

ASSESSING THE DISABILITY GREEN PAPER

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PROBLEMS WITH CURRENT SYSTEM

- ▶ There is a clear case for reform as issues persist, such as:
 1. Compliance with the CRPD
 2. Overly-complicated nature of payments and how they overlap/interact
 3. Financial rates of the payments
 4. Degree to which other sources are necessary to cover the full cost of disability
 5. Access to employment



ASSESSING PROPOSAL FOR REFORM

- ▶ In late 2023, the Irish government proposed a new reform to disability-related benefits.
- ▶ The framing seems appropriate:
- ▶ “The experience of poverty and deprivation among people with disabilities in Ireland is strongly linked to the difficulties they face in securing and holding down employment. EU data, for example, shows that about 4 in 10 people in Ireland with disabilities are at risk of poverty or social exclusion compared to about 3 in 10 for the EU as a whole.”



▶ However:

- ▶ "Data from the census, labour force surveys, and the Department of Social Protection indicates that about 130,000 working-age people with a disability are in employment, and a further 218,000 are in receipt of a long-term disability income support payment from the Department. This costs about €2.6 billion a year.
- ▶ The number of people receiving long-term income supports related to disability has increased by over 60,000 since 2012. Expenditure increased by €1 billion over the same period."

SUGGESTED REFORM

- ▶ Existing Disability Allowance, Invalidity Pension and Blind Pension payments replaced with a new contributory and non-contributory **Personal Support Payment**.
 - ▶ **Cousins** also notes the integration of Partial Capacity Benefit into this too.
 - ▶ Would have had both contributory and means-tested elements.
- ▶ Payment itself will be tiered into 3 tiers.
 - 1.High Support** - very low capacity to work. Disability/condition persists for at least 2 years.
 - 2.Medium Support** - low to moderate capacity to work. Disability/condition persists for at least 24 months. Might be suitable for part-time work.
 - 3.Low Support** - moderate to high capacity to work. Disability/condition persists for at least 24 months. Might be suitable for more sustained work.

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- ▶ The rates of payment would also change - current rate is €220 per week for all people in receipt of Disability Allowance.
 1. High Support - rises to €265.30
 2. Medium Support - rises to €242.65
 3. Low Support - maintains rate of €220

▶ Recipients will be subject to conditionality measures to try to get them into work.

1. High Support - access to and use of Intreo Public Employment Service will be **voluntary and at the customer's request**.

2. Medium Support - Intreo Public Employment Service will be proactive in offering supports and services. People who are offered support and services **will be expected to make reasonable efforts both to engage with Intreo and to take part in training and other programmes appropriate to their circumstances**

3. Low Support - People will have to engage with the Intreo Public Employment Service and **take up reasonable offers of places in training and employment programmes, and take up employment opportunities that are appropriate to their capacity and circumstances**

POTENTIAL BENEFITS OF PROPOSED SYSTEM

- ▶ Phased in approach - first only applies to new entrants, then slowly applied to existing clients.
- ▶ Base rate is not reduced, higher tiers enjoy higher rate.
- ▶ System will be rationalised by folding together several overlapping payments.

ISSUES WITH REFORMS

- ▶ **Cost of living/cost of disability** - questionable if Article 28 of the CRPD upheld for not providing an adequate standard of living by Government's own metrics.
- ▶ **Definition of disability** - CRPD adopts a definition of disability that is personalised and about individualised barriers within society but proposal creates strictly delineated medicalised categories.
- ▶ **Medical assessments** - long-standing issues with medical assessments and high rate of successful appeals - increasing importance of these is questionable.
- ▶ **Activation/Sanctions** - although suggestion that this would be done via departmental caseworkers rather than programs like JobPath, concerns that there would be adequate resources/specialisation for this.
- ▶ **UK example** - although the report notes that these reforms are not inspired by the UK system of Employment Support Allowances (ESA), they are similar and there is ample evidence from the UK to suggest that this did not work.



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- ▶ **April 12th 2024** - announced Irish Green Paper would be scrapped.
 - ▶ "I launched the consultation process on the Green Paper last September. Based on the feedback I have received to date, it is clear that there are significant concerns about the proposals," said Minister Humphreys.
 - ▶ "I have listened to these concerns and I am confirming today that the Green Paper proposals will not be implemented."
 - ▶ However, immediate criticisms surfaced about Green Paper, and was subject to two extensions in light of criticisms.
 - ▶ Questions around engagement, how this was released and continued for this length of time.

