

Proposed Disability Commissioner (Scotland) Bill

Introduction

A proposal for a Bill to establish a Disability Commissioner for Scotland

The consultation runs from 12 May 2022 to 3 August 2022

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

No Response

About you

Please choose whether you are responding as an individual or on behalf of an organisation.
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Person without a disability.

Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation.

Parent and carer of a disabled child

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your Full Name or the name of your organisation. (Only give the name of your organisation if you are submitting a response on its behalf).

(Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Julie Kelly

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

Aim and approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").

Q1. Which of the following best expresses your view of the proposed Bill? (Please note that this question is compulsory.)

Fully supportive

Please explain the reasons for your response.

My child is openly discriminated against in most areas of her life. She doesn't have equal schooling, equal access to healthcare and is excluded from developmentally appropriate activities for various reasons, many of which I believe to be discriminatory. She is vulnerable and can't complain. I am exhausted caring for her without support, I need someone else to fight for her rights

Q2. Which of the following best expresses your view on whether there is a need for a specific, dedicated commissioner focussing solely on people with a disability?

Fully supportive

Please give the reasons for your response

My disabled child has been offered 6 four hour care sessions by the local authority over the school summer holiday. We have been allocated specific sessions. My non-disabled child can attend any day of the week for as long as they want for the whole holiday. Just one example of the blatant discrimination that is deemed acceptable. Disabled people are still considered a burden and treated accordingly, and with austerity in budgets they are the first group to suffer as they are so vulnerable.

Q3. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

Current legislation isn't working, so advisory standards are hardly going to be implemented. Strengthened legislation with actual enforcement is required.

Scope of the Disability Commissioner Role

Q4. Which of the following best expresses your view of the Disability Commissioner role covering all disabilities; physical, mental, hidden and fluctuating conditions?

Fully supportive

Please give reasons for your response, including how the commissioner could co-ordinate with the work of existing bodies/organisations who support people with these conditions.

Disability is a broad term, it's more than wheelchair users. I would like to see the Disability Commissioner supported by specialists in various areas as needs are varied.

Q5. Which of the following best expresses your view of the Disability Commissioner having a role in reviewing laws and policies that might impact on disabled people?

Fully supportive

Please explain the reasons for your response.

My disabled child is an afterthought. Why aren't suitable toiletting facilities mandatory? I have been

Q5. Which of the following best expresses your view of the Disability Commissioner having a role in reviewing laws and policies that might impact on disabled people?

advised to lie my disabled daughter on the floor of a public toilet. A wet toilet floor, covered in muddy footprints, because disabled toilet that is designed for wheelchair access is assumed to be suitable for changing older children and adults with continence issues.
Disabled people are generally segregated from society, so society never considers what disabled people may need. A disability commissioner can advocate when it matters and save endless lobbying for basic respect.

Q6. Which of the following best expresses your view of the Disability Commissioner promoting best practice and learning from service providers, key stakeholders and third sector?

Partially supportive

Please explain the reasons for your response, including how you envisage this work being undertaken?

I do support, but this should not be siloed into one group. Disabled people are part of Scottish life and deserved to be considered and accommodated at every part of Government.

Q7. Which of the following best expresses your view of encouraging involvement of disabled people and DPOs (Disabled People's Organisations) in the work of the Disability Commissioner?

Fully supportive

Please explain the reasons for your response. Please discuss how you think this would work in practice – would this be through focus groups, internships, paid roles etc

The Disability Commissioner can only promote the needs of disabled people with good information from groups impacted. Assumed knowledge is counterproductive

Q8. Who should the Disability Commissioner be allowed to investigate?

Both Scottish Public Bodies and service providers

Please explain the reasons for your response

Public bodies outsource so much to service providers. To avoid lack of accountability both require to be held to account.

Financial Implications

Q9. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

some increase in costs

Please explain the reasons for your answer, including who you would expect to feel the financial impact of the proposal, and if there are any ways you think the proposal could be delivered more cost-effectively.

This question is hugely distasteful. Scotland is failing disabled people despite legal requirements to the contrary. I'm honestly so angry at the suggestion that treating people with disabilities with respect might be a bit too expensive. What on earth does that say about us as a society!

Equalities

Q10. Any new law can have an impact on different individuals in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

What impact could this proposal have on particular people if it became law? If you do not have a view skip to next question.

Please explain the reasons for your answer and if there are any ways you think the proposal could avoid negative impacts on particular people.

I might be able to secure access to the things my disabled child is entitled too, rather than having to fight for even the most ridiculous crumb. It could make her life better.

Sustainability

Q11. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

Do you think the proposal could impact in any of these areas? (If you do not have a view then skip to next question)

Please explain the reasons for your answer, including what you think the impact of the proposal could be, and if there are any ways you think the proposal could avoid negative impacts?

My disabled child has every right to participate in society. Currently she is not able to do that for no real good reason.

Businesses that make it possible for us, e.g. a changing places style loo, a bit of flexibility and empathy with her inability to wait for anything, get all money. Those that have treated her like shit, and several have, get nothing from me or my family.

General

Q12. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

No Response