



# SUBMISSION TO DEPARTMENT OF SOCIAL PROTECTION ON THE GREEN PAPER FOR DISABILITY REFORM

Based on consultation and workshops carried out  
in November & December 2023  
with  
Dulick Disability Services and Training Centre Advocacy Group

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## Clare PPN Vision Statement

***‘A County that values, protects and restores its unique landscape, environment and biodiversity, where sustainable livelihoods are prioritised for this and future generations and where citizens, migrants, ethnic minorities and people of all abilities and age-groups and genders are able to reach their potential in an atmosphere of support, respect and inclusion, where Local Government is open, transparent and accountable and committed to reducing poverty and marginalisation. Our vision is for a county to be part of and a county to be proud of.’***

## Introduction to Clare PPN

Clare PPN is a network of over 380 community & voluntary, environmental and social inclusion groups from Clare. Clare PPN has three 'Colleges' which gather the member groups in terms of their interests and activities – these are environmental college, social inclusion college and community and voluntary college. Clare PPN exists to facilitate the formal participation by the community sector in Clare County Council's decision-making structures and to serve as a support and information sharing network for the Community and Voluntary Sector in Clare. It is funded jointly by the Department of Rural and Community Development and Clare County Council but is autonomous and its activities are directed by its members through an elected secretariat.

People with disabilities make diverse and valuable contributions to society beyond economic productivity. Their contributions may include cultural, social, and community involvement, creativity, and advocacy for inclusivity and accessibility. Clare PPN could not function without the input and action of people with disabilities as Secretariat members and as elected representatives on various forums and committees of Clare County Council. Their expertise and experience is generously shared on a voluntary basis for which Clare PPN is very grateful.

## Methodology

- Clare PPN was requested by Dulick Training Centre to hold a workshop to discuss the Green Paper on Disability Reform as published by the Department of Social Protection on 20<sup>th</sup> September 2023. At this workshop it was decided by participants that they would like to make a submission in relation to same.
- A sub-group was then formed which took the information and suggestions from the workshop and formulated a draft submission.
- This was then brought to the attention of the wider group and amendments made as suggested.
- The final submission was agreed and sent to the Department.

## Initial reaction

Initial reaction to the Green Paper on Disability reform was shock that it was drafted without input from the people affected, contravening the United Nations Convention on the Rights of Persons with Disabilities. This was followed closely by fear and anxiety due to lack of lived experience evident in the Paper. It was noted that €1.5 million was spent recently on advertisements about disabled people and yet the Green Paper was devised without any attention being drawn to it.

## SECTION TWO: Context for change and the focus of this Green Paper

- The Dulick Centre Advocacy Group (DCAG) agrees that people with disabilities face much higher levels of poverty, especially when the increased cost of living with a disability is taken into account. (See 'The Cost of Disability in Ireland' - November 2021 by Indecon International Research Economists)
- DCAG also acknowledges that education and employment are routes out of poverty. What isn't addressed in this section is the reluctance of employers to employ disabled people regardless of their ability and/or educational attainment and the other external factors that prevent disabled people from taking up paid employment such as transport, accessible buildings and the lack of Personal Assistant Services.
- Given this discrimination, the focus for reform should better insulate ALL people with disabilities no matter their capacity for work. Categorising people by their economic output can perpetuate discrimination and inequality. The principle of equality means that everyone should be treated with the same respect and have equal opportunities, irrespective of their abilities.
- DCAG welcomes any support for disabled people but is wary of 'encouragement' where punitive measures are the alternative for not taking up employment.
- Fear was also expressed about the potential for conflict/division within the community where two people with similar impairments have different assessment outcomes and therefore different incomes and supports.
- The current system is not equitable given the variances in means testing, base rates, additional supports and tax treatment. Streamlining these in a fair manner would be beneficial. Unfortunately, there are examples of changes to disability payments/supports which have led to inadequate, unfair and inequitable treatment of people with similar disabilities. For example: the Training Allowance is paid at two different rates based on time of entry to the scheme and the Mobility Allowance is currently payable only to those enrolled in the scheme prior to 2013 leaving others waiting ten years without any access to a transport support scheme.

*"Many people with disabilities are stuck at home unable to engage on an equal basis in employment or in their community as they can't access government support to help with their personal transport needs. This social isolation casts a shadow on us as a country and on our commitment to equality and social inclusion for all" -Ombudsman Peter Tyndall, 23<sup>rd</sup> November 2023*

With this in mind, DCAG wished to stress the importance of a fair transfer to any new schemes, supports or payments.

## SECTION THREE: Green Paper proposals – A summary

- DCAG agrees with a single payment to replace Disability Allowance, Invalidity Pension and Blind Pension and the removal of means-testing (to reflect the additional cost of living with a disability)
- DCAG strongly disagrees with the tiered system based on capacity to work as it doesn't address the stigma people with disabilities face when going for employment. Disabled

people with qualifications and excellent references are deeply frustrated when looking for work, knowing that they are being discriminated against. Worries were also expressed at how people with mental health difficulties or hidden disabilities would fit into the tiered system as they already face an uphill battle in being taken seriously and in receiving the care that they need.

- Questions were also asked about what kind of training would be made available as so many people in the group are already highly educated and/or skilled and do not wish to be patronised by useless courses. The group is also very wary of categorising people further as it would only increase stigma and dehumanisation.
- DCAG would like to see a cost/benefit analysis of the administrative burden of the initial assessment and the biennial follow up assessments. What KPIs will indicate the success of the legislation (fewer disabled people receiving state help or fewer disabled people experiencing poverty)? It was also felt that having to prove every two years that you are still disabled would be humiliating and intrusive.
- Details about the Working Age Payment were scant in the Green Paper so cannot comment on whether it is a good idea or not, but fears were expressed at potential loss of overall income due to taking up employment. In particular, the medical card is very valuable to people with disabilities and the advocacy group all expressed hesitancy in taking up any employment that could jeopardise it. Those receiving housing assistance recounted their experience of the time between finishing employment and having their rent adjusted downwards again and how those weeks of financial hardship discourages many from taking up short-term work placements.
- DCAG agrees that transfers should take place on a no-loss basis but refers to the earlier point of ongoing legacy issues creating inequity and division within the community.

## SECTION FOUR : Approach, design, assessing and assigning

- DCAG does not agree with the definition of tiers set out in Section 4.2. People with disabilities are individuals, often with complex needs that cannot be shoehorned into three categories. The social model of disability emphasises that disability is not an inherent trait of an individual but is rather a result of the interaction between the individual and a society that is not accommodating or inclusive. Categorising people by economic productivity can perpetuate a narrow and inaccurate view of disability.
- DCAG believes that there should be a flat rate payment of at least €350. This was the amount deemed necessary to live during the pandemic when determining the PUP.
- The coercive nature of engagement with employment services for Levels Two & Three are not indicative of how disabled people have struggled to be included in the labour market and places the responsibility for low levels of employment on disabled people rather than exterior factors.
- DCAG is concerned with the ability of assessors to take a holistic approach, considering the multiple factors affecting a person's life in addition to their disability. Eg. a person living alone in a rural area with no transport options is in a very different position to take up employment than a person living with family members in an urban setting with transport options and family support. Concerns were also expressed about potential difficulty in challenging assessments where the disabled person feels wronged.
- More clarity is needed on the effect of receiving an inheritance, lump-sums and savings.

## SECTION FIVE: In-work income support

- DCAG agrees that in-work supports need to be aligned and made equally accessible.
- DCAG is adamant that these supports must expand to include personal assistants & universally accessible transport.
- As there is little information on proposed thresholds for the Working Age Payment, DCAG cannot comment on whether it will be of benefit. More clarity is needed on the effect of employment on payments.
- The most important thing for disabled people taking up paid employment is that the medical card is protected for ALL disabled people regardless of income or thresholds. Due to the Cost of Disability and ongoing, complex needs (including medication, physiotherapy, operations, procedures and tests), the medical card is essential to ensure access to necessary medical care and to ensure that employment does not lead to poverty.

## SECTION SIX: Eligibility for long-term disability payments:

- Given the Cost of Disability DCAG does not agree with means testing the proposed Personal Support Payment.
- Mixed views were expressed regarding extending the Domiciliary Care Allowance to 18.
- Any transition for those currently in receipt of Domiciliary Care Allowance must be on a no lose basis.

## CONCLUSION

The primary concern facing disabled people in relation to accessing employment right now is not motivation but the sheer number of barriers that must be removed or negotiated in order to do so. DCAG feels that these are a priority rather than arbitrary categorisation of disabled people.

- a) For those living outside urban centres, transport is one of the biggest hurdles that needs to be addressed. Infrequent, inaccessible and often prohibitively expensive public transport severely restricts participation in the labour market. In addition, mobility allowances and grants have been scrapped for ten years without any replacement. These must be re-instated along with the full training allowance.
- b) For those who need them, personal assistants are an integral part of ensuring that disabled people can participate fully in society. Inadequate provision of personal assistant support has a direct impact on the independence and direction of many disabled people's lives. Having a PA is necessary for many to enter and succeed in education and employment.
- c) Employers must be educated and incentivised to employ disabled people, provide reasonable accommodation and end discrimination.
- d) Publicly funded bodies must lead by example and employ people with disabilities.

The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) is aimed at protecting the rights and dignity of persons with disabilities. Ireland signed the UNCRPD in 2007 and ratified it in March 2018. If Ireland were to implement the UNCRPD in full, it would mean taking comprehensive measures to ensure the inclusion, equal participation, and protection of the rights of people with disabilities. The Convention emphasises the right to work and employment for disabled

people. Steps must be taken to eliminate discrimination in the workplace, promote equal opportunities, and provide reasonable accommodations to enable people with disabilities to participate in the workforce.

Categorising people with disabilities based on their potential economic output is ethically problematic and goes against principles of human rights, equality, and dignity. Every individual, regardless of their abilities or disabilities, has inherent value and dignity. Human rights principles emphasise the equal worth of every person, and reducing someone to their economic output overlooks this fundamental aspect of humanity and leads to the perception that individuals with disabilities are only valuable if they meet certain economic criteria, neglecting their other qualities and capabilities.

We would like to thank you for reading this submission and look forward to feedback and further discussion. **Nothing about us without us.**

**Kind regards,**

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