**ENIL Brexit Seminar**

**Coproducing a Brexit deal for disabled people**

Baroness Jane Campbell.

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Good afternoon my European friends! For those of you who do not know me, my name is Jane Campbell and I am an Independent Crossbench Member of the House of Lords. If you are not familiar with what the house of Lords does – apart from the common stereotypes of elderly people dressed up in robes, snoozing in the library after a three course lunch, let me give you a very short summary.

As you know UK Parliament has two legislative Houses. The House of Commons, which is the democratically elected, executive Chamber. This is where the majority party forms the Government.

The House of Lords (where I hang out), is the appointed Chamber. None of us are elected. We are appointed for our expertise in all matters of life. We are scientists, agriculturalists, physicians, experts in the third sector, equality and human rights champions, lawyers and so forth. Our main function is to act as a check on the **executive**, by scrutinising and revising Government legislation. We can also bring in Private Members Bills of our own. **So my day job is largely keeping an eye on what the Government is up to and trying to influence what it does by tabling or participating in questions, debates and trying to amend legislation.**

When John Evans asked me whether I might pop by today and say a few words about how I will be involved in the Brexit Government process, over the next couple of years, from a disability perspective, I wanted to say, at the moment I simply do not know! All of us who are not part of the inner circle of Government are pretty much in the dark and feeling our way in this unfamiliar territory. There is no 1, 2 or 3 year plan as such. In many ways there is everything to play for.

In light of this, the House of Lords has to be highly proactive in raising debates and questions on a whole range of issues arising from our future divorce. It has been made Krystal clear that Government want as little interference from Parliament as possible as they enter the negotiations with the EU on the exiting process. So parliamentarians have needed to be forceful in demanding a role from day one. So for instance, last week we debated and voted on the very simple Article 50 Bill, which will trigger the process to take us out of the EU. **It took a court challenge to force the Government to allow Parliament to scrutinise in the usual parliamentary manner, the Article 50 (trigger) Bill.**

Although many members of the House of Lords made two important amendments to the Article 50 Bill, firstly to protect EU Nationals living in the UK, and secondly, to insist on a role for Parliament in scrutinising the final deal, we finally lost in the Commons.

Nonetheless the process itself, gave MPs and Peers the opportunity to raise and debate in detail, some very important points which will have been heard by the Government. This means they cannot be ignored and will hopefully frame their thinking as new legislation is developed. We know that there will be at least 15 other pieces of legislation required for exiting and becoming independent of the EU.

We also know that the Prime Minister Teresa May, is hard Brexit. This would likely see the UK give up full access to the single market and full access of the Customs Union along with the EU.

The arrangement would prioritise giving Britain full control over its borders, making new trade deals and applying laws within its own territory. Initially, this would mean the UK would likely fall back on World Trade Organisation (WTO) rules for trade with its former EU partners.

So, our job, **my job!** To find ways to hold the Government to account and influence their work and ideas, with this understanding.

During the Brexit negotiations and legislation following it, the Lords will be a vigilant watchdog, for example, to prevent too much Secondary Legislation which bypasses proper Parliamentary scrutiny. A good example of Government doing exactly this recently was their misuse of secondary legislation to make a significant change to Personal Independence Payments regulations, for people with mental health disabilities, denying them of much-needed support and of course trying to bypass Parliament. However, one of the tools the Lords do have, which very few people know about, to challenge this, by using what they call a "prayer of annulment". Whilst this is highly unlikely to overturn the regulation, it provides an opportunity to debate the issue, out in the open on the floor of the House of Lords. If the person who tables the Prayer, decides to call for a vote and it is won, then it will receive the same in the Commons, therefore holding the Government to greater account.

So that's a little on what powers I and my colleagues in the House of Lords, will have available during the Brexit legislative process. We do not possess the ability to stop Government but we do have powers to pause the legislative process to give time for the elected House of Commons, to reflect and think again.

I think it's important for you all here today and disabled people's organisations in general, to understand the political context in which the terms of Brexit will be developed. It is important because parliamentarians need to know the possible impacts of Brexit on disabled people. Such issues will be far from their immediate or even long-term discussions. The information that you have shared with each other today must reach the ears of those who are charged with taking the UK out of Europe. The sooner the better! We need briefings on such matters now, not when the legislation hits the table. It will be important to listen hard to the Queen’s speech at the end of this parliamentary term. In her speech the Queen will set out what legislation will be developed over the next period. From then on, disability organisations will need to lobby hard on the reissues you have raised today in this workshop.

The Disability issues I will probably be concentrating on over the next two years, will be based on what you tell me are the main concerns of leaving the EU. So although I know **I will be attempting to ensure that the UK maintain a high standard on independent living,** throughout the process, I need you to help me understand what safeguards will be required. I need to know from you how and what independent living achievements we should protect and how we might build upon them.

Neil Crowther referred me to the term "High Standards Britain" and "Bank and Build" over the weekend, which sums up the approach well. For instance we have some of the best legislation in the world on disability Equality and a Human Rights, which gives us a tremendous baseline for progress on Independent Living. Maintaining that baseline and articulating a vision for the future during this time will be essential. However, disabled People's organisations must demand a co productive relationship with the Government and those MPs and Members of the House of Lords, who are charged with holding the executive to account. `

So, in conclusion, disabled people's organisations like ENIL and others in the room today, have a crucial role in Brexit. It's vital that you all play a part in educating and informing Government and all others now involved in the Brexit Parliamentary process. Parliamentarians like me, Government, their officials, and so forth. You need to convince them why it's important they pay attention to ensuring Disabled People's right to Independent Living continues to thrive and develop as Brexit legislation materialises.

It will be essential that those involved in the process has access to hard data, on why it would be a catastrophe to ignore all disabled people have achieved in progressing independent living in the EU over the years. For example, **EU employment protection directives; accessibility laws on transport and the provision of goods and services; and access to the EU personal assistance workforce.**

The Independent Living movement has an enormous role to play in Brexit. For example, I recently gave a speech in the Lords on the impact of Brexit on disabled people's right to Independent Living. I concentrated on the dangers of restricting our access to employ personal assistants from Europe. John Evans and a number of PA agencies, were able to give me some very helpful data and scenarios which strengthened my contribution. This is the sort of informative, Co- productive relationship which is so important between the people involved in the legislator and disabled people. **Wakes them up to the importance of disabled People's independent living agenda throughout this period or lose what we have fought so hard to gain.**

And, whatever you do, please ensure that you and disabled people's organisations all over Europe, lobby hard to prevent our Prime Minister, Teresa May from fulfilling her wish to leave the European Convention on Human Rights post Brexit, should she win the 2020 general election.

Thank you