

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 activist and involved in various roles and with various groups aiming to achieve equality and inclusion for all. I am also disabled and a wheelchair user.

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).

Linda Bamford

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.)

Partially supportive

Please explain the reasons for your response.

I see the need for a champion of disabled people's rights. Someone with lived experience and the drive, enthusiasm and strong leadership skills to drive the agenda. My slight concern would be how we foster good working between a Disability Commissioner and existing organisations such as EHRC and SHRC. I do not think the EHRC or SHRC have done enough to advance the rights of disabled people and believe a the right Commissioner could work with them focussing on disability as a protected characteristic as I believe this focus has been lost since the introduction of the Equality Act 2010 and the need to advance equality for all groups sharing protected characteristics.

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

I do feel we need a champion to progress equality and inclusion for disabled people. In my opinion the Commissioner would need to have lived experience of disability and a network they can bring to the role.

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.

We have not seen the progress needed via the EHRC and SHRC and as such and to be on equal footing I believe legislation would be helpful and give more credence to the role.

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.

I think this is a must (covering all disabilities) to ensure no one is left behind.

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.

I feel that this is crucial to the success of the role and to making progress. I refer back to the Commissioner having lived experience and this would be invaluable in reviewing laws and policies.

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?

As well as having lived experience of disability, it is key that engagement and collaboration is promoted to identify and emulate best practice examples and it is key that this learning comes from engaging with those who are involved in disabled activism day in and day out. This includes listening to and learning from service providers, key stakeholders and the third sector. There is a wealth of knowledge here and many of the answers/solutions are already available. It is key that this knowledge and experience is tapped into and used to reduce inequalities.

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

I fully support this approach and would suggest that any approach other than this would be poor. It is key that a Disability Commissioner engages with DPOs and uses this resource to design laws and policies that will advance equality for disabled people. DPOs have a wealth of knowledge and experience and are aware of the current inequalities and solutions to address it. It is critical that these voices are brought to the forefront.

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

Both Scottish Public Bodies and service providers

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

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.

No Response

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?

I think the main area of impact needs to focus on social justice and a just transition. Disabled people have historically been left behind, with inequality gaps widening. This needs to be rectified. Equality and human rights should not be dependent on a cost benefits analysis and it currently often is.

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