particularly client case studies over the year supported by the Northwest Forum was used with clients consent no personal data was presented to the UNCRPD Committee.

### **Supported Legal Challenge against the UK Government on Welfare Reforms**

The Northwest Forum alongside 5 other Disabled People’s Organisations(DPO’s) gave evidence to Public Law Project in support of Disabled activist Ellen Clifford, who initiated a successful legal challenge against the Department for Work and Pensions (DWP) over proposed reforms to the Work Capability Assessment (WCA). We agreed with her core argument that these measures could lead to “cataclysmic” cuts in out-of-work disability benefits. The High Court in London heard the case on 10 and 11 December 2024, focusing on the legitimacy of a consultation process conducted by the previous Conservative government.

The contested reforms, announced in the 2023 autumn budget, aim to tighten the WCA criteria, potentially resulting in over 400,000 Disabled people losing up to £416 per month by 2028-29. Many affected individuals could also face stringent new conditions and the risk of benefit sanctions.

Clifford contended that the consultation preceding these proposals was “rushed and disingenuous,” lacking sufficient information for meaningful engagement with disabled people and their representative organisations and failed to consider the substantial adverse impact of the proposed welfare cuts on disabled people. She

asserted that the primary motive behind the consultation was to reduce spending on disability benefits rather than genuinely support Disabled people into employment.

Supporting Clifford's challenge, the Public Law Project (PLP) argued that the DWP did not conduct necessary employment or disability impact assessments before launching the consultation. PLP lawyer Aoife O'Reilly stated that this oversight suggests the consultation was a "money-saving exercise, disingenuously presented to some of the most vulnerable people in our society."

The current Labour government has indicated plans to achieve similar level has not clarified whether it will implement the specific WCA cuts proposed by its predecessor. The outcome of Ms Clifford's legal challenge could significantly influence the direction of these policies and the future of disability benefits in the UK, the primary reason for the Northwest Forum supporting submission to the PLP.

The High Court has ruled that the DWP acted unlawfully by presenting these reforms as a way to support disabled people into work. It was not clear that the proposals also included "substantial" cuts to disability benefits and that cost savings was a "primary rationale." Mr Justice Calver found that the consultation was misleading rushed and unfair.

### **Cases supported**

The North West Forum undertook to support 17 cases this year, 11 involving Social Security benefits including 2 Work capability assessment interviews, pre-preparation and post preparation activities with clients. Both clients had successful outcomes. One application for Attendance Allowance successful outcome as a client one application for carers allowance successful outcome. Three PIP applications support with claim and attending both PIP assessment interviews. All other cases were taking via consultation on the phone and did not involve site visits.

We have also represented two young children with autism and ADHD at SEN reviews and providing support to the guardian/parent to obtain statements. We are also liaising with two colleges regarding the future educational arrangements for two pupils one unfairly treated and the other not receiving support from the college having received alleged bullying and intimidation from other pupils. We also undertook one housing case and one direct payments case. while we were able to provide financial support to direct payments for six months this relief was only temporary regulations changed and the direct payment for our client was withdrawn. We have been asked not to pursue the case. We were unable obtain a housing transfer for a client on the grounds of care and support required from their carer due to the fact the box room was deemed sufficient for the Carer's needs under the regulations.

## **Human Rights Awareness**

The Northwest Forum continues to advocate for the incorporation of international law into domestic law in Northern Ireland, not just the UNCRPD but other international treaties, including the international Covenant on Economic and Social and Cultural Rights (ICESCR). We have met with MLA's from various political parties, including Sinn Fein, the Ulster Unionists and the Alliance Party regarding a private members bill on the incorporation of the UNCRPD into domestic law. This work remains ongoing and a public consultation is ongoing until the 11th of March 2025. We are supported in this effort by IMTAC, DPAC, and Prof Bronagh Byrne Queen's University Belfast. The Northwest Forum alongside other members of the DFC Disability Strategy Co-design Group has ultimate representation on the issue of incorporation to the Department for Communities assembly committee as well as outlining the status and case for human rights and equality reform for disabled people.

We continued to support the case for a Bill of Rights for Northern Ireland consistent with a Good Friday Agreement we continue to work with the Northern Human Rights Consortium to pursue this goal.

### **The Forum is represented on the following Committees and Fora:-**

- Disability Action – Board of Directors,
- Disability Action - Strategic Advisory Board
- Northern Ireland Housing Executive's Disability Housing Forum and Central Housing Forum
- Regional Health and Social Services Committee
- IMTAC
- Disabled People Against the Cuts (DPAC)
- Disabled People Coalition for NI
- NI Consortium on Human Rights (Chairperson)
- Equality Coalition
- North West Community Network
- NI Union of Supported Employment
- UNCRPD Independent Mechanism for Northern Ireland – Disability Advisory Forum
- Disability Employment Network
- Disabled Peoples Coalition NI

We hope in this incoming year to meet again regularly and continue the work and representation that is required to ensure disabled people achieve their human rights in all aspects of their lives.

Thank each and every one of you for your continued support and work.

Tony O'Reilly

Chairperson