more than words
mwy na geiriau

Disability Equality

The Journal of Disability Wales/Cylchgrawn Anabledd Cymru/£3

2007
South Wales Fire and Rescue Service is offering you the opportunity to have a FREE Fire Safety Check of your home, carried out by Firefighters from your local Fire Station.

During the Check, Firefighters will look at all areas of fire risk within your home and will advise you on the installation and maintenance of smoke alarms.

Where necessary, they will even supply and fit at least one smoke alarm in your home free of charge.

To arrange your FREE check, phone FREE on / I wneud trefniadau ar gyfer eich ymweiliad AM DDIM, ffoniwch AM DDIM ar: 0800 169 1234
**4 EDITORIAL**  
THE DAWNING OF A NEW ERA • Penni Bestic

**7 DISABILITY EQUALITY**  
EQUALITY ISSUES • Rhian Davies

**9 TRAINING OR TRAINING**  
SIMULATION OR IMITATION • Training for Equality  
UNDERSTANDING THE ISSUES • Delivering Disability Equality Training  
OUR WAY • Disability Awareness Training

**18 SOCIAL MODEL**  
A TOOL FOR EQUALITY • Delivering the Social Model of Disability in Wales

**22 PAST AND FUTURE**  
END OF AN ERA • The Disability Rights Commission  
ALL BEING EQUAL • Wales and the Commission for Equality and Human Rights

**31 HUMAN RIGHTS**  
THE HUMAN RIGHTS DIMENSION OF DISABILITY  
FREQUENTLY ASKED QUESTIONS • UN convention on the Rights of Persons with Disabilities

**42 POEMS**  
SHAKE, ROCK AND SHAKE AGAIN  
PURE WHITE  
LOUDBER THAN WORDS

Published by © Disability Wales / Anabledd Cymru,  
Bridge House, Caerphilly Business Park,  
Van Road, Caerphilly CF83 3GW  
Tel: 029 2088 7325  
Fax: 029 2088 8702  
E-mail: info@disabilitywales.org

Design: design@andydark  
Print: Cardiff Bay Press  
Editor: Penni Bestic  
Editorial Advisors: Maggie Hampton, Disability Arts Cymru; Sara MacKay, Disability Arts Cymru

Disability Wales/Anabledd Cymru is a registered charity, No. 517391 and a Company Limited by guarantee, No. 1998621
Why you should join
Disability Wales

- Strengthen the voice of disabled people in Wales
- Influence people in power about disability issues
- Change attitudes towards disabled people
- Remove barriers to participation in everyday life
- Ensure choice and control for all disabled people
- Bring about equality for disabled people

Our membership packages offer a range of services:

- free membership pack
- regional network events
- Membership Information Service
- monthly e-bulletin – DW E-news
- twice yearly journal on disability issues
- training on a range of issues
- DW conferences and workshops
- Campaign Packs
- Consultation briefings

Membership of DW provides:

- A unique opportunity to network with other disability organisations and allies right across Wales
- A chance for all disabled people in Wales to have a united voice at all levels of government – local, Assembly, Westminster, Europe...

for further information check our website: www.disabilitywales.org
or call us on: Tel: 029 2088 7325 (use announcer for minicom)
or write to us at: Disability Wales, Bridge House, Caerphilly Business Park, Van Road, Caerphilly CF83 3GW

Disability Wales is the national association of disability organisations in Wales.
The views expressed in More than Words are not necessarily the views of Disability Wales

You are welcome to reproduce articles from More than Words unless copyrighted to the author. Please contact Penni Bestic for further information.

Please contact us if you would like this magazine in either Braille, large print or on disc or audio tape.

If you would like to submit an article (in either English or Welsh) please contact Penni Bestic. Disability Wales reserves the right to edit any article submitted

Copy deadline Issue 2: 9 January 2008
More than Words is a new venture for Disability Wales: it is designed to provoke debate and get everyone talking about issues that matter to disabled people in Wales. The title is a reminder of how we would like to see the commitment to disability equality carried forward by institutions in Wales – More than Words.

Rhian Davies, Chief Executive of Disability Wales, reminds us (page 7) that many of those institutions still have a long way to go. She points out that over half of the local authorities’ Disability Equality Schemes had significant weaknesses. She also questions whether the government’s proposals for a Single Equalities Bill will actually be able to deliver equality for disabled people.

As well as these external debates on how best to deliver equality, there is an internal discussion (page 9) on the best way for disability activists to train non-disabled people. Disability Equality Training is rooted in the Social Model of Disability. However, there are a small number of groups in Wales firmly committed to using simulation (putting non-disabled people in, for instance, wheelchairs). In this issue of MTW we are reflecting upon some of the, at times heated, debate taking place around Wales.

In January 2002, the Welsh Assembly Government committed itself to working to the Social Model of Disability. In her article, ‘A tool for equality’ (page 18), Miranda Evans, looks at some of the problems of taking the Social Model from theory into practice. She argues that for the Social Model to work effectively, its principles have to be embedded ‘within all mainstreaming policies and practice’.

However, the threat that the Single Equalities Bill brings is potentially dangerous to the teetering baby steps made by institutions in adopting the Social Model, especially if it is to be mainstreamed into all equality practice.

Will Bee (page 22), until this autumn, is the Director of the Disability Rights Commission in Wales: we were a little wary at the beginning but he proved to be a dependable friend and ally of Disability Wales. The relationship between DRC Wales and Disability Wales blossomed. We found we could compliment each other: there were things that we were free to say whilst they were bound by their political masters (and mistresses) to keep silent.

Will suggests that our relationship with the new Commission for Equalities and Human Rights (CEHR) will be substantially different. He says ‘it will want to develop a new vision of equalities for a world of multiple-identity’. And this means Disability Wales positioning itself at the core of any debate to ensure that disability equality and the Social Model are embedded in the agenda and language of the new Commission.
Neil Wooding writes (page 28) that the CEHR has the potential to transform how we think about equality and human rights. He also points out that we have to grasp the new opportunities that the CEHR creates. However, it is up to us to ensure that disabled people remain visible and are not side lined by the ‘more experienced’ equality strands. In some senses, we have more of an opportunity in Wales to ensure that this does not happen. For many years, the different equality strands, from both the public and voluntary sectors, have been working together, recognising our common concerns.

It is important to remember that the CEHR is not just about equality, because wrapped around our various struggles for equality is the all-embracing issue of human rights. Dr Richard Light has been representing disabled people in the UK at the United Nations as it forged the Convention on the Rights of People with Disabilities.

Although the language of the UN does not necessarily reflect our understanding of the Social Model it is, nevertheless, an important change at a global level in recognising the, sometimes appalling, situation of disabled people. The Convention reminds us that millions of disabled people around the world are living in unimaginable poverty and many face daily torture and abuse. Because of this we have a duty to ensure we make the most of our own laws and institutions and make the CEHR work for us.
Equality and all matters related seem to be very topical. The DRC has recently produced a report on the Disability Equality Schemes (DES) produced by the 22 local authorities in Wales. The UK Government has published its ‘Green’ paper on the proposed Single Equalities Bill. The new Labour/Plaid Cymru Coalition Government devoted a whole chapter to Equality and Social Justice in its One Wales document. The Assembly recently launched the European Year of Equality at the Senedd. And preparations are well underway for the introduction of the new Commission for Equality and Human Rights (CEHR) in October.

Such attention to equality issues might suggest that the veteran campaigners among us have done our job and can now relax with a cup of tea and survey the fully inclusive society that we have helped to create.

Meanwhile back on Planet Earth not all is as it seems. Of the 22 local authorities in Wales, the DRC concluded that seven produced ‘creditable’ Disability Equality Schemes’, nine were ‘reasonable’ but with ‘some significant weaknesses’ and six were ‘poor’ with ‘many significant weaknesses’. In this context ‘weaknesses’ included lack of involvement of disabled people, not formulating actions based on priorities or barriers identified by disabled people, producing one year instead of three year action plans, no ownership of the Scheme by the Chief Executive or Lead Member on Equality and not providing the document in alternative formats.

This of course was a first attempt for everyone in producing DES’ and no doubt we will all learn from this experience for the future. Or will we? Worryingly, the Green Paper proposals on a Single Equalities Bill appear to water down the disability duty. The proposed ‘Single Equality Duty’ narrows the principle of mainstreaming so that equality is seen as an add-on rather than ‘part of the day job’. It will provide no statutory duty to involve disabled people or to carry out equality impact assessments. Furthermore only the CEHR will have the powers to
challenge Equality Schemes whereas at present anyone can challenge a public body over its DES. Not surprisingly, Sir Bert Massie, Chairperson of the DRC has stated that ‘my approach to this Green Paper is that it does to disability rights what a bulldozer does to a building’. In its final weeks, the DRC is strenuously arguing that the Government must strengthen its proposals and urging disability organisations to help it by supplying evidence of where the Duty has been successful so far.

Of course from October we will no longer have the support of a dedicated body like the DRC as the CEHR will take over its functions. Loss of rights through the introduction of a new Single Equalities Act would be a further blow. Disability Wales and its members must rise to the challenge that this brings of taking on a far greater lobbying role to ensure that the rights of disabled people are strengthened and not sidelined.

At DW, we are highly aware of the need to redefine our role in the face of such new challenges over coming years. We are currently in the third year of our three-year core funding so like many other Assembly funded national organisations must submit funding bids this Autumn. Consequently, Directors and Staff have recently carried out a Strategic Review and are busy developing new plans for the future. This includes how we can improve services to our members, reach out to a wider and more diverse group of disabled people and strengthen our campaigning role. Not all the funding for this will come from the Assembly and recent disappointments in grant applications aimed particularly at supporting members at regional level have been a major set back.

This calls into question to what extent the empowerment of disabled people through self-organisation is a priority amongst funders. This is underlined by the fact that some of our members have lost local authority funding and can no longer operate at previous levels. These include the Disability Welfare Rights Centre, North Wales and Llantrisant DIAL both of which provide much valued information and advice to disabled people in their area. Others feel under threat of losing funding particularly if they challenge the actions of the local authority.

So despite the apparent emphasis on equality, we can not be complacent. Threats to our rights, loss of organisations that champion our cause and, as yet, lack of full understanding among public bodies in delivering equality mean that our work is as vital and necessary as ever.
Simulation or imitation

Training for equality

Penni Bestic

Over the last few months there has been a heated discussion over the differences between disability equality training and disability awareness training. In essence, DET is driven by the Social Model of Disability but the issues are more complex. The following articles represent both view points and will, no doubt, lead to more debate.
With the new Disability Equality Duty now mostly embedded into all public bodies in Wales the call for Disability Equality Training is, as never before, in demand. But, what form does that training take: what is the difference between Disability Equality Training (DET) and Disability Awareness Training (DAT), which training is most effective in delivering equality for disabled people?

The experiences of disabled people in Wales have changed dramatically over the last twenty years. Although we are still striving for equality, the expectations of disabled people are that they now believe that equality is a birthright.

These changes have been driven, in part, by the Disability Discrimination Act 1995. As a direct result of this and subsequent disability legislation it is now unlawful to treat disabled people differently from other citizens in a wide range of arenas including employment, transport and access to goods and services. There is, of course, still far to travel: the number of disabled people still living in poverty in Wales still far exceeds non-disabled people.

Behind many of the changes were a group of highly motivated disabled people who were watching the drive for equal opportunities for women, for people from black and ethnic minorities. It seemed entirely logical then, around the mid-seventies, that disabled people should also be treated equally. This politicisation of disabled people turned many of the stereotypes of disabled people on their head.

During the 1980s this new radicalisation led to what Mike Oliver (1986) termed the ‘Social Model of Disability’. The Social Model suggests that people are more disabled by physical and attitudinal barriers than by their impairments. Oliver believed that being disabled by society is about twin processes of discrimination and prejudice, which restrict individuals with impairment.

At around the same time a group of disabled people began to offer training based upon the Social Model of Disability. Up until then training required by, for instance, health departments was often delivered by a mixture of disability charities run by non-disabled people, social service professionals and so on.

Disabled people felt that training based upon the Social Model was the only way to break the cycle of paternalistic attitudes that framed so much of the lives of disabled people. They, like other civil rights
campaigners before them, believed that self-advocacy was part of the way forward for disabled people. They stated that:

“DET is premised on three main assumptions. First, that disabled people are a disadvantaged or marginalised group within society. Second, that disabled people comprise a distinct minority who themselves should initiate and lead social change for their group. Third, that DET should be guided by the principles of the Social Model of Disability.”

Provision of Disability Equality Training in Scotland

So were does that leave us today? On searching Google, there are over 74,600 entries for DET, with DAT exceeding 164,000 entries. Doing a random search of these entries it is sometimes hard to distinguish between the two: there are offers of DAT that, when you read what they offer, are more akin to DET. Likewise, the DET offers are obviously not delivered by disabled people. All in all, a veritable minefield. However, despite this lack of clarity, it is important to try to understand the differences.

On the whole, Disability Awareness Training tends to focus on the individual impairment or condition and will often use simulation exercises (such as putting people in wheelchairs or blindfolding them) to encourage non-disabled people to have an idea of what it may be like to have that specific disability. Their trainer may discuss medical details, which may be connected with specific conditions, and will cover issues such as etiquette and language. Someone may offer the training with no personal experience of disability.

Disability Equality Training explores the concept of people being disabled by society’s barriers and attitudes, highlighting the role of the organisation in the removal of those barriers and in the changing of attitudes. The training may include an element of ‘awareness’ - customer care, etiquette and appropriate language for instance - but it is unlikely that simulation exercises will be used, save perhaps as a means of illustrating particular barriers. The training will always be provided by a disabled person.

There are a number of discussions, at times heated, happening about which
form of training is acceptable. Much of this debate focuses on the use of simulations. There are groups in Wales who argue strongly that this is acceptable.

“In Brecknock, just about all our members approve of this type of exercise. At meetings with other groups and individuals we rarely find any objection – in fact most people we have spoken to about it, both disabled and non-disabled, unreservedly support, and see the value of it. On the other hand a small minority have held up their hands in horror, suggesting that such activity is ‘demeaning’ (I’m never sure whether it is felt to be demeaning to the disabled, non-disabled, or both!) and akin to bear baiting and the stocks in barbarity. These people tell us it is a fallacy that non-disabled people can be shown ‘what it is like to be disabled’ in this way.”

On the other hand, a well known, Wales based, trainer Andrea Gordon says:

“As a DE trainer of some experience the idea of simulating other Disabled people’s impairments is abhorrent, rude and pointless, where is the fundamental respect we should have for each other’s difference? I’d like it put on record that I, for one, have a very strong personal objection to people wearing blind folds, I would never sit myself in a wheelchair, and pretend, or image, or just play at, not being able to walk, the very thought makes my skin crawl...”

There is no doubt that the former group is absolutely committed to making lives better for disabled people. Groups who use simulation exercises consider them an effective way of demonstrating what it is like to have an impairment for non-disabled participants. However, the real danger is that it can give non-disabled people a false, and very limited, impression of what it is like to be a disabled person. Nevertheless, DA trainers would argue that their training does not only rely on this method and that they use it in context with other exercises and information about disability.

“The main point is, however, we are not silly enough to pretend that ‘simulation’ is anything more than providing a snapshot of how badly designed and un-adapted buildings, cars parked on pavements and dropped kerbs, and goods and A-frames on pavements can adversely affect wheelchair users and the visually impaired.”
The problem with simulation exercises is that they provide a one-dimensional picture of disability even when it is provided with other information/exercises. It cannot begin to address what it is like to have a mental health condition or be a person with learning disabilities. Research has shown that participants often describe feelings of vulnerability, fear and disorientation (Finkelstein 1980, Kiger 1992). This will lead to negative feelings and/or one-dimensional views about what it is to be disabled. It can reinforce stereotypes of disabled people as either victims, worthy of pity, or tragic heroes. It is rather like asking a man to dress as woman to understand her years of oppression, what it is like to receive lower pay because of gender or even experience domestic abuse.

It is possible to look at the experiences of disabled people without using simulation:

"Experiential exercises, as opposed to simulations can, however, be acceptable, as they use real life examples of discriminatory events as part of the training. An example would be a case study of a person with epilepsy being denied a job on the second floor of an office block because they may have a fit and fall down the stairs. Participants may then be asked their feelings on the subject and asked how they would react to such a situation. The answer can then be given in a thoughtful and considered way which seeks an alternative solution to the discrimination inherent in the oppressive environment or attitude."

Disability Equality Training – Trainers Guide; K Gillespie-Sells, J. Campbell

There are a number of talented trainers: people whose commitment to changing the lives of disabled people cannot be questioned. But DAT, however well intentioned, is not really the way to change attitudes towards disabled people. Non-disabled people may say they find simulation exercises useful but unless they actually understand disabled people's oppression as a rights-based issue then it could be seen as worse than useless. The only way to really begin to understand the position of disabled people is training based upon the Social Model of Disability.

Finally, it is important not to dismiss the groups who deliver DA training. There are talented individuals out there, each with his or her own experience of disability. Rather we must continue to talk, to discuss, to debate the issues. However, if we are to change societal attitudes and convince non-disabled people that the removal of barriers is about human rights then all training must be based upon the Social Model of Disability.

Penni Bestic
The disabled peoples’ movement in the UK believes that Disability Equality Training (DET) is best delivered by appropriately experienced and skilled disabled trainers. This is not to say that nobody else can support us in our ongoing efforts to achieve equality of opportunity and social inclusion, the reasons, set out below, are more subtle and the outcomes far more significant.

At the root of disabled peoples’ oppression is the assumption that we are unable to speak for ourselves, and are dependent upon non-disabled people to take care of us and manage our lives. No matter how well-meaning non-disabled trainers may be, in establishing a ‘Disability Equality’ Training course led by a non-disabled trainer, all of the old myths are perpetuated. We are seen once more to be helpless and needy, simply by virtue of the fact that a non-disabled person is in control.

Disability equality stems from disabled peoples’ fight for civil rights. Its principles and foundation in the Social Model of Disability were established by disabled activists who fought long and hard against disabled peoples’ oppression. Professional training delivered by an experienced disabled trainer gives all the right messages and has huge credibility; this is us talking about our lives and experiences, not, as is so often the case, somebody doing it on our behalf.

Our inclusion in society depends upon our difference being valued, upon bridging the gap between legislation and humanity. Disability Equality Training turns the theory into practice and encourages the exchange of views and sharing of ideas that allows people to discuss and understand. Talking directly to someone who’s experienced how it feels to be excluded, who knows for themselves what it’s like to miss out on many of life’s opportunities just because they cannot, for example, walk or hear is what really does make participants want to work to achieve change in themselves and their organisations.

The exclusion disabled people encounter manifests itself in a variety of barriers, some institutional, some physical, but under-pinning them all is the undeniable fact that people and their attitudes influence for good or bad how many of these we are able to overcome, and how much effort it takes to achieve. Participants on DET courses grasp this concept, they “buy in to” how they can themselves make a difference, and they do this because they have learned how
positive attitudes and their own contribution can and does help to address the huge injustice and the struggle for equality, disabled people live with every day.

Disability Equality Training

Disability Wales has 15-year track record in developing and promoting DET. Our training explores the concept of people being disabled by society’s attitudes and barriers rather than a person’s impairment. The training will enable organisations to look at how barriers can be removed and attitudes changed.

DET will enable participants to:

- Have a basic understanding of the key parts of the Disability Discrimination Act and the Disability Equality Duty.
- Have an increased understanding of the barriers disabled people experience and how these barriers can be removed
- Be able to explain the different models of disability and how they affect disabled people
- Be able to recognise the discriminatory language and the visual images that perpetuate the inequality of disabled people
- Be able to recognise and react to situations to prevent discrimination
- Have a positive attitude towards disability equality

All our training is delivered by disabled people

For further information on what training is available, please contact us at info@disabilitywales.org or call us on 029 2088 7325

Maggie Hampton is director of Disability Arts Cymru
Andrea Gordon a disability equality trainer
During the past few months, it has become obvious to me that there is a major diversion of opinion amongst some activists over the use of ‘simulation’, such as ‘wheelchair pushes’ and ‘blindfolding’ with non-disabled people.

In Brecknock, just about all our members approve of this type of exercise. At meetings with other groups and individuals we rarely find any objection – in fact most people we have spoken to about it, both disabled and non-disabled, unreservedly support, and see the value of it. On the other hand a small minority have held up their hands in horror, suggesting that such activity is ‘demeaning’ (I’m never sure whether it is felt to be demeaning to the disabled, non-disabled, or both!) and akin to bear baiting and the stocks in barbarity. These people tell us it is a fallacy that non-disabled people can be shown “what it is like to be disabled” in this way.

Leaving aside for a moment this last point, we absolutely refute these criticisms. If it is so demeaning, why is it only a small minority thinks so? The main point is, however, we are not silly enough to pretend that ‘simulation’ is anything more than providing a snapshot of how badly designed and un-adapted buildings, cars parked on pavements and dropped kerbs, and goods and A-frames on pavements can adversely affect wheelchair users and the visually impaired. Where is the crime in that? In any case, don’t airline pilots train on simulators? Should that be outlawed because it is not the same as actually flying an aeroplane?

What concerns me most is the inward looking and inflexible thinking and desire to dogmatise issues that should be kept simple. There is no proof at all that PowerPoint or flip-chart presentations are any more effective in changing peoples’ ingrained attitudes and assumptions about disability, or in making them aware of the changes needed in policies and procedures that legislators currently pursue. We could equally argue that this type of training can in no way let non-disabled people know “what it is like to be disabled.”

For myself if, for example, I had to deal with a housing officer over adaptations needed to improve a disabled person’s living conditions I would much prefer that officer to have spent a half- or full day in a wheelchair having to cook, go to the toilet etc in an un-adapted dwelling than for...
him or her to have spent an hour or so being lectured on what is the correct or incorrect terminology to use when talking to or about me. When I go to Brecon Social Services offices it would be gratifying to know that the staff had had to get there (just the once!) from another part of town in a wheelchair, or blindfolded with a cane. We know from our experience of dealing with police recruits that these activities leave a lasting, and favourable, impression.

When, not so long ago, I became involved in the disability movement I was under the impression that we are all supposed to be working for a more inclusive and enlightened society. What we have here is the opposite – a closing down and creation of dogma in order to exclude. Why can’t we have an inclusive approach to training, recognising that many different approaches are equally valid, and where each has its place in the overall “rich tapestry of life?”

John Phillips is Chair of Brecknock Access Group
The disability movement has fought long and hard to get recognition of the Social Model and encourage individuals and organisations to adopt the fact that society causes disability and not our impairments.

The Social Model of Disability has been and still is extremely empowering for disabled people. The term and philosophy was developed by the disability movement in the 1970’s and remains unchanged to date. The Social Model takes the onus of disability off the individual and directs it at the external factors – disabling barriers – which cause disability.

Over recent years, a great number of policy makers and health professionals have begun to acknowledge and recognise the Social Model of Disability; and the philosophy of independent living. Several key public bodies and institutions in Wales have adopted the Social Model as a focus for their work on disability, for example, the Welsh Assembly Government, the Board of Community Health Councils and many local authorities including Cardiff City Council, Gwynedd Council and Carmarthenshire Council to name a few.

We would like to believe that the disability movement has played a key part in encouraging these major institutions to take account of disabled peoples’ needs and work to the Social Model of Disability. However, the cynic’s amongst us sometimes have a slight suspicion that these stated commitments are no more than tokenistic gestures. Are the cynic’s right?

The Social Model concept is recommended as an approach to disability in a number of government policies and strategies including the most recent Disability Equality Duty under the Disability Discrimination Act 2005, which covers the majority of public sector organisations. Has this been the driving force behind so many organisations adopting a Social Model approach to disability?

Do organisations really understand what they have signed themselves to?

The evidence on the grounds suggests that a number do not and continue to practice traditional approaches to disability i.e. focusing on impairment and not disabling barriers.
The Social Model of Disability – What is it?

It is a positive approach to disability; it explains how society disables people more than any impairment, learning difficulty or mental health condition a person may have.

Society is the problem, not disabled people. People are disabled not by their impairments but by a society, which creates disabling barriers; for example inappropriate environmental design or social arrangements. The Social Model focuses on removing these barriers to equality.

A Welsh health trust recently developed a disability awareness course, which required participants to wear blind folds, use wheelchairs and sticks to gain an understanding of disability. The Trust did this with all good intentions. However, they were unaware of how this approach contradicted their commitment to the Social Model of Disability.

Following discussions with Disability Wales, the Trust gained a better understanding of the fundamental concept of disability and we are pleased to say that they have now changed their approach.

There are, however, a number of organisations that genuinely want to promote equality for disabled people and are attempting to get it right. Nevertheless, there are others who seem to state a commitment to the Social Model as a way of working, which appears to be no more than a superficial pledge.
“We want ‘more than words’ we want actions!”

Commitment from senior management is vital in taking forward an organisation’s commitment to the Social Model of Disability. The principles of the Social Model need to be embedded within all mainstream equality policies and practice. This will show clear dedication and a true commitment to improving the lives of disabled people.

Working within a number of organisations, there are dedicated individuals who act as drivers in pushing forward the implementation of the Social Model. These individuals require the support of senior management to implement fully any improvements to working practice and service delivery. There can often be resistance to change and it can be difficult to implement any changes without the full support and influence of senior management.

The evolving Social Model

There is what can be perceived as another threat to the Social Model. It has become evident that a number of organisations are taking it upon themselves to rename the Social Model of Disability, taking the ownership away from the disability movement and possibly diluting its power. We are now hearing terms such as:

“The Social Model of inclusion”
(Welsh Local Government Association)

“The Social Model of equality”
(Bridgend Council)

In light of the new Commission for Equality and Human Rights and a move towards cross-strand working, many organisations are looking for something to promote equality for all. It seems that organisations want a tool to ensure equal and fair treatment for all and something which is not dependent on identity or, which label a person may have.

Organisations are beginning to recognise the Social Model and they do see it as a tool to achieve equality for disabled people. However, we still have a long way to go before we actually see their commitments evidenced in practice. Very few organisations are following through their pledge to the Social Model and quite often, this is limited to only one or two departments/sections within organisations.

Organisations like the fundamental concept of the Social Model of Disability however, they want to rename it in order to make it relevant to everyone. Some serious questions need to be asked. What does the disability movement think of this?
Wrexham County Borough Council (WCBC) - Incorporating the Social Model and Independent Living into the commissioning of Social Services.

WCBC has produced a commissioning strategy for Social Services provided to disabled people with physical & sensory impairments and long-term neurological conditions. It sets out a vision for developing services in the period 2006-09.

The strategy considers the provision of services in Wrexham within a wider social and policy context, calling for fundamental change in the way that services for disabled people are designed and delivered.

Should the disability movement be renaming the Social Model: is it time for change? Should we be taking a stand, demanding that the Social Model remains exclusive to disability?

If organisations are embracing the principles of the Social Model there needs to be a discussion as to whether it is a constructive way forward to address inequality. If it is, then the concept of the Social Model may become embedded within the values of society at last. After all, is not this what the disability movement wanted: for the Social Model way of thinking to become the norm?

We need to see public bodies taking hold of the Social Model at corporate level and driving the implementation process throughout organisations. But, we also need them to understand what the Social Model means for disabled people before stretching it to fit other equality strands. Implementation needs to take place across all departments/sections within organisations and not just limited to one or two. We want to see transport; economic development; education; housing; environment and countryside and so on recognising the Social Model and applying to their policies and practice. We need to change the focus from health and social care issues to the wider social context of disabled people’s lives: if the Social Model of Disability is the theory then Independent Living is the practice.

And finally, the Social Model must be seen as a means of delivering equality for all disabled people. ■

_Miranda Evans_

**Further Reading:** Below is a small selection of articles on the Social Model of Disability.


‘Social Model or Unsociable Muddle?’ - Available from: http://www.social-model.org.uk/infolinks.htm#muddle

**Coming soon DW publications:**


Promoting disability equality – a leaflet aimed at the public sector on mainstreaming disability equality throughout organisations.
After just seven years, it seems premature to be writing the obituary of the Disability Rights Commission. Much of the time in our early years was spent learning what works, how to achieve change and bring about improvements in the lives of disabled people. In the last few years, we think we’re beginning to make real progress but in a few weeks time we’re going to shut down. Of course, it won’t be the end, others will pick up the fight for disability rights including the Commission for Equality and Human Rights and Disability Wales and towards the end of this article I offer some thoughts on how they may choose to take things forward.

High hopes

When the DRC was launched, there were widespread hopes amongst disability activists that there would be “blood on the walls” as we took a flurry of Disability Discrimination Act cases against large companies and government bodies. While perhaps we weren’t anticipating quite such legal carnage, we certainly expected to take a number of high profile legal cases with which to highlight the arrival of disability rights on the national agenda. Unfortunately, we were to learn all too rapidly that large businesses were much too sensible to give us these high profile victories.

After 25 years of cases on sex and race discrimination they knew that fighting a DDA was an expensive way of buying bad publicity. All too often cases would be settled with a payment to the disabled claimant and a confidentiality clause.
keeping the media well away from any story. Occasionally we would encounter a stubborn litigant who would fight through to the end but there were far too few people like the head teacher at Accrington Grammar School who refused to believe he could be wrong until he had to pay £3,000 to Tom Wright for banning him from school trips, or Michael Leary at Ryanair who paid a similar sum to Bob Ross for charging him £18 for the use of a wheelchair at Stanstead Airport.

In Wales, we struggled further to generate cases as calls to our Helpline in early years were significantly below the average for Great Britain as a whole. A survey of advice services we conducted in 2003 described most of Wales as ‘an advice desert’.

Nationally we won some very important cases in the field of employment law, which significantly extended the scope of the DDA. But cases such as Miekle and Archibald, while they may have provided hours of happy debate for employment law specialists barely raised a flicker in the national media.

Alternative powers

In time, we began to use our alternative legal powers as well supporting individual cases. Some cases, even though settled, provided the catalyst for a Section 5 Agreement whereby an organisation agreed to a programme of work to eliminate disability discrimination from their employment or services in return for the DRC not pursing a formal investigation against them. These have proved to be one of our successes and even some of the parties with whom we secured a Section 5 Agreement, such as Barnsley Premier Leisure, will talk positively about how the experience enabled them to improve their services to disabled customers. None of these agreements was made against an organisation, which operates solely in Wales. However, some of our later agreements against the Thistle and McDonald hotel chains should in time bring benefit to disabled people visiting Wales.

Another legal tool, which is starting to bear fruit, is the use of Formal Investigations. Our first investigation into website accessibility has now resulted in a British Standard, which we hope will also be the framework for European guidance. This FI illustrated that just as important as the investigation itself was the follow up influencing work to secure adoption of the recommended changes.

Our next investigation into health inequalities affecting people with learning disabilities and mental health issues in the provision of primary healthcare services has brought considerable successes. The Wales Assembly Government is running well ahead of the Department for Health in England in implementing the recommendations. Regular health checks
for people with learning disabilities and people with mental health issues are now part of the GP contract. The Assembly Government is now starting work on a Public Health Strategy and the formal investigation has given us the tool to ensure that disability and also wider equalities issues will be one of the central planks of this strategy.

Influence

In addition to the use of our formal legal tools, the DRC has put much emphasis on the work that falls under the general heading of “influencing”. The gradual implementation of the DDA 1995, the Special Educational Needs and Disability Act 2001 and DDA 2005 have all provided ‘hooks’ on which the DRC has run a series of campaigns. Education; the Built Environment; Employment; the Disability Equality Duty and lastly Transport have all been areas of activity where we’ve sought to promote awareness of rights amongst disabled people and an understanding of duties amongst employers and service providers.

Frustratingly the sheer frequency in which the new duties have been implemented has meant we’ve often moved from one campaign straight to the next without adequate time to follow up our message and ensure there is no backsliding in later years.

We’ve often complemented the public campaigning activity with more focused political lobbying, most notably in securing DDA 2005. In Wales, the most notable success has been the introduction of Access Statements and a regime, which is notably more robust than in England. We must however fully acknowledge this was not a DRC initiative alone and others, including Disability Wales, played an important part in achieving this change.

Partnerships

A distinctive feature of the way in which the DRC has worked in Wales has been to develop partnerships. “Barriers Coming Down” with the Wales Assembly Government in 2003 was a useful precursor to our own Open for All Campaign about the new physical features duties of the DDA, which came into effect in October 2004.
Open for All activity was delivered in partnership with both the Welsh Local Government Association (WLGA) and the NHS Centre for Equalities and Human Rights in Wales. With the help of these organisations, we were able to reach every local authority, every local health board and every NHS Trust in Wales with our key messages, a level of coverage which could not be replicated in England or Scotland. We followed a similar path in promoting awareness of the Disability Equality Duty and this must have played a significant role in ensuring 100% compliance with the requirement to produce a Disability Equality Scheme amongst those public bodies required to do so.

Progress for disabled people?
At the end of all this activity there are some encouraging signs of progress. The employment gap between disabled and non-disabled people has closed consistently by 1% a year throughout the DRC’s lifetime. No doubt much of the credit for this lies in a prosperous economy but hopefully many of those who have secured jobs will now have been in employment long enough that they won’t be first to be made redundant should we face a recession.

Similarly, the gap in attainment of qualifications between disabled people at all levels continues to shrink, although again progress is painfully slow. The Built Environment is getting more accessible to those with physical impairments. I well remember our first meeting in a hotel in Wrexham whose claims to be accessible were woefully exaggerated. A few years ago, we returned to Wrexham but were forced to meet in an old and rather drafty church hall. This year we’ve been able to use a 4 star hotel with a high level of accessibility. Although our transport campaign has focused on England where accessible vehicles and infrastructure are more common, there are growing numbers of accessible buses and trains in service in Wales.

Working with Disability Wales
What’s vital of course is that pressure to maintain and accelerate these improvements continues after we’ve gone. The DRC in Wales has always recognised the importance of a strong and active network of disability organisations. In particular we’ve seen Disability Wales as a key partner. When the DRC opened Disability Scotland rapidly closed and RADAR faced a financial crisis which required it to operate for some time under the umbrella of a housing association. In contrast, we’ve been delighted to see the continuing success of Disability Wales.

One of my very first meetings as Wales Director of the DRC was with the then Disability Wales Director, Howard John, who was keen to negotiate a
memorandum of understanding with the DRC. His first draft envisaged the DRC giving up the right to work in many areas, which he felt should be Disability Wales’ sole territory. We eventually negotiated a much more balanced document, which recognised that in a number of areas our interests and activities would overlap but what was crucial was that we collaborated rather than competed in our efforts. Pleasingly, I don’t think either of the organisations have ever had cause to look at this document since. We’ve shared information and intelligence and frequently collaborated over initiatives. Most notably the DRC was the major sponsor of the last Disability Wales Conference.

It now falls to Disability Wales and its member organisations and other disability activists to keep up the pressure on other providers of public services to maintain improvements in accessibility and the quality of service for disabled people. The Disability Equality Duty should provide a key tool to influence public sector bodies in particular.

Commission for Equalities and Human Rights

The CEHR will be different from the DRC in many ways. It will want to develop a new vision of equalities for a world of multiple-identity. For a while, at least it will be very cautious about work that could be seen as focussing on only one equality ‘strand’. Disability organisations wanting to engage the support of CEHR for their work will need to emphasise the wider equality benefits of the work beyond disability.

CEHR will develop its own approach to involving stakeholders and it will be important that disability organisations watch this and take the opportunities presented. In this way, it will be possible to influence the debate about where the level of disadvantage is most intense, and therefore a priority for the CEHR to address.

I would anticipate that there will be considerable emphasis on using research data to inform the CEHR’s strategy. However most of the current data focuses on employment and education. Although these are important issues for those campaigning for disability rights, it will
also be important to ensure that evidence about the problems of an inaccessible built environment, or access to information in suitable formats are not overlooked because of the absence of research data. It will also be important to note that much of the research undertaken uses different definitions of disability which can produce findings of questionable credibility. Monitoring these sort of issues, although technical, may prove to be significant in ensuring that the CEHR pays sufficient attention to disability.

The CEHR will have a Disability Committee with a staff team to deliver a programme of work on disability issues. While this is an important recognition that the disability rights agenda lags behind the race and gender rights work, the programme will inevitably be much less extensive than that delivered by the DRC.

To get the best from its resources it will need to focus on a small number of disability specific projects. Where possible disability work will need to be built into the core of CEHR projects, and indeed much of the focus of the disability programme team may focus on achieving that outcome. Disability organisations are likely to have an important role in achieving this outcome, supporting the Committee rather than giving in to the temptation to criticise the Committee for its failure to become a mini DRC.

Exciting times

The past seven years have been a very exciting experience for me. I’ve worked with some great people within and outside the DRC. We’ve learned a great deal about the process of attempting to bring about social change, including of course that it is a very slow process. We’ve had some successes and some failures. But I believe that our work has seen a step change in the recognition of disability rights. I’m sure we won’t lose the progress we have made. However what I really hope is that the CEHR, with the support of disability rights activists, will exceed what the DRC has achieved, and the pace of change will accelerate.

Will Bee
This article shares some thoughts on a number of central themes about the way in which we might move forward the equality and human rights agenda in Wales beyond the establishment of the new Commission for Equality and Human Rights.

The Commission represents the potential for transforming the way in which we think about and address equality, human rights and social justice issues. There are clearly risks involved in trying to address age old inequalities and mistreatments in new innovative and untested ways. However, the principle that everyone has a right to be treated equally and their differences acknowledged and valued within the communities in which they live lies at the heart of this change.

The recently published Equalities Review made an attempt to set out a clearer understanding of what we should mean by the word equality, although it has been met with a mixed reception, the document has helped to begin a much broader
debate about how we build a shared understanding of equality and human rights.

One of the challenges for the new Commission will be to lead on that task, tackling discrimination and disadvantage and promoting the importance of human rights; explaining and articulating a vision of a country at ease with all aspects of its diversity, built on fairness and respect for all.

The Commission has significant potential to affect the lives of disabled people in Wales in three ways:

- Firstly the establishment of a Wales Committee with a number of important powers will help to ensure that the Commission’s agenda in Wales is relevant, appropriate and measured in relation to the needs of people living in Wales. This important opportunity to self-determine priorities and principles will ensure that the needs of disabled people are given priority when planning the annual programme of work.

- Secondly, Wales has a rich and vibrant history of third sector involvement of which the disability movement has been a part of. The Commission intends to build on this important legacy by working in partnership with organisations and individuals representing the authentic needs of different communities of interest.

- Thirdly, the Commission will provide the opportunity to address the multiple nature of inequalities that affect people, in a unified and integrated way. For instance if you happen to be gay and disabled or disabled and from a black or ethnic minority community, then having access to support to deal with both of these issues in an holistic way that acknowledges the complexity and connectedness of peoples’ will be important. This recognises that individuals come in complex packages and not in simple categories of difference.

A quotation I often use when describing this principle is, ‘Gender reaches into disability, disability wraps around class, class strains against abuse, abuse snarls into sexuality, sexuality folds on top of race and everything finally piling into a single human body.’ This for me captures the enormity of our task, the connectivity between different types of mistreatment and the importance of recognising the unique differences that define who we are as human beings. In my experience, there can often be a dislocation between the real life experiences of individuals and the way in which services are provided or offer protection from discrimination and inequality. The CEHR can help to renew the emphasis upon designing services for difference and not manufacturing for sameness.

In Wales we must also be cognisant of the Disability Committee which has wide
‘Gender reaches into disability, disability wraps around class, class strains against abuse, abuse snarls into sexuality, sexuality folds on top of race and everything finally piling into a single human body.’

deleagued powers, reflecting the need for specific arrangements and expertise on disability. This is particularly important in the Commission’s first years of operation. The Committee will create an effective framework to ensure continuity of relevant expertise and experience on disability rights and to implement the complex and significant programme of disability legislation. A meaningful relationship will need to be built across the statutory committees based on trust, mutual respect and a willingness to work together.

I could not write this article without reflecting on the contribution of the Disability Rights Commission in moving forward the equalities and human rights agenda in Wales. Understandably there will be a feeling of unfinished business and concern that the Commission will not be giving priority to the issues the Disability Rights Commission have worked so hard to address. However over the course of time I am confident that this will not be the case. I am a strong advocate of bringing people and communities of interest together to share ideas and create opportunities and ways in which we can influence change. The new Commission will have greater flexibility, independence, power and resources than any of the heritage equality Commissions have enjoyed – our ambition must match this.

Dr Neil Wooding

Neil has spent much of his career working with organisations across the UK to promote Equality and Human Rights. He was the first Equality adviser to be appointed in Wales and during the course of his career successfully established the NHS Centre for Equality and Human Rights. He is currently the CEHR Commissioner for Wales, the Equal Opportunities Commissioner for Wales, a Trustee of the National Aids Trust and a Non-Executive Director of South East Wales Race Equality Council. He is the Director of Public Service Management Wales, an organisation set up by the Welsh Assembly Government and public service organisations for the purpose of building leadership and managerial capacity. He was, until recently, the Co-Chair of Stonewall Cymru. Neil is a Fellow of the National Centre for Public Policy and a respected authority on Equality and Human Rights issues. He lives with his partner in South-east Wales and co-parents two children.
In the past, disabled people suffered from a relative “invisibility”, and tended to be viewed as “objects” of protection, treatment and assistance rather than subjects of rights. Because of this approach, disabled people were excluded from mainstream society, and provided with special schools, sheltered workshops, and separate housing and transportation on the assumption that they were incapable of coping with either society at
large or all or most major life activities. They were denied equal access to those basic rights and fundamental freedoms (e.g. health care, employment, education, vote, participation in cultural activities) that most people take for granted.

A dramatic shift in perspective has been taking place over the past two decades, and disabled people have started to be viewed as holders of rights. This process is slow and uneven, but it is taking place in all economic and social systems.

The rights-based approach to disability essentially means viewing disabled people as subjects of law. Its final aim is to empower disabled persons, and to ensure their active participation in political, economic, social, and cultural life in a way that is respectful and accommodating of their difference. This approach is normatively based on international human rights standards and operationally directed to enhancing the promotion and protection of the human rights of disabled people. Strengthening the protection of human rights is also a way to prevent disability.

Four core values of human rights law are of particular importance in the context of disability:

- the dignity of each individual, who is deemed to be of inestimable value because of his/her inherent self-worth, and not because s/he is economically or otherwise “useful”;
- the concept of autonomy or self-determination, which is based on the presumption of a capacity for self-directed action and behaviour, and requires that the person be placed at the centre of all decisions affecting him/her;
- the inherent equality of all regardless of difference;
- the ethic of solidarity, which requires society to sustain the freedom of the person with appropriate social supports.

The United Nations action in the field of disability

This shift to a human rights perspective has been authoritatively endorsed at the level of the United Nations, and is reflected in several developments, which have taken place at the international level since the proclamation, by the General Assembly, of the year 1981 as the “International Year of the Disabled” under the slogan “Full Participation and Equality”.

In 1982, the General Assembly adopted the World Programme of Action concerning Disabled Persons, which set the guidelines for a world strategy to promote “equality” and “full participation” by disabled people in social life and development. As a follow-up to the World Programme of Action, the General Assembly adopted in 1993 a resolution entitled “Standard Rules on the Equalization of Opportunities for People
The Standard Rules explicitly take the International Bill of Human Rights (which comprises the Universal Declaration of Human Rights and the two international Covenants on Economic, Social and Cultural Rights and Civil and Political Rights) as their political and moral foundation (para. 13). It constitutes an important reference guide in identifying the relevant obligations of States parties under the existing human rights instruments. They aim at ensuring that “girls, boys, men and women with disabilities, as members of their societies, may exercise the same rights and obligations as others”, and require States to remove obstacles to equal participation (para. 15).

Also in 1993, the Vienna Declaration for Human Rights reaffirmed that “all human rights and fundamental freedoms are universal, and thus unreservedly include disabled people”, and placed the active participation of disabled people in all aspects of civil society explicitly in a human rights context.

Office of the High Commission on Human Rights’ mandate

In its Resolution 2000/51 on the human rights of disabled people, the Commission on Human Rights requested the United Nations High Commissioner for Human Rights, in cooperation with the United Nations Special Rapporteur on Disability, to examine measures to strengthen the protection and monitoring of the human rights of disabled people.

Following to that request, the Office of the High Commissioner developed a programme aimed at enhancing the human rights dimension of disability, which aims at:

- encouraging the integration of disability issues in the activities of treaty-monitoring bodies and human rights extra-conventional mechanisms (e.g. Special Rapporteurs to the Commission on Human Rights);
- supporting the elaboration of a new thematic Convention on the human rights and dignity of disabled people;
- strengthening collaboration with the Special Rapporteur on disability of the Commission for Social Development and other United Nations specialized agencies active in the area of disability.

Integrating disability further into the work of existing human rights mechanisms and elaboration of a new convention should be seen as complementary approaches. Together with continuing efforts to address the social development dimension of the problems faced by disabled people, this constitutes the so-called multi-track approach advocated by the High Commissioner for Human Rights.

From un-convention.info
The following is an extract of Frequently Asked Questions concerning the Convention on the Rights of Persons with Disabilities. It appears in full on www.uncovention.info

This article provides personal responses to questions that have frequently been put to me by disabled people and/or our representative organisations. I have tried to deal with as many issues as possible, balancing the need for accurate answers with my own experience of human rights mechanisms and government responses to them; I do not believe there is a much value in providing textbook answers to the questions. Finding out what should happen is fairly straightforward, explaining why things may - or may not - happen as they are supposed to is, I hope you will agree, more useful.

The issues dealt with here, have also been affected by the appearance of a ‘frequently asked questions’ page on the UN Enable web site (www.un.org/esa/socdev/enable/convinfofaq.htm), which I would wholeheartedly recommend that you visit. This UN site increasingly provides an unparalleled resource on disability and human rights.

Whilst it has been clear that all adults were entitled to equal enjoyment of our human rights, both experience and evidence have shown that this is a goal yet
to be achieved. Prior to the disability convention, there were a number of conventions which sought to address discriminatory barriers to the equal enjoyment of human rights, including discrimination based on race, colour, descent, or national or ethnic origin, discrimination against women and children.

I confess that I would have preferred to ensure that all sections of society were represented within the mechanisms - and monitoring - of the International Bill of Human Rights (Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and its two Optional Protocols), that race, gender, childhood and disability were mainstreamed in the existing framework. Nonetheless, the international community felt it appropriate to negotiate separate treaties, for what had been considered ‘minority’ interests, since 1966. These existing treaties, including the recently adopted disability convention, do not mean that they will never be mainstreamed; the expansion, protection and promotion of human rights is very much a ‘work in progress’, an evolving thing that will continue to develop and mature, not least through the work of the various treaty monitoring bodies (the Human Rights Committee, for example) at the UN and through the European Court of Human Rights, in Strasbourg (for members of the Council of Europe, including the United Kingdom).

Whilst there will, undoubtedly, be some that will claim that the disability convention is nothing more than political correctness (as many did after the BBC reported the UK’s signature of the Convention on 30 March), the extent to which disabled people’s human rights have been ignored - including the right to life - should not be underestimated. It will come as a surprise to many to learn that human
rights abuse is not confined to poor states in other regions, but remains a significant problem in the UK and other European States (see, for example, ‘The consideration missing behind closed doors’, Guardian, Wednesday April 11, 2007 and Mencap’s report: ‘Death by indifference’).

Whatever the alternatives, I view the international community’s (through the UN) elaboration of a disability-specific convention to be a vitally important restatement of disabled people’s equal right to the enjoyment of human rights and, perhaps more controversially, acknowledgement of our very humanity - something that evidence shows has been repeatedly denied or ignored by some.

What difference will the Convention make?
Only time will tell.

The Convention categorically reaffirms that disabled people are fully entitled to enjoy our human rights on an equal basis with others; I used the phrase “reaffirms” deliberately: the Convention does not create any new rights; it merely seeks to ensure that disabled people are better able to enjoy rights that have, demonstrably, been denied us. In theory, states that sign and ratify the Convention are agreeing to be bound by its terms and to ensure its implementation.

However, as has been repeatedly stated by UN agencies and conferences, disabled people were entitled to the equal enjoyment of our human rights for as long as everyone else (1966), so whilst this Convention implicitly acknowledges that such equal entitlement does not exist, only time will tell whether states that ratify have the will to ensure implementation.

What I have said so far may be seen as implying that disabled people have to accept passively their state’s compliance - or non-compliance - with the Convention, but nothing could be further from the truth. If disabled people abdicate responsibility for monitoring implementation of the Convention to the government or its nominees (the Commission for Equality and Human Rights, for example), it would be surprising if the obligations were met at all or in what we would consider an acceptable period.

However, quite apart from any quasi-legal benefits provided by the Convention,
it offers substantial political and campaigning benefits, if we are prepared - and have the capacity - to use them. Indeed, addressing the shortage of adequately resourced representative organisations of disabled people is, arguably, the first requirement of effective implementation.

Are there risks associated with the Convention?

Political ideologies and vested interests have repeatedly ‘co-opted’ (or, perhaps, more accurately, ‘hijacked’) the progressive language and ideas of social movements. Consider the extent to which spouting ritualistic mantras too often replaces tangible outcomes - the triumph of rhetoric over reform - and there is every reason to suppose that something similar will be attempted with the lofty ideals contained within the Convention.

Having created an artificial category of ‘the disabled’, bureaucrats and professionals founded an industry to manage the problems created. A predictable risk with the Convention - a human rights treaty - is that an expanded process of professionalisation will see yet more ‘experts’ insinuate themselves between government and disabled people (another example of the reason why it is important to have ‘professionals on tap, rather than on top’!).

I do not believe that this is an inevitable consequence however; let me give you an example: some years ago, I was invited to speak about human rights in Portugal. My slot was immediately after a presentation by a representative from the Office of the UN High Commissioner for Human Rights who suggested that the development of a human rights and disability dialogue meant that disabled people had to learn the language of human rights.

That is certainly one interpretation but, as I pointed out when I began my presentation, there is another way of looking at it: it is for human rights agencies to make their work meaningful to the people they presume to protect.

My comment was not intended to be a ‘putdown’, but to highlight the fact that those whose human rights were most vulnerable appeared, in my view, to be the least likely to be able to engage in a legalistic technical discussion of human rights. Nor for that matter should they need to, because the alternative is to trot out completely inappropriate clichés about helping those who help themselves when, if it is to be meaningful, human rights protection must be available precisely to those least able to help themselves (because, for example, they are imprisoned and denied any contact with the outside world).

Governments may also co-opt their preferred sections of the Convention - employment, for example - to pursue political aims, forcing disabled people into...
low paid and/or demeaning jobs or workfare programmes, rather than ensuring equal access to meaningful education or careers, for example.

The only defence against the risks associated with the Convention is active and adequately resourced representative organisations of disabled people, as the Convention itself makes clear.

Is the government committed to both the letter and the spirit of the Convention?

That is a question, which you need to put to the Government and not to me.

I know from previous contact that the Minister for Disabled People - Anne McGuire - is committed to seeing the UN Convention through from signature to implementation in the UK. Were this not the case, I would not be continuing to work with the government but would, instead, be criticising it (loudly) from the outside.

So does this mean that you are completely content with what the government is doing?

The short answer is "no".

Disabled people have endured discrimination and a lack of respect for our human rights for so long that there is a lot of ground to make up. Inevitably that means that I approach my continued involvement with government (much reduced since the final session of the UN Ad Hoc Committee) as being a 'critical voice from outside the Westminster village'. Such involvement is not party-political, I have previously - and expect in the future - to work with or lobby ministers of any political persuasion; the imperative to ensure that all Britons can enjoy their human rights on an equal basis continues, irrespective of individual ministers or General Election results.

The more time that passes between the UK’s signature and ratification of the Convention suggests, however, that the commitment of some sections of government to disabled Britons' human rights is not universally shared across Westminster.

Responses to questions in both the House of Commons and the House of Lords carefully avoid giving any undertakings or a clear ratification timetable, in fact recent debates in the House of Lords suggests that the Government is now hiding behind its membership of the European Union as a way of deflecting questions and criticism. The European Commission, as part of the formal process of allowing EU ratification of the Convention, will report to the Council of Ministers sometime in 2008 and it now seems that the UK will not ratify the Convention before the European Commission reports to the Council.

The justification for such delay escapes
me, whilst it is true that all EU member states have legal obligations under Community law, it is equally true that it is states - rather than regional governmental organisations (like the EU) - that are parties to multilateral international treaties (like the disability convention at the UN).

Much will undoubtedly be made of ‘shared competency’ (those areas of domestic law for which EU member states have to comply with European Union standards), as there is every indication that the European Union will, itself, formally acknowledge the disability convention I confess to being more than a little puzzled by our government’s recent statements about ratifying the Convention.

Much is also made of the complicated process of ensuring that UK law complies with the Convention obligations which, as the Foreign and Commonwealth Office website shows, is justified. However, references to this complexity in the House of Lords appear to suggest that the Convention popped out of the ether in December 2006, rather than being a treaty that - by its own admission - this government was intimately involved in drafting. It is surely not being suggested that there has been no review of proposals made throughout negotiation of the Convention?

My assessment of this government is rather like my school reports: ‘could do better’:

Signature of the Convention has been achieved, but that is not enough. The Government could and should do more, not least publish - and actually meet - early schedules for guaranteeing that the letter and spirit of the Convention are applied and adopted in this country.

The Government must sign the Optional Protocol to the disability convention; it is simply not credible to trumpet a commitment to human rights but reject
the idea that the UK is open to individual
and impartial assessment (through the
Treaty Monitoring Body) in individual
cases.

The government needs to pick up
greater speed - and efficiency - in
providing disabled people with
information we can use about the
Convention’s benefits and it needs to get
on with consulting disabled people -
through our democratic and representative
organisations - about the promotion,
implementation and monitoring of the
Convention.

The Government has an equally urgent
task with its civil servants and the
enormous range of executive agencies and
non-departmental public bodies. All
Departments and public authorities need
to come to an early understanding of how
the Convention is designed and the way
they will be required to think about - and
act in relation to - disability and disabled
people. So there is an awareness issue
within national and local government
which also needs to be urgently addressed.

I do not underestimate the size or
complexity of the task. The process of
getting an international convention
ratified is not something that should be
pushed through on the nod, not least
because to do so provides a very clear
indication that the government concerned
is either supremely confident of its ability
to meet the Convention obligations, or
entirely indifferent about meeting those
obligations. Nonetheless, I still have
concerns that things are not moving as
quickly as they should, particularly with so
much attention on relevant policy areas
since Gordon Brown became Prime
Minister (a Bill of Rights, reducing reliance
on Orders in Council and increasing the
role of Parliament in areas for which such
Orders are currently used, a renewed
‘welfare to work’ agenda and, not least,
suggestions that the Prime Minister will
call an election early in 2008).

In the final analysis, it does not matter
how complicated the process, recent
events have shown that political decisions
with dramatic effects and substantial cost
can be made quickly, it is a matter of
priorities and the will to make things
happen that counts!
Disability Arts Cymru believes that Disabled & Deaf People have an exciting and valuable contribution to make to the arts in Wales. They are committed to working with individuals and organisations to celebrate the diversity of Disabled & Deaf People's arts and culture, and develop equality across all art forms.

Hidden Dragons:
New Writing by Disabled People in Wales, edited by Allan Sutherland and Elin ap Hywel.

Funny, sad, passionate, tender, sarcastic, intimate, angry, nostalgic, a great variety of writers; each with their own writing style, their own experience of life, and their own idiosyncratic outlook. All of them are doing the writer's job of telling the truth as they see it.

“...fantastic - such a wealth of competent, articulate disabled voices, and some of it even in Welsh! For anyone who enjoys good writing and poetry especially, I urge you to get a copy.”
MAT FRASER, WRITER, PERFORMER, MUSICIAN

This groundbreaking book - the first of its kind in Wales - has given the opportunity for the voices of disabled people in Wales to be heard through their writing.


It is also available in large print, Braille, on audio tape, and on CD-Rom from Disability Arts Cymru. Get in touch with us to find out more.

Disability Arts Cymru
Sbectrwm
Bwlch Road
Fairwater
Cardiff CF5 3EF

Telephone & Textphone: 029 2055 1040
Fax: 029 2055 1036
Email: post@dacymru.com
www.dacymru.com/
POEMS

Shake, Rock and Shake again
This Swaying (but she is so young) Woman Goes Swimming

Glynnis Buckham

swimming in a warm pool
on a cold October day
who wouldn’t enjoy
the experience?

In the car park
she searches for
sky blue badges, marking
the ‘special’ place.
instead, white vans
delivering towels and cake
have invaded her ground.

at the entrance,
she performs a stylish version of
‘rock, shake and slam shut’
with the wide automatic doors.
she has been practising.
this wild dance ends, she makes an entrance.
no red satin and fanfares here
just a whiff of disapproval.

heavy double doors guard the pool
where swimmers, like seals, raise their heads
watch her move to the pool
watch her fix her glasses
two women, deep in conversation
breast-stroke slowly across the pool
‘what’s wrong with her then?’

will moving through the pool
fix things, make her as she was?

under the water
quick shadows change shapes
no need for repair here
her movement is as she wants
constantly changing

Glynnis brought up in Penrhyneddraeth, now a Swansea resident. Glynnis has taught, travelled and worked in mental health services.

First published in Hidden Dragons – new writing by disabled people in Wales.
I will sit in the park
and worry children as I talk
to the birds and the trees
when I am old.

I will dye my hair
not red or black but pure white
so there is no doubt
that I am old.

I will sing loudly
all the bits of Abba songs
that I can remember
when I am old.

Because I am not old
I shouldn’t offend my children
by singing to loudly
songs that make them cringe.

Because I am not old
I must try to conform
and appear interested in
things that actually bore me.

Because I am not old
I can enjoy planning how
I am going to behave
when I am old.

Sara Beer lives in Cardiff with
her husband and two sons.
Before having a family, she
worked as an actress and
performed with Graeae
Theatre, Hijinx and Theatr Iolo.

First published in
Hidden Dragons – new
writing by disabled people in
Wales.
We never spoke of dying as if biting our tongues and denying eye contact was the undiscovered cure.

We talked about your knitting and how your nails had grown at length.

You mentioned Diana Dors in passing and briefly wondered if the love of your life would follow Alan Lake.

On the last day you took off your mask and held my hand as if I were a child again.

We cried together because I'd lost a five pound note.

We never spoke of dying as if biting our lips and lying with our eyes was the answer to eternity.

Pauline Conneff lives on Deeside and has been writing since the 1980s. She writes poetry, prose and plays, some of which have been published or have won prizes.

First published in Hidden Dragons – new writing by disabled people in Wales.
Anabledd ac iaith
Canllawiau defnyddio terminoleg anabledd

Disability & language
Guidelines for the use of disability terms

Lowri Williams a Delyth Prys

“We have two principal languages in Wales: Welsh and English. It is important that we use both languages in a way that minimises offence and positively reinforces the new disability rights culture in Wales.”

“We gennym ddwy brif iaith yng Nghymru: Cymraeg a Saesneg. Mae’n bwysig ein bod yn defnyddio’r ddwy iaith mewn ffordd sy’n lleihau tramgwydd ac yn cryfhau’r diwylliant hawliau pobl anabl yng Nghymru.”

Cynhyrchwyd yn y Ganolfan Safoni Termau, Prifysgol Cymru Bangor ar gyfer Anabledd Cymru gyda chymorth ariannol Bwrdd yr Iaith Gymraeg a’r Comisiwn Hawliau Anabledd yng Nghymru

Cynhyrchwyd yn y Ganolfan Safoni Termau, Prifysgol Cymru Bangor ar gyfer Anabledd Cymru gyda chymorth ariannol Bwrdd yr Iaith Gymraeg a’r Comisiwn Hawliau Anabledd yng Nghymru

Produced by the Welsh Terminology Centre, University of Wales Bangor for Disability Wales with financial aid from the Welsh Language Board and the Disability Rights Commission in Wales
We can help with these kinds of problems if you live on a low income or benefits.

Call us now on 0845 345 4 345 or visit www.clsdirect.org.uk

Access to Films for all at Chapter

Deaf and hard of hearing, and blind and visually impaired people can now enjoy a great cinema experience with friends and family at Chapter's subtitled and audio described screenings.

SCREENINGS IN SEPTEMBER:

**Die Hard 4.0 (15):** Fri 14 @ 8.30pm, Mon 17 @ 6.15pm

**28 Weeks Later (18):** Tue 18 @ 2.30pm + 6.15pm

**Black Snake Moan (15):** Wed 19 @ 6.15pm,
                          Thu 20 @ 8.30pm

**Fantastic Four (15):** Fri 21 @ 11am, Sat 22 @ 3pm

**Shrek the Third (PG):** Fri 28 @ 11am + 6.15pm,
                         Sat 29 @ 3pm

Further details at www.chapter.org
or www.yourlocalcinema.com

Market Road, Canton, Cardiff,
029 2030 4400  minicom: 029 2031 3430
• Are you a disabled person?
• Ever thought of starting your own business but don’t know how?

No matter what it is, we will work with you to turn your idea into reality.

Interested? Contact the Enter DW Team

Freephone: 0800 7837315
Telephone: 029 2085 3175
Fax: 029 2088 8702
Email: enter@disbilitywales.org
Website: www.enterdisabilitywales.co.uk
Post: Enter Disability Wales
      Bridge House
      Caerphilly Business Park
      Van Road
      Caerphilly
      CF83 3GW
Am wybodaeth bellach edrychwch ar dudalennau Sbectel 440-441, Sbectel Digidol neu ewch i s4c.co.uk

For further information go to Sbectel Teletext pages 440-441, Digital Text or visit s4c.co.uk