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|  |  | CRPD/C/GBR/FUIR/1 |
|  | **ADVANCE UNEDITED VERSION** | Distr.: General22 March 2024Original: English |

**Committee on the Rights of Persons with Disabilities**

 Report on follow-up to the inquiry concerning the United Kingdom of Great Britain and Northern Ireland.

 Report of the Committee[[1]](#footnote-1)\*

 I. Introduction

1. The Committee adopted a report on the Inquiry concerning the United Kingdom of Great Britain and Northern Ireland under Article 6 of the Optional Protocol to the Convention (CRPD/C/15/4) at its 15th session (29 March-21 April 2016).
2. During its 18thsession (14-31 August 2017), the Committee considered the initial report of the United Kingdom of Great Britain and Northern Ireland and adopted Concluding Observations (CRPD/C/GBR/CO/1).
3. On 4 November 2022, the Committee through Note verbale (CRPD/OP/Inquiry/2015/UK/JA/ro) informed the State party about its decision to follow up on the measures adopted by the UK in response to the Committee’s report on the inquiry, during the Committee's 29th session, to be held on 14 August to 8 September 2023.
4. On 25 April 2023, the Committee, through Note Verbale (CRPD/OP/Inquiry/2015/UK/FU/JA/ro), informed the State party that the Committee would assess the written follow-up replies submitted by the State party contained in CRPD/C/GBR/FIR/1, submitted on 5 September 2018, in CRPD/C/GBR/FIR/1/Add.1, submitted on 1 October 2021, as well as in CRPD/C/GBR/FIR/1/Add.2, submitted on 30 September 2022. The Committee also requested the State party to participate in a follow-up dialogue, scheduled on Monday 28 August 2023.
5. On 26 July 2023, the State party, through Note verbale No. 228, requested postponement of the follow-up public hearing and the assessment of the written follow-up replies until the CRPD 30th Session in March 2024.
6. The Committee accepted the postponement of the dialogue with the State Party. However, it decided to continue with the dialogues with UK Deaf and Disabled Persons Organizations (DDPOs)[[2]](#footnote-2) and the Independent Monitoring Mechanisms, which were held on 28th August 2023, during its 671 and 672nd meetings.
7. The Committee also held private briefings on 21 August 2023 with UK DDPOs and the Independent Monitoring Mechanisms and had previously received their written submissions on the State party’s implementation of the recommendations.
8. On 18 March 2024, during its 710th meeting, the Committee held a public follow‑up dialogue with the State party. The delegation was headed by Ms. Alexandra Gowlland, Deputy Director of the Disability Unit, Cabinet Office and included members of the Department of Health and Social Care, the Department of Work and Pension, the Department of Health and Social Care Joint Work and Health Directorate, the Scottish Government, the Government of Northern Ireland, the Welsh Government and representatives of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office, and other international organizations in Geneva.
9. The Committee also held private briefings with DDPOs from England, Northern Ireland, Scotland and Wales on 29 February, 13 March, 15 March, 18 March and 19 March, as well as with the UK Independent Monitoring Mechanisms. Beforehand, the Committee had received updated written information submitted by DDPOs and the UK Independent Monitoring Mechanisms on the State party’s implementation of the recommendations.

 II. Developments

 A. General Developments

 A. Devolution powers regarding social security

1. The United Kingdom of Great Britain and Northern Ireland is made up of England, Scotland, Wales (Britain) and Northern Ireland. Northern Ireland, Scotland and Wales exercise devolved executive and legislative powers which enables them to govern local matters independently. ​​The devolution of powers regarding social security varies in degree between the different nations within the UK. Social security powers are fully devolved to Northern Ireland and Scotland, while Wales does not have devolved powers in social security benefits.
2. The devolved government of Northern Ireland, the Northern Ireland Executive (Stormont), was suspended from January 2017 until January 2020 and again from October 2022 to February 2024. During the periods of these suspensions, civil servants were empowered to make significant policy decisions, including decisions regarding the allocation or removal of services, if it was in the public interest to do so, under Section 3, *Northern Ireland (Executive Formation etc) Act 2022.* DDPOs in Northern Ireland have questioned the legitimacy of several decisions made in this way, which have disproportionately impacted disabled people.
3. The State party specified that the restoration of Northern Ireland’s devolved government in February 2024 was accompanied by additional funding from the UK Government aimed to stabilize public services. Nonetheless the budgetary decisions made during the period of suspension of the devolved institutions which have negatively impacted disabled people and have yet to be reversed or redressed.

 B. The impact of Brexit and COVID-19 in the social care sector

1. On 31 January 2020, the UK withdrew from the European Union which resulted in the loss of funding for community and employment programmes that supported disabled people, most significantly through the European Social Fund. On 23 March 2020, due to the COVID-19 pandemic, Westminster issued a mandatory ‘Stay-at-Home Order’, banning non-essential travel and gatherings, and closing most businesses. Lockdowns and restrictions continued throughout 2020 and 2021, with all restrictions finally lifting in March 2022.
2. DDPOs and other sources described with concern how the combined impact of Brexit and COVID-19 has significantly intensified the recruitment crisis in the social care sector, particularly affecting disabled people’s ability to hire Personal Assistants (PAs). These sources report that both the Migration Advisory Committee (MAC) and the UK Government have persistently declined to implement measures that would facilitate the recruitment of PAs from abroad for individual employers. This ongoing refusal exacerbates the challenges in securing necessary personal care support for disabled people. DDPOs expressed deep concern that mental health staffing shortages have been linked to the increasing use of physical restraint and unsafe practices on mental health wards.

 C. Cost of Living Crisis

1. The cost-of-living crisis in the UK, exacerbated by factors such as Brexit, the COVID-19 pandemic, and the Russian invasion of Ukraine has led to rapid price increases in essential goods and services since late 2021. This crisis has significantly impacted disposable incomes, with energy, gas, and food prices seeing the most substantial rises. The UK government responded with measures including the Energy Price Guarantee which capped the unit cost of electricity and gas, and various cost of living payments. However, DDPOs have noted feedback from their members that these payments were insufficient to meet the increased cost of living.
2. Several sources informed the Committee that disabled people are among the groups most severely affected by these economic challenges as they are already more likely to live in poverty, with a disposable income that is approximately 44% lower than that of other working-age adults, exposing them perilously to the rising cost of essentials. A notable 41% reported they could not afford to keep their homes warm in winter 2022, and one in ten have fallen into debt due to the crisis.
3. Sources also reported that deep poverty is more common among disabled people, particularly those living alone, who cannot share costs and are twice as likely to live in deep poverty compared to single persons without disabilities. Additionally, disabled people constitute most food bank users in the UK, with recent research indicating that 69% of working-age people using food banks are disabled people, highlighting a stark contrast to the 23% prevalence in the general population.
4. DDPOs in Northern Ireland reported that disabled people were in a particularly dire situation. Disabled people are 50% more likely to live in poverty. Debt is a significant issue, with many losing a substantial portion of their income to debt repayments. Despite some individuals qualifying for disability benefits, the financial support often fails to cover the extra costs associated with disability, leading to hardship and material deprivation, and indicating that disability benefits for those who meet the threshold for entitlement, are not sufficient to meet the extra costs associated with disability and ill health.
5. DDPOs in Northern Ireland also raised concerns about disabled people being targeted for financial exploitation and illegal lending during the recent political and economic crises. This has highlighted a gap in formal responses to protect disabled people from such exploitation.

 D. Current Political and Economic Context

1. Since the pandemic, the UK Government has been concerned with low productivity growth and labour shortages that have arisen in the last four-to-five years.'. DDPOs have indicated that the social security system has been made stricter in response, and sanctions and conditions on benefit claimants have increased. They also note that the 2023 *Transforming Support: health and disability white paper* reflects the concerns of the budget with economic inactivity and job vacancies.
2. Other sources informed the Committee that, in the context of an upcoming election in the UK, the Prime Minister has spoken to the media about the need to cut the “welfare budget” to reward working people by cutting taxes. DDPOs have expressed concern regarding the combination of these policy plans with increasing political and media rhetoric aimed at raising hostility against benefit claimants, including disabled people. In this regard, the Information Commissioners Office (ICO) has upheld a complaint against the Department for Work and Pensions (DWP) concerning media reports that appeared to be aimed at ‘stirring up hostility’ towards disabled people claiming benefits. Additionally, the Independent Press Standards Organisation (IPSO) has recently upheld complaints against The Telegraph for inaccurate and misleading articles about disability benefit entitlements that gave a false impression about eligibility and the generosity of the social security system.

 B. Specific Developments

 A. General obligations (art. 4)

1. 'The National Disability Strategy was published in 2021, following engagement (including with DDPOs) and an evidence and insight gathering exercise in the form of the UK Disability Survey'. However, DDPOs challenged the policy by way of judicial review, arguing that the survey did not comply with the UK’s legal standards on public consultation (the Gunning Principles) and that insufficient information was provided to allow for a meaningful engagement. The litigants were successful at first instance, and the High Court declared the Strategy unlawful in 2022. This decision was overturned on appeal, where the Court of Appeals held that the survey was not a consultation (within the meaning of Gunning) attracting legal obligations. 'In September 2023, the State party confirmed it would recommence implementing the limited number of policies in the National Disability Strategy which had been paused due to the litigation'
2. 'The State party conducted a 12-week consultation on the short-term Disability Action Plan', which was subsequently published in February 2024 with thirty-two actions for government across fourteen areas. However, DDPO’s expressed their concern that the Action Plan will not result in transformative change or deliver short-term impact for disabled people ahead of the next General Election.
3. The State party informed the Committee of the establishment, in 2019, of a new Disability Unit as part of the Cabinet Office, taking over the role of the former Office for Disability Issues and that DDPOs have had regular monthly engagement with the Disability Unit since 2021. DDPOs have informed the Committee on the downgrading of the post of the Minister for Disabled People from a Minister for State to that of a Parliamentary Under-Secretary of State, a lower-ranked position within the UK Government. The Committee has subsequently been informed that the role of Minister for Disabled People has been reinstated on 12 April 2024.

 Scotland

1. The Scottish Government shared steps taken towards close consultation with and active involvement of disabled people, through their representative organisations. It undertakes regular open consultation with stakeholder groups, including DDPOs, as part of policy development, with a range of accessible mechanisms utilised, including easy read and BSL formats and bespoke consultation events.
2. DDPOs have raised concerns about the lack of tangible change arising from consultations, pointing to issues around the Learning Disability, Autism, and Neurodiversity Bill consultation, including inconsistent engagement practices, accessibility issues and grouping of distinct impairment groups. Additionally, the Scottish Government, in the 2023 Programme for Government, committed to introducing an Immediate Priorities Plan ahead of a Scotland-specific disability strategy for devolved areas of policy. This has not yet been introduced, and DDPOs have expressed concern about the slow pace of progress.

 Wales

1. The Welsh Government published, in 2019, the Framework for Action on Disability: *The Right to Independent Living* which includes a commitment to meaningful engagement, involvement and co-production with disabled people. Implementation of the Framework is monitored by the Disability Equality Forum, which includes representatives of DDPOs. In July 2021, the Disability Equality Forum published the ‘Locked Out: Liberating Disabled People’s Lives and Rights in Wales beyond COVID-19’ report, which exposed the inequalities experienced by disabled people in Wales.
2. The Welsh Government’s response was to establish the Ministerial led Disability Rights Taskforce. It has committed to embedding the Social Model of Disability into everything it does. The work of the Taskforce and its ten themed working groups is being delivered through the principles of the Social Model of Disability and lived experience and works in co-production with disabled people. The Welsh Government has committed to delivering on the recommendations of the Taskforce through a rights-based plan.

 Northern Ireland

1. In Northern Ireland, the lack of stable government has impeded consultation with disabled people and their representative organizations. The Disability Strategy Expert Advisory Panel recommended that the Northern Ireland Executive establish a Northern Ireland Disability Forum to consider progress on the actions and objectives to be included in the proposed Northern Ireland Executive Disability Strategy . The Northern Ireland Executive, in the Draft Programme for Government 2016, committed to involve disabled people in a “*central regional disability forum*.” However, this forum has not yet been established. The newly formed Executive has not yet brought forward a new programme for Government. The Northern Ireland Department of Health established the Regional Disabled People’s Health and Social Care Forum in 2021 to consider, discuss and provide feedback to the Department of Health on current, emerging, and future strategic policies which may impact people with a physical, sensory and/or communication difficulty. Its membership includes service users, their carers, Disabled People’s User Led Organisations, the statutory sector, and the voluntary and community sectors.

 B. Living independently and being included in the community (art. 19)

1. Regarding the Disability Living Allowance (DLA), the State party informed the Committee that the adult DLA is closed to new applicants, but legacy claims continue to be paid for persons born earlier than 1948. Legacy claimants will be moved from DLA to PIP over time. The child DLA remains open, providing additional financial support to assist with the extra costs of looking after a child who is 1) under the age of 16 and 2) has difficulties walking or has additional requirements compared to a child of the same age without disabilities. Regarding personal assistance, DDPOs have informed the Committee that since Brexit there has been a new shortage of migrant workers, including personal assistants (PAs), and it has become more challenging for disabled people to hire PAs on their own. The State party also apprised the Committee on the Disability Unit’s ‘Ask Don’t Assume’ behaviour-change campaign, launched in October 2023, to encourage people to ask disabled people about their access needs, and to challenge any assumptions they might have about disabled people and their capabilities.

UK Government

1. The State party informed the Committee that the Personal Independent Payment (PIP) was introduced with the intention of replacing the DLA. The payment is available to persons with “long-term physical or mental health condition or disability,” or “difficulty doing certain everyday tasks or getting around because of [their] condition.” This payment is intended to support adults with the extra cost of living with a disability and consists of a daily living part to help with everyday tasks, and a mobility part to provide assistance with getting around. In 2017, the Social Security (Personal Independence Payment) (Amendment) Regulations 2017 amended the assessment criteria for the mobility payment in relation to Overwhelming Psychological Distress (OPD) following two Upper Tribunal Decisions. These changes were reversed following a High Court decision in 2018. In November 2020 an unintentional legislative gap regarding how the UK Government superseded decisions for mobility for people over State Pension age (SPa) was closed. The State party also apprised the Committee on an award delivered in 2022 by the Department for Levelling Up, Housing and Communities of £20 million to twenty-six councils in England for a new programme to improve quality in supported housing.
2. The UKIM shared information on the Inclusive Transport Strategy (2018) aimed to promote equal access to the transport system for disabled people by 2030. In 2020, the State party committed to raising accessibility standards for new homes in England, £102 million was allocated in 2023 to fund housing adaptations in England as part of implementing the People at the Heart of Care White Paper. Following the recommendations of the 2018 Wessely Review on the Mental Health Act of 1983 (England and Wales), the draft Mental Health Bill 2022 (England and Wales) and Building the Right Support Action Plan were introduced, with the aim of providing individuals with greater choice and autonomy over their care and treatment, while reducing inappropriate detention and strengthening community support for persons with intellectual and/or psychosocial disabilities. Integrated Care Boards (local bodies) were also established under the Health and Care Act 2022, to plan and fund health services in their area. In 2021, a new fund to tackle bullying in schools in England was announced inclusive of children with “special educational needs” and disabilities (SEND).
3. The State party noted that the Department for Education provides £27.3 million per year in Support for Families with Disabled Children (SFDC) funding to deliver grants and support to low-income families raising disabled or seriously ill children and young persons. These grants are for items and services not provided by the statutory system to improve quality of life and ease additional daily pressures.

 Scotland

1. The Scottish Government informed the Committee that their human rights bill would be introduced before the end of the parliamentary year. It also shared that, in 2019, it published a Disability Action Plan aimed at supporting equal and effective participation of disabled people in society and the PIP was replaced with the Adult Disability Payment (ADP) administered by Social Security Scotland by virtue of the Social Security (Scotland) Act 2018 and subject to the same eligibility criteria as the PIP in England and Wales.
2. Furthermore, in 2020, the Scottish Government introduced the Child Winter Heating Payment to support children and young disabled people with intensive support needs and their families to heat their homes. The Child Disability Payment commenced in 2021 and the Adult Disability Payment in 2022. ​​The application processes for Scottish Disability Assistance have been co-designed with disabled people to ensure accessibility. The Scottish Government also supports an independent advocacy service for disabled people across the application process.
3. In addition, the Scottish Parliament passed the Hate Crime and Public Order (Scotland) Act 2021 introducing a new offence of stirring up hatred covering several characteristics, including disability. A Hate Crime Strategic Partnership Group was established to oversee delivery of its Hate Crime Strategy. The Government issued an updated Hate Crime Strategy in 2023.
4. The UKIM noted that the Social Security Charter (2019) outlines the expectations of Social Security Scotland, although there are limited reports of the Charter facilitating change in the program.

 Wales

1. . The Welsh Government informed the Committee that the UK Government introduced Personal Independent Payment (PIP) across the UK, including Wales, in 2013 to replace DLA
2. The UKIM shared with the Committee that a Housing Adaptations Service Standard was issued in 2019 to meet the Lifetime Homes Standard. In 2021, the Welsh Development Quality Requirements for building publicly funded affordable housing schemes were updated and simplified to retain the accessibility requirement for all homes. The housing budget was also increased from £17.66 million in 2020/21 to £19.5 million in 2022/23 to provide aids and home adaptations for disabled people. It added that the National Transport Strategy Llwybr Newydd of 2021 made commitments to invest in upgrading transport services and infrastructures, and in 2022, £10 million was invested to ensure eleven rail stations have step free access.
3. Regarding hate crime, UKIM shared that the Curriculum for Wales Relationships and Sexuality Education Code requires schools to address all forms of bullying. In 2021, the Welsh Government launched its Hate Hurts Wales campaign aimed at raising awareness and tackling hate crime, including disability hate crime.
4. DDPOs have noted that access to the blue badge and bus pass schemes is contingent on a successful PIP. Additionally, they note that many disabled people use community transport programmes, which rely on a Welsh third sector that is in financial difficulty and does not provide the same reliability as public transport.

 Northern Ireland

1. The State party informed the Committee that in 2019, the Northern Ireland Executive replaced the Disability Living Allowance with PIP, with similar eligibility criteria to England and Wales and in 2021, the Addressing Bullying in Schools (Northern Ireland) Act 2016 came into force, placing a duty on schools to take steps to prevent bullying and to record bullying incidents. In May 2019, the Northern Ireland Department of Justice commissioned an independent review of hate crime legislation. Work has progressed to implement thirty-four recommendations from that review, including preparations for a proposed Hate Crime Bill. It is planned to introduce the Bill later in the current Assembly mandate.

 C. Work and employment (art. 27)

1. Regarding the disability employment gap and pay gap, the UKIM and other sources informed the Committee about the shrinking disability employment gap across the UK while the disability pay gap continues to widen. The disability employment gap for the UK is 29%, representing a drop of 4.8% from 2014. Disabled people are more likely to carry out part-time or self-employed work than non-disabled people. Persons with intellectual and/or psychosocial disabilities have lower rates of employment and tend to work in more precarious sectors and nearly 69% of disabled workers earn less than £15ph.
2. The Government’s 2017 policy paper ‘Improving Lives: The Future of Work, Health and Disability’ set out measures to reduce the disability employment gap and see one million more disabled people in employment by 2027. Many areas set out in this plan are devolved to Scotland, Wales and Northern Ireland.. DDPOs stated in 2019 that the Work and Health Programme launched in 2017 did not result in progress, and 88% of Work and Health Programme participants have not had a ‘job outcome’.  The UK Government provided information from November 2023 that indicated that 300,000 participants had started on the Work and Health Programme, with 130,000 participants achieving first earnings from employment and 81,000 participants reaching the job outcome earnings threshold or six months of being in self-employment.  Available information indicates that the Work and Health Programme would cease operation later in 2024.
3. With regards to the Work Capability Assessment and Conditionality**,** the State party informed the Committee that non-contributory income supports are paid through Universal Credit (UC) and are subject to functional health and disability assessments, conditionality and sanctions. The Work Capability Assessment (WCA) applies in England, Scotland, and Wales, designating persons as ‘fit for work’ (FFW), having ‘limited capability for work’ (LCW), or having ‘limited capability for work- and work-related activities’ (LCWRA). Where a person is designated as FFW or LCW, they must satisfy work-related requirements. Failure to comply with these requirements results in sanctions, with a potential reduction in UC award of up to 100%. A person who receives a LCWRA assessment is not required to satisfy work-related requirements and receives an enhanced rate of UC.
4. The Westminster Government’s policy paper ‘Transforming Support: Health and Disability White Paper’ (March 2023) proposes to replace the current system of multiple assessments with a single health and disability functional assessment, determining eligibility for PIP and a new UC ‘health’ payment (replacing the LCWRA designation). DDPOs noted there are 632,000 claimants who currently receive the enhanced LCWRA UC payment but do not receive PIP. The White Paper also states that from September 2023, UC claimants in the ‘light touch’ conditionality group will be required to engage with work coaches as part of an ‘In-Work Progression’ policy aimed to facilitate movement into higher paid employment. Around 600,000 persons are estimated to be in the ‘light touch’ group, including persons with low wages -above the Administrative Earnings Threshold (AET) but before the Conditionality Earnings Threshold- and persons with no earnings, or exceptionally low earnings, in a household with earnings above the AET.
5. Other sources have informed the Committee about significant backlogs in processing applications for the Access to Work scheme, which facilitates the provision of workplace accommodations for persons with disabilities. DDPOs have noted that this backlog presents a significant barrier to paid employment for persons with disabilities. DDPOs have also criticised the White Paper proposals to support persons into employment as primarily focused on the situation in England and Wales.
6. Concerning negative stereotypes and stigma, DDPOs have shared with concern that discriminatory attitudes and negative perceptions of disabled people persist and create obstacles for disabled workers in employment. Persons with hidden disabilities (including psychosocial disabilities) are often reluctant to disclose their condition for fear of actual or perceived stigma and may be reluctant to request adaptations at work. Disabled Parliamentarians are under-represented (as are disabled local representatives) and there is a lack of visibility of disabled people in high-profile work and employment, including senior and managerial positions.

 Scotland

1. The Scottish Government shared its commitment to reduce the barriers to employment for disabled people and halve the disability employment gap as part of the Fairer Scotland for Disabled People Delivery Plan 2018. A Disabled Young People (Transition to Adulthood) (Scotland) Bill is under consideration by the Scottish parliament and work is underway to increase the number of applications from disabled people to public boards in Scotland.
2. The Independent Living Fund Scotland Transition Fund offers individual grants to support disabled young people's transition into adulthood. However, DDPOs have noted that the fund is currently limited to first-time applicants only.
3. The UKIM noted the disability pay gap in Scotland was 18.5% in April 2021, the highest in the UK and that fewer than 7% of persons with intellectual disabilities are in paid employment in Scotland. There are 23,584 adults with intellectual disabilities known to local authorities, and just 4.1% of these are in employment.

 Wales

1. In 2021, in response to a report by disabled people in Wales about their rights during the COVID-19 pandemic, the Welsh Government committed to forming a taskforce and working with disabled people and their organisations to co-produce a new disability equality action plan, set to be published in 2024. The Welsh Government committed in its Programme of Government to incorporate the CRPD domestically and established a Human Rights Advisory Group to support this work. In 2022, it published the Stronger, Fairer, Greener Wales plan, aiming to improve labour market outcomes for disabled people. The Real Living Wage in Wales has also been introduced for social care workers with the aim to support the sustainability of the social care system and improve outcomes.
2. The UKIM and other sources have shared that the disability pay gap in Wales was 11.6% in 2021. While this is down from the peak of 15.1% in 2019, it is higher than between 2016 and 2018. Persons with communication difficulties continue to be affected by lack of support in employment, including through the Access to Work scheme. The Action on Disability Framework sets out several current and proposed initiatives aimed at reducing the disability employment gap in Wales, including promotion of Access to Work.

 Northern Ireland

1. Northern Ireland was hit especially hard by the loss of EU funds. The UK Shared Prosperity Fund does not provide the same standard of support to disabled people accessing employment in Northern Ireland as was available through the European Social Fund. The program offers £20mn less than the previous funding and it will end in March 2025.
2. DDPOs in Northern Ireland say the Access to Work scheme does not include vocational and technical training. Vocational training for trade skills is not available to many disabled people because of minimum educational requirements. They also shared that most disabled people using food banks are in employment, indicating disproportionately prominent levels of poverty arising from insecure employment, low wages, and high cost of living.
3. The Department for Communities (Government of Northern Ireland) has stated its commitment to reducing barriers to employment for disabled people and has developed a new Disability and Work Strategy for Northern Ireland. This policy remains at the draft stage and is awaiting Ministerial consideration.

 D. Adequate standard of living and social protection (art. 28)

1. The State party highlights that the introduction of Universal Credit (UC) in 2013 aimed to simplify the welfare benefits system by consolidating multiple forms of financial support into a single monthly payment. UC replaced several older benefits, including Income Support, Income-based Jobseeker's Allowance, Housing Benefit, Child Tax Credit, and Working Tax Credit. Other financial supports continue to be provided, including Child Benefit, Carer's Allowance, Disability Living Allowance (DLA), Personal Independence Payment (PIP), Employment and Support Allowance (ESA), and State Pension. Disabled people may access financial support on a contributory (ESA) or non-contributory (PIP) basis, depending on eligibility.
2. The calculation of UC is to include consideration of the needs or circumstances of the person claiming benefits. As per section 12(2) of the Welfare Reform Act 2012, these considerations “may include” the fact a person has “limited capability for work and work-related activity” or “regular and substantial caring responsibilities for a severely disabled person.” If deemed capable to work, a person has a “Claimant Commitment” that details their responsibilities they must complete to be awarded the UC.
3. Pertaining to Social Care Charges,DDPOs informed the Committee thatthe Welsh Government is considering increasing social care charging by £20 per week, making the payment £120 total. In Scotland, social care is free, but there are charges for non-residential services. Scotland is introducing social care charging by 2026, and disabled people are supporting this measure as it will lower the amount that they are currently paying for support. Northern Ireland does not have social care charges. DDPOs shared with deep concern reports on budget restraints and cuts forcing Local Authorities to lower the standard of care by choosing care options that take the least amount of time and effort, rather than providing optimal care.
4. With respect to Sign Language Interpretation, the UK Government has enacted the British Sign Language Act 2022, which recognises British Sign Language (BSL) as a language in England, Scotland and Wales. This requires the UK Government to report on the use of British Sign Language by UK Government ministerial departments in their public communications. In addition, the UK Government has appointed a non-statutory BSL Advisory Board, the first dual language board advising the UK Government. The board comprises a majority of deaf BSL users and advises the government on key issues impacting the Deaf community.
5. DDPOs have noted that the BSL advisory board has no powers to ensure that UK Government communications are accessible. Additionally, they have indicated that the BSL Act has not improved access to communication support for Deaf BSL users. At the same time, changes to contracting arrangements for the provision of BSL interpreting by public bodies have created additional barriers.

 England

1. The Care Act 2014 sets out the duties of local authorities in England when assessing the care and support requirements of disabled people. The legislation contains an appeal procedure which has never been enacted. In the 2021 White Paper ‘People at the heart of care: adult social care reform’, the Government indicated that no appeals system would be implemented in the foreseeable future. In 2023, the High Court dismissed a judicial review seeking to challenge the lack of appeals procedure.

 Scotland

1. In the State party’s report, the Scottish Government shared that the Poverty and Inequality Commission statutory body was established in 2019 to advise Scottish Ministers on the impact of policies in reducing poverty and inequality. The Fairer Scotland Duty 2018 places a legal responsibility on public bodies in Scotland to have due regard to socio-economic disadvantage in strategic decision-making. The Council Tax Reduction Scheme invested £351 million to mitigate welfare reform effects. This helps offset funding reductions from the devolved Council Tax Benefit scheme.
2. The Independent Review of Adult Social Care recommended reopening the Independent Living Fund Scotland (ILFS), offering interim progress while a National Care Service is developed. The Scottish Government announced the reopening of the Independent Living Fund in March 2024.
3. The National Care Service (Scotland) Bill is progressing through the Scottish Parliament and will provide the statutory basis for the National Care Service. The Bill is based on recommendations made by the Independent Review of Adult Social Care. The Bill allows Scottish Ministers to transfer social care responsibility from local authorities to a new, national service. This could include adult and children’s services and areas such as justice and social work. Once the Bill passes, Scottish Ministers can also transfer healthcare functions from the NHS to the National Care Service.
4. The UKIM informed that the Health and Social Care Committee, which leads the detailed scrutiny of the Bill in the Scottish Parliament, “has expressed concern that the Scottish Government has so far been unable to provide details of amendments which it will bring forward to clarify the details of its revised proposals.” Additionally, while noting that the Bill is a framework Bill, this Committee found “the lack of detail at this stage on what that framework will look like… concerning.” The Committee was also concerned “that the Scottish Government has so far been unable to articulate and communicate a model of how the proposed National Care Service would operate.” In response to these concerns, according to information from the UKIM, the Scottish Government has committed to establishing a new National Care Service Board (NCS Board), which will include, at a minimum, the Scottish Government, local government, the NHS, and people with lived experience. The NCS Board will oversee and govern social work, social care support and community health services, with the full scope to be determined as part of the co-design process.

 Wales

1. The UKIM informed in its report that the Disability Disparity Unit was created in 2022 with the primary objective of enhancing the availability and quality of evidence regarding disabled people and ensuring the accessibility of this evidence. As part of the strategy of the Welsh Government’s Equality, Race and Disability Evidence Units (2022), the Disability Disparity Unit has committed to co-producing work with disabled people and their representative organisations where possible.
2. Although social security is a reserved issue, the Welsh Government carries out cumulative impact assessment of welfare reform on ministerial portfolios and households, and implements policies to alleviate said reforms, including allocating additional funding to vital services such as frontline advice, the Discretionary Assistance Fund, the Council Tax Relief Scheme, and free school meals.
3. Also, the National Hate Crime Reporting Service in Wales, is delivered by Victim Support Cymru. After Brexit, additional funding was allocated following increased incidents of hate crimes.
4. In 2017, the Welsh Government introduced the ‘Prosperity for All Strategy’, replacing a former poverty-specific action plan. In 2018, the UN Special Rapporteur on extreme poverty and human rights described the new strategy as lacking “*clear performance targets and indicators to measure progress and impact*”.

 Northern Ireland

1. The Westminster Government has allocated a budget to Northern Ireland which DDPOs describe as ‘at least £732 million short of what is required to deliver public services’, resulting in severe cuts to public services and to departmental budgets. They have also shared that a draft Anti-Poverty Strategy has been developed which takes an intersectional approach, although there has not been any update on its development or implementation since the Northern Ireland Executive was re-established in February 2024.
2. Other sources informed the Committee that the budget for Discretionary Support payments was reduced by 50% in 2023/24. This scheme provides emergency grants and loans for people on a low income who are in extreme, exceptional or crisis situations. Compared to a Discretionary Support final grant spend of £40.3m in 2022-23, the Department has allocated £20m for 2023-24, restricting grant awards to only those items deemed essential and extending the exclusion period in which an item can be re-awarded to a period of 24 months except in the event of a disaster or a ‘setting up’ home situation.

 III. Assessment of the State party’s implementation of its recommendations

 A. General Obligations (art. 4)

1. The Committee remains concerned about the insufficient national consistency in meeting obligations under the Convention across the State party. The obligation to closely consult and actively involve disabled people through their representative organizations in decision-making affecting their lives has been largely unaddressed. The Court of Appeal found that the UK disability survey was an evidence and insight gathering exercise rather than a consultation., and the 12-week consultation for the Disability Action raised alarms by DDPOs for not responding to their concerns.
2. The Committee notes with concern that the cross-cutting obligation in article 8 to combat stereotypes, prejudices and harmful practices in relation to articles 19, 27, and 28 have been largely ignored. There is a pervasive framework and rhetoric that devalues disabled people and undermines their human dignity. Reforms within social welfare benefits are premised on a notion that disabled people are undeserving and wilfully avoiding employment (“skiving off”) and defrauding the system. This has resulted in hate speech and hostility towards disabled people.

 B. Living independently and being included in the community (art. 19)

1. The Committee is concerned that during the assessment period, there has been no significant progress for disabled people throughout the UK concerning their right to living independently and being included in the community. While some reforms and policies have been undertaken to provide financial support, accessible housing, and transport, this has been inadequate considering the cost-of-living crisis.
2. The Committee notes with deep concern that the PIP/ADP is not sufficient to cover the extra costs of living with disabilities, that the eligibility criteria for PIP/ADP are contrary to the human rights model of disability and that the UK Independent Living Fund has been closed to new applicants since 2010. Disabled people including persons who are at the intersection of multiple marginalization, including women and children with disabilities, racialized and ethnic minorities, migrants, and asylum-seekers report inability to afford personal assistance, care support, health, and food.
3. The Committee is also deeply concerned that personal assistance designed to cover bare subsistence is being offered to disabled people instead of the amount of personal assistance required to achieve the holistic potential and full enjoyment of the right to live independently and in the community. Disabled people also report insufficient support for recreational activities, including transportation through public transportation and 24-hour accessible taxis.
4. The Committee is deeply concerned about evidence across the State party that there is increasing rates of institutionalisation of disabled people, including disabled people living in secure psychiatric facilities due to a lack of community-based support; disabled people who are forced to remain in hospitals because there are no other support and housing alternatives, disabled people who are unable to live at home because there are inadequate supports and they are forced to live in social care homes; disabled people who are housebound due to inadequate support to access the community. There is also indication of abuse, mistreatment and the increasing use of restraints, restrictive practices and coercive measures in these forms of institutions and concerning reports of failures in mental health care that are linked to a large number of unexpected deaths in the mental health care system (particularly at the Norfolk and Suffolk NHS Foundation Trust) without concrete plans for investigation.
5. The Committee notes that there have been no measures to end disability-based detention and compulsory treatment, and the current inquiry into in-patient mental health institutions in England is not explicitly underpinned by the Convention. In addition, many disabled people live in unsafe, inaccessible housing or are homeless.
6. The Committee is concerned that the Mental Health Bill 2022 continues to allow for involuntary detention and coercive practices, which deny individual autonomy, control, and choice by disabled people.
7. The Committee notes the information provided by the State party on efforts in tackling bullying in schools, however disability related hate crimes have increased.

 C. Work and employment (art. 27)

1. The Committee notes with concern that the Work Capability Assessment (WCA) process is complex and onerous, the application itself has increased in size, which means that many applicants opt out of completing the application. Applicants are not always allowed assistance or support in assessment meetings, and assessors are inexperienced and/or unqualified in working with and understanding the lived experience of disabled people, in particular to people with intellectual and/or psychosocial disabilities. The WCA does not sufficiently account for the specific circumstances of the person’s life and potential need to be connected to other relevant supports and services, for example in situations of domestic violence, mental distress and crisis, or with caring responsibilities. Without a robust holistic approach, disabled people will not be supported to be work ready. The evidence overwhelmingly demonstrates that this process is not trauma informed, not sufficiently linked to other services and support, and not suitable to assist people to be job ready.
2. The Committee takes note of the plans to replace the Work Capability Assessment with a single health and disability functional assessment, however it notes the concerns expressed by DDPOs that this could likely increase the risks for disabled people to be deemed ineligible for one or more payments.

 D. Adequate standard of living and social protection (art. 28)

1. The Committee has significant concerns regarding the November 2023 amendment to the Data Protection and Digital Information Bill. This Bill allows the Department of Work and Pensions (DWP) to perform regular checks of disabled people’s bank accounts to monitor fraud and errors. There is significant concern about clause 14 of the Bill (Automated decision-making) replacing article 22 of the UK General Data Protection Regulation with new articles, 22A-22D, that will allow automated decision-making with some safeguards, whereby Artificial Intelligence will be responsible for making decisions within the social security system . There is a tangible concern that artificial intelligence (AI) tools and algorithms may harbour inherent biases, potentially leading to punitive measures that, fundamentally, could impart a sense of criminalization and psychological distress among individuals.
2. The Committee also highlights that the Special Rapporteur on extreme poverty and human rights, following his visit to the UK in November 2023, stated that the UK was in violation of international law in relation to its duty to provide a level of social protection which ensured an adequate standard of living, including for disabled people.
3. The Committee is appalled by reports of “benefit deaths” referring to fatalities among disabled people in the State party, subsequent to their engagement with the process for determining eligibility for benefits. The evidence received revealed a disturbingly consistent theme: disabled people resorting to suicide following the denial of an adequate standard of living and social protection, starkly contradicting the foundational principles enshrined in the Convention. In addition to numerous personal accounts concerning benefit deaths, a research study shared with the Committee indicated a correlation between the government's initiative to reevaluate incapacity benefits through the Work Capability Assessment (WCA) and an estimated six hundred suicides over a span of three years. Testimonies have also been received regarding the minimal, unsuitable, and/or abusive responses to individuals' mental health emergencies that are frequently precipitated by the benefits assessment procedure.
4. The Committee is deeply concerned by reports that disabled refugees, asylum seekers and those in refugee-like situations do not receive adequate benefits and support to live in the community, and are experiencing challenges in obtaining personal assistants, assistive devices, accessible housing and essential disability supports.

 IV. Conclusions and recommendations

1. **The Committee concludes that no significant progress has been made in the State party concerning the situation of persons with disabilities addressed in the inquiry proceedings. The Committee also notes that while some measures have been taken to address** its **recommendations issued pursuant to article 6 of the Optional Protocol, there are also signs of regression in the standards and principles of the Convention, in contravention of article 4.2.**
2. **The Committee finds that the State party has failed to take all appropriate measures to address grave and systematic violations of the human rights of persons with disabilities and has failed to eliminate the root causes of inequality and discrimination as framed in General Comment No. 6 on equality and non-discrimination. This failure exists particularly with respect to the State party’s obligation to guarantee the right of persons with disabilities to live independently and be included in the community (art. 19), to work and employment (art. 27), and to an** **adequate standard of living and social protection (art. 28) in the United Kingdom of Great Britain and Northern Ireland.**
3. **The Committee finds that the recommendations issued in 2017 (CRPD/C/15/4) are not yet** fulfilled**. It therefore reiterates its recommendations issued in 2017. In addition, the Committee calls the State party to urgently:**
4. **Take all legislative and administrative measures necessary to ensure a nationally consistent framework to implement and monitor obligations under the Convention across the UK, to ensure non-regression of the Convention principles and standards and establish a comprehensive consultative process to closely consult with and actively involve persons with disabilities through their representative organisations in the national disability strategy;**
5. **Take all legislative, policy and administrative measures to prevent, review and respond to occurrences of ‘unexpected deaths’ and ‘benefit deaths,’ including appropriate redress and reparation measures for the victims’ families;**
6. **Amend Hate Crime laws to ensure nationally consistent protections for disabled people across the UK;**
7. **Undertake an inquiry to examine the impact of the Work Capability Assessment and formulate proposals to replace the Work Capability Assessment with a single health and disability functional assessment, to ensure that any assessment process recognises the dynamic relationship of individual circumstances with the environment, is trauma-informed, based on the human rights model of disability and enables individuals to seek redress for adverse impacts resulting from the process;**
8. **Develop a nationally consistent strategy to address the causes and impact of the labour shortages across disability and mental health services, particularly the shortage of personal assistants, in line with the Committee’s General Comment No. 5 on Article 19, including by promoting and supporting the right of persons with disabilities to retain the amount of personal assistance necessary to achieve their holistic potential and full enjoyment of the right to live independently and in the community and by providing support for recreational activities, including accessible transportation through public transport and 24-hour accessible taxis;**
9. **Take comprehensive measures to ensure that persons with disabilities are adequately supported through social security payments, benefits and allowances, including by conducting thorough assessments based on the human rights model of disability, and by reviewing the current Universal Credit system, to ascertain the additional costs of living with disabilities and adjusting benefit amounts accordingly to reflect these costs;**
10. **Ensure that persons with disabilities who are at the intersection of multiple marginalization, including women and children with disabilities, racialized and ethnic minorities with disabilities, migrants, asylum-seekers and those with disabilities in refugee-like situations are able to enjoy the right to live independently and be included in the community and the right to an adequate standard of living and social protection;**
11. **Reinforce its efforts to avoid the institutionalization of persons with disabilities, prevent the use of restrictive and unsafe practices and to investigate unexplained deaths in mental health care system, including those at the Norfolk and Suffolk NHS Foundation Trust;**
12. **Ensure that the Data Protection and Digital Information Bill establishes safeguards and review mechanisms to prevent the risk of encoded biases in artificial intelligence (AI) tools and algorithms ensuring that such technologies are deployed in a manner that respects human rights, prevents discrimination, and upholds the principles of transparency, accountability, and fairness.**
13. **Ensure all measures taken to implement the Convention obligations are underpinned by the human rights model of disability as articulated in the Committee’s General Comment No. 6 on equal recognition before the law.**

 V. Follow-up procedure

1. **The Committee, having considered the information presented to it by the State party, the UK Independent Monitoring Mechanisms and Disabled People’s Organisations at the meetings on the follow-up held on 28 August 2023 and 18 March 2024 and the State party’s written replies following the interactive dialogue, decides:**

 **(a) To continue the follow-up proceedings pursuant to article 7 of the Optional Protocol to the Convention on the Rights of Persons with Disabilities, in relation to the implementation of the recommendations issued by the Committee in its report on an inquiry concerning United Kingdom of Great Britain and Northern Ireland under article 6 of the Optional Protocol to the Convention;**

 **(b) To request the State party to submit a report by March 2029 and to include therein information on the implementation of the recommendations made in the above-mentioned inquiry report and those reiterated in the present follow-up report.**

1. \* Adopted by the Committee at its thirtieth session (4–22 March 2024). [↑](#footnote-ref-1)
2. The CRPD Committee uses the terminology “Organizations of Persons with Disabilities (OPDs)” as per the language of the Convention. UK organizations refer to themselves as Deaf and Disabled Persons Organizations (DDPOs). Therefore, the Committee will use the UK’s organizations terminology for this report. [↑](#footnote-ref-2)