

### Submission to Equalities, Human Rights and Civil Justice Committee inquiry into the Disability Commissioner (Scotland) Bill

May 2024



#### About us

The Poverty Alliance is Scotland's anti-poverty network. Together with our members, we influence policy and practice, support communities to challenge poverty, provide evidence through research and build public support for the solutions to tackle poverty. Our members include grassroots community groups, academics, large national NGOs, voluntary organisations, statutory organisations, trade unions, and faith groups.

### Introduction

Evidence relating to disabled people's poverty is stark. In Scotland, 41% of children living in poverty come from a household containing a disabled adult or child. This represents almost double the overall figure for child poverty in Scotland (24%). 1 It is therefore very difficult to meet our child poverty targets without addressing disabled people's poverty.

Disabled people's poverty is deepening, with research from the Joseph Rowntree Foundation finding that 63% of those experiencing destitution in the UK reported having a disability or long-term health condition.<sup>2</sup> Similarly, two-thirds of Trussell Trust foodbank users in Scotland come from households containing a disabled person.<sup>3</sup>

This financial insecurity has negative consequences for people's life chances, health and wellbeing. Indeed, the Research Institute for Disabled Consumers found that two-fifths of disabled people said that their financial situation was making their physical health worse, and 45% said it was making their mental health worse. In this context, it is clear that policymakers need to be affording increased focus to disabled people's poverty, and this has been a consistent call from the Disabled People's Organisations in our membership. In Scotland, and across the UK, there has been a lack of progress on policies intended to promote equality for disabled people.

- Scottish Government (2024) Poverty and Income Inequality in Scotland 2020-2023 available at https://data.gov.scot/poverty/
- 2 Joseph Rowntree Foundation (2023) Destitution in the UK 2023 available at https://www.jrf.org.uk/deep-poverty-and-destitution/destitution-in-the-uk-2023
- Williams, Martin (2023) 'Concern at two in three Scots referred to food banks are disabled', The Herald, 28th June 2023 available at: https://www.heraldscotland.com/news/homenews/23618228.concern-two-three-scots-referred-food-banks-disabled/



## **Consultation questions**

# What are your views on the main proposal of the Bill, to establish a Disability Commissioner for Scotland?

For example, the Scottish Government have a stated policy objective to at least halve the disability employment gap in Scotland by 2038. However, progress has been slow. In 2021, the employment rate for disabled people aged 16 to 64 was estimated at 49.6%. This was significantly lower than the rate for non-disabled people (80.8%). Therefore, the disability employment rate gap was estimated at 31.2 percentage points. This evidence points to the importance of increased cross-Government consideration being afforded to the human rights and needs of disabled people. It also highlights the importance of increased accountability regarding disabled people's rights. One mechanism through which to achieve these objectives is the creation of a Disability Commissioner.

We are broadly supportive of the creation of a Disability Commissioner for Scotland, recognising this as means of bringing greater focus to the range of issues facing disabled people in Scotland. We note evidence from Inclusion Scotland which points to 87% of their members agreeing that there should be a Disability Commissioner in Scotland, with 72% strongly agreeing with proposals. One respondent stated that "disabled people have few champions fighting their corner. This step is long overdue". Increased focus on, accountability to, disabled people can result in more robust policymaking and outcomes for this population group.

However, the Poverty Alliance also point to the ever-expanding range of Commissioners in Scotland and believe that the creation of a further commissioner for disabled people must be accompanied by regulatory powers, to prevent this being a symbolic gesture. These concerns are reflected in another respondent to the Inclusion Scotland survey who stated: "I believe a disability commissioner is a tokenistic suggestion to glaze over the much needed policy changes and support required for disabled people to live their lives fully, independently and accessibly. What is needed is intentional and real co-production and design of policies by disabled people." Poverty Alliance members have also flagged concerns that the proliferation of commissioners may replicate pre-existing remits and responsibilities, potentially making the situation more confused than helpful, from the perspective of disabled people.



Certainly, the creation of an additional Commissioner, expected to be advocating for a particular population group, can be demotivating for that group when it is not accompanied by real action. An unintended consequence of this can be the further undermining of trust in politics and our political systems. To prevent this, any Disability Commissioner must be adequately funded and supported with a strong secretariat. In addition, the Poverty Alliance is proud to have a range of Disabled People's Organisations, including Inclusion Scotland, DG Voice, Inclusion Shetland, Multiple Sclerosis Centre, Mid Argyll and Glasgow Disability Alliance, in our membership. We note that it is vital that the funding allocated to any Disability Commissioner should be in addition to the funding provided to these existing, and essential Disabled People's Organisations.

There is also a need for the Commissioner to adopt an intersectional approach within their role, considering the particular barriers and multiple inequalities experienced by disabled women and Black and minority ethnic disabled people.

Finally, the work of the Commissioner would need to be accompanied by increased action from the wider Scottish Government and public bodies to advance the needs of disabled people. As outlined by Inclusion Scotland in their submission, this cannot result in a sense of further complacency within Government, believing that the work to address the continued structural inequalities experienced by disabled people is taking place elsewhere.

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