

# 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 with lived-in experience of a physical

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

Disabled person who has campaigned for disability rights for the last 45 years and acted as a Disability Advocate for the last 30 years.  
Qualified Barrister.

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).

David Renton

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.**

Currently there are a vast number of hoops through which Disabled people must jump to be enabled to live something even approaching an Equal life. There are too many dead-end routes down which Disabled people may be pointed, and the services that do exist are often disjointed, underfunded and understaffed. Those of us who fight for a readily comprehensible and easy to access joined-up system are often unpaid. The proposed Commissioner might go some considerable way to forward the development of Disability Rights in Scotland in a way the existing structures do not have the over-arching powers or resources to do.

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**

Currently there are a vast number of hoops through which Disabled people must jump to be enabled to live something even approaching an Equal life. There are too many dead-end routes down which Disabled people may be pointed, and the services that do exist are often disjointed, underfunded and understaffed. Those of us who fight for a readily comprehensible and easy to access joined-up system are often unpaid. The proposed Commissioner might go some considerable way to forward the development of Disability Rights in Scotland in a way the existing structures do not have the over-arching powers or resources to do.

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.

Legislation is required.

Without a Commissioner endowed with the powers that only legislation can give, the fight for Disability rights would continue to lack the legal teeth it so badly needs.

## 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.**

Currently there are a vast number of hoops through which Disabled people must jump to be enabled to live something even approaching an Equal life. Those of us who fight for a readily comprehensible and easy to access joined-up system are often unpaid. The proposed Commissioner might go some considerable way to forward the development of Disability Rights in Scotland in a way the existing structures, bodies and organisations do not have the over-arching powers or resources to do.

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.**

This is a task which is currently undertaken piecemeal, if at all, due to paucity of time and resources. Scotland's Disabled Community needs a strong and full resourced Commissioner, with real and extensive powers, to provide informed, consistent and comprehensive input into such policies and laws.

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?

Fully supportive

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

This is vital in providing Scotland's Disabled Community with consistency. It is not however sufficient, of itself, to fully achieve that task. The endeavour also requires that service providers be fully and reliably funded and staffed on an ongoing basis, that stakeholders be enabled to have input at all relevant times, and that the third sector be resourced sufficiently to provide the input it would then be capable of doing.

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 practise – would this be through focus groups, internships, paid roles etc**

This involvement is vital.

Without it there is no point.

The Disability Commissioner should be a Disabled person.

All roles under the Commissioner should be enabled to be filled by Disabled people.

Any internships should be paid at at least the Real Living Wage and should incorporate support for Disabled people to fill them.

The diversity and intersectionality of Scotland's Disabled Community must be understood and fully taken into account in the composition of focus groups

There should be an ongoing and interactive relationship between the Commissioner and Scotland's Disabled Community which should be pro-actively supported. to enable all Disabled people to take part in that relationship.

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

Both Scottish Public Bodies and service providers

**Please explain the reasons for your response**

The Commissioner needs to be able to take an over-arching view, and have wide ranging effect, if they are to make any real and significant progress in improving and promoting equality of rights and opportunity for Disabled people in Scotland.

## 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?

a significant reduction 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.**

Scotland is currently suffering, economically, from a declining working population.

The enabling of currently marginalised and excluded Disabled people in Scotland will allow Disabled people to progress more readily in all areas of life, and, as a result, to participate in Scotland's working life as fully as anyone else.

The marginal costs involved in the Commissioner's work will be overwhelmingly outweighed by the increased financial advantages to all of Scotland from the enlarged workforce that inevitably results from enabling all of Scotland's people to achieve their full potential.

Disabled individuals will have access to better remuneration.

Scotland's businesses will be able to find the workforce they need to thrive and prosper.

Scotland's public sector will benefit from increased revenue generated for Scotland's Government.

## 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.

Huge benefit for all people currently unnecessarily disadvantaged by disability.

That cadre includes a cross section of people with all the other above-mentioned protected characteristics, and with none, who will also benefit.

There is no coherent disbenefit to any group of people.

## 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?

Any economy where more people are enabled to exercise their rights and to fulfil their potential more equally is necessarily made stronger, healthier, and more just by the increased participation that results. Whether that society then decides to protect and enhance the environment, or to create a sustainable

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?

economy. is outwith the direct effect of this law, but it is probable that a more participatory and equal society would tend more towards those ends than would an exclusionary and unequal society.

## 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.