EU Law and Policy, Disabled People and Brexit

By Anna Lawson

# 1. EU Disability Law and Policy: Outlining the Terrain

EU as a party to the UN Convention on the Rights of Persons with Disabilities (CRPD).

EU Disability Strategy 2010-2020

* Relevance of CRPD
* Substantive areas – 8 ‘areas for action’
* Relevant tools (and limits of ‘competence’)

Useful Sources

* EU report to the UN Committee on the Rights of Persons with Disabilities
* CRPD Committee Concluding Observations on the EU 2015
* EU Academic Network of Experts on Disability – mapping EU disability law
* European Disability Forum information and engagement
* European Network of Independent Living and other organisations

# 2. Inward-Looking - Disability Rights and the Development of Post-Brexit UK Law and Policy

## 2.1 Ensuring Disability Rights are not Swept Away by the Great Repeal Bill

* EU law not on UK statute books
* EU law implemented through UK secondary legislation

## 2.2 Guarding Against Regression

* Avoiding/Restricting a Henry VII Clause in the Great Repeal Bill
* Including a non-regression clause in the Great Repeal Bill.

## 2.3 Embedding (Disability) Equality and Human Rights

* Giving the CRPD greater domestic weight
* Embedding Accessibility requirements
* Introducing an equality-compatibility clause into the Equality Act 2010
* Establishing a cross-government equality strategy
* Embedding strong human rights clauses into new trade agreements

## 2.4 Continuing Funding for (Disability) Equality-Related Schemes/Work

Structural and Investment Funds, Daphne, Citizenship Rights and Justice Programme, Horizon 2020

# 3. Outward-Looking: Government Negotiations

## 3.1 EU workers in the UK

* Personal assistants
* Healthcare

## 3.2 Mutual Recognition Schemes

* Blue badge parking scheme
* Possible new disability card scheme?
* E111

## 3.3 Membership of Particular Organisations / Networks

* European Atomic Energy Community
* European Medicines Agency
* Equinet
* EU Academic Network of Experts on Disability
* EU Network of Experts in Non-Discrimination Law
* Disability High Level Group

# 4. Outward-Looking: Collaboration Without Need for Government Negotiation

* Continued benefits and need
* Standards bodies
* NGOs
* Research
* Equality bodies (European Network of Human Rights Institutions)