



INDEPENDENT LIVING
MOVEMENT IRELAND
FREEDOM • RIGHTS • EMPOWERMENT

www.ilmi.ie

**(Image shows ILMI logo with Text: Independent Living Movement Ireland.
Freedom, rights, empowerment and website address www.ilmi.ie)**

**Independent Living Movement Ireland submission on Public Consultation on
Proposals for SPSV Fines for the Non-Compliant – Focus on Safety, Consumer
Protection and Services for Users with a Disability and SPSV Driver Licence
Validity Period**

September 2022

Introduction to Independent Living Movement Ireland

Independent Living Movement Ireland (ILMI) is a campaigning, national Disabled Person's Organisation (DPO) that promotes the philosophy of independent living and seeks to build an inclusive society. ILMI works with disabled people on a cross-impairment basis. Central to the way we work is to ensure that policy and legislative discourse and decisions that impact on the lives of disabled people have to be directly influenced by those whose lives are directly affected.

Our philosophy can be summed up as: 'Nothing about us without us!' and 'Rights Not Charity'. Our vision is an Ireland where disabled persons have freedom, choice and control over all aspects of their lives and can fully participate in an inclusive society as equals.

Social model of disability

The UNCRPD at its core is framed through an understanding of disability known as the social model of disability. From ILMI's perspective, it is vital that there is a clear and full understanding of what the social model of disability is and how it should

inform future discussions on policy development and improvement and policy implementation.

The social model looks at how society is structured and how it disables people. It is not based on a person's impairment, it is focussed on the barriers that exist in terms of attitudes, policy development, access or lack of supports that prevent people from participating in society as equals, with choice and control over their own lives. In this model it is society that disables people from achieving their hopes and dreams, not a person's impairment. The social model informs all aspects of the work of Independent Living Movement Ireland.

Language and representation of disabled people

Independent Living Movement Ireland recognises that language is a very powerful and evocative tool. Therefore, the language and terminology used in this submission has been carefully chosen to reflect the values of equality and empowerment which is at the core of this organisation. The term 'disabled people' has been used throughout the submission in accordance with the UPIAS classification of disability and impairment which has been developed by disabled people themselves (UPIAS 1976). Where disabled people are referred to in the submission this should be understood to include all disabled people, including those with learning difficulties, people experiencing emotional distress and physical and sensory impairments.

Context

ILMI consulted with its taxi working group which is made up of disabled activists of different ages and locations around the country through the "Strategies for Change" project. The "Strategies for Change" project aims to build the capacity of disabled activists and to empower collective activism to eradicate barriers we, as disabled people face.

ILMI working group observations for fines and validity period

- The ILMI working group felt fines are not always useful but can be useful when the “consequences” are clearly communicated to drivers of SPSVs. “If the fine was high enough it would make them think”. Others stated “when you hit people’s pockets they start to listen”.
- The ILMI working group believes there needs to be better understanding of what the “actual need” for disabled people to get taxis is in Ireland. ILMI recommends the introduction of disability equality training not disability awareness training. This must be led by disabled people or through Disabled Person’s Organisations (DPOs) to ensure we (as a society) change the way we think about disability. “This would in turn be as effective as using “fines” to prevent negative attitudes towards us”.
- The working group stated that “Disabled people need to report any incident where they are refused entry to a SPSV”. Better enforcement comes with better reporting. There was a suggestion to use mystery shopper methods from the group who are willing to engage. ILMI is working on a video around making complaints and will share with the NTA in the near future.
- The ILMI working group agree on the introduction of a new fine for €250 for refusal by the driver to provide services to a wheelchair user. The group believes the fine needs to be higher in absence of accessible fleets. However, the group is conscious that higher fines i.e. 1,000 euro might deter WAV licenses. The group also supports the increase in the current €80 fine to €250 for refusal by the driver to carry a guide dog or assistance dog accompanying disabled people.
- The working group believe the overall transport system in Ireland needs to work towards genuine inclusion and full capacity rather than “wheelchair accessible taxis” alone. In the UK most wheelchair users/guide dog/ assistance dog users can use “black cabs” spontaneously. This would reduce

the use for fines. The group commented “it’s a human rights and equality issue”.

- The ILMI working group support the proposed amendment to the SPSV driver licence validity period with a suggestion of it being 3 years maximum. This could be based on a number of refusal or complaints received.
- The group also suggested a “penalty” on the license accompanied with a fine. It was noted that the general accessible parking badge is only valid for 2 years and then the disabled person has to reapply. Similar could be applied to SPSV licences if they are not complying.

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