

# 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 other types of disability than physical

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

I've been registered blind since birth. I was educated to degree level and worked for 43 years in a number of engineering roles, before going self employed as an information provider in 2000. My partner is also vision impaired and we've run our own homes for many years. So I have extensive experience of life with vision impairment.

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).

Terry Robinson

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 think disability related issues are the concern of all of us, politicians and managers included and should not need a special representative, with limited real powers, to keep them straight. There are plenty of organisations and people around who can advise, we seem to have been doing it for long enough but there's still little noteworthy progress to date. So perhaps another expert with a defined role may be helpful.

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?

Partially supportive

**Please give the reasons for your response**

As above. there needs to be a real means of holding failure to account. I see failure all around me. Trains, Ferries, Streets, Hospitals to name but a few. We need a very clear understanding of the role of this commissioner and what powers (s)he will really have.

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.

As above, we seem to be failing perdidgiously without legislation. This really shouldn't be necessary, but as the chronic failure seems deep rooted, perhaps we need to crack the whip on this one.

## 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.**

If this is to happen at all, said person needs a global remit. There are already too many organisations purporting to support disabled people. This is leading to duplication which we can ill afford. So perhaps part of the remit could be to streamline the existing network.

There is plenty of expertise, academics, those with lived experience out there, but we don't seem to be being heeded and the commissioner should be rectifying this failure.

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've thought for long enough that failure to address the needs of disabled people infringes our Human Rights. Some time ago, there was talk about enshrining the UN Human Rights into Scottish Law. This hasn't happened, presumably for fear of the likely consequences of continued failure of services and built environment which continue to deny us these basic rights.

There needs to be an ongoing review of this situation with a clear mechanism for rejecting ideas that fail to meet our needs. We seem to be faced with a "run away train" which has no communication cord or breaks to stop it.

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?**

If this person is to be at all effective, (s)he needs to be constantly liaising with those who have the answers. Yes, we do have the answers, many of which don't need to cost a lot of money, it's often just a question of doing the right things in the first place.

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**

Nothing about us without us! We all need to be involved. Organisations already have paid employees and there's a large pool of volunteers and other experts out there. Focus Groups and regular consultations, even ones like this, clearly should have a valuable role to play, if they're taken seriously by those concerned. Sadly, we're too often the victims of a "box ticking" culture in which consultation is an exercise in itself and does not indicate any compulsion to act on its findings.

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

Both Scottish Public Bodies and service providers

**Please explain the reasons for your response**

Government and Service providers have a duty to serve all, including disabled people. It is through a failure to do this properly that disables us. Any effective commissioner must investigate and strive to prevent or eliminate such failures.

## 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 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.**

We need to consider the broad implication of failure on the economy. Failure of service leads to greater cost somewhere. I could elaborate, though I'm sure others have real figures on this. I'd posit that the provision of services and infrastructure that meets the needs of disabled people would enable them to play a much greater and productive part in the Economy and Society. I believe this would lead to reduced overall cost. We need to view this across the patch rather than considering the immediate cost of a post or department. I'd see the appointment of a Commissioner as an investment in the Economy and Society rather than yet another burden on the Public Purse.

## 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.

This is a personal view: I think for long enough Society has failed to regard us all as Human. Yet, as Society invents increasingly bizarre categories into which to slot its citizens, disabled people are pushed to the back of an ever lengthening queue.

I also believe that that which works for disabled people should work for all. That's equity, not just equality.

## 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 don't frighten easily, as it goes, but I'm always concerned when going out about the state of the built environment into which I'm putting myself. There's no such thing as a familiar journey as I never know what new obstacle someone's decided to put in the way. some of these things are dangerous - bins with sharp corners that should never be on pavements at all are just one example. Ill-considered street design which is implemented in the cause of "Greening" actually discourage participation for all except a

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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?

privileged few who can cycle or use scooters. The arguments around this issue rumble on and all these "schemes" seem to unnecessarily fail significant portions of the community. I've heard able bodied people say that Victoria Road Glasgow is an accident waiting to happen.

This has to be to the long term detriment of Society, the Economy and the long term sustainability of the local community.

Sadly, no-one seems to be listening. This has to change!

## 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)?

Whilst the idea of a dedicated commissioner is an interesting one, we also need to consider what's already out there and the role it does or should be playing. This is not an excuse to do nothing. There's clearly a need for a profound change in the systemic approach to disability related issues for the long term benefit of us all.