

Appendix 36: General Recommendation 18 – Disabled women

Introduction

Most States lack a specific and comprehensive law, policy or programme on persons with disabilities in general or on women with disabilities in particular. States that do have a disability law often do not specifically address the rights of women with disabilities. States may also have a specific law on violence against women that generally provides remedies for all women, within a non-discriminatory framework, but unfortunately, such laws are not effectively implemented in respect of women with disabilities. Very few States have established dedicated institutional mechanisms, programmes or strategies such as national committees or councils on women and disabilities.¹ The UK is no exception.

The UK Government says that it uses the social model of disability which recognises that disability arises from society's negative responses to disabled people, inaccessible environments, discrimination and disablism. However, the UK definition of disability is not compliant with the Convention on the Rights of Persons with Disabilities (CRPD).² Disability is not an inevitable consequence of impairments and equality is possible and can be achieved through removing the barriers to social inclusion.³ This appendix demonstrates that the statistics fail to recognise that disabled people are not a homogenous group and include disabled women as well as men. This is partly due to a general lack of data disaggregated from a gender and disability perspective. (See Article 3) Disabled women's needs are often excluded in the mainstream Disability Movement as well as the Women's Movement,⁴ and wider government policy, which explains the lack of both qualitative and quantitative data specifically about disabled women in all the areas discussed below. Disabled women often remain invisible in mainstream legislation/policy for women and disabled women's issues are still under-researched, and their concerns are overlooked.

Since May 2010, the UK Coalition Government has introduced a large-scale comprehensive spending review, proposing substantial cuts in public spending scheduled to take place over the next years. This paper recognises that disabled women will be disproportionately affected by these cuts.⁵ The Home Secretary, Theresa May warned the Chancellor of the Exchequer that cuts imposed in the

¹ Human Rights Council (2012) *Report of the Special Rapporteur on violence against women, its causes and consequences on the issue of violence against women with disabilities*

<http://www.ohchr.org/Documents/Issues/Women/A.67.227.pdf>

² Convention on the Rights of Persons with Disabilities (CRPD)

<http://www.un.org/disabilities/default.asp?id=150>

³ <http://www.ukdpc.net/site/>

⁴ Keogh, M. (2012) 'International Women's Day: Women with disabilities a dichotomy in protection', *Disability and Human Rights*, 8th March 2012

<http://disabilityandhumanrights.com/2012/03/08/international-women%E2%80%99s-day-women-with-disabilities-a-dichotomy-in-protection/>

⁵ Willitts, P. (2010) 'Budget Impact on Disabled Women', *The F Word*, 8th July 2010

http://www.thefword.org.uk/blog/2010/07/budget_impact_o

June 2010 Emergency Budget may be in breach of the Equality Act 2010⁶ and that the adverse effects of the cuts on women and disabled people, amongst other groups, were illegal. It has been highlighted that women will face more than 70% of these cuts and women will be hit hardest by cuts in services and welfare benefits,⁷ which will also disproportionately affect disabled women.

Prior to 1995, there was a clear lack of anti-discriminatory legislation to protect disabled people in the UK. Since this time, subsequent UK Governments have developed policies aimed at addressing barriers to mainstream living for disabled people; with the 1995 Disability Discrimination Act (DDA)⁸ marking a significant step in this direction.

Irrespective of gender, disabled people on the whole, encounter countless barriers and discrimination in their daily lives. 75% of disabled women and 70% of disabled men are already at the bottom end of Britain's income distribution scale and living in poverty.⁹ Disabled women are one of the poorest groups in society.¹⁰ Disabled women experience dual discrimination because of their statuses as 'disabled' and 'women'. The situation is even worse for certain groups of disabled women such as older women and those belonging to minority ethnic groups.

Disabled lesbian, bisexual and trans (LBT) women, Black Minority and Ethnic (BME) women, and Gypsy, Roma and Traveller women, face multiple forms of discrimination when accessing community services and resources. There are specific problems related to each community concerning practical access issues as well as the profile and relevance of Disabled People's Organisations to LGB&T, BME and Gypsy, Roma and Traveller people.¹¹ Moreover, non-disability community organisations are often unfamiliar with the barriers experienced by disabled people on a daily basis. As a result, certain communities of disabled women can become isolated and lead insular lives. For example, disabled LGB&T people are often actively discouraged from seeking a social life that others would take for granted and may be reliant on parents or carers for support so may not be able to explore their sexuality independently. Disabled women's dependency on family members and others for personal care needs is particularly problematic for LBT women when the family or carers are homophobic and this makes them vulnerable to abuse. Such dependency can often have a severe impact on disabled LGB&T people, who often rely on a social life for support and as a means

⁶ Dodd, V. (2010) 'Budget cuts could break equality laws, Theresa May warned chancellor' *The Guardian*, 3rd August 2010. <http://www.guardian.co.uk/politics/2010/aug/03/budget-cuts-equality-theresa-may>

⁷ Stephenson, M. and Harrison, J. (2011) *Unravelling Equality: A Human Rights and Equality Impact Assessment of the Spending Cuts on Women in Coventry*. A Joint Report of the Centre for Human Rights in Practice, University of Warwick and Coventry Women's Voices

<http://www2.warwick.ac.uk/fac/soc/law/chrp/projects/humanrightsimpactassessments/cwv/>

⁸ Disability Discrimination Act 1995 <http://www.nidirect.gov.uk/the-disability-discrimination-act-dda>

⁹ Disabled People Against Cuts (2010) 'Disabled people feel their lives are under threat' www.l-r-c.org.uk/files/DPAC_cuts1.pdf Accessed on: 15/02/2012

¹⁰ Women and the Economy, The Economics of Ability <http://www.unpac.ca/economy/ability.html> Accessed: 18/05/13

¹¹ Hodgkins, S. and Close, M. (2011) 'Lancashire's Hidden Stories Experience of disability among Gypsy, Roma and Travellers, Lesbian, Gay, Bisexual, Transgender and Black and Minority Ethnic communities', *Hidden Stories: Disability LIB for Disability Equality (report summary)*, October 2011 <http://www.disability-equality.org.uk/uploads/files/cfa5ecd2a7e54517ab0e32233559eca5.pdf>

of meeting other LGB&T people. However, negative attitudes to disabled people are also common in LGB&T communities and there is a serious lack of access to clubs, pubs, political and social events. There is also little information on or for disabled LBT women and few services which specifically support disabled women.¹²

Case study:

A study in Brighton in 2009¹³ found that 18% of D/deaf LGB&T respondents had experienced bullying, abuse, discrimination or exclusion from mainstream venues and events and 11% from LGBT venues and events. The study also found that 42% of D/deaf respondents had experienced domestic violence or abuse, and there were indications that they were more likely to have been abused by people other than their partner or family members than non-D/deaf LGB&T people.

Recommendation:

Specific strategies are needed to target disabled LBT women as they experience multiple discrimination through homophobia within disabled communities and services, and negative attitudes to disabled people in LGB&T communities and services

Health and social care (See Article 12)

Disabled people make up around one third of the NHS (National Health Service) users in Britain.¹⁴ Certain health problems particularly impact on women¹⁵ and disabled women face a number of obstacles in the area of health and social care. This includes inaccessible health centres and facilities, and lack of information related to their health.¹⁶ The NHS's procedures and practices are considered to be designed for patients who are ill but not disabled.¹⁷ Medical professionals' poor attitudes, particularly towards disabled women's sexual and reproductive health, can also pose another barrier to using medical services.¹⁸ This is often exaggerated by inadequate sex education, inhibiting 'care' systems and unhelpful healthcare practitioners and services.¹⁹

¹² Women's Resource Centre (2010) *In All Our Colours: Lesbian, bisexual and trans women's services in the UK*. Briefing 6: D/deaf and disabled LBT women. WRC: London

¹³ LGBT Research Information Desk (2009) *Count me in too: Deaf LGBT Lives*. University of Brighton and Spectrum: Brighton

¹⁴ Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures*
http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

¹⁵ Women's Health and Equality Consortium (2011) *Why women's health?* WHEC: London
<http://www.whec.org.uk/wordpress/wp-content/uploads/downloads/2011/11/WhyWomensHealth11.pdf>

¹⁶ International Network of Women with Disabilities. (2012) A presentation on rural women and girls with disabilities at a side event at the Commission on the Status of Women 56, February 28th 2012
http://www.un.org/disabilities/documents/csw/csw56_myra.doc
http://www.un.org/disabilities/documents/csw/csw56_myra.doc

¹⁷ Bailey, R. (2012) 'NHS: Barriers to Equal Treatment', *Disability Now*, February 2012

¹⁸ Sen, G., Ostlin, P. and George, A. (2007) *Unequal, Unfair, Ineffective and Inefficient. Gender Inequality in Health: Why it exists and how we can change it*. Final Report to the WHO Commission on Social Determinants of Health

http://www.who.int/social_determinants/resources/csdh_media/wgekn_final_report_07.pdf

¹⁹ Liddiard, K. (2012) 'Sex: Some Facts of Life', *Disability Now*, April 2012

Most healthcare providers in and out of institutions seem to have negative attitudes towards pregnant disabled women, providing little or no help for them either before or after becoming pregnant; and even suggesting abortion or sterilisation, particularly if the disabled woman is said to have any degree of learning difficulties.²⁰

Case study:²¹

In 2012 a young woman with learning difficulties won the right to decide the fate of her unborn baby after doctors lost their application to carry out an abortion without her consent.

By turning a private, sensitive issue public, medical staff can absolve themselves of any responsibility in their dealings with pregnancy complications and any 'intimidating' consequences. Like the mother of a young woman with learning difficulties (pregnant with her second child), who pleaded with a high court judge to allow her daughter to be forcibly sterilised 'for her protection',²² the families of disabled women may be of a similar attitude but perhaps with differing reasons. The fundamental message seems to be that a large proportion of disabled women have no right to reproduction. It is assumed that this is in the 'best interest' of both the woman and the unborn child, whereas the underlying reason is intolerance of disabled people. This political and scientific decision, whilst on superficial levels may benefit the State economy, is un-dignifying for disabled women and devalues the life of disabled people and their families: "*In short they [disabled people] see prenatal testing and selective abortion as being rooted in and perpetuating the oppression of disabled people.*"²³ The effects of sexuality-based discrimination on the sexual and reproductive health of disabled LBT women is of equal significance.²⁴

In addition, social service budgets have been subject to extreme pressure; nearly all social services departments have been told to reduce their budgets by 25%,²⁵ which has a knock-on effect to their provision of support services and the amount people need to contribute financially. For example, similar to many councils, Lancashire county council raised the eligibility threshold for supporting disabled people from 'moderate' to 'substantial', saving £2.5m a year from 2011-2013. This council also plans to cut spending on personal budgets and home care by £12m

²⁰ Howard, R. and Handy, S. (2004) 'The Sterilisation of Women with Learning Disabilities – Some Points for Consideration', *The British Journal of Developmental Disabilities*, Vol. 50, No. 2, pp. 133 - 141. <http://www.bjdd.org/new/pdf99/99,133-141.pdf>

²¹ The Telegraph (2013) 'Mentally disabled woman escapes forced abortion', *The Telegraph*, 10th January 2013 <http://www.telegraph.co.uk/health/healthnews/9793790/Mentally-disabled-woman-escapes-forced-abortion.html>

²² McVeigh, K. (2011) 'Mother's legal plea to sterilize her daughter remains unsolved', *The Guardian*, 15th February 2011 <http://www.guardian.co.uk/society/2011/feb/15/forced-sterilisation-mother-court-plea>

²³ Bailey, R. (1996) 'Prenatal Testing and the prevention of Impairment: A Woman's Right to Choose?', in Morris, J. (ed.) *Encounters with Strangers: Feminism and Disability*. The Women's Press: London

²⁴ Women's Resource Centre (2010) *In All Our Colours: Lesbian, bisexual and trans women's services in the UK*. WRC: London http://www.wrc.org.uk/resources/wrcs_research_and_reports/lesbian_bisexual_and_trans_women_services_in_the_uk.aspx

²⁵ Disabled People Against Cuts, 'Dear Mr. MP: write to your MP for EDM 706' <http://disabledpeopleprotest.wordpress.com/tag/uncrpd/> Accessed: 15/04/2013

over three years; and increase revenue from charging by more than £5.5m over four years, as two older disabled women's cases in this county illustrated.²⁶ Local Authorities all over the country are cutting the amount of care funding available, tightening eligibility criteria, and increasing charges for those who are still eligible for care to be able to live independently.²⁷

The Disabled People's Movement has attempted to redefine the meaning of 'independent' living. Rather than implying 'doing things for yourself' or being 'self-sufficient', disabled people have argued that independence, as autonomy and self-determination, can be achieved by having choice and control over any support needed to lead their daily lives.²⁸ This definition has long been at odds with the ways care services have traditionally understood 'independent' living.²⁹

Recommendations:

- **Take steps to address the poor health conditions of women with psychosocial disabilities. Disabled women typically receive health services that are targeted at women in general or at people with disabilities in general, services need to be targeted specifically for them**
- **Improving access to mental health services for disabled women must be accomplished by services that respect the right of disabled women to make their own choices, in accordance with the Convention on the Rights of Persons with Disabilities (CRPD)**
- **Allocate more financial resources to Social Service Departments, requiring them to use the interpretations of the social model of disability when assessing disabled people's support needs for a 'care package'**
- **Ensure women and girls with disabilities are educated about sexual and reproductive health, including Sexually Transmitted Infections and maternal services and adopt reforms to improve healthcare services and facilities, including in respect of sexual and reproductive health**

Political and public life (See Article 5 and 7)

Media Representation

Despite the Government's claims to welcome "*media challenge to stereotypes and portrayal of women in a positive manner*";³⁰ today, in literature, films,

²⁶ Pring, J. (2011) 'Disabled women ask court to force council to think again over cuts', *DisabledGo News Blog*, 30th July 2011 <http://www.disabledgo.com/blog/2011/07/disabled-women-ask-court-to-force-council-to-think-again-over-cuts/>

²⁷ Disabled People Against Cuts (2010) 'Disabled people feel their lives are under threat' www.l-r-c.org.uk/files/DPAC_cuts1.pdf Accessed on: 15/02/2012

²⁸ See for example Willitts, P. (2011) 'When the dignity of one person is denied, all of us are denied', *The F Word*, 7th July 2010 http://www.thefword.org.uk/blog/2011/07/disabled_people

²⁹ Morris, J. (2011) *Rethinking Disability Policy*. Joseph Rowntree Foundation: London <http://www.jrf.org.uk/publications/rethinking-disability-policy>

³⁰ Government Equalities Office (2011) *CEDAW (Convention on the Elimination of all forms of Discrimination against Women) report. United Kingdom's Seventh Periodic Report*. GEO: London <http://www.homeoffice.gov.uk/publications/equalities/international-equality/7th-cedaw-report?view=Binary>

commercial and media imagery, positive representations of disabled women, which could set examples for other disabled women, tend to be missing.³¹ For example, these perceptions are perpetuated by television programmes such as a sensational series called *The Undateables* broadcast by British TV company - Channel 4. "If 'The Undateables' seems an offensive title for a show, then that is probably the marketing aim for a TV channel in the quest for audience. Above a patronising voiceover, viewers are told from the opening that they're about to see a group of 'extraordinary singletons' when in fact we see the opposite: six single people who happen to be disabled."³²

The media has a significant role to play in the relationship between disabled and non-disabled people. Despite major efforts by disabled people in favour of integration, or inclusion; reflecting the media portrayals, disabled people are often invisible from society. The limited representations of disabled people are mainly un-dignified and they are subjects of uncomfortable voyeurism as shown in *The Undatables*.

To reinforce disabled women's exclusion from public life and the prevailing prejudice against them in the UK, disabled people in general are portrayed and falsely labeled in the media as at worst, outright 'benefit scroungers', and at best social burdens who are unable to contribute to society in any meaningful way.³³ With such pejorative language, disabled people are accused of being "unsustainable, unproductive or immoral members of their communities" and are perceived to not be disabled at all, but "profiting from fraudulent benefit claims".³⁴

On the contrary, disabled people are actually excluded by physical and attitudinal barriers in the workplace.³⁵ (See more below) There are currently 1.3 million disabled people in the UK who are available for, and indeed want, to work.³⁶ The societal limitation in creating an accessible work environment with suitable support and adaptations for disabled people – an economic, social and political solution - is overlooked; instead disabled people are blamed for their failure to be economically productive.

Incidents of negative language used about disabled people such as 'burden', 'scrounger' and 'cheat' in print media have increased recently; whilst sympathetic accounts of disability discrimination have almost disappeared in the tabloid

³¹ Scarlet, M. (2012) 'Shooting Beauty', *Disability Now*, April 2012

http://archive.disabilitynow.org.uk/search/z12_04_Ap/style.shtml

³² UK Disabled People's Council and European Disability Forum (2012) 'Press release: Why is The Undateables Unwatchable?', The Representative Organization of persons with Disabilities in Europe, 4th April 2012 http://www.edf-feph.org/Page_Generale.asp?DocID=13855&thebloc=29719

³³ Boffey, D. (2011) 'Welfare to Work policy "casts the disabled as cheats"', *The Observer*, 24th July 2011 <http://www.guardian.co.uk/society/2011/jul/24/welfare-policy-incites-hatred-disabled>

³⁴ Jolly, D. (2011) 'Scapegoats, Sinners and Political Strategies: the media and disability cuts - Debbie Jolly' <http://www.dpac.uk.net/2011/12/scapegoats-sinners-and-political-strategies-the-media-and-disability-cuts-debbie-jolly/>

³⁵ Disabled People Against Cuts (2010) 'Disabled people feel their lives are under threat' www.l-r-c.org.uk/files/DPAC_cuts1.pdf Accessed on: 15/02/2012

³⁶ Office for National Statistics (2009) *Labour Force Survey, Jan - March 2009: Special licence access* <http://www.esds.ac.uk/findingData/snDescription.asp?sn=6200>

press.³⁷ Variations have also been found in the way different impairment groups are depicted: those with a physical or sensory impairment are more likely to receive sympathetic treatment from the media than other groups such as people with learning difficulties.³⁸ In short, much of the coverage in the tabloid press is “*at best questionable and some of it is deeply offensive*”.³⁹ The increased concentration on benefit fraud with outlandish claims that over 70% of people on disability benefits are frauds is an example of this kind of coverage. These attitudes are fueled and reinforced by the Government’s misleading claims about Disability Living Allowance (DLA) and Employment Support Allowance (ESA). For example in the Sun newspaper in 2011, Iain Duncan Smith Secretary of State for Work and Pensions, implied that disabled people were responsible for the UK deficit.⁴⁰

This stereotyped image of disabled people in general, and disabled women in particular, does little to help their integration and equal participation in mainstream society, reducing their visibility as political actors in creating and maintaining human rights and equality. It also negates the gains in social acceptance won by the Disabled People’s Movement over the last few decades.⁴¹

It is no surprise therefore that there has been a rise in disability hate crime, which has contributed to a highly inflammatory atmosphere, and is associated with the ideological message of the media on the demonising of disabled people.⁴² The climate of fear is certainly working; some disabled people are frightened to leave their homes because of physical threats and accusations of benefit fraud. (See section on hate crime below)

Recommendations:

- **Educate media about the discrimination disabled people experience, and encourage them to report the ‘real’ stories including monitoring the portrayal of women with disabilities in the media alongside industry self-regulation**
- **The UK Government should offer extra support for disabled women who want to become MPs, councilors or other elected officials to tackle their under-representation in public policy**

³⁷ Jolly, D. (2011) ‘Scapegoats, Sinners and Political Strategies: the media and disability cuts - Debbie Jolly’, Disabled People Against Cuts <http://www.dpac.uk.net/2011/12/scapegoats-sinners-and-political-strategies-the-media-and-disability-cuts-debbie-jolly/>

³⁸ Briant, E., Watson, N. and Philo, G. (2011) *Bad News for Disabled People: How the Newspapers are Reporting Disability*. University of Glasgow: Glasgow <http://eprints.gla.ac.uk/57499/>

³⁹ Briant, E., Watson, N. and Philo, G. (2011) *Bad News for Disabled People: How the Newspapers are Reporting Disability*. University of Glasgow: Glasgow <http://eprints.gla.ac.uk/57499/>

⁴⁰ Jolly, D. (2011) ‘Scapegoats, Sinners and Political Strategies: the media and disability cuts - Debbie Jolly’, Disabled People Against Cuts <http://www.dpac.uk.net/2011/12/scapegoats-sinners-and-political-strategies-the-media-and-disability-cuts-debbie-jolly/>

⁴¹ Boffey, D. (2011) ‘Welfare to Work policy “casts the disabled as cheats”’, *The Observer*, 24th July 2011 <http://www.guardian.co.uk/society/2011/jul/24/welfare-policy-incites-hatred-disabled>

⁴² Jolly, D. (2011) ‘Scapegoats, Sinners and Political Strategies: the media and disability cuts - Debbie Jolly’, Disabled People Against Cuts <http://www.dpac.uk.net/2011/12/scapegoats-sinners-and-political-strategies-the-media-and-disability-cuts-debbie-jolly/>

Economic and social benefits (See Article 13)

The welfare system assumes that disability benefits/services have been too 'generous', reinforcing unnecessary 'dependency'.⁴³ Therefore, disability and income related benefits are being granted under more stringent conditions as well as imposing sanctions in order to incentivise people 'off welfare and into work'. The benefit system has been referred to as "*at best paternalistic and at worst punitive*",⁴⁴ unable to recognise that some disabled people will always be less able to work, or to work for the same length and earn as much as non-disabled people, regardless of the amount of 'incentive', which is provided by cutting benefits. The closures of Remploy workplaces⁴⁵ (supporting disabled people into mainstream employment), and the struggling economy has also proved to be unhelpful to many disabled people and particularly to women.⁴⁶

A study in 2004⁴⁷ reported that disabled people, who receive maximum benefit, already experienced a shortfall of £200 on a weekly basis compared to the amount required for them to lead a minimum standard of living, and an equal life to that of their non-disabled counter-parts. Disabled people's day-to-day living costs, including mobility aids, personal care and transport are 25% higher than those of non-disabled people.⁴⁸ Yet, it has been warned that disabled people will be hit with more than £9bn (£140 per month) in welfare cuts over the next five years.⁴⁹ More than 2.5 million people received Incapacity Benefit (IB) (which was for people unable to work because of health or impairment) or ESA. Disabled people are gradually being moved from IB to ESA and will have to be re-assessed. Those deemed fit enough to work are moved on to Jobseeker's Allowance (JSA) instead. The impact of moving 500,000 people from IB to JSA has been calculated as a loss of £4.87bn. The move will result in more disabled people being trapped in long-term unemployment, costing the taxpayer far more than at present.⁵⁰ Since 2008 IB has been replaced by ESA for new claimants and from April 2011 people claiming IB have been moved onto ESA. Many Disabled People's Organisations have raised serious concerns with the way people are assessed for ESA.⁵¹ A national survey⁵² by the Disability Benefits Consortium found that more

⁴³ Morris, J. (2012) 'Fulfilling Potential or Potential Unfulfilled?', Jenny Morris blog, 6th March 2012 <http://jennymorrisnet.blogspot.co.uk/2012/03/fulfilling-potential-or-potential.html>

⁴⁴ Morris, J. (2012) 'Fulfilling Potential or Potential Unfulfilled?', Jenny Morris blog, 6th March 2012 <http://jennymorrisnet.blogspot.co.uk/2012/03/fulfilling-potential-or-potential.html>

⁴⁵ Jones, A. (2012) 'More disabled workers face losing jobs under Remploy closures', *The Independent*, 6th December 2012 <http://www.independent.co.uk/news/uk/politics/more-disabled-workers-face-losing-jobs-under-remploy-closures-8389496.html>

⁴⁶ Saner, E. (2012) 'Female unemployment crisis', *The Guardian*, 20th February 2012 <http://www.guardian.co.uk/society/2012/feb/20/female-unemployment-crisis-women>

⁴⁷ Smith, N., Middleton, S et al. (2004) *Disabled People's Costs of Living: More than you would think*. University of Loughborough and Joseph Rowntree Foundation <http://www.jrf.org.uk/system/files/1859352375.pdf>

⁴⁸ Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures* http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

⁴⁹ DEMOS (2010) 'Press release: Disabled People Hit by £9bn Welfare Cuts', DEMOS website, 9th October 2010 http://www.demos.co.uk/press_releases/disabledpeoplehitbywelfarecuts

⁵⁰ DEMOS (2010) 'Press release: Disabled People Hit by £9bn Welfare Cuts', DEMOS website, 9th October 2010 http://www.demos.co.uk/press_releases/disabledpeoplehitbywelfarecuts

⁵¹ For example see case of Ruth Amin in Gentleman, A. (2012) 'Get ready for work: what woman who needs constant care was told', *The Guardian*, 3rd October 2012 <http://www.guardian.co.uk/society/2012/oct/03/work-woman-care?intcmp=239>

than half of those respondents who had been for a medical assessment for ESA found it stressful and more than four in ten said it actually made their health condition or impairment worse because of the stress and anxiety caused. More than half of those respondents who had received a decision on their application for ESA did not agree with the decision and, of these, half planned to appeal against it.⁵³

Case study:⁵⁴

Sharon, from North Wales, has chronic fatigue syndrome. Despite this, she ran her own company until 2010, but she was forced to close it because her health deteriorated. She applied for ESA, and what followed was a lengthier and more emotionally taxing process than she had expected. She only started receiving money eight weeks later and, not long after, the benefit was stopped because she was declared fit for work in an assessment. She finally secured her entitlement to ESA after appealing against the decision.

The Government has said it wishes to focus support for those most in need. However, the Disability Alliance has pointed out that: *“A focus on those disabled people with the greatest need will exclude many disabled people who still face additional costs associated with their disability or condition. The people accessing the lowest rates of DLA are often unlikely to be able to access support elsewhere and cuts to these groups could lead to unsustainable pressure on social care or NHS budgets. In the context of council budget cuts and the NHS being under considerable pressure, people’s needs could remain unmet elsewhere. This is especially relevant given the Government’s announced changes to time-limiting contributory ESA and increasing sanctions and conditions on the disabled people who receive this out-of-work benefit.”*⁵⁵

People on ESA will be placed in two groups. Those whose disability is ‘severe’ or who are terminally ill will be in the support group and will not be expected to work. Those who are judged to be less severe are placed in the Work Related Activity Group (WRAG) and are expected to take part in work focused activity. There are two types of ESA – contributory (based on National Insurance (NI) contributions) and income-related for those who have not made sufficient NI contributions. Contributory ESA will only be paid to people in the WRAG for one year, after which it will be means tested. If they have savings, assets or a partner who works, then their benefits will stop. Whereas the DLA has three rates of care component, the new Personal Independence Payment (PIP) will have only two rates of the ‘daily living’ component. The mobility component of PIP is being withdrawn from people living in residential care.

⁵² Disability Benefits Consortium (2011) *Benefiting Disabled People? A report by the Disability benefits Consortium looking at the support offered to disabled people and people with a health condition by the benefits system and how this support could be improved.* www.lcdisability.org/download.php?id=1647

⁵³ Stephenson, M. (2011) *TUC Women and the Cuts Toolkit: How to carry out a human rights and equality impact assessment of the spending cuts on women.* TUC: London <http://www.tuc.org.uk/equality/tuc-20286-f0.cfm>

⁵⁴ Cutswatch Cymru (2012) *Wales on the Edge: An overview of the current and predicted impact of welfare reforms on people and communities across Wales* <http://cutswatchcymru.files.wordpress.com/2011/09/e282ac-wales-on-the-edge.pdf>

⁵⁵ Disability Benefits Consortium (2011) *Disability Living Allowance reform: Consultation response by the Disability Benefits Consortium.* <http://www.disabilityalliance.org/dbcdla.htm>

There is a 20% cut to the DLA (this benefit was originally introduced to compensate for the additional costs of being disabled, such as higher heating bills or buying pre-prepared foods)⁵⁶ and the Government's Welfare Reform Bill has abolished DLA for working age adults (16-64 years old). They will need to be reassessed for the new benefit, the PIP. The PIP will not cover some of the areas the DLA contributes towards. The PIP will have no equivalent low-rate 'care' payment, meaning that the 643,000 people receiving this support from DLA are now at risk of losing help.⁵⁷ Many claimants with visual impairments also may lose their higher rate mobility award, which was only recently won after years of campaigning.⁵⁸ The Government's proposals related to a new assessment framework for the PIP⁵⁹ do not take a holistic approach or account for 'motivations', social and practical as well as physical barriers disabled people face in returning to employment.⁶⁰ The assessments are also not necessarily carried out by a medical doctor and already 40% of rejected claims go through an appeal with up to 70% of those decisions being overturned.⁶¹ Birmingham City Council, for example, restricted social care to people whose needs were assessed to be 'critical'. This move was judged to be unlawful by the High Court because the council had failed to 'pay due regard' to the impact on disabled people during the decision making process, contravening the DDA.⁶²

Case study:⁶³

A survey by Essex Coalition of Disabled People in 2010 found 57% of DLA claimants fear their benefit may be taken away, and two thirds felt their level of support would be at risk.

A national report by Citizens Advice⁶⁴ highlighted a number of specific problems with the assessments including the fact that seriously ill people who should be exempt from the assessment are forced to be assessed. It also noted that the assessment does not "*take sufficient account of variable symptoms. There is little recognition of generalised pain and exhaustion, or the seriousness of an underlying condition. It takes no account of the context of the work environment, including a person's education, skills and circumstances or the discrimination they may face in looking for work*". Therefore they concluded that the assessment is

⁵⁶ Marsh, S. (2011) 'Welfare Reform Bill: Key issues for disabled and sick people', *Ekklesia website*, <http://www.ekkleisia.co.uk/node/16050> Accessed: 15/04/13

⁵⁷ Disability Alliance. (2012) 'Ask the Experts', *Disability Now*, February 2012
<http://www.disabilitynow.org.uk/have-your-say/ask-the-experts-folder/ask-the-experts-45/>

⁵⁸ Dolphin, H. (2012) 'PIP assessment threat to mobility', *Disability Now*, April 2012
<http://www.disabilitynow.org.uk/living/motoring-section/pip-assessment-threat-to-mobility>

⁵⁹ Morris, J. (2011) *Rethinking Disability Policy*. Joseph Rowntree Foundation: London
<http://www.jrf.org.uk/publications/rethinking-disability-policy>

⁶⁰ Wood, C. and Grant, E. (2010) 'Reply: Letter: Incapacity Test is not Fit for Purpose', *The Guardian*, 20th October 2010 <http://www.guardian.co.uk/politics/2010/oct/20/incapacity-test-not-fit-for-purpose>

⁶¹ Marsh, S. (2011) 'Welfare Reform Bill: Key issues for disabled and sick people', *Ekklesia website*, <http://www.ekkleisia.co.uk/node/16050> Accessed: 15/04/13

⁶² Stephenson, M. (2011) *TUC Women and the Cuts Toolkit: How to carry out a human rights and equality impact assessment of the spending cuts on women*. TUC: London
<http://www.tuc.org.uk/equality/tuc-20286-f0.cfm>

⁶³ Essex Coalition of Disabled People (2010) 'Changes to DLA and ILF: An ECDP survey on disabled people's views' <http://www.ecdp.org.uk/> Accessed on: 25/02/2012 (no longer online)

⁶⁴ Citizens Advice Bureau (2010) *Not Working: CAB evidence on the ESA work capability assessment*. www.citizensadvice.org.uk/not_working_march_2010_final.pdf

producing ‘inappropriate outcomes’: “Citizens Advice and other organisations have been concerned for many years about the quality of medical assessments for benefits. We still hear repeated reports of rushed assessments, assumptions being made without explanation, inaccurate recording and poor recognition of mental health problems.”⁶⁵ In addition to the stress caused by the assessment for ESA, disabled people will also lose out from the move to limit contributory ESA to one year for people who are in the WRAG. This means that people with assets, savings or a working partner will no longer receive benefits. This will particularly affect disabled women, women who are carers and the partners of disabled people.⁶⁶ The Welfare Reform Bill includes provisions automatically to end PIP payments at the point when someone retires or turns 65. This means that people receiving PIP would have to apply for Attendance Allowance (AA). AA provides no mobility support and, this change could see thousands of older disabled people losing crucial support and the ability to continue living independently.⁶⁷

Older women are more likely to be living with a disability in later life⁶⁸ and older disabled women’s impairments may significantly affect the quality of their lives,⁶⁹ yet they may not satisfy current DLA criteria for age related reasons.⁷⁰ Therefore, with the rising cost of living generally and extra costs of disability in particular, disabled people living on benefits will be further limited.⁷¹

Although not all these changes will disproportionately affect women, they will have a serious impact on the incomes of disabled women and women carers. The changes to disability benefits may lead to a significant drop in income for some groups of women, particularly those who were receiving IB but are assessed as not being entitled to ESA. This may leave these women living in poverty with implications for their human rights. Additionally, the new PIP consultation does not take in extra costs related to being female e.g. higher costs for ‘personal care’ issues.

Ministers plan to stop paying out cash in the form of the ILF to help more than 21,000 ‘severely’ disabled people, who live in their own homes. The fund, set up in 1988, pays (maximum £475 per week) for carers and other help so that ‘severely’ disabled people can live at home rather than moving into care homes. It was announced in June 2011 that the fund was refusing all new claims. Whether this

⁶⁵ Citizens Advice Bureau (2010) *Not Working: CAB evidence on the ESA work capability assessment*. www.citizensadvice.org.uk/not_working_march_2010_final.pdf

⁶⁶ Women’s Budget Group (2010) *The Impact on Women of the Coalition Spending Review 2010*.

WBG: London http://wbg.org.uk/RRB_Reports_4_1653541019.pdf

⁶⁷ Disability Alliance (2012) ‘Ask the Experts’ *Disability Now*, February 2012

<http://www.disabilitynow.org.uk/have-your-say/ask-the-experts-folder/ask-the-experts-45/>

⁶⁸ Age UK (2012) *Later life in the United Kingdom*. Age UK: London

http://www.ageuk.org.uk/Documents/EN-GB/Factsheets/Later_Life_UK_factsheet.pdf?dtrk=true

⁶⁹ Banks, J., Breeze, E., Lessof, C. and Nazroo, J. (eds.) (2006) *Retirement, health and relationships of the older population in England: The 2004 English Longitudinal Study of Ageing (Wave 2)*.

Institute for Fiscal Studies: London

⁷⁰ Sclater, E. (2012) *NGO Thematic Shadow Report: Older Women’s Rights in the United Kingdom*.

Older Women’s Network, Europe and National Alliance of Women’s Organisations

<http://thewomensresourcecentre.org.uk/wp-content/uploads/olderwomensrightsukNGOthematic.pdf>

⁷¹ Willitts, P. (2010) ‘Budget Impact on Disabled Women’, *The F Word*, 8th July 2010

http://www.thefword.org.uk/blog/2010/07/budget_impact_o

funding will continue at all is still uncertain.⁷²

In addition, almost 65,000 disabled people (including those with profound mental health issues) are at risk of losing their homes because of a cut in mortgage payment support for vulnerable people.⁷³ The National Housing Federation commented that at least 64,000 people will be at risk of falling behind on mortgage payments; with those affected struggling to keep up with their payments, falling into arrears and eventually losing their properties.⁷⁴ (See Appendix: 26)

Furthermore, the Chartered Institute of Housing has calculated that the cumulative effects of the Coalition's proposals mean that by 2020 every tenant's (both in social housing and in the private sector) Housing Benefit (HB) will be too low to cover their rent.⁷⁵ There are also plans to remove any security of tenure from social housing tenants and to increase rents to 80% of market values. Together with the caps on HB, this will make renting in the social housing sector unaffordable in many higher priced areas of the country. Disabled people will only be able to afford to rent the cheapest properties in an area, which are more than likely to be inaccessible. This will exaggerate the difficulties disabled people face in finding suitable accommodation to live independently, increase homelessness amongst disabled people and push them further into poverty, especially if DLA recipients are cut by one fifth as planned by the Department for Work and Pensions (DWP).

From 2013, HB for working age social rented sector customers will be restricted for those who are occupying a larger property than their household size would warrant.⁷⁶ 670,000 households – two thirds containing a disabled family member – will be hit by an average £670 penalty every year, because they are deemed to have a spare bedroom.⁷⁷ It means that if a disabled person is living in an adapted property (with an extra bedroom), which may have cost thousands of pounds to adapt, but then have no apparent need for the extra bedroom, they will only get HB paid at the one bedroom rate. This is something that the previous Government and DWP tried to introduce in the Welfare Reform Bill 2007, but were forced to drop by pressure from Housing Associations.⁷⁸

⁷² For case study examples see Disabled People Against Cuts (2012) 'DPAC ILF Letter updated with added signatures – please sign and share' <http://www.dpac.uk.net/2012/01/dpac-ilf-letter/> Accessed on: 21/03/2013

⁷³ Ramesh, R. (2010) 'Mortgage aid cut "will see disabled people lose homes"', *The Guardian*, 9th August 2010 <http://www.guardian.co.uk/society/2010/aug/09/mortgage-benefit-cuts-disabled-housing>

⁷⁴ Ramesh, R. (2010) 'Mortgage aid cut "will see disabled people lose homes"', *The Guardian*, 9th August 2010 <http://www.guardian.co.uk/society/2010/aug/09/mortgage-benefit-cuts-disabled-housing>

⁷⁵ Ramesh, R. (2012) 'Housing benefit cuts will put 800,000 homes out of reach, according to study', *The Guardian*, 1st January 2012 <http://www.guardian.co.uk/society/2012/jan/01/housing-benefits-cuts-rents-study>

⁷⁶ UK Disability News (2010) 'Disabled people fight back in protest', *Disabled World website*, 15th December 2010 <http://www.disabled-world.com/news/uk/fighting-back.php#ixzz19LVQRNp3>

⁷⁷ Orr, D. (2011) 'Welcome reform may see families lose homes', *Guardian.co.uk*, 14th December 2011 <http://www.guardian.co.uk/society/joepublic/2011/dec/14/welfare-reform-families-lose-homes>

⁷⁸ UK Disability News (2010) 'Disabled people fight back in protest', *Disabled World website*, 15th December 2010 <http://www.disabled-world.com/news/uk/fighting-back.php#ixzz19LVQRNp3>

The Joint Human Rights Committee have noted that reforms to benefits and services risk leaving disabled people without the support they need to live independently with restrictions in local authority eligibility criteria for social care support, and that the replacement of the DLA with PIP, the closure of the ILF and changes to housing benefit all risk interacting in a particularly harmful way for disabled people.⁷⁹

Richard Whitehurst of Disabled People Against Cuts (DPAC) has said “*These vicious cuts have already led to at least 31 disabled people committing suicide and many more are now talking about it as they feel they have no future. In the 21st century, in one of the richest nations in the world, disabled people should not be forced to live in fear every day of their lives*”.⁸⁰

Case study:⁸¹

A disabled couple, Mark and Helen Mullins, are said to have killed themselves at their rundown home after being reduced to despair as they struggled to live off just £57.50. Once a week they would undertake a 12-mileround trip on foot to the food kitchen. The free vegetables they brought back with them would be made into seven days worth of soup, cooked on a single gas ring set up in the one habitable room in the house in which they lived.

Recommendation:

Simplify the application process to the benefits system. Most importantly, the system should recognise that disabled people are experts on their needs and the difficulties they face. The benefits should allow for them to remove the barriers they experience on a daily basis

Education and training (See Article 10)

It is reported that 23% of disabled people have no qualifications compared with 9% of non-disabled people.⁸² Adults with impairments are twice as likely to say their educational opportunities are limited (17%) compared with adults without impairments (9%).⁸³

⁷⁹ Just Fair (2012) ‘Rights of disabled people may be at risk, says Human Rights Committee’, Just Fair website, 1st March 2012 http://just-fair.co.uk/hub/single/rights_of_disabled_people_may_be_at_risk_says_human_rights_committee/

⁸⁰ Benefitsclaimantsfightback (2012) ‘Disabled activists and UK Uncut join to oppose ‘cruel and unnecessary’ welfare bill’, National Protest Against Benefits Cuts blog, 25th January 2012 <http://benefitclaimantsfightback.wordpress.com/2012/01/25/disabled-activists-and-uk-uncut-join-to-oppose-cruel-and-unnecessary-welfare-bill-2/>

⁸¹ Radnage, A. (2011) ‘Married couple driven to commit suicide by utter poverty’, Metro, 8th November 2011 <http://www.metro.co.uk/news/881136-married-couple-driven-to-commit-suicide-by-utter-poverty>

⁸² Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures* http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

⁸³ Office for National Statistics (2011) *Life Opportunities Survey Wave 1 interim results 2009/11* <https://www.gov.uk/government/publications/life-opportunities-survey-wave-one-results-2009-to-2011>

In addition, disabled women's lifetime earnings are on average lower than non-disabled men's,⁸⁴ which may mean it is more difficult for women to meet the increased costs of studying. Cuts to further and higher education may also prevent women obtaining educational qualifications, due to increased fees for Higher Education (HE) and reduced support for Further Education (FE), particularly for disabled women, who have additional support costs. Consequently, women who are unable to obtain educational qualifications resulting from increased fees and reduced disability support may see their earning potential and job opportunities further decreased.⁸⁵

Moreover, there is a wealth of evidence to demonstrate that in the British context, disabled students experience discrimination in HE, due to barriers such as inaccessible information and physical structures, as well as lack of funding and support.^{86 87 88} Non-disabled people are twice as likely to have studied at HE than disabled people.⁸⁹ 11% of working age disabled people hold a degree-level qualification compared to 22% of working age non-disabled people.⁹⁰ In 2009-10, of the 959,060 people, who entered into HE, only 7% were disabled learners.⁹¹ It is predicted that by 2020, 42% of jobs will require a degree level qualification or above. Hence, there is a strong correlation between low skills and unemployment for disabled women.⁹²

Many disabled women are economically dependent on others.⁹³ A limited, or indeed complete lack of education, can have a negative impact on disabled

⁸⁴ Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures* http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

⁸⁵ Stephenson, M. and Harrison, J. (2011) *Unravelling Equality: A Human Rights and Equality Impact Assessment of the Spending Cuts on Women in Coventry*. A Joint Report of the Centre for Human Rights in Practice, University of Warwick and Coventry Women's Voices

<http://www2.warwick.ac.uk/fac/soc/law/chrp/projectss/humanrightsimpactassessments/cwv/>
⁸⁶ Collinson, C., Dunne, L. and Woolhouse, C. (2011) 'Re-visioning Disability and Dyslexia Down the Camera Lens: interpretations of representations on UK university websites and in a UK Government guidance paper', *Studies in Higher Education*, Vol. 1, No. 15, pp. 1 - 15.

<http://repository.edgehill.ac.uk/4492/>
⁸⁷ Farrar, V. (2007) 'A Bridge Too Far? The issues for deaf students in research education', in Barnes, L., Harrington, F., Williams, J. and Atherton, M. (eds.) *Deaf Students in Higher Education: Current research and practice*. Douglas McLean: Gloucestershire

⁸⁸ Soorenian, A. (2008) 'The Significance of Studying Disabled International Students: Experiences in English universities', in Campbell, T., Fontes, F., Hemingway, L., Soorenian, A. and Till, C. (eds.) *Disability Studies: Emerging Insights and Perspectives*. The Disability Press: Leeds <http://disability-studies.leeds.ac.uk/files/library/Campbell-Emerging-insights-book.pdf#page=114>

⁸⁹ Grewal, I., Joy, S., Lewis, J., Swales, K. and Woodfield, K. (2002) *Disabled for Life: attitudes towards, and experiences of, disability in Britain*, DWP Research Report, No. 173. <http://statistics.dwp.gov.uk/asd/asd5/173summ.asp>

⁹⁰ Office for National Statistics (2008) *Labour Force Survey*, Quarter 2, 2008. <http://www.ons.gov.uk/ons/guide-method/method-quality/specific/labour-market/labour-market-statistics/index.html>

⁹¹ Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures* http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

⁹² Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures* http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

⁹³ Sclater, E. (2012) *NGO Thematic Shadow Report: Older Women's Rights in the United Kingdom*. Older Women's Network, Europe and National Alliance of Women's Organisations

women in later life. Older disabled women from ethnic minority communities, for example, often have limited access to training and employment options through online resources mostly due to the poor formal education they have received.⁹⁴

Recommendations:

- **Create inclusive education practices, both at school and at FE and HE level to support disabled women into and through education and training**
- **Address the particular disadvantages, and thus lower rates of participation, in vocational training by disabled women**

Employment (See Article 11)

Disabled people's social mobility is said to be on a sharp decline.⁹⁵ The employment rates of disabled people are around 48%, compared with around 78% of non-disabled people.⁹⁶ Due to factors such as a lack of job opportunities, inaccessible transport, employer prejudice and barriers or family responsibilities, 56% of adults with impairments face restrictions in the paid work they can undertake compared with 26% of adults without impairments.⁹⁷ Disabled people are significantly more likely to experience unfair treatment at work than non-disabled people.⁹⁸ In 2008, 19% of disabled people experienced unfair treatment at work compared to 13% of non-disabled people.⁹⁹ Disabled employees are over twice as likely as other employees to report experiencing discrimination, bullying or harassment in the workplace, while disabled women are four times more likely to report being bullied than other employees.¹⁰⁰ The average gross hourly pay for disabled employees is also £11.08 compared to £12.30 for non-disabled employees.¹⁰¹

<http://thewomensresourcecentre.org.uk/wp-content/uploads/olderwomensrightsukNGOthematic.pdf>

⁹⁴ Sclater, E. (2012) *NGO Thematic Shadow Report: Older Women's Rights in the United Kingdom*. Older Women's Network, Europe and National Alliance of Women's Organisations

<http://thewomensresourcecentre.org.uk/wp-content/uploads/olderwomensrightsukNGOthematic.pdf>

⁹⁵ Wood, C., Cheetham, P. and Gregory, T. (2011) *Coping with the Cuts*. DEMOS: London

<http://www.demos.co.uk/publications/copingwiththecuts>

⁹⁶ Office for National Statistics (2011) *Quarterly Labour Force Survey*, April-June 2011: Special licence access <http://discover.ukdataservice.ac.uk/catalogue?sn=6904>

⁹⁷ Office for National Statistics (2011) *Life Opportunities Survey Wave 1 interim results 2009/11* <https://www.gov.uk/government/publications/life-opportunities-survey-wave-one-results-2009-to-2011>

⁹⁸ Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures*

http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

⁹⁹ Department for Work and Pensions (2008) *Fair Treatment at Work Survey, 2008*

<http://www.esds.ac.uk/findingData/snDescription.asp?sn=6382>

¹⁰⁰ Equality and Human Rights Commission (2011) *Hidden in Plain Sight: Inquiry into disability-related harassment*. <http://www.equalityhumanrights.com/legal-and-policy/inquiries-and-assessments/inquiry-into-disability-related-harassment/hidden-in-plain-sight-the-inquiry-final-report/>

¹⁰¹ Office for National Statistics (2009) *Labour Force Survey, Jan - March 2009: Special licence access* <http://www.esds.ac.uk/findingData/snDescription.asp?sn=6200>

Disabled women are far less likely to be in employment than non-disabled women and suffer widespread discrimination.¹⁰² Despite the Government's claim to have introduced "reforms to remove barriers to work",¹⁰³ disabled women are said to experience extreme levels of exclusion and more discrimination in the search of a suitable job in the workplace, from colleagues and employers, based on sexist and disablist attitudes. As is the case with many other areas, in theory disabled women are said to have equal opportunities in the labour market but in practise the situation is often very different: for instance, a tenth of disabled women have incomes below £31 per week compared with a tenth of disabled men, who have incomes below £59 per week.¹⁰⁴ Additionally, the pay gap between disabled women and non-disabled men is 22%.¹⁰⁵

Women's roles are often linked to their duties as homemakers; when a disabled woman is seen as unable to fulfil her home-related duties, society further devalues her,¹⁰⁶ including in the job market. Disabled women are perceived as belonging to the 'corner' of the house and incapable of being economically productive: "Just because a woman is confined to a wheelchair, it is commonly assumed that she is best at work with her hands."¹⁰⁷ This then affects the quality of disabled women's lives, being unable to have stimulating, satisfactory and independent life opportunities.

Disabled women, generally, receive an insufficient amount of vocational rehabilitation, which is also noted to be a male-orientated service,¹⁰⁸ after acquiring an impairment. As well as facing the possibility of exploitation by their employers, disabled women are often denied adaptation and support to be able to have an equal access to employment.

At the same time as the Government claims to be helping disabled people back into work, the Access to Work funding scheme, which meets the costs to employers of any reasonable adjustments needed in a workplace, has been slashed.¹⁰⁹ In general, 95% of employers employ 20 or less people and thus are unlikely to pay for the many items that employers are expected to contribute to or

¹⁰² Stephenson, M. and Harrison, J. (2011) *Unravelling Equality: A Human Rights and Equality Impact Assessment of the Spending Cuts on Women in Coventry*. A Joint Report of the Centre for Human Rights in Practice, University of Warwick and Coventry Women's Voices

<http://www2.warwick.ac.uk/fac/soc/law/chrp/projectss/humanrightsimpactassessments/cwv/>

¹⁰³ Government Equalities Office (2011) *CEDAW (Convention on the Elimination of all forms of Discrimination against Women) report. United Kingdom's Seventh Periodic Report*. GEO: London <http://www.homeoffice.gov.uk/publications/equalities/international-equality/7th-cedaw-report?view=Binary>

¹⁰⁴ UK Disability News (2010) 'Disabled people fight back in protest', *Disabled World website*, 15th December 2010 <http://www.disabled-world.com/news/uk/fighting-back.php#ixzz19LVQRNp3>

¹⁰⁵ Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures* http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

¹⁰⁶ International Network of Women with Disabilities. (2012) A presentation on rural women and girls with disabilities at a side event at the Commission on the Status of Women 56, February 28th 2012 http://www.un.org/disabilities/documents/csw/csw56_myra.doc

¹⁰⁷ Boylan, E. (1991) *Women and Disability*. Zed Books: London

¹⁰⁸ Boylan, E. (1991) *Women and Disability*. Zed Books: London

¹⁰⁹ Bott, S. (2011) 'Speech to Independent Living Festival', *DPAC website*, 27th February 2011 <http://www.dpac.uk.net/2011/02/sue-bott-on-independent-living/> Accessed on: 13/04/2013

pay the full cost of with the Access to Work cutbacks. The eligibility criteria for this benefit has been changing and tightening since 2010. In general, current reforms to unemployment benefits, and the delivery of the Work Programme, scrutinise disabled individuals' motivation and attitude.¹¹⁰ (See Article 13)

Employment rates vary greatly according to the type of impairment a person has,¹¹¹ and are particularly poor for those with learning disabilities (less than one in five).¹¹² Only 15% of people with Autism, and 35% of those with mental health issues are in employment.¹¹³

Additionally, budget cuts are leading to public sector job losses which are hitting women harder¹¹⁴ and is where many disabled women work because of the focus on equality and anti-discrimination in the sector. Therefore, disabled women's career choices are limited compared to non-disabled women or even disabled men. The implications are that disabled women have to depend on State benefits and friend/family charity. Unfortunately, sometimes this means that they tolerate violent living conditions in order to ensure a minimum level of survival. (See more below) Being economically disadvantaged means that disabled women are deprived of accessible and safe housing (particularly in rural areas) and suitable medical-care. Thus both at work and in their lives, they may be exploited, marginalised, powerless and in extreme cases, subjected to violence.¹¹⁵

Recommendation:

Introduce and expand specific programmes, policies, and facilities geared towards recruitment of disabled women

Disability hate crime and violence against disabled women (See General Recommendation 19)

There has been a rise in disability hate crime. Among 16-34 year-olds 38% of disabled people reported they were a victim of crime compared to 30% of non-disabled people. More than 20% of disabled people have experienced harassment in public because of their impairment.¹¹⁶ Harassment is the most common crime experienced by disabled people, followed by verbal abuse outside homes and

¹¹⁰ Morris, J. (2011) *Rethinking Disability Policy*. Joseph Rowntree Foundation: London

<http://www.jrf.org.uk/publications/rethinking-disability-policy>

¹¹¹ Office for National Statistics (2009) *Labour Force Survey, Jan - March 2009: Special licence* access <http://www.esds.ac.uk/findingData/snDescription.asp?sn=6200>

¹¹² Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures* http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

¹¹³ Disabled People Against Cuts (2010) 'Disabled people feel their lives are under threat' www.l-r-c.org.uk/files/DPAC_cuts1.pdf Accessed on: 15/02/2012

¹¹⁴ The Fawcett Society (2011) *The Impact of Austerity on Women*. Fawcett: London <http://www.fawcettsociety.org.uk/wp-content/uploads/2013/02/The-Impact-of-Austerity-on-Women-19th-March-2012.pdf>

¹¹⁵ Naidu, E., Haffeejee, S., Vetten, L. and Hargreaves, S. (2005) *On the Margins: Violence Against Women with Disabilities*. Centre for the Study of Violence and Reconciliation www.csvr.org.za/docs/gender/onthemargins.pdf

¹¹⁶ Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures* http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

repeat burglaries. 66% of people with a learning disability have been bullied regularly with 32% stating that bullying was taking place on a daily or weekly basis.¹¹⁷

Case study:¹¹⁸

A newspaper reports the experience of a disabled woman being verbally abused: "A few months ago, I was followed by a man I had never met before. For the length of the street where I live, he shouted 'fucking DLA stick!' at me every few seconds."

The threat of being the victim of crime is ever present for disabled women. Research by the Equality and Human Rights Commission¹¹⁹ found that among disabled women, 46% felt very or fairly worried about being a victim of crime, compared to 39% of non-disabled women. (For men, the figures were 37% for disabled men and 30% for non-disabled men.) 57% of disabled women also felt a bit or very unsafe, compared to 38% of non-disabled women. (For men, the figures were 30% for disabled men and 14% for non-disabled men). 43% of disabled women felt very or fairly worried about being physically attacked by strangers, compared to 39% of non-disabled women. (For men, the figures were 30% for disabled men and 25% for non-disabled men). Among disabled women, 37% also felt very or fairly worried about being insulted or pestered by anybody, compared to 35% of non-disabled women. (For men, the figures were 26% for disabled men and 22% for non-disabled men.)¹²⁰

Concerns of disabled women survivors of violence against women and girls (VAWG) seem to have remained invisible in current UK VAWG strategies. In 2009-2010 16.29% of women seeking advice from the Rights of Women telephone helpline on sexual violence issues identified as disabled, indicating a very real need for any strategy on sexual violence to address the needs of disabled women.¹²¹

Women with limiting disabilities are more likely than average to have experienced non-sexual partner abuse and stalking¹²² and a significantly higher proportion of disabled women in England and Wales experience non-sexual abuse from partners, as compared with non-disabled women.¹²³ Disabled women are twice as

¹¹⁷ Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures* http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

¹¹⁸ Glenelg, I. (2012) 'Comment is Free readers on... negative attitudes towards disability' [Guardian.co.uk](http://www.guardian.co.uk/commentisfree/2012/feb/08/disabled-people-abuse-peoples-panel), 8th February 2012

¹¹⁹ Equality and Human Rights Commission <http://www.equalityhumanrights.com/> Accessed 25/03/13

¹²⁰ Equality and Human Rights Commission (2011) *Hidden in Plain Sight: Inquiry into disability-related harassment*. <http://www.equalityhumanrights.com/legal-and-policy/inquiries-and-assessments/inquiry-into-disability-related-harassment/hidden-in-plain-sight-the-inquiry-final-report/>

¹²¹ Rights of Women (2010) *Measuring up? UK compliance with international commitments on violence against women in England and Wales*. ROW: London http://www.rightsofwomen.org.uk/pdfs/Measuring_up_A_report_by_Rights_of_Women.pdf

¹²² Coleman, K, Jansson, K., et al. (2007) *Homicides, Firearm Offences and Intimate Violence 2005/2006*. (Supplementary Volume 1 to Crime in England and Wales 2005/2006). Home Office Statistical Bulletin. Home Office: London <http://webarchive.nationalarchives.gov.uk/20110220105210/rds.homeoffice.gov.uk/rds/pdfs07/hosb0207.pdf>

¹²³ Coleman, K, Jansson, K., et al. (2007) *Homicides, Firearm Offences and Intimate Violence 2005/2006*. (Supplementary Volume 1 to Crime in England and Wales 2005/2006). Home Office

likely to experience domestic violence as non-disabled women¹²⁴ but are less likely to report it, and are more likely to experience it for longer before attempting to escape.¹²⁵ Disability, especially learning disability, exacerbates vulnerability to VAWG. Disabled people are often reliant on the person who is abusing them who may be their partner. This can leave them at risk of sexual violence and/or financial abuse. Research shows that disabled women experience a greater need for services because of the types of abuse to which they are subject.¹²⁶ Older and disabled people who experience abuse by carers or relatives are particularly vulnerable to repeat occurrences.¹²⁷ Disabled women's abuse in the 'safe environment' of their care homes is also prevalent.

Case study:¹²⁸

Watts, a driver for a care home for severely disabled adults was charged with "four counts of sexual activity with a person with a mental disorder ... and two counts of sexual assault".

The financial dependency of disabled women, particularly on their families, may result in living arrangements that subject them to different forms of abuse, including mental, physical and sexual violence.¹²⁹ The lack of accessible information and support for disabled women can prevent them from accessing social housing and shelter if a woman's domestic living environment becomes unbearable. In some cases, police officers are said to be inadequately trained both in terms of professional and personal attitudes and approach to know how to deal with disabled victims in general. More specifically, "... the needs of disabled women who are victims of violence have been neglected at all levels."¹³⁰ Due to extremely limited resources, most disability organisations do not offer any specific services on VAWG either.¹³¹ There is only one Independent Sexual Violence Advocate

Statistical Bulletin. Home Office: London

<http://webarchive.nationalarchives.gov.uk/20110220105210/rds.homeoffice.gov.uk/rds/pdfs07/hosb0207.pdf>

¹²⁴ British Crime Survey 1995 quoted in Women's Aid (2009) *Women's Aid: the survivor's handbook*.

<http://www.womensaid.org.uk/domestic-violence-survivors-handbook.asp?section=0001000100080001§ionTitle=The+Survivor%27s+Handbook>

¹²⁵ Baker, J. (2011) 'Revealed: The shocking truth of domestic abuse of disabled women',

Peterborough Telegraph, 26th August 2011

http://www.peterboroughtoday.co.uk/news/features/revealed_the_shocking_truth_of_domestic_abuse_of_disabled_women_1_3004746

¹²⁶ Women's Aid (2008) *Making the Links: Disabled women and domestic violence*.

<http://www.womensaid.org.uk/domestic-violence-articles.asp?section=00010001002200080001&itemid=1722>

¹²⁷ Equality and Human Rights Commission (2011) *Hidden in Plain Sight: Inquiry into disability-related harassment*. <http://www.equalityhumanrights.com/legal-and-policy/inquiries-and-assessments/inquiry-into-disability-related-harassment/hidden-in-plain-sight-the-inquiry-final-report/>

¹²⁸ Crown Prosecution Service (2009) *Crown Prosecution Service statement on James Watts*, 6th November 2009 https://www.cps.gov.uk/news/latest_news/cps_statement_on_james_watts/

¹²⁹ Thiria, R., Hague, G. and Mullender, A. (2011) 'Losing out on both counts: disabled women and domestic violence', *Disability and Society*, Vol. 26, No. 6, pp. 757 - 771.

<http://wrap.warwick.ac.uk/44302/>

¹³⁰ Levy, E. (2012) 'The Challenge for Disabled Victims of Domestic Violence', *Disaboom.com* <http://www.disaboom.com/disability-rights-and-advocacy-general/the-challenge-for-disabled-victims-of-domestic-violence>

¹³¹ Thiria, R., Hague, G. and Mullender, A. (2011) 'Losing out on both counts: disabled women and domestic violence', *Disability and Society*, Vol. 26, No. 6, pp. 757 - 771.

<http://wrap.warwick.ac.uk/44302/>

(ISVA) in England and Wales, based in London, who specialises in sexual assault of victims with learning disabilities, despite academic studies finding that up to 70% of women and 32% of men with learning disabilities experience sexual abuse at some point in their lives (and this is still likely to be an underestimate).¹³²

Changes to benefits for disabled people may increase disabled women's financial dependence on their partner or family. This will increase these women's vulnerability to financial abuse and may make it harder for women to leave violent relationships. It is predicted that by 2015, 98,170 single disabled people will lose £127m of the day-to-day support they rely on.¹³³ This situation can force many disabled women to stay in abusive relationships and endure hardship.¹³⁴ This is in addition to cuts to women's services, (See Appendix: 4) cuts to legal aid (See Appendix: 28) and police, and cuts to transport (See Article 14) and street lighting that offer safety and a lifeline to many women living in refuges and rebuilding their lives after escaping a violent relationship.¹³⁵

In situations of domestic violence, it can be particularly difficult for disabled victims to end the relationship and build a new safe life. All the respondents in Women's Aid Federation England's research into the needs of disabled victims of domestic violence¹³⁶ said that *"being disabled made the abuse worse, and also severely limited their capacity to escape or take other preventative measures"*. Information about available help may not be readily available in accessible formats, and many refuges are ill-equipped to meet the needs of disabled women. For example, of the 400 Women's Aid refuges available in 2011 for victims of domestic violence only 138 had wheelchair access.¹³⁷ Those who leave their registered address also risk losing their access to welfare entitlements, personal assistants and so on (i.e. their 'care' package).

In addition, the situation has become worse in some areas of the UK, where funding to rape crisis and domestic abuse refuge services has been removed. (See Appendix: 5) The police and Crown Prosecution Service are facing budget cuts and voluntary organisations fear that the support available to victims and survivors of violence will continue to be reduced.¹³⁸ Due to extremely limited resources,

¹³² Cambridge, P., Beadle-Brown, J. Milne, A. Mansell, J. and Whelton B. (2011) 'Patterns of Risk in Adult Protection Referrals for Sexual Abuse and People with Intellectual Disability', *Journal of Applied Research in Intellectual Disabilities* 2011, 24, 118–132

¹³³ DEMOS (2010) 'Press release: Disabled People Hit by £9bn Welfare Cuts', DEMOS website, 9th October 2010 http://www.demos.co.uk/press_releases/disabledpeoplehitbywelfarecuts

¹³⁴ For example see Ryan, F (2012) 'Domestic violence and disabled women: an abuse of power', *The Guardian*, 19th November 2012 <http://www.guardian.co.uk/society/2012/nov/19/domestic-violence-disabled-women-abuse>

¹³⁵ Harris, S. (2012) 'A happy International Women's Day surprise: Government commits to signing Istanbul Convention on violence against women', *Touchstone blog* 8th March 2012 <http://touchstoneblog.org.uk/2012/03/a-happy-international-womens-day-surprise-government-commits-to-signing-istanbul-convention-on-violence-against-women/>

¹³⁶ Women's Aid (2008) *Making the Links: Disabled women and domestic violence*. <http://www.womensaid.org.uk/domestic-violence-articles.asp?section=00010001002200080001&itemid=1722>

¹³⁷ Baker, J. (2011) 'Revealed: The shocking truth of domestic abuse of disabled women', *Peterborough Telegraph*, 26th August 2011 http://www.peterboroughtoday.co.uk/news/features/revealed_the_shocking_truth_of_domestic_abuse_of_disabled_women_1_3004746

¹³⁸ Stephenson, M. and Harrison, J. (2011) *Unravelling Equality: A Human Rights and Equality Impact Assessment of the Spending Cuts on Women in Coventry*. A Joint Report of the Centre for Human

most disability organisations are not able to offer any specific services around VAWG.¹³⁹ Although the UK Government claims to have invested in support and protection for victims in the Criminal Justice System, the particular concerns of disabled women victims have remained invisible.

Case study:¹⁴⁰

A young woman with a learning disability had been threatened with a gun, to force her to engage in prostitution (the latest in a long history of such incidents). She was supported by a member of staff to report this crime to the local police. The nature of the woman's learning disability meant that she needed support to be able to give a coherent statement, but the position of the police was that this was not permissible as the staff member would be seen as 'interfering' with the interview process. They were sympathetic but adamant there was nothing they could do. The irony is that had this woman been accused of a crime, the police would have been obliged to have an 'appropriate adult' present during an interview.

Rape and sexual assault against disabled women tends to be dealt with only as a VAWG issue rather than potentially both a violence against women and disability-related harassment issue. A report by the Crown Prosecution Service Inspectorate examined 151 cases of rape and found that mental health and learning difficulties were 'frequently identified vulnerabilities' yet this does not appear to be on the radar of people managing VAWG programmes.¹⁴¹

Case study:¹⁴²

Gemma Hayter, a woman with learning disabilities, was viciously beaten by five so-called friends, led to a railway embankment and forced to drink urine before being stripped and left to die.

Case study:¹⁴³

In the case of Christine Lakinski, who collapsed near her home in 2007 in Hartlepool. Instead of helping her, her neighbour, Antony Anderson urinated over her as she lay dying, whilst he encouraged a friend to film the event. Yet, this incident was not treated as a crime and the Crown Prosecution Service stated: *"Defendant claimed that he thought that the victim was drunk or on drugs and there was no evidence to suggest that the defendant knew she was disabled"*. However, they were neighbours and she had a visible impairment.

Rights in Practice, University of Warwick and Coventry Women's Voices

<http://www2.warwick.ac.uk/fac/soc/law/chrp/projectss/humanrightsimpactassessments/cwv/>

¹³⁹ Thiria, R., Hague, G. and Mullender, A. (2011) 'Losing out on both counts: disabled women and domestic violence', *Disability and Society*, Vol. 26, No. 6, pp. 757 - 771.

<http://wrap.warwick.ac.uk/44302/>

¹⁴⁰ Wallis, L. *Disability Hate Crime: A crisis of Justice*. Published by Community Living

<http://arcuk.org.uk/safetynet/files/2012/08/Disability-hate-Crime-A-crisis-of-Justice.pdf>

¹⁴¹ See HM Crown Prosecution Service Inspectorate

<http://www.hmcpso.gov.uk/index.php?id=47&docID=258> Accessed: 18/05/13

¹⁴² Carter, H. (2011) 'Gemma Hayter murder: three of disabled woman's 'friends' jailed for life', *The Guardian*, 12th September 2011 <http://www.guardian.co.uk/uk/2011/sep/12/gemma-hayter-murder-three-jailed-life>

¹⁴³ Disability Now (2008) 'No Hiding Place', *Disability Now website*, January 2008
http://archive.disabilitynow.org.uk/search/z08_01_Ja/hatecrime.shtml

Case study:¹⁴⁴

The case of Laura Milne, a young woman with learning disabilities who was murdered in 2007 demonstrated that agencies are not engaged in considering how to protect young women with learning disabilities at risk of harm.

Recommendations:

- **Ensure steps are taken to address the heightened risk for girls and women with disabilities of becoming victims of violence, abuse, exploitation and harmful practices, such as forced marriage, in the home, community and institutions**
- **Effective legislation and policies must be put in place, including women-focused legislation and policies that include disability, to ensure that instances of exploitation, violence and abuse against women with disabilities are identified, investigated and, where appropriate, prosecuted**
- **Ensure that both services and information for victims are made accessible to women and girls with disabilities which guarantee their access to redress and protection, including training of police and others and increasing the number of accessible domestic abuse refuge services**

Equality before the law (See Article 15)

Fiona Pilkington's case in October 2007 demonstrated the influence of negative media portrayals, and the widespread incidences of hate crime in the lives of disabled people and their families. Pilkington killed herself and her daughter Frankie, who had learning difficulties, following a hate campaign by local youths. The campaign targeted Frankie's learning disability, leading to this tragedy. Local police recorded Ms Pilkington's complaints as evidence of anti-social behaviour, not as an on-going hate crime concern and a 'cry for help'. Sturcke¹⁴⁵ notes that "the jury blamed poor sharing of information between the police and councils for contributing to the deaths, but also noted Pilkington had neither 'sought nor accepted' help on occasions".

Disabled people are less likely than their non-disabled peers to think the Criminal Justice System is fair (54% as opposed to 61% of non-disabled people).¹⁴⁶ Disabled people's access to the justice system is also reported to be restricted due to access and attitudinal barriers.¹⁴⁷ Additionally, research¹⁴⁸ has shown that a woman's status as a witness, or her evidence, is accorded less respect/weight than

¹⁴⁴ Equality and Human Rights Commission (2011) *Hidden in Plain Sight: Inquiry into disability-related harassment*. <http://www.equalityhumanrights.com/legal-and-policy/inquiries-and-assessments/inquiry-into-disability-related-harassment/hidden-in-plain-sight-the-inquiry-final-report/>

¹⁴⁵ Sturcke, J. (2010) 'Police under investigation over Fiona Pilkington case', *The Guardian*, 16th March 2010 <http://www.guardian.co.uk/uk/2010/mar/16/police-under-investigation-fiona-pilkington>

¹⁴⁶ Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures* http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

¹⁴⁷ Ortoleva, S. (2011) 'Inaccessible Justice: Human Rights, Persons with Disabilities and the Legal System', *ILSA Journal of International & Comparative Law*, Vol. 17, No. 2, pp. 281 - 320

¹⁴⁸ Ortoleva, S. (2011) 'Inaccessible Justice: Human Rights, Persons with Disabilities and the Legal System', *ILSA Journal of International & Comparative Law*, Vol. 17, No. 2, pp. 281 - 320

that of a man. When a disabled woman's legal capacity is limited in this way, she is denied her rights to be equal with men and also to report and address disability/gender-based violence.

Disability charities and Justice Select Committee MP's have also argued that the Government's plans to cut civil legal aid for welfare benefits, unemployment tribunals and debt advice will make it more difficult for disabled women to appeal a decision about their benefits,^{149 150} or to get recourse to justice. (See Appendix: 28)

Imprisoning disabled women also violates their rights. In *Price v. United Kingdom*, 2001, the European Court of Human Rights found that incarceration without necessary accommodations constitutes ill-treatment.¹⁵¹ When combined with pervasive discrimination, the poor living conditions and violence already present, the risks of incarceration are magnified for those women who have a disability.¹⁵²

Recommendations:

- **Make the justice system accessible to people with a range of impairments and backgrounds and support innovative justice services, including one-stop shops, legal aid and specialized courts, in order to ensure substantive and procedural access to justice. Women with disabilities should also be involved in shaping and restructuring the legal system**
- **Reform the law to guarantee the equal recognition before the law of women with disabilities, including the adoption of measures to ensure that having a disability does not directly or indirectly disqualify a person from exercising her legal capacity autonomously, and to ensure that persons with disabilities have access to support that they may need to exercise legal capacity on an equal basis with others, respecting the will and preferences of the person concerned**
- **Reforms are necessary to reduce the unnecessary imprisonment of women with disabilities and to develop alternatives to custody**

Rural women (See Article 14)

In the area of health and social care, rural Local Authorities already receive lower funding allocations than urban areas, and therefore are less likely to provide social

¹⁴⁹ Inclusion London (2011) 'Don't cut access to justice', [InclusionLondon.co.uk](http://www.inclusionlondon.co.uk), 19th January 2011 <http://www.inclusionlondon.co.uk/dont-cut-access-to-justice>

¹⁵⁰ Commons Select Committee (2011) 'MPs raise concerns about Legal Aid reforms', Parliament.uk, 30th March 2011 <http://www.parliament.uk/business/committees/committees-a-z/commons-select/justice-committee/news/legal-aid-report-published/>

¹⁵¹ *Price v. the United Kingdom*, European Court of Human Rights (2001) [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-59565#\(itemid%22:\[%22001-59565%22\]\)](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-59565#(itemid%22:[%22001-59565%22]))

¹⁵² Ribet, B. (2010) 'Naming prison rape as disablement: critical analysis of the Prison Litigation Reform Act, the Americans with Disabilities Act and the imperatives of survivor-oriented advocacy', in *Virginia Journal of Social Policy and the Law* <https://litigation-essentials.lexisnexis.com/webcd/app?action=DocumentDisplay&crawlid=1&doctype=cite&docid=17+Va.+J.+Soc.+Pol%27y+%26+L.+281&srctype=smi&srcid=3B15&key=e36ceb9120e7a54a5619357b603c356c>

care at the lower Fair Access to Care Services¹⁵³ levels: *“Through the Personalisation programme disabled women will have to purchase support and care but there are few economies of scale to attract providers in rural areas and higher costs, so the range of services available look set to diminish and cost of purchasing increase.”*¹⁵⁴ The negative impact of these cuts on disabled rural women’s health and wellbeing as well as quality of life is therefore considerable.

Disabled rural women are left out of most aspects of mainstream life by not having access to the internet, which exacerbates their isolation. *“For women and girls with disabilities, it may actually be more difficult in a rural area to build up a network, keep up relationships and achieve status in the community.”*¹⁵⁵

In rural areas, the lack of job centres forces disabled women to travel long distances to begin the search for jobs, which *“poses a particularly significant barrier to work and training options for rural disabled women and increased risk exposure if travelling alone.”*¹⁵⁶

Additionally, disabled people are more likely to consider public transport as a significant aspect of their mobility,¹⁵⁷ and therefore are heavy users of bus and train services, especially in rural areas. However, the current public spending cuts are impacting on local authorities’ ability to support rural bus services.¹⁵⁸ The closure of local post offices and other amenities also has a greater impact on disabled rural women’s quality of life.¹⁵⁹

As research from the Campaign for Better Transport¹⁶⁰ indicates, overall 70% of the local authorities in England plan major cuts in bus services. This will restrict disabled women’s participation in mainstream life including political and cultural activities as well as their access to health services and education. The spending cuts of more than 40% by the Department for Transport, will also lead to the loss of well-trained staff on the transport network who promote independent living by supporting disabled people in their travels,¹⁶¹ further isolating disabled people from mainstream life. If disabled women do not have their own car or cannot drive,

¹⁵³ Social Care Institute for Excellence (2010) *Fair Access to Care Services (FACS): Your questions answered*. SCIE: London <http://www.scie.org.uk/publications/guides/guide33/files/facs-leaflet.pdf>

¹⁵⁴ Firman, E. (2012) *Rural Disabled Women Politics and Decision-Making*. Received from the author

¹⁵⁵ International Network of Women with Disabilities. (2012) A presentation on rural women and girls with disabilities at a side event at the Commission on the Status of Women 56, February 28th 2012 http://www.un.org/disabilities/documents/csw/csw56_myra.doc
http://www.un.org/disabilities/documents/csw/csw56_myra.doc

¹⁵⁶ Firman, E. (2012) *Rural Disabled Women Politics and Decision-Making*. Received from the author

¹⁵⁷ Jolly, D., Priestley, M. and Matthews, B. (2006) *Secondary Analysis of Existing Data on Disabled People’s Use and Experiences of Public Transport in Great Britain*. A research report for the Disability Rights Commission <http://www.scie-socialcareonline.org.uk/profile.asp?guid=ca3421d3-39da-4dd9-bf3c-223262d121c6>

¹⁵⁸ Sclater, E. (2012) *NGO Thematic Shadow Report: Older Women’s Rights in the United Kingdom*. Older Women’s Network, Europe and National Alliance of Women’s Organisations <http://thewomensresourcecentre.org.uk/wp-content/uploads/olderwomensrightsukNGOthematic.pdf>

¹⁵⁹ Firman, E. (2012) *Rural Disabled Women Politics and Decision-Making*. Received from the author

¹⁶⁰ Disability Alliance (2011) ‘Campaign for Better Transport’ (no longer online)

¹⁶¹ Peck, S. (2012) ‘Cuts threat to public transport’, *Disability Now*, February 2012

the lack of accessible transportation essentially confines them to their homes and limits their freedom. If they face violence, they have few opportunities to flee.

For disabled people who do have private means of transportation, the estimated number of valid Blue Badge holders on 31 March 2010 was 2.55 million.¹⁶² However, when driving, disabled people are constantly scrutinised and need to justify using their Blue Badge in public parking spaces.¹⁶³

Case study:¹⁶⁴

"In the early days of my Blue Badge ownership, I was often glared at disapprovingly. I'd simply smile weakly and say I had multiple sclerosis. Most times that was enough, though once a burly aggressive gentleman spat out disparagingly 'you're a liar. You can't have that because they're all in wheelchairs'."

Recommendation:

Increase accessibility in public transport, and train bus/train staff to assist disabled women travellers

Conclusion

The current Government policies in the UK show that the barriers encountered by disabled women in all the areas discussed above are exacerbated by the interplay of their identities as 'disabled' and 'woman'. On the whole disablism and sexism coexist simultaneously. Whilst the intersectionality of 'disability' and 'gender' disadvantages disabled women doubly in these key spheres, the disproportionate effects of the current public spending cuts will have further negative impact on their human rights. Restricting eligibility to care and closing the ILF, removing financial support for those who leave work because of a health condition or impairment, and removing financial support for disabled people seeking legal aid, infringes on fundamental articles in the CRPD and CEDAW.¹⁶⁵ In addition to these, age, 'class', ethnicity, and sexuality similarly can increase or decrease disabled women's oppression in all the aspects explored here.

Recommendations:

- **Take into account the intersection of gender and disability and mainstream disabled women in all Government policies**
- **Implement an effective data collection system which is disaggregated by sex, age, disability and region, which can inform the development of policies and programmes to promote equal opportunities for women and girls with disabilities**

¹⁶² Papworth Trust (2011) *Disability in the United Kingdom 2011: Facts and Figures*
http://www.papworth.org.uk/downloads/factsandfigures_disabilityintheuk_july2011_110721132605.pdf

¹⁶³ Glenelg, I. (2012) 'Comment is Free readers on... negative attitudes towards disability'
Guardian.co.uk, 8th February 2012
<http://www.guardian.co.uk/commentisfree/2012/feb/08/disabled-people-abuse-peoples-panel>

¹⁶⁴ Glenelg, I. (2012) 'Comment is Free readers on... negative attitudes towards disability'
Guardian.co.uk, 8th February 2012
<http://www.guardian.co.uk/commentisfree/2012/feb/08/disabled-people-abuse-peoples-panel>

¹⁶⁵ Bush, M. (2012) 'Double think on disabled people's rights', *Disability Now*, March 2012
<http://www.disabilitynow.org.uk/article/double-think-disabled-peoples-rights>

- **Ensure that disabled women know their rights, and that others know their obligations, particularly under CEDAW and CRPD, by spreading specific materials in universally accessible formats**