

20th & 21st June 2007

Copthorne Tara Hotel

London

Approach to minutes: the minutes do not attempt to capture every point made, but they provide a summary of what the discussion covered and they provide a record of required action points.

Terminology in this paper

ODI = Office of Disability Issues

DWP = Department for Work and Pensions

Members = Members of Equality 2025

Attendees: Andy Rickell, Nick Danagher, Saghir Alam, Kirsten Hearn (day two only), Fiona Wallace, Alex Thorburn, Tara Flood, Katherine Thomas, Shelley Franklin, Prabhat Barot, Simone Aspis, Gary McGladdery, Michelle Daley, Sarah Newman, Dave McCormack, Steve Scott, Rowen Jade, Eleanor Thoe Lisney

ODI Officials: Bruce Calderwood, Sally Witcher, Celia Reed, Lis Robinson, Carol Foster-Middleton, Andrew Timeyin.

Secretariat: Wilma Jackson, Audrey Daft

Apologies for Day 1: Zara Todd, Miro Griffiths, Clenton Farquharson.

Apologies for Day 2: Zara Todd, Miro Griffiths, Clenton Farquharson

Guest Speakers: Dr Richard Light; Richard Timms ODI.

Day One: Wednesday 20th June

1. A one minute silence was observed in memory of Roy Webb, well known disability activist, who died recently.
2. Following that, Rowen read out the following statement prepared by members of Equality 2025:

Equality 2025 recognise the importance of a positive working relationship with the Secretariat. We also recognise that rumours and hearsay are commonplace within the political arena in which we operate. Indeed we have heard rumours about ourselves that are certainly not true. We would like to assure the Secretariat in particular and the ODI in general that our respect for them will be upheld and maintained by all Equality 2025 members. We will not support rumours or gossip and we trust that the Secretariat and the ODI will join us in not believing or perpetuating any unsubstantiated

statements that could damage the journey towards equality for disabled people.

3. Agenda, minutes of last meeting and matters arising.

3.1 Facilitators: Richard Rieser and Rowen Jade (in the absence of Kirsten Hearn).

3.2 Minutes (paper EQ2025/06/02)

The minutes were agreed with the following amendments and comments:

(a) Any amendments or changes to the minutes should include the relevant sentence to allow it to be seen in context

(b) Para 3.3: Checked that Management sub-group isn't overloaded with work and ensure they are not assigned inappropriate tasks to allow them to prepare the work programme.

(c) Page 13: regarding funding being cut to organisations of the third sector at short notice, Fiona wanted to add that 'she has experience of funding being cut with one months notice' – this should not happen.

(d) Dave attended a meeting 'Benefit Barriers and Finding

Solutions' in May. He feels that this is an area of work Equality 2025 need to get involved in with the DWP, and agreed to produce a note on this for the next Newsletter.

(e) Richard noted that for the Annual Report for EQ2025 the Management Sub Group needed a list of meetings that Members have attended. Arrangements need to be put in place to ensure events are logged for future reference.

(e) No response yet from Pat Samuel. Secretariat agreed to chase this up.

(f) Annex: draft work plan. Add a title, and remove the word 'to' from each of the list of objectives.

1.3 Action Points Log was updated. A revised version will be circulated as a separate paper to these minutes.

2.0 Media Strategy (paper EQ2025/06/03)

2.1 Andy presented his paper, which proposed an annual cycle of meetings including a national meeting and regional meetings. This would demonstrate how Equality 2025 listens to disabled people and would allow them to feed views to the Government. Meetings could focus on one or two hot topics.

2.2 Dave asked how the hot topics would be identified.

2.3 Wilma reminded Members that there are budget and resource implications which have to be considered when arranging meetings. Shelley also raised concerns about budget implications and practicality.

2.4 Gary said it was important to manage expectations. Could we possibly have a standard press release highlighting what Equality 2025 is about, what is its remit and how we operate? Might invite disabled people to suggest hot topics.

2.5 Rowen raised concern that the whole group had not had an opportunity to discuss branding. This is something that cannot be left to the Media Sub Group to decide. Rowen also thought that meetings would not be appropriate for disabled people who were not confident about speaking in public, this applies to large and regional meetings. She asked for the opportunity to look at these proposals in more detail.

2.6 Richard commented that the strategy may be too rigid. Maybe better to give Members the skills to talk to small groups of disabled people rather than to have structured public meetings. Public meetings will end up talking to the same group of disabled people. Need to find ways of reaching other groups.

2.7 Sally raised the issue of the number of days that Members are likely to work. It is likely they will exceed their 25 days in year 1, which is to be expected. But in subsequent years will need to keep as closely to that as possible. Maybe a maximum of 30 days a year would be acceptable, but

no more. Regional meetings could be huge workload for Members. Therefore need to make use of structures that already exist. Will shortly be moving to 3-day Equality 2025 meetings. This will take up 12 days a year, plus preparation time.

2.8 Tara agreed with Sally, and emphasised the need to hear the voices of marginal groups such as people in institutions. Need to look at how this fits in with the children and young people strategy. Need to think about capacity building – disabled people may not know what the issues are, or how to raise them in a public forum.

2.9 Saghir commented that we need to find ways of reaching hard to reach groups. May be useful to work with partner organisations to do this.

2.10 Simone pointed out that time is limited for many Members. Need to take that into account. Also need basic publicity materials to help engagement. Should get basics right before thinking about public meetings.

2.11 Prabhat raised issue of devolved areas and particular issues affecting them when considering regional meetings. Emphasis of paper seems to be on England.

2.12 Wilma gave an update about the branding issue. Tom Berry has had several meetings with the Media Sub Group to discuss. He has already put up a business case for branding and this has been accepted by DWP. Now has to go through the procurement process, including putting the

contract to develop a brand out to tender. No decisions have been made yet on this, and no decisions will be taken without fully involving Equality 2025 Members.

2.13 Eleanor explained that she was part of the steering group looking at revamping the ODI website, and would report back on developments.

2.14 Due to the importance of this issue it was agreed to continue the discussion on day two.

Thursday 21st June 2007

Facilitators: Richard and Kirsten

3.0: Feedback from closed session

3.1 It was proposed that an informal grievance between Members should be raised first with the Facilitators and/or the Management Sub Group.

3.2 A monthly stocktake should be kept by convenors of each sub group to enable this to be shared with other members via the newsletter. Secretariat and the ODI can do a similar exercise to share what the current issues are.

Action point

Sub Group convenors and Secretariat to advise each other about current work activities, and an update to be included monthly in the Newsletter.

3.3 Human Tissue and embryology briefing paper to be shared by Simone – to be included in the Newsletter and included as a future agenda item.

3.4 Single Equalities Bill – to be included on September agenda. Government Sub Group to work on a paper giving Equality 2025 position on this.

3.5 National Enquiry ongoing on Health Service deaths of people with learning difficulty. A motion to be written by Equality 2025 saying that disabled people must be included on the panel.

Action Points:

(a) Paper to be drafted by Simone and secretariat setting out the terms of the motion.

(b) The Annual Report should give detailed information about the purpose of Equality 2025, but the whole document should not be too long.

(c) Circulate slides from Bruce and Sally (ODI report) which were presented at the May meeting.

(e) Management Sub Group to develop a proforma for logging outstanding work issues

4.0 Media debate continued:

4.1 It was agreed that the Media sub-group should do a paper on how

much it will cost to hold a national meeting and proposed regional meetings. The Secretariat can provide in drafting this, if required.

4.2 The question of whether Equality 2025 will have their own e-mail address for the public was raised. Members generally agreed in principle but it depends again on the budget available and how the e-mail account will be managed as there are no resources within the Secretariat to do this.

4.3 Sally proposed that Equality 2025 could 'piggy-back' on other conferences (possibly those held by outside organisations) and/or provide information at relevant events.

Action point

Media group to update their paper taking into account views of members.

5.0 Work Plan (Paper EQ2025/06/04)

5.1 The Equality 2025 Work plan was discussed. Sally outlined some key points and comments. Explained that this was very broad and the ODI Board of Management had approved it but it could perhaps benefit by being a little more focused. By July members need to agree a three year Strategic plan and a more detailed nine month Work plan.

5.2 Sally thought the Aims, which are set out in paper 06/04. could

become the basis of the strategic plan. Detailed objectives flowing from the high level aims could go in the Work plan. Members agreed with that.

5.3 Sally explained that the Plans must be finalised by the July meeting so they can be presented to Government by the end of July.

5.4 Sally mentioned two items of work that Government are engaged in that might be of interest to Equality 2025: the work DfES are doing on transitions, and the Disability Employment Service Review due out in the autumn (although would need to consider how this overlapped with Disability Employment Advisory Committee area of responsibility).

5.5 It was discussed that Equality 2025 need to know what is happening across Government in the forthcoming months to enable them to plan further what they need to include in their Work plan. It was explained that the ODI Board of Management will be looking at this in the next month, and any priorities which could affect Equality 2025 will be shared.

5.6 Tara pointed out that Aim 2(1) should include UK as well as EU legislation. This was agreed by the Members.

5.7 There was a lengthy discussion about how to proceed. Sub groups will probably have to pick out key issues, but need to know

what is going on in Government in order to do this. Can't make decisions in a vacuum. Kirsten observed that it will be difficult to pick out a small number of priorities for the Work plan, but Members need to focus on what they think can be realistically achieved in the next nine months. Bruce pointed out that the Independent Living Review team are going through same process and may be able to share information with Equality 2025 on what Government is doing.

5.8 Alex asked how this will impact on work done in the devolved areas. Bruce advised on discussions taking place with Devolved Administrations. A meeting will be held next week to start the process of identifying common ground for working together.

5.9 Kirsten summed up the process. Papers for the July meeting are required by 10 July. Therefore we have three weeks until the 10th to come up with a draft Work plan that can be circulated to all Members in advance of the next meeting. Sub groups need to get together during that time to come up with priorities. Any information ODI can provide needs to get to Sub Group convenors in next week.

5.10 Sally summarised list of information that ODI could provide:

- A summary of what is going on in other Government departments. This will not be a comprehensive list, just information about those things we already know are going on.
- A list of the thematic groups that are being developed by the

Independent Living Review, and an update of the work that the Review are doing.

- A report back from the last ODI Board of Management meeting, where the draft Work plan was discussed.
- Any information about the findings from the Performance Indicators Consultation.

Action Points:

(a) ODI/Secretariat to provide information to Sub group Convenors (as set out above by Sally) by Friday 29 July.

(b) Sub groups to identify their absolute priorities for the Work plan, and send these to the Management Sub Group by 5 July.

(c) Management Sub Group to consider the list of priorities and distil these into one draft Work plan, by 10 July. To be sent to the Secretariat

(d) Secretariat to circulate the draft Work plan as a paper for the July24/25 meeting.

6.0 UN Convention on Disability Rights (Paper EQ2025/06/05)

6.1 Richard Timm from the ODI, and Dr Richard Light, the Non Government Organisations' representative involved in agreeing the UN Convention, addressed the meeting. They presented a paper

which summarised the background to the UN Convention and the process leading up to it being signed by the UK Government at the end of March.

6.2 Dr Light observed that the UN Convention was achieved as a result of the pressure put on governments by disabled people. The UK played a full and active role. For the first time a non governmental person was included as part of a government delegation. The Convention was agreed and signed, by 98 countries, very quickly. This is very unusual for a human rights convention. Key issue now is ratification.

6.3 Richard Timm stated that it was not possible to give a timetable for when UK will ratify the Convention, but a commitment has been given that there should be no undue delay. ODI is working across government to speed up the process.

6.4 Dr Light commented that it was up to disabled people to put pressure on government to ensure they sign, with as few reservations as possible.

6.5 There was a lively discussion following the formal presentation. It was agreed that the discussion would be minuted in as much details as possible. A summary of comments and responses is set out below.

Comments

- (a) Development of caselaw will help achieve change. People won't know what Convention means for them until they see cases that set a precedent.
- (b) Press release needed to get across common messages to disabled people. If there was a press release, Equality 2025 could use this when they meet with disabled people.
- (c) Can we have example of what implementation of the convention will mean for disabled people?
- (d) Why didn't UK sign optional protocol allowing the bringing of cases to the UN?

Response

Optional protocol – the UK doesn't sign them as a matter of course. For most countries the process is that people with a grievance need to exhaust domestic legislation first, then if the case has not been resolved they can go to the Treaty Monitoring Body. But the UK has decided that domestic remedies are sufficient.

The Monitoring Body cannot order a state to put right any infringement of rights, and the cost of having the Monitoring Body deal with cases would place a high burden on the state. It was noted that the UK has signed the Optional Protocol for the UN

Convention on Women, but just two cases have been taken to the Treaty Monitoring Body for that Convention, so there is not any robust evidence to show whether having a Treaty Monitoring Body is useful or not.

In terms of what the Convention means for disabled people, it may not make that much more practical difference in the UK. We are already making good progress in working towards equality for disabled people, as a result of the Life Chances report. The recommendations in Life Chances fit in with the aims of the Convention. The driving force for change in the UK is not the Convention, but Life Chances. It is possible though that the Convention may have an impact on domestic legislation.

Caselaw will not be crucial to securing disabled people's rights. It takes so long to progress a case through the courts, that it will not be a motivation for change. Can take up to 16 years to get a decision if a case goes all the way to the treaty monitoring Body.

Comments

- (e) How can we make human rights relevant to disabled people? What should our strategy be about advising government on ratification? What are the implications for disabled people if the government make any reservations? What are the sticking points for government? Monitoring body – how do we advise government to ensure disabled

people are included as members of the Body?

- (f) How will government make sure departments comply? How can we help other countries build capacity?
- (g) Need to make sure the Convention is explained in easy to understand language.

Responses

Need to look at how all Government departments go along with the UN convention – there may be a need for impact assessments. Need to resist government reigning in budgets for things like inspection, health and safety etc. Price we pay for this Convention is eternal vigilance. Need to keep reminding Government of its obligations.

The UK is playing a significant role in disabled people's involvement in the UN convention and they are equal participants within this working group. The government should have the tools for the job and the capacity to respond to complaints, and keep reminding people of their obligations ie; the Health Care Inspectorate.

Ratification/reservations: can put pressure on Government to restrict the number of reservations. Can't raise reservations that go against the fundamental aims of the Convention.

Sticking points: national security; immigration; things that might require very quick action it feels it can't deliver, eg mainstreaming education.

How to ensure compliance? Equality 2025 needs to support to the ODI which is the department leading on this. ODI is the most positive force in Government, but needs allies. Need to assist ODI in encouraging colleagues into complying and providing support to their Minister on human rights issues. Equality 2025 Members can identify issues of non-compliance and bring these to the attention of the relevant department – it was agreed there is no point taking it only to the Minister for Disabled People. May need to consider taking views to more senior Ministers.

Capacity: need to support capacity building of local organisations. Encourage Governments here and internationally to be constructive and open in discussions with disabled people.

Agree all information should be easy to understand and accessible. There will soon be an 'Easy Understand' version available soon. Richard Light offered to support Equality 2025 in any leaflets or literature they may want to produce.

Comments

- (h) Who would be the Monitoring Body? What is its legal status/ how does it fit with domestic law and ECHR rulings?

(i) What is happening about awareness raising?

Response

Treaty Monitoring Body: nomination process is by countries that have ratified. Therefore there is an advantage in the UK ratifying early, as they would then be able to nominate members for the Monitoring Body. Members of the Monitoring Body are usually lawyers and academics.

The Monitoring Body has no legal status. But it can exert political and moral pressure.

Domestic law: Convention is different to the European Court of Human Rights. In the UK most treaties are not incorporated in domestic law, but government will try to make sure this UN Convention is compatible with UK legislation.

Courts will take account of the Convention, where a case goes to court. The European Court of Human rights will certainly take account of the Convention, and this will eventually feed into domestic legislation. Can't predict what changes there will be to domestic law, but need to put pressure on departments where they don't comply with the Convention, and challenge them as far as possible.

6.6 It was agreed by Members that they have a clear obligation to support the Convention and they will have a lead role in advising government on ratification. Further information on the convention can be found at www.un-convention.info

6.7 Bruce confirmed the ODI position, which is to push for early ratification of the Convention with as few reservations as possible. Can then start to put pressure on departments to take positive action.

Action Points:

(a) Short paper to be produced on ratification and the reasons why Government should sign up. – Working with Government Sub Group/Richard

(b) Advice leaflet to be produced on benefits of ratification which could be produced at Equality 2025 presentations – Media sub-group with assistance of Dr Richard Light if required.

7.0 Devolved Forum (paper EQ2025/06/06)

7.1 The paper on the devolved administrations was discussed. The Devolved Forum Members expressed the views that:

- The reserved members are primarily to engage with disabled people in their countries on reserved matters

- They also have the scope to build relationships with the devolved administrations but this relationship is not automatic but based on mutual consent
- The reserved members cannot be expected to have expertise across all policy areas
- If the sub-groups need information how policy works in the devolved areas they will need a lead in time to enable them to develop relevant links and understand how this will work within their individual administrations
- Some reserved matters were still under the jurisdiction of Westminster and they would not know the details of this without policy support, investigation and training.

7.2 It was thought that areas where Equality 2025 is likely to work with the devolved administrations might include working together to engage with disabled people, liaising in areas of cross-over (where disabled people's lives are affected by both reserved and devolved policies) and sharing information and good practice.

7.3 Officials from the ODI have recently started meeting with officials from the devolved administrations. The next meeting is in June. Wilma will be attending the meeting and will feedback to Equality 2025 on the discussions. All Equality 2025 papers have already been shared with the administrations as a matter of course (this was previously done as a matter of precedence by the 'Advisory Group'.)

7.4 The Devolved Forum members expressed concern about the time constraints they were under, having such a large area to cover each and the complexity of their role, they were working more hours than anticipated. It was proposed that they would most probably reduce the sub groups they were involved in to just one, but this would be a matter of choice.

7.5 The Devolved Forum Members agreed the meeting the previous day with Secretariat was helpful and training and certain practical support would be agreed to support them in their work. There is much potential for engaging with disabled people in their countries and with organisations such as the 'Critical Friends Network' in Wales. These links will help them to find out what disabled people in the devolved areas want and have to say.

Action Point:

Management Sub group to look at issue of travel time for Devolved Forum Members to see if it can be ignored when calculating their limit of 25/30 days work per year.

8.0 Transitions Paper

8.1 This paper has been strengthened, following advice from Sally, to

include stronger recommendations. As this is the first paper to go to go to an outside body it needed to be discussed how this was best handled.

Action Point:

Wilma to check with DEAC how best to present advice.

8.2 Fiona expressed the need for the paper to include details of the problems faced by adult training Centres and agreed to feed some further comments to Tara on this.

Action Point:

Fiona and Employment sub group to give any further comments to Tara.

9.0 Motion – Independent Enquiry into Healthcare for people with learning difficulties

9.1 Simone presented a draft motion, that people with learning difficulty should be included on the ‘Panel’ of the Independent Enquiry. She explained that people with learning difficulties had been included on a panel before and it was vital that relevant disabled people be included. The terms of the motion were agreed and members agreed it should be submitted to the Secretary of State for the Department of Health with supporting briefing.

Action Point:

Secretariat to draft supporting briefing and send this with the terms of the motion to the Department of Health Secretary of State.

10.0 Agenda for meeting in Cardiff 24th and 25th July

10.1 items for the agenda were discussed and agreed as follows:

- Discrimination Law Review (green paper)
- Work Programme (work plan sign off)
- Media Strategy
- Independent Living Review update
- Budget
- Katherine to arrange for a speaker from the Wales

11.0 AOB

11.1 Steve made contact with the Learning Disability Coalition and gave an update on their survey.

Action Point:

Steve to share information with sub groups

11.2 Sara reminded sub groups to identify their number one priority ('show-stopper') to Steve for the Work plan.

11.3 September meeting – provisionally this is to be in Gateshead, as unable to find any other locations in the North.

Other possibility is Newcastle. Eleanor said that Durham have also been asking if Equality 2025 could meet in their area.

Action Points:

- (a) identify meeting locations for future meetings. Dave to Liaise with Wilma on a possible Newcastle venue.
- (b) Invite the new Minister to Cardiff meeting, if appropriate.
- (c) Arrange the annual meeting for Birmingham, on 6/7 November.

11.4 Possible locations for future meetings were discussed. The December meeting will be held in London, and Bristol or Taunton were identified as possible locations for the January meeting. It was agreed that it would be best to wait until a three day meeting could be held before going to Belfast, to make the most of the visit. So the March meeting will probably be held in Belfast.