The Solutions Series: Plotting a course: Brexit and disabled people’s rights in Scotland

This report is about an event about Brexit and what might happen to rights for disabled people.

Brexit means the United Kingdom leaving the European Union.

This report is about what people said at the event.

It is about what should happen now to make sure disabled people’s rights are protected.
<table>
<thead>
<tr>
<th>This report is about an event in Glasgow in 2017.</th>
</tr>
</thead>
<tbody>
<tr>
<td>We used Photosymbol images.</td>
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<th>Brexit means the United Kingdom voted to leave the European Union.</th>
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<tr>
<th>We called the event Plotting a course.</th>
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<td>This report is about what people said at the event.</td>
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</table>
It has ideas about what should happen now to make sure disabled people's rights are protected.

Thank you.
Lots of people helped us to run this event.

Zara Todd from the European Network on Independent Living.
The International Public Policy Institute and the Scottish Government.

You can find out who came to the event on page 9

The UK voted to leave the European Union (EU).
This is ‘Brexit’.
<table>
<thead>
<tr>
<th><strong>What can be done to make sure disabled people’s rights are protected after Brexit?</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Some rights for disabled people are protected by EU law.</strong></td>
</tr>
<tr>
<td><strong>We need to make sure these rights are protected when Brexit happens.</strong></td>
</tr>
<tr>
<td><strong>Disabled people and Disabled People’s Organisations want laws in Scotland that are fair.</strong></td>
</tr>
</tbody>
</table>
This event gave people a chance to think of ways this could happen.

We wanted to answer 3 questions

1. What barriers will Brexit make for disabled people?
2. What opportunities will Brexit make for disabled people?
3. What do we need to do?

People thought of 10 things that needed to be done to protect disabled people’s rights.

They said we should work towards doing these things.

1. Make a list about what is important for disabled people in Scotland when Brexit happens.

3. Make sure our human rights are protected after Brexit.

4. Ask the Scottish Government to make United Nations disability rights a part of Scottish Law.

5. Make sure that disabled people’s rights under the European Convention on Human Rights are protected.
<table>
<thead>
<tr>
<th>6. The Government needs to make a new law to get us out of the European Union.</th>
<th><img src="image1" alt="European Union (Withdrawal) Bill" /></th>
</tr>
</thead>
<tbody>
<tr>
<td>This law is called the European Union (Withdrawal) Bill.</td>
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</tr>
<tr>
<td>At the event people said we should change this law to protect rights for disabled people.</td>
<td></td>
</tr>
</tbody>
</table>

| 7. Make sure there is enough money for organisations in Scotland that help disabled people. | ![Pound symbol](image2) |

| 8. Make sure there is more accessible information about Brexit for disabled people. | ![Info](image3) |

<table>
<thead>
<tr>
<th>9. Many people who work to support disabled people in Scotland come from the European Union.</th>
<th><img src="image4" alt="People" /></th>
</tr>
</thead>
<tbody>
<tr>
<td>These people might be doctors, nurses, social workers, care workers or personal assistants (PAs).</td>
<td></td>
</tr>
<tr>
<td>When we leave the European Union we need to make sure there are enough people in Scotland who do</td>
<td></td>
</tr>
</tbody>
</table>
these jobs to support disabled people.

10. We need to make sure we can build enough houses for disabled people after Brexit.

What will happen now?

Inclusion Scotland will make a list about what is important for disabled people in Scotland when Brexit happens.

The Scottish Government can use the list when it speaks to the UK government about Brexit.

This means disabled people’s voices will be heard by people who make decisions about Brexit.
The people who came to the event

<table>
<thead>
<tr>
<th>Name</th>
<th>Organisation/Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zara Todd (chair)</td>
<td>European Network on Independent Living</td>
</tr>
<tr>
<td>Donnie Jack</td>
<td>Scottish Government</td>
</tr>
<tr>
<td>Florence Garabedian</td>
<td>Lothian Centre for Inclusive Living</td>
</tr>
<tr>
<td>Caroline Kingston</td>
<td>People First Scotland</td>
</tr>
<tr>
<td>Idem Lewis</td>
<td>People First Scotland</td>
</tr>
<tr>
<td>Professor Anna Lawson</td>
<td>Centre for Disability Studies, University of Leeds</td>
</tr>
<tr>
<td>Dr Julie McElroy</td>
<td>International Public Policy Institute, University of Strathclyde</td>
</tr>
<tr>
<td>David Wilson</td>
<td>International Public Policy Institute, University of Strathclyde</td>
</tr>
<tr>
<td>Linda Bamford</td>
<td>Mobility Access Committee</td>
</tr>
<tr>
<td>Iain Smith</td>
<td>Inclusion Scotland</td>
</tr>
<tr>
<td>Isla McIntosh</td>
<td>Glasgow Disability Alliance</td>
</tr>
<tr>
<td>Joan McAlpine MSP</td>
<td>Member of the Scottish Parliament</td>
</tr>
<tr>
<td>Craig Wilson</td>
<td>Scottish Council for Voluntary Organisations</td>
</tr>
<tr>
<td>Susan Webster</td>
<td>Motor Neurone Disease</td>
</tr>
<tr>
<td>Craig Dalzell</td>
<td>Common Weal</td>
</tr>
<tr>
<td>Nora Uhrig</td>
<td>Equality and Human Rights Commission</td>
</tr>
<tr>
<td>Heather Fisken ILiS</td>
<td>Independent Living in Scotland</td>
</tr>
<tr>
<td>Susie Fitton ILiS</td>
<td>Independent Living in Scotland</td>
</tr>
</tbody>
</table>
This is the paper we sent out before the event.

This event is called ‘Plotting a course’

It is about Brexit and disabled people’s rights

Thank you
Lots of people helped us to run this event. They are the International Public Policy Institute and Scottish Government.

We used Photosymbol images.
We want to answer these questions

A. What are the barriers for disabled people for Brexit?

B. What are the opportunities for disabled people for Brexit?

C. What do we need to do?

D. Who can help?
1. What is this about?

We live in the UK. Scotland, England, Northern Ireland and Wales make up the UK.

Today, we are part of the European Union.

The **European Union** is a group of 28 countries that work together.

Each country pays in money and we all get money. We use the money for lots of different things like building roads or for charity work.

The European Union makes **laws and regulations** and all the countries have to apply these laws at home.
Brexit is the name given to the United Kingdom leaving the European Union. Brexit might mean some things will change for disabled people in Scotland.

This event is about finding out what Brexit might mean for disabled people.

It is about finding solutions to any problems.

2. What is in this paper?

This paper tells you some of the things that might happen after Brexit.
We don’t really know for sure.

It has questions that we will try to answer at the meeting.

Disabled people and people who make decisions will come to the meeting.
We will work together to find solutions and ideas.

All the sections have numbers. The numbers are the same in all the papers.

### 3. Why do we need solutions and ideas?

<table>
<thead>
<tr>
<th>There was a vote in the United Kingdom.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Everyone had to decide if they wanted to stay in the European Union.</td>
</tr>
</tbody>
</table>

![Ballot box with 'Europe' and options for EU and Brexit]

![EU and BREXIT signs on a road post]
There was no information about what would happen to disabled people.

Lots of people were confused.

Most people voted yes.

So now we are **leaving** the European Union.

This is called **Brexit**.

We think that there will be changes to things like health and transport.

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4. **What happens next?**

After the meeting we will write a report.

It will include all the solutions and ideas we come up with.
We will give it to people who make decisions.

We want them to think about disabled people when they are making decision.

We want other people like universities and charities to help us too.

5. What do disabled people say?

Disabled people are worried about what will happen after Brexit.

Disabled people’s organisations have done work to help explain what the problems might be.
We should tell Members of Parliament what the problems are.
They say disabled people should work together.

6. What do other people say?

Lots of different voluntary organisations are working to make Brexit fair.
Disabled people and their organisations need to join in too.

The Equalities and Human Rights Commission works to make sure everyone has equality.
They said Brexit is a chance to make equality and human rights better.
Question 1. What is should our equalities and human rights look like after we leave?

Question 2. How can we take part?

7. What things will change?

Lots of things will change after Brexit.

7.1.1. European law and British law

<table>
<thead>
<tr>
<th>The European Union makes laws. All the members have to make these into laws in their own countries. These laws help to give us equal rights and other things.</th>
<th>![Balance Scale]</th>
</tr>
</thead>
<tbody>
<tr>
<td>You can read more about human rights [here].¹</td>
<td>![Human Rights Act]</td>
</tr>
<tr>
<td>You can read more about equalities and the law [here].²</td>
<td>![Equality Act]</td>
</tr>
</tbody>
</table>

Some disabled people are worried we will lose the rights we have now. After we leave there will be no more European laws in our country.

7.1.2. The European Union (Withdrawal) Bill

The Government needs to make a law to get us out of the European Union.

This law is called the European Union (Withdrawal) Bill.

It lets the Government change all the laws that we will keep from Europe.

Sometimes this might help disabled people get better rights and equality.

Sometimes this might not help disabled people get better rights and equality.

Sometimes the Government will make changes without telling anyone.

This means disabled people will not have a say.
This is called the ‘**Henry the 8th Clause**’ after the King after the King.

### 7.1.3. The Charter of Fundamental Rights

The **Charter** of Fundamental Rights gives people rights in Europe.

These rights help us to enjoy our independent living.

The laws in the UK must give us these rights.

After Brexit we will not have the Charter.

We think we will lose some of our Charter rights.
### 7.2.1 The European Convention on Human Rights

The European Convention on Human Rights\(^3\) gives us human rights.

The Convention belongs to the Council of Europe. The Council of Europe is not the same as the European Union.

The UK is staying in the Council of Europe. We will keep the Convention.

The Council of Europe has a strategy. This is a plan to make sure disabled people enjoy their human rights.

This will help disabled people after Brexit.

### 7.2.2. United Nations Committee on the Convention of the Rights of Disabled People

The United Nations **Convention** on the Rights of Disabled People is what countries agree to do make sure disabled people have the same rights as everyone else.

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\(^3\) [http://www.echr.coe.int/Documents/Convention_ENG.pdf](http://www.echr.coe.int/Documents/Convention_ENG.pdf)

The United Nations has a committee which looks at the Convention.

The Committee looked at what work the UK has done on the Convention and wrote a report.

They wrote a report telling the UK what they have to do next.

They talked about Brexit and said they were worried that there is not enough information about what will happen to disabled people’s rights.

They told the UK Government they need to take action to stop anything bad happening to disabled people’s rights.
### 7.2.3. The Scotland Act

<table>
<thead>
<tr>
<th>The Scotland Act makes sure that the Scottish Government do not pass any laws that upset disabled people’s rights.</th>
<th>Picture of the Scottish Parliament</th>
</tr>
</thead>
<tbody>
<tr>
<td>And other people’s rights.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>If something bad happens to a disabled person it is sometimes easier to go to court using the <strong>Charter</strong> of Fundamental Rights to get justice.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>But we will lose the <strong>Charter</strong> of Fundamental Rights when we leave the European Union.</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>The Scottish Government is going to set up a group to look at how we can keep that benefit.</th>
<th></th>
</tr>
</thead>
</table>
### 7.3 Our other rights

<table>
<thead>
<tr>
<th>There are lots of rights and laws and protections we will lose after Brexit.</th>
<th><img src="image" alt="Bus Ticket" /></th>
</tr>
</thead>
<tbody>
<tr>
<td>These are about discrimination at work and get us help with travel.</td>
<td><img src="image" alt="Braille on a bus ticket" /></td>
</tr>
<tr>
<td>They also mean that medicines have Braille on the package so blind people can understand what the medicine is.</td>
<td><img src="image" alt="Braille Braille" /></td>
</tr>
<tr>
<td>Public bodies like councils have to make sure that their websites are accessible.</td>
<td><img src="image" alt="Accessibility" /></td>
</tr>
<tr>
<td>The Government might keep these things. Or they might not.</td>
<td></td>
</tr>
</tbody>
</table>

### 7.4 Justice

<table>
<thead>
<tr>
<th>After Brexit we cannot use the European Court of Justice.</th>
<th><img src="image" alt="Judge and a barrister" /></th>
</tr>
</thead>
<tbody>
<tr>
<td>The European Court deals with European law. We will only be able use the Courts in the UK.</td>
<td></td>
</tr>
</tbody>
</table>
The European Court has made good decision about disability equality in the past.

After Brexit we should still watch what they do in the rest of Europe and learn from them.

7.5 Employment

7.5.1. European law

Lots of our employment law comes from Europe.

We might lose some worker’s rights after Brexit.

The Government have said they will not change law after Brexit.
People are not sure. They think the Government might change the law.
It will be easier for them to change some of the laws now.
7.5.2. Employment and the Equality Act

The Government might decide to change the Equality Act.

They might decide disabled people will get less money if they have been dismissed from work and it was not fair.

**Question 3. What do we need to do to make sure disabled workers are safe?**

7.6. Funding for Disabled People’s Organisations and disabled people

Disabled People’s Organisations are worried about money that comes from Europe.

There are funds which help disabled people in Scotland.

Over 6 years we got 941 Euros.

There will be no money from Europe after Brexit.

But we will stop giving the European Union money and that money should be used to help disabled people.

We need to make sure the Governments do this.
Question 4. When will we find out if there will be any money to support disabled people?

Question 5. Will Scottish Government help Disabled People’s Organisations after Brexit?

7.7  Health and social care

7.7.1 We need workers

| European people can move to different countries in the European Union. | One man said he had lots of personal assistants from Europe. He is worried he will have to go back into a care home. |
| Disabled people use health and social care. Lots of people from Europe work in the National Health Sector and social care. |  |
| After Brexit they might go home. New people won’t come. |  |
| There will not be enough people doing the work. |  |
### 7.7.2. Going abroad

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>When we visit or go to live in another European country we can use their health service.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disabled people from other European countries can use our health and social care.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>After Brexit we might not be able to use their health service.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Disabled people might decide not to travel on holiday or to work or study.</td>
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<tr>
<td>We need to find out what is going to happen.</td>
<td></td>
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</table>

#### Question 6. Can we let in health and social care staff after Brexit?

#### Question 7. Will disabled people from the UK have health and social care if they go to live in Europe?
7.8. Social security and residence (where you live)

7.8.1 Social security

Social security is support to help you survive if you cannot manage. Disabled people need to know what social security they can get before deciding where to live.

The UK government needs to talk to other countries to work out what support people can get.

Some disabled people from Europe have lived in the UK for a long time. They need social security.

DPOs are worried that these people will not be allowed to stay after Brexit.

Question 8. What will happen to disabled people living and working in Europe after Brexit?

Question 9. What will happen to disabled people from Europe who live in the UK?
7.9. Education and research

Brexit will affect Universities. It will change how they do research with others in Europe. It will change their funding.

Disabled people may find it harder to study at Universities in Europe.

7.9.1. Academic Network of European Disability Experts (ANED)

This network is made up of academics who are experts in disability issues. The network helps people work together to make equality for disabled people better.

Question 10. After Brexit what will happen to disabled students who study in Europe?

Question 11. After Brexit how will Universities keep in touch with Universities in Europe to work on disability issues?
7.10. Transport

The Equality Act supports disabled people to have equal access to transport.

A lot of this law is in place because Europe told the UK it had to have the law.

No-one knows what will happen to the law after Brexit and if disabled people will have rights to equality for transport.

The European Union has the Blue Badge for cars. This helps disabled people to use their car. It helps with things like parking near shops or the doctors. All the countries in the European Union have the same badge.

Question 12. What needs to happen so that disabled people have equal access to transport?

Question 13. Will disabled people still be able to use the Blue Badge for their car?
## 7.11. The European Accessibility Act

<table>
<thead>
<tr>
<th>The European Accessibility Act is European law. It makes sure that products and services will be easy for disabled people to use. It covers things like computers, ticket machines, telephones, banks and lots more.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Act might not apply in the UK because it comes in after Brexit. Disabled people in the UK will miss out.</td>
</tr>
</tbody>
</table>

### Question 14. How can disabled people in the UK get the same benefits?

Do you have a question? Do you want to talk about this paper?

You can talk to Susie Fitton. Susie is the Policy Officer in Independent Living in Scotland Project

Email Susie at [susie@illis.co.uk](mailto:susie@illis.co.uk)

Telephone Susie on 07910 373778
All the questions

The main questions are -

E. What are the barriers for disabled people for Brexit?

F. What are the opportunities for disabled people for Brexit?

G. What do we need to do?

H. Who can help?

Question 1. What is should our equalities and human rights look like after we leave?

Question 2. How can we take part?

Question 3. What do we need to do to make sure disabled workers are safe?

Question 4. When will we find out if there will be any money to support disabled people?

Question 5. Will Scottish Government help Disabled People’s Organisations after Brexit?

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Question 8. What will happen to disabled people living and working in Europe after Brexit?
Question 9. What will happen to disabled people from Europe who live in the UK?

Question 10. After Brexit what will happen to disabled students who study in Europe?

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Question 13. Will disabled people still be able to use the Blue Badge for their car?

Question 14. How can disabled people in the UK get the same benefits?
Solutions Series: 8
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Brexit and disabled people’s rights in Scotland

Independent Living in Scotland
Part of Inclusion Scotland

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Inclusion Scotland
Disabled People’s Organisation

Our voices Our choices

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Edinburgh EH3 9DQ

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