

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.

I am a member of the Scottish Churches Disability Group and of Reachout Together disability inclusion project, although I am responding here as an interested individual.

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).

Barbara Graham

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.

Appointing a Disability Commissioner for Scotland would give a focal point for the overdue process of ensuring disability inclusion in all aspects of life in Scotland. It would give a single point of contact for people who feel that there are inequality issues to be rectified.

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

People with disabilities and their carers form a significant proportion of Scotland's population, but their voices are under-represented in the corridors of power. They need a powerful spokesperson to represent in the Scottish Parliament and ensure that their needs are addressed. For many people with additional needs daily living is a sufficient struggle, without also having to fight for their rights, often in a labyrinthine system which is difficult to navigate. A "one stop shop" would be a huge improvement.

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.

Specific legislation would ensure that disability issues are taken more seriously than is the case at present.

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.

Many people have multiple disabilities and so it is appropriate that the Disability Commissioner's remit should cover all life-limiting disabilities.

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

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?

Please explain the reasons for your response.

Without having such an advisory role, the effectiveness of the Disability Commissioner's impact would be greatly reduced.

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 aspect is an essential part of the role, as it will show how many reasonable adjustments for people with ongoing disabilities are good for everyone. It will also let organisations which are slow to change see how their counterparts elsewhere have achieved success in accommodating the needs of people with disabilities. Highlighting good practice will demonstrate how disabled people are taking a lead in providing solutions and overcoming potential problems. They are not just "poor wee souls", but people with talents and ambitions!

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

Their involvement is crucial as they are the experts in this field. "Nothing that is for us should be done without us" should be the policy.

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 overview should be comprehensive as discrimination (deliberate or unintentional) can arise in any sector of society. Public bodies and service providers should be glad to show the way in establishing good practice in promoting equality for all citizens.

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

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?

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.

Most, though not all, improvements incur costs, but these are worth paying when they enable gains in the quality of life of many citizens. At a practical level, improvements could enable more disabled people to gain employment, thus adding to the nation's wealth, while cost savings could be made if more disabled people can be supported adequately at home without ending up unnecessarily in hospital or residential care.

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.

It is difficult to answer this question without having seen full details of draft legislation.

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?

Such legislation could definitely create a strong, healthy, and just society for future generations. There could also be net gains for Scotland's economy if more people with disabilities could be gainfully employed and self-supporting. I am less sure about the potential impact on enhancing the environment.

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)?

It is good to see this dialogue taking place as it is long overdue. The proposal for a Disability Commissioner has my full support.