

Essex Autonomy Project to support UK-wide preparations for upcoming UN human rights review

The Essex Autonomy Project (EAP) has been commissioned by the Arts and Humanities Research Council and Economic and Social Research Council to provide technical research support to UK government bodies in preparation for the upcoming UN review of UK compliance with the Convention on the Rights of Persons with Disabilities (CRPD).

Three legal firms: TC Young Solicitors, 39 Essex Chambers, and 11 Kings Bench Walk Chambers are working with the EAP team. The Centre for Mental Health and Incapacity Law, Rights and Policy at Edinburgh Napier University is also collaborating with the EAP for this project.

The issue is seen as particularly sensitive, as the UK is seen as a pioneer in its legal approach to respecting and promoting disability rights. Legal jurisdictions around the world have also looked to the UK for advice and guidance in this area. The UK, as a signatory to the international treaty, is obliged to promote and protect the human rights of persons with disabilities, as identified by the UNCRPD.

The EAP research team has already supported the Ministry of Justice's review of whether the *Mental Capacity Act* (MCA), part of the legal framework in England, is compliant with the CRPD and this new £100,000 project will extend that work to Scotland and Northern Ireland to ensure all three legal jurisdictions have been reviewed.

Professor Wayne Martin, director of the EAP and project lead, explains: "The MCA applies only in England and Wales; this new project will allow us to undertake close study of the *Adults with Incapacity Act* in Scotland and the emerging legislation in Northern Ireland. The UK representative will need to report to the UN on progress towards CRPD-compliance in all three jurisdictions; our team will provide research support for that UN Engagement Process."

Funding for the new project comes from a variety of sources. The Arts and Humanities Research Council (AHRC), which has supported the EAP since its inception in 2010, has awarded follow-on funding for the project. The AHRC grant will supplement funding provided by the Economic and Social Sciences Research Council (ESRC), under its "Impact Acceleration" scheme. TC Young Solicitors are also contributing to the funding and provide a base in Edinburgh for the project team to meet. Additional funding and expert support for the project comes from the Law Society of Scotland, the Centre for Mental Health and Incapacity Law, Rights and Policy at Edinburgh Napier University.

Professor Martin will work closely with two co-investigators: Professor Sabine Michalowski of the School of Law, University of Essex, and Professor Jill Stavert of Edinburgh Napier University. Other contributors to the project team include Adrian Ward and Alison Hempsey (TC Young Solicitors), Alex Ruck Keene (39 Essex Chambers and University of Manchester) and Colin Caughey (Northern Ireland Human Rights Commission). Pro bono legal advice will be provided by Jason Coppel QC (11 Kings Bench Walk Chambers). The project will also involve close collaboration with the Mental Health Foundation, a leading UK charity devoted to improving the lives of persons with mental health problems or learning difficulties. Work on the project has already begun, with Martin and Ruck

Keene appearing before an ad hoc Committee of the Northern Ireland Legislative Assembly, which is undertaking review of the Mental Capacity Bill currently under consideration in Belfast.

Further details about the project can be found on the EAP website: <http://autonomy.essex.ac.uk>. The project will formally conclude in the Spring of 2016, and will culminate with a technical report for the UK government and public meetings in London and Geneva to report on UK progress towards compliance with the CRPD.