



# The Parliamentarian

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**CPA**

COMMONWEALTH  
PARLIAMENTARY  
ASSOCIATION

## WHAT ROLE CAN COMMONWEALTH PARLIAMENTS AND PARLIAMENTARIANS PLAY IN ADVANCING AND SUPPORTING PEOPLE WITH DISABILITIES?



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## THE CPA PARLIAMENTARY ACADEMY

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## Calendar of Forthcoming Events

Updated as at 3 December 2021

Please note that due to the COVID-19 (Coronavirus) global pandemic, many CPA events, conferences and activities have been postponed or cancelled. Please check [www.cpahq.org](http://www.cpahq.org) or email [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org).

### 2021

#### December

3 December 2021 International Day of Disabled Persons  
10 December 2021 UN Human Rights Day

### 2022

#### January

17 to 22 January 2022 World Economic Forum, Switzerland

#### February

15 to 17 February 2022 Global Disability Summit, Norway

#### March

8 March 2022 International Women's Day  
14 March 2022 Commonwealth Day  
14 to 25 March 2022 Commission on the Status of Women, New York, USA  
20 March 2022 144<sup>th</sup> IPU Assembly, Indonesia

#### June

2 to 5 June 2022 The Queen's Platinum Jubilee Central Weekend 2022

#### July

28 July to 8 Aug 2022 Commonwealth Games, Birmingham, England, UK

#### August

20 to 26 August 2022 65<sup>th</sup> Commonwealth Parliamentary Conference, Halifax, Nova Scotia, Canada

The CPA calendar fosters the exchange of events and activities between CPA Regions and Branches. For further information on any events, please contact the CPA Branch concerned or the CPA Headquarters Secretariat. CPA Branch Secretaries are asked to send notices of CPA events to [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org) in advance of the publication deadline to ensure the calendar is accurate.

### Parliamentary Conversations in the Commonwealth

A new CPA podcast that gives a voice to Parliamentarians, civil society experts and activists across the Commonwealth to discuss common democratic challenges and share their ideas on what can be done to solve them.

Listen now to new episodes on all major podcast platforms or visit [www.cpahq.org/knowledge-centre/cpa-podcast](http://www.cpahq.org/knowledge-centre/cpa-podcast)

## PARLIAMENTARY CONVERSATIONS

### IN THE COMMONWEALTH





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- 51<sup>st</sup> CPA Africa Regional Conference in Nigeria
- Pacific Tai a Kiwa Speakers, Presiding Officers and Clerks virtual conference
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**Mr Jeffrey Hyland, Editor**  
*The Parliamentarian*,  
Commonwealth Parliamentary  
Association

## THE CHALLENGES AND BARRIERS FACING PEOPLE WITH DISABILITIES IN THE COMMONWEALTH

### What role can Commonwealth Parliaments and Parliamentarians play in supporting people with disabilities?

According to the United Nations, the world's population today is over 7 billion people and more than one billion people, or approximately 15% of the world's population, live with some form of disability; 80 per cent live in developing countries. Amongst the Commonwealth's 2.4 billion people, this means that 360 million people are living with disability.

The impact of the COVID-19 pandemic has had a huge impact on people with disabilities across the world and so it is fitting that the theme for this year's International Day of Persons with Disabilities (IDPD) on 3 December 2021 was '*Leadership and participation of persons with disabilities toward an inclusive, accessible and sustainable post-COVID-19 world*'. The day aims to promote the rights and well-being of persons with disabilities in all spheres of society and development, and to increase awareness of the situation of persons with disabilities in every aspect of political, social, economic and cultural life.

This issue of *The Parliamentarian* continues this important discussion by focusing on the theme of the challenges and barriers facing people with disabilities in the Commonwealth.

The **Acting Chairperson of the CPA Executive Committee, Hon. Ian Liddell-Grainger, MP** (United Kingdom) writes about the work of the CPA in this area and asks what role the CPA can play in his *View* article. The **CPA Secretary-General, Stephen Twigg** in his *View* article also writes about disability as a key priority for the Commonwealth.

In their *View* articles for this issue, the **Chairperson of the Commonwealth Women Parliamentarians (CWP), Hon. Shandana Gulzar Khan, MNA** (Pakistan) writes about advancing women and girls with a disability, and the **Acting CPA Small Branches Chairperson, Joy Burch, MLA** (Australian Capital Territory) highlights the impact of disabilities in small jurisdictions.

**Hon. Dennitah Ghati, HSC MP** (Kenya) recently became the Chairperson of the Commonwealth Parliamentarians with Disabilities (CPwD) and she introduces the disabilities theme in this issue of *The Parliamentarian* and asks '*What role can Commonwealth Parliaments and Parliamentarians play in advancing and supporting people with disabilities?*'

This issue reports on the first CPwD Regional Conference which took place in Kenya, where the **Chairperson of the CPA Africa Region Executive Committee, Rt Hon. Justin Muturi, MP**, Speaker of the National Assembly of Kenya spoke about '*mainstreaming*

*disability considerations in the legislative agenda in the 21<sup>st</sup> century*'.

Two of the CPwD's Regional Champions write in this issue on the subject of Parliaments becoming more accessible to persons with disabilities - **Hon. Viam Pillay, MP** (Fiji) and **Hon. Zill-e-Huma, MNA** (Pakistan).

The Chair of the Commonwealth Forum of National Human Rights Institutions (CFNHRI) and UK Parliamentarian, **Baroness Kishwer Falkner** writes about how Commonwealth Parliamentarians and National Human Rights Institutions can support and advance the rights of disabled people.

Leading global disability campaigner, **Senator Floyd Morris** (Jamaica) asks how Commonwealth Parliamentarians can better represent persons with disabilities and former Parliamentarian, **Hon. Kevin Murphy** (Nova Scotia) reflects on the establishment of the Commonwealth Parliamentarians with Disabilities (CPwD) network.

**Hon. Dr Lisa Cameron, MP** is the Chair of the UK Parliament's All-Party Parliamentary Group on Disability and writes about how Parliaments must prioritise accessibility for persons with disabilities.

**Hon. Jeremy Balfour, MSP** is the Convener of the Cross-Party Group on Disability in the Scottish Parliament and writes about its work.

The **Commonwealth Women Parliamentarians (CWP) Africa Regional Chairperson, Hon. Dr Zainab Gimba, MP** (Nigeria) gives her assessment of gender and disability in the Commonwealth, while **Maria Njeri**, a disability rights activist from Kenya, looks ahead to the Global Disability Summit as the moment to fight for inclusive education for all.

**Richard Rieser** writes about the establishment of the Commonwealth Disabled People's Forum and charity campaigner and current Miss World Barbados, **Ms Ché Amor Greenidge** shares her experience of working with the deaf community in Barbados.

Microsoft's **Ashish Jaiman** shares details of a new '*Seeing App*' that will have an impact for visually impaired people. **Iain McKinnon** of the Global Disability Innovation Hub showcases how disability innovation will help everyone.

**Katamba Mohammed** (Parliament of Uganda) writes about the challenges and barriers facing people with disabilities in Uganda and the representative role that MPs can play.

Researcher **Ms Ambreen Shabbir** (Pakistan) provides an analysis of legislative policies for persons with disabilities in the CPA Asia Region (Pakistan, Bangladesh and Sri Lanka), while youth activists,





**Omar Ahmad** and **Khalid Sherwani** write about building a holistic eco-system for the inclusion of persons with disabilities in Pakistan.

This issue of *The Parliamentarian* also examines a wide range of other topics. Following the gathering of world leaders – including many Parliamentarians from Commonwealth countries – at the crucial 2021 United Nations Climate Change Conference (COP26) in Glasgow, The **CPA Secretary-General** reports from the GLOBE Legislators Summit which took place at the Scottish Parliament. The **CPA Small Branches Vice-Chairperson, Hon. Juan Watterson, SHK**, Speaker of the House of Keys at the Parliament of the Isle of Man, also gives his reflects on the Summit and its outcomes.

In an exclusive interview for *The Parliamentarian*, **Fleur Hall** (Australian Federal Parliament) interviews the two outgoing Presiding Officers of the Australian Federal Parliament as they retire and reflect on the challenges and privileges of their roles in Parliament.

**Mr Carl Viagas** (Government of Gibraltar) writes about the challenges of adapting the historic Gibraltar Parliament building for modern use.

Many Commonwealth Parliaments are still facing the challenges of the COVID-19 pandemic. The two Presiding Officers of the New South Wales Parliament, **Hon. Matthew Mason-Cox, MLC**, President of the Legislative Council, and **Hon. Jonathan O'Dea, MP**, Speaker of the Legislative Assembly write about how the Parliament catering team helped disadvantaged communities during the pandemic. **Mr Eliufoo Daniel Ukhotyia**, the Assistant Regional Secretary for the CPA Africa Region, writes about the Parliament of Tanzania's experience of the pandemic.

Former Joint Secretary of the Lok Sabha at the Parliament of India, **Dr Rup Narayan Das** examines the need for an independent Parliament Secretariat and shares the Indian experience.

This issue of *The Parliamentarian* features a wide range of news and reports from CPA and Commonwealth activities including: Fifth World Speakers Conference in Vienna; International Democracy Day; 50<sup>th</sup> CPA British Islands and Mediterranean Regional Conference in Northern Ireland; 2021 CPA Australia and Pacific Regional Conference in Perth, Western Australia; 51<sup>st</sup> CPA Africa Regional Conference in Nigeria; Pacific Tai a Kiwa Speakers, Presiding Officers and Clerks virtual conference; second Virtual Commonwealth Youth Parliament; and 17<sup>th</sup> Conference of Speakers and Presiding Officers of the Commonwealth Africa Region in Rwanda.

Commonwealth Women Parliamentarians (CWP) news featured in this issue includes CWP Roundtable on Gender Sensitive Parliaments for the Caribbean Region, CWP at the 2021 Reykjavik Global Forum; and the Southern African Development Community Parliamentary Forum (SADC-PF) discussion on model law on gender-based violence.

The *Parliamentary Report* and *Third Reading* section in this issue includes parliamentary and legislative news from Canada Federal; British Columbia; Trinidad and Tobago; India; New Zealand; the United Kingdom; and Australia Federal.

We look forward to hearing your feedback and comments on this issue of *The Parliamentarian*, on the issues affecting Parliamentarians across the Commonwealth and to receiving your future contributions to this publication.

Jeffrey Hyland  
Editor, *The Parliamentarian*  
editor@cpahq.org

## NEW BOOK EXPLORES PARLIAMENT BUILDINGS OF THE COMMONWEALTH TO MARK THE COMMONWEALTH PARLIAMENTARY ASSOCIATION'S 110<sup>TH</sup> ANNIVERSARY

To mark the 110<sup>th</sup> anniversary of the Commonwealth Parliamentary Association in 2021, the CPA has published a special anniversary book showcasing over 180 Parliament buildings around the Commonwealth and giving an insight into their varied histories.

The book features a special message from the CPA's Patron, Her Majesty Queen Elizabeth II, Head of the Commonwealth, who congratulated the Association on its anniversary year. The Queen has visited almost every Parliament building in the Commonwealth during her long reign.

The CPA was founded on 18 July 1911 as the Empire Parliamentary Association by Members of Parliament from the United Kingdom, Australia, Canada, New Zealand, Newfoundland and South Africa. 110 years later, the membership of the CPA, which succeeded the Empire Parliamentary Association in October 1948, has grown to more than 180 Parliaments and Legislatures across the 54 countries of the 'modern' Commonwealth. Physically, in their composition and in the way they operate, the Parliaments of today are virtually unrecognisable from the Parliaments of 1911.

This commemorative book features more than 180 Commonwealth Parliaments and Legislatures at national, state, provincial and territorial level amongst the CPA's membership and includes information about each Parliament, as well as over 350 photographs of their buildings and chambers.

The CPA Secretary-General, Stephen Twigg said: "*Over the decades, the Commonwealth Parliamentary Association has experienced a transformation in our membership to a more diverse composition which better reflects the people that we aim to represent. During this time, the Parliament buildings of the Commonwealth have adapted to meet the requirements of the modern world, while, at the same time, maintaining heritage buildings and Parliamentary Chambers. This special 110th anniversary book showcases their remarkable histories.*"

All of the 180 Parliaments and Legislatures in the CPA's membership will be sent a copy of the book for their Parliamentary libraries. Copies will also be available to purchase from the CPA Headquarters Secretariat.

'Parliament Buildings of the Commonwealth'

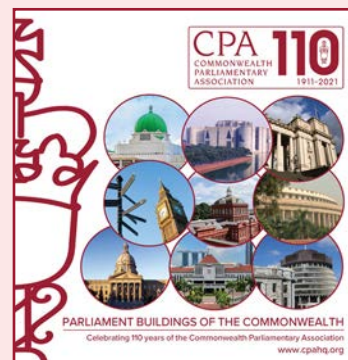
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To purchase a copy of the book please email [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org).





**Acting Chairperson of the  
CPA Executive Committee,  
Hon. Ian Liddell-Grainger, MP,  
Member of the Parliament of  
the United Kingdom**

## THE CHALLENGES AND BARRIERS FACING PEOPLE WITH DISABILITIES IN THE COMMONWEALTH: WHAT ROLE CAN THE CPA PLAY?

**The *Acting* CPA Chairperson reflects on the theme for this issue of *The Parliamentarian* as well as reporting from his recent visits to COP26 and the CPA Africa Regional Conference.**

One of the CPA's greatest strengths is our convening power: our ability to bring together a plethora of individuals and their experiences, to enrich our political dialogue and help drive our mission forward. This shared space for innovation and dynamism, where all voices are equal, is crucial when it comes to looking at what role Commonwealth Parliamentarians, and the Legislatures that they belong to, can play in empowering persons with disabilities across the globe. As Parliamentarians and parliamentary staff, we all have a keen responsibility in our own jurisdictions to create and uphold disability-sensitive institutions which legislate for persons with disabilities and enable the participation of people with any disability, at all levels.

Alongside the CPA networks of the Commonwealth Women Parliamentarians (CWP) and the CPA Small Branches, the Commonwealth Parliamentarians with Disabilities (CPwD) network plays a central role in representing, advocating for and providing a platform for all voices to be heard within the CPA and the Commonwealth. Advancing people with disabilities is integral to the CPA's work and the robust and active CPwD network ensures that the full diversity of Commonwealth Parliamentarians' experiences is reflected in our activities and outputs. Over the past year we have seen the CPwD network continue to grow and develop as a key tool in progressing our work on disability and helping us to address the challenges and barriers facing people with disabilities within the Commonwealth and the wider international arena.

Indeed, the recently published CPwD Strategic Plan 2021-24 outlines how the network will work to encourage Commonwealth Parliaments to enable effective and full participation of persons with disabilities at all levels. I have every faith that our new CPwD Chairperson and Member of the National Assembly of Kenya, Hon. Dennitah Ghati MP, will lead the network from strength to strength during her tenure and I very much look forward to working alongside her in this endeavour. In my role as Acting CPA Chairperson, I hope to help our CPA networks to remain strong, vocal and responsive advocates for those whom they aim to represent. In addition to the CPwD network and its workstreams,

disability is one of the six cross-cutting themes featured in our CPA Strategic Plan 2022-2025. In highlighting disability in this way, we are committing the CPA to mainstreaming disability awareness and sensitivity throughout our operations and workstreams. We will work to ensure that it is fully integrated across the CPA Secretariat's ways of working and that the cross-cutting theme of disability underpins the development and delivery of all CPA budgets, programmes, communications, partnerships and evaluation methods. Through mainstreaming the theme of disability in our work and decision-making processes, we hope to create a more inclusive, responsive and relevant organisation.

Furthering the effort to advance the CPA networks and as a member of several All-Party Parliamentary Groups in the UK Parliament, I also attended the recent COP26 held in Glasgow, Scotland. In line with further cross-cutting themes of Sustainable Development and Climate Change, COP26 was a crucial opportunity for Commonwealth countries and beyond, to commit to and pledge further climate change action. My arrival in Glasgow was deliberately timed to avoid the rush of world leaders and the attendant global publicity surrounding their presence. I arrived at the conference when the international trail of Presidents and Prime Ministers had departed, and the serious duty of negotiations had got under way. This visit provided me with a much clearer grasp of the myriad of critical issues at stake and the considerable dedication of those from our community of Commonwealth nations who were on hand to keep one another and the outside world informed about their different needs. It is, perhaps, far too easy to ignore the role of smaller countries in striving to avert catastrophic climate change. There is clearly a genuine will to succeed though it may not always be matched by the ability of everyone, to reach some of the more ambitious targets. Nevertheless, the pledges, final declarations and carefully agreed communiques are surely lasting testimony to the hard work of a great many negotiators. COP26 was never going to provide a magic remedy for the world's past adherence to carbon, but it has left a vital set of future goals for every nation to aim at and – hopefully – to achieve.

Following on from my attendance at COP26, I was delighted





to join the CPA Secretary-General and Deputy Secretary-General to speak at the 51<sup>st</sup> CPA Africa Regional Conference, held in Abuja, Nigeria. The Regional Conference included a programme of workshops examining COVID-19 challenges through a range of thematic lenses, including gender, youth and sustainable development, on the theme of *'African Parliaments and the Challenge of the COVID-19 Pandemic'*. Throughout the programme, we held several bilateral meetings, most notably with Hon. Femi Gbajabiamila, Speaker of the House of Representatives of Nigeria and President-designate of the CPA Africa Region; Hon. Zakariya'u Galadima, MP, Chairman of the House Committee on Inter-Parliamentary Affairs (Nigeria); and the CPwD Chairperson, Hon. Dennitah Ghati, HSC MP (Kenya).

The commitments of the CPA Africa Regional Conference

are reflected in several of the CPA Strategic Plan's cross-cutting themes, and it was a pleasure to see our colleagues in Africa driving forward the CPA's mission of advancing good governance and promoting democracy in these continuing difficult times. As we come to the end of this year and look ahead to the next, I am full of pride of the CPA's achievements this past year and look forward to the implementation of the Strategic Plan. I also hope to see more CPA colleagues in 2022 at the upcoming Mid-Year CPA Executive Committee meeting, due to be hosted by the CPA Assam Branch in India and at the 65<sup>th</sup> Commonwealth Parliamentary Conference, due to be held in Halifax, Nova Scotia, hosted by the CPA Canada Region.

### COMMONWEALTH PARLIAMENTARIANS CONVENE IN NIGERIA TO DISCUSS COVID-19 CHALLENGES AT 51<sup>ST</sup> CPA AFRICA REGIONAL CONFERENCE

From 9 to 13 November 2021, Commonwealth Parliamentarians from across Africa met in Abuja, Nigeria to attend the 51<sup>st</sup> Commonwealth Parliamentary Association (CPA) Africa Regional Conference on the theme of *'African Parliaments and the Challenge of the COVID-19 Pandemic'*. The main programme included workshops examining COVID-19 challenges through a range of thematic lenses, including gender, youth and sustainable development.

At the official opening ceremony, the Vice-President of the Federal Republic of Nigeria, His Excellency Prof Yemi Osinbajo, delivered the keynote address stressing the importance of the institution of Parliament in promoting democracy and fostering economic development. He also called on international leaders to put in place appropriate transitional climate change arrangements for Africa, saying: *"the international community must meet its pledges to Africa and the developing world in terms of financing and technology, to support mitigation and adaptation to climate change."*

In his welcome address, the Speaker of the House of Representatives of Nigeria and President-designate of the CPA Africa Region, Hon. Femi Gbajabiamila MP, appealed for full integration in Africa, taking advantage of the available regional legislative instruments to have a common passport, market and a single customs and monetary union. Hon. Christopher Kalila, MP (Zambia) addressed delegates on behalf of the CPA Africa Region Executive Committee, whilst Hon. Dr Zainab Gimba, MNA (Nigeria), as Commonwealth Women Parliamentarians (CWP) Africa Regional Chairperson, called for greater focus on gender inclusion and women's participation in political, social, economic and development processes.

The Acting CPA International Chairperson, Hon. Ian Liddell-Grainger, MP (United Kingdom) attended the Regional Conference in person as part of a CPA Secretariat delegation, alongside the CPA Secretary-General, Stephen Twigg and CPA Deputy Secretary-General, Jarvis Matiya. Speaking at the opening ceremony, the Acting CPA Chairperson reiterated the CPA's commitment to continue pushing for a change in the legal status of the CPA, whilst the CPA Secretary-General took the opportunity to welcome back several Nigerian sub-national Legislatures that have recently been re-admitted to the CPA's membership.

In the sidelines of the Africa Regional Conference, the CPA Secretariat delegation also held bilateral meetings with: the Speaker of the Nigeria House of Representatives and Hon. Zakariya'u Galadima, MP, Chairman of the House Committee on Inter-Parliamentary Affairs; the Chairperson of the Commonwealth Parliamentarians with Disabilities (CPwD), Hon. Dennitah Ghati, HSC MP (Kenya); as well as various delegations from across the CPA Africa Region.

The CWP Africa Region also convened for a Regional Steering Committee meeting and a gender-sensitisation workshop. The African Region of the Society of Clerks-at-the-Table (SoCATT) in Commonwealth Parliaments also held its Annual General Meeting in the margins of the Regional Conference.

The CPA Africa Region is one of nine CPA Regions across the Commonwealth, and it comprises 63 national and subnational Legislatures.





Commonwealth Women Parliamentarians (CWP) Chairperson,  
Hon. Shandana Gulzar Khan, MNA, National Assembly of Pakistan

## ADVANCING WOMEN AND GIRLS WITH A DISABILITY

The headlines on a normal day are never:

*“One in five women live with a disability globally; An estimated one in four households has a person with disabilities; Women are more likely than men to become disabled throughout the course of their lives; Women comprise up to three-quarters of persons with disabilities in low and middle-income countries; Prevalence of disability is higher among marginalised populations and people in rural areas.”*<sup>1</sup>

In developing countries in the Commonwealth, three out of four disabled people are women. But why is that never the in the headlines in our mainstream media? This means that one fifth of the world's population is bound to one or another piece of medical equipment for survival.

Instead, I am rather perplexed to see huge advertising billboards in Times Square, Oxford Street, the Champs Elysees and many other places showing young, emaciated girls wearing eight-inch heels and we are supposed to take a worldly or liberal view - as the ultimate symbol of emancipation and of woman's power.

How sensible, how civilized, how depressing.

Other than the broken chair outside the UN HQ in Geneva paying tribute to disabled/wheelchair bound victims of landmines, where is the global hue and cry for recognising that there are those amongst us that do not see disabled persons as people, they are just extras in the 'game of life' as we know it.

But back to the basics, why do we use the word 'disability'? Are we differentiating the world between the able and the unable? And if so, to what end? Ironically, the realisation of the issues faced by both women and girls with disabilities is linked to SDG 5, part of the UN's Agenda2030, as it seems to be the only avenue where we have a solid chance to both gather data and figure out how each one of the goals will contribute towards the agenda.

### What links disability and the Sustainable Development Goals?

The United Nations Convention on the Rights of Persons with Disabilities (CRPD) came into force as late as 2006 and is one of nine core international human rights treaties, including 33 core articles covering all areas of life. Today, the Convention has 164 signatories and 182 ratifications or accessions. Whereas the optional protocol has 94 signatories and 96 Ratifications/Accessions.<sup>2</sup> Agenda 2030 or the SDG's as they are widely known, have 11 explicit references to persons with disabilities, and disaggregation of data by disability is a core principle. By way of example, in 2018:

- 23.7% of persons with disabilities (aged 16 to 64) were at risk of financial poverty vs. 15.3% of persons without disabilities (Goal 1).
- Only 20.5% of persons with some or severe activity limitation (aged 16 years or over) had a very good or good self-perceived health vs 84.1% of persons without disabilities (Goal 2).
- 29.4% of women with disabilities (aged 16 or over) were at risk of poverty or social exclusion vs. 27.5% of men with disabilities.
- Employment rate of women with disabilities (aged 20 to 64) was 47.8% vs. 54.3% employment rate of men with disabilities. (Goal 5)<sup>3</sup>

The text of the 2030 Agenda and the SDGs can be interpreted through the lens of the UN CRPD in the following ways:<sup>4</sup>

- All references to 'equal' must be underpinned by CRPD article 5, which promotes equality of opportunity and non-discrimination of persons with disabilities.
- References 'for all' include all persons with disabilities - people with different types of impairments and support requirements; women with disabilities (CRPD article 6) and children with disabilities (CRPD article 7).
- All references to 'access' or 'inclusion' can be fulfilled by article 9 of the CRPD on accessibility which requires governments to take action to ensure persons with disabilities have the right to independent living and participate in all aspects of life.
- All references to 'those in vulnerable situations' include the right of protection and safety of persons with disabilities in situations of risk, natural disasters and humanitarian emergencies (CRPD article 11).
- All progress made by the SDGs must be monitored through disability disaggregated data (CRPD article 31).
- All references to 'development and/or least developed countries' relate to international cooperation and partnerships (CRPD article 32).

### Women and Girls: SDG 5 Equality and empowerment

*“Jane Eyre, after marrying the blind and crippled (one hand has been amputated) Rochester exclaims to the reader that she became his vision and never did I weary of gazing for his behalf ... never did I weary of reading to him; of doing him what he wished to be done.”*

*“Ayaconara, the heroine of Charles Kindsley's novel Westward Ho! (1855) throws herself on her knees at the feet of her blinded hero, sobbing that she cannot bear to see him weep and begging him. Only let me fetch and carry for you, tend you, feed you, lead*



*you, like your slave, your dog! Say that I may be your slave.*<sup>45</sup>

This description is not far away from what is currently still being practiced in the developing world, mostly due to left over cultural taboos but more so, abject poverty. However, fast forward to the modern world, what would equality and empowerment look like for women and girls with disabilities themselves? While the above excerpt describes mostly male protagonists with disabilities, in the (hopefully modern world) is changing our lens.

## CRPD and its coverage of disability: the legal rights therein

Article 6 of the CRPD is what provides recognition that women and girls with disabilities are subjected to multiple discrimination. The elimination of harmful practices requires effective women and child-focused legislation and policies as outlined in article 16 of the CRPD; the provision of social protection policies is covered by article 28 of the CRPD; the right to participation in political and public life relates to article 29 of the CRPD; the right to the same range and quality and standard of free or affordable sexual and reproductive health is recognised in article 25 of the CRPD; the right to reproductive and family planning is ensured through respect for home and family (CRPD article 23); women's right to ownership over land, property and inheritance is acknowledged in CRPD article 12's right to equal recognition before the law; and the right to accessible information and communications for women and girls is outlined in article 21 of the CRPD; the promotion of gender equality for women and girls with disabilities is recognised in article 8 of the CRPD on awareness-raising, in addition articles 5, 7, 9 and 31 are applicable.

## Advancing the cause: the targets of SDG5

For gender equality and empowerment to become a reality for all women and girls, it is important that the concerns of women and girls with disabilities are mainstreamed across the entire SDG framework, and also across both national action plans and budgets. These have to be further considered across all targets for SDG 5 as has been done by the CRPD.

**Target 5.1** can thus be seen as: Women and girls with disabilities often lack legal capacity and have reduced power and status in relationships, households and communities, and are more likely to face discrimination than men and boys with disabilities and women and girls without disabilities.<sup>6</sup>

**Target 5.2:** While affecting women generally, women and girls with disabilities are disproportionately at risk of violence due to factors relating to systemic discrimination and stigma. This is compounded by poverty, social isolation and political marginalization; inadequate services and support systems that lack awareness, training and capacity; lack of access to justice, and disabling, inaccessible and hostile environments. Women and girls with disabilities are often targeted for their perceived powerlessness and vulnerability, mostly by men they know and rely on for care, support and companionship in dependent professional and personal relationships.<sup>7</sup>

**Target 5.3:** Women and girls with disabilities are two to three times more likely to be child brides, experience early pregnancy and female genital mutilation; they are subjected to specific harmful practices, like 'virgin testing', and 'virgin rapes', relating to myths about HIV and AIDS; neglect linked with preferential care and treatment of boys; extreme dietary restrictions; and infanticide,

forced sterilization and abortion, commonly justified by ill-informed cultural and paternalistic interpretations of disability.<sup>8</sup>

**Target 5.4:** Women and girls with disabilities depend on others for care, but are often also caregivers themselves. They are therefore disproportionately affected by the lack of recognition and social support for unpaid care and domestic work. In addition, stereotypical views of women with disabilities as 'unfit' mothers may lead to the termination of parental rights by social service agencies or in child custody and protection proceedings following divorce.<sup>9</sup>

**Target 5.5:** Women with disabilities face numerous environmental, attitudinal and other barriers to political participation, and consequently remain largely excluded from decision-making and advocacy processes about issues that affect their lives. Their views are often ignored or disregarded in favour of 'experts', 'professionals', parents, guardians and carers. Enabling environments are essential to promoting political participation, which in turn may result in public policy that is more disability-inclusive.<sup>10</sup>

**Target 5.6:** The lack of access to sexual and reproductive health and rights is among the most pressing concerns for women and girls with disabilities; they are often not enabled to make their own informed decisions regarding sexual relations, contraceptive use and reproductive health care.<sup>11</sup>

## Thoughts on advancing women and girls with disability at the CPA

At the most recent 64<sup>th</sup> Commonwealth Parliamentary Conference held in Kampala, Uganda in September 2019, I had the honour to meet with Hon. Dennitah Ghati, HSC MP, who recently became the current Chairperson of the Commonwealth Parliamentarians with Disabilities (CPwD) network, while she spoke passionately at a workshop asking why the CPA did not have a disabilities network of its own? Are Parliamentarians spared from the vagaries of life and all the accompanying challenges that only a 'regular' disabled person feels? Or are we to remain silent till someone feels sorry for us. Why is it not right to be heard and seen for what we are? Able-women with bodies that do not support the way abled peoples do?

Either way, I swell with pride that this network happened during the tenure of our former CPA Chairperson, the late Madame Emilia Monjowa Lifaka. I hope that the CPwD, the CWP and the CPA overall go from strength to strength as we take small steps to deal with the reality of having a different body but the same life goals and dreams.

*This View article is dedicated to the memory of the late Hon. Emilia Mojowa Lifaka (1959-2021), former Chairperson of the Commonwealth Parliamentary Association.*

## References:

<sup>1</sup> <https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2019/10/Making-SDGs-count-for-women-with-disabilities.pdf>

<sup>2</sup> <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

<sup>3</sup> [https://disabilityhub.eu/sites/disabilityhub/files/sdg\\_anniversary\\_23092020.pdf](https://disabilityhub.eu/sites/disabilityhub/files/sdg_anniversary_23092020.pdf)

<sup>4</sup> <https://www.globaldisabilityrightsnow.org/infographics/link-between-sustainable-development-goals-and-crpdp>

<sup>5</sup> "Health, Women and Society in Victorian England" by Mary Wilson Carpenter

<sup>6</sup> <https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2019/10/Making-SDGs-count-for-women-with-disabilities.pdf>

<sup>7 8 9 10 11</sup> Ibid





**Acting Chairperson of the CPA Small Branches, Joy Burch, MLA, Speaker of the Legislative Assembly of the Australian Capital Territory**

# CPA SMALL BRANCHES AND DISABILITIES

Both the CPA Small Branches and Commonwealth Parliamentarians with Disabilities (CPwD) networks can learn a lot from each other. In the pursuit of sustainable human development in small jurisdictions, sharing the collective experience of persons with disabilities both within and outside Parliament can be aided through the CPA and the great convening power of its networks.

Small jurisdictions face many unique challenges to their sustainable development, from more extreme impacts to climate change, reliance of international trade, vulnerability to external shocks, and resource constraints. Yet other issues are shared across all CPA Legislatures and that includes the continued under representation of persons with disabilities in Commonwealth Parliaments.

In addition to issues around representation, the rights of persons with disabilities have implications across many areas of public policy. The recent COP26 climate summit has shone a greater spotlight on the urgent and wide-ranging response needed to combat climate change. This is particularly the case for small jurisdictions who are on the frontline of the climate crisis, facing threats from sea level rise to more extreme weather events. Yet climate change and its impacts represent another area where the basic rights of persons with disabilities often gets overlooked. Take for example, disaster preparedness planning. Adequate shelters and protections often lack the appropriate facilities to comfortably accommodate all members of a community. This makes the

**“Small jurisdictions face many unique challenges to their sustainable development, from more extreme impacts to climate change, reliance of international trade, vulnerability to external shocks, and resource constraints. Yet other issues are shared across all CPA Legislatures and that includes the continued under representation of persons with disabilities in Commonwealth Parliaments.”**

experience of a hurricane or other natural disaster, already a destabilising one, even more so for persons with disabilities. I suspect this example reflects one of many, but less well known, barriers faced by persons with disabilities in small jurisdictions in exercising their rights.

According to the World Bank<sup>1</sup>, one billion people, or 15% of the world's population, experience some form of disability. Persons with disabilities, on average as a group, are more likely to experience adverse socioeconomic outcomes than persons without disabilities. The UN's 2030 Agenda for Sustainable Development clearly states that disability cannot be a reason or criteria for lack of access to development programming and the realisation of human rights. The Sustainable Development Goals (SDGs) framework includes seven targets, which explicitly refer to persons with disabilities, and six further targets on persons in vulnerable situations, which include persons with disabilities. It is therefore important that the CPA and its networks include references to these targets within their strategic plans and forward planning.

The diversity of approaches to disability both across and within small jurisdictions also presents opportunities and challenges. For example, some jurisdictions may approach disabilities through a strictly medical lens, where different forms of physical or mental impairments differentiate between disabled and non-disabled persons. Others may emphasise a social model, focusing on the different social attitudes, norms and practices that may pose a challenge to the progress and acceptance of persons with disabilities in society. It is these differences that can often impact negatively on the progress of effective public policy or societal responses, for example by not revealing hidden inequalities that persons with disabilities often face or in not producing comprehensive data or statistics around disabilities to inform policy.

Therefore, it is essential to address the needs and concerns of persons with disabilities across areas of public policy. One way this can be most effectively achieved is through ensuring that persons with disabilities are represented across all branches of government. Especially within Parliament, where elected representatives are the conduit by which the rights, needs and challenges for all individuals - regardless of gender, age or disability - are channelled to government and the organs tasked





with determining and deliberating policy and legislation. This makes the CPwD, in working to enable the full participation of persons with disabilities at all levels, including within Parliament and across wider society, so important.

One of my priorities when becoming Acting Chair of the CPA Small Branches was to oversee more collaboration between the CPA Small Branches and the other two CPA networks, the Commonwealth Women Parliamentarians (CWP) and the CPwD. The COVID-19 pandemic has caused disruptions to the practices of the CPA networks since 2020 but with the formation of the CPwD Regional Champions and the launch of the CPwD Strategic Plan more recently, the foundations have been laid to strengthen the bonds of mutual

learning and knowledge exchange between all three networks.

This dedicated edition of *The Parliamentarian* with its particular focus on the challenges facing people with disabilities in the Commonwealth, similar to the CPA Small Branches special issue earlier in 2021, is testament to the growth of the CPwD as a newer but equal network within the CPA's structure. The expertise, diversity of opinion, and perspectives included in the following pages should help Parliamentarians to further sensitise themselves to the issues, rights and challenges for persons with disabilities across the Commonwealth.

References: <sup>1</sup> <https://www.worldbank.org/en/topic/disability>

### POPULATION ON ISLANDS' AGENDA AT SUMMIT OF CPA SMALL BRANCHES IN THE CROWN DEPENDENCIES

The CPA Jersey Branch and States Assembly has held the Crown Dependencies Network Conference, hosting Commonwealth Parliamentarians from Guernsey and the Isle of Man. Twenty-four elected representatives from the three islands met in to discuss closer co-operation in the wake of 'Brexit' and the impact of the COVID-19 pandemic. Population challenges in the three CPA Small Branches were also discussed as Jersey's rising population in recent years stands in contrast with a stable figure for Guernsey over the past decade and a decrease in the Isle of Man over the same period.

Deputy Carolyn Labey, who is the Chair of the CPA Jersey Branch, said: "We looked at population and skills, and associated issues relating to the costs of housing and a shortage of available land. The other Crown Dependencies have many similar issues and challenges, but there's no monopoly on wisdom, which is why it's so good to have the opportunity to share."

Ann Corlett MHK, one of the Isle of Man delegates, said: "Attending the event has brought home the similarities between the three Crown Dependencies and the common challenges we face." She added that in the wake of 'Brexit' it was particularly important for the three islands to work together and have a collective voice in discussions with Westminster and other national governments.

Deputy Rob Prow, President of the Committee for Home Affairs in Guernsey, said the issue of population had become even more important since the network's inaugural meeting in the Isle of Man in 2019 and all Members would benefit from sharing information.

There are three island territories within the CPA and the Commonwealth that are known as the Crown Dependencies; these are the islands of Jersey and Guernsey (which make up Channel Islands), and the Isle of Man. All three are located within the British Isles, although they are not part of the United Kingdom, but are self-governing under the British Crown.

News source: Jersey Evening Post



Image: Jon Guegan/Jersey Evening Post

### LANDMARK REPORT RECOMMENDS SIGNIFICANT REFORMS TO THE GOVERNANCE AND ADMINISTRATION OF THE ANGUILLAN HOUSE OF ASSEMBLY

In early 2021, the House of Assembly of Anguilla commissioned the Commonwealth Parliamentary Association (CPA) to conduct a review of the functions, leadership, management and administration of the House. The review focused on how the House was funded, the independence of the House from the Government and Judiciary and the resources available to Members to ensure robust and effective good governance.

Consultations were undertaken with a large cross-section of stakeholders including current and former Members, members of civil society, government and parliamentary officials and the media. In total, 28 recommendations have been proposed to reshape and significantly enhance the governance, independence and administration of the Anguilla House of Assembly. The concluding report also proposes greater financial independence of the House, stronger leadership from Members on the governance of the House, increased staffing support for research and legislative scrutiny and enhanced public outreach and engagement. The report also has broader constitutional ramifications which should be taken into consideration as part of the ongoing constitutional review process. The review and concluding report form part of a long-term technical assistance programme between the House of Assembly and the CPA. The programme seeks to implement key outcomes from the CPA Recommended Benchmarks Assessment which took place in 2020. The programme has so far supported the updating of the House of Assembly's Rules of Procedure through its Standing Orders.



The CPA Secretariat technical team are pictured at the Anguilla House of Assembly where they supported the review of the administration and governance of the House with the Speaker, Clerk and parliamentary staff.



Secretary-General of the  
Commonwealth Parliamentary  
Association, Stephen Twigg

## DISABILITY IS A KEY PRIORITY FOR THE COMMONWEALTH

Disability is a priority cross-cutting theme in the CPA's new Strategic Plan adopted earlier this year to cover the period between 2022 and 2025. I look forward to working with all our CPA Branches, our CPA Regions and the Commonwealth Parliamentarians with Disabilities (CPwD) network to do all we can to promote inclusion for persons with disabilities throughout the Commonwealth. Our work in this area has three strands:

- Supporting and empowering Parliamentarians with disabilities and parliamentary staff with disabilities in their work.
- Providing practical assistance and advice to all CPA Branches so that they follow the best inclusive practice in their Legislatures.
- Working in partnership with others to support the empowerment of persons with disabilities in line with the UN Convention on the Rights of Persons with Disabilities.

CPwD's work is overseen by nine Regional Champions. In the last edition of *The Parliamentarian*, I thanked Kevin Murphy from Nova Scotia for his work as the first Chair of CPwD and I took the opportunity to congratulate Hon. Dennitah Ghati MP from Kenya who is now the CPwD Chair. In October, I was delighted to join (albeit virtually) the CPwD Africa Regional Conference held in Kenya. It was an excellent event from which I am sure other CPA Regions will learn as we work together to focus on disability rights.

In February 2022, the Governments of Norway and Ghana will join the International Disability Alliance as co-hosts of the second Global Disability Summit. The Summit is an important opportunity to build upon the outcomes of the first Summit held in London in 2018. Of course, since then we have had the COVID-19 pandemic which has served to underline and reinforce the existing patterns of inequality and exclusion affecting persons with disabilities throughout the world.

The vision set out in the United Nations Agenda 2030 and the Sustainable Development Goals (SDGs) has at its heart the principle of 'leaving no-one behind'. We know that persons with disabilities are often the most likely to be left behind when it comes to key issues like poverty, access to quality education and the opportunity to participate fully in society. The CPA has a responsibility and an opportunity to help equip our Members with the support needed to play their part in overcoming the various barriers to the full inclusion of persons with disabilities whether that is in Parliaments, in wider society or in the economy.

Disability features in several of the SDGs. Goal 4 concerns

access to high quality education. We know that children and young people with disabilities face multiple challenges in education systems throughout the world. The task of overcoming these barriers has become even harder because of the impact of school and college closures associated with the COVID-19 pandemic. As Hon. Dennitah Ghati wrote in a piece for the International Parliamentary Network for Education (IPNEd) earlier this year, *"As an MP representing Persons with Disabilities in the National Assembly [of Kenya], I have seen first-hand how the pandemic has widened inequalities for children with disabilities. What governments do now will be critical to ensuring that children with disabilities do not fall even further behind."*

There are similar commitments to tackle disability issues in Goals 8, 10, 11 and 17 covering vital matters including access to full and productive employment and decent work; addressing inequalities both between and within countries; the importance of accessible, inclusive cities and human settlements and the vital role played by the effective use of data.

The CPA is exploring some of the ways in which we can work in partnership with others to promote disability inclusion. We are particularly keen to work with organisations like the Commonwealth Disabled People's Forum so that the concerns and priorities of persons with disabilities are reflected and prioritised fully in our work. Additionally, we are exploring a partnership with the United Nations Development Programme (UNDP) on disability inclusion. Disability will feature prominently in the CPA's work in 2022 – and beyond.

I have written previously in *The Parliamentarian* about some of the innovative ways in which CPA Members have adapted to the impact of restrictions arising from the pandemic. Technology has proved a powerful tool for inclusion, innovation and communication. I am encouraged by the significant numbers of both Parliamentarians and staff who have already signed up to our new online CPA Parliamentary Academy ([www.cpahq.org/parliamentary-academy](http://www.cpahq.org/parliamentary-academy)).

In the absence of a physical Commonwealth Parliamentary Conference (CPC) in 2020 and 2021 we have hosted a wide variety of CPC webinars bringing people together across multiple time zones. We have now held our CPA Executive Committee successfully online three times and we have had two superb



virtual meetings of the Commonwealth Youth Parliament.

As international travel has restarted for some in recent months, I am finding that the CPA is now engaged in a healthy mix of events – some in-person, some fully online and some combining the two with a hybrid format. In the past three months, I have been able to attend two CPA Regional Conferences in person – the 51<sup>st</sup> CPA Africa Regional Conference in Abuja, Nigeria, and the 50<sup>th</sup> CPA British Islands and Mediterranean Regional Conference in Belfast, Northern Ireland. Equally, it was great to attend virtually the joint CPA Regional Conference of our CPA Australia and CPA Pacific Regions which was held using a hybrid format (there was also a hybrid element in Belfast with the Scottish Parliament joining remotely). I look forward to similar meetings using different formats in 2022. Of course, it will be wonderful to see people, in person, at the Commonwealth Parliamentary Conference (CPC) in Canada in August 2022 – our first CPC since Kampala in 2019.

There are many benefits to meeting in person, especially after a long period when this was not possible. However, one lesson from 2020 and 2021 is that we have been able to adapt when we need to. In September 2021, the CPA Executive Committee (ExCo) agreed that our 2024 Mid-Year ExCo meeting will be held virtually following in-person meetings in Assam and Gibraltar in 2022 and 2023 respectively. For smaller meetings, a virtual or hybrid format can be very effective and, of course, this also saves money and reduces our carbon emissions. I am keen to hear views from our CPA Branches and Regions about how we best strike the right balance between physical, virtual and hybrid events in the future.

Another of the cross-cutting themes in the Strategic Plan is Technology and Innovation. An important part of the CPA's work is to enable Members to learn from each other, share best practice and foster innovation. It is also crucial that we practice what we preach. Technology enables us to keep in touch with each other in a variety of different ways. I know that this publication, *The Parliamentarian*, has long been a source of information, discussion and knowledge-sharing. This year has also seen the CPA launch our new website, the CPA Parliamentary Academy and a regular podcast ([www.cpahq.org/knowledge-centre/cpa-podcast](http://www.cpahq.org/knowledge-centre/cpa-podcast)). Recently, I recorded a CPA podcast with the former Prime Minister of Australia and current Chair of the Wellcome Trust, Julia Gillard, in which she reflected on a range of important issues including the COVID-19 pandemic, women's political leadership and issues around mental health.

As 2021 draws to a close, I find myself reflecting again on the pandemic. In my first *'View from the CPA Secretary-General'* in early 2020, I wrote about the “devastating impact” of COVID-19 on “families and communities” internationally and I said that “our thoughts are with all those who have lost loved ones as well as others who are living with or recovering from the virus.”

As we approach 2022, these sentiments remain relevant today. Let us hope that we can work together across the Commonwealth, and beyond, to learn the lessons of the pandemic and dedicate ourselves once again to meeting the many challenges faced by Parliaments and citizens alike.

## CPA SECRETARY-GENERAL VISITS THE HOUSE OF ASSEMBLY IN THE TURKS AND CAICOS ISLANDS

The Secretary-General of the Commonwealth Parliamentary Association (CPA), Stephen Twigg, visited the Turks and Caicos Islands to meet Members and officials of the House of Assembly and CPA Turks and Caicos Branch. During the visit, which took place from 11 to 15 September 2021, the CPA Secretary-General met with the Premier of Turks and Caicos, Hon. Charles Washington Misick; the Speaker of the House of Assembly and CPA International Executive Committee Member for the Caribbean, Americas and Atlantic Region, Hon. Gordon Burton, MP; Leader of the Opposition, Hon. Edwin A. Astwood, MP; Minister of Infrastructure, Housing, Planning & Development, Hon. Akierra Missick, MP; and the island's Governor, His Excellency Nigel Dakin CMG. The meetings provided an opportunity to discuss recent events in the Turks and Caicos, including the election held in February 2021 where several Members of the House of Assembly were either newly elected or appointed (including the Speaker and Attorney-General).

The CPA Secretary-General commented: “I am extremely pleased to be able to visit the CPA Caribbean, Americas and Atlantic Region and make my first international visit to the House of Assembly of Turks and Caicos. The CPA Branch has shown first-hand how a jurisdiction can successfully conduct an election during the COVID-19 pandemic, and their experience has provided a wealth of best practice for Members to learn from one another in the promotion of parliamentary democracy. I was very pleased to undertake this visit at a particularly pertinent time as we celebrated International Day of Democracy on 15 September. I greatly enjoyed meeting with House of Assembly Members during my visit and learning from their perspectives.”

During his visit, the CPA Secretary-General also attended a question-and-answer session with newly elected and appointed Members and, alongside the Minister for Education, Hon. Rachel Taylor, MP, was also able to visit the school where the temporary Parliament is being held while the main Assembly building, that sustained damage during Hurricane Irma, is being restored.

Turks and Caicos is an archipelago of 40 coral islands in the northern Caribbean and is a UK Overseas Territory. The CPA is the only Commonwealth body that works to strengthen Legislatures at national, state, provincial and territorial level and provides a platform to develop good parliamentary practice within the UK Overseas Territories and to share best practice with other similar Legislatures across the Commonwealth.





## COMMONWEALTH SPEAKERS DISCUSS GLOBAL PANDEMIC RECOVERY AT 'IN-PERSON' FIFTH WORLD SPEAKERS CONFERENCE IN VIENNA



The Commonwealth Parliamentary Association's Deputy Secretary-General, Jarvis Matiya, attended the Fifth World Conference of Speakers of Parliament, organised by the Inter-Parliamentary Union and hosted by the Parliament of Austria in Vienna from 6 to 8 September 2021. Many Commonwealth Speakers and Presiding Officers attended the conference which was held on the theme of *'Parliaments for peace, people and planet'* and was the first time that many Speakers and Parliamentarians have been able to gather 'in person' since the start of the COVID-19 pandemic.

The CPA Deputy Secretary-General met with the IPU's Secretary-General, Martin Chungong, who opened the conference by praising the resilience of Parliaments during the pandemic. The CPA Deputy Secretary-General also met with many Commonwealth Speakers including the Speaker of the Lok Sabha and CPA India Regional Chairperson, Hon. Om Birla, MP; and the Speaker of the Nigeria House of Representatives, Hon. Femi Gbajabiamila MP in the margins of the conference. The CPA Deputy

Secretary-General discussed potential areas of collaboration with a number of inter-parliamentary organisations at the conference including with Ambassador Luca Frattini, Director of the Secretary-General's Office at the OSCE (Organization for Security and Co-operation in Europe).

Commonwealth Women Speakers and Parliamentarians also participated in the 13<sup>th</sup> Summit of Women Speakers of Parliament to discuss gender responsive leadership, actions and the COVID-19 pandemic recovery. The discussion took place in Vienna on the day before the Fifth World Speakers Conference. Former CPA Chairperson and Speaker of the Parliament of Bangladesh, Dr Shirin Sharmin Chaudhury spoke about measures to prevent violence against women and girls at the Summit of Women Speakers of Parliament.

## COMMONWEALTH PARLIAMENTARIANS RELAUNCH CPA SOUTH AFRICA BRANCH

Members of the Parliament of South Africa have held a virtual relaunch of the South Africa Branch of the Commonwealth Parliamentary Association and the Chapter of the Commonwealth Women Parliamentarians (CWP). The Parliament of South Africa is a bicameral Legislature and consists of two Houses: the National Assembly and the National Council of Provinces (NCOP).

The virtual launch was convened by Hon. Solomon L. Tsenoli MP, Deputy Speaker of the National Assembly of South Africa, who is also a representative of the CPA Africa Region on the International CPA Executive Committee. Members of Parliament from the CPA South Africa Branch first heard from Hon. Amos N. Masondo, Chairperson of the National Council of Provinces and Joint CPA South Africa Branch President, about the strategic significance of the launch. He said: *"Our overall purpose is to build an informed parliamentary community that is able to contribute to deepening the Commonwealth's democratic commitments and to further cooperation amongst its Parliaments and Legislatures."*

Guest speakers at the virtual launch event included:

- Hon. Dr Grace Naledi M. Pandor MP, Minister of International Relations and Cooperation, who spoke about the role of South Africa in multilateralism, with a specific emphasis on the engagement of both the Legislature and the Executive with different Commonwealth structures including the CPA.
- The Chairperson of the CPA Africa Region, Rt Hon. Justin B. Muturi EGH MP, Speaker of the National Assembly of the Parliament of Kenya, joined the event by video link and highlighted the progress made in transforming the CPA both internationally and across the wider Region.



- Hon. Angela Thoko Didiza MP, Minister of Agriculture and Land Reform and former Chairperson of the CWP Africa Region, gave her reflections on the role of South Africa in the wider CWP.
- Hon. Adv Lindiwe Maseko gave a historical perspective of the CPA and CWP and recalled her experiences as a former Chairperson of the CPA Africa Region and the first International Chairperson of the Commonwealth Women Parliamentarians.

At the meeting, Adv M. E. Phindela, Secretary to the National Council of Provinces of South Africa, was endorsed as the CPA South Africa Branch Secretary.

South Africa was one of the six original founding Members of the now Commonwealth Parliamentary Association in 1911. The CPA South Africa Branch was first established in 1912 and later re-joined the CPA in January 1995 following a period of absence.

For the latest CPA and Commonwealth news please visit [www.cpahq.org](http://www.cpahq.org) or follow the CPA on social media - Twitter @CPA\_Secretariat | Facebook.com/CPAHQ | LinkedIn | Instagram @cpa\_secretariat



## CPA LAUNCHES 'DEMOCRACY LOOKS DIFFERENT' BLOG SERIES TO MARK INTERNATIONAL DAY OF DEMOCRACY 2021

International Day of Democracy, held each year on 15th September, is 'an opportunity to review the state of democracy in the world.' To mark the day, the Commonwealth Parliamentary Association (CPA) launched a blog series, titled '*Democracy Looks Different: How the pandemic changed Commonwealth democracies.*' The blog articles review how Commonwealth democracies have changed the way that they operate in the last year, examining the lessons learned and forming a picture of what post-pandemic democracies might look like.

Topics include campaigning during a lockdown, postponing elections, online voting, and livestreaming of parliamentary sittings, with case studies and examples from across the Commonwealth, from small jurisdictions such as Guernsey and Turks and Caicos Islands to the biggest chambers in the Commonwealth, like the Lok Sabha of India and the UK House of Lords.

Visit [www.cpahq.org/knowledge-centre/cpa-blogs](http://www.cpahq.org/knowledge-centre/cpa-blogs).



## CPA EXECUTIVE COMMITTEE HOLD VIRTUAL MEETINGS TO ADDRESS KEY GOVERNANCE ISSUES

The CPA Executive Committee held its third fully virtual meeting from 28 to 30 September 2021 chaired by the Acting Chairperson of the Executive Committee, Hon. Ian Liddell-Grainger, MP (UK) assisted by the CPA Secretary-General, Stephen Twigg. The CPA Executive Committee represents the nine regions of the CPA - Africa; Asia; Australia; British Islands and Mediterranean; Canada; Caribbean, Americas and Atlantic; India; Pacific; South-East Asia.

The Acting Chairperson of the CPA Executive Committee said: "*The Commonwealth Parliamentary Association provides a unique platform for inter-parliamentary dialogue to take place amongst its membership of 180 Member Parliaments and Legislatures. Although the CPA Executive Committee is meeting virtually once again this week, we look forward to meeting in person and furthering the CPA's work in strengthening parliamentary democracy across the Commonwealth.*"



**CPA EXECUTIVE COMMITTEE**  
28 to 30 September 2021 - Day One



[www.cpahq.org](http://www.cpahq.org)

## PARLIAMENTARY CLERKS FROM THE CPA AFRICA REGION'S SOCIETY OF CLERKS-AT-THE-TABLE MEET IN KENYA TO DISCUSS ADAPTIVE PARLIAMENTS

Parliamentary Clerks from the CPA Africa Region have met for the Fifth Society of Clerks-at-the-Table (SoCATT) Africa Region Professional Development Seminar in Nairobi Kenya from 22 to 24 October 2021, hosted by the Parliament of Kenya and CPA Kenya Branch. The three-day seminar was held on the theme of '*Promoting adaptive programming in Parliamentary settings as a response to emergency and emerging global, regional and national challenges.*'

Delegates were led by the Chairperson of the SoCATT CPA Africa Region, Mrs Cecilia N. Mbewe, Clerk of the National Assembly of Zambia with Clerks and parliamentary staff attending from a wide range of jurisdictions across the CPA Africa Region including Ghana, Uganda, South Africa, Eswatini, Namibia and Kenya. The seminar was officially opened by the Chairperson of the CPA Africa Regional Executive Committee, Rt Hon. Justin B. Muturi, EGH, MP, Speaker of the National Assembly of Kenya, who gave the keynote address on the need for modern Legislatures to promote innovative processes to respond to the emerging global, regional and national challenges. The seminar also heard from the Clerk of the National Assembly of Kenya, Mr Michael Sialai and the Clerk of the Kenya Senate, Mr Jeremiah Nyegenye.

The Society of Clerks-at-the-Table (SoCATT) Africa Region provides a network for the sharing of best parliamentary practice amongst the Commonwealth Legislatures in the region.







## POST-PANDEMIC PARLIAMENTS ON THE AGENDA AT 50<sup>TH</sup> CPA BRITISH ISLANDS AND MEDITERRANEAN REGIONAL CONFERENCE IN NORTHERN IRELAND

Parliamentarians and parliamentary staff from the Commonwealth Parliamentary Association (CPA) British Islands and Mediterranean (BIM) Region attended the annual Regional Conference in Belfast, Northern Ireland from 21 to 22 September 2021.

The CPA Regional Conference, hosted by the Northern Ireland Assembly, focussed on the theme of 'Post-Pandemic Parliaments'. Across the course of two days, the Acting CPA Chairperson, Hon. Ian Liddell-Grainger MP (UK), the CPA Secretary-General, Stephen Twigg, and more than 50 Speakers, Members of Parliament, Clerks, and officials participated in a series of workshops on the impact that COVID-19 will have on the future of parliamentary democracy. Sessions explored topics such as emergency legislation, the future of hybrid Parliaments, and vaccine responses, acknowledging the common challenges that the pandemic continues to pose for Parliaments and Legislatures in the Region and elsewhere in the Commonwealth.



At the opening of the CPA Regional Conference, delegates were welcomed to Northern Ireland by Alex Maskey MLA, Speaker of the Northern Ireland Assembly and President of the CPA Northern Ireland Branch who said: *"The impact of the COVID-19 pandemic on the world, and all our individual jurisdictions, has been unlike anything in living memory. The Northern Ireland Assembly, like all legislatures, had to review its procedures almost overnight and adapt and innovate at speed to ensure that the essential legislative, scrutiny and accountability functions of the Assembly could continue. This Conference provides an opportunity to assess and share experience about how parliamentary institutions have adapted to this emergency situation and consider lessons to inform us as we hope to increasingly focus on the pandemic recovery."*

The CPA Regional Conference expanded upon existing work done by Branches both within the Region and across the entire Association. COVID-19 is the 2020/2021 Strategic Theme for the CPA BIM Region and in August a report was published examining the lessons that Parliaments can learn from the different responses to COVID-19 across the Region. During the Regional Conference, CPA Secretary-General outlined how the CPA is supporting Parliaments to lead the pandemic recovery and said: *"Mutual learning is a crucial part of the response to the pandemic and at the core of the mission of the CPA. To make Parliaments stronger, more effective and fully independent, we must learn from each other. The CPA will continue to provide a forum for Parliamentarians and parliamentary staff to come together and share their ideas and strategies as the pandemic recovery continues."* The CWP BIM Steering Committee also met to discuss upcoming activities and the network's ongoing efforts to make Parliaments more gender-sensitive institutions.

Throughout 2021, the Northern Ireland Assembly has been marking 100 years since the creation of Northern Ireland and the first sitting of the old Northern Ireland Parliament. To mark the Anniversary, the Assembly hosted a series of Virtual Lectures on the history of Northern Ireland, and a Parliament Buildings Open Day, featuring an exhibition on '100 Years of Women Members'. At the conclusion of the Regional Conference, Hon. William Humphrey MBE MLA, Chairperson of the CPA Northern Ireland Branch, said: *"I hope that this Regional Conference has shown that Northern Ireland is a changing place. It's for all of us to work together, in Northern Ireland and in the Commonwealth, to share information to ensure that the challenges we face will be met together. Our different experiences will make us stronger together as Members of the CPA."*

All images credit: Northern Ireland Assembly.



For the latest CPA and Commonwealth news please visit [www.cpahq.org](http://www.cpahq.org) or follow the CPA on social media - Twitter @CPA\_Secretariat | Facebook.com/CPAHQ | LinkedIn | Instagram @cpa\_secretariat



## ROLE OF PARLIAMENTS IN TACKLING CHALLENGES OF THE PANDEMIC IS FOCUS FOR 2021 CPA AUSTRALIA AND PACIFIC REGIONAL CONFERENCE IN WESTERN AUSTRALIA



Commonwealth Parliamentarians came together 'in person' and virtually to discuss the role of Parliaments in tackling the challenges of the COVID-19 pandemic at the 2021 Commonwealth Parliamentary Association (CPA) Australia and Pacific Regional Conference in Perth, Western Australia from 1 to 4 November 2021. Delegates attended from across the two CPA Regions under the theme of 'Parliament, People and Pandemics'.

The CPA Regional Conference was opened with a keynote presentation by Professor Colleen Hayward, a leading expert from Western Australia on policies relating to equity and social justice, who spoke of the importance of parliamentary democracy in the Commonwealth and the importance of Parliamentarians representing their communities. Delegates were welcomed by the Joint CPA Western Australia Branch Presidents, Hon. Alanna Therese Clohesy, MLC, President of the Western Australia Legislative Council and Hon. Michelle Hopkins Roberts, MLA, Speaker of the Western Australia Legislative Assembly.

The Acting CPA Chairperson, Hon. Ian Liddell-Grainger, MP (United Kingdom) sent a video message to the Regional Conference and thanked delegates for their support for the Association during the challenging period of the COVID-19 pandemic. The CPA Secretary-General, Stephen Twigg also updated Members of Parliament and parliamentary staff via video link on the CPA Headquarters Secretariat's activities during the pandemic and many new initiatives for the membership including the

CPA Parliamentary Academy. He said: "It was good to attend this important CPA Regional Conference, albeit virtually. I was pleased to speak about the CPA's priorities as set out in our new Strategic Plan and to answer questions on important subjects, including CPA's work on both human rights, good governance and the Sustainable Development Goals. The hosting of this CPA Regional Conference, despite the challenges of the pandemic, emphasises the importance of bringing together our network."

Regional Conference presentations included the Acting CPA Small Branches Chairperson, Joy Burch, MLA, Speaker of the Legislative Assembly of the Australian Capital Territory and H.E. Ratu Epeli Nailatikau, Speaker of the Parliament of Fiji on the performance of Parliaments; with further presentations by Members from Australia Federal, Western Australia, New South Wales and Northern Territory.

## PACIFIC PRESIDING OFFICERS AND CLERKS ATTEND INAUGURAL VIRTUAL CONFERENCE

The first ever Pacific *Tai a Kiwa* Speakers, Presiding Officers and Clerks virtual conference took place on 2 and 3 November 2021 hosted by the Parliament of New Zealand on a theme of 'Leadership and influence during times of uncertainty'. The Speaker of the New Zealand House of Representatives, Rt Hon. Trevor Mallard MP in his welcoming speech said: "Our communities are relying on decision-makers to lead them through unprecedented challenges in health, the environment and the economy. Parliamentary scrutiny, executive accountability and transparency are crucial in ensuring these decisions are robust and in the best interests of the public that we serve."

Many CPA Branches in the Pacific Region were represented at the virtual conference including the Cook Islands, Niue and Kiribati. The Speaker of the Legislative Assembly of Tonga, Lord Fakafanua, spoke about the flexibility of Parliaments during emergencies, such as the current COVID-19 pandemic, and reflected on Tonga's experience. The difficulties of conducting Parliamentary sittings during the pandemic was discussed several times during the sessions. Hon. Tangariki Reete, Speaker of the Parliament of Kiribati shared the challenges that she faced as a woman candidate and as a new Presiding Officer, stressing that women candidates must convince men to become their champions in campaigning for elections and not just women. The Deputy Speaker of the New Zealand House of Representatives, Hon. Jenny Salesa shared her experiences as a Presiding Officer and spoke about the vital role that Clerks play in assisting Speakers and MPs perform their roles. Other topics covered included promoting diversity in Parliaments; flexible and robust Parliaments during emergencies; and parliamentary autonomy, flexibility and resilience. The Speaker of New Zealand extended an invitation to Presiding Officers and Clerks to meet in person in Wellington next year when the borders re-open.

With thanks to the Parliament of Tonga for the news report [www.parliament.gov.to](http://www.parliament.gov.to).



## YOUNG LEADERS DISCUSS VACCINE PASSPORTS AND THE TOURISM SECTOR AT SECOND VIRTUAL COMMONWEALTH YOUTH PARLIAMENT

Young citizens from across the Commonwealth participated in a week-long virtual 'mock' Parliament, giving them the opportunity to debate contemporary policy issues and learn about the functioning of parliamentary democracies.

Organised by the Commonwealth Parliamentary Association (CPA), the Virtual Commonwealth Youth Parliament took place from 18 to 22 October 2021 and was held completely virtually for the second time. In total, 63 Commonwealth citizens aged under 30, representing 40 different Commonwealth Legislatures, took part in the programme.

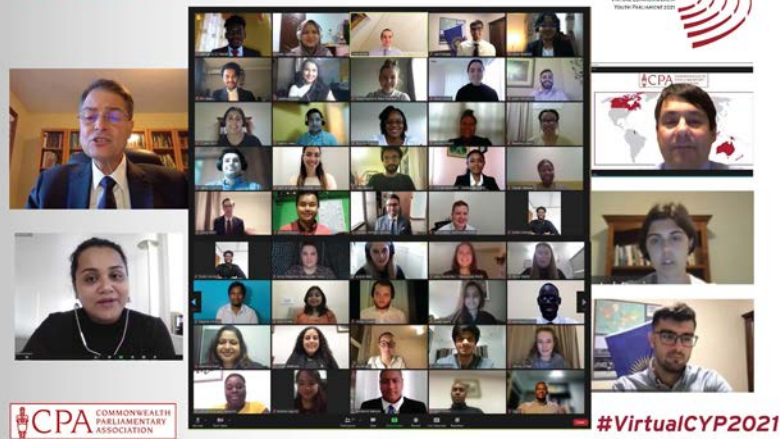
Youth delegates acted as Members of Parliament for the fictional jurisdiction of 'Abarat'. They were initially split into two political parties plus a small number of independents, who joined together to form a third party early in the week. The central issue under debate was a mock Bill proposing that the jurisdiction adopt vaccine passports to allow for travel both into and out of the jurisdiction. Sessions were designed to replicate real parliamentary processes and included intra-party meetings, Committee hearings, and a debate on the Bill.

Whilst strong debate in the virtual chamber occurred throughout the week, building cross-Commonwealth connections and friendships equally remained at the heart of the programme. Participants interacted with one another both formally and informally, through virtual meetings and online groups, and continued the conversation on social media. Speaking at the opening ceremony, the CPA President, Hon. Anthony Rota MP, the Speaker of the Canadian House of Commons, emphasised the importance of these connections, telling participants: *"I believe you will build relationships that will last a lifetime. That's the wonderful thing about events like the Commonwealth Youth Parliament. They open the doors to knowledge, friendships and experiences."*

Reflecting on the week, Christy O'Neill, Leader of the Independent Party at the Virtual CYP (United Kingdom) agreed: *"I have learned so much through taking part in the CYP. Not only have I had the privilege of engaging with like-minded individuals on various matters of importance in contemporary society, but I have also had the opportunity to learn about parliamentary processes, mechanisms and debates. The experience has been invaluable, and I cannot recommend it any more highly."*

Crystal Paris, Leader of the Democratic Party (Queensland) said: *"For anyone who has an interest in government, politics and who wants to experience the parliamentary and legislative process first-*

### VIRTUAL COMMONWEALTH YOUTH PARLIAMENT 18-22 October 2021



*hand, I cannot recommend the CYP programme enough. Aside from the educational value and personal development, be that in terms of leadership or public speaking skills, it is a great opportunity to forge meaningful relationships with other like-minded individuals from around the Commonwealth. I've walked away from the Virtual CYP 2021 with a refined skillset, fond memories and life-long friendships."*

The CPA Secretary-General, Stephen Twigg highlighted that the CPA's youth engagement work, through programmes such as the Commonwealth Youth Parliament, seeks to equip young people with the skills to play an active role in decision-making processes.

The United Nations Youth Envoy, H.E. Jayathma Wickramanayake from Sri Lanka noted that these programmes are more important than ever in the face of growing distrust and alienation amongst young people in democracies across the world. Speaking to participants at the opening ceremony, she said: *"We need to create safe spaces for the meaningful inclusion of young people and make sure that young people can speak freely about their own lived realities and experiences."*

The Commonwealth Youth Parliament is held annually and many of its former participants have become Parliamentarians in their own jurisdictions, including Senator Sam Mézec from Jersey, who acted as a Presiding Officer for part of this year's Youth Parliament. The virtual event also featured some of the youngest current Parliamentarians in the Commonwealth including Hon. Te-Hani Brown MP from the Cook Islands and Hon. Kyle Knowles MP from Turks and Caicos.



### CPA STATEMENT: UK MP KILLED IN CONSTITUENCY

The Commonwealth Parliamentary Association (CPA) was deeply saddened to hear of the death of Hon. Sir David Amess MP, a Member of the UK House of Commons, following an attack at his constituency surgery on 15 October 2021. Sir David hosted a CPA Roadshow for young people at a school in his constituency in 2017 and was an active member of the CPA UK Branch Executive Committee. He brought with him a wealth of knowledge, with nearly 40 years of service as a Member of Parliament.

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## CPA AGREES NEW COOPERATION ON PARLIAMENTARY STRENGTHENING WITH PARLIAMENTARY ASSEMBLY OF THE MEDITERRANEAN



At a special ceremony at the Italian Parliament on Thursday 18 November 2021, the Commonwealth Parliamentary Association (CPA) signed a new Memorandum of Understanding (MoU) with the Parliamentary Assembly of the Mediterranean (PAM). The new collaboration will bring the two organisations together to share expertise in several areas including parliamentary strengthening, sustainable economic development, the protection of human rights, addressing climate change, gender equality, responding to the COVID-19 pandemic and parliamentary diplomacy for peace and security.

The PAM is an international parliamentary organisation, and a Permanent Observer at the United Nations General Assembly, which brings together 34 Member Parliaments from the Euro-Mediterranean and Gulf regions. Two of its Member Parliaments – Cyprus and Malta – are also Members of the CPA. The CPA is an international community of 180 Commonwealth Parliaments and Legislatures at national, state, provincial and territorial

level who working together to deepen the Commonwealth's commitment to the highest standards of democratic governance. Through this new collaboration, the two organisations will bring together their Members to engage in productive discussions, share legislative experience, and work towards constructive approaches to achieving political consensus. The signing of the MoU took place at the 43<sup>rd</sup> PAM Bureau meeting hosted by the PAM President, Hon. Gennaro Migliore MP (Italy) and the PAM Executive Body, composed of senior MPs from Italy, France, Egypt, Jordan, Palestine, Israel, Portugal, Algeria and Morocco as well as the PAM Secretary-General, Ambassador Sergio Piazzì.

The CPA Secretary-General, Stephen Twigg said: *"One of the CPA's strategic priorities is to increase its work with international partners and so I am delighted to sign this new MoU with PAM to cooperate on important areas, including human rights, good governance and the Sustainable Development Goals. There are many areas of shared importance between our two organisations and our Members will benefit from these new partnerships."*

The PAM President, Hon. Gennaro Migliore MP (Italy), said: *"We are really impressed by the wide scope of the CPA network as it links over 180 national, state, provincial and territorial Parliaments and Legislatures, divided up between the nine geographic regions of the Commonwealth. Therefore, we truly believe that our cooperation will lead to a very interesting and unique policy exchange. I am also confident that this agreement will allow for both parties to actively participate in each other's activities, thereby increasing the valuable exchange of practices."*

## SPEAKERS AND MPs FROM CPA AFRICA REGION AT 17<sup>TH</sup> CONFERENCE OF SPEAKERS AND PRESIDING OFFICERS OF THE COMMONWEALTH AFRICA REGION IN RWANDA

Commonwealth Speakers and MPs from the CPA Africa Region have met for the 17th Conference of Speakers and Presiding Officers of the Commonwealth (CSPOC) Africa Region, hosted by the Parliament of Rwanda from 17 to 28 November 2021 on the theme of 'African Parliaments in the 21<sup>st</sup> century'. The conference was opened by the President of Rwanda, H.E. Paul Kagame who said: *"Across the continent, Parliamentarians have raised awareness and provided support for pandemic response. As we continue on the path to recovery, Parliaments still need to be at the forefront of building Africa's resilience against health threats. The pandemic exposed Africa's vulnerabilities and reversed some of the gains we had made. I would like to encourage all of us to continue sharing knowledge, skills, and resources with one another. It is by collaborating that our individual efforts will be multiplied."*

The conference brought together twelve national Branches of the Commonwealth Parliamentary Association (CPA) Africa Region including Botswana, Cameroon, Ghana, Kenya, Mozambique, Namibia, Nigeria, Rwanda, Sierra Leone, South Africa, Tanzania and Uganda as well as several Nigerian State Branches and South African Provincial Legislatures as observers. The Speaker of the Rwanda Chamber of Deputies, Hon. Donatille Mukabalisa said: *"Gatherings such as this conference are indeed an invaluable opportunity to come together, as Speakers, Presiding Officers and Members of Parliament, as representatives of the people, to discuss, exchange and share best practices on how to challenge ourselves to respond to our people's expectations, to provoke a new thinking in order to be at the heart of socio-economic transformation."*

The Chairperson of the CPA Africa Region, Hon. Justin B. Muturi, Speaker of the National Assembly of Kenya said: *"As Speakers and Presiding Officers, it is our role to pass relevant legislation to formulate policies whose implementation will accelerate the solutions to Africa's socio-political and economic challenges."*

The 17<sup>th</sup> Conference of Speakers and Presiding Officers of the Commonwealth (CSPOC) Africa Region was held at the Kigali Convention Centre, which will next year host the Commonwealth Heads of Government Meeting (CHOGM).





## CPwD CHAIRPERSON: ROLE OF COMMONWEALTH PARLIAMENTARIANS IN ADVANCING PEOPLE WITH DISABILITIES

I welcome you all to this edition of *The Parliamentarian* on the theme of 'The challenges and barriers facing people with disabilities in the Commonwealth' and asking the question 'What role can Commonwealth Parliaments and Parliamentarians play in advancing and supporting people with disabilities?'

On 10 December across the globe, the world celebrates International Human Rights Day to commemorate the anniversary of the adoption of the Universal Declaration of Human Rights (UDHR). We recognise that democracy thrives when all citizens have their voices heard and that inclusion of Parliamentarians with disabilities is crucial in advancing Parliamentary democracy. The genuine participation of all citizens, including persons with disabilities, in political processes is one important measure of democracy.

Article 29 of the UN Convention on the Rights of Persons with Disabilities (UN CRPD) states the rights of persons with disabilities (PWDs) to participate in political and public life without discrimination and on an equal basis with others. Countries are obligated to provide free and fair environments for all persons, including those with disabilities, enjoy political participation without discrimination. These are all fundamental human rights that promote democracy. However, many persons with disabilities across the globe still face difficulties in their efforts to realise these rights. In Africa and across the world, Parliamentarians with disabilities are represented, although their presence is negligible. It is rare that persons with disabilities achieve electoral success and enter Parliament. Challenges include inaccessibility to polling stations, inaccessible polling materials (including braille), disability insensitive political parties, which compound to deny these rights. Democracy thrives when countries prioritise the hopes and aspirations of their most vulnerable minorities.

The Commonwealth Parliamentarians with Disabilities (CPwD) network exists to support Parliamentarians with disabilities to be more effective in their roles. Recently, in partnership with the Kenya National Assembly, the CPwD network convened the inaugural CPwD Africa Regional Conference for Commonwealth Parliamentarians with Disabilities in Nairobi, Kenya (turn to news report on page 347). This

Regional Conference brought together 18 Legislators with disabilities and their carers from Tanzania, Uganda, Sierra Leone, South Africa and Kenya to deliberate on disability concerns in the region, providing a platform for MPs with disabilities to highlight the challenges that they face in their daily execution of their roles, and how these challenges can be overcome. It provided an excellent opportunity for sharing experiences among MPs with disabilities, exchanging policy ideas on how well to articulate, demand and promote the rights of persons with disabilities.

The CPwD Regional Conference developed outcomes and resolutions that will continue to shape the agenda across Legislatures, enhancing advocacy among MPs with disabilities thereby promoting the electability of persons with disabilities into Legislatures and public spaces. The Regional Conference also saw the signing of #CPwDAfricaResolutions by Members pledging to strengthen and amplify voices of persons with disabilities in the region for more inclusive socio-economic and political systems. The Regional Conference's Outcome Statement and resolutions will continue to shape the agenda across the continent's Legislatures, enhancing advocacy among MPs with disabilities and thereby promoting electability of persons with disabilities into legislatures and public spaces.

As Chairperson of the CPwD network, I note with gratitude the role that the network plays in promoting the representation of persons with disabilities in democratic institutions. The Commonwealth Parliamentarians with Disabilities Strategic Plan 2021-2024 places at its centre issues that persons with disabilities across the Commonwealth face in a rapidly changing environment. The Strategic Plan focuses on its core theme of parliamentary strengthening and democratic governance. It seeks to support Parliamentarians with disabilities by helping them develop a culture of inclusivity for persons with disabilities. It was informed by a review process led by the CPA Headquarters Secretariat and input from the CPwD membership.

In addition, the multi sectoral presentations and experiences of MPs with disabilities provided a platform for Members to measure the legislative actions of respective countries in addressing the plight of persons with disabilities. Thank you for your continued support.



**Hon. Dennitah Ghati, HSC MP** was nominated as a Member of the National Assembly of Kenya in 2017 to represent the special interests of persons with disabilities, and she recently became the Chairperson of the Commonwealth Parliamentarians with Disabilities (CPwD). Previously working as a journalist in Kenya, she was first elected to the National Assembly in 2013 as the first female representative for Migori county. A year later, she was involved in a serious car accident in Nairobi that sadly resulted in a spinal injury and use of a wheelchair. As a result, she founded the Dennitah Ghati Disability Foundation, a non-profit foundation that seeks to empower persons with disabilities.

## COMMONWEALTH PARLIAMENTARIANS WITH DISABILITIES NETWORK REAFFIRMS ITS PRIORITY OF PROMOTING DISABILITY INCLUSION IN PARLIAMENTS AS IT RELEASES ITS NEW THREE-YEAR STRATEGIC PLAN

The Commonwealth Parliamentarians with Disabilities (CPwD) network has officially published the CPwD Strategic Plan 2021-2024, setting out its core priorities for the next three years. The network will work to encourage both Parliamentarians with disabilities, and Legislatures, to advance issues around disability inclusion and to advocate for greater representation of persons with disabilities in Parliaments across the Commonwealth.

The CPwD network was founded in 2018 to support elected representatives with disabilities in Commonwealth Parliaments and Legislatures. It also works to ensure that issues related to and raised by persons with disabilities (PWDs) are brought to the fore in parliamentary debate and mainstreamed across the legislative, oversight, and representative functions of Parliament. The network campaigns for equality for persons with disabilities in all spheres.

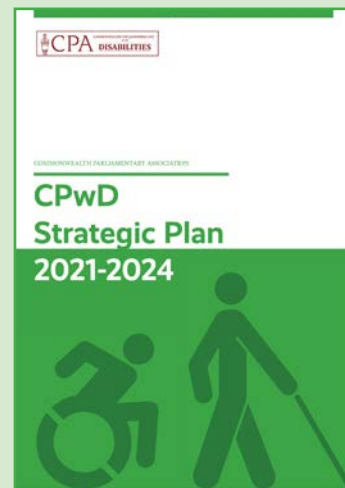
The CPwD Chairperson, Hon. Dennitah Ghati, MP (Kenya) said: *"I encourage all Parliamentarians across the CPwD's membership, Branches and Regions of the Commonwealth Parliamentary Association to actively utilise and take ownership of this new Strategic Plan 2021-2024. Its success will be determined by our collective dedication to its implementation. I look forward to working with all Parliamentarians to successfully fulfil this Plan."*

Developed following a series of consultations with the nine Regional Champions of the Network, this new strategy will focus on addressing the following areas of concerns and key priorities:

Leadership positions for Parliamentarians with disabilities; Sensitising Parliaments to the needs and rights of persons with disabilities and; Methods for the implementation of the UN's Convention on the Rights of Persons with Disabilities.

The CPA Secretary-General, Stephen Twigg welcomed the launch of the CPwD Strategic Plan 2021-2024 and stated: *"Diversity is a huge strength of the Commonwealth which the CPA reflects in our important networks like CPwD. The new CPwD Strategic Plan outlines our commitment to mainstreaming disability issues in our work and supporting Parliaments to be more inclusive."*

Please visit the CPA website or email [hq.sec@cpahq.org](mailto:hq.sec@cpahq.org) for a copy. Three versions are available: an original PDF version; an accessible, plain-text PDF version; and a plain-text web version designed for use with text-to-speech tools.



## NEW CHAIRPERSON FOR COMMONWEALTH PARLIAMENTARIANS WITH DISABILITIES NETWORK ANNOUNCED



Following a virtual meeting of the Regional Champions of the Commonwealth Parliamentarians with Disabilities (CPwD) network, Hon. Dennitah Ghati MP from the National Assembly of Kenya has been announced as the new CPwD Chairperson.

Hon. Dennitah Ghati MP succeeds the first CPwD Chairperson, Hon. Kevin Murphy (Nova Scotia) who was crucial in the establishment of the new CPwD network in 2019. As CPwD Chairperson, Hon. Dennitah Ghati MP will lead the network's engagement with the CPA Executive Committee and the CPA Headquarters Secretariat and liaise with Commonwealth Parliaments on behalf of the network.

The CPA Secretary-General, Stephen Twigg, welcomed the announcement of the new CPwD Chairperson and said: *"I look forward to working with the new CPwD Chairperson, Hon. Dennitah Ghati to increase awareness of disability issues in Commonwealth Parliaments and to promote the rights of Parliamentarians and parliamentary staff with disabilities."*



## 'MAINSTREAMING DISABILITY CONSIDERATIONS IN THE LEGISLATIVE AGENDA IN THE 21<sup>ST</sup> CENTURY'

**Speech by Chairperson of the CPA Africa Region Executive Committee, Rt Hon. Justin Muturi, MP, Speaker of the National Assembly of Kenya.**

The inaugural Commonwealth Parliamentarians with Disabilities (CPwD) Africa Regional Conference is the result of the concerted efforts of the CPA Kenya Branch and the CPA Africa Regional Secretariat. Held under the theme of *'Mainstreaming disability considerations in the legislative agenda in the 21<sup>st</sup> century'*, the Regional Conference will create a platform for Members of Parliament with Disability within the CPA Africa Region to discuss issues of mutual concern and chart a path to streamline disability into the activities of the Region.

The Commonwealth Parliamentarians with Disabilities (CPwD) network aims to facilitate activities and programmes to champion and increase the representation of persons with disabilities in Commonwealth Parliaments and to develop mechanisms for mainstreaming disability considerations in all CPA activities and programmes. This is an endeavour that we ought to focus on and support across the political spectrum. We cannot afford to leave this important duty to a few of us.

From the onset, allow me to express my admiration to Hon. Dennitah Ghati, and indeed the KEDIPA (Kenya Disability Parliamentary Association) fraternity for your fervent push for recognition of disability concerns in Parliament and beyond. Indeed, there has been a consistent focus on disability issues since the inception of the Caucus in the Eleventh Parliament. The Caucus has taught us to look at proposed laws from a different lens, recognising the need to mainstream disability issues. In fact, as Speaker for the last eight years, I have seen a rise in amendments seeking to bring on board disability concerns in legislation, including in the recently concluded consideration of the National Hospital Insurance (Amendment) Bill. I always endeavour to ensure that I balance the voices, including that of persons with disabilities.

Having been a Member of Parliament, I can authoritatively state that the proactive push for disability issues was not always the case in the past. Of course, this is also attributable to the passage of the Constitution of Kenya in 2010 which brought immense changes to our operations. As a Kenyan, I am proud that Article 54 of the Constitution provides for the rights of persons with disabilities and thus ensuring their protection against any form of discrimination. This is the beginning of our mainstreaming of disability, including in public appointments.

Indeed, the common mantra that *"...appointments shall take into account regional, ethnic diversity, persons with disabilities among other considerations..."* has become the rallying call across the spectrum of our national society and there is no going back.

The rights of persons with disabilities are clearly set out in the United Nations Convention on the Rights of Persons with Disabilities (CRPD) which was adopted in 2006, and came into force in 2008, among other instruments. The Convention provides for the

obligation of all countries to implement it, and other relevant instruments, so as to ensure that the rights of persons with disabilities are fully realised. In its implementation, Parliaments have the oversight responsibility through Parliamentary Committees, inquiries, questions to the Executive/Ministers, as well as scrutiny of national budgets to ensure that they are disability responsive. It is therefore our joint responsibility to make use of these parliamentary opportunities to ensure that whatever needs to be done is done.

### **How I see it: A Kenyan youth's perspective**

Before I proceed, let me tell you a story from the lens of a young man by the name of Alfred Aloo Okoth from Mombasa County. Just this past week, I received an email that was sent through the office of the Clerk of the National Assembly. Alfred Aloo has views on the possible solutions to the problems facing persons with disabilities in Kenya. One of the concerns that this 23-year-old young man raises is that persons with disabilities are exploited as beggars, and that some of them are actually 'employed' to beg to later be paid a percentage of the proceeds of the collections. He notes that the mistreatment and discrimination is real, with most of it coming from close family and friends.

Additionally, this young man notes that giving tokens to beggars, who are fronted as persons with disabilities, has become a societal norm despite the fact that tokenism has never been a solution in itself. Alfred Aloo is of the view that some of the beggars in our streets pose as persons with disabilities, while others are used as conduits for drug peddling especially in major towns like Mombasa, posing as persons with disabilities. You may note that, like most African countries, Kenya is faced with great drug problems and this is more pronounced in our coastal city of Mombasa, where this young man lives.

If what the young, Aloo, is saying is true, then you will agree with me that what we have is a problem larger than we imagine. Unscrupulous persons seem to be riding on the empathy of the populace and that of law enforcers to pose as persons with disabilities to make some money. This ought to be our starting point so that, as we mainstream the subject of the persons with disabilities in our everyday policies, we must all also address such isolated cases so that the policies we put in place only benefit genuine persons.

Having said that, it is noted that a key component of legitimacy of the political process is participation by all eligible members of society. Article 29(a) of the United Nations Convention on the Rights of Persons with Disabilities provides that States shall, and I quote:





## COMMONWEALTH PARLIAMENTARIANS WITH DISABILITIES AFRICA REGION HOSTS THE NETWORK'S FIRST-EVER REGIONAL CONFERENCE IN KENYA

The Commonwealth Parliamentarians with Disabilities (CPwD) Africa Region has become the first Region of the Commonwealth Parliamentary Association (CPA) to hold a CPwD Regional Conference. Hosted by the CPA Kenya Branch in Nairobi, Kenya, the Regional Conference took place from 14 to 18 October 2021. It brought together Parliamentarians from across the CPA Africa Region, including many Parliamentarians with disabilities, to discuss the theme of 'mainstreaming disability considerations in legislative agenda in the 21<sup>st</sup> century'.

The hosting of a CPwD Regional Conference represents another landmark moment in the short history of the network. The Speaker of the National Assembly of Kenya, Rt Hon. Justin B. N. Muturi EGH MP, Chairperson of the CPA Africa Region, called on elected representatives across the political spectrum to mainstream disability concerns.

The CPA Secretary-General Stephen Twigg, addressing delegates virtually, praised the CPwD Africa Region for hosting the first-ever Regional Conference of the network. Setting out the priorities for the network, as stated in the new CPwD Strategic Plan (2021-24), he said:



*"Empowering lies at the heart of what the CPwD network is all about. Its purpose, first and foremost, is to provide a voice: a voice for persons with disabilities within the CPA, and a voice for persons with disabilities within their respective Parliaments."*

*"Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives."*

The citizens of every democratic country must be facilitated to fully realise their fundamental right of participating in the political process. Having adequate representation of persons with disabilities in Legislatures and other public offices is key to mainstreaming the disability concerns.

### Inclusion

The COVID-19 pandemic has exposed the pre-existing inequalities, deepened vulnerabilities in the social, economic and political spheres, particularly with regard to persons with disabilities. The COVID-19 response and recovery efforts demonstrated a gap in the prioritisation of the needs of persons with disabilities. As we build back, we all ought to ensure that the rights of persons with disabilities are always considered in our operations, and this can only happen by including them in decision-making in the spirit of 'Nothing About Us Without Us'. To echo the sentiments of the UN Secretary-General, António Guterres: *"As the world recovers from the pandemic, we must ensure that the aspirations and rights of persons with disabilities are included and accounted for in an inclusive, accessible and sustainable post-COVID-19 world. This vision will only be achieved through active consultation with persons with disabilities and their representative organisations."*

Whereas Parliaments in Africa have made commendable achievements towards supporting persons with disabilities in their work, there is still a lot of work to be done. No single country, however progressive, can claim to have adequately addressed the needs of persons with disabilities, and therefore any opportunity to borrow a leaf from counterpart nations should be welcomed and utilised. Knowledge and experience-sharing, therefore, becomes a key component in self-development for these institutions, as it provides an opportunity for previously overlooked mechanisms necessary for disability inclusion to be addressed.

### Forging ahead

As participants at this inaugural CPwD Regional Conference, I urge you to take the resolutions of the conference pertinent to your particular jurisdictions, and champion for their implementation. You must be cognisant of the privilege of having your decisions, as delegates at the inaugural conference, forming part of the knowledge that will be referred to in future conferences. It is my sincere hope that this Regional Conference will provide a conducive setting for you to advocate for more innovative ways aimed at mainstreaming disability considerations in the legislative agenda, as aptly put in the theme of the conference.

*This is an extract of the speech given at the opening of the CPwD Regional Conference in Kenya.*

## HOW CAN PARLIAMENTS BE MORE ACCESSIBLE TO PERSONS WITH DISABILITIES? A VIEW FROM FIJI

The month of November marks the Fijian Parliament's first year of membership with the Commonwealth Parliamentarians with Disabilities (CPwD) network. As the CPwD Pacific Regional Champion, I extend my sincere gratitude to the CPwD Capital Investment Fund for the funding provided to host the first ever 'Fijian Parliament Open Day for Persons with Disabilities' on 3 December this year to coincide with the International Day for Persons with Disabilities.

Parliaments can contribute enormously to raising public awareness on the human rights, issues and concerns of marginalised groups such as persons with disabilities. That is why this year, we are hosting the first open day for persons with disabilities with the aim of achieving greater awareness and engagement on the subject. This event is also being organised in partnership with two key national actors, namely, the Fiji Association of the Deaf (FAD) and the Fiji Disabled People's Federation (FDPF), recognising that partnerships with civil society organisations (CSOs) and relevant stakeholders provide the impetus for greater awareness and success. This event aims to achieve the following key outcomes:

1. To provide an opportunity for MPs, advocates and key actors to connect and discuss key issues related to persons with disabilities;
2. To provide our participants and stakeholders with information on the role of Parliament and encourage persons with disabilities to actively participate in the legislative policy making process; and
3. To create an ideal opportunity for Parliament to become more inclusive, accessible and representative of all Fijians, including marginalised groups such as persons with disabilities.

Apart from creating a space for discussion and knowledge sharing, a key highlight of this event is the handing over ceremony of newly purchased high-end headphones to the Fiji Association of the Deaf by His Excellency Ratu Epeli Nailatikau, the Speaker of the Fijian Parliament. This newly purchased equipment will be used by the sign language interpreters for the Parliament and Standing Committee sittings. This assistance has come about following the request from the FAD for support in the work of interpreters engaged in Parliament.

The new equipment will replace the audio speaker that transmits the audio from the Chambers and the Standing Committee conference rooms to the interpreter's booth and allows the interpreters to have their dedicated headphones, improving their concentration and focus by taking away outside sound and interference. The low power consumption design also allows for extended working hours of over ten hours, so the interpreters can be connected for longer periods of time.

The theme of the open day is based on the CPwD mission statement – 'To encourage Commonwealth Parliaments to enable effective and full participation of persons with disabilities at all levels'. Not only does this theme resonate with SDG Targets 16.6 and 16.7, but it also encompasses the vision of the Fijian Parliament of being a resilient and responsive Parliament.

The Fijian Parliament has demonstrated its commitment to this vision through its ratification of the UN Convention on the Rights of Persons with Disabilities (CRPD) in 2017 followed by the enactment of the *Rights of Persons with Disabilities Act* in 2018. In October this year, Fiji became the first country globally to pass a Climate Change Act with a clear commitment to the Paris Agreement. The *Climate Change Act 2021* explicitly recognises the economic, social and cultural rights and links between gender equality, social inclusion and the Sustainable Development Goals and highlights women's rights, rights of people living with disabilities and of older persons, and children's inalienable right to a healthy environment.

The ratification of the CRPD and passing of comprehensive legislation helps to promote and protect the basic rights of persons with disabilities in Fiji and helps those individuals live fulfilling and independent lives as students, workers, family members and citizens. They are able to do so because the physical and cultural barriers that had previously hindered their full participation have been removed.

In addition to legislation, Parliament, through its oversight function, plays a key role in ensuring respect for the human rights of persons with disabilities. Oversight of the Executive on social issues such as persons with disabilities is undertaken by the Standing Committee on Social Affairs – of which I am the Chairperson. We track the



**Hon. Viam Pillay, MP** is the Assistant Minister for Agriculture, Waterways and Environment. He has been a Member of the Fijian Parliament since October 2014 and is the Chairperson of the Standing Committee on Social Affairs. In 2020, he was elected as the Pacific Regional Champion of the Commonwealth Parliamentarians with Disabilities (CPwD).



work of Government departments and Ministries, and we have the power to summon any person to appear before the Committee to give evidence or provide information. Furthermore, Parliamentary oversight takes place both when the budget is being formulated and during expenditure. As Members, we can ensure that the impact of the proposed budget on different social groups, such as persons with disabilities, is discussed and monitored.

Additionally, Members of Parliament continue to make statements and raise awareness in the House on issues pertaining to persons with disabilities with the most recent statement made during International Week of Deaf People and International Day of Sign Languages in September of this year. Members of Parliament continue to support the inclusion of Fiji's sign language at an institutional level, including raising awareness on the rights and needs of deaf people.

The Fijian Parliament has also progressively worked towards ensuring that the Parliament is accessible by persons with disabilities, and this has been achieved through the installation of

wheelchair ramps in the main Parliament foyer and in each of the Committee meeting rooms. In strides to ensure that information and communications in Parliamentary sittings are accessible to persons with disabilities, the Fijian Parliament has since 2015 engaged sign language interpreters during the sittings.

During the COVID-19 pandemic, persons with disabilities faced significant barriers to accessing key information and participating in the legislative making process as a result of social distancing protocols and lockdown measures. Despite these challenges, the Fijian Parliament adapted quickly and ensured the efficient delivery of Parliamentary and Committee sittings through investing appropriately in: establishing and managing an agile future-focused IT strategy; ensuring the availability of essential IT equipment and resources, and; embedding and enforcing a technology culture within the institution to ensure that despite the challenges, Parliament would still continue to operate and continued to deliver on its mandate to legislate, represent and undertake oversight.

To conclude, if Parliament is ever going to succeed in having 'effective, accountable and transparent institutions at all levels' and ensure decision-making is 'responsive, inclusive, participatory, and representative' (UN SDG 16), then it must engage, collaborate and educate its citizens, national actors and stakeholders working in the interest of underrepresented groups such as women and girls, and persons with disabilities.

***“Parliaments can contribute enormously to raising public awareness on the human rights, issues and concerns of marginalised groups such as persons with disabilities.”***



## HOW CAN PARLIAMENTS BE MORE ACCESSIBLE TO PERSONS WITH DISABILITIES? A VIEW FROM PAKISTAN

As Parliamentarians, we have power. Every day, we can use this privilege to make meaningful contributions towards achieving accessibility at various local and global scales.

Not only is achieving global inclusivity our social and moral responsibility, but it is also a critical part of the Sustainable Development Goals (SDGs). For example, disability is referenced in multiple SDGs which pertain to inclusive education, economic growth, reduced inequalities, sustainable cities, justice for all, and revitalised global partnerships for achieving the SDGs.<sup>1</sup>

Unfortunately, there is a lot of work that needs to be done. Over 1 billion people worldwide experience some sort of physical or mental disability.<sup>2</sup> People with disabilities experience poorer health outcomes, have less access to education and work opportunities and are more likely to live in poverty than those without a disability. Unfortunately, girls and women of all ages with disabilities are more vulnerable and marginalised compared to any other group.<sup>3</sup> Not only are they twice as likely to have fewer jobs compared to men with disabilities, but they often experience discrimination in the workforce, are subjected to unequal pay, and are rarely integrated into the economic decision-making.<sup>4</sup> Given these various hurdles to achieving inclusivity for all, the question remains, how can Parliamentarians be more accessible to persons with disabilities? In the next few sections of this article, I will share a three-tiered approach on how Parliamentarians can work towards creating a more inclusive society at a primary, secondary, and tertiary level for persons with disabilities (PWD) in the Commonwealth.

Achieving accessibility for all is no easy feat for both developing and developed countries. However, in developing countries, we need to think more creatively about how we can use our limited economic resources to make our societies more accessible to persons with disabilities. At the primary level, the strongest tool we can leverage for this cause is our place in the government and our role as Parliamentarians. We can easily mobilise the government's machinery to help differently-abled people. Given our place of power and influence, we have the ability to pass Bills and legislation that

cater for persons with disabilities. For example, in our Parliament in Pakistan, we formulated a Special Committee for persons with disabilities. The primary responsibility of this Committee is to maintain a check and balance by overseeing all laws and legislation pertaining to the inclusion of people with disabilities and report any practices and measures that do not align with inclusive values.

Another major asset we have is the media. The media listens to what we have to say, and our messages can help steer the larger societal debate on what inclusion for all looks like. For instance, we can leverage the media to run public awareness campaigns that recognise the various forms of disability. With these public awareness campaigns, we can demonstrate what discrimination against persons with disabilities looks like, how one can take action against it, and what the penalty is for those who willfully discriminate against those with disabilities.

On a secondary level, we can ensure accessibility by doing our work mindfully, which puts accessibility at the forefront of all Bills and legislation that we bring into Parliament. Before we pass any Bills, we must thoroughly evaluate whether the Bill includes any discriminatory language against persons with disabilities, or if it intentionally excludes those with disabilities. This will not only ensure the inclusion of persons with disabilities in all future Bills, but it will also allow us to estimate which of our previous legislation may need re-evaluation.

Recently, in the Parliament of Pakistan, we approved the Planning Commission 1 (PC1) disability checklist. This checklist includes criteria on what disabled-friendly policies and infrastructure look like. The PC1 checklist serves as a filter through which all new policies and infrastructure projects must go through before they are implemented. PC1 is implemented at all 26 Federal Ministries and is also approved at the provincial level. It includes language on inclusive hiring and ensures inclusivity in all newly proposed infrastructure projects such as integrating ramps, elevators, audio and video recording, signs, and rails. The aim is that as we propose new projects, we can ensure accessibility is addressed. In the long run, this will bring us closer to creating a more inclusive Pakistan.



**Hon. Zill-e-Huma, MNA** was elected as a Member of the Pakistan National Assembly in 2018. She is a Member of several Parliamentary Committees including Parliamentary Affairs, Human Rights and Housing. Hailing from South Khyber Pakhtunkhwa (KPK), Zill-e-Huma led various door-to-door campaigns to advocate at the grassroots level and increase the political representation of women in the province. Drawing on her own experiences, Zill-e-Huma advocates for the rights of disabled persons in the country. She is the CPA Asia Regional Champion for the Commonwealth Parliamentarians with Disabilities (CPwD).



Accompanied by more inclusive laws on the secondary level, we must also look to evaluate our current systems of government for the inclusion of persons with disabilities. For instance, at the National Assembly of Pakistan, we have carried out a comprehensive 'accessibility audit' of the Parliament House building and the National Assembly's website. This included the installation of ramps where required, ensuring disability-friendly restrooms were present on every floor of the Parliament building, reserving parking spaces for persons with disabilities, creating accessible navigation paths for people with low vision, as well as making electric wheelchairs accessible at all entrances of the Parliament.

The website of the National Assembly of Pakistan was revised to ensure that visually impaired people and people with a hearing disability are able to access all legislative matters, with no difficulty whatsoever. At our Parliament, we also have reserved seats for persons with disabilities. They have a say in all legislative matters and their vote can make or break the Bill. Lastly, to guarantee that accessibility is ensured for all citizens of the country, we have also translated the Constitution of Pakistan into braille. This ensures that all people of Pakistan can comprehend their rights and obligations as stated in the constitution. Although, we are far from perfect and there are a lot more 'disability audits' we need to conduct of our government bodies, but initiating the dialogue on what the inclusion of persons with disabilities looks like is just the starting point.

Lastly, on a tertiary level, we need to prioritise gathering data on persons with disabilities. Unless we know who we need to serve

and where we need to address their needs, we cannot ensure accessibility for all persons with disabilities. Unfortunately, in Pakistan, we have a significant lack of data on people with disabilities, in both urban and rural areas.

To address this issue, we have taken certain measures for gathering data at various public institutions. The National Database and Registration Authority (NADRA) is an independent agency under the Interior Secretary of Pakistan which manages a national database of all the national citizens of Pakistan. At NADRA, we have amended all our forms, which now contain a required section that asks questions regarding disabilities. This allows us to gather accurate data on the various forms of disabilities that our citizens experience. With this data, we allot special National Identity Cards to persons with disabilities. They can use these to get priority services at public institutions such as hospitals, universities, and other public agencies. Having this data, we can reach persons with disabilities for any new public services we bring into fruition. They can also reach us for any services that they need through the government-managed mobile application called, 'Special Mobile App for PWDs'.

Additionally, in rural areas where we have government employees that assist with data collection are being trained on disability awareness issues, so they do not exclude disabled people in surveys where local stigma prevents their participation but also proactively include persons with disabilities.

Moreover, the Pakistan Bureau of Statistics has started a disability survey, which will also collect data on persons with disabilities.



Having this data will enable us to identify gaps in our knowledge regarding persons with disabilities, where to direct funds and resources, and which groups within persons with disabilities are most marginalised. This data will also allow us to understand which of our public institutions needs to be evaluated for inclusion.

Integrating accessibility into the identified primary, secondary, and tertiary levels will get us closer to creating a more inclusive society for persons with disabilities. However, one of the last remaining steps, which is the most crucial of all, is to collaborate across the Commonwealth to facilitate each other in the mission towards ensuring the inclusion of all persons with disabilities.

Sustainable Development Goal 17 calls for a cross-sector and cross-country collaboration for the implementation of the SDGs. Therefore, a forum where Commonwealth Parliamentarians can come together each year and exchange dialogue on persons with disabilities is necessary. In this forum, we can discuss our progress on the inclusion of persons with disabilities, the challenges we face, and the lessons we have learned. Collaborating cross-nationally will

allow us to find social and technological solutions that can benefit our societies on a local scale, and our collaboration can one day lead us towards achieving a globally inclusive society.

The inclusion of persons with disabilities is not only beneficial to our economies and workforce, but their inclusion is a reflection of our human progress. Together, we as Parliamentarians can use our place in our countries and the power it gives us for the benefit of all humanity.

## References:

<sup>1</sup> Sustainable Development Goals (SDGs) and Disability | United Nations <https://www.un.org/development/desa/disabilities/about-us/sustainable-development-goals-sdgs-and-disability.html>.

<sup>2</sup> Disability [https://www.who.int/health-topics/disability#tab=tab\\_1](https://www.who.int/health-topics/disability#tab=tab_1)

<sup>3</sup> Women with Disabilities Fact Sheet | United Nations <https://www.un.org/development/desa/disabilities/resources/women-with-disabilities-fact-sheet.html>

<sup>4</sup> Ibid.

## DISABILITY AUDIT: NATIONAL ASSEMBLY OF PAKISTAN

### Special Initiative of the Speaker of the National Assembly of Pakistan with regards to persons with disabilities (PWDs).

- Report author: Hon. Zill-e-Huma, MNA, Member of the National Assembly of Pakistan.
- Co-author: Mr Babrik Habib Sherani, Secretary of the Special Committee on Persons with Disabilities

#### Introduction

The socio-economic uplift, mainstreaming and inclusion of persons with disabilities (PWDs) has been the main focus of Hon. Asad Qaiser, ever since he took charge as the Speaker of the National Assembly of Pakistan. Unfortunately, persons with disabilities have long remained one of the most neglected and under-utilised segments of our society. According to the World Health Organization (WHO), persons with disabilities comprise 15% of the world's population and hence, their significance cannot be swept under the carpet.

It is in this spirit that the Speaker of the National Assembly came forward to safeguard the legal and constitutional rights

of persons with disabilities, as delineated in the Constitution of Pakistan, which binds the State to guarantee the social and economic well-being of all its citizens, regardless of sex, caste, creed, race, or any other basis.

In the historic commemoration of the International Day of Persons with Disabilities on 3 December 2019 in Parliament House, the Speaker of the National Assembly made some commitments of paramount importance, which included:

1. The formation of a Special Committee on persons with disabilities (PWDs).
2. A legislative review of the existing laws in relation to persons with disabilities.
3. Establishment of an impeccable oversight mechanism.
4. Provision of adequate health, education and employment opportunities for persons with disabilities.

Since then, the Speaker has left no stone unturned for the facilitation of this important segment of our society.

#### Major Initiatives

Since 2019, the National Assembly of Pakistan celebrates the International Day of Persons with Disabilities at Parliament House, with an aim to highlight and mitigate the major problems of persons with disabilities through effective legislation and oversight.

In an unprecedented initiative, the Speaker formulated the first-ever Special Committee for Persons with Disabilities and the Committee is working indefatigably for the legislative review by scrutinising existing legislation against the best international practices and conventions, in addition to highlighting the



problems facing persons with disabilities with the various Ministries at the federal level.

The National Assembly of Pakistan has carried out a comprehensive 'accessibility audit' of the Parliament building, which was successfully followed up with:

1. The installation of ramps where required.
2. Construction of 'disability-friendly' washrooms at every floor and the main parking area.
3. Reservation of parking spaces for persons with disabilities.
4. Making electric wheelchairs available at all the entrances.
5. The exhibition of navigation paths for people with low or limited vision.
6. The reservation of a special gallery for persons with disabilities.

These initiatives have made Pakistan's Parliament buildings and proceedings accessible for persons with disabilities.

- Making the National Assembly's official website accessible for persons with disabilities is another initiative that has been implemented under the current Speaker. Following technological additions to the website, visually and hearing-impaired persons are able to access the legislative business of the National Assembly without any discrimination as guaranteed by the Constitution.
- The translation of the Constitution of Pakistan into braille for visually impaired persons has allowed persons with disabilities to access and comprehend their fundamental rights and obligations. This special initiative has been recognised by the international community.

## Other Achievements/Contributions:

The Speaker of the National Assembly has played an instrumental role in assisting the *ICT Right of Persons with Disabilities Act, 2020* to get passed from both Houses of the Parliament.

The Special Committee on Persons with Disabilities has also launched a number of initiatives, including:

- 'Special Mobile App for Persons with Disabilities' at Parliament House in collaboration with partner organisations to facilitate greater access for persons with disabilities.
- Directing the Pakistan Bureau of Statistics to conduct an alternate survey so that the numbers of persons with disabilities, that was missed in the 2017 census, is

ascertained. This will help future funds/budget to be allocated accordingly for health, education and social uplift for persons with disabilities.

- Encouraging the Police Department to ensure that driving licenses are issued promptly to people with hearing impairments.
- Directing the Capital Development Authority (CDA) to make the existing government buildings in the capital city of Islamabad to be accessible for all persons with disabilities.
- Directing the Ministry of Health, Human Rights and NADRA to merge services provided for persons with disabilities to avoid duplication.
- Encouraging the Commerce Ministry to allow the import of duty-free vehicles and medical equipment required by persons with disabilities.
- Directing the Health Ministry to make all the hospitals in Islamabad accessible for the persons with disabilities with regard to washrooms, ramps, parking area, facilitation service etc.
- Directing the Education Ministry to make all the schools, colleges and universities in Islamabad accessible for persons with disabilities with regard to washrooms, ramps, facilitation service, wheelchairs etc.
- Directing all government departments to appoint persons with disabilities in their respective offices against the existing 0.2% quota reserved for persons with disabilities, as well as making all government websites accessible.

## 'The journey of a thousand miles starts with a single step'

In summary, the efforts of the National Assembly of Pakistan, led by the Speaker and the Special Committee on Persons with Disabilities, are unprecedented. All the major challenges of persons with disabilities have been taken up with the relevant departments and are in progress towards their effective resolution. The Parliament building and its proceedings have been made more accessible to persons with disabilities. It is hoped that with these concerted efforts, all of the outstanding issues affecting persons with disabilities will be resolved and this will result in a much-needed uplift in the true sense for the development of Pakistan.





# HOW CAN COMMONWEALTH PARLIAMENTARIANS AND NATIONAL HUMAN RIGHTS INSTITUTIONS SUPPORT AND ADVANCE THE RIGHTS OF DISABLED PEOPLE?

Around 450 million disabled people live in the Commonwealth. That's over one-fifth of the Commonwealth's total population. Yet for such a large group of people in society, disabled people globally have faced poorer outcomes for too long, not only in terms of health but across many areas of life where services and policies have not been designed with their needs in mind.

As Parliamentarians, we have a central role in advancing the rights of those 450 million people. Supporting the needs of constituents, including those from all marginalised groups, has always been at the heart of our democratic function.

National Human Rights Institutions (NHRIs) share with Parliaments the responsibility for holding governments to account for their obligations to disabled people. While Parliamentarians have a public platform to influence legislation and speak on behalf of citizens, NHRIs bring specific expertise on rights issues.

Britain's Equality and Human Rights Commission (EHRC) is the current Chair of the Commonwealth Forum of National Human Rights Institutions. Equipped by Parliament with robust legal powers, we have a distinct role to play in removing the barriers that disabled people may face. Partnership working between Parliamentarians and National Human Rights Institutions is fundamental to effectively translating international treaties into national action to create stronger, fairer societies.

The UN Convention of the Rights of Persons with Disabilities (UNCRPD) is the international treaty that enshrines disabled people's rights in law. To date, 50 out of 54 member states in the Commonwealth have ratified the UNCRPD.

This means that states have committed to protecting and promoting the human rights of disabled people by eliminating disability discrimination, enabling disabled people to live independently in the community, creating an inclusive education

system and protecting disabled people from all forms of exploitation, violence and abuse.

Despite this commitment, some disabled people continue to face disadvantages in everyday life. From disparities in education to persistent employment and pay gaps; a chronic shortage of accessible housing and inappropriate restriction of independent living, many disabled people do not have the support to meet their basic care needs. Parliamentarians and NHRIs must work together to ensure disabled people have the same choice, control and opportunities as others do.

As Chair of the EHRC and a Member of the UK's House of Lords, I write with a foot in both camps. This has enabled me to see first-hand the essential role that both Parliamentarians and NHRIs play in upholding the rights of disabled people – never more crucial than during the pandemic.

Due to the postponement of the Commonwealth Heads of Government Meeting (CHOGM) and our continued chairing of the CFNHRI, I currently have the pleasure to see the joint working between Parliamentarians and NHRIs taking place in other Commonwealth nations.

In Kenya, the National Commission on Human Rights (KNCHR) made a number of recommendations to the Kenyan government. They sought to address the stigma about mental health conditions and improve support services. Their recommendations were echoed in parliamentary debates and the Ministry for Health subsequently scaled-up community support services, including a toll-free counselling helpline.

In Scotland, 46% of COVID-19 deaths by July 2020 were in care homes. The Scotland Human Rights Commission (SHRC) called for a human rights-based inquiry into a range of serious issues that residents and staff faced. Their recommendations were cited in



**Baroness Kishwer Falkner** is the Chair of the Equality and Human Rights Commission and the Chair of the Commonwealth Forum of National Human Rights Institutions. She also serves as a Member of the House of Lords in the UK Parliament, where she is a Cross Bench Member. In the Lords, she was a spokesperson for the Liberal Democrats on Home Affairs, Justice and Foreign Affairs from 2004-2015. She has also served on several Parliamentary Committees including Chairing the EU Sub-Committee on Financial Affairs, and as a Member of the EU Select Committee, Constitution Committee, the Joint Committee on Human Rights, and the Joint Committee on the National Security Strategy.



## Protecting disabled people's rights during COVID-19: good practice from across the Commonwealth



Above: Ananya Rao Middleton is a freelance illustrator and chronic illness activist who uses her work to express herself post-brain injury and as someone living with multiple sclerosis. She said about this illustration: *"This illustration represents the community cohesion and strength that is present among people with disabilities across the world, despite the systemic and personal barriers that we face. The COVID-19 pandemic has exacerbated many of the barriers people with disabilities face. At the same time, the pandemic has resulted in more awareness of issues faced by people with disabilities, and I wanted to showcase the feelings of hope and solidarity around this milestone. While we still have a long way to go in creating a society that fully supports and embraces people with disabilities, I think it creates a vision of hope for a better and more just future. Solidarity makes us stronger."*

the Scottish Parliament, and the First Minister committed to take an inquiry forward.

These developments, just to name a couple, would not have been possible without parliamentary support and a shared commitment to universal human rights principles. The expertise of NHRIs equips Parliamentarians with solutions to embed human rights in society.

While each NHRI differs in how they fulfil their mandate in different national contexts, members of the CFNHRI share many of the same concerns about the threat that COVID-19 continues to pose to the hard-won rights of disabled people. The CFNHRI recently published a report, *'Protecting disabled people's rights during COVID-19: good practice from across the Commonwealth'*<sup>1</sup>, to highlight how NHRIs address the barriers facing disabled people in their jurisdictions during the pandemic.

The examples in Kenya and Scotland, as well as others in the report, call attention to three key considerations that NHRIs and Parliamentarians should apply in decision-making to uphold and progress disabled people's rights:

- creating processes to involve disabled people in decision-making.
- collecting and using disaggregated data to inform policy, particularly where people may face multiple disadvantages.
- making policies and services accessible by design, and information is available in accessible formats.

These considerations are not only relevant in emergency responses, such as to the pandemic. Entrenched gaps in processes, data and design, where institutions have failed to examine the needs of disabled people, are longstanding and evident across many different sectors.

Building these considerations into our work is simpler than it seems. Most of the time, we already have the tools we need to scrutinise issues through the dimensions of accessibility and inclusion. The expertise of disabled people's organisations, families and disabled people themselves is invaluable and must be recognised. It's up to us to put their expertise into practice.

Closer to home, the EHRC intervened in the case of Sarah Leadbetter<sup>2</sup> – a registered blind woman who is categorised



as clinically extremely vulnerable. Sarah brought a case against the UK Government for failing to provide information about shielding during the pandemic in an appropriate, accessible format. She only discovered that she should have been shielding because her disabled mother was also on the shielding list and passed on the information.

We supported Sarah's claim that the Department of Health and Social Care breached its duties under the *Equality Act 2010*, did not comply with the Accessible Information Standard and discriminated against Sarah under Articles 8 and 14 of the European Convention on Human Rights. The Department committed to improving its practices by considering the communications needs of disabled people within a set period of time, an important development not only for Sarah, but for many other disabled people who may have found themselves in the same situation.

At this point in the pandemic, it should go without saying that health and other information must be provided in accessible formats such as Braille, screen-reader compatible or Easy-Read. During a parliamentary debate on an inclusive response to COVID-19 in the UK Parliament, Members raised their concerns about gaps in accessible government communications. Echoing calls from disabled people, Parliamentarians highlighted that sign-language interpretation and closed-captions must be treated as a bare minimum for all government broadcasting. It is essential that Parliamentarians continue to hold governments to account on this front so that disabled people and others with particular communications needs have the information they need to protect themselves.

Parliamentarians have a significant role to play in promoting and progressing cultural change. Championing human rights is not just



Image credit: Jo Harrison/UK DfID

about inspecting and enforcing, it's also about embodying values, reminding people that human rights are not abstract or theoretical, but support real people.

NHRIs across the Commonwealth are shifting away from academic, technical communications to a style that is approachable and more accessible. We also need to practice what we preach by reducing communication barriers too.

The EHRC, in its capacity as the Chair of the CFNHRI, commissioned the work of two disabled artists to bring the CFNHRI's report on disability to life. Their lived experience illustrated the report with understanding, originality and detail. This is an example of a small step we can take to reduce the barriers to employment that disabled people face, while modelling our communications effectively and expressing our values creatively.

The partnership between Parliament and an NHRI is crucial to the functioning of a rights-respecting society. Though we are separate entities, and Parliamentarians must protect NHRIs' independence, the confluence of our respective roles provides a systematic framework through which we can address some of the most pressing issues facing disabled people and other marginalised groups.

Our shared commitment to eliminating barriers that disabled people face paves the way for governments to implement meaningful change. We must continue to work together strategically to make the most of our distinct powers and call out failings that leave disabled people behind. By drawing on the expertise of NHRIs to embed human rights in society, Parliamentarians can help to rebuild a fairer post-pandemic world that supports the full inclusion of disabled people across the Commonwealth.

***“Parliamentarians have a significant role to play in promoting and progressing cultural change. Championing human rights is not just about inspecting and enforcing, it's also about embodying values, reminding people that human rights are not abstract or theoretical, but support real people.”***

For more information about the Commonwealth Forum of National Human Rights Institutions, please visit [www.cfnhri.org](http://www.cfnhri.org).

# HOW CAN COMMONWEALTH PARLIAMENTARIANS BETTER REPRESENT PERSONS WITH DISABILITIES? A VIEW FROM THE CARIBBEAN

In this article, the author draws on his experience and expertise as a person with disabilities for over 30 years, an advocate for persons with disabilities for 30 years, a researcher, a Parliamentarian with disabilities and one who played a leading role in the negotiations on the Convention on the Rights of Persons with Disabilities (CRPD), to anchor the discussion in this paper. Some recommendations are made as to how Parliamentarians in the Commonwealth can better serve persons with disabilities.

## Introduction

It is the duty of Parliamentarians, to provide laws to facilitate the protection and non-discrimination against citizens that they seek to represent. Within the Commonwealth, there is an estimated population of over 2.4 billion individuals, of which, based on the World Health Organization (WHO), there is approximately 300 million individuals living with a disability (*WHO 2011*). Persons with disabilities are among the most marginalised in society and therefore must be given special protection and consideration by Parliamentarians.

The marginality of persons with disabilities has come about due to low levels of education, poorer health outcomes, high levels of unemployment and entrenched negative attitudes towards these individuals (*United Nations 2018*). All of these situations have contributed to persons with disabilities being extremely poor (*World Bank 2016*).

Parliamentarians have a duty to transform their societies and make them more responsive to the needs of the vulnerable and marginalised. In this article, I will outline some strategies on how this can be done. In so doing, focus will be placed on embracing a new paradigm of disability, acceptance of the CRPD, formulating progressive programmes and policies for persons with disabilities and making some recommendation for immediate action to realise the SDGs from the panorama of persons with disabilities.

## The New Paradigm of Disability

The 21<sup>st</sup> century has ushered in a new paradigm of disability. This is the human rights paradigm which sees persons with disabilities as rights-holders (*Degener 2019*). In this paradigm, persons with disabilities are entitled to all the fundamental rights and freedoms entrenched in the varied treaties on human rights (*United Nations 1948*). Persons with disabilities for example, under the CRPD are entitled to education, health care, work and employment and political participation and public life, on an equal basis with others (*United Nations 2006*).

The new human rights paradigm is buttressed by international law, through the CRPD. The CRPD is a binding global treaty. All treaties under the United Nations are justiciable under the Vienna Convention of Treaties (*Kirgis 1995*). All countries that sign and ratify the CRPD are thus duty bound to honour its provisions. Fifty Commonwealth countries have signed and ratified the CRPD, and Parliamentarians within the Commonwealth must abide by the articles contained therein.

The human rights model of disability constitutes an axiological departure from the old charity and medical models of disability. These models portrayed persons with disabilities in a negative light, as they were perceived as objects of charity and had no meaningful contributions to make to society. Additionally, these models helped to shape public policy and contributed to the isolation of persons with disabilities from mainstream society. Health care policies for example, throughout the Commonwealth were fashioned off the medical model of disability which adumbrated that attention should be placed on 'curing the disease' affecting the individual with the impairment. Once the disease is cured, then the individual will be able to function in society. However, if the person with the impairment is not cured, then that individual is deemed to not being able to make any meaningful contribution to society and is thus isolated. No



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consideration is given to the various contextual factors that would contribute to the participation and inclusion of the individual with the impairment in society on an equal basis with others (Oliver 1990).

Public policies in the Commonwealth, by and large, have been contributing to the marginalisation of persons with disabilities because of their links to the charity and medical models of disability. Parliamentarians must be cognisant of this fact and take the requisite steps to transform such public policies. In so doing, the new human rights paradigm must be embraced, with the CRPD as the guide.

### Acceptance of the Convention on the Rights of Persons with Disabilities

Fifty countries in the Commonwealth have signed and ratified the CRPD to date, indicating their acceptance of the provisions contained in the treaty (*The Commonwealth 2020*). However, Commonwealth Parliamentarians must demonstrate their acceptance of this progressive global treaty by ensuring that they are fully apprised of the provisions and how to use them as tools to transform the lives of persons with disabilities. Parliamentarians must ensure that they read the handbook on the CRPD that has been created by the United Nations and also read the latest release of the language guide for relating to persons with disabilities (*Committee on the Rights of Persons with Disabilities 2021*).

### Formulating Progressive Programmes and Policies for Persons with Disabilities

Once Parliamentarians inform themselves of the new global trends relating to persons with disabilities, it should stimulate their interest in this marginalised community. This will enable them to better represent persons with disabilities. Better representation will see a greater focus on legislation to protect these individuals, education to empower persons with disabilities, generation of employment, improved access to public facilities and an assault on the negative attitudes and stigmata towards these marginalised individuals.

*For persons with disabilities to be brought into the mainstream of Commonwealth societies, legislation will have to play a pre-eminent role. Article 4, 1(b) of the CRPD states the following obligation for States Parties: "To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities" (United Nations 2006: 4). There are some structural and systemic deficiencies that require legislation to transform Commonwealth societies and bring these individuals from the margins. The establishment of legislation to protect persons with disabilities from discrimination, for example, is irrefragable. Additionally, Parliamentarians need to establish legislation to mandate buildings and public facilities to be accessible to persons with disabilities.*

*For Commonwealth Parliamentarians to better represent persons with disabilities, significant emphasis must be placed on the education of these individuals. The United Nations 2018 report on disability has highlighted education as one of the areas that continue to pose pre-eminent challenges for persons with disabilities (United Nations 2018). Educational institutions,*

*throughout the Commonwealth; have been built without the necessary access features for students with disabilities. Additionally, teachers are not trained in how to relate to persons with disabilities and there is an absence of modern technologies to support students with disabilities (Morris 2021; Gayle-Geddes 2016; Rieser 2008).*

Important to the education of persons with disabilities is the establishment of an inclusive education regime. Article 24 (1) of the CRPD postulates: "States Parties recognise the right of persons with disabilities to education. With a view to realising this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to..." (*United Nations 2006: 12*).

An inclusive education system is one in which all learners are exposed to the same education and in the same institution (*UNESCO 1994*). Commonwealth Parliamentarians, in their desire to better serve persons with disabilities, must ensure that schools within their constituencies are equipped with ramps to accommodate wheelchair users; teachers who are trained to relate with students with disabilities; have modern technologies to support students with disabilities and have support staff to assist students with disabilities. Giving persons with disabilities real education is the perfect antidote to poverty and dependency.

Employment is a significant issue for persons with disabilities. These individuals want to work so that they can take care of themselves and family. However, their right to work and be employed is being violated across the Commonwealth. Data is showing a significant number of persons with disabilities in less developed Commonwealth countries being unemployed. In the Commonwealth Caribbean, for example, data is showing up to 90% of these individuals are unemployed (*ECLAC 2017*). Conversely, in the more developed Commonwealth countries, such as the United Kingdom, Australia and New Zealand, employment of persons with disabilities is much more significant. Data is showing up to 50% of these individuals are employed (*United Nations 2018*).

Article 27 of the CRPD stipulates that: "States Parties recognise the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities" (*United Nations 2006: 15*). If Commonwealth Parliamentarians want to better represent persons with disabilities, special attention will have to be given to the employment of these individuals. Creative programmes and policies must be formulated by Parliamentarians to generate employment for these marginalised individuals. Initiatives such as using government procurement systems to ensure that those who are providing goods and services to government; have a percentage of their staff being persons with disabilities. Additionally, Parliamentarians should ensure that incentives are provided to private companies that employ a certain percentage of persons with disabilities.

For persons with disabilities to be meaningfully included in Commonwealth societies, there must be a fundamental change in attitudes towards persons with disabilities. Negative attitudes and

# THE CHALLENGES AND BARRIERS FACING PEOPLE WITH DISABILITIES IN THE COMMONWEALTH



Image credit: Aurelie Marrier d'Unienville/Sightsavers



Above: Simon Peter Otoyoo lives in Uganda. As a child soldier, he was given a gun and sent out to fight. During a fierce battle in 1996, a bullet pierced his temple, shattering his skull and lodging behind his left eye, leaving him permanently blind. A decade later, he has turned his life around, and is now fighting to overturn attitudes towards the blind in Uganda.

stigmata are major contributing factors to the levels of discrimination against persons with disabilities (Staniland 2011; Gayle-Geddes 2015). For Commonwealth Parliamentarians to better represent persons with disabilities, they will have to lead an assault on these negative attitudes and stigmata towards persons with disabilities. Commonwealth Parliamentarians, for example, should ensure that more persons with disabilities are brought into the decision-making process so that individuals can recognise that these individuals have the intellectual capacity to make pragmatic decisions. Furthermore, Parliamentarians should ensure that governments are implementing consistent public education campaigns to debunk the negative attitudes and stigmata towards persons with disabilities. It would also be prudent, for Parliamentarians to practice what they preach, by including persons with disabilities in diverse activities that they are implementing in their constituencies.

## Conclusion

The world has entered into a new paradigm in assessing and relating to persons with disabilities. The human rights framework, pellucidly articulated in the CRPD; gives States Parties an opportunity to put in place legislation, programmes and policies to facilitate the meaningful inclusion of persons with disabilities in society. Parliamentarians have a pre-eminent role to play in ensuring that the provisions adumbrated in the CRPD are implemented in their jurisdictions. If Commonwealth Parliamentarians are to improve their representation of persons with disabilities, they must be familiarised with the human rights framework postulated in the CRPD. Additionally, they must ensure that they

depart from the antiquated charity and medical models of disability, and embrace the human rights approach. This will take them a fair way in better representing persons with disabilities throughout the Commonwealth. It is rights over charity and empowerment over patronage.

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## REFLECTIONS ON ESTABLISHING THE COMMONWEALTH PARLIAMENTARIANS WITH DISABILITIES NETWORK: A VIEW FROM NOVA SCOTIA

I was thrilled to be elected to the Nova Scotia House of Assembly in October 2013 as the MLA for Eastern Shore. A few days later, I was elected by my MLA peers to serve as the Speaker for the Assembly. I was re-elected as MLA and Speaker again in 2017, serving until August 2021. My journey into elected public service was motivated in no small part by my observation that persons with disabilities were vastly under-represented in elected office in Nova Scotia. I had always thought that until 'real live' people with disabilities occupy more elected seats at all levels of government, progress on the file would continue to be measured in metres instead of kilometres.

The goal of any freely elected democratic government should be to have the diversity of its elected Members be representative of the population of which it is elected to serve. Over the past few decades, as a result of the hard work of the various minority, demographic groups involved, slowly but surely, efforts and initiatives have brought the issue of lack of representation of gender, sexual orientation and race, to the forefront of political conversations. Those efforts have resulted in raised awareness of the importance of inclusion and the ensuring benefits of better decision-making and policy outcomes, and for that, members of those demographics are grateful. However, persons with disabilities need more elected champions to occupy elected positions.

The strength of any sitting, elected government comes largely from the lived experience that each of its Members bring to the decision-making table. Diversity matters. In 2013, an unscientific survey of the Canadian political landscape revealed only a small handful of elected people across all three levels of government anywhere in Canada who self-identified as a person with a disability. The same was true for the United States and every other country that I had the ability to reach out to. The unmistakable conclusion is that this demographic is dramatically under-represented in elected governments across the globe.

As the first Speaker in the Commonwealth with a significant mobility disability, I set about to raise awareness about this situation and advocate for jurisdictions and sitting governments to do everything they could to increase the number of people with disabilities in our democratic processes, including elected positions. Beginning with my own government in my own province, my own experiences as an elected Member with a disability necessitated renovations to make our Legislature, the oldest in Canada at 205 years old, more accessible to all persons.

Since 2013, renovations have included:

- Making the raised Speaker's dais wheelchair accessible via a new permanent ramp.
- New barrier-free gender-neutral washrooms.
- Complete renovations and upgrades to exterior grounds with universal design/barrier-free access at the centre of design.
- Closed captioning and CART services incorporated into all Assembly proceedings.
- Renovations to legislative television control room to make it barrier free.

In addition to those physical improvements, by virtue of my presence as a person who uses a wheelchair occupying the halls of government, subtle, but important changes occurred in the outlook, attitude and awareness of all 51 elected Members of the Nova Scotia House of Assembly. The other 50 elected Members saw and experienced first-hand the potential of enabling people with disabilities by removing physical and attitudinal barriers which prevent persons with disabilities from fully participating in all aspects of our democracy. This not-so-subtle shift in attitude resulted in the government creating the political climate and the political will for Nova Scotia to become only the 3<sup>rd</sup> province in Canada to pass accessibility legislation in 2017 enshrining in law the right for all persons to be full participants in all aspects of society.



**Hon. Kevin Murphy** served as a Member of the House of Assembly of Nova Scotia as the representative for Eastern Shore and was also the Speaker of the House of Assembly from 2013 to 2021. During his time in politics, he also worked with the Commonwealth Parliamentary Association to host its first conference for Parliamentarians with Disabilities in Canada and was crucial to establishing the Commonwealth Parliamentarians with Disabilities (CPwD) network, becoming the first CPwD Chairperson. Prior to entering politics, Kevin was a successful entrepreneur and community advocate for disability issues. He resides in Porters Lake, Nova Scotia with his wife Stephanie and their two children, Rachael and Jackson.



**Above: Commonwealth Parliamentarians with disabilities attending the first conference in Nova Scotia, Canada in August 2017, which paved the way for the establishment of the Commonwealth Parliamentarians with Disabilities (CPwD) network.**

During the winter meetings of the Canadian Presiding Officers (Provincial and Territorial Speakers) in 2014, I raised this topic and received the support of my colleagues to move ahead with a more formal presentation to our upcoming 2014 CPA Canada Region's Annual General Meetings. With the support and endorsement of the CPA Canadian Region and my own CPA Nova Scotia Branch, I proceeded on a course to raise the issue with the Commonwealth Parliamentary Association in hopes of establishing a permanent Committee that could sustain the advocacy effort to support the full participation of persons with disabilities in all aspects of democracy across the globe.

The Commonwealth Women's Parliamentarians (CWP) was founded by CPA Members in 1989, constituted in 2004 and had set the standard for enabling, supporting and empowering women across the Commonwealth for decades, playing an ongoing effective role in closing the gender gap in elected Parliaments. In 2016, using the successful 'CWP model' as a template, in my role as one of the three CPA Canada Region's representatives on the CPA's International Executive Committee, I pitched the idea of establishing a formal network for Parliamentarians with Disabilities to the Members. The pitch included a proposal for an initial gathering of Commonwealth Parliamentarians with Disabilities in Halifax, Nova Scotia, Canada to be held in late summer 2017. This motion was approved by the CPA's International Executive Committee, and with funding support from the CPA Headquarters Secretariat, the CPA Canadian Region, the CPA Canada Federal Branch and the Nova Scotia House of Assembly/CPA Nova Scotia Branch, the inaugural gathering of Commonwealth Parliamentarians with Disabilities was held in Nova Scotia, Canada, from 31 August to 1 September 2017.

This historic conference brought together over 30 Commonwealth Parliamentarians with disabilities and parliamentary officials from eight of the nine regions of the CPA.

The 'Halifax' conference enabled Members of Parliament to network and share experiences, good practices and innovations from Commonwealth jurisdictions that are designed to support the full participation of persons with disabilities in political and public life.

In his opening remarks, Hon. Jackson Lafferty, then Speaker of the Legislative Assembly of the Northwest Territories and a CPA International Executive Committee Member, challenged the participants to consider the following three questions during their deliberations:

1. What can you do as individual Members of Parliament to advance the understanding and involvement of persons with disabilities in democratic institutions?
2. What should Parliaments be doing to encourage persons with disabilities to take part in parliamentary democracy?
3. What can international organisations such as the Commonwealth Parliamentary Association do to encourage Parliaments to be more inclusive of persons with disabilities?

The conference recommendations were subsequently provided to the CPA International Executive Committee at their Mid-Year Meeting in Mauritius in March 2018. The recommendations were

based on the real-life individual and collective experiences shared by the diverse group of conference participants of being elected and fulfilling their duties as Parliamentarians with disabilities.

The following recommendation was endorsed by CPA International Executive Committee:

- That the Commonwealth Parliamentary Association International Executive Committee approve the proposal prepared by the Speaker of the Nova Scotia House of Assembly in March 2016 and move forward with the creation of a network to be known as the Commonwealth Parliamentarians with Disabilities (CPwD).

The list of further recommendations was shared with all Parliament and Legislatures within the membership of the Commonwealth Parliamentary Association and included:

- The CPwD will undertake a range of activities and programming to support persons with disabilities to seek elected office, including:
  - a) Developing outreach activities/programs, including outreach tools such as educational and promotional videos.
  - b) Encouraging all Parliamentarians to be 'leaders' and 'ambassadors' that inspire, empower, encourage and support persons with disabilities to seek elected office.
  - c) Encouraging political parties to pro-actively recruit and support persons with disabilities to become party candidates and once selected as candidates the parties be further encouraged to provide any additional assistance, financial and otherwise, that a candidate with disabilities requires to be elected as a Parliamentarian.
  - d) Advocating for the voting process, including physical polling stations, to be accessible to persons with disabilities, recognising that this may require regular audits of the physical voting spaces.
  - e) Lead data collection/survey/research to understand more fully the reasons for which persons with disabilities run for public office or choose not to run for public office. The methodology needs to be well formulated to produce worthwhile results that will serve

as powerful, compelling tools to advance and improve the current situation.

It was also recommended that the new CPwD network would be global leaders in accessibility and inclusiveness by engaging in activities that will:

- advocate for Parliament buildings to be fully accessible.
- advocate for jurisdictions to share technical and other relevant information that will assist other Parliaments in making their buildings accessible.
- advocate for accessibility statutes/legislation to be enacted in all jurisdictions, and that the CPA support the development of a template for legislation that can be used by different jurisdictions.
- advocate for the elimination of barriers, be they physical barriers as well as all other barriers facing persons with disabilities created by ever-present stigma, stereotyping, assumptions and attitudes associated with and towards persons with disabilities be identified and strategies developed and put in place to overcome the barriers.
- encourage Parliaments and governments to recognise that low income and poverty levels are additional barriers compromising the ability of persons with disabilities from seeking elected office.

It was also recommended that once created, the Commonwealth Parliamentarians with Disabilities (CPwD) work collaboratively with all Commonwealth Parliaments across the CPA's membership, as well as the CPA's other networks – the Commonwealth Women Parliamentarians (CWP) and the CPA Small Branches. The CPwD should also work with other levels of government and other organisations whose mandate is to work with and assist persons with disabilities to share best practices in improving accessibility and inclusiveness.

The Commonwealth Parliamentarians with Disabilities (CPwD) network was established in 2019 and held its first meetings in the autumn of the same year when the first CPwD Chairperson was elected by the CPwD Regional Champions, who represent the nine regions of the CPA.

As I look back now, it was a huge honour to host in my home province such a distinguished group of Commonwealth Parliamentarians in 2017, who were tasked with such a historic undertaking as setting the course for changing the political landscape across the Commonwealth and beyond for persons with disabilities and the issues that they face every day. I will be forever grateful for that group of individuals who participated in, and contributed to, that notable event which served to create the Commonwealth Parliamentarians with Disabilities (CPwD) network.

***“It was also recommended that once created, the Commonwealth Parliamentarians with Disabilities (CPwD) work collaboratively with all Commonwealth Parliaments across the CPA's membership, as well as the CPA's other networks – the Commonwealth Women Parliamentarians (CWP) and the CPA Small Branches.”***



## PARLIAMENTS MUST PRIORITISE ACCESSIBILITY FOR PERSONS WITH DISABILITIES

The last decade has seen diversity and inclusion climb to the top of most boardroom and organisations' agendas. However, despite rising awareness of the benefits that diverse workforces bring, many political institutions around the world are still falling short when it comes to disability.

As it currently stands, there are only five serving Members of Parliament in the United Kingdom with a declared disability and seven equivalent Members of Congress in the United States. Furthermore, recent research indicates only 1% of Parliamentarians across the European Union (*Mitz and Schippers, 2021*) have any declared impairment.

These figures are particularly concerning when the United Nations estimates there are at least 1 billion disabled people worldwide, compromising our largest minority group (*UN Fact Sheet*). This representation gap alone is stark, and without disability inclusion in politics, we will be unable to successfully legislate and advance disability rights for the future and for a fairer world. Parliaments around the world need to be accessible for all.

**We need more people with disabilities in politics.** The representation gap for disabled people internationally is stark, making them one of the most under-represented minority groups, despite current momentum for increased diversity and inclusion. Using the United Kingdom as an example, there are currently 14.1 million disabled people in the country, which is 21% of the population, with 8% of children being disabled, 19% of working-age adults, and 44% of pension age (aged over 65) adults.

If these numbers were proportional to the number of disabled MPs, we should expect to have approximately 136 disabled MPs in the UK Parliament. However, we currently fall far short. We need more people with disabilities entering politics to ensure Parliament is reflective of the society that it represents, and also to ensure people with disabilities and disability rights are fully advocated for within our democracies.

The link between descriptive representation (reflection of various characteristics of the represented among representatives, e.g. gender, race, disabilities) and substantive representation (when representatives '[act] in the interests of the represented in

a manner responsive to them') has been a long-standing issue of academic debate. Recent research indicates *"having more disabled representatives in parliament benefits in raising the interests of disabled voters"* (*Reher, 2021*).

Despite being part of an incredibly diverse minority group, people with disabilities collectively and routinely experience access issues from inaccessible spaces to inaccessible transport systems, inaccessible information, alongside prejudice and stigmatisation (*Reher, 2021*). This lived experience must be utilised to represent and address the needs of disabled people.

In order to increase the number of people with disabilities in politics, Parliaments around the world must work collectively. Accessibility should be at the core of all environmental restoration, planning and activities, and institutions could institute disability advisors with lived experience to ensure accessibility checks are effective. The pandemic has also proven historical institutions like Parliament's are able to support remote and online working. Efforts should be made to extend hybrid proceedings for people with disabilities to ensure they can fully participate when clinically vulnerable or when practically required.

As Chair of the UK Parliament's All-Party Parliamentary Group for Disability, we have been working globally to establish an International Disability Network. This Network will enable nations to put forward their examples of best practices and allow us to learn from each other to ensure we best prioritise disability accessibility and inclusion worldwide.

The Commonwealth will play a key role in ensuring this initiative is a success and lay the groundwork for a diverse and inclusive future. Initiatives running in the UK Parliament have included the expansion of the *Disability Confident Scheme* across constituency offices and the *House of Commons Parliamentary Internship Scheme* for people with disabilities. The former encourages Members of Parliament to offer frontline opportunities to disabled people in local politics across the UK, and the latter provides an introduction to careers in politics in the UK House of Commons itself.

**We also need to change the narrative around disability within society**, as inclusion in education, work, and the overall public sphere



**Hon. Dr Lisa Cameron, MP** was elected to the Parliament of the United Kingdom in May 2015 to represent the constituency of East Kilbride, Strathaven and Lesmahagow in Scotland. She is the Chair of the UK Parliament's All-Party Parliamentary Group on Disability. Before entering politics, she worked as a clinical psychologist.

lay the foundation for inclusion in political life. Historically, disability has been associated with dependency and the welfare state. People with disabilities often experience stigma, and stigma leads to people with disabilities being treated differently resulting in their exclusion from educational and training opportunities, employment and livelihood opportunities, health, and other public services, and limits their participation in all aspects of society, including decision-making at the very top.

This discrimination based on stereotypes of disability has very real negative social and economic impacts for girls, boys, women and men, and often their families too. As a result, many people with disabilities live in poverty and on the margins of society, with girls and women most affected. There are few positive role models. The experience of stigma, and the resulting feelings of worthlessness and lack of wellbeing, also increase people with disabilities vulnerability to psychological and physical abuse, including neglect, domestic and sexual abuse, and exploitation (Bond, 2017). Over 15% of the world's population is disabled; thus changing the narrative around disability is a key development issue, and it is vital nations work together to enhance understanding and create positive change.

A good first step may be to ensure nations adopt a social model of disability. The social model of disability understands that “...*disability is caused by the barriers to opportunities and participation erected by society, rather than by a person's physical or mental impairment or difference itself. It recognises that people with disabilities can live as equal members of society once barriers to inclusion are removed*” (ibid). This understanding of disability should be at the core of policymaking and diversity & inclusion initiatives. Other ways to transform the narrative is through awareness training and education opportunities, and increased representation within the mainstream media. This will be crucial in ensuring an increase of disabled representatives and political leaders.

The need to reduce the disability employment gap can also be cited as a reason why we require an increase in the substantive political representation of disabled people. The disability employment gap refers to the difference in employment rates between disabled people and the rest of the working-age population. Data and metrics

surrounding the disability employment gap are vital in understanding the extent to which people with disabilities are excluded from public life.

The UN estimates that in developing countries, the disability employment gap is between 80-90% (UN Fact Sheet), and in industrialised countries, this lowers to around 50%. Using the UK as an example with a disability employment gap of around 28.8%, we know that disabled people are continually encountering barriers to securing, retaining, and progressing in employment. As previously described, people with disabilities are subject to narratives and stereotypes that involve being dependent and reliant on the welfare state, but we limit the opportunities available to them, reinforcing this narrative. Thus, by being excluded from the workforce, we are not only limiting the opportunities available to disabled people in both public and private spheres, but we are also perpetuating a cycle of stigma. People with disabilities have wonderful abilities and talents that would benefit the diverse needs of many organisations. Therefore, if nations took proactive steps to reduce the disability employment gap and to leverage public procurement, they would benefit from improvements in profitability, competitive consumer edges whilst being able to utilise a diverse pool of talent.

If we were to increase the level of substantive political representation within our Parliaments, an enhanced understanding of the disability employment gap would be put on the agenda along with key solutions. Though there is an increasing interest in this area (Wass and Jones, 2021) (CIPD, 2021), the lack of representation, role models and leadership on disabled employment remains clear.

In conclusion, the level of inclusion in political life for persons with disabilities does not align with the percentage of the global population who have a disability. People with disabilities face different cultural, economic, and political barriers around the world and more must be done to address this. The starting point is to transform the narrative surrounding disability by adopting the social model of disability within policy frameworks.

The next and crucial steps are to work towards increasing substantive political representation for persons with disabilities. By increasing the level of representation within our Parliament's at all levels across the community, we will be able to lead effective change and legislate to advance the rights and experiences of people with disabilities. This must be a universal experience, and we must all play our part within our own institutions. The International Disability Network is a great starting point, as its purpose is to support and enable countries to learn from each other's best practice to ensure, in line with the United Nations Global Goals, that 'no one is left behind'.

To find out more about the work of the UK Parliament's All-Party Parliamentary Group for Disability visit [www.disabilityrightsuk.org/policy-campaigns/all-party-parliamentary-disability-group-appdg](http://www.disabilityrightsuk.org/policy-campaigns/all-party-parliamentary-disability-group-appdg).

***“This discrimination based on stereotypes of disability has very real negative social and economic impacts for girls, boys, women and men, and often their families too. As a result, many people with disabilities live in poverty and on the margins of society, with girls and women most affected.”***

## THE WORK AND THE ROLE OF THE SCOTTISH PARLIAMENT'S CROSS-PARTY GROUP ON DISABILITY

One in five people in Scotland identify as having a disability. That represents roughly one million people in a country of around five and a half million, meaning that disabled people are one of the largest protected groups in the country.

However, these days they are often treated as an 'add on' to other issues of the day. An afterthought to issues of race or gender, even though they make up a tiny portion of the population. This is in no way to say that we shouldn't be addressing issues of racial and gendered inequality (we absolutely should!) but rather it highlights that disabled issues are well underrepresented in the minds of public activists.

So how do we approach disability issues with proportionate potency so as to ensure that this large constituency is not left behind in our efforts to foster an ever more inclusive society?

Effective change most often is driven by broad coalitions that bring together groups that wouldn't necessarily find each other as regular bedfellows. Of course, this is the basis of our parliamentary democracy. People with opposing perspectives coming together to address issues and finding solutions based on the common ground that can be found between their positions.

However, it hardly needs to be pointed out that we live in an increasingly polarised political moment, with willingness for cross-party cooperation seemingly on the decline. We are seeing fewer and fewer instances of voluntary reaching across the aisle as we engage more and more in echo chambers of our own creation.

In such a time as this, we must work hard to exit these echo chambers and engage with those who are not in complete agreement with us. We must make an effort to get around the table and create as many opportunities as we can to facilitate it. It is for this reason that I believe that Cross-Party Groups are so valuable.

A Cross-Party Group in the Scottish Parliament is a collection of stakeholders that come together to discuss, debate, and promote an issue of common interest. They are made up of Members of the Scottish Parliament, interested businesses, third sector organisations and individuals who share an interest in a given topic. These topics are varied and cover a vast number of areas. There are groups focussed on Whisky, Autism, America, Cancer, Oil and Gas, Diabetes and Israel. There are currently 60 Cross-Party Groups in the Holyrood Parliament.

As the Convener of the Cross-Party Group on Disability, I seek to address the problem of under-representation of disabled issues in the activist landscape of Scotland. The group comprises Members of five different political parties, many of whom would otherwise not normally interact in such a forum. It also brings together no fewer than 48 third sector organisations along with a number of individuals with lived experience of both living with a disability and caring for disabled loved ones. In this way, we have cultivated a group with a broad voice that is informed by people and organisations with multiple perspectives on the issues.



**Hon. Jeremy Balfour, MSP** is a Member of the Scottish Parliament representing the Lothian Region since 2016. Jeremy is a member of two Parliamentary Committees on Equalities, Human Rights and Civil Justice, and Social Justice and Social Security. He is also a member of 18 cross-party groups including Convener of the Cross-Party Group on Disability.



The activity of the Cross-Party Group for Disability falls into three categories.

### Information Sharing and Discussion

As you can imagine, the opportunity of having such a wide range of people around the table promotes a great deal of discussion. We all share an interest in the topic of disability, some because that is the reality of their day to day, but we come from a wide range of backgrounds and political persuasions. This presents a great space for discussion, stemming from the fact that we can all work from the assumption that everyone around the table cares about disabled issues and wants to see them promoted and solved. Once that is established, we are able to engage in good-faith, productive conversations in which different parties have varying approaches to the same questions. This is not to say that discussions cannot at times get heated, but the climate of respect that has been cultivated within the group means that disagreement can still lead to productive output.

Specific issues can be raised by Members of the group who feel there is a topic that warrants consideration, or they would like to learn more about. Topics are often raised if there has been a pertinent story in the news recently that relates to the interests of the group.

### Visiting Speakers

The Cross-Party Group for Disability regularly invites speakers to give talks to our Members. They can be around a range of topics and can be given by a range of individuals and organisations. For instance, we had a talk from the prosecution service and Police Scotland on their response to recent instances of hate crimes towards disabled people. This included a question-and-answer session in which we were able to ask specific questions surrounding what more can be done to address this problem.

***“Going forward, it is my hope that the Cross-Party Group for Disability continues to develop and grow. It is such a valuable resource for our Members who can come to actively engage in discourse around a topic that is in great need of addressing. Disabled people are not going to disappear in the future, and it is therefore of paramount importance that we continue the ongoing discussion around issues and obstacles that they face day to day.”***

We have also had talks from third sector organisations on ways that their broad missions can become more accessible to disabled people. We had one such talk from Volunteer Scotland on the value of volunteering roles for disabled people, who aren't able to enter full-time employment. We discussed with them ways in which more volunteering opportunities can be given to disabled people both in terms of accessibility and awareness.

In both cases, we try to orientate talks around both practical learning for those attending and also feeding back to the speaker so that they can benefit from the experience and beliefs of our Members.

### Letter writing

It is important for us as a group to not just be a group that exists for the benefit of our Members, even though that is a very important aspect of who we are and what we do. We also want to be a group that affects positive change in the area of disabilities. We want what happens in the group to affect society outside the group.

There are of course limits to what a Cross-Party Group in the Scottish Parliament can do. For instance, as Cross-Party Groups are not official Parliamentary Business, we cannot bring debates to the chamber, but we can write to Government Ministers to ask them questions and try to promote disabled issues to them.

A good example of this would be our communications with the Scottish Government regarding the timing of welfare reform, and more specifically welfare reform as it pertains to disability benefits. As the Scottish Government has rolled out its programme on benefits, the Cross-Party Group have had questions and concerns on timings and how it will work in practice. The Group has written collectively to Ministers seeking answers and received appropriate answers.

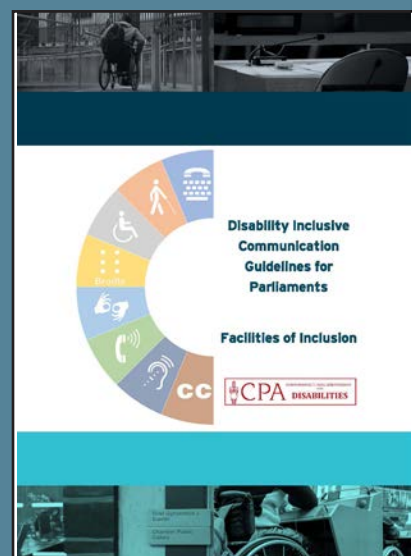
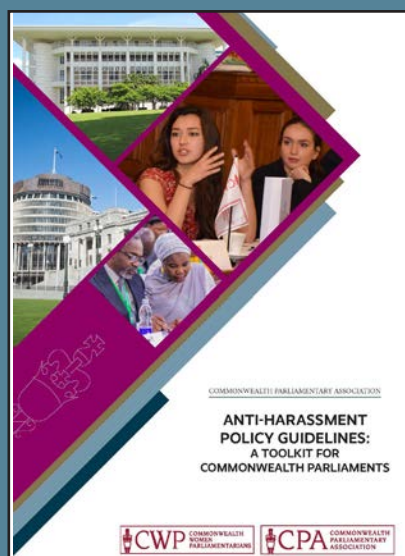
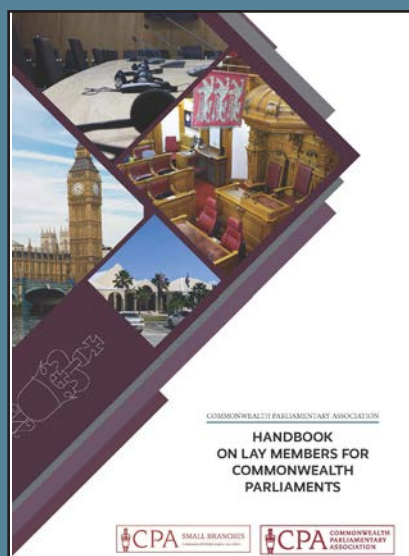
On occasions, the Minister has then been invited to attend the Group face to face and further dialogue has taken place. These sessions are normally productive and positive.

The above gives a small taste of the group's activity. Going forward, it is my hope that the Cross-Party Group for Disability continues to develop and grow. It is such a valuable resource for our Members who can come to actively engage in discourse around a topic that is in great need of addressing. Disabled people are not going to disappear in the future, and it is therefore of paramount importance that we continue the ongoing discussion around issues and obstacles that they face day to day. I would encourage any Parliamentarians that work in a Legislature that doesn't have a space that fulfils this function to create one. Whether it is a Cross-Party Group or something similar, the value of open, honest, and good-faith discourse cannot be overstated when it comes to the issues of disability. The action that comes from groups who have influence from varied and diverse voices will always enjoy greater longevity and efficacy than factional and partisan endeavours.

For more information about the Cross-Party Group on Disability and other groups at the Scottish Parliament, please visit [www.parliament.scot/get-involved](http://www.parliament.scot/get-involved) and click on 'Cross-Party Groups'.

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# AN ASSESSMENT OF GENDER AND DISABILITY IN THE COMMONWEALTH: A VIEW FROM NIGERIA

### Introduction

Girls and women of all ages with any form of disability are generally among the more vulnerable and marginalised of society, which requires further actions and initiatives to implement the Beijing Declaration and Platform for Action and the General Assembly Resolution S23/3 of 10 June 2000, annex, paragraph 63. It is also on record that less than 5% of children and young persons with disabilities have access to education and training; girls and young women also face significant barriers to participating in social life and development. The global literacy rate for adults with disabilities is as low as 3% and 1% for women with disabilities.

People with disabilities, in general, face difficulties in entering the open labour market, but, seen from a gender perspective, men with disabilities are almost twice as likely to have jobs than women with disabilities. When women with disabilities work, they often experience unequal hiring and promotion standards, unequal access to training and retraining, unequal access to credit and other productive resources, unequal pay for equal work and occupational segregation, and they rarely participate in economic decision-making (Arthur, 2003).

According to the World Bank (2021): *“Every minute, more than 30 women are seriously injured or disabled during labour. However, those 15–50 million women generally go unnoticed.”*

According to the Committee on the Elimination of Discrimination against Women (1999): *“Women with disabilities, of all ages, often have difficulty with physical access to health services. Women with mental disabilities are particularly vulnerable, while there is limited understanding, in general, of the broad range of risks to mental health to which women are disproportionately susceptible as a result of gender discrimination, violence, poverty, armed conflict, dislocation and other forms of social deprivation.”*

Depressive disorders account for close to 41.9% of the disability from neuropsychiatric disorders among women, compared to 29.3% among men. *“Women with disabilities face significant barriers in accessing adequate housing and services”* (Miloon, 2005). In another related line, Miloon (2005) also postulated that *“Women with disabilities are more likely institutionalized than men with disabilities.”*

### Conceptual Operationalisation

It is useful to define some significant concepts as follows:

- **Disability:** this word, albeit interpreted differently by some experts, may have similar or different meaning from the original usage. It refers to, as used in this research, the state of being incapacitated either physically or mentally by nature or by accident.
- **People with Disabilities:** people with disabilities are incapacitated people living in society, either in a physical or mental incapacitation either by nature or by accident.
- **Women with Disabilities:** this refers to women who are incapacitated mentally, emotionally or physically, either born with such or victimized by accident.

### Theoretical Framework

This article adopts the critical disability theory in order to have a scientific basis for discussing the findings of the research. Critical disability theory (CDT) is one of the theoretical approaches under Disability Studies. As indicated by Hosking (2008), different CDT elements are often used in interdisciplinary studies on disability. However, it is important to note that the theory has its origins in the tradition of critical theory of the Frankfurt School, whose philosophical sources not always correspond with the assumptions of Disability Studies.

Critical disability theory is primarily a ‘critical theory’ as understood by Horheimer (Horkheimer 1995), i.e. CDT is meant to be simultaneously ‘explanatory, practical and normative’ (Hosking 2008:3). Hence, the critical disability theory should above all: explain what is wrong in current social reality, identify the actors that can change it, introduce precise standards into social debate, in order to formulate available targets of social change (Bohman 2005). CDT is based on criticism of traditional assumptions and discussions on disability, aimed to oppress persons with disabilities and violate their rights (Hosking 2008: 4).

The theory is based on the claim that ‘disability is not fundamentally a question of medicine or health; nor is it just an issue of sensitivity and compassion; rather, it is a question of politics and power (lessness), power over, and power to’ (Devlin and Pothier, 2006: 2).

In this perspective, the legitimisation of paternalistic treatment and oppression of the disabled by non-disabled manifested through



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restricted access to economic and social goods for disabled people, executed by the non-disabled society, is questioned. The relationship between this theory and the topic under study is that, there are people who should intervene in the affairs of people with disability, and how well are they intervening? What is supposed to be done to such people, has it been done to them? How does society recognise such people, are they well recognised? These questions are what provides the nexus between the topic and the theory.

## Findings and Discussion

In patriarchal societies such as in Africa, the social role of women and girls is often primarily defined through reproduction and the kitchen. Women and girls with disability are subjected to multiple layers of discrimination, sometimes known as 'double discrimination' based on their gender and disability status. They face disproportionately high rates of gender-based violence, sexual abuse, neglect, maltreatment and exploitation.

Studies have shown that women and girls with disabilities are likely to experience greater gender-based violence compared to women and girls without disabilities. They are denied reproductive healthcare and when healthcare services are available, they may not be physically accessible for these women with varying types of disabilities, or healthcare providers do not know how to accommodate them. Although progress has been made in recognising the rights and equality of persons with disabilities, the last two decades have witnessed a gathering global momentum for change. Many countries have already begun to reform their laws and structures and to remove barriers to the participation of persons with disabilities as full members of their communities.

The UN Convention on the Rights of Persons with Disability, (CRPD), a human rights treaty adopted in 2006 at the United Nations Headquarters, which had the signature of 146 countries in the landmark legislation, is seen as a paradigm shift from the way people with disability are perceived as a medical or social welfare issue rather than a human right issue. The convention addresses specifically the needs of women with disabilities and enjoins governments to embark on measures to ensure their equitable participation in programs and activities.

Families (often mothers) are overprotective and do everything for a person with disabilities, who never learns to carry out the tasks or make the decisions of their daily living. The individual lives a 'sheltered' life without exposure to the problems and opportunities of the outside world, and never learns to navigate that world. Although this protective isolation is carried out with good intentions, it has many negative effects. Punitive isolation of persons with disabilities occurs when families are ashamed and want to 'hide' the family member as some benefit to the family. Cases were reported that due to their disabilities, some individuals do not even have access to



Above: 25 year old Halima was born without her left hand. Her parents could not afford to send her to school. Thanks to UCEP Bangladesh, she learn technical skills in garment finishing and quality control and now has a job earning \$100 per month. She says *"I am happy I am not a burden to anyone anymore. I can even help my parents."*

their own pension, and hence need to be completely dependent on financial tokenism from people around them.

While most gender issues affecting people with disabilities are consistent with cultural norms within a country, there are, at times, additional issues based on disability that impact participation. Within a gender assessment, it would be helpful to be fully aware of possible additional issues related to disability to ensure that all persons with disabilities, especially women with disabilities, have equitable access to socio-cultural activities.

For example, are there locations where activities take place that are currently physically accessible? Do they have ramps, accessible bathroom facilities, etc. that provide equal access for both women and men with disabilities, and is the information provided to the general public accessible to people with sensory disabilities? Is there information provided in Braille? Are there sign language interpreters available upon request? Does the country recognise sign language as a language? Are there differences in which disability aids men and women more typically, e.g., are men more likely to be educated in Braille or sign language than women? Is there a difference of perception for the various types of disabilities (i.e. is there a difference in how people perceive people with physical disabilities compared to sensory, intellectual, and/or psycho-social disabilities?) or are there additional stereotypes or discrimination for women with disabilities compared to men?

It is due to lack of quantitative data on disability and due to social stigmatization that many individuals with disabilities may be reluctant to self-identification as someone with a disability, further skewing statistics within a country. Likewise, many disabilities are 'hidden' (such as developmental disabilities or many psycho-social disabilities) and you cannot ascertain if someone has a disability by simply looking at them.

Therefore, knowing the number of people with disabilities participating in programs or including people with disabilities in

performance indicators can be quite challenging, especially in developing countries among the Commonwealth.

The exclusion and violence against women and girls with disabilities in any country carries heavy financial and social consequences. Discrimination against persons with disabilities hinders economic development, limits democracy, and erodes societies. Perhaps because of the challenges they face, women and girls with disabilities are unable to harness their full potentials to contribute immensely to the economic development of their communities.

Without access to education and economic opportunities, women cannot freely participate in modern society. One of the most effective ways to protect women and girls is education, as it empowers women and girls, and directly reduces their vulnerability to discrimination of all forms. This can be achieved through targeted investments in the provision of education through sustained action and political commitment across the Commonwealth.

The strength of the Commonwealth lies in the ease with which it can work in each country, particularly because they all have similar systems and institutions, common legal processes and shared language.

The 2030 UN Agenda provides an important platform and pathway to address gender equality, while the Commonwealth and the CPA are well positioned to link up all the requirements to promote women and get them more actively involved in politics, and policy interventions should be pursued vigorously by the Government.

The Commonwealth is committed to gender equality and women's empowerment as critical to realising the Agenda for Sustainable Development 2030. This is evident in the Commonwealth Charter and its four priority areas on gender equality and women's empowerment. The Zero Draft Outcome Statement set out at the Women's Forum asks of member states, civil society, Commonwealth (organisations and member states), multilateral partners, and the private sector to realise the ambitions for gender equality and women's empowerment. These priority actions and commitments emerged from the discussions at the 2018 Forum.

This can be achieved through targeted investments in the provision of education through sustained action and political commitment across the Commonwealth. Increased investment in research and improved data collection processes will determine appropriate strategies and policies that work best, and scale-up protection services and interventions for those most at risk. Furthermore, businesses need to play their part by understanding the ramifications of recruitment fees, which are a gateway into debt and casualties of discrimination.

***“The Commonwealth is committed to gender equality and women’s empowerment as critical to realising the Agenda for Sustainable Development 2030.”***

It is important to raise a movement of many voices that will speak and provide consistent messages from governments and civil society to create an environment where slavery is not acceptable. Only then will the social norms that permit slavery be eroded. It is absolutely clear that no one country or institution can end discrimination against PWDs on its own, but should involve a wide range of stakeholders from civil society, including anti disability groups at the grassroots level, mosques, churches, trade unions, and international NGOs. Partnership and cooperation to support a stronger international response to eradicating discrimination on account of disability should be staged.

Countries should join the UN Call to Action to advance the sexual and reproductive health and rights (SRHR) of women and girls which is inextricably linked to other important human rights, including the right to life, the right to be free from torture, the right to health, the right to privacy, the right to education and employment, and the prohibition of discrimination. These rights have been crystallized in various international and regional agreements.

Critical challenges to the empowerment of women with disabilities include stigma, social norms, discrimination and infantilisation. Women and girls also face greater barriers in their access to credit and assets, as well as to improved physical environments. We need to take active measures to remove the systemic barriers that women with disabilities face and build robust global architecture. It is important to accelerate the progress made under the UN Convention for the Rights of Persons with Disability, especially Article 6, and the SDGs, through policies, implementation and strengthening of normative and legislative frameworks, including gender-responsive budgeting to ensure that budgets work for everyone including women with disabilities. It is also critical to collect disaggregated data on disability, pursue equal pay for equal work, and utilise new technologies that offer a fantastic opportunity for inclusion. *‘When we invest in empowering women with disabilities, we build a more sustainable society for all’.*

There is a growing body of evidence that women make a positive difference to the quality of decision-making. Research shows that increased numbers of women in Parliament contribute to the normalisation of a more ‘woman-friendly’ environment. This positive change contributes to a more conducive environment for the discussion of women’s issues that concern the internal workings of government. Therefore, it becomes easier for women to raise gender issues, and for men to become more aware of gender issues and start to accept women in decision-making roles.

Although it is critical to sustain efforts to increase the number of women in politics and public life, the presence of women in Parliaments or local governments is not the only measure to progress gender equality. Gender sensitivity and awareness should be reflected equally in policies and infrastructure of all political institutions amongst the Commonwealth which will support women in positions to influence changes as it affects women with disabilities in their communities.

It is axiomatic that women’s power and decision-making in political, public and private sectors are essential to achieving gender equality, and are therefore crucial for successful implementation of the SDGs. The absence of women in senior leadership positions and their lack of participation and representation restrict opportunities

to create policies that will have a broader benefit for the whole of society through increased gender mainstreaming.

Article 9 of the CRPD requires that people with disability have the right to live independently and take part in all aspects of life. To achieve this, member countries must take appropriate steps to give people with disability access, in the same way as others have access, to things, places, transport, information and services that are open to the public. This requires that countries take appropriate measures to remove any obstacles and barriers that people with disabilities face in having access to these things.

Countries should ensure that people with disabilities have equal access to buildings, roads, transport and public facilities like schools, housing, hospitals, clinics and workplaces, and also ensure that people with disability have equal access to information, communications and other services, including electronic services like the internet and emergency services, public services such as education and healthcare, public institutions such as the justice system and courts and other public activities such as voting and advocacy. Countries should also take appropriate steps to set standards and guidelines for access to facilities and services that are open to the public, to make sure that private businesses that provide facilities or services to the public take into account access for people with disability, and to provide training for people involved with access for people with disabilities.

Commonwealth states, in the spirit and letter of the yearly commemoration of International Day of Persons with Disabilities on 3 December to promote people with disabilities, can help to promote full and equal inclusion in society for all. It is also important to ensure that organisations of persons with disabilities are consulted in relevant planning and policy-making, and that states develop a national plan of action that integrates the relevant provisions of all applicable international instruments. Such plans should specify measurable and time-bound targets as well as evaluation indicators that should be resourced accordingly.

## Recommendations

In line with recognised standards across the Commonwealth, relevant legislation and regulations should be enacted at various Parliaments in the Commonwealth in order to ensure the prohibition of discrimination on the grounds of disability.

Each member state should devise deliberate, home-grown legislation to create agencies of employment for people with disabilities. This, I believe, has the potential to develop their skills, to take part in vocational training, pursue employment opportunities and to provide work and business start-up grants. Employers could also receive additional funding for the workplace adjustments that would enable them to hire persons with disabilities and, during training periods for newly hired employees, can secure exemptions from social security contributions.

In the arena of the media portrayal of persons with disabilities, disability issues, and women with disabilities, while the media coverage of persons with disabilities in some Commonwealth countries is inadequate, it also tends to reproduce negative stereotypes and, in

some cases, almost entirely excludes women with disabilities or portrays them as 'genderless beings'. Media campaigns could be a productive way to raise the level of public awareness of the rights of women with disabilities in all areas - human rights, education, employment and health. Programs on media development and new media technologies could provide an opportunity to implement valuable interventions to improve media coverage and public opinion about disability issues.

Media initiatives could take the following forms, among others: reporters, talk show hosts, and others who would interview women with disabilities on how to ethically discuss family status and success stories about women with disabilities that challenge stereotypes, and inform the public about how to overcome the barriers that women with disabilities face in everyday life. Encouraging media representation that depicts women with disabilities as strong, self-sufficient people, not dependent on others is one area of consideration. Too often women with disabilities are portrayed as genderless, weak and pitiable. Women with disabilities as a group are just as diverse as women generally - they have different interests, backgrounds, and priorities.

## Conclusion

It should be noted that women and girls with disabilities have been invisible, both to the advocates of women's rights and of disability rights, and this has increased their vulnerability. Women and girls with disabilities are likely to experience 'double discrimination', which includes gender-based violence, abuse and marginalisation. As a result, women with disabilities often face additional disadvantages, even in comparison to men with disabilities and to women without disabilities. Though all of the international human rights treaties extend to persons with disabilities, this large group of people continue to suffer from discrimination and often do not enjoy respect for their human rights on an equal basis with others.

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# THE GLOBAL DISABILITY SUMMIT IS THE MOMENT TO FIGHT FOR INCLUSIVE EDUCATION: A YOUTH ACTIVIST FROM KENYA

Nearly three years ago, the Global Disability Summit (GDS)<sup>1</sup> was co-hosted by the governments of the UK and Kenya and the International Disability Alliance. The summit brought together national governments, donor countries, the private sector and Disabled People's Organisations (DPOs). It was, truth be told, a different world to the one that will see the second summit in February 2022.<sup>2</sup>

Does the Summit's message still ring true post-COVID? Governments said that they'd heard us, and they were committed to make sure our rights were secured and protected. It was definitely a moment of celebration.

Of course, the road since then has been bumpier than anyone could have envisaged. People with disabilities were not only the most at risk from COVID-19<sup>3</sup>, but also stood to lose the most from the widespread disruption in education, the employment market and support mechanisms like in-person care. We can't take any of the progress made to date for granted.

Growing up with a disability can be challenging. I came to know discrimination from a young age. I knew it everywhere I went. Being a girl with a disability contributed to another layer of stigma. In many cultures, gender and disability are a double disadvantage, and both are taboos. Everything stacked the odds against me.

My experience is far from unique – it is the opposite, in fact. In developing countries, 90% of girls with disabilities do not go to school.<sup>4</sup>

This is why disability-inclusive strategies are so important, and why forums like the Global Disability Summit are crucial for highlighting inclusive education in particular. We need governments to commit to disability-inclusive programmes to break down barriers to education, employment, and society at large.

These aims can feel abstract at a high-level forum like the Global Disability Summit. But the real-world impact can be profound. To show how profound, perhaps the best thing for me to do is illustrate what a lack of inclusivity looks like.

Interestingly enough, we take for granted that most people believe in equality and inclusion. Because surely, given how beneficial inclusion is, it must surely be seen as the best option at the very least? Alas, no.

I was fortunate in that my parents were keen to integrate me as much as they could. They wanted me to attend a mainstream school, with recommendations from the Kenya Institute of Special Education.

But my family faced a backlash immediately from educators in our area and the community. People thought I should attend a special needs school. They didn't think mainstream education would be able to accommodate. Unfortunately, I faced this discriminative mindset at all levels of my education – primary, secondary and even university.

Among the disadvantages in schools are the attitudes of the children. We all know children can be mean – but often they learn this from the adults around them, like their parents and teachers. And so, the children inherited ideas about disability, and I was teased and bullied often. I felt like I didn't fit in and often missed out on activities.

The discrimination sneaked along until I reached higher levels of education. Some universities rejected my application outright for requesting reasonable accommodations – just a laptop to take notes in lectures.

It's worth noting that not all of this comes purely from deliberate prejudice or discrimination – a lot of this comes from the fact that many educators approach disability with little-to-no awareness or training. In practice for me, this meant being punished for being slow, even being beaten for not finishing my work on time. And it meant children and their parents alike knew nothing about disability, because of the limited training and educational resources.

So we find ourselves with something of a laundry list. We need to make sure children with disabilities are educated in mainstream schools, for one, socialisation. For inclusion in schools to work, teachers need to be trained and equipped adequately, to avoid my experiences being repeated. This education needs to extend to children and parents. And the resources for making adjustments and supporting disabled learners needs to be readily available.

We need the right aid programmes in place to do this. The commitments that will be made at the Global Disability Summit will go part of the way, but only adequate resources and funding can actualize them.

And the foreign aid landscape has changed along with everything else since the pandemic. UK aid funding has been cut, for example,



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hope we'll see, they set out their plans towards making a more equal, barrier-free society.

But the goodwill and commitments should not end at the Summit. They cannot. Governments need to continue these discussions with disabled people at the local level and in communities, by co-producing national and people driven strategies for disability inclusion. It's no exaggeration to say that these strategies remain far rarer on a community level than they should be. The Summit could be a perfect driver for changing that.

though the UK Chancellor has now made promises to restore its foreign aid contribution to 0.7% of GDP under certain conditions.<sup>5</sup>

There's also the question of co-production. Disability inclusion may be a hot political issue, but people with disabilities are too often left out of discussions, with limited access to information, opportunities and networks. But the common adage 'nothing about us without us' applies here too. We need people with disabilities involved from the onset in designing our leaders' approach to aid. This will ensure that the programmes and initiatives which governments put into motion after the Summit are properly targeted and given the best chance of helping those they are meant to help.

Is there a better way than bringing in people with disabilities to lead the discussions at the beginning? I doubt it. It's a question of knowledge – and experience. At risk of stating the obvious, people with disabilities have the best solutions for the barriers they face today. So they need to be sat at the table with leaders when, as I

Ultimately, I can tell you my story. I can tell you why I think doing all of this, why having inclusive education and meaningful representation is so important. But inclusive practices won't just benefit me. Inclusion is cross-cutting. Everyone benefits from flexible work and flexibly-delivered services. Everyone benefits from ease and effectiveness. Everyone benefits from a society which is responsive to different needs. Just one example of this is how being flexible and adaptable helped our world fight the pandemic. If this immensely difficult collective experience has taught us anything, it taught us that we could change the way we did things to include each other.

We've done it once, and I hope that the Commonwealth can now lead the way again. We owe it to future generations that they need not face the same barriers as I did, and as many more people with disabilities still face today.

To find out more about the Njeri Maria Foundation, visit [www.njerimariafoundation.co.ke](http://www.njerimariafoundation.co.ke). With thanks to Philip Hanks, Partnerships Manager and Youth Technical Lead at Leonard Cheshire [www.leonardcheshire.org](http://www.leonardcheshire.org) for facilitating this article.

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<sup>2</sup> <https://www.globaldisabilitysummit.org/>

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<sup>4</sup> Leonard Cheshire and UNGEI, 'Leave no girl with disabilities behind', [www.ungei.org](http://www.ungei.org), 26 April 2021

<sup>5</sup> 'Government sets out conditions for returning to 0.7% aid target', [www.gov.uk](http://www.gov.uk), 12 July 2021

***“This is why disability-inclusive strategies are so important, and why forums like the Global Disability Summit are crucial for highlighting inclusive education in particular. We need governments to commit to disability-inclusive programmes to break down barriers to education, employment, and society at large.”***

# COMMONWEALTH DISABLED PEOPLE'S FORUM: CHAMPIONING DISABLED PEOPLE'S RIGHTS ACROSS THE COMMONWEALTH

The Commonwealth Disabled People's Forum (CDPF) began in Kampala, Uganda in the run-up to the Commonwealth Heads of Government Meeting (CHOGM) in 2007 to provide an organised voice for Disabled People's Organisations across the Commonwealth.

In truth, it started on the floor of the *ad hoc* Committee on the UN Convention on the Rights of People with Disabilities in New York in 2005/6, when I, as the representative of the UK Disabled People's Council, met up with James Mwanda representing Kenya as a Kenyan Disabled Parliamentarian. In March 2008, at a meeting in London of delegates from 19 countries, organised largely by Mark Harrison who raised the money from the then UK Department for International Development (DFID) and the Commonwealth Secretariat, CDPF was formally set up, a constitution was adopted, and an Executive Committee was elected. An office was established in India and the CDPF was registered there. In June 2009, a four-day meeting was held in Kampala, Uganda on the UN CRPD and to develop future plans. In 2009 and 2010 respectively, the Chair (Mwanda) and Vice-Chair (George Daniels of Trinidad) sadly died, which led to a hiatus.

In September 2011 and January 2012, a reconstituted Executive Committee was formed and met, with Rachel Kachaje of Malawi becoming Acting Chair. As a result, a meeting of 35 country delegates was held at the 8<sup>th</sup> Disabled People's International (DPI) World Assembly in Durban, South Africa. There, delegates settled that a meeting should be held to both build the CDPF and give it direction in New York in September 2012, to coincide with the UN Conference of States Parties (COSP). In January 2012, CDPF took part in the Commonwealth Secretariat's Human Rights Unit (HRU) Roundtable, and it was agreed we would collaborate in holding a joint meeting at the UN COSP.

Many disabled people do not have equal access to health care, education and employment opportunities, do not receive the disability-related services that they require, and experience exclusion from everyday life activities. Following the establishment of the United Nations Convention on the Rights of Persons with Disabilities

(CRPD), disability is increasingly understood as a human rights issue. Disability is also an important development issue, with an increasing body of evidence showing that disabled people experience worse socio-economic outcomes and poverty than non-disabled people. Without including and implementing the disability rights perspective, the UN's Sustainable Development Goals will never be achieved. Disabled People's Organisations and their capacity to campaign, advise and implement these rights are the key to progress.

It may be useful for me to provide an explanation of the language that we use in the CDPF.

- **Disabled people:** Why we still choose to call ourselves 'disabled people': In the Commonwealth Disabled People's Forum (CDPF) we call ourselves 'disabled people' because of the development of the 'social model of disability'. In the 19<sup>th</sup> and 20<sup>th</sup> centuries, a disabled person's medical condition was thought to be the root cause of their exclusion from society, an approach now referred to as the 'medical or individual model' of disability. We use the 'social model of disability', where the barriers of environment, attitude and organisation are what 'disable' people with impairments and lead to prejudice and discrimination. So, to call ourselves 'persons with disabilities' is to accept that we are objects and powerless. We also view ourselves as united by common oppression, so are proud to identify as 'disabled people' rather than 'people with disabilities'. When we are talking about the UN Convention on the Rights of Persons with Disabilities, we will use 'people or persons with disabilities'.

### Developing the capacity of Disabled People's Organisations in the South Pacific

A training project that the CDPF organised with World of Inclusion, UK Disabled People's Council and the Pacific Disability Forum (funded by the Commonwealth Foundation) to implement the United Nations Convention on the Rights of Persons with Disabilities (CRPD) shows the advantage of North-South collaboration in the Commonwealth.



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Image credit: The Commonwealth Disabled People's Forum.

With the help of the Forum, a mapping and information gathering analysis was carried out to provide a situation analysis for the project. Training materials were developed and eight target countries - Kiribati, Nauru, Papua New Guinea (PNG), Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu - were asked to select two leaders and a young activist (aged 25 years or under) to be considered for taking part in the capacity-building training week in Port Moresby. The training was a great success, and much was learned by all participants. As a result of the training, five more Pacific Island countries ratified the UN CRPD in the subsequent three years.

## Revitalising the CDPF

After 2013, through organisational difficulties and a lack of funding, the CDPF 'went to sleep'. In July 2018 at the Global Summit on Disability held in London, I brought together a number of previous members of the CDPF to raise funding and hold a relaunched General Assembly during the Conference of State Parties in New York in June 2019. The existing, Chair Rachael Kachaje from Malawi enthusiastically took up

Above: Members of the Executive Committee of the Commonwealth Disabled People's Forum.

the reins until her untimely death in September 2020. Sarah Kamau from Kenya has since very effectively taken on the role of Chair.

Sourcing funding from the Disability Rights Fund (DRF) in the UK, I was able to restart the campaign and an MoU was signed with Action on Disability and Development (ADD) to assist with the organisation of the CDPF General Assembly. The collaboration, now in its third year, has worked well, especially with the loaning of Gemma White as a part-time administrator from ADD.

## Key objectives and priorities

The CDPF set out to represent the majority of disabled people in the Commonwealth. The Commonwealth promotes democracy and equality across its member countries with over 2.6 billion citizens. Over 450 million are disabled people, mainly young people. The self-organisation of Commonwealth Disabled People's Organisations and their collaboration, capacity building with each other and advocacy play a crucial role in implementing the UN CRPD and the Sustainable Development Goals.

The relaunch of the Commonwealth Disabled People's Forum, with the support of Disabled People's Organisations in a majority of Commonwealth countries, gives us a supportive and democratic structure to ensure disabled people across the Commonwealth are not left behind. We reawakened old contacts and made new ones. We aimed to have a majority of female delegates and a majority on the new CDPF Executive Committee.

In 2019, delegates from 27 national DPOs met in person for the General Assembly at the Ford Foundation, who generously donated a meeting space. Delegates agreed to an amended constitution, a

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work plan and elected an Executive Committee of 17 and co-opted 3 other members to give us a representative Committee with a range of impairments, geographical locations and a gender balance (11 women and 9 men).

The CDPF declaration stated: *"We recognise much has still to be achieved to create equality for more than 450 million disabled people throughout the 53 countries of the Commonwealth and to achieve the standards set in the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) and the Sustainable Development Goals. In particular, our organisations and countries need core funding, human and technical resources to advise and pressure our governments to fulfil their obligations towards their disabled citizens. We call on the international community, bilateral and multilateral donors and our governments' to adequately fund us in carrying out our role as Representative DPOs in line with Article 4 and 33 of the UNCRPD."*

The CDPF is committed to improving the position of disabled people across the Commonwealth, with two key priorities: to grow in influence and develop our organisation. The CDPF has grown and now represents a wide range of Disabled People's Organisations, representing cross impairment needs in 44 Commonwealth countries, and a further 45 Associate Disabled People's Organisations representing particular impairments, disabled women or youth in their respective countries. In all, the CDPF has member organisations in 47 of the 54 Commonwealth countries.

The CDPF held face-to-face meetings in Malta in February 2020 where we developed strong policies through forums on women, employment, inclusive education, humanitarian situations, accessibility, stigma and discrimination, and anti-racism. Essential ways of working were agreed upon, and plans were made to provide a training course and interventions at the forthcoming CHOGM in Rwanda in June 2020, before it was postponed when COVID-19 struck.

### The impact of COVID-19 on disabled people

The CDPF has reorientated its second grant from the Disability Rights Fund to support building solidarity for Disabled People's

Organisations and support for disabled people in response to the COVID-19 pandemic. We have held two online Summits, carried out a survey and held regional meetings.

As a result of these consultations, it emerged that many governments were largely ignoring the needs of disabled people in their responses to the pandemic with respect to:

- Under-estimating or ignoring that disabled people were at the highest risk of infection. Eugenistic ideas were creeping in with notions of 'herd immunity', 'do not resuscitate' and a lack of response to those in care homes, long-stay hospitals or institutions. The net impact in certain countries was much higher death rates amongst disabled people than in the rest of the population [According to the Office of National Statistics in the UK, 68% of deaths amongst disabled people, who account for 20% of the population].
- Lack of support during 'lockdown' for food and medical needs (examples in India, Pakistan, South Africa and elsewhere).
- Lack of accessible communications about the pandemic, for example, a lack of sign language at government briefings (the UK Government were taken to court on this issue), a lack of 'easy read' communications on information about COVID-19 (Canadian People First had to provide their own information for certain groups), or curfews administered by police and military who weren't trained to communicate with deaf people (at least one example from Uganda where a deaf man was shot at by military police during a curfew).
- Lockdown, leading to the closure of schooling in most Commonwealth countries, resulted in many disabled students not being given the support or communication technology to continue their studies and accelerating permanent drop-out.
- Lack of appropriate protective personal protective equipment (PPE) for both carers and individuals.
- As the vaccines were introduced, there was a failure to vaccinate those most at risk in some countries and a more general failure of the 'richer' countries of the Commonwealth to share sufficient vaccines through the Co-Vax exchange.

The CDPF wrote to many Commonwealth governments to emphasise these points with responses received from Guyana, Dominica, Bangladesh, New Zealand, Malaysia, India and South Africa.

The CDPF developed an online training course on '*Disability Equality Capacity Building*' with 421 disabled people from 41 Commonwealth countries taking part.<sup>2</sup> This course was funded by the Commonwealth Secretariat and Disability Rights Fund to develop accessible course materials, providing International Sign Language, captioning, online resource production and accreditation. Following the success of the course, materials will be provided via USB sticks for those without sufficient internet connectivity and providing course materials translated from English. Course materials are also available to access on our website.

The CDPF will follow this up by developing a network of experienced trainers and developing structured dialogues with state parties guided by the thinking and experience of disabled people

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themselves. This is in line with the UN CRPD, which says '*Nothing About Us Without Us*'.

## Ratifying the UN CRPD

164 countries have ratified the UN CRPD, with Botswana being the latest Commonwealth country in August 2021. Today, 51 out of 54 countries in the Commonwealth have ratified the UNCRPD. This leaves only Cameroon, Solomon Islands and Tonga to ratify. However, according to the UN CRPD, ratification should lead to a substantial change in the lives of disabled people and in the majority of countries, we are a long way from full implementation. The CDPF is committed to ensuring this implementation takes place and will work with all agencies and accredited Commonwealth Organisations, State Governments and centrally Disabled People's Organisations to achieve these aims.

Key areas where the profile of disabled people's interests must improve in the Commonwealth include:

- **Climate and environmental stability.** The recent UN COP26 statement only mentioned disabled people once. Thirty-two out of forty-two small island countries are in the Commonwealth, and we know that disabled people are often at greatest risk in these countries. Disabled people must be fully included in developing emergency plans and strategies to ameliorate the impact of climate change. (Article 11)
- **Improving livelihood, employment, health provision and food security.** Disabled people are disproportionately represented amongst the most insecure and poorest communities. Sustainable change must come from the grassroots, with disabled people included and Disabled People's Organisations

being consulted by the leadership. (Article 25, 26, 27 & 28)

- **Legal protections for disabled people.** Ending institutions and providing the support and legal protection for disabled people to live in the community, with their needs met and choice and control over how they are treated. (Article 12 and 19)

- **Protecting disabled women and girls.** Disabled women and girls are impacted by patriarchy and sexism and are disproportionately impacted by gender-based violence. Effective measures must be introduced, led by women and their allies, supported by effective legislation and enforcement. (Article 6 and 23)

- **Accessibility and assistive technology** must be a fundamental part of all development and product and infrastructure design. Disaggregated disability data should be regularly gathered, utilising the Washington Group methodology, to enable Governments to

know and plan for the real demographic of disabled people in their population. (Article 9, 20 & 31)

- **Inclusive education** must be recognised and legislated as requiring a complete transformation of the education system including, curriculum, assessment, teacher development and school design with disabled pupils and adults playing a key role in challenging 'disablism'. (Article 24 and 7)

All of the above and much more requires strong and effective legislation to fully implement and enforce the implementation of the UN CRPD and disabled people's human rights. Increasing the number of disabled Parliamentarians in all Legislatures is a key part of such a transformation. (Article 29)

In order for disabled people's interests to be effectively represented, Governments must ensure representative Disabled People's Organisations are properly funded, and that regular dialogue takes place with them. (Article 4.3 and 33)

Achieving the above and many other positive changes required to implement human rights for disabled people, the Commonwealth Disabled People's Forum and its member organisations are keen to cooperate further with the Commonwealth Parliamentary Association.

Further information: Commonwealth Disabled People's Forum [www.commonwealthdpf.org](http://www.commonwealthdpf.org) and World of Inclusion Ltd [www.worldofinclusion.com](http://www.worldofinclusion.com)

## References:

- <sup>1</sup> <https://www.internationaldisabilityalliance.org/uganda-deaf-man>
- <sup>2</sup> <https://commonwealthdpf.org/training>



## CARIBBEAN YOUTH VOICES: CONNECTING THE DEAF AND HEARING WORLD: BRIDGING THE GAP FOR EQUALITY IN BARBADOS

Charity campaigner and current Miss World Barbados shares her experience of working with the deaf community.

One of the most life-changing experiences is to dive in the underwater world. The state of complete submersion takes you deeper to an untaught, unspoken understanding and appreciation of the language and way of the sea. Without instruction, we communicate and interact with this world; we are invited to feel an unforced connection. We use our eyes and capture the essence of this underwater life which reveals the beauty and diversity of its species, the fragility of its ecosystems, and the sheer strength and power of this force of nature.

The underwater world is an inspiring portrayal of the deaf community on the island of Barbados. The Barbadian deaf community is a culture-rich group of incredibly close-knit, caring individuals from various religions, races, and backgrounds. Society, however, has embedded vulnerabilities among the deaf population through the social, economic, and political constructs that simply do not allow this community to thrive. Yet, the deaf continue to be among us and share as much of their gifts and skills to as many people as possible. The good news is, we too can communicate and connect with this world – the deaf world – and dive into our next life-changing experience!

The deaf world is not one that is easily perceptible to the unsensitised eye. Deafness is often referred to as the ‘invisible disability’ because it is one of the few physical disabilities where any form of its existence in an individual can go completely unnoticed in everyday life. Sadly, the unseen nature of deafness has become a state of being for many individuals. Deaf people continue to go unnoticed in their societies and are marginalised. The fight for even basic human rights is ongoing (White 2021).

There are no current official statistics or data on the deaf population. The numerical reality of the deaf populace in Barbados cannot be adequately measured at this time since the latest statistical data conducted on the deaf demographic within the island was carried out over a decade ago, a testament to the lack of forward thought and consideration in relation to the deaf. How does

a government adequately and equally plan for support to a group that it has not accounted for? Tracing deaf history on the island is an impossible task outside of anecdotes from the deaf themselves. It is almost as though the deaf do not exist! How do we learn and understand more about this diverse group of our own Barbadian people? How do we bridge the gap?

To bridge the gap, we must first understand what the gap is and how it was created. Misperceptions and misunderstandings of the deaf have been built on the fact that they speak a completely different language. That is the problem in its essence - communication. For decades, the language barrier has separated deaf and hearing communities and created increasing distance between ‘us’ and ‘them’. Without communication, the language barrier will continue to separate the deaf linguistic minority as a marginalised, isolated group within society. Without communication, they cannot become equal, participating members of society. We need more persons to immerse themselves in the language and, by extension, the culture of a people whose story remains largely untold because we have failed to learn to communicate and understand it.

However, the tides have changed, and a tangible sense of optimism now flows from the community. The establishment of The Deaf Heart Project (DHP) in 2019 as the first non-profit organisation in Barbados with a primary focus on deaf awareness and empowerment for the local community has created a platform to highlight and tackle deaf issues at the forefront. Since its inception, DHP has supported the Barbadian deaf community in standing up for deaf rights as their human rights.

Barbados cannot promote the attainment of the United Nations Sustainable Development Goals and not include a redress of the persistent deaf issues in the country.

Quality education is not available for the deaf in Barbados and is the primary point of reform needed on the island for this community. As a member of the deaf community shared, “*The education of deaf people in Barbados, even though conducted in sign language, leaves a lot to be desired. Deaf children attend the [local deaf school] from primary until secondary level and for the most part, they*



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With special thanks for the coordination of this article to Rashana Jones, Youth Representative for the Caribbean, Americas and the Atlantic Region on the Editorial Advisory Board for *The Parliamentarian*.

Image credit: Jeffrey DeKock/VSO ICS



Above: Pupils from the Kapsabet School for the Deaf joining a deaf awareness march in Kenya, organised by Deafway ICS volunteers.

*graduate with hardly any skills to help them to earn a decent living and support themselves and their families” (White 2021).*

Official reports also indicate that regional academic qualifying exams, e.g. Caribbean Secondary Examination Certificate (CSEC), are not offered to students at the main public school for the deaf. Why is this? Why is the option or chance to sit the same exam as their hearing counterparts, not on the table? Are we suggesting in Barbados that deafness is synonymous with an inability to learn?

The topic of deaf education in Barbados remains a complex, undocumented, unstudied issue that is dominated by hearing people who determine deaf people’s educational altitude and ultimate (lack of) success. We cannot try to create solutions for deaf people without their input and guidance. Who are more qualified leaders on deaf issues other than the deaf themselves? If we really want, in practice and not just speech, to achieve meaningful change for a more inclusive society, we will engage more in consultation with the deaf community to address their needs.

The following are my proposed recommendations on an inclusive approach to national deaf education reform in Barbados:

***“Deafness is often referred to as the ‘invisible disability’ because it is one of the few physical disabilities where any form of its existence in an individual can go completely unnoticed in everyday life. Sadly, the unseen nature of deafness has become a state of being for many individuals. Deaf people continue to go unnoticed in their societies and are marginalised.”***

1. Include deaf representation for special needs education at the Ministry of Education in Barbados;
2. Form a Sub-Committee of trained deaf professionals, teachers, and deaf leaders to examine and amend the existing deaf curriculum to include and improve teaching in both sign language and English;
3. Introduce preliminary CSEC syllabuses of Mathematics and English Language at deaf schools;
4. Introduce the teaching of Sign Language throughout the primary and secondary schools across Barbados, much like Spanish or French or German. This language is even more critical as it can be used in everyday life with local deaf communities and so many ways, even apart from working with the deaf. The introduction of sign language in all schools will do more than promote the use of sign language and facilitate interaction and communication between deaf and hearing students. This effort would create a new generation of interpreters who could begin to bridge the communication gap with the deaf and make the society a more inclusive place;
5. Increase training and sensitisation of both teachers and parents in deaf education teaching skills;
6. Provide support to parents of deaf children to learn sign language to stimulate more communication and practice in the home. These parents should have access to free sessions led by deaf persons to educate them on deafness, growing up deaf and how to better understand their deaf child. Moreover, parents of deaf children should also have free and open access to sign language teachings. Without the constant use of sign language in the home setting, deaf children will have increasing difficulty grasping their first language – sign language. As a result, their learning abilities will be delayed significantly which, in most cases, is a downward spiralling effect on their futures.

On the other hand, significant attention must also be given to the scores of deaf adults who have been out of the school system for decades and never acquired basic educational skills. Interactions with older deaf adults demonstrate their lack of understanding of the English language in their ability to only construct written sentences in a signed language structure as opposed to an English language structure. Additionally, there are words in English that do not have a corresponding sign in translation. Thus, reading can be a challenge for the deaf when they do not know what some words mean. The struggle to understand English is by no means a reflection of deaf intelligence but a matter of not being taught.

Now it is important to note that there are some deaf individuals in Barbados with very strong English proficiency, some impressively better than native English speakers! However, these deaf individuals all received education and training outside of Barbados and the Caribbean region. Thus, it is recommended that classes for Continuing Education in English be offered to all interested deaf adults.

Moreover, by improving access to language and communication, we open the door to better opportunities for decent work and employment for the deaf. We should provide greater incentives to corporations to employ the use of interpreting services, and employ

persons with disabilities. Commonwealth governments should also legislate for reasonable accommodations for the deaf, particularly in the area of employment of persons with disabilities, to reduce discrimination and inequality.

As a signatory of the UN Convention on the Rights of Persons with Disabilities, Barbados should adopt this stance to stay true to its international pledge, much like its climate action pledge by 2030. The benefits to society of creating employment for the deaf, and other persons with disabilities, far outweigh the costs of the incentives and initiatives. New job and career opportunities in such scenarios will lead to economic benefits of GDP gain and economic growth by financing and empowering a previously disadvantaged group to become functioning, contributing citizens with a new sense of self-determination. Governments would be able to reduce income support to these individuals and save on budgets. Furthermore, the economic ease on these individuals, and all those, directly and indirectly, related to these individuals, i.e. family members, neighbours, friends, social workers, charity workers, will have a positive effect on their wellbeing and mental health and, by extension, the economy.

With the recommendations shared on how to build the bridge of access to language and communication, now we must take the next step to cross it by building the connection between peoples. We should make sign language an official language in our countries. By legislating this requirement, we acknowledge and legitimise the plight of the deaf. Deaf people have experienced decades of neglect from mainstream society and were denied their existence in the country they too call home.

Officiating sign language would have a huge impact on the deaf community in Barbados. Barbados would be claiming its deaf citizens as its own. Barbados would now belong to deaf Barbadians. This would create a culture of inclusion. Their cause would move to the forefront of the movement of inclusion. It would be something to be proud of, a stake in the ground. As Barbados moves towards republicanism, the move to officiating sign language as an official language would “*give [deaf] people a different sense of themselves and who they are*” (Barbados Prime Minister, Rt Hon. Mia Mottley quoted in *British Vogue*). Imagine what life could be like for the next generation of the deaf – beautiful, diverse, empowered, liberated. Sign language as the second language of Barbados is a highly ambitious, progressive step that will reshape the social development of a beautifully sophisticated, bilingual society.

Today, we each can help change the course of the future of the deaf. Use the information learned in this article to educate yourself further, learn sign language and reach out to the deaf in your community. If you don't know sign language, they will be more than happy to teach you. In your respective areas of influence, use this knowledge to create space for the deaf and make inclusive decisions and considerations where possible. With these considerations, we can all come together with one purpose to do better than those in the past and rewrite the future with promise and hope for a better life for all.

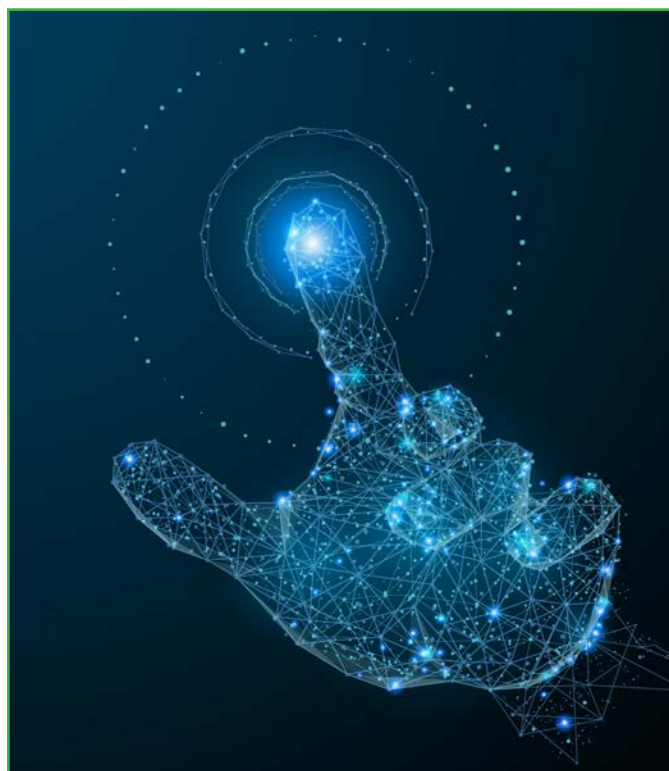
To find out more about the Deaf Heart Project visit  
 Instagram @deafheartbarbados.

## SEEING AI: AN APP FOR VISUALLY IMPAIRED PEOPLE THAT NARRATES THE WORLD AROUND YOU

Technology is a great enabler and has the potential to empower everyone on the planet to achieve more and augment their agency. For example, artificial intelligence generated synthetic media can assist individuals with disabilities in leading more fulfilling and productive lives, giving them greater independence.

Until the advent of AI-based technologies, a physical tool can be substituted to make up for a missing or reduced capability in one neural sense. For example, people with vision impairments use a cane to navigate and their hands to read braille. Likewise, people with auditory impairments use sign language to connect with others, and those with speech impairments use keyboards or other tools to communicate. While not perfect, these solutions enable many people to function effectively in life.

People with vision, hearing and speech impairments can benefit from new technologies and innovation. These advanced technology solutions recognise features in the environment and manage them using a different sensory channel. For example, the senses of touch and hearing can enhance or replace sight, or sight and touch can replace or improve hearing. Using artificial intelligence and synthetic





# THE CHALLENGES AND BARRIERS FACING PEOPLE WITH DISABILITIES IN THE COMMONWEALTH



media can enable people with disabilities to live a complete and fulfilling life. **AI and Synthetic media can accelerate the accessibility quest to improve equity.**

The environment can be perplexing and even hostile to people with visual impairments. Many of the tasks that people with sight take for granted are difficult or close to impossible to accomplish for people with visual impairments. Sight is a privilege. The simple act of crossing a street without seeing the traffic light's colours or recognising the people and objects in the environment can be daunting. Fortunately, various AI-assisted technologies have been developed to help solve these issues by creating synthetic audio of the environment.

The *Seeing AI* application, created by Microsoft, simulates the visual world as an audible experience - creating, in essence, a synthetic version of the surroundings in audio form. Designed for the blind and low vision community, *Seeing AI* harnesses the power of AI to describe people, text, currency, colour, and objects. In addition, the app allows people with visual impairment to hear information about what's going on around them, which helps them navigate their environment. For example, this app recognises friends and family by identifying facial features and expressions, and then describes those in audio. The app can also read text and use audio prompts to guide through documents and text.

***Seeing AI* is a Microsoft research project that brings together the power of the cloud and AI to deliver an intelligent app, designed to help you navigate your day.**

With this intelligent camera app, users can hold up their phones and hear information about the world around them. *Seeing AI* can speak short text as soon as it appears in front of the camera, provide audio guidance to capture a printed page, and recognise and narrate the text along with its original formatting. The app can also scan barcodes with guided audio cues to identify products, recognise and describe people around and their facial expressions, and describe scenes around using the power of AI. An ongoing project, the latest new ability to be added to *Seeing AI*'s roster is identifying currency bills/notes when paying with cash and describing images in other apps such as your photo gallery, mail, or Twitter. In addition, *Seeing AI* helps users read printed text in books, restaurant menus, street signs, and handwritten notes and identify banknotes and products via their barcode. Leveraging on-device facial-recognition technology, the app can even describe people's physical appearance and predict their mood. *Seeing AI* is one app that enables users to complete multiple tasks as they can switch between channels to tune the description of what is in front of the camera.

Its key features include:

- Turns the visual world into an audible experience — with this intelligent camera app, hold up your phone and hear information about the world around you.
- Recognise and locate the faces of people you're with, as well as facial characteristics, approximate age, emotion, and more.
- Read the text quickly - hear short text snippets instantly and get audio guidance to capture full documents.
- Explore photos by touch - enables users to tap their finger to an image on a touchscreen to hear a description of objects within an image and the spatial relationship. Users can explore photos of their surroundings taken on the Scene channel, family photos stored in their photo browser, and even images shared on social media by summoning the options menu while in other apps.
- Native iPad support - to provide a better *Seeing AI* experience that accounts for the larger display requirements. iPad support is vital to individuals using *Seeing AI* in academic or other professional settings where they cannot use a cellular device.

*Seeing AI* launched in English in 2017 and is available in 70 countries. The app leverages AI technology and has helped people with more than 20 million tasks so far. Developed with inclusive design in mind, the app is tested by and with the disability community via nonprofit organisations worldwide. The camera app uses "channels," or modes, to read printed text, currency and describe physical objects, product labels, and colours, among other things. Now, coinciding with the United Nations International Day of Persons with Disabilities, Microsoft is expanding *Seeing AI* support from English to another five languages: Dutch, French, German, Japanese, and Spanish. The additional language support will make *Seeing AI*, which uses artificial intelligence (AI), more accessible to the millions of people around the world who are blind, and the growing number of people with low vision.

*Seeing AI* provides a means to help people with visual impairment by sensing the outside world and then creating a synthetic version using other sensory channels.

As a result, people with visual impairment can use *Seeing AI* to lead better and more fulfilling lives by being given a greater understanding of their environment.

**Seeing AI App from Microsoft - <https://www.microsoft.com/en-us/ai/seeing-ai>**



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# HOW DISABILITY INNOVATION DOESN'T JUST 'LEAVE NO ONE BEHIND' BUT WILL GET ALL OF US AHEAD!

Chances are that you, someone close to you, or someone you've interacted with today has a disability - an impairment that when combined with an inaccessible world, prevents participation, independence, and inclusion. Currently, conservative estimates approximate that there are 1.2 billion disabled people in the world. That's one in seven, or 15% of the human population - a figure used by the #WeThe15 campaign of which Global Disability Innovation Hub (GDI Hub) is a founding member. Staggeringly, this figure is set to rise sharply to over 2 billion by 2050 as global populations age and stigma reduces.

Even in this modern world, disabled people face a variety of barriers to inclusion, which are often compounded by inaccessible environments, intersectional challenges such as gender, an increased likelihood of living in poverty - the majority, 80%, of disabled people, are located in low- and middle-income countries - many of which are part of the Commonwealth; and crucially, despite the benefits, 90% of disabled people lack affordable, appropriate and available assistive technology such as eyeglasses and hearing aids.

We know that the inclusion of disabled people has a powerful moral argument, and we know that disabled people have had their human rights recognised too, as enshrined in the UN Convention on the Rights of Persons with Disabilities (UNCPRD)<sup>1</sup>. The 2030 Agenda for Sustainable Development set out by the United Nations Sustainable Development Group also has equality and non-discrimination at the centre of its efforts. Placing people at the heart of development is what enable the UN's Sustainable Development Goals (SDGs) to be transformative, but there is also an economic argument for inclusion too. Thanks to research released in 2020 by ATscale, we know that for every US\$1 spent on assistive products US\$9 is returned to the economy, and we also know that those that are in appropriate work are happier, healthier and less dependent on welfare spending.

### So, if the benefits are clear, what's the problem?

Disability inclusion requires three core things:

1. The physical and digital environments must be inclusively designed to be used by as many people as possible without special adaptations.

2. Where there remains an accessibility gap disabled people must have access to high-quality, affordable assistive products and services.

3. Society must have an inclusive attitude.

The problem is that these three elements are not available to most disabled people globally. What fuels this inequality is the deficit model mindset and a lack of awareness and ambition to tackle the problem.

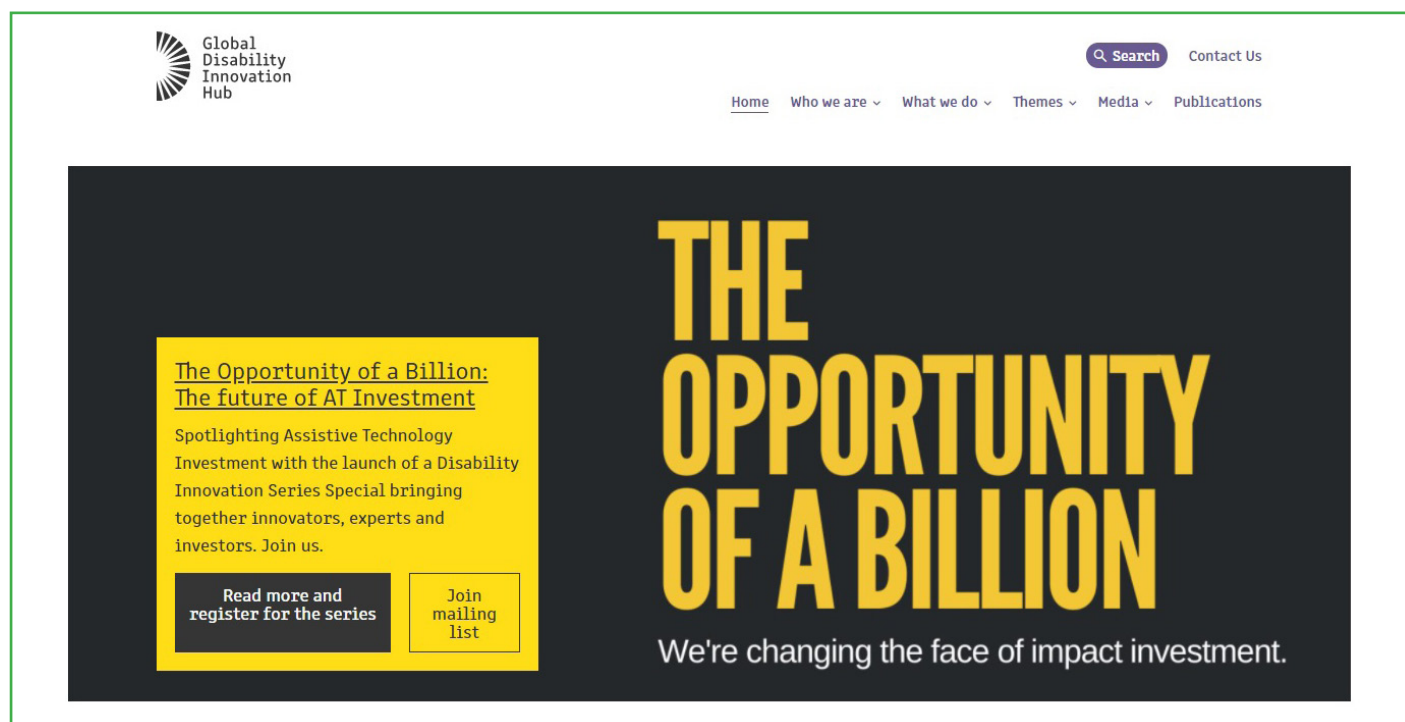
Often disability inclusion is seen as part of a deficit model - something that is good to do but costly to the economy. The benefits of inclusion are not well-tracked in programmes traditionally or are not consistently tracked. Furthermore, they are more complex especially when compared to other health outcome metrics such as lives saved, or years lived. The focus on the problem of exclusion rather than the value of inclusion is an ongoing and problematic framing of disability, increasing stigma and limiting growth. Without national and local services to ensure the right products reach the right people at the right time, those desperately in need of assistive technology (including low-cost items like eyeglasses or walking sticks) frequently receive the wrong items or none at all. This lack of access results in serious worsening of long-term health problems and causes children to be left out of education, adults excluded from work and family life and older people prohibited from participating in their communities. This could be viewed from a different perspective - a growth market.

Increasingly assistive technology, accessible digital platforms and inclusive environments will drive economic growth. The approach of taking a deficit model has led to fragmented markets across products and geographies. This is fuelled by fragmented policy and practice at national levels and a lack of global cooperation to develop mechanisms of sector growth (e.g. eliminating tariffs on assistive products and services).

However, due primarily to a lack of awareness, prioritisation and ambition, this is not yet realised. The lack of assistive technology for the poorest people compounds poverty in complex and multi-faceted ways, impacting the effectiveness of development initiatives. Mainstream and disability-inclusive development programmes



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have largely failed to address assistive technology provision in a systematic and sustainable way. However, the UK has shown before it can rise to the disability inclusion challenge. It did this for the Paralympics in 2012 and is doing so now through the GDI Hub-led, UK Aid funded, AT2030 programme.<sup>2</sup>

## From Paralympics 2012 to COP26: GDI Hub is driving Disability Innovation

The proven answer to inclusion is disability innovation. To GDI Hub, disability innovation is not just a product, it's a way of thinking that can fundamentally alter a person's life-experience as well as society at large, and benefits everyone, not just disabled people - it's the process of addressing entrenched disability challenges by co-designing solutions with communities and sharing knowledge to actively promote disability justice.

We built this vision on the work of London 2012 and infused it into the AT2030 programme. AT2030 tests 'what works' to improve access to life-changing assistive technology (AT) for all; investing £20m over five years to support solutions to scale. Through AT2030, GDI Hub has already impacted 22 million people and currently works in over 35 countries globally, to create partnerships that can advance the rights of disabled people through embedding disability innovation into the heart of policy and practice.

Importantly, much of the work of AT2030 is in countries of the Commonwealth. With our friends and partners at the World Health Organisation and the Clinton Health Access Initiative, AT2030 has managed to aid national governments in Malawi, Rwanda, Nigeria, Sierra Leone and others to conduct national assistive technology assessments, allowing Ministries to develop national action plans to successfully deliver assistive technology to their populations. Sierra

Leone recently held a high-level event which launched a National Assistive Technology Policy and Strategic Plan, as well as the Assistive Technology Priority Products List, actions that demonstrate a supportive government and a promise of change.

## Disability inclusion through an inclusive built environment

One of the fundamental principles of our work at GDI Hub is inclusive design,<sup>3</sup> which places people at the heart of the design process of their physical and digital worlds. If the environment in which you live prohibits you from using your assistive product, you will remain excluded from society. Within AT2030, the Inclusive Infrastructure<sup>4</sup> sub-programme is producing six crucial case study reports, which build evidence on the state of inclusion and accessibility of the built environment in low- and middle-income countries including:

- Ulaanbaatar, Mongolia
- Varanasi, India
- Surakarta, Indonesia
- Nairobi, Kenya and
- Freetown, Sierra Leone

## Disability inclusion meets climate resilience

Inclusive Infrastructure case study learnings were included as part of the discussion during a GDI Hub-led side-event<sup>5</sup> on the subject at COP26 in Glasgow, which was co-hosted with the Asian Development Bank. Here we showcased examples of access and inclusion issues created by climate change. Low- and middle-income cities are often most at risk to these climate changes and measures to protect infrastructure from harsher weather can make urban areas less inclusive. For example, flooding with poor or no drainage infrastructure is resulting in cities being built on plinths and stilts.



This solves one problem while creating another. Years down the line, when the draining infrastructure is sufficient the legacy will be a city with no step free access to ground floors. The other common example is new cycling infrastructure installed to support green mobility with no engagement of pedestrians, including pedestrians with sensory impairments who are often left at risk of collision, creating no go zones for many people.

## Disability inclusion through assistive technology innovation

Within AT2030, the innovation cluster supports a range of programmes to overcome the valley of death where many assistive technology ventures perish. Building on the success of the Innovate Now Accelerator<sup>6</sup> in Nairobi, Kenya, Africa's first assistive technology accelerator, we launched the ground-breaking Assistive Technology Impact Fund (ATIF)<sup>7</sup> led by GDI Hub. Innovate Now is powered by GDI Hub's inclusive entrepreneurial curriculum and toolkit and delivered by African Medical and Research Foundation (AMREF). The focus is on early-stage support for ventures with in-country live labs for product testing. In contrast, ATIF works with established ventures to develop a business model and test this in East Africa, building further towards scale and sustainability.

## Disability inclusion through stigma reduction

GDI Hub is a founding member of the #WeThe15<sup>8</sup> campaign launched by the International Paralympic Organisation (IPC). Through this, we will support global campaigns to aid disability inclusion, ensuring a platform for UK and Commonwealth best practice and ambition. This work aligns with our Sport Against Stigma<sup>9</sup> programme and the awareness campaigns we have run through AT2030 to change attitudes. For example, AT2030 funded a campaign within Shujazz, a magazine accessed by over 70% of Kenyan youth to raise awareness of disability and assistive technology. The campaign reached a huge audience and demonstrated a positive shift in attitude towards disability.

Remaining in Africa, the attitudinal changes within policy making and inclusion can be witnessed by the attendee list of the Sierra Leone launch of the National Assistive Technology Policy and Strategic Plan, which included people from National Ministries, global partners (WHO, CHAI, GDI Hub) alongside the local disabled slum-dweller leaders who had helped shape the research that informed the national plan.

***“Even in this modern world, disabled people face a variety of barriers to inclusion, which are often compounded by inaccessible environments, intersectional challenges such as gender, and an increased likelihood of living in poverty.”***

## So, what is needed?

Ambition, and audacious scale. We need Commonwealth countries to work together to continue to invest in the disability inclusion journey. This journey has an important next step – the Global Disability Summit in Norway in Feb 2022.<sup>10</sup> It was at the 2018 Global Disability Summit on Queen Elizabeth Olympic Park, London that the UK Government launched the AT2030 investment. This investment has since grown from £10m to £20m with match funding from non-UK government sources. It has already reached 22 million people and is working in over 35 countries, including Commonwealth nations, to improve access to assistive technology, tackle stigma and support more inclusive cities and built environments.

However, we can do more. As the recent World Intellectual Property Organisation (WIPO) report<sup>11</sup> showed - patents and innovation in emerging technologies are increasing rapidly – from smart inclusive homes to new robotic aids and AI-powered communication. By switching our mindset from deficit to growth, whilst remaining true to the Sustainable Development Goals we can grow the economy in the UK and across the Commonwealth whilst reducing the inequalities within our communities ensuring disabled people realise their human rights as set out in the UN CRPD.

Creating a world that supports disabled people is to create a world where all members of society have equal access to participate, achieve independence, and enjoy life to its full potential. This benefits us all, and disability innovation can help fulfil that ambition.

**Global Disability Innovation Hub (GDI Hub):** based at University College London (UCL), the GDI Hub is a research and practice centre driving disability innovation for a fairer world. Disability innovation is part of a bigger movement for disability justice, which must disrupt current ideas and practice to create new possibilities. Operational in over 35 countries, we work with more than 70 partners, delivering projects across a portfolio with a value of approximately £50m. GDI Hub has reached 22 million people since its launch in 2016 by developing bold approaches, building innovative partnerships, and creating ecosystems to accelerate change. GDI Hub are also the first organisation to be awarded the status of World Health Organisation (WHO) Official Collaborating Centre on Assistive Technology. [www.disabilityinnovation.com](http://www.disabilityinnovation.com)

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## CHALLENGES AND BARRIERS FACING PEOPLE WITH DISABILITIES IN UGANDA: IMPLEMENTATION OF LAWS IS KEY SAY MPs

Safia Nalule and William Nokrach are two persons with huge similarities. Both are persons with disabilities and are former Ugandan Legislators who have built enviable personal profiles in both the public and private sectors.

From the private sphere, their service or performance led them to the Parliament of Uganda, as representatives of persons with disabilities, one of the special interest groups in the Legislature, provided for in the Constitution of Uganda. The Constitution of Uganda provides that the Parliament shall consist of, among others such numbers of representatives of the army, youth, workers, persons with disabilities, the elderly and other groups as the Parliament may determine.

Unfortunately, both Safia Nalule and William Nokrach lost their parliamentary seats during the latest general elections held in January 2021, however during their time as Members of Parliament they held various positions including, at different times, as Commissioners on the Parliamentary Commission, one of the most senior administrative bodies in the Parliament, and in the leadership of different Parliamentary Committees.

However, it was not an easy and straight road to get to the top, as barriers and challenges lay along the way; barriers and challenges not only affecting Nalule and Nokrach, but affecting thousands of Ugandans.

In Uganda, according to the *Persons with Disabilities Act, 2020*, disability means a substantial functional limitation of a person's daily life activities caused by physical, mental or sensory impairment and environmental barriers, resulting in limited participation in society on an equal basis with others. This includes (as specified in the same Act) a physical disability caused by, for example, cerebral palsy, amputation of a limb, paralysis or deformity. It also includes hearing disabilities, including deafness and hard of hearing; visual disabilities, including blindness and low vision; deaf and blind disabilities; mental disabilities, including psychiatric and learning disabilities; dwarfism; albinism; and multiple disabilities.



Images credit: Ugandan Parliament.

From childhood, the challenges and barriers facing persons with disabilities will follow them, all the way into adulthood, affecting access to health, education, employment and quality of life. The available literature and personal interviews provide testimony of a wide range of barriers and challenges, sometimes together with suggested recommendations for change to Parliament or government, or lawmaking and policymaking bodies.

The barriers and challenges affecting persons with disabilities can also impact their access to schools or education facilities, and to health facilities, where instructors and service providers are not trained to provide support. Furthermore, the speed, equipment and other facilities are often not suitable for persons with disabilities. For the physically disabled or blind, walking long distances to school or hospital is a challenge, while those who cannot hear may find it difficult to communicate or even be understood.

According to the Uganda Bureau of Statistics (UBOS) Disability monographic study (2019), disability prevalence stood at 14% (15% female, 12% male) of the country's total population of 40.3 million

**Katamba Mohammed** is the Principal Information Officer at the Parliament of Uganda.



**Above: Representatives of Persons With Disabilities (PWDs) in the previous Parliament of Uganda: Hon. Hood Katuramu Kiribedda (left) and Hon. William Nyokrach (right).**

(about 5.6 million). UBOS is the Government of Uganda agency responsible for producing official statistics.

*“Some buildings do not have provisions for access using a wheelchair, while some doors are too small. Inclusive education is difficult, as attitudes by fellow learners and teachers are negative to persons with disabilities,”* said Hon. William Nyokrach. He outlines that many schools lack special needs education teachers, as only a few are fully trained in this area and added that in an ideal situation, each class would have two teachers, with a special needs one following his or her colleague and moving at a good pace.

*“Parliament can make laws to direct education institutions to have special needs education learning and teachers for everyone to be able to learn. We also need specific laws that can cause implementation [of already existing laws],”* said Hon. William Nyokrach. He advised that including special needs training as part of every teacher’s training would be better than the current situation where special needs teachers are trained separately. He highlighted that Commonwealth Parliaments have an even bigger role to play, as they can demand disability compliance in all of their sponsored programmes.

Celebrating 50 years of Uganda’s independence in 2012, Hon. Safia Nalule documented events in the disability movement in the country since October 1962 in a recent publication. She represented persons with disabilities in the Parliament of Uganda from 2006 to 2021, where she was a Parliamentary Commissioner (2016 – 2021) and was also a Vice-Chairperson of the Committees on Human Rights and Equal Opportunities. In her publication, she noted that *“98% of children with disabilities don’t go to school and those who enrol don’t have scholastic materials, the curriculum is unfriendly, and they don’t find teachers with special needs education skills. The physical environment is often inaccessible, and they lack the appliances, and many times are defeated by the long distances to school.”* She added that persons with disabilities lack the required qualifications and skills to get jobs; the few with qualifications are often denied employment because employers have negative

attitudes towards their capabilities. Nalule also noted that there was no specific consideration of persons with disabilities in health service provisions and that persons with disabilities are excluded from the national reproductive health roadmap.

In an article published ahead of the 64<sup>th</sup> Commonwealth Parliamentary Conference held in Uganda in 2019 in *The Parliamentarian* special supplement on Uganda, Nalule said that most countries have ratified the UN Convention on the Rights of Persons with Disabilities and domesticated it, including Uganda, which enacted the *Persons with Disabilities (Amendment) Act, 2006* as well as other ‘disability-friendly’ legislation. *“However, the implementation of these ‘disability-friendly’ laws is still a big challenge due to limited allocation of resources,”* she said.

Giving her recommendations, Nalule suggested that the Commonwealth Parliamentary Association and the Commonwealth Parliamentarians with Disabilities (CPwD) network should, using the gender and equity model, support the proposal for an equalisation fund for Parliamentarians with disabilities to enable them to effectively participate in all legislative processes. She also appealed to the CPA to advocate for increased representation of persons with disabilities in Parliaments across the Commonwealth, and that for sustainability and certainty, the structures through which Members are elected should be legally provided for in political parties and national constitutions.

Further, Nalule asked that the Ministry of Health work with the Parliament of Uganda to come up with a budget for reproductive health, with specific provisions for the reproductive health concerns and rights of mothers with disabilities. She also asked the government to subsidise medical services to make them affordable to all including persons with disabilities; and that it was important for women with disabilities to be involved in the design, implementation and evaluation of health programmes.

**Below: Margaret Baba Diri takes the oath of allegiance as a new Member of the Parliament of Uganda, when she was elected to represent Persons with Disabilities (PWDs) on the steps of Parliament Building in Kampala.**



Images credit: Uganda Parliament



# THE CHALLENGES AND BARRIERS FACING PEOPLE WITH DISABILITIES IN THE COMMONWEALTH



The provisions for Parliamentarians with disabilities was also considered. Even with legal provisions to include persons with disabilities at different levels of political representation, many people require special equipment to be able to read or hear in order to be properly informed. *"An MP must be informed and knowledgeable [in order] to be effective. We need up to date information on a particular subject matter,"* said Nalule.

Following her term in Parliament, Hon. Safia Nalule was appointed as the Chairperson of the Equal Opportunities Commission to continue her work campaigning for equal rights. The Commission is mandated to *'eliminate discrimination and inequalities against any individual or group of persons on the ground of sex, age, race, colour, ethnic origin, tribe, birth, creed or religion, health status, social or economic standing, political opinion or disability, and take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances which exist against them, and to provide for other related matters'.*

The Equal Opportunities Commission in Uganda was established by the *Equal Opportunities Commission Act, 2007* to effectuate articles 32(3) and 32 (4) of the Constitution of Uganda to require the State to take affirmative action in favour of marginalised groups for the purpose of redressing imbalances which exist against them.

While in her new position, Nalule recommended that other Commonwealth Parliaments could copy the Ugandan requirements on the certificate of gender equity and the human rights enforcement law. *"If these are used practically, we can go far as persons with disabilities. Other countries can also benchmark with the Equal Opportunities Commission and the Ministry of Finance,"* she said.

There are many organisations speaking out for persons with disabilities in Uganda. The National Union of Disabled Persons of Uganda (NUDIPU) is an umbrella organisation of persons with



Images credit: Uganda Parliament.

Above: Hon. Safia Nalule Jjuuko, who represented Persons with Disabilities (PWDs) during earlier Parliaments, speaks during a plenary sitting of the Parliament of Uganda. She is now the Chairperson of the Uganda Equal Opportunities Commission

disabilities mandated to advocate for the rights of persons with disabilities in a unified voice. Highlighting the threats faced by persons with disabilities during the ongoing COVID-19 pandemic including being at high risk of contracting the virus due to the need for close contact with personal assistants and caregivers, the NUDIPU has advocated for a 'disability-inclusive' response plan to the pandemic catering for the needs of persons with disabilities who have been adversely affected. The risks and additional restrictions faced by persons with disabilities in times of community isolation may further impede the health, safety, independence and autonomy of individuals, the NUDIPU highlighted.

Another Member of Parliament, Hon. Margaret Baba Diri, who was first elected to the Ugandan Parliament as a representative of people with disabilities in 1996, said that although persons with disabilities are entrusted with certain positions, their guides are often suspected of leaking sensitive information, hence limiting their chances of rising. Even when it comes to travel opportunities, these are often overlooked as they would need accompanying helpers. *"We should be granted equal treatment and opportunities like our colleagues,"* she said. Diri appealed for Parliaments and governments, especially as many are facing difficulties due to the COVID-19 pandemic, to promote affirmative action in poverty eradication with specific assistance for persons with disabilities.

The Parliament of Uganda has put in place various legislation and policies aimed at improving the lives of persons with disabilities, and also to promoting opportunities in the workforce. However, the big challenge has been the implementation of these initiatives, especially as there are still negative attitudes towards persons with disabilities in the country.

In 2019, the Parliament of Uganda passed the *Persons with Disabilities Act* intended to provide for the respect and promotion of the fundamental human rights and freedoms for persons with disabilities in the hope that this would improve conditions.



Left: Hon. Safia Nalule wrote an article about disability issues for *The Parliamentarian's* special supplement on Uganda published ahead of the 64<sup>th</sup> Commonwealth Parliamentary Conference held in Kampala in 2019. Download a copy via the CPA website.

## CPA ASIA YOUTH VOICES: AN ANALYSIS OF LEGISLATIVE POLICIES FOR PERSONS WITH DISABILITIES IN THE CPA ASIA REGION: PAKISTAN, BANGLADESH AND SRI LANKA

### Introduction

According to the World Health Organization (WHO), 15% of the world's population faces some form of disability. That accounts for almost one billion individuals across the globe. Moreover, the prevalence of disability is higher in developing countries. People with disabilities (PwDs) are more prone to adverse socio-economic conditions like poor health and education as well lower access to employment and other opportunities. Notably, all these conditions already plague developing countries and tend to intensify for people with disabilities. That makes it incumbent to protect these individuals from further hardships and ensure their social and economic inclusion through legislation to cater to their needs.

The major hurdles to the inclusion of people with disabilities include improper transport facilities, inaccessible public spaces, lack of assistive technologies, improper service delivery, discrimination and stigma.

Disability increases the risk of poverty. Hence, it is even more important in developing countries to formulate policies and legislation so that the exclusivity and discrimination does not become intersectional amid already prevailing malnutrition, inadequate education, polluted environment, scantily available clean water and sanitation. The UN Convention on the Rights of Persons with Disabilities (CRPD) provides for the complete inclusion and integration of people with disabilities in society. The countries under focus from the CPA Asia Region including Bangladesh, Pakistan and Sri Lanka have introduced several policies and laws to ensure the rights of people with disabilities. However, there is a scope for improvement in this regard for all three nations.

### Bangladesh

Bangladesh has a 9.1% prevalence of disabilities in its population. The country ratified the CRPD in 2007. However, it introduced its first policy for people with disabilities much earlier, i.e., in 1995 as National Action Policy for the rights of the disabled. The country

enacted the *Disability Welfare Act* in 2001, which mooted the institutional framework to facilitate people with disabilities and ensure coordination on disability-related issues on a local and national level. The act provided for measures to ensure the protection of rights and equal opportunities for people with disabilities. It addressed ten specific intervention areas like disability prevention, curative treatment, identification, healthcare, education, transport and communication, rehabilitation and employment, social security, culture and self-help organisation. Then, Bangladesh rolled out its National Action Plan on Disability in 2006.

Replacing the 2001 Act, Bangladesh introduced the *Disabled People's Rights and Protection Act* in 2013 and the regulations for its implementation in 2015. The 2013 Act recognises disability as grounds for discrimination, unlike the previous policy and legislative frameworks, and ensures the protection of the rights of people with disabilities. Inter alia, it bans enterprises, organisations and educational institutions from discriminating against people with disabilities and introduced fines and imprisonment in cases of violation. This law marked a step ahead on the way to achieving rights-based legislation instead of that revolving around charity and welfare. This law focused on the bureaucracy, as it provides for the formation of several Committees to deal with the issues of people with disabilities. However, the law does not provide any mechanism for the Committees to ensure the rights of people with disabilities. Moreover, there is no provision for inclusion or participation of people with disabilities or concerned experts in these Committees.

Bangladesh introduced a long-term National Action Plan (2018-2025) for the inclusion of people with disabilities in 2018 to ensure due implementation of the Convention. Other policies and legislation encompassing the issues related to disability include the Children's Policy (2011), the Children's Act (2013), and the current National Social Security (2016-2021) that focuses on the provisions of the required social security protection for different sectors of society.



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With special thanks for the coordination of this article to Danish Ali Bhutto, Youth Representative for the CPA Asia Region on the Editorial Advisory Board for *The Parliamentarian*.





There is a 10% quota for persons with disabilities and orphans for public sector jobs, but compliance is considerably low. At the Ministry level, the issue of disability does not make the annual development programs of Ministries like that of education, women and children's affairs, etc. since disability is placed under the domain of the Ministry of Social Welfare. While legislation affecting people experiencing disabilities tends to comply with the CRPD, there is a huge scope for improvement, especially in the implementation area. Community participation and encouraging public officials to be aware of the

issues related to disability and sensitising them to these issues can help to improve the situation further.

## Pakistan

Pakistan has a 2.5% prevalence of disability. It signed the CRPD in 2008 and ratified it in 2011. The country introduced its first national law on disabilities in 1981 – the *Disabled Persons' (Employment and Rehabilitation) Ordinance*. This law provided the foundation for institutional care of people with disabilities. It provided for the protection of the rights of people with disabilities regarding employment, education and rehabilitation as well as the creation of funds and the establishment of a National Rehabilitation Council for people with disabilities. The first national policy on disability was rolled out in 2002. For the operationalisation of this policy, a National Plan of Action for people with disabilities was introduced in 2006. It focused on inclusion, access and equality in opportunities for people with disabilities. After that, the government introduced the *Special Citizens Act, 2008*, which provided for accessibility for people with disabilities in public spaces. It also provided for the allocation of seats in public transport and the mindful construction of buildings. Another *Special Citizens Act* was promulgated in 2009 to provide concessional rates to people with disabilities in public and private transport.

Two rulings of the Supreme Court of Pakistan also laid a foundation for establishing the rights of people with disabilities in the country. The first ruling in 2013 directed the federal and provincial governments to ensure equal participation of people with disabilities in the country. It further directed the government to take steps to

***“Disability increases the risk of poverty. Hence, it is even more important in developing countries to formulate policies and legislation so that the exclusivity and discrimination does not become intersectional amid already prevailing malnutrition, inadequate education, polluted environment, scantily available clean water and sanitation.”***



vigorously implement the existing laws on disability. It also instructed the Bureau of Statistics to update statistics on people with disabilities periodically. The second ruling came in 2015 that reinforced the obligation to keep the 2% employment quota for people with disabilities. The court held that this employment quota must be introduced at every tier of an enterprise or organisation. It also upheld the principle of reasonable accommodation in the Convention, ruling that along with employment, authorities must provide required adjustments in infrastructure, assistive technology and other forms of support. Another landmark order that marked an important stage included the order to the government to discontinue the use of derogatory terms like 'physically handicapped', 'mentally retarded', and 'disabled' and replace them with 'persons with disabilities' and 'persons with different abilities'.

After the 18<sup>th</sup> amendment in the country's Constitution, the provinces have the liberty to formulate their own laws for people with disabilities. The Provincial Assembly of Sindh introduced the *Sindh Empowerment of Persons with Disabilities Act, 2018* that replaced the *Differently Abled Persons Act, 2014*. Balochistan introduced the *Balochistan Persons with Disabilities Act, 2017* while Gilgit-Baltistan (GB) promulgated the *GB Persons with Disabilities Act* in 2019.

In 2020, the *ICT Rights of Persons with Disability Act* was introduced to offer a federal legal framework for the protection and promotion of the rights of people with disabilities. While the country has progressed in introducing policies and legislation for the rights of people with disabilities, a lot remains to be done. The implementation mechanisms are weak and mostly not provided for in the legislation. For instance, the condition of 2% employment quota is not being fulfilled in its true letter and spirit. However, the National Assembly of Pakistan, under the leadership of the Speaker, Hon. Asad Qaiser has initiated various reforms over the last three years and taken up the issues of people with disabilities while consequently carrying out the accessibility and disability audits of the existing policies as well as public spaces to ensure that the rights of people with disabilities are guaranteed.

### Sri Lanka

Around 10% of the population experiences some form of disability in Sri Lanka, making up the largest minority in the island nation. The country has a diverse populace, but it does not recognise people with disability as part of it. However, it has a robust National Action Plan on Disability (NAPD) adopted in 2014. The NAPD obliges the state to allocate ample human and financial resources to materialise the seven agenda points of action and services. These seven pillars include education, health and rehabilitation, employment and work, mainstreaming and enabling environments, empowerment, social institution cohesion, and data and research. The country introduced a National Policy on Disability in 2003, which provided for a comprehensive legislation on the rights of people with disabilities. To ensure accessibility for persons with disabilities in public spaces, the country has Accessibility Regulations of 2006 and 2009 in place.

There is also a *Protection of the Rights of Persons with Disabilities Act* that awaits amendments after ratification of the Convention.

The Act provides for equality in employment and admission to educational institutes as well as physical accessibility to public spaces. However, it does not include any provision on safeguarding the rights of people with disabilities.

The country has also approved a Mental Health Policy 2020-2030. This replaced an earlier policy in 2005-2015. These are the basic regulations to provide services to people with disabilities and requires implementation by dedicated Ministries, provincial councils, and local organisations. However, the participation by the concerned individuals is considered to be inadequate, resulting in insufficient employment opportunities in many public departments. In 2011, the government of Sri Lanka introduced an Elections Ordinance to ensure the participation of people with disabilities in the voting process.

Despite ratifying the CRPD, the major legislative frameworks on disabilities do not integrate a rights-based approach, which is an obligation under the Convention. The frameworks primarily focus on charity and welfare. According to disability rights activists, Sri Lanka has some way to go regarding the implementation of the Convention. The 2003 National Policy provided for a Disability Rights Bill to eliminate the lacunas in the *Disability Rights Act*, which has become incumbent after the Convention's ratification. Notably, the Bill has been considered for amendments numerous times, but has not become a final, implementable document hitherto. The focus in this regard is to generate a strong political will for safeguarding the rights of people with disabilities and eliminating the 'red tape' in the approval of the relevant legislation and implementation.

### Conclusion

A number of issues pertaining to disabilities tend to aggravate in developing countries due to fragile institutional structures, lack of awareness, and an apathetic attitude towards the concerned individuals. This increases the risk of intersectionality, as people with disabilities do not have due access to employment and education, which can lead to poverty and destitution.

Therefore, it is very important to formulate laws and enforcement mechanisms to ensure the rights of differently-abled individuals are prioritised. In the three Commonwealth countries of the CPA Asia Region as discussed above, there are many laws and policies in place to provide support to people with disabilities. However, in some cases, their implementation is lagging to a great extent. Moreover, the laws need to catch-up with many new international standards on human rights.

Another major issue that has been reported by disability rights activists and experts in all three nations is the lack of data on people with disabilities. The current data is inadequate to create a final figure about the populace and demography. Moreover, the red tape tends to complicate the provision of facilities for people with disabilities. Often, inappropriate needs assessments in the social protection programs and other projects when addressing people with disabilities is also an issue. Legislators need to draw their focus and attention towards solutions for all and to ensure equality and fairness for persons with disabilities in their societies.

## CPA ASIA YOUTH VOICES: FROM IDENTITY TO INDEPENDENCE: BUILDING A HOLISTIC ECO-SYSTEM FOR THE INCLUSION OF PERSONS WITH DISABILITIES IN PAKISTAN

Providing an overview of persons with disabilities in Pakistan is immediately challenging and illustrative of the obstacles to this movement. The actual number of persons with disabilities in Pakistan is unknown, and various statistics are available, depending on the source of information. The most reliable official number count of persons with disabilities was taken in 1998 – nearly two decades ago and reported 3.3 million, or 2.54%, persons with disabilities out of Pakistan's then-overall population of 132 million.

The Economist Intelligence Unit notes that, according to the World Health Organization, the world population has approximately 15% or 1 billion persons with disabilities. If Pakistan's population followed similar rates, that would be over 27 million people, out of the 210

million population overall. Indeed, as a developing country, Pakistan possesses many characteristics that would likely make the number of persons with disabilities even higher than the world average, such as *"high poverty rates, the prevalence of endemic debilitating diseases (including malaria, dengue fever, and polio), [and] injuries sustained through natural disasters and conflict."*

Statistically, this would mean persons with disabilities would have significant sway over policy-making and its subsequent implementation – but unfortunately, this is not the case. The reason for this is that the national censuses that have been undertaken over the past many decades, have failed to account for persons with disabilities, and the national database only has about 1 million persons with disabilities registered, which is about 30 times less than the actual number. As a result of this gross under-representation in the data, persons with disabilities face multiple barriers to being recognised as citizens, entering education, acquiring market relevant skill sets, availing support from the government through benefits, being economically empowered through employment, and leading independent lives.

With several provincial and national laws in place, and in light of progressive recent judgements of the Supreme Court of Pakistan and the Sindh High Court - all of which have clearly laid out the judiciaries' framework for the disability-inclusive policies at educational institutions, governments offices and workplaces, it is about time that the government and private organisations step up and start working on the implementation of these laws. In the short-term, one must sensitise the decision-makers and make infrastructure accessible, and in the long-term society should create an entire ecosystem of inclusion for persons with disabilities.

A 2011 World Bank study suggests that around 71% of persons with disabilities in Pakistan are unemployed. It has also been suggested

***"As a result of this gross under-representation in the data, persons with disabilities face multiple barriers to being recognised as citizens, entering education, acquiring market relevant skillsets, availing support from the government through benefits, being economically empowered through employment, and leading independent lives."***



**Omair Ahmad** is currently the Executive Director of NOWPDP - a disability inclusion initiative and the Founder and CEO of The Shamil (Inclusion) Initiative - a social enterprise creating economic and social empowerment for the disenfranchised. Omair is a social entrepreneur, organisational development specialist and capacity builder with 15 years of experience across the USA, South Asia, the Philippines and the UK.



**Khalid Sherwani** has spearheaded initiatives on disability inclusion and accessible education. He has worked on the implementation of disability laws in Pakistan by engaging local, provincial and national governments; contributed to making higher education accessible to students belonging to marginalised communities; and compiled a 'Know Your Rights' booklet for people with disabilities and their families.

With special thanks for the coordination of this article to Danish Ali Bhutto, Youth Representative for the CPA Asia Region on the Editorial Advisory Board for *The Parliamentarian*.

that approximate annual losses of between US\$11.9bn and US\$15.4bn are incurred by Pakistan as a result of the exclusion of persons with disabilities from employment – a figure that is estimated to rise to US\$21.4bn this year. With these jarring statistics, and in those cases where employers want to hire persons with disabilities, they often find it difficult to identify persons with disabilities with the right skills and qualifications. The dearth of persons with disabilities with employable skills and qualifications is a result of the discrimination and social exclusion that the majority of persons with disabilities face in almost every aspect of their lives.

Looking at education, it has been suggested that only 10% of all children with disabilities attend school, and only half of those actually complete their primary education, with many leaving after only a few months or years. As a result, about 5% of all children with disabilities worldwide complete primary school. Persons with disabilities are unable to access education opportunities due to physical and social barriers. Most schools are not equipped with reasonable accommodations to allow access to persons with disabilities. Negative preconceptions and social stigma also play an important role in excluding persons with disabilities from opportunities.

Until a few decades ago, the lack of accessibility and inclusion could have been blamed on inadequate policymaking. However, following the ratification of the United Nation's Convention of the Rights of People with Disabilities (UNCRPD), the successive governments – both provincial and federal – have drafted a comprehensive framework for its implementation, being one of the few issues on which there is political unanimity. Now is the time for policies to be implemented because all the efforts to improve the overall economic conditions in Pakistan are incomplete without taking into account the active participation of persons with disabilities. A part of the solution is to build society's capacity to become inclusive through attitudinal sensitisation of the society at large and providing infrastructure accessibility of buildings in general.

One of the main factors is the negative or ignorant attitudes of society towards educating and hiring persons with disabilities, as they fail to see their talent and value in institutions – so the first objective is to sensitise the wider society about the benefits of inclusion and improve their attitudes. In addition, attitudinal barriers can be overcome by sensitising legislators and the government machinery to instil empathy in their decision-making – by holding workshops driven by disability self-advocates to ensure responsible crafting of the rules of business, that can also serve as an effective roadmap for the implementation of a legislative framework.

Infrastructural and architectural barriers make it difficult for persons with hearing, visual or physical impairments to access workplaces, educational institutions, public and private transport, and government offices. It is incumbent for effective lobbying efforts to be undertaken to hold provincial and federal legislators accountable and aware about their responsibility to implement the laws that they have penned, along with the bureaucratic machinery. This can only happen by making physical infrastructure accessible by adding ramps, providing reasonable accommodation, printing braille documentation, making transportation accessible and affordable,

adding tactile walking, ensuring sign language provision, and ensuring that the path from one's home to one's destination does not have barriers.

Failure to effectively work on the implementation of legislation, through a sensitised and accessible approach, will result in the continued disenfranchisement of an already marginalised community. A crisis which is expected to exacerbate following the Coronavirus lockdown and its impact on Pakistan's educational sector and job market. In the last two years, the number of individuals with disabilities who have been denied equal access to education, and its associated benefits, such as better jobs, social and economic security, and opportunities for full participation in society as increased alarmingly, and continues to do so.

An average individual with disabilities faces several challenges during their lives: lack of access to disability benefits, lack of proper training and education, infrastructural barriers, attitudinal biases, lack of information on disability services. Early identification of disabilities, inclusive pre-schooling, schooling, and accessible higher education are all the constitutional rights stripped away from the community due to the failure of society to be inclusive. Further examination of the lifecycle of an individual with disabilities will reveal similar barriers which they have to face at every step of their life. Living with and navigating these hurdles takes a mental toll and makes the act of living even more tiresome and exhausting. Pre-existing problems with the lack of implementation of disability quotas and the absence of inclusive policies, combined with the post-COVID economic outlook has created an unpredictable situation for thousands of young and middle-aged people with disabilities who are hoping to contribute to the economy by becoming an active part of the country's educational and labour force.

So one must also look at long term, holistic solutions, which look at the entire eco-system of inclusion, where everything from providing a person with disabilities with a respectful identity to their independence is catered to and supported.

The first step towards this holistic inclusion is effective data aggregation, which has been a major stumbling block to the effective representation of persons with disabilities. The current process to avail the national identity card for a person with disabilities is very cumbersome and long, and thus precludes many from availing of the national identity card. By making this process less complicated and more accessible, the government will be able to accumulate accurate data.

Once effective data is being collected, the second step is the provision of welfare, through assistive devices where there is a need (wheelchair, cochlear implants, hearing aids, white walking canes) and basic needs like providing access to clean drinking water and access to food rations during calamities, for those that are severely disabled.

The third step is the rehabilitation of special education schools to ensure the provision of quality education to children with disabilities at a primary level first and secondary level later on in the next phase, and to provide rehabilitative assistance to children with intellectual disabilities. In mainstream education, there is also a need to prepare





students and teachers to accept students with disabilities into their fold, so marginalisation does not start at an early age.

The fourth step is to impart skills development training to persons with disabilities to facilitate them in honing their skills. This training could focus on trade skills that are deemed 'market relevant', which unequivocally increases their chances of securing jobs. As economic indicators show, there is an urgent need for a skilled labour force.

Once, data has been aggregated, welfare provided, education ensured and skills imparted – the fifth and sixth steps are a focus on the economic empowerment of persons with disabilities through employment and self-employment, where persons with disabilities should be extended all manner of support in seeking employment to ensure skills education is being translated into jobs, or a business of their own leading to their employment.

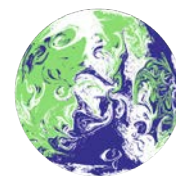
Finally, for those that are in need of guidance – the state and the private sector should come together to counter barriers to information faced by persons with disabilities and their families, as well as facilitate access to services that they need by having trained personnel manning information portals.

Despite the challenges presented by an inaccessible world, we have numerous examples and stories of people who managed to

find their way to the top and are representing the community in High Courts, bureaucracies, multinationals and more. However, individual achievements will only create a sustainable social impact when society uses these examples to normalise inclusion and accessibility. Without acknowledging the barriers faced by these successful individuals, the celebration of individual successes by society seems meaningless. The inequalities of our system need to be eradicated wholly and to achieve that, serious introspection is required. To this end, one needs to look at the entire lifecycle.

As our society rebuilds after facing one of the most unprecedented challenges of our lifetime, let's aim to make our world inclusive for people with disabilities. Let's make our neighbourhoods, schools, and workplaces, accessible. Let's create opportunities for education. Of employment. Of entrepreneurship. And ensure that our vision is inclusive. Our future is inclusive. It's already too late!

NOWPDP is a disability inclusion initiative in Pakistan – visit [www.nowpdp.org](http://www.nowpdp.org).



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## REFLECTIONS ON THE COP26 GLOBE LEGISLATORS SUMMIT: CPA SECRETARY-GENERAL

The GLOBE Legislators Summit was organised to coincide with COP26 and was held in Edinburgh, kindly hosted by the Scottish Parliament and its Presiding Officer, Rt Hon. Alison Johnstone MSP. It was a pleasure to meet with the Presiding Officer just before she opened the Summit and to see the strong cross-party commitment in the Scottish Parliament to tackling climate change.

When GLOBE first approached the CPA about the Summit, we were especially keen to ensure that the voices of our CPA Small Branches and Commonwealth Women Parliamentarians would be heard in Edinburgh. The CPA delegation reflected this, and I would like to thank the three Commonwealth Parliamentarians in the CPA delegation for sparing the time in their busy schedules to be in Edinburgh where they each played an active and constructive role at the Summit. They joined fellow legislators from across the Commonwealth as colleagues from other jurisdictions.

The mood at the Summit was captured very powerfully by the Speaker of the People's Majlis of the Maldives, Hon. Mohamed Nasheed. He is a former President of his country who, in 2009, held a cabinet meeting underwater in order to demonstrate the impact of climate change on low-lying islands. His eloquent message to the Summit was that the COP26 commitments provided real hope for progress but that it is vitally important that words are put into action. Small Island Developing States have played a vital role in pushing for urgent international action on climate change, biodiversity and the environment. Within the CPA, this has been reflected in the work of our CPA Small Branches network on sustainable development and climate change. The work of legislators will be crucial in the months and years ahead including:

- Passing the necessary legislation to ensure that commitments made in Glasgow are delivered.
- Holding their governments to account by overseeing and scrutinising the detailed plans to move to net zero including in the critical area of financing.
- Engaging with citizens and civil society to ensure wide public support for, and participation in, the efforts to achieve net zero.

One of the best sessions in Edinburgh was the one in which we heard from some members of Scotland's Youth Parliament and Children's Parliament. Their passion and understanding for this cause shone through and reminded everyone present that we have a shared obligation to the planet and its people both today and in the future.

Agenda 2030 sets out ambitious goals and targets for sustainable development. By bringing together the two great causes of promoting sustainability and tackling poverty, the SDGs provide a roadmap for the decade ahead. I hope that commitments made at COP26 help deliver that roadmap.



Right: The CPA Secretary-General, Stephen Twigg, met with the Presiding Officer of The Scottish Parliament and CPA Scotland Branch President, Rt Hon. Alison Johnstone MSP before the GLOBE Legislators Summit in Edinburgh to discuss climate change initiatives and ongoing parliamentary strengthening support for the Scottish Parliament.



Right: In the margins of the GLOBE Legislators Summit in Edinburgh, the CPA Secretary-General, Stephen Twigg, also met with Hon. Samuelu Teo, Speaker of the Parliament of Tuvalu, one of several CPA Small Branches attending the Summit.



**Stephen Twigg** is the CPA Secretary-General and a former Member of the UK Parliament.



## CODE RED FOR HUMANITY: PARLIAMENTARIANS GATHER DURING COP26 FOR GLOBAL CLIMATE CHANGE SUMMIT

The 26<sup>th</sup> UN Climate Change Conference (COP26), which took place in Glasgow, Scotland, UK, was a pivotal moment for the global community to raise ambition on reducing global emissions and meeting the commitments of the 2015 Paris Agreement.

From 5-6 November 2021, with international leaders descending on Scotland en masse to reach a consensus on climate change at COP26, Parliamentarians from across the world met in Edinburgh for the GLOBE COP26 Legislators Summit, hosted by GLOBE International and the Scottish Parliament.

GLOBE International, a cross-party network of Parliamentarians dedicated to improving governance for sustainable development, organised the Summit in its capacity as the Focal Point for the UNFCCC Parliamentary Group, which facilitates the engagement of Parliamentarians and parliamentary networks at COP26 and UNFCCC meetings.

The Summit provided an opportunity for legislators to hear from leading experts, academics and practitioners in the field and to discuss how to utilise their legislative, oversight and representative powers to accelerate climate action in their own jurisdictions and hold governments to account.

The CPA, a founding member of the UNFCCC Parliamentary Group, was represented at the Summit in Edinburgh by a delegation comprising the CPA Small Branches Vice-Chairperson, Hon. Juan Watterson SHK, Speaker of the House of Keys at the Parliament of the Isle of Man; the Deputy Speaker of the Malta House of Representatives, Hon. Claudette Buttigieg; the Chairperson of the Women's Parliamentary Caucus of the Seychelles National Assembly, Hon. Regina Esparon; and the CPA Secretary-General, Stephen Twigg.

Throughout the two-day Summit, delegates emphasised that legislators can and must play a role in implementing any



climate commitments made at COP26 by passing appropriate legislation to deliver on the pledges. Another focus was the need for elected representatives to guarantee the right of citizens at all levels, including marginalised groups, to have a voice in climate change solutions.

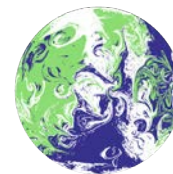
Parliamentarians from across the Commonwealth were in attendance, including from India, Bangladesh, Nigeria and Tuvalu. Hon. Mohamed Nasheed, Speaker of the People's Majlis of the Maldives, addressed the Summit on the first day, speaking passionately on behalf of small and climate-vulnerable jurisdictions. He reiterated the necessity of limiting global warming to 1.5°C – a target set by the 2015 Paris Agreement – warning that a failure to meet this target would leave many countries, including his own, unable to survive in their natural state.

Members of the CPA delegation addressed the plenary at various moments during the Summit: Hon. Juan Watterson emphasised the disproportionate impacts of climate change on small jurisdictions; Hon. Claudette Buttigieg raised how the experience of the COVID-19 pandemic could be a catalyst for more ambitious climate action and noted how policy and technological innovations could be developed at speed when the political will existed, as was evidenced with the vaccine rollout; Hon. Regina Esparon highlighted the issues of balancing between sustainable development and environmental protection and cited the experience of the Seychelles and its large tourism sector, which relies on infrastructure situated predominantly on the shorelines – the location where environmental degradation and climate change impacts are felt most.

The CPA Small Branches network represents the smallest jurisdictions in the Commonwealth. Climate change and environmental governance is a key thematic priority for the network.







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## REFLECTIONS ON THE COP26 GLOBE LEGISLATORS SUMMIT: CPA SMALL BRANCHES VICE-CHAIRPERSON AND ISLE OF MAN SPEAKER

*"If you think you're too little to make a difference, try sleeping with a mosquito in the room" - Dalai Lama.*

I was proud to represent the CPA Small Branches at the COP26 GLOBE Legislators Summit in Edinburgh, Scotland in November 2021. The implications of climate change are probably better understood by smaller branches: we are nearer to citizens, closer to problems, and can grasp issues in a holistic way that challenges larger governments. Our size is our biggest advantage to understanding problems, and our biggest constraint to solving them. Out of these constraints comes innovation and collaboration, something we smaller branches know a lot about from necessity.

The issues raised at the Summit in Edinburgh were expected, varying degrees of difficult trade-offs, time-consuming and expensive issues, transcending election cycles and party lines.

We gathered to accelerate climate action and delivery of a green, fair and resilient global recovery, whilst attempting to retain and strengthen democratic integrity, securing consent and energising whole-of-society public engagement for sustained delivery. Worthy goals that are difficult to deliver.

However, as the Speaker of The Maldives, Hon. Mohamed Nashid, said at the conference: *"Pessimism achieves nothing, determination is needed."* He spoke as a Parliamentarian of one of the Commonwealth's smaller states for which the battle against

climate change is a battle for the very survival of their country. Many are facing rising sea levels, fierce floods, or drought and wildfires. It was so important, therefore, that the voice of the CPA Small Branches was heard as the desperate principal victims of climate change in all of its forms.

So what practical takeaways can I share with you, my parliamentary colleagues, about tackling this issue?

First and foremost, governments should be encouraged to make timely decisions in the right direction, with refinements later on. It is accepted that action in an emergency will not be perfect, but outcome-based action now is better than perfect action later. Policy must transcend political changings of the guard.

International agreements need translating into domestic legislation. Legislation is key as it represents the will of Parliament and is enforceable in the courts. Carbon budgets need to be included in national plans. Legislation is a great lever for citizens to be involved: in shaping the law, ensuring its enforcement, challenging us all to do better, supported by a democratic mandate to deliver. We heard from judges, too, that seeking timely judicial feedback and building it into post-legislative reviews was an invaluable tool in constantly refining legislation.

Parliamentary Committees are a valuable tool for idea collection, assessment and recommendation of ideas to government. There is scope to present ideas and solutions from other jurisdictions that may not have reached the ears of Ministers.

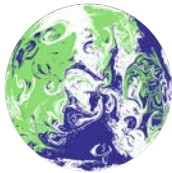
From a scrutiny perspective, it was astonishing to learn that worldwide fossil fuel subsidies amount to US\$11m per minute. We should ask whether policies are helping or hindering the situation. As was said: *"Offsets, capture, sequestration and storage are not solutions. They represent a shift from denial to delusion."*

There were many lessons from distinguished academics calling for the right balance between adaptation and mitigation, and how ideally we need to move from making green rules to green markets.

I am a chartered accountant by trade, so it's important to recognise that measurement matters. We measure what matters, it signifies our interest and intent. Legislating for carbon into budgets, into annually reported targets, and ensuring auditing and compilation to a common reporting standard are all pivotal parts of parliamentary



**Hon. Juan Watterson, SHK** is the CPA Small Branches Vice-Chairperson and the Speaker of the House of Keys at the Parliament of the Isle of Man (Tynwald).



## UN CLIMATE CHANGE CONFERENCE UK 2021

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## REPORTING FROM COP26: CLIMATE CHANGE IN THE COMMONWEALTH

scrutiny. These tools will utilise data to drive public and parliamentary opinion; determining whether our jurisdictions, and others, are doing enough to meet the global standards set out at COP26.

As legislators, we have the ability to set the agenda, to amplify voices that need to be heard. We all need to look, listen, feel, think and speak. Our words matter. Our silence and inactivity also has meaning.

Sovereign nations have the ability in many global forums to use that voice to fight that battle on the world stage. Smaller jurisdictions who are not sovereign nations, like the Isle of Man, can still have real impact as good global citizens.

I am writing this article as I ride the bus from my constituency to Parliament. We can all show leadership at an individual level as well as using our influence to get others talking about this issue. Our small jurisdictions may be limited by the resources that we have, but we can match the energy and passion that we are willing to devote to the cause.

The action we can take can be neatly summarised as:

- Collaborate individually, regionally, nationally and internationally

- Own the problem
- Measure what matters and benchmark
- Monitor progress
- Outreach to community groups, young people and listen to what they want
- Non-proliferation. Stop planning to extract new fossil fuels now
- Work out the cost of doing nothing – it will be more expensive to adapt and mitigate in the long-term
- Educate yourself, your colleagues, and your constituents. Build it into induction programmes for new Parliamentarians
- Allocate time and resources to give meaning to your commitments
- Legislate for the change you want to see
- Try new things: don't let perfection be the enemy of the good
- Health is a unifying lens to view climate change through – look at its effects on morbidity and mortality

No matter how big other countries are, remember:

*'It's hard to ignore the mosquito in the room'.*

## UNITED NATIONS COP26 GLOBAL CLIMATE CHANGE SUMMIT IN SCOTLAND

The United Nations Climate Change Conference COP26 was held in Glasgow from 31 October to 12 November, to bring together leaders, negotiators, climate experts, civil society, companies and people on the frontline of climate change to adopt harmonised action for tackling the global climate crisis.

The summit was the first COP meeting to be held since the Coronavirus pandemic began, and one of the largest gatherings of world leaders ever hosted by the United Kingdom.

Many Commonwealth nations were represented at the conference, with a particular focus on small island states.



Image credit: UK Government/COP26



# REFLECTIONS ON PARLIAMENTARY DEMOCRACY IN THE AUSTRALIAN PARLIAMENT

**As the two Presiding Officers of the Australian Federal Parliament both retire, they reflect on the challenges and privileges of their roles in Parliament.**

Of the many changes in the Australian Parliament since the onset of the pandemic, two sets of doors left open to reduce contact with surfaces is unremarkable. But for the past 18 months, on sitting days, this arrangement has provided the Speaker of the House of Representatives and the President of the Senate in the Australian Federal Parliament each with a direct line of sight, from his Chair, along the east-west 'legislative' axis of the building straight into the Chamber of his counterpart. The Presiding Officers face each other, though at a distance of 163 metres and with the Members' Hall in between, the business of 'the other place' blending into the backdrop: the red ochre hues of the Senate, and the eucalyptus grey-green of the House.

Within these walls, the 46<sup>th</sup> Parliament of Australia is drawing to a close, and it will be the final one for the Speaker, Hon. Tony Smith MP, and the President, Senator Hon. Scott Ryan. Earlier this year,

both Presiding Officers announced their intention to retire from the Parliament at the next election, and in late September 2021, the President said he would bring this forward, deciding not to return when Parliament resumed on 18 October for the final sitting weeks of 2021.

Members of the governing Liberal Party, the two are highly regarded, on all sides, as true Parliamentarians with an unwavering respect for the institution of Parliament. In recent times, the pandemic has added complexity to the roles of the Presiding Officers who, under the *Parliamentary Precincts Act 1988*, have management and control of the parliamentary precincts.

*"As a team," the Speaker says, "the amount of time and consideration we've given to Chamber activities has been transformed by Coronavirus and that has been very, very important in terms of enabling the House to keep sitting, which is vital."*

Paying tribute to the efforts of the two Presiding Officers, the Prime Minister of Australia, Rt Hon. Scott Morrison MP, said that *"Together, they have worked through complex legal and jurisdictional issues and ensured that the Parliament has been able to function freely."*

The Speaker and the President, who have known each other for over 30 years, have a close relationship. They share an extensive knowledge of, and interest in, history and politics. Both are alumni of the University of Melbourne, where each held the position of President of the Melbourne University Liberal Club, six years apart. Prior to entering Parliament, both had worked as researchers at the Institute of Public Affairs, a Melbourne-based independent public policy think-tank, and both were on the staff of the former Treasurer, Hon. Peter Costello – the Speaker as his senior political adviser from 1998 to 2001 and as his media adviser for the eight years prior to that. The President had also worked as a senior adviser (to the

***"The Presiding Officers face each other, though at a distance of 163 metres and with the Members' Hall in between, the business of 'the other place' blending into the backdrop: the red ochre hues of the Senate, and the eucalyptus grey-green of the House."***



**Fleur Hall** is works at the Department of the House of Representatives in the Australian Parliament and is a regular contributor to *The Parliamentarian*. Read her regular *Parliamentary Report* and *Third Reading* reports on pages 421-423.





Image credit: Penny Bradfield/Auspic



Victorian Leader of the Opposition in the early 2000s) and was a speechwriter for former Senator Nick Minchin. Entering Parliament was an obvious next step: the Speaker in 2001 as the Member for Casey (in Melbourne, Victoria) and the President as a Senator for Victoria, in 2007. Both had served in the Ministry and Shadow Ministry, as well as on numerous Parliamentary Committees, before becoming Presiding Officers, roles which each assumed somewhat unexpectedly.

For the President, the circumstances arose during the 2017 Parliamentary eligibility crisis, which triggered the departure of several sitting Members and Senators found to have been in breach of section 44(i) of the Constitution, which deals with the question of citizenship and allegiance to a foreign power, and includes a disqualification from the Parliament for those who are dual citizens. Four days after High Court rulings in relation to seven Parliamentarians, the then President of the Senate, Senator Hon. Stephen Parry, resigned, having become aware that he held British citizenship by descent. In an unusual but not unprecedented step, Senator Ryan resigned from the Ministry to stand for the Presidency, partly driven, he says, by his strong interest in Senate procedure. Upon election, the President told the Senate: “I am now your servant. I now represent all Senators. I’m no longer part of the

**Above: The two outgoing Presiding Officers of the Australian Federal Parliament, Hon. Tony Smith, MP, 32<sup>nd</sup> Speaker of the House of Representatives (on the left), and Senator Hon. Scott Ryan, 25<sup>th</sup> President of the Senate (on the right).**

*Executive government. And I will treat every Senator on their merits as an individual representative of their state, regardless of party or office held.”*

Two years earlier, the Speaker, too, found himself in the Chair at short notice – after the sudden resignation of the previous Speaker, Hon. Bronwyn Bishop. His nomination was unopposed, as it was at the commencement of the two following Parliaments, in 2016, and 2019 (the nomination seconded, on that occasion, by a Member of the Opposition). Addressing the House in 2015, the new Speaker said that he would not be attending party room meetings, a decision he described as “symbolic and practical”. As the Speaker has since explained: “perceptions really do matter.” Being the Member for Casey as well as being the Speaker, he says, “You do wear two hats. And you can’t perform both roles without modifying your approach. It would be improper of me to walk past the cameras on a sitting day and give a character assessment of the Opposition and then get in the Chair and expect them to have forgotten all that and me



## REFLECTIONS ON PARLIAMENTARY DEMOCRACY IN THE AUSTRALIAN PARLIAMENT

*put another hat on. I do limit what I say. I make no apologies for that. I don't spend my time on social media attacking the Opposition. I really have absolutely avoided those situations where I'm trying on the one hand to say: 'Look I'm an impartial Speaker but a partisan player' all on the same day in the same news cycle."*

With a similarly self-imposed restraint, born of "a respect for the role of President and the institution of the Senate", the President refrains from expressing views on public policy that he might privately hold. In the Chamber, he rarely contributes to debate, except on matters of conscience, when he has, on occasion, explained his personal position from the Chair. However, unlike the Speaker, who only has a casting vote, the President has a deliberative vote in the Senate Chamber and regularly exercises it.

Being impartial, or in the Australian parlance, giving every Member and Senator a 'fair go', is regarded by both Presiding Officers as having been critical to their success in chairing proceedings that, by their nature, can be very robust. As the Speaker remarked, when giving the Alfred Deakin lecture in 2018:

*"It needs to be remembered that the floor of the House of Representatives is neither a classroom nor a church – it is our nation's premier debating Chamber. It is a place where the contest for, and clash of, ideas and ideals take place; where governments are held to account under great pressure. It is combative because it was designed to be. It will never have the convivial atmosphere of a consensual weekend summit with facilitators, butcher's paper and Texas."*

Managing the ebb and flow of debate is the most challenging aspect of the job, and both wryly observe that "nothing prepares you for Question Time." What is not so visible, the Speaker says, is the amount of cooperation behind the scenes that gives a predictability and order to the House, even when an agreement that is reached is in relation to how a disagreement will occur. While the Presiding Officers are duty-bound to enforce the Standing Orders, "balancing parliamentary behaviour when the Standing Orders are being used fairly brutally by the government, particularly when debate is shut down, can be a challenge too," says the Speaker.

While the use of such tactics is the prerogative of the government, for the Speaker, the practical reality is that consequences will follow, not just during that debate, "but often in terms of the tone and conduct for the rest of the day."

In the House, there is always more than one consideration at play: every Member is equal, but the House has business to

transact. Striking a balance is not always an easy task. But it is the predictability that flows from impartiality, in the view of the Speaker, that helps the House to run as smoothly as possible, when Members perceive that the Speaker is being fair to both sides, and consistent. To act otherwise, the Speaker says, is to degrade the entire House.

The President agrees, citing the need to be consistent with Senate precedent, but also being aware that new situations evolve. For the President, that means ensuring his decisions are "rules-based, rather than purely person-based" and that if new precedents are established, they are capable of being applied in similar situations that may arise in the future. And with no equivalent in the Senate to the House Standing Order that enables the Speaker to direct a disorderly Member to leave the Chamber for an hour, the President describes the need to exercise the power of persuasion rather than authority: "I've always been exceptionally conscious of maintaining the consent of the overwhelming majority of the Chamber."

There are indeed significant differences, by design and culture, between the two Houses. The Australian Senate is a powerful upper house: constitutionally, its consent is required for the passing of all legislative proposals. There is also its review function through Committees, including the rigorous Senate Estimates process. The Senate is therefore often acknowledged as being a powerful check on the government of the day. The President describes himself as "very Madisonian" in his view that power separated and divided is power that is harder to abuse. The Australian combination, he says, of stability in the formation of government in the lower house with some legislative constraints on it through a strong upper house is "actually very good."

Culturally, the President describes the Senate as "very protective" of its independence from the Executive, reflecting the fact that it is not the Chamber in which the government is formed. Another factor is that the Government usually does not enjoy a majority in the Senate: "That underpins a great deal. It means that most issues are contested, which means that everyone goes in seeking to persuade, whether it be establishing a Committee, ordering the production of documents or successfully legislating a government program."

Priorities and perspectives also play a role. House Members are very much focused on their local electorates; for a Senator their entire State or Territory is their electorate. But according to the President, the real constituency for a Senator can in fact be non-geographical: it may be in a particular issue in which a Senator has developed an expertise and profile.

As the President explains: "We don't have a patch of earth that is ours exclusively – that means we start from a slightly different point. Not better, or worse, just different." For the Presiding Officers, who co-administer a Department of Parliamentary Services that serves both the Senate and the House, the mutual understanding and respect for those cultural differences is very important – notwithstanding that on occasion, as the Speaker acknowledges, "each House frustrates the other." Both consider it fortunate that their decades-long personal history means that they haven't needed to establish a relationship, which they say has made their job, in this respect, much easier than it perhaps otherwise would have been.

***"Both see the role the Presiding Officers play in maintaining relations with the Parliaments of other countries and international parliamentary associations as a great privilege."***





No doubt this has proven particularly advantageous while they have jointly navigated the uncharted parliamentary terrain presented by the pandemic. This period has seen the facilitation of a degree of remote participation for Parliamentarians unable to travel to Parliament House, who may make certain contributions via video link – for example, making a speech on legislation or asking a question in Question Time. Both Presiding Officers are pleased it has worked so well, and see long-term benefits for Committee hearings in particular, because remote participation has become normalised, providing greater capacity to hear from witnesses across the country and reducing the need to travel. *“A classic case of a crisis leading to a very productive change,”* says the President.

However, both are adamant that remote participation for Chamber proceedings should not become the norm. There is no substitute, in their view, for the assembly of Parliamentarians, together, in the parliamentary environment. *“If you spend time with someone,”* says the President, *“you are simply better at understanding their perspective. And that facilitates discussion, progress, compromise, maybe even civil disagreement.”* The Speaker agrees: *“I’ve seen people, within the course of a week, change their mind on an issue. It might be from discussions in the party room, but also discussions individually, or listening to a contribution in an adjournment debate, that gives them a different perspective on things. Replicating all of that alone in an electorate office is near-impossible.”*

The pandemic has also put the brakes on international travel for delegations. In the President’s view, the engagement of Members and Senators internationally is critical: *“Australia, by necessity, needs to be outward-looking; we need to be engaged in our region, we need to understand the perspectives of others who may have very different backgrounds, and be sensitive to that.”*

Both see the role the Presiding Officers play in maintaining relations with the Parliaments of other countries and international parliamentary associations as a great privilege. The Speaker regards it as an honour for the Australian Parliament that he was elected President of the Asia-Pacific Parliamentary Forum, on the nomination of the Japanese delegation, at the last international event that took place at Parliament House, in January 2020, just before restrictions took hold. The President was a Member of the International Executive Committee of the Commonwealth Parliamentary Association, one of three Regional Representatives for the CPA Australia Region, and he also attended the 64th Commonwealth Parliamentary Conference in Uganda in September 2019.

For future Speakers and Presidents, the advice of the Presiding Officers is unequivocal: you have to develop your own style, and establish your own way of doing things, but the Clerk is an unparalleled source of wisdom and guidance, and the most important counsellor. As for what comes next, time will tell. The

President has already made way for a new custodian of the Senate. The Speaker says his love for the Australian Parliament will endure, but after seven elections and twenty years, now is the time for a change. *“I do feel like I could do it forever,”* he says, *“but it’s just that if I’m going to do anything else, it’s either now or I stay for my working life. So really that was the decision I thought I’d make, and make it on my own terms.”*

With thanks to Hon. Tony Smith, MP, 32<sup>nd</sup> Speaker of the House of Representatives, and to Senator Hon. Scott Ryan, 25<sup>th</sup> President of the Senate.





# GIBRALTAR PARLIAMENT: THE CHALLENGE OF ADAPTING A HISTORIC BUILDING FOR MODERN USE

## Historical background

The building which houses the Gibraltar Parliament was erected by public subscription in 1817 to serve initially as the Exchange and Commercial Library. The reason for this was that civilians, however eminent or wealthy, were excluded from the rival Gibraltar Garrison Library which was the exclusive domain of the military establishment in the territory.

Its neo-classical, architectural style and facades provide, even to date, an elegant backdrop to one of Gibraltar's busiest streets and public squares.

In 1951, the building was refurbished to host the newly established Legislative Council. It later became home to the Gibraltar House of Assembly under the 1969 Constitution and is now the seat of the Gibraltar Parliament since the enactment of the 2006 Constitution.

The area around the building has played an important role in the local community, as a place of public gatherings, commercial transactions and as a meeting place to discuss the news of the day in a prominent and central site.

The building's location and the fact that it faces one of Gibraltar's few public squares in the town centre has meant that for centuries, it has long been the focus point for numerous public meetings and political rallies. These included a protest for a higher proportion of elected Members in the City Council held in 1934, as well as more

recent events such as for those in solidarity with the 'Black Lives Matter' movement in 2020.

## Internal refurbishment

Unfortunately, a lack of investment over decades resulted in this key building appearing tired and dated, making it difficult for its dedicated staff to meet the growing demands of our society. In 2011, on the election of the current Government, the refurbishment and reform of the Parliament building was placed firmly on the agenda.

In 2013, the Gibraltar Government set new targets and a programme for this to happen. The first phase consisted of upgrading the office facilities, the debating Chamber and the public gallery. Modern equipment and furniture brought this building into the 21<sup>st</sup> century without impairing its classical elegance. The works, which replaced a tired and worn internal décor with a more modern design and furnishing also provided better thermal insulation. It was decided to take advantage of this to offer 'live' sessions of Parliament for the first time on television through new video streaming facilities which are open to all. This was an important first step in making Parliamentary session more accessible to the public.

The internal works provided a better environment for Members of Parliament, parliamentary staff, the press and the visiting public.

*“The internal works provided a better environment for Members of Parliament, parliamentary staff, the press and the visiting public ... The refurbished Gibraltar Parliament will be a unique blend of the old and the new.”*



**Mr Carl Viagas** is a Projects Director at the Government of Gibraltar.



## Lift access

The provision of lift facilities to a historically significant building was an important challenge, given that the Chamber is on the first floor of the building. The Government was determined to explore a number of different options. The first proposal was the location of an external lift inside the square to the west of the building, connected to it by a bridge. This was cleared for planning purposes but was opposed by heritage groups.

A number of studies and intrusive surveys were carried out over a period of time in order to establish whether the building could accommodate an internal lift at a different location. There were also plans drawn up to ascertain the visual impact of the lift on the side of the building and on the east, facing Main Street.

The technical and architectural issues faced when seeking to adapt an old building to a modern use were no easy task. Access for those with limited mobility was always going to be a challenge for the designers, all the more so because being in such a central location, the addition of an external lift became a point of contention.

The solution came unexpectedly. The ground floor of the Parliament building had long been occupied by two restaurants. The owners made known their interest in selling and vacating the property in what was a once in a lifetime opportunity. The Government therefore decided to purchase the ground floor premises for use by the Parliament and in this way consolidate the entire building for public use, as it had originally been envisaged.

The addition of the ground floor has made it easier to provide for an internal lift by removing many of the design constraints which had previously existed. However, the negative economic impact of the COVID-19 pandemic, which has hit Gibraltar in the same way as every other country, means that the project will only proceed when the funding is made available in the context of other pressing spending priorities.

Designs have nonetheless been completed and are currently awaiting approval from the Development and Planning Commission in Gibraltar. These proposals will not only provide for access to all the upper levels of the building but will also cater for extra offices for parliamentary staff and Members of Parliament, as well as a greater means of security and enhanced hardware. In addition to this, it is important to note that responding to the current climate issues, the refurbishment will also provide a more energy efficient building whilst respecting its significant cultural heritage value.

The refurbished Gibraltar Parliament will be a unique blend of the old and the new.

## BEFORE:



## DURING:



## AFTER:





# NEW SOUTH WALES PARLIAMENT HELPS DISADVANTAGED COMMUNITIES DURING THE PANDEMIC

A buzzing kitchen, delicious comfort food and a passionate, dedicated team are some of the ingredients that helped feed families in need and saved jobs during the global COVID-19 pandemic at the Parliament of New South Wales.

While the traditional role of the Parliament is to make laws for the State, allow Members to represent the views and needs of their communities, and provide scrutiny of the Government through the Parliament and its Committees, the COVID-19 pandemic provided new avenues for the Parliament of New South Wales to reach out to local communities.

In particular, the partnership between the Parliamentary Catering team and OzHarvest, Australia's leading food rescue organisation which provides charities with meals to help feed people in need, saw the New South Wales Parliament engaging with the community to a degree not achieved before.

In fact, this Parliament became one of OzHarvest's largest contributors, with more than 178,000 meals provided for homeless and vulnerable members of the community since the partnership began in April 2020. It was a significant community engagement initiative and a collaborative effort from all those involved across the Parliament and OzHarvest.

The programme showcased just what Parliaments can do to work with and support their local communities.

Besides our traditional role of community representation and support, we believe it is also incumbent on all Parliamentarians to have a social conscience during times of difficulty and do what we can in our personal capacity to help the homeless and underprivileged.

Teaming up with OzHarvest to feed and sustain people was an important and effective way of doing so.

### Parliamentary Catering

Located within Sydney's historic centre, the Parliament of New South Wales is the oldest Parliament in Australia. Originally built as a hospital in 1816 and funded by the rum trade, the New South Wales Parliament House has evolved to accommodate the two democratically elected Houses of Parliament - the Legislative Assembly and the Legislative Council. As most of us know, it is also home to a renowned dining and restaurant team.

Since the early days of the colony, a catering service has been available to sustain Parliamentarians while they work, often late into the night. Many Members of Parliament travel great distances from their rural and regional electorates to attend Parliament.

Since those early times, Parliamentary Catering has hosted formal dinners and receptions for visiting dignitaries and special guests, including on two occasions, Her Majesty Queen Elizabeth II, the Patron of the Commonwealth Parliamentary Association.

More recently, the Parliament successfully opened up its dining venues to the public. Offerings include fine dining at the Strangers' Restaurant, functions in seven unique event spaces, traditional high tea every Friday, and a public café for visitors to stop for a coffee or light lunch. The Parliamentary Catering team is made up of permanent, casual and agency staff who work together to deliver a high-quality experience across all Parliamentary food outlets.

### Pivoting during the pandemic

Our partnership with OzHarvest during the pandemic came about in response to the ongoing COVID-19 lockdown. As New South Wales entered its first COVID-19 lockdown in early 2020, the New South Wales Parliament was closed to the general public and staff were required to work from home where their roles permitted, with no customers for the catering kitchen team to serve.



**Hon. Matthew Mason-Cox, MLC** is the President of the New South Wales Legislative Council since May 2021. He was first elected in 2006 and has held several parliamentary positions

including Deputy Leader of the Liberal Party and Minister for Fair Trading.



**Hon. Jonathan O'Dea, MP** is the Speaker of the New South Wales Legislative Assembly and the Member for Davidson in northern Sydney. He was first elected in 2007 and became Speaker in

2019. He has held a number of parliamentary roles including Chair of the Public Accounts Committee and Parliamentary Secretary to the Premier and Treasurer.





Led by Parliamentary Catering Senior Manager, Lee Kwiez and Executive Chef, Vanessa Harcourt, the team began to look for ways to engage the Parliament's chefs in meaningful work. It was also important to ensure that the team's valuable agency staff could remain employed, many on international visas, unable to get home for the duration of 2020.

There was also a desire to use available resources to support the vulnerable, and those in need, within the community. Members of Parliament, too, declared their support for such an initiative, with all parties putting politics aside to come together and help get people back on their feet. The then Presiding Officers, enthusiastically took steps to ensure the idea became a reality in April 2020.

Lee Kwiez said that when OzHarvest came on board, it was exciting on two fronts - supporting OzHarvest in its efforts to feed the ever-growing number of those in need as staff had time and equipment to help, and supporting some of the more impacted members of the catering kitchen team who were not eligible for relief payments but could now continue to earn a wage during lockdown.

The Victorian Parliament in Melbourne had commenced a similar initiative and were kind enough to provide us with details on logistics, funding and staffing.

Funding for the initiative was jointly provided by both the New South Wales Treasury and the New South Wales Department of Communities and Justice. The Parliament's Financial Services Branch was instrumental in seeking budgetary support for this important program, with former Chief Financial Officer John Gregor personally advocating to his counterparts in Treasury.

### Working with OzHarvest

The day-to-day work has been led by the Parliament's Executive Chef, Vanessa Harcourt. She spent many hours liaising with OzHarvest to work out quantities required, food preparation, delivery and pick up arrangements, packaging, labelling, and so forth to ensure the meals provided by the Parliament were suitable for families with specific dietary requirements.

All meals cooked for OzHarvest were simple, wholesome and with high nutritional value. They were produced to the necessary food health and safety standards and adhered to religious and nutritional guidelines. Once the food was prepared, the catering



Above (from left to right): the New South Wales Parliament catering team: Vanessa Harcourt (Executive Chef), Khaled Alarab (Sous Chef), Craig Lippett (Catering Stores/Admin Officer).

kitchen team was responsible for packing, labelling and blast-chilling the meals. OzHarvest would then pick up, store, and distribute the food according to its programme.

The numbers epitomise their efforts. During lockdown, the team cooked and packaged up to 1,000 meals per day. Outside of the stay-at-home orders, up to 700 meals were provided on a non-sitting day and 500 on a sitting day.

As Sarah Flomersfeld, OzHarvest's New South Wales Operations Lead said, the impact of COVID-19 had seen demand for food relief hit an all-time high. In the last 18 months, there had been an unprecedented growth in the number of people seeking food support, many for the first time. As a result, OzHarvest scaled up emergency food relief programmes, including the provision of individually portioned, nutritious cooked meals to support the most vulnerable in our community. The OzHarvest chef team and partners such as the New South Wales Parliament, have now delivered more than one million cooked meals to individuals and via over 100 charities across the state.

OzHarvest deserves high praise. It services a vast demographic comprising individuals and families, and as a result the meals prepared by the Parliament have been provided to over 100 agencies. For many recipients, these meals are their only source of food as they do not necessarily have the skills to cook, the money to purchase food, or the space and facilities to prepare a meal.

More than 30,000 cooked meals were provided to an agency servicing families, representing the largest group receiving



***“The OzHarvest chef team and partners such as the New South Wales Parliament, have now delivered more than one million cooked meals to individuals via over 100 charities across the state.”***

OzHarvest's services. The second biggest recipient was a charity with a mission to help men who had been on the street for most of their lives and were now in housing, without the skills to cook.

The meals were also of huge support to international students at the height of COVID-19, with OzHarvest sending more than 1,000 meals to their Waterloo market each week.

Executive Chef Vanessa Harcourt said she was thrilled to have been able to create great food for a great cause, describing it as comfort food for the soul, which helped to boost people's physical and mental wellbeing during a challenging time. She was also very grateful to have kept all the agency and casual staff employed. And they should all be proud, as we are, that every single meal produced made a huge difference to someone's day.

### Community Outreach

The New South Wales Parliament also provided support and resources to citizens of New South Wales during the COVID-19 pandemic. During the 2021 school holidays, the outreach team devised and delivered free, fun, and educational activities that brought the Parliament of New South Wales into the homes of families via Zoom, during an extended period of lockdown with parents unable to access usual forms of school holiday entertainment.

The success of these programmes, with the sessions filled to capacity, highlights another way Parliaments can reach out and engage with their community during challenging times and beyond.

### The Future

The institution of Parliament has a vital role to play in providing support and leadership for the community. By establishing relationships with organisations such as OzHarvest, Parliaments are able to help serve the community outside of the important work done in the Chambers and Committees.

With lockdown ending in New South Wales, the Parliamentary Catering team has returned to its usual work providing food for Members, staff, functions, and visitors.

The Parliament is still exploring options to continue to provide much needed sustenance to those vulnerable citizens in the community, including possible longer-term relationships with important organisations such as OzHarvest.

The Parliament of New South Wales is open to new and exciting ways to work with local communities around the State, outside of its traditional legislative role and functions as a Parliament, particularly where it is supported by government funding.

## PARLIAMENTS' RESPONSES TO THE COVID-19 PANDEMIC: TANZANIA'S EXPERIENCE

The outbreak of the COVID-19 pandemic in 2020 posed, and continues to place, a huge challenge in various countries, not only economically and socially, but also in the manner in which institutions have to operate. The pandemic severely affected Parliaments along with all other governance institutions. Parliaments across the globe were, therefore, forced to alter the way in which they operate in order to stay afloat while carrying out their Constitutional mandates of legislation, representation and oversight over Executive functions with the same degree of efficiency and effectiveness. One may, therefore, ask what made most Parliaments 'tick' during this time of uncertainty?

First, most Parliaments in the world have already institutionalised the use of modern technology in their operations. In other words, virtually all of them have transitioned from using papers to 'paperless Parliaments', that is, e-Parliaments. This transformation has made it easier for Parliaments to be resilient and adaptive to changing circumstances. Research has shown that e-Parliaments are much more flexible in terms of attuning their procedures and processes in line with the COVID-19 protocols.

Secondly, regional and global inter-parliamentary organisations, such as the Commonwealth Parliamentary Association (CPA) and the Inter-Parliamentary Union (IPU), were quick to evolve tools and materials that would assist Parliaments to cope with the pandemic. The CPA, for example, issued a 'CPA Toolkit for Commonwealth Parliaments and Legislatures on the COVID-19 pandemic' in April 2020. The toolkit, among other things, outlines measures and recommendations that can be adopted by both Parliaments and Parliamentarians in order to continue to deliver on their roles of scrutinising legislation and delivering democracy during a global pandemic.

Thirdly, Parliaments, the world over, are at the heart of functioning democracies. When countries are in turmoil, or ravaged by a catastrophe such as the COVID-19 pandemic, it is imperative that Parliaments remain vigilant by striving to offer their much needed guidance, advice and oversight over the Executive.

***“The National Assembly of Tanzania is among many institutions that did not suspend business since the outbreak of the pandemic.”***



It is worth noting that, the measures adopted by different Parliaments to cope with the COVID-19 pandemic are similar in many respects. Overall, they range from many different measures such as social distancing and remote arrangements as illustrated below:

- The UK House of Commons, for example, adopted a number of changes in the way that Members of Parliament could participate in parliamentary business in the Chamber during the pandemic. Some of these changes included: social distancing measures in the Chamber to meet public health guidelines; remote participation in parliamentary proceedings; the introduction of new ways of voting, including on extension of the existing proxy voting scheme and online voting; call lists published in advance to manage attendance in the Chamber during parliamentary business.
- The National Assembly of the Republic of South Africa on the other hand, has undertaken a number of measures to continue proceeding during the COVID-19 pandemic including: screening of Members for possible exposure to the Coronavirus; installation of hand sanitizers and availability of an on-site medical support team for screening and testing; a reduction in the number of parliamentary staff in the Parliament's precincts; the closure of Parliament to the public until further notice.
- The National Assembly of Tanzania is among many institutions that did not suspend business since the outbreak of the pandemic. As the COVID-19 pandemic gained momentum in March 2020, the Parliament was about to start transacting one of its cardinal functions of debating and passing the 2020/2021 Government budget. Indeed, Committees of the House were already carrying out some field visits to development projects in various parts of the country in readiness for budget scrutiny. Notwithstanding the above predicament, the Parliament and its Committees went ahead and successfully undertook the constitutional mandate of budget scrutiny until 16 June 2021 when it was dissolved to pave the way for a general election. Thanks to the visionary leadership of the Speaker of the House, Hon. Job Ndugai MP, the planned procedures were able to take place.

## COVID-19 measures in the Tanzania Parliament

Similar to the UK House of Commons to which I referred earlier, the National Assembly of Tanzania adopted social distancing measures by making use of its Old Chamber (Msekwa Hall) alongside its new debating Chamber to give Members more space. With this arrangement, Members of Parliament are at liberty to choose which Chamber they would wish to use, and the Speaker is furnished with a list of Members wishing to take part in the debate from either of the two Chambers in advance of each sitting of the House. Underpinned by the use of modern technology, this initiative proved to be effective.

Secondly, all entrances to the precincts of the House are fitted with hand sanitizers and medical staff ensure that every entrant is masked and gets his/her temperature screened.

Thirdly, the number of MPs that were allowed into the Chamber at any one time was limited to 150 out of the total of 393 Members.

This measure was applied in the formative days of the outbreak of the pandemic in April 2020.

In addition to social distancing measures, the Parliament of Tanzania has recently reduced the number of hours per each sitting. The House meets from 2pm to 7pm, instead of the previous practice of commencing the session at 9am in the morning until 7:45pm in the evening with a four-hour break in the afternoon. This intervention has necessitated the suspension of the relevant Standing Order of the House that requires Parliament to meet from 9am to 7:45pm. Moreover, the Questions and Answer session was reduced to only one hour instead of the usual practice of one and a half hours when the House is not in its budget session.

In addition, the Parliament has undertaken measures to restrict visitors and members of the public. Under normal circumstances, the Parliament would receive around 300 visitors every day, mostly students who come to learn about the Parliament as part of their civic education. The number of visitors to Parliament was dramatically reduced and limited to only government officials and accredited journalists. Furthermore, Members' guests and organised group visits were also suspended until further notice.

In another development, the Committees of the House were encouraged to make use of the largest Committee rooms to avoid congestion and rotate in their use, in a bid to abide by the social distancing protocols. In this respect, Two Parliamentary Committee sessions were introduced – the first 9am to 1pm, followed by the second session from 4pm to 7pm in the evening – which allowed for rooms to be sanitized. In addition, the number of witnesses or stakeholders that appeared before Parliamentary Committees was reduced markedly with the number of government officials limited to five.

In yet another bold initiative and in keeping with the Government's call for people to vaccinate, the Parliament has set-up a COVID-19 Vaccination Centre within the precincts of the House. This initiative has offered both Members of Parliament and parliamentary staff an opportunity to voluntarily acquire a vaccination jab at a time of their own volition.

The Parliament also recently invited medical experts to sensitize Members of Parliament on the need for vaccination and its long-term imperative in ending the COVID-19 pandemic.

A report of an Economic Experts Roundtable organised by the International Telecommunication Union (ITU) in July 2020 concluded that: *"during the global pandemic, digital technologies have become a critical enabler of connectivity, facilitating continuity of regular lives and connecting people more than ever before."*

Therefore, a result of the COVID-19 pandemic has been the strengthening of Parliaments through the mainstreaming of modern technology and procedures in their operations at a pace unsurpassed before. It is evident that post-COVID-19 pandemic, we will see Parliaments better positioned to carry out their legislative, representative and oversight roles with even more efficiency and effectiveness.

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# AN INDEPENDENT PARLIAMENT SECRETARIAT: AN INSIGHT INTO THE INDIAN EXPERIENCE

The rationale behind the independence of the Secretariat of the Legislature within a parliamentary system of government can hardly be over emphasised.

The Commonwealth Parliamentary Association (CPA) has been advocating for the need for the Separation of Powers and the independence of Parliament Secretariats for many years, so as to enable the Legislature to independently scrutinise the Executive and to ensure its accountability to the Legislature through various procedural devices.

The *Commonwealth Latimer House Principles*, adopted at the Commonwealth Heads of Government meeting held in Abuja in 2003, laid out certain principles and guidelines in this regard. The Principles highlight the importance of the Separation of Powers between the Legislature, the Executive and the Judiciary to ensure effective governance.

More recently, the CPA, recognising these imperatives, brought out its 'Model Law for Independent Parliaments' which calls for the establishment of independent Parliamentary Service Commissions for Commonwealth Legislatures. The Model Law emphasised that: "*Many Parliaments, both large and small will not be able to rigorously scrutinise the Executive, ensure that all legislation passed is of the highest quality or provide with sufficient support to aid their constituents and communities. These weaknesses, frequently, if not solely, derive from Parliament's ability to access adequate financial resources, to have independent oversight of the administration and governance of Parliament and to access impartial, secure and high-quality human resources. It is argued that the root cause of these failures stems from Parliament's lack of independence from the Executive, who either wilfully or through sheer negligence, stifle the democratic process by failing to allow Parliaments the freedom and support they need to participate equally with other branches of the government (namely, the Judiciary and the Executive.)*"

The practices followed in India with regard to the independence of the Legislature's Secretariat reflects the ideas and ideals in the *Commonwealth Latimer House Principles*, although the requisite legislation in this regard is yet to be enacted. It is not widely known even in India that the Secretariats of the two Houses of the Indian Parliament, and the officers and staff who work in them do not belong to the Executive arms of the government, but are independent of the government and owe their allegiance to the respective Presiding Officers of the two Houses, viz, the Chairman of Rajya Sabha and the Speaker of the Lok Sabha.

Many people, even in India, who are not familiar with the functioning of the Parliament of India, often think that officers who work in the two Secretariats belong to the Indian Civil Service, although officers belonging to the Indian Civil Service are sometimes posted in the Secretariats purely on a deputation basis to provide specialised services like security and audits. For example, the top security officer of the Indian Parliament's security team belongs to the Indian Police Service, while the Financial Adviser belongs to the Indian Audit and Accounts Service. They are, however, accountable to the two Presiding Officers. The two Secretariats are largely serviced by officers and staff belonging to its own services and are subject to remuneration on a par with their counterparts in the Indian Civil Service, in addition to parliamentary allowances. The Secretary-Generals of the two Houses has a salary and status equivalent to the Cabinet Secretary, who is the top civil servant of the country.

There is a rationale as to why the Constitution of India has enshrined the independence of the Secretariats. This is precisely because Parliament, which ensures Executive accountability through various procedural devices including parliamentary questions and its Committees which are serviced by personnel belonging to the Parliament Secretariat, cannot be expected to be objective and neutral if they belong to the Executive branch

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of the government. A parliamentary question or the report of a Parliamentary Committee may be at times critical of the functioning of the government. It is worthwhile to recall what the first Speaker of the Lok Sabha, the late Shri G.V. Mavalankar, said in this regard way back in 1948 while considering the recommendations of the Selection Board regarding appointments to secretarial and other senior non-secretarial posts, that *“every officer, subordinate or otherwise, serving in the Secretariat of the Legislature must be in a position to carry out his duties without fear or favour of the Executive government, and obviously this cannot be done if persons in the employ of the Legislature Secretariat have to look upon bodies as Selection Board, consisting of the officers and nominees of the Executive Government...”*

It is pertinent in this context that Article 98 of the Indian Constitution provides each House of Parliament with a separate secretarial staff and that Parliament may by law regulate the recruitment, and the conditions of service, of persons appointed to the Secretariats of either of the Houses of Parliament. It further stipulates that until provision is made by Parliament, the President may, after consultation with the Speaker of the House or the Chairman of the Council of State, as the case may be, make rules regulating the recruitment and the conditions of service of persons appointed to the Secretariats of the two Houses.

Further, the Secretariats of the two Houses undertake their own recruitment and functions as independent entities under the

guidance and control of their Presiding Officers. According to the well-established convention, the orders issued by the Government to the Ministries and Departments of the Government of India relating to service conditions of government staff and officers do not automatically apply to the officers and staff of the two Secretariats of the Indian Parliament. After the promulgation of the *Lok Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1955*, this position has been formally accepted by the Government of India. Every order issued by the Government in regard to conditions of service of their employees is examined by the Secretary-Generals in Parliament and if it is decided to extend the provisions, then the same are adopted as part of the ‘*Recruitment and Conditions of Service Orders*’ without consulting the Ministry of Finance or any other Ministry concerned. Where, however, an exception, when modification or alteration, etc, is considered necessary, the adoption order is issued after consultation with the Ministry of Finance.<sup>2</sup> Thus it is evident that while independence is scrupulously maintained, administrative propriety is observed in relations to the Executive. This does not compromise the sovereignty of Parliament in any way.

The two Secretariats of the Indian Parliament also enjoy almost full financial autonomy with regards to their budgets. This autonomy has been attained through a constant correspondence with the Executive and through the conventions and directions issued from the Presiding Officers. For example, in the case of other Ministries of Government, separate demands for grants in respect of the



## AN INDEPENDENT PARLIAMENT SECRETARIAT: AN INSIGHT INTO THE INDIAN EXPERIENCE

Lok Sabha and Rajya Sabha are placed before both the Houses of Parliament. Parliament sanctions the expenditure under the *Appropriation Act*, however no direct motions or discussion relating to the budget of both the Houses of Parliament and its Secretariats are allowed on the floor of the House.

Ever since the establishment of the independent Secretariats of the Indian Parliament, many persons of great eminence, erudition and knowledge of parliamentary practices and procedures, jurisprudence and the Constitution have occupied the exalted positions of Secretary/Secretary-General of either House, and have discharged their responsibilities with great distinction. They were instrumental in adapting the parliamentary practices, following the traditions of the British Parliament, to suit the needs of the country and having a different level of political, economic and social development. The Secretaries-General have creatively applied the parliamentary norms of the Westminster model to the parliamentary needs of India, which have enabled the country to evolve into a mature and stable democracy. The regular and periodic elections to Indian Parliament and to the State Legislatures, and the accommodation of political parties of different persuasions are standing testimonies to the dynamism of India's parliamentary practices and procedures.

Advising and assisting the Presiding Officers in running the House smoothly in the formative years of India's independence was quite a challenge. It is against this backdrop that late M. N. Kaul, who was the first Secretary of the Lok Sabha from 1952 to 1964 contributed a great deal in developing innovative parliamentary practices and procedures. Similarly, the late S. L. Shakdher, who succeeded him to become the Secretary-General from 1964 to 1977 in his own way contributed to strengthening the independence of the Parliament's Secretariat. In recognition of their notable contributions, Kaul was later nominated to the Rajya Sabha, and Shakdher was appointed as the Chief Election Commissioner of India in 1977, a position which he occupied till 1982. Kaul and Shakdher together wrote '*Practice and Procedure of Parliament*', in line with the celebrated Erskine May's '*Treatise on Law, Privileges, Proceedings and Usage of Parliament*'. The treatise authored by Kaul and Shakdher is periodically revised to incorporate new procedural developments and it is a regularly referred to by parliamentary officials and Parliamentarians, not only in India, but

also across the Commonwealth, where the Westminster model of parliamentary practices are similarly followed.

While the independence of the two Secretariats of the Indian Parliament has been strengthened and built brick-by-brick by succeeding Presiding Officers and Secretary-Generals, the need to enact the provisions as enshrined in Article 98 of the Indian Constitution has been emphasised in some quarters. The most recent Parliamentary Pay Committee, under the Chairmanship of veteran Parliamentarian, Dr Murli Manohar Joshi, opined that services of the Parliament Secretariats is of 'a unique nature'. The employees of the Secretariats have to provide specialised services in the functioning of the two Houses of the Parliament and its many Committees, to the elected representatives and to facilitate the scrutiny of the work of various Ministries and Departments based on the principle of oversight of the Legislature over the Executive.

One of the major issues, which the Committee emphasised was that the Presiding Officers of both the House as well as that of the Government should consider the enactment of an Act to deal with the procedure concerning the functioning of the Secretariats and methods of recruitment and conditions of service of their personnel. The Committee noted that "*despite a clear-cut recommendation by the Parliamentary Pay Committees, from time to time to this effect even after a lapse of over seven decades both the Secretariats function on the basis of powers delegated by the President. Non-enactment of an Act under Article 98 has also resulted in a large number of anomalies and is the primary reason for most of the difficulties being faced by both the Secretariats, it pointed out. The Committee recommended that the Ministry of Parliamentary Affairs should take urgent steps to bring a legislation as envisaged under article 98(2) of the Constitution in the ensuing session of Parliament. The two Secretariats of the Parliament are indeed serviced by highly qualified and competent officers and staff; what is needed is that streamlining of the system in place and rationalising some anomalies which legislation can bring about.*"

At a time when a new Parliament Building is being built in India, there is a feeling in some quarters that the time is now appropriate to enact the legislation as enshrined in Article 98 of the Constitution. Institutions are not built by bricks and mortar alone, but by the quality and calibre of the people who manage them. If a world class building is essential for a modern Legislature, so too is the need for capacity building of the officers and staff who run the institutions and serve the Members of Parliament to enable them to effectively participate in the deliberations in the House and also of its Committees. The legislation will only enhance the sovereignty of Parliament and its effectiveness, and this can consolidate all the directions, conventions, rulings and practices for the future, and define them with more clarity and precision.

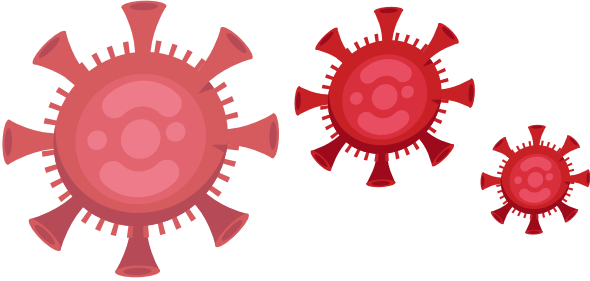
### References:

<sup>1</sup> <https://www.cpahq.org/what-we-do/institutional-parliamentary-strengthening/> - download the CPA's 'Model Law for Independent Parliaments'

<sup>2</sup> M. N. Kaul & S. L. Shakdher, '*Practice and Procedure of Parliament*', Metropolitan, 2016, pp1128-1129

***“The regular and periodic elections to Indian Parliament and to the State Legislatures, and the accommodation of political parties of different persuasions are standing testimonies to the dynamism of India’s parliamentary practices and procedures.”***

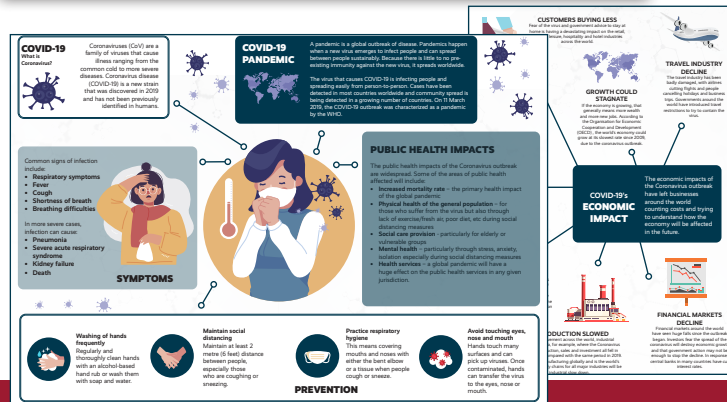
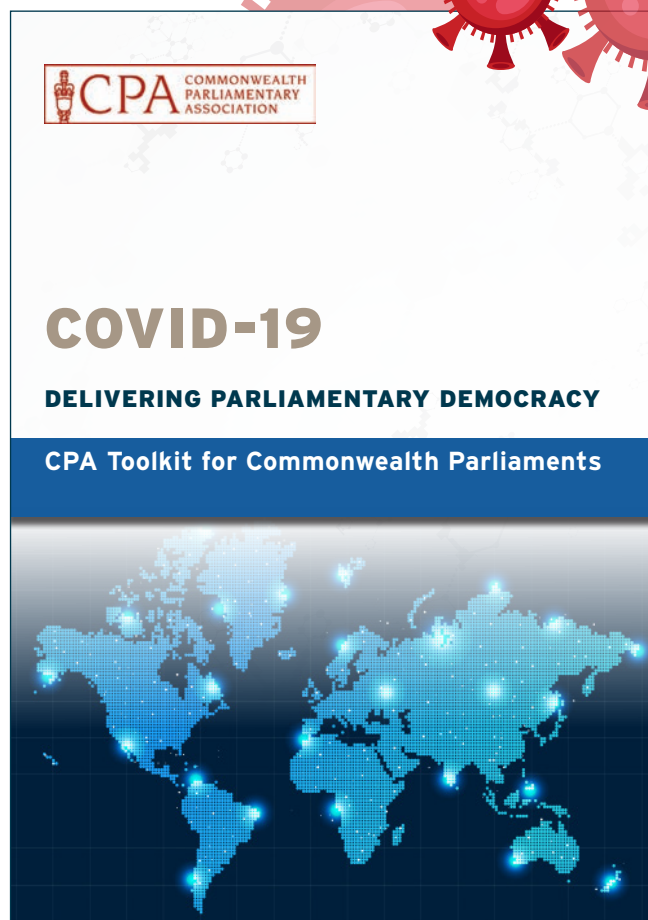




# CPA TOOLKIT FOR COMMONWEALTH PARLIAMENTS ON THE COVID-19 PANDEMIC AND DELIVERING PARLIAMENTARY DEMOCRACY

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The outbreak of COVID-19 (Coronavirus) and its spread to at least 180 countries has consequently plunged many Parliaments and Legislatures across the world into a state of emergency. Commonwealth Parliaments and Parliamentarians are grappling with many different issues both to implement the emergency health measures during this global pandemic while at the same time looking at new ways to conduct debates, scrutinise and pass legislation, hold parliamentary committees and question the actions of their governments.

**THE 'CPA TOOLKIT FOR COMMONWEALTH PARLIAMENTS AND LEGISLATURES ON THE COVID-19 (CORONAVIRUS) PANDEMIC AND DELIVERING PARLIAMENTARY DEMOCRACY'** provides various measures and recommendations that can be adopted by both Parliaments and Parliamentarians in order to continue to deliver on the Legislatures' role of scrutinising legislation and delivering democracy during a global pandemic.

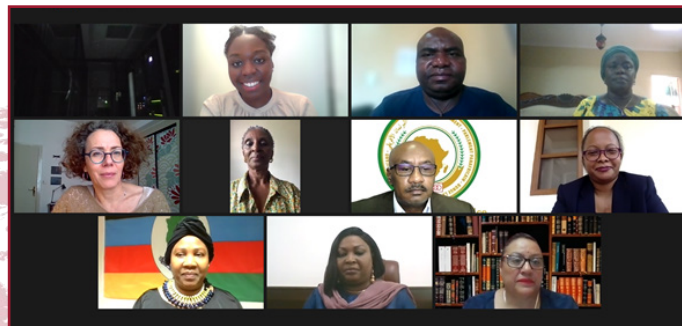
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## COMMONWEALTH WOMEN PARLIAMENTARIANS HIGHLIGHT RECENT WORK ON GENDER-SENSITIVE PARLIAMENTS AT VIRTUAL MEETING OF SOUTHERN AFRICAN DEVELOPMENT COMMUNITY PARLIAMENTARY FORUM (SADC-PF)

At a recent virtual meeting of the Southern African Development Community Parliamentary Forum (SADC-PF) to discuss a new model law on gender-based violence (GBV), the Commonwealth Women Parliamentarians (CWP) Coordinator, Bénite Dibateza highlighted the CWP's commitment to promote gender equality across the Commonwealth and the network's toolkits for gender-sensitive Parliaments and harassment in the workplace.

The Secretary General of the SADC Parliamentary Forum, Ms Boemo Sekgoma, said: *"This event is unlike others, because as we discuss the finalisation of the GBV Model Law, we are also reinforcing not only the valued bonds that we share between the national Parliaments of Africa and around the world, but also the bonds of solidarity between regional and international parliamentary organisations which stand fiercely as the custodians of parliamentary democracy from a supra-national perspective. Thus today, we are celebrating parliamentarism and inter-parliamentary cooperation in a unique dimension under the umbrella of the SADC Parliamentary Forum."*

*The participation of inter-parliamentary organisations will be quintessential to disseminate the SADC Model Law on GBV, within the SADC region and beyond its borders. The SADC Model Law on GBV is not only a Model Law for SADC. Gender-based violence knows no bounds, and is not delimited by territory. GBV is a contemporary human rights issue and it can cause serious human rights violations such as the right to physical integrity, the right to health and the right to life. GBV affects all regions of the world without fail and it preys on the wealthy as well as the poor. At the same time, I am confident that all major inter-parliamentary organisations around the world subscribe to the tenets of the Universal Declaration of Human Rights, from which have stemmed the ensuing International Covenant on Civil and Political Rights and*



*the corresponding International Covenant on Economic, Social and Cultural Rights. If we are to believe and uphold the principles laid down in international conventions, then GBV is a problem for all without distinction. In this respect, Member States have a duty to prevent their citizens from suffering inhuman, degrading treatment and punishment. If we are to believe and uphold the principles laid down in international conventions, then GBV is a problem for all without distinction.*

*In addition, the Forum will be keen to collaborate with like-minded inter-parliamentary organisations to pool resources and develop advocacy content that can further facilitate the assimilation of the SADC Model Law on GBV not only by Parliaments but by other stakeholders in the law-making process."*

The virtual event was also attended by representatives of a number of organisations including the ECOWAS Parliament, East Africa Legislative Assembly's Women Caucus, African Parliamentary Forum on Population and Development (FPA), Pan African Parliament (PAP), Inter-Parliamentary Union (IPU) and European Parliament.

## COMMONWEALTH WOMEN PARLIAMENTARIANS CONTRIBUTE TO KEY DISCUSSIONS AMONGST WOMEN LEADERS AT THE 2021 REYKJAVÍK GLOBAL FORUM

The CWP network has continued its association with the Reykjavik Global Forum – Women Leaders, through its attendance and contributions at the 2021 programme, which took place from 9-10 November 2021 in Iceland. Co-hosted by Women Political Leaders (WPL), the Government and the Parliament of Iceland, the Forum brought together women leaders from the political, private and non-governmental sectors to discuss pressing issues including women's political and economic empowerment, women's healthcare, reducing the gender pay gap, the ongoing climate crisis, and women's entrepreneurship. The Global Forum also provided the opportunity for participants to hear about ongoing global perceptions about women in leadership and concerning data trends showing a lack of support for women in positions of leadership in younger demographics.

During the Forum, the CWP Chairperson, Hon. Shandana Gulzar Khan MNA, spoke at a virtual 'LeadersTalk' on *'Healthy Women, Healthy Economies: Policy Innovations and Solutions'*. Moderated by the writer and broadcaster, Vickie Remoe, the hybrid panel discussion also featured another Commonwealth Parliamentarian, Canadian Senator Kim Pate. At the session, panellists from the public and private sectors, global institutions and academia shared



transformative policy innovations and solutions for building more equitable health systems and societies. The discussion focussed on the need to ensure a more equitable distribution of unpaid health work and caregiving and examined the lessons to be learnt from COVID-19 in the post-pandemic re-building process.

The CWP network was represented at the Forum 'in person' by Hon. Samantha Sacramento MP, Chair of the CWP British Islands and Mediterranean Region (BIMR) and Government Minister in Gibraltar.





## WOMEN PARLIAMENTARIANS FROM THE CARIBBEAN, AMERICAS & ATLANTIC REGION JOIN FINAL VIRTUAL ROUNDTABLE ON GENDER SENSITIVE PARLIAMENTS

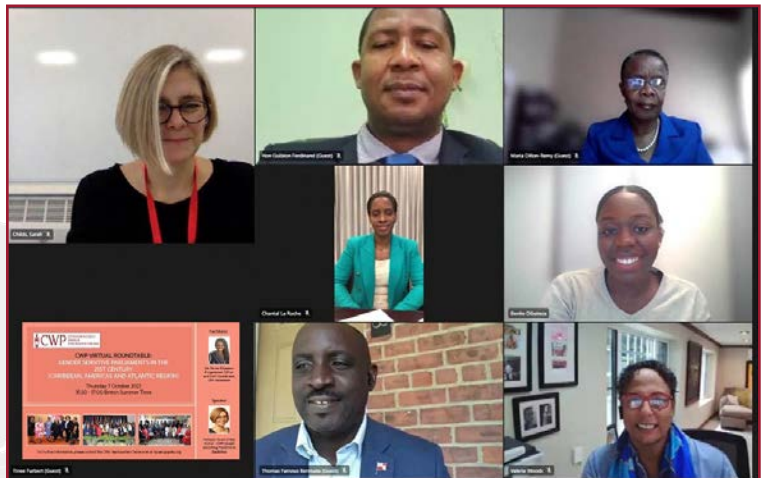
The Commonwealth Women Parliamentarians (CWP) network hosted its seventh virtual roundtable on gender sensitive Parliaments for the Caribbean, Americas and the Atlantic Region (CAA) Region on 7 October 2021. As the final roundtable delivered by the CWP network as part of its series of regional discussions, this roundtable served as a platform for discussion for both Parliamentarians and parliamentary staff and encouraged attendees to speak to the very important need to deliver practical work and establish effective practices that bring about gender equality and institutional reform.

Discussion focused on the process of gender sensitising and identified steps that Commonwealth Parliaments can take to enable change, such as recognising the role of critical actors, Presiding Officers and male allies. Participants were also informed of the importance of having a 'gender conscious' administration.

Attendees heard from Dr Sarah Childs, Professor of Gender and Politics at Royal Holloway University of London, and the author of the CWP Gender Sensitising Parliaments Guidelines: Standards and a Checklist for Parliamentary Change, on the various implementation strategies that Parliaments can adopt to ensure that they are conducive to gender sensitive reform.

CWP Steering Committee Member for the CAA Region, Hon. Valerie Woods, Speaker of the Belize House of Representatives, underlined that *"as a Region, we must strive to promote gender sensitive Parliaments in the 21<sup>st</sup> century and adopt gender sensitive practices and policies."* Hon. Valerie Woods continued that *"in the CAA Region, the number of female Parliamentarians represented in Parliament is still below the international standard and target of 30%. According to data gathered by CWP in 2020, 4 out of 19 CPA Branches in the Region have achieved the international target of 30% representation of women. Additionally, 5 out of 19 CPA Branches have under 15% women Members represented in their Parliament and one CPA Branch in the Region has under 10% women's representation in their Parliament."* She concluded her remarks by encouraging Members to *"be proactive, bold and get the answers to the questions that will help strengthen our parliamentary institutions."*

The following CPA Branches were represented at the CWP virtual roundtable: Belize; Bermuda; Cayman Islands; Jamaica; Saint Lucia; Trinidad and Tobago; and Montserrat.



## NEWLY ELECTED WOMEN IN THE BAHAMAS FORM THEIR CWP CHAPTER



Following the recent election in The Bahamas, the newly elected Officers and Members of The Bahamas chapter of the Commonwealth Women Parliamentarians (CWP) held their first meeting.

At the recent election, a record number of seven women Members of the House of Assembly (17.95%) were elected while in the Senate, four women Senators were elected (25%). In addition, the newly elected Presiding Officers of both Houses of Parliament are women – Hon. Patricia Deveaux as Speaker of the House of Assembly – the second woman to hold the role in the history of the Parliament – and Senator Hon. Lashell Adderley as the President of the Senate.

## CWP CHAIRPERSON HOLDS VIRTUAL CWP STEERING COMMITTEE TO PLAN FUTURE ACTIVITIES



The CWP Chairperson, Hon. Shandana Gulzar Khan, MNA (Pakistan) held the bi-annual meeting of the CWP Steering Committee online to discuss the planning of future activities of the network and proposals for the CWP strategic plan. CWP Members approved a new approach to utilising the CWP Regional Strengthening Funds as well as looking ahead to International Women's Day in March 2022. CWP Members attending included: Hon. Lisa Thompson, MPP (Ontario - CWP Canada Region); Hon. Samantha Sacramento, MP (Gibraltar - CWP British Islands & Mediterranean Region); Ms Aisha Ghaus Pasha, MNA (Pakistan - CWP Asia Region); Senator Nita Green (Australia Federal - CWP Australia Region); Anahila Kanongata'a-Suisiuki MP (New Zealand - CWP Pacific Region); Hon. Sunita Duggal, MP (Lok Sabha - CWP India Region).





# COMMONWEALTH LEGISLATIVE NEWS

PARLIAMENTARY REPORTS AND THIRD READINGS FROM  
PARLIAMENTS AROUND THE COMMONWEALTH



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## PARLIAMENTARY NEWS FROM FEDERAL PARLIAMENT OF CANADA

Parliamentary Report by Gabrielle de Billy Brown, Parliament of Canada.

### 44<sup>TH</sup> FEDERAL GENERAL ELECTION OF CANADA

Following the dissolution of the 43<sup>rd</sup> Parliament of Canada on 15 August 2021, the federal election was held on 21 September.

The election period lasted 36 days, the shortest period allowed by the *Canada Elections Act*. During that period, the Independent Leaders' Debates Commission organised two leaders' debates - one in each official language. This year's debates were streamed on multiple online platforms and aired on major English and French television networks. In addition to English and French, the debates were translated into twelve additional languages, including Mandarin, Tagalog, Ojibway, and Inuktitut.

The first sitting of the 44<sup>th</sup> Parliament was held on 22 November 2021.

### 44<sup>TH</sup> GENERAL FEDERAL ELECTION RESULTS

At the dissolution, the standings in the House of Commons were as follows: Liberal Party of Canada 155, Conservative Party of Canada 119, Bloc Québécois 32, New Democratic Party 24, Independent 5 and Green Party 2.

In total, 17 million Canadians voted at the election, resulting in a voter turnout rate 62.25%, a decrease from the 2019 election which saw a 65.95% turnout.

As with the previous election, none of the federal political parties hit the 170-seat threshold for a majority government. The Liberal Party of Canada won the most seats, with a total of 159. This is a slight increase from the 157 seats won in 2019. As such, Rt Hon. Justin Trudeau, MP

will continue to serve as Prime Minister of Canada with a minority government.

The Conservative Party of Canada, led by Hon. Erin O'Toole, MP, won 119 seats, a slight decrease from the 121 seats won in 2019.

The Bloc Québécois, led by Yves-François Blanchet, MP, won 32 seats, the same result as the 2019 election.

The New Democratic Party (NDP), led by Jagmeet Singh, MP, won 25 seats, a slight increase from the 24 seats won in 2019.

The Green Party, led by Annamie Paul, won 2 seats, one fewer than in 2019. Ms. Paul, who was running in the riding of Toronto-Centre, did not win a seat for her party. She subsequently announced her resignation as leader, which took effect on 14 November 2021. An interim leader will be selected, and a leadership contest should follow within the next six months.

One newly elected Member will sit as an independent: Kevin Vuong, MP, who won in Spadina-Fort York. Originally a candidate for the Liberal Party, he was no longer affiliated on the day of the election.

At the national level, results were very similar to the 2019 federal election. At the regional level, the Liberal Party lost support in the Atlantic Provinces, but retained enough in other regions to hold on to government, thanks in part to significant gains in British Columbia. The Conservative Party doubled its representation in Atlantic Provinces, but lost support in its stronghold of Alberta, losing one seat each to the Liberal Party and the NDP, when it previously held all the seats in the province.

Overall, Canadians elected 52 new MPs. Of this number, two were returning to Parliament after having lost in 2019: Hon. Randy Boissoneault, MP and John Aldag, MP. Both represent the Liberal Party of Canada. Furthermore, the election set a record for the most women to be elected to the House of Commons. A total of 103 women were elected across all parties, an increase of five from the 2019 election. In total, women now hold 30% of the seats in the House of Commons. In total, 61 openly LGBTQ2 candidates ran in the election, with eight being elected. Of note, Blake Desjarlais, MP has become the first Two-Spirit Parliamentarian elected at the federal level in Canada.

### CANADIAN GOVERNMENT SWORN IN

On 26 October 2021, Rt Hon. Justin Trudeau, MP announced his Cabinet. It is composed of 39 Members, a majority of whom were Cabinet Members prior to the dissolution. A few returning Ministers changed portfolios, such as Hon. Mona Fortier, MP who is now President of the Treasury Board, Hon. Steven Guilbeault, MP, now Minister of Environment and Climate Change, and Hon. Mélanie Joly, MP, now Minister of Foreign Affairs.

The Cabinet also includes re-elected MPs who were not in Cabinet previously, including Hon. Mark Holland, MP as Leader of the Government in the House of Commons, Hon. Sean Fraser, MP as Minister of Immigration, Refugees and Citizenship, and Hon. Marci Ien, MP as Minister for Women, Gender Equality and Youth. One newly elected

MP was named to Cabinet: Hon. Pascale St-Onge, MP is Minister of Sport and Minister responsible for the Economic Development Agency of Canada for Québec.

### CONTINUED RESPONSE TO THE COVID-19 PANDEMIC

Both the Senate of Canada and the Canadian House of Commons have announced a mandatory policy for all individuals entering the parliamentary precinct, including Parliamentarians, employees, and members of the Press Gallery. On 19 October 2021, Hon. Anthony Rota, MP, Speaker of the House of Commons and Chair of the Board of Internal Economy, announced the new measure, stating that it would come into effect on 22 November, the first day of the session. Those who have a medical contraindication to full vaccination will be required to show proof of a recent antigen test to enter the premises. It was also announced that measures regarding the suspension of public tours and visits, the moratorium on Committee travel, and the mandatory use of masks were renewed until 31 January 2022.

The Speaker of the Senate of Canada, Senator Hon. George Furey, made a similar announcement on 28 October 2021 which will require that all Senators be vaccinated to attend in-person proceedings as of 22 November 2021. On 1 November, the Standing Committee on Internal Economy, Budgets and Administration extended this measure to all individuals who desire to enter Senate offices.





## ELECTION OF THE SPEAKER OF THE CANADIAN HOUSE OF COMMONS

At the first sitting of the 44<sup>th</sup> Parliament, which was held on 22 November 2021, the election of the Speaker of the House of Commons took place. The Speaker is elected by fellow Members of Parliament to preside over proceedings of the House and interpret its rules impartially, to maintain order and decorum in the Chamber and defend the rights and privileges of its Members. The Speaker also oversees the House of Commons administration and is the spokesperson and representative of the House.

Hon. Anthony Rota, MP was re-elected as the Speaker of the House of Commons. Six other Members of Parliament also ran for the Speaker's post: three Conservatives, one Liberal, one New Democrat and one Green. Following tradition, the Prime Minister, Rt Hon. Justin Trudeau, MP and the Leader of the Opposition, Hon. Erin O'Toole, MP jokingly dragged Hon. Anthony Rota to the Speaker's Chair. The Speaker thanked his colleagues for choosing him to be the House's 'peacekeeper'. *"Thank you again for the confidence that you have placed in me as Speaker for a second term. I am very honoured to be up here both politically*

*and personally. I know this is something I will treasure for the rest of my life,"* he said, promising to be *"fair and respectful."*

Hon. Anthony Rota was first elected as 37<sup>th</sup> Speaker of the House of Commons on 5 December 2019.

## CHANGES IN THE SENATE

Since the last issue of *The Parliamentarian*, the Independent Senators Group has added five new Senators to its membership. First, on 17 September 2021, Hon. David Arnot joined the group. He was followed by Hon. Michelle Audette on 27 September, by Hon. Bernadette Clement on 6 October, by Hon. Karen Sorensen on 7 October, and finally by Hon. Hassan Yussuff on 8 October. All Senators were previously unaffiliated. However, two Members of the Independent Senators Group left during that period. On 17 September, Hon. Diane Bellemare left to join the Progressive Senate Group. In addition, on 18 October, Hon. Marilou McPhedran left the group and currently sits as unaffiliated.

On 2 September 2021, Hon. Amina Gerba chose to join the Progressive Senate Group. She was previously unaffiliated.

On 8 September 2021, Hon. Jon Quinn joined the Canadian Senators Group. He was previously unaffiliated.

On 31 October 2021, Hon. Douglas Black resigned from the Senate, having been a Senator representing the province of Alberta since 2013.

On 16 November 2021, it was announced that Hon. Marc Gold, the Government Representative in the Senate, was reinstated in his role. His team, composed of Hon. Raymonde Gagné, Legislative Deputy to the Government Representative, and Hon. Patti LaBoucane-Benson, Government Liaison, will also return to their role when Parliament resumes on 22 November 2021.

On 20 November 2021, Hon. Josée Forest-Niesing passed away. She had served the Senate since 2018, representing the province of Ontario. She was a Member of the Independent Senators Group. Prior to joining the Senate, she was a judge of Ontario's Superior Court of Justice Small Claims Court, a lawyer, and an advocate for access to government and judicial services in both official languages.

As of 22 November 2021, the standings in the Senate were: Independent Senators Group 42, Conservative Party 18, Progressive Senate Group 14, Canadian Senators Group 12, non-affiliated 6 and vacant 13.



Third Reading Report by Ron Wall, Legislative Assembly of British Columbia.

## THIRD READING REPORT

### Early Childhood Educators Act and Early Learning and Childcare Act

In fall 2021, the Legislative Assembly of British Columbia adopted two Bills providing a new statutory foundation for childcare. The Bills, introduced on 8 June 2021, streamline regulations, registration, and oversight of childcare educators.

Bill 14, *Early Childhood Educators Act*, removes regulations for early childhood educators and early childhood educator assistants from British Columbia's *Community Care and Assisted Living Act* and establishes a new statute for early childhood educators under the authority of the Minister responsible for childcare. The Bill provides for the registration and oversight of early childhood educators as well as for the approval of post-secondary early childhood educators programs through a public registry. The Bill additionally authorises the registrar to issue temporary certifications to childcare professionals who have been trained outside of British Columbia but are in the process of becoming certified in British Columbia. The Bill also allows for the engagement in cross-provincial information sharing agreements with regulators in order to verify the good standing of early childhood educators.

During the Second Reading debate, Hon. Mitzi Dean, Minister of Children and Family Development, highlighted that the Bill will provide educators with clear and consistent information, improve public confidence, maintain consistent standards of quality, and make it easier for childcare providers to hire skilled early childhood educators. Hon. Katrina Chen, Minister of State for Childcare, noted that this legislation will reduce the time required to complete investigations into complaints about educators, as the registrar will have clear authority to obtain relevant information. This authority will also enable the registrar to suspend, cancel or place conditions on the approval of training programs for educators should any issues arise.

Karin Kirkpatrick, MLA, Official Opposition Critic for Children, Family Development and Childcare, expressed concern that the Bill lacks support for early childhood educators and incentives for attracting

more individuals to the profession, noting the current staffing shortage of educators. She was also of the view that the Bill creates additional barriers for the sector due to the complexity of the approach towards compliance and enforcement coupled with the additional administrative and regulatory burdens created by the registry. The Official Opposition Critic also raised privacy concerns regarding the public registry and noted potential duplication of approval processes for training programs with the Ministry of Advanced Education and Skills Training.

Adam Olsen, MLA, representing the Third Party expressed support for the Bill, noting the importance of establishing standards, regulations, and a registry that enables educators to hold a professional designation. He was also of the view that the Bill will foster a professional environment that will attract and retain early childhood educators while supporting children and families.

Bill 14, *Early Childhood Educators Act*, passed its Third Reading on 18 October 2021.

Bill 15, *Early Learning and Childcare Act*, repeals and replaces the *Childcare BC Act* and the *Childcare Subsidy Act* and authorises the use of childcare grants to improve inclusiveness of childcare and support Indigenous-led childcare. It also establishes a new requirement for the Minister to report annually on the government's actions in relation to childcare and establishes authority for the Ministry to enact new regulations, including the ability to set limits on parent fees.

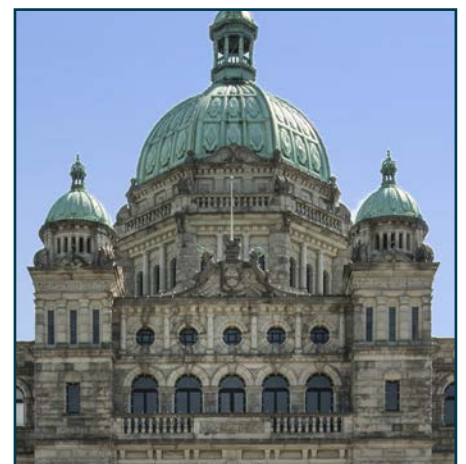
During the Second Reading debate, the Minister of Children and Family Development and the Minister of State for Child Care explained that Bill 15 is an important part of building a strong foundation for an inclusive, universal childcare system. The Ministers indicated that they will work closely with Indigenous rights holders and communities to continue planning for long-term systemic change that will improve access to culturally safe childcare for Indigenous families throughout the province. They further emphasised a commitment to making it easier for childcare providers to receive grants to help children with disabilities and other support needs. With respect to the reporting requirement, the Minister of Children and Family Development noted that this will increase transparency and provide stakeholders

with access to consistent, clear data on all the work being done to build the system of childcare in British Columbia.

The Official Opposition Critic stated that there are two significant issues facing childcare in British Columbia: a critical shortage of spaces and a critical lack of qualified early childhood educators to work in these daycares. She expressed concern about the number of details in the Bill that will be set by regulation. She questioned the need to legislate the requirement of producing an annual report on actions taken by the province to support childcare, as this information is already published by the government through service plans. She also shared reservations about the breadth of recommendations that the Provincial Child Care Council will be able to make, as there is a lot of responsibility in making recommendations and decisions around the cognitive and behavioural development of British Columbia's children. She explained that the Council will require a cross-section of experts in order to make recommendations on children's social, cultural, educational, emotional, cognitive, and physical development. Decisions regarding accessibility, affordability, and inclusiveness are fine for the Council to make, the Critic said, but the breadth of their decision-making capacity gives her concern.

Sonia Furstenu, MLA, Leader of the Third Party, agreed that childcare is an essential component of a healthy society and that the Province should be striving for an equitable and inclusive system of childcare. She stated that legislating annual reports on progress is a positive step; however, government must provide clarity on the intended goals and outcomes.

Bill 15, *Early Learning and Childcare Act*, passed its Third Reading on 5 October 2021.





Third Reading Report by Lizzie Hendy, Parliament of New Zealand.

## THIRD READING REPORT

### Counter-Terrorism Legislation Bill

The Counter-Terrorism Legislation Bill passed its Third Reading on 29 September 2021. The Bill amends three Acts - the *Terrorism Suppression Act 2002*, the *Search and Surveillance Act 2012*, and the *Terrorism Suppression (Control Orders) Act 2019* - and forms part of the New Zealand Government's response to the 'Report of the Royal Commission of Inquiry into the Terrorist Attack on Christchurch Mosques on 15 March 2019'.

The Minister of Justice, Hon. Kris Faafoi, MP (Labour) began the Third Reading debate by paying tribute to the victims of terrorism in New Zealand: "I do want to take this opportunity to acknowledge the victims of the more recent attack on 3 September in LynnMall, and wish, from this Parliament, them all the best and to that community too; also to the family of the victims and those injured in the mosque attacks of Christchurch two or three years ago." He reiterated the purpose of the legislation: "The most substantive change that we are making in this legislation is the introduction of a planning and preparation offence. [...] This particular offence was one that was recommended very highly by the royal commission of inquiry into the mosque attacks. It brings us into line with similar countries which we compare ourselves to - the likes of Australia and the United Kingdom [...] The other substantive change is around the introduction of control orders for people who are found guilty, and imprisoned of a terrorist offence here in New Zealand."

New Zealand's largest Opposition party, the New Zealand National Party, also supported the Bill. Hon. Simon Bridges, MP (National) noted that the Bill remedies certain deficiencies in the existing legislation: "That gap was really around the planning and preparation of terrorist acts. This Bill deals with that gap." Joseph Mooney, MP (National) added: "Given the fluid and unpredictable nature by which planning may move to more advanced conduct to commit a terrorist act, warrantless powers are necessary to identify the relevant behaviour and to intervene quickly to prevent such activity escalating."

However, the Bill did not receive support from other parties in the House. Teanau

Tuiono, MP (Green) explained: "Firstly, the legislation, although improved, may still capture direct-action activists and protests. Secondly, the new planning or preparation offence has been characterised by some experts as thought crime, difficult to define in practice or defend against in legal proceedings. And, thirdly, the terrorism control order is being expanded to people convicted in New Zealand, when the whole premise of this regime was to be about the difficulty in gathering evidence to prosecute foreign fighters returning home."

Rawiri Waititi, MP (Te Paati Māori) commented: "We unequivocally condemn all acts of violence and terror. That is why, when we think about the victims of terrorism, our thoughts also go back to generations of tangata whenua and first-nations peoples who have suffered from this country's history of State-sponsored terror. [...] Our people know, without a shadow of a doubt, that this will be used against the surveillance and criminalisation of tangata whenua and minorities; hence why the minor parties stand in solidarity today."

Nicole McKee, MP (ACT Party) explained: "We believe - actually feel - that the movement of this Bill at speed is virtue signalling, and it's virtue signalling off the back of these terror attacks." However, Labour MP and Chairperson of the Parliament's Justice Committee, Ginny Andersen, MP disagreed: "As Chair of the Committee, it has been a thorough process and it has been a difficult task in confronting some of the hard issues

- particularly given the fact that New Zealand had a recent terrorist attack, just on 3 September, which was right at the final stages of when this Bill was going through consideration and deliberation. [...] I am happy, as the Chair of the Committee, that consensus was generally reached amongst those Members."

The Bill passed its Third Reading with 98 votes to 22. It received the Royal Assent on 4 October 2021.

### Social Security (Subsequent Child Policy Removal) Amendment Bill

The Social Security (Subsequent Child Policy Removal) Amendment Bill passed its Third Reading on 29 September 2021, during an extended sitting of the New Zealand House of Representatives. The Bill, in the name of the Minister for Social Development and Employment, Hon. Carmel Sepuloni, MP (Labour) removes the subsequent child policy, which sanctioned parents who had additional children while receiving a benefit, from the Social Security Act 2018.

Speaking on behalf of Ms Sepuloni, Minister of Internal Affairs, Hon. Jan Tinetti, MP (Labour) explained: "The subsequent child policy was introduced in 2012 by the then National Government and was intended to address the concern that families who have a subsequent child or children while on benefit were at an increased risk of long-term welfare dependence due to detachment from the labour market for long periods of time. [...] The Ministry of Social Development's





modelling on the cohort affected by the policy has found no strong evidence to suggest that the policy has been effective in reducing time on benefit or improving financial or social outcomes.” She added: “I’d also like to acknowledge the Welfare Expert Advisory Group (WEAG), who recommended the removal of the subsequent child policy in their advice to the Government in February 2019.”

Speaking in opposition to the Bill, **Hon. Louise Upston, MP (National)** commented: “This is an ideologically-driven Bill - that is all. It is virtue signalling. It does nothing. It will harm and hurt children and their long-term futures, and Labour should be ashamed of bringing this Bill into the House. That’s why National strongly opposes it.” She noted: “The focus of the National-led Government at that time was to support those on benefit to move off benefit where possible, so that they could have a better quality of life and a higher income and greater opportunities. [...] So let’s be very clear about that: this is not a pathway to work; this is not a pathway to opportunity.”

**Jan Logie, MP (Green)** explained the Green Party’s support of the legislation: “We’ve long advocated for benefit levels to be set at levels that enable people to meet their own basic needs without having to resort to charity or begging, or more appointments, going through the details of their life and their bank accounts. [...] The Welfare Expert Advisory Group was led by Governor-General designate Dame Cindy Kiro [...] In their report, they noted that ‘Agreement is near universal that the benefit and tax credit systems are unmanageably complex. The level of financial support is now so low that too many New Zealanders are living in desperate situations. Urgent and fundamental change is needed.’”

**Glen Bennett, MP (Labour)** added: “Currently, the policy is discriminatory, based on judgmental and stigmatising attitudes towards predominantly solo mums. Currently, the policy is disproportionate. It impacts Māori by 56%. It impacts women by 86%.”

However, **Chris Baillie, MP (ACT Party)** countered: “The difference in our philosophies is pretty obvious in most Bills that come across this House, but none more so than in this particular Bill. [...] ACT believes people should be looked after when necessary - a safety net available to

anyone in real need - but we also believe that people who accept being looked after also have a responsibility to the society that pays for that assistance.”

**Maureen Pugh, MP (National)** added: “There is no one going to argue that people at the lowest socio-economic levels in this country need more money - absolutely. But one of the best ways that they can increase their incomes is by being in work, either full-time or part-time. [...] Anyone can give a child a lolly and they will survive for a short time on a sugar rush, but after the sugar rush comes the crash, and that’s what we want to try, on this side of the House, to prevent from happening.”

The Bill passed its Third Reading with 77 votes to 43 and received the Royal Assent on 4 October 2021.

## Water Services Bill

The Water Services Bill, an omnibus Bill replacing Part 2A of the Health Act with a stand-alone Act for the regulation of drinking water in New Zealand, passed its Third Reading on 28 September 2021.

Speaking on behalf of the Minister of Local Government, **Hon. Meka Whaitiri, MP (Labour)** explained: “The Water Services Bill will provide a new regulatory regime for drinking-water suppliers, along with targeted reforms to improve the environmental performance of our three waters infrastructure. This Bill will provide a clear leadership for drinking-water regulation through a new central regulator, Taumata Arowai, and will strengthen compliance, monitoring, and enforcement of the drinking-water system.” She noted that, currently, 34,000 New Zealanders get sick from drinking household water every year and that over half of suppliers serving 5,000 or fewer consumers operate without meeting drinking-water standards.

Opposition spokesperson for rural communities, **Joseph Mooney, MP (National)** told the House: “The National Party supported the establishment of a new drinking-water regulator, Taumata Arowai, which has the power to set and enforce drinking-water regulations. However, regrettably, the National Party cannot support the Water Services Bill, which puts onerous rules, regulations, and compliance costs on small rural water suppliers.”

**David Seymour, MP (ACT Party)** agreed: “We have a perfectly good system for people up and down rural New Zealand

who are able to make their water work for themselves, thank you very much. They don’t need the incursion of a Wellington water regulator telling them what’s good for them.”

At the Committee of the whole House, National Party Member, **Christopher Luxon, MP** put forward an amendment to exempt suppliers with fewer than 30 end-point users. The amendment was not successful, however, and the National Party withdrew its support for the Bill at the Third Reading.

Also speaking in opposition to the Bill, **Debbie Ngarewa-Packer, MP (Te Paati Māori)** addressed the issue of indigenous rights: “*Tangata w’enua*, as you know, have been protecting wai since we arrived in Aotearoa. Wai – water - is central to our w’akapapa and is embedded in our very essence, our wairua. [...] This Bill, as it was introduced, threatens to sever that connection, and ... was met with a large outcry from our people. To allow Crown agents warrantless entry to marae without consent would be a direct attack on our mana motuhake. It’s despicable.”

The Green Party of Aotearoa New Zealand voted in support of the Bill; however, **Hon. Eugenie Sage, MP**, Minister of Conservation in the previous Parliament, noted: “This reform is too important to get wrong. There needs to be more work to ensure that there is a direct role for councils in the governance of the assets that communities have developed over decades. There needs to be a real conversation around how central government can help better fund this infrastructure.”

Responding to concerns about the legislation’s lead-in time, the Government tabled an amendment. **Dr Tracey McLellan, MP (Labour)** explained: “The Minister’s Supplementary Order Paper extends the deadline for when small suppliers can register with Taumata Arowai to four years, and when they must provide a plan, if required, to seven years. These amendments were the direct response to concerns raised by the community and the rural suppliers. This extended transition window, in conjunction with acceptable solutions, provides sufficient time for these suppliers to organise themselves and become compliant with the legislation.”

The Bill passed its Third Reading with 75 votes to 45 and received the Royal Assent on 4 October 2021.





## NEW ZEALAND PARLIAMENT INTRODUCES SPECIAL DEBATES

Parliamentary Report by Lizzie Hendy, Parliament of New Zealand.

### SPECIAL DEBATES

Special debates are a new feature of New Zealand's 53<sup>rd</sup> Parliament and have been welcomed by Members from different sides of the House. The 2020 Standing Orders Review recommended changes including making Parliament's sitting hours more family friendly, setting up a new Petitions Committee, and reducing the Budget debate from 15 to eight hours in order to use the remaining time for debates on non-legislative issues. The new debates allow MPs to debate a broader range of topics than before, and focus on electorate issues.

The Leader of the House, Hon. Chris Hipkins, MP (Labour) said, *"Parliament has not always given Members the opportunity to speak about matters that are really important to their local communities in the past and so we wanted to do something about that."*

The first 'special debate' was held in February 2021 on New Zealand's aid to the Pacific. MPs talked about the importance of transparency in aid, and the need for aid to be climate resilient. In March 2021, MPs had the chance to highlight issues in their local electorates with a special debate on local issues, including water pollution, healthcare, and local transport issues. Parliament then debated the Petitions Committee's report into New Zealand's COVID-19 border and immigration policies. Ricardo Menéndez March, MP (Green) said, *"For our migrant communities offshore, the petitioners have asked for certainty and for clarity, simply for a pathway of knowing when they'll come back. Some people do not mind waiting,*



*but they just want to know that they'll be able to be reunited with their families. Post-study work visa holders simply want to know that they'll have a visa once the borders reopen and it is safe."*

In June 2021, a special debate was held on student accommodation, focusing on the wellbeing of students and the establishment of a new pastoral care code. This followed the death of a student in 2019, who died whilst living in student accommodation. Chris Baillie, MP (ACT) said: *"the issue of student accommodation, or lack of it, is a housing issue, and there are just not enough places. Students are being encouraged to do further study, and not a lot of thought has gone into where they'll live. Housing and the hall stock are just not keeping up. Lack of competition in the rental market has flow-on effects."*

The House then held a special debate on the report of Zero Suicide Aotearoa and

looked at suicide prevention in New Zealand.

In August 2021, a special debate was held on the Government's apology for the Dawn Raids of the 1970s, which unfairly targeted Pasifika communities. A formal apology was delivered in a ceremony in Auckland, where the Prime Minister of New Zealand, Rt Hon. Jacinda Ardern, MP performed the 'ifoga', a Samoan custom of asking for forgiveness. Hon. Judith Collins, MP (National) explained that the Dawn Raids were aimed at *"pushing out the Pacific Island community and sending them back to where they had come from. It was short term, it was cruel, and it was vile."* Pasifika MPs shared personal stories about how their families had been affected.

In November 2021, a special debate was held to mark the 150<sup>th</sup> anniversary of the Māori Affairs Committee, which was set up in 1871 to consider the increasing number of petitions concerning the confiscation of Māori land. Committee Chair,

Tāmami Coffey, MP (Labour) talked about the carvings and weavings in the Committee room and their meaning, and paid tribute to current and former Members of the Committee. Other MPs talked about the collaborative way the Committee worked together, despite party differences.

Joseph Mooney, MP (National) said: *"it's a spirit of cooperation between the different political parties, because although we have our different ideas about how we should do things and what's the best approach, we all have a common focus on what's best for Māori and how to achieve that."*

Some of the special debate allocation was then used to make up time lost in the Estimates debate while Wellington was under COVID-19 restrictions. Next, a special debate is scheduled to be held on a report from the Environment Committee. The special debates will continue through the rest of the Parliament.



# CHANGES TO PRESIDING OFFICERS AT AUSTRALIAN FEDERAL PARLIAMENT

Parliamentary Report by Fleur Hall, Parliament of Australia.

## NEW PRESIDENT OF THE AUSTRALIAN SENATE

On 18 October 2021, Senator Hon. Slade Brockman (Liberal Party of Australia) was elected as the 26<sup>th</sup> President of the Senate. The role became vacant following Senator Hon. Scott Ryan's resignation on 13 October 2021.

Senator Brockman was nominated by the Minister for Finance and Leader of the Government in the Senate, Senator Hon. Simon Birmingham. Senator Mehreen Faruqi (Australian Greens) was also nominated, by her colleague Senator Larissa Waters. A secret ballot was held, following which the Clerk of the Senate, Mr Richard Pye, announced that Senator Brockman had received 45 votes and that Senator Faruqi had received 7 votes. The Clerk then declared Senator Brockman elected as President.

The new President thanked the Senate for the honour conferred upon him and took the Chair. Paying tribute to his predecessor, he said that the former President had “displayed, particularly in the difficult two years that we have just been through, a calmness, an intellect, a level of pragmatism, that helped us all navigate this pandemic. He upheld the finest traditions of this institution whilst recognising the need to adapt to circumstances,” adding that he wished to “personally honour his service to the nation and to the Senate.”

The President told the Senate that it was his intention, for as long as he held the position, to defend the interests of Senators and the Senate itself. “Whilst a diverse range of perspectives are represented

*in this Chamber, I will treat each of you as duly elected and equal representatives of your states. I will take your arguments on their merits and seek to act impartially at all times,”* he said.

## SPEAKER OF THE HOUSE RESIGNS

On 28 October 2021, in the Australian House of Representatives, the Speaker, Hon. Tony Smith, MP, made a statement announcing his intention to resign as the Presiding Officer in the next sitting fortnight, telling the House that he wished to spend the remainder of his term as a Parliamentarian on the backbenches, focusing entirely on his electorate of Casey, in Melbourne, Victoria. The Speaker had earlier announced his intention not to contest the next election.

The Speaker said that it was his plan to chair proceedings on Monday 22 November 2021, enabling Members to elect the next Speaker at the beginning of proceedings on 23 November.

The Speaker told the House: “I will conduct myself in a way I believe befitting of a former Speaker still in the House. So I have no plans to ask questions of Ministers unless they’re directly related to my constituents.” The Speaker added that he had “no plans to raise points of order or to point out sound and wise rulings unless absolutely necessary. And I have no plans to interject!”

Following the Speaker’s statement, the Prime Minister of Australia, Hon. Scott Morrison, MP, the Leader of the Opposition, Hon. Anthony Albanese, MP, the Leader of the House, Hon. Peter Dutton, MP and the Manager of Opposition

Business, Hon. Tony Burke, MP, by indulgence, spoke to the matter.

## NEW SENATORS

Senator Dorinda Cox (Australian Greens) was chosen to fill the vacancy in the representation of Western Australia in the Australian Senate, caused by the resignation, on 6 September 2021, of Senator Rachel Siewert.

Senator Karen Grogan (Australian Labor Party) was chosen to fill the vacancy in the representation of South Australia in the Australian Senate, caused by the death, on 29 August 2021, of Senator Alex Gallacher.

His Excellency General Hon. David Hurley, AC DSC (Retd), Governor-General of the Commonwealth of Australia, attended the Senate at the start of proceedings on 18 October 2021 to swear in Senators Cox and Grogan, because the new Senate President had not yet been elected.

## MOTION ON THE MURDER OF UK MP

On 18 October 2021, the Leader of the House, Hon. Peter Dutton, MP, by leave, moved a motion relating to the murder of Sir David Amess, Member of Parliament for the UK House of Commons, for the constituency of Southend West, who was killed in the course of performing his responsibilities to his constituents. The motion was then referred to the Federation Chamber. The Speaker, Hon. Tony Smith, MP, advised the House that he had spoken with the Speaker of the UK House of Commons, Rt Hon. Sir Lindsay Hoyle, MP, and had offered sincere condolences on behalf of all Members of the House.

During debate in the Federation Chamber, Members extended their condolences to Sir David’s

family, friends, colleagues, and to the people of the United Kingdom. Members also recalled with sadness the murder five years ago of Ms Jo Cox, a Member of Parliament in the UK House of Commons for the constituency of Batley and Spen.

The Leader of the Opposition, Hon. Anthony Albanese, MP described Sir David’s death as “a profound shock” and “a betrayal of everything our shared democracies stand for: transparency, accountability and approachability. In both our nations, with our deeply entwined political heritage, our elected representatives are not separated from their constituents by walls of security. People are able to approach the politician who acts as their voice in Parliament and make their own voices heard,” he said. “It is about the absence of a divide between the representative and the represented. That is something that we have taken for granted in both our nations, but it is precious and it is rare, and it is not invincible.”

The Minister for Home Affairs, Mrs Karen Andrews, MP, also expressed her grief and shock, adding: “I would say to my fellow Members on both sides of this House, and further afield in the UK, do not let this attack deter you from your important work in the communities that we serve. Terrorists seek to create fear and division in our communities. Their ultimate aim is to destroy the ties that bind us together as a nation. There is no greater refutation of their ideology, nor proof of their impotence, than the free, open and transparent debate that occurs in this place.”

On 20 October 2021, the Speaker reported the return of the motion, which was agreed to, with all Members standing in silence.





### THIRD READING REPORT

#### National Redress Scheme for Institutional Child Sexual Abuse Amendment Act 2021

This Bill, which was assented to on 13 September 2021, amends the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (the Act) as a preliminary response to the second-year review of the *National Redress Scheme for Institutional Child Sexual Abuse Scheme* (the Scheme) that was conducted in accordance with section 192 of the Act. The Bill:

- introduces advance payments of AU\$10,000 for certain applicants: those aged 70 years and over (or for 55 years and over for Aboriginal and Torres Strait Islander applicants); terminally ill applicants; and for certain vulnerable applicants.
- provides that relevant prior payments must be indexed according to the number of whole years since the relevant prior payment was made as at the date of the person's application for redress, rather than as at the date of the determination.
- provides an extension of the period an applicant has to consider and accept an offer of redress, or to seek review of their redress offer.
- removes the requirement for an application to include a statutory declaration.
- provides that payments may be made in instalments rather than as a lump sum, if an applicant requests.

The Minister for Education and Youth, Hon. Alan Tudge, MP (Liberal Party of Australia), introducing the Bill, told the Australian House of Representatives that the *"relatively straightforward"* amendments, agreed to by all state and territory governments, *"will make genuine improvements to the operation of the Scheme"* and ensure that it is *"more survivor-focused."* Acknowledging that the amendments reflect *"initial action"* in response to the review of the Scheme, the Minister said that *"the remaining recommendations, many of which constitute major changes to the Scheme, require further detailed development work and consultation with stakeholders."* The Minister advised that this would take place over coming months and

that the government *"plans to release a final response to the review in early 2022."*

The Minister told the House that as of 13 August 2021, 508 non-government institutions are participating in the scheme, that it covers approximately 66,400 sites across Australia and that over 6,100 payments totalling approximately AU\$519 million have been paid to survivors. He described the Scheme as *"an acknowledgement by the Australian government and state and territory governments that sexual abuse suffered by children in institutional settings was wrong, a betrayal of trust, and should never have happened."*

The Member for Fenner, Dr Andrew Leigh, MP (Australian Labor Party) advised the House that Labor would not stand in the way of the amendments, but said that they *"fall short of properly getting redress back on track and delivering redress for survivors - redress that is timely, redress that does not re-traumatise, redress that does not leave survivors missing out."* Dr Leigh said that Labor had been calling *"for the introduction of an early payment scheme to ensure the elderly or unwell don't miss out on redress this for years, and it should have happened by now."* Arguing that *"the Redress Scheme under this government falls short of the original recommendations of the Royal Commission"*, Dr Leigh moved a second reading amendment (ultimately disagreed to) which, *inter alia*, called on the government to *"increase the cap on payments to AU\$200,000, end the indexation of prior payments, make sure funder of last resort arrangements are in place and guarantee that offers of redress will not be reduced on review."*

The Member for Bass, Mrs Bridget Archer, MP (Liberal Party of Australia) told the House that she had *"spoken many times in this place of the need to ensure that there is a trauma-informed response within government policy"* and she said that it was pleasing that *"the amendments begin to address this issue."* Mrs Archer reiterated that the Bill *"is not the extent of action that the government will seek to undertake, with a number of recommendations made in the recent review still under consideration and consultation."* Pointing out that the Scheme *"can only seek to appropriately compensate survivors if those institutions which were responsible for the horrific acts of child abuse ... actually join the scheme"*, Mrs

Archer told the House *"It both saddens and, frankly, enrages me to hear of some who are still refusing to be held to account for the pain and hurt they have caused."* Mrs Archer thanked the survivors who participated in the Royal Commission and those whose submissions contributed to the review of the Scheme, telling them: *"We must, and we will, do right by you."* Addressing *"all the silent survivors of abuse"* Mrs Archer said: *"I hope you can one day find your voice and speak your truth."*

In the Australian Senate, Senator Rachel Siewert (Australian Greens), informing the Senate that the Australian Greens supported the Bill, described it as *"a down payment on the changes the government needs to make"* to the Act. Senator Siewert expressed some concerns with the Scheme in relation to funders of last resort, acknowledging that although some changes had been made, *"we need to ensure that people who were in institutions that are now defunct - institutions that no longer function - are able to get redress payments."* Elaborating, Senator Siewert said: *"It is my belief that, if the application is processed by the department and it is found that redress is due, governments should pay it, and then argue with the institution."* She added that the review *"brought out the issues that so many people have had with this scheme and that need to be addressed"* and that Greens, therefore, would be *"keeping a very close eye on the next stage of amendments."*

Senator Hon. Anne Ruston (Liberal Party of Australia) thanked Senators for their contributions and, reminding the Senate of the voluntary nature of the Scheme and that any changes to the Act require the agreement of states and territories, noted that the Government had *"managed to get agreement for five amendments in order to progress five of the recommendations of the two-year review."* Addressing Senator Siewert's concerns about funders of last resort, Senator Ruston said that *"the government has already publicly stated that it supports the funder of last resort arrangements to cover defunct institutions where there is no government responsibility and where existing institutions do not have the financial capacity to join the scheme."* Commending the Bill to the Senate, Senator Ruston said the government remains *"committed to making sure this Scheme is survivor-focused."*





## Surveillance Legislation Amendment (Identify and Disrupt) Act 2021

This Bill was introduced to the House of Representatives on 2 December 2020. It was then referred to the Parliamentary Joint Standing Committee on Intelligence and Security (PJCS), and the Committee's report was tabled on 5 August 2021. It was assented to on 3 September 2021.

The Bill amends the:

- *Surveillance Devices Act 2004* and *Telecommunications (Interception and Access) Act 1979* to introduce data disruption warrants to enable the Australian Federal Police (AFP) and the Australian Criminal Intelligence Commission (ACIC) to disrupt data by modifying, adding, copying or deleting data in order to frustrate the commission of serious offences online.
- *Surveillance Devices Act 2004* to introduce network activity warrants to enable the AFP and ACIC to collect intelligence on serious criminal activity by permitting access to the devices and networks used to facilitate criminal activity.
- *Crimes Act 1914* to introduce account takeover warrants to enable the AFP and ACIC to take over a person's online account for the purposes of gathering evidence to further a criminal investigation, and to make minor amendments to the controlled operations regime to ensure controlled operations can be conducted effectively in the online environment.

The Minister for Defence, Hon. Peter Dutton, MP (Liberal Party of Australia) told House that the purpose of the Bill was to

provide the AFP and ACIC with new powers to "help combat serious crimes perpetrated using anonymising technologies and the dark web." The Minister explained that "currently, multiple layers of technologies conceal the identities, IP addresses, jurisdictions, locations and activities of criminals are increasingly hampering investigations into serious crimes [including] child sexual abuse, terrorism and the trafficking of firearms and illicit drugs."

The Minister explained that the Bill's new 'modern' powers allow investigators to identify offenders and the scope of their offending online, including on the dark web, and agencies to disrupt criminal activity online and to take control of a person's online account for the purpose of gathering evidence to expose online criminality.

Informing the House that Labor supported the Bill, the Member for Gellibrand, Mr Tim Watts, MP (Australian Labor Party) observed that "other jurisdictions have recognised ... that the threats we face today call for powers that match the seriousness of these threats" and that "powers of this kind are already being used by law enforcement and criminal intelligence agencies in other democratic nations around the world [including] US, the UK and some European jurisdictions."

Mr Watts added that he was pleased that "the government has agreed to 23 of the 33 PJCS recommendations wholly or in part and has made amendments to the Bill" but that "Labor members of the PJCS do think... safeguards in this Bill could go further."

The Member for Cowper, Mr Pat Conaghan, MP (The Nationals), observing that the dark web "hosts large-scale, complex, anonymous platforms and services to facilitate serious crimes", said

that the legislation was "not just important, but absolutely necessary." Mr Cowper said that current powers "are insufficient to respond to the threat posed by the cyber-enabled crime" because they "are focused on gathering evidence from criminal offences and prosecuting offences, and targeted at the individual crime through the investigation of particular people or a computer connected with that specific offence."

In the Senate, Senator Rex Patrick (Independent), foreshadowing that he would be moving detailed amendments to the Bill, said that he supported "what the government is trying to do, but this Bill gives further powers to our police force [which] are used in secret and are quite coercive, and they require the appropriate checks and balances."

In her contribution, Senator Lidia Thorpe (Australian Greens), describing the legislation as "problematic" said that "this country lacks a robust human rights framework" and, in the absence of such safeguards, the Greens "cannot endorse the expansion of the already considerable powers possessed by the Australian Federal Police and the ACIC."

Senator Hon. Kristina Keneally (Australian Labor Party) told the Senate that the while the powers in the Bill were extraordinary, they were "absolutely necessary and proportional" as a response to the changed threat environment in which accessible, easy-to-use and cheap technology has created "new places for crimes to take place and new methods to disguise and hide identities and locations." During her speech Senator Keneally publicly thanked the Minister for Home Affairs, Hon. Karen Andrews, MP, who she said has worked "constructively with the opposition, in the national interest, to deliver much-needed reforms and powers to enable our agencies to keep up with the changes in technology and protect the Australian community."

Summing up, the Attorney-General and Minister for Industrial Relations, Senator Hon. Michaelia Cash (Liberal Party of Australia) thanked Senators for their contributions, and the PJCS for its consideration of the Bill, saying that "the Morrison government does not accept serious crime in our communities, and neither should we accept it online. Our laws must keep pace with technology if our agencies are to continue to do the job that we expect of them" and that "we make no apology for protecting Australians."





## LEGISLATIVE NEWS FROM TRINIDAD AND TOBAGO PARLIAMENT

Parliamentary Report by Paras Ramoutar, Freelance Journalist based at the Parliament of Trinidad and Tobago.

### TRINIDAD'S FINANCE MINISTER DEFINES THE PHILOSOPHICAL DIMENSION OF BUDGET

The Minister of Finance, Hon. Colm Imbert defined the philosophical dimensions of the Budget 2021-22 when presenting it in the Trinidad and Tobago House of Representatives on 4 October 2021. He said: "We will consolidate our gains, complete our ongoing projects and initiate implementation. We will revitalise and transform the economy by implementing our recovery programme to establish a modernised, competitive and resilient economy aimed at promoting inclusive and sustainability growth. We will sustain macro-economic sustainability one over the medium term."

The Minister said that the Government will provide a separate supportive private sector environment for facilitating entrepreneurship, domestic business and foreign investment. He continued: "We will continue to invest in digital technology to support every aspect of our economy, including the delivery of public services; and support commercial farming and attract youth into the farming sector; we will build the manufacturing sector; and we will develop our housing and construction industry."

The Minister underlined the issue that the Government will continue its exploration and production activity in the oil and gas sector to ensure that capital is available for diversification and growth, adding that the Government will continue to improve the health and well-being of its citizens.

The Minister also said, concerning the development

of the Property Tax Regime, that "contrary to the narrative introduced by the Members opposite, property tax is not a new tax. It simply replaces the Old Land and Building Tax system which was in place in Trinidad and Tobago for 100 years before of the repeal of that law in 2010. Property tax is simply in a modern format. Property Tax is intended to put Local Government bodies on a solid footing by providing a steady and secure stream of funding for their development programmes."

### TRINIDAD AND TOBAGO DEBT STANDS AT OVER TT\$137 BILLION

According to the Review of the Economy 2021, Trinidad and Tobago's General Development Debt moved from TT\$130,469.4 million in the fiscal year 2020 to TT\$137,192.7 million in fiscal year 2021. This would equate to approximately TT\$98,000 per citizen of the country.<sup>1</sup>

Domestic debt accounts for 75% of the adjusted General Government Debt and it includes Central Government and Non-Self Serviced Government Guaranteed Debt. Issued domestically, it is projected to increase by TT\$8.8 billion (or 10.3%) by the end of the fiscal year 2021.

The Review of the Economy stated that the Central Government External Debt is projected to decrease by 1.1% from TT\$31.6 billion in the fiscal year 2020 to TT\$31.2 billion in 2021. The review stated: "In fiscal year 2021, the Government contracted a US\$20 million, seven year floating rate loan from the International Bank for Reconstruction and Development (IBRD) of the

World Bank Group and a US\$24.45 million, 20 year floating rate Policy Based Loan from the Inter-American Development Bank (IDB), both which are expected to be disbursed in fiscal 2022."

According to the document, during the fiscal year 2021, disbursements totalling TT\$919.2 million were received from existing facilities from the Export Finance and Insurance Corporation of Australia (EFIC), the Export-Import Bank of China, the UniCredit Bank of Austria AG and the Inter-American Development Bank (IDB).

### TRINIDAD'S BUDGET FOR 2022

The Minister of Finance, Hon. Colm Imbert announced a TT\$52.2 billion Government Budget for the next fiscal year. He announced that the total projected expenditure for 2022 would be TT\$52.43 billion while total revenue was projected to be TT\$43.33 billion, leaving a deficit in the sum of TT\$9.10 billion.

The allocations for different Ministries was announced as follows: Education - TT\$6.9 billion; Health - TT\$6.4 billion; National Security - TT\$5.7 billion; Works and Transport - TT\$3.6 billion; Public Utilities - TT\$2.7 billion; Rural Development and Local Government - TT\$1.7 billion; Agriculture - 1.2 billion; and Housing - TT\$610 million.

The Minister also announced some fiscal measures:

- A reduction of the tax rate by 5% for significant exporters of local goods, which is projected to benefit over 500 exporters at a cost of TT\$45 million.
- The recruitment of 100 qualified accountants and

UWI graduates to enhance revenue collection.

- An increase in the limit from TT\$25,000 to TT\$30,000 on mortgage interest paid by first time homeowners for five years.

### OPPOSITION ECONOMIC TRANSFORMATION PLAN

The Leader of the Opposition, Hon. Kamla Persad-Bissessar has presented a new economic development plan for Trinidad and Tobago in her contribution to the 2021-22 National Budget. "Our strategy for recovery, sustainable growth and diversification economy is built on five interconnected principles. These are people centred development, getting people back to work, allowing the private sector to drive growth and development, deepening economic reforms but with a human face, giving people a sense of ownership and independence, and promoting environmental stewardship."

The Leader of the Opposition told the House of Representatives that the United National Congress (UNC) has consulted with the public, experts and professionals, and has developed what they believe is a solid and sustainable national economic plan to restore Trinidad and Tobago. The new UNC plan lays out a comprehensive suite of policy initiatives and programmes to steer the economy towards a more sustainable development path. Proposals include the creation of 50,000 new jobs, focusing heavily on diversification and new business development.





## OPPOSITION SENATOR CLAIMS THAT THE GOVERNMENT HAS CRASHED THE ECONOMY

Speaking in the Budget Debate in the Senate (Upper House) of Trinidad and Tobago, Opposition party, Senator Wade Mark charged that it was not the COVID-19 pandemic that had 'crashed' the Trinidad and Tobago economy, but that it was a result of the policies of the government. The Senator described the 2021-22 Budget as a 'road to nowhere', and that the proposed government initiatives like the property tax would not 'fix' the economy.

## SENATOR CALLS FOR ENQUIRY ON TOBAGO AIRPORT PROJECT

Senator Damian Lyder has called for a forensic audit into the contract for the recently expanded Tobago Airport, which had cost an estimated TT\$1.2 billion. The Senator was speaking in the Budget Debate for the year 2021-22 in the Senate of Trinidad and Tobago and demanded 'transparency and accountability' to justify the project. The Senator drew comparisons with Antigua and Barbuda's new state-of-the-art international airport at a cost of \$600 million, which featured four jet bridges, 14 check-in counters, 15 self-check kiosks, a large departure lounge, free Wi-Fi and several restaurants.

## MOTION TO IMPEACH TRINIDAD'S PRESIDENT FAILS

For the first time in the history of Trinidad and Tobago, a motion to impeach a current President was rejected by the Electoral College in the Parliament of Trinidad and Tobago on 21 October 2021.

Moving the motion was the former Prime Minister and now Leader of the Opposition, Hon. Kamla Persad-Bissessar.

The Speaker of the House of Representatives, Hon. Bridgid Annisette-George did not allow debate on the motion, causing objections from the Opposition benches.

The Leader of the Opposition brought the motion on several grounds, mandated by Section 36 of the Constitution, which she suggested included that the President of Trinidad and Tobago, Her Excellency Hon. Paula Mae-Weekes, had behaved in such a way as to bring the Office of the President into 'hatred, ridicule or contempt', that the President has wilfully violated the Constitution of the Republic of Trinidad and Tobago, and that the President has endangered the safety and security of the state.

The Leader of the Opposition's call was for the Electoral College, which makes up of all Members of the House of Representatives (the Lower House) and the Senate (the Upper House), to vote on the motion. The Leader of the Opposition's main contention was in relation to events that led to the collapse of the Police Service Commission (PSC) in September and the failure to send a merit list of potential candidates for consideration for the position of Commissioner of Police.

The Electoral College consists of 62 votes (37 votes for the Government from both Houses and 25 votes for the Opposition). However, a two-thirds majority (48 votes) of the Electoral College is required to pass the motion. The Speaker announced that the motion had 24 votes for and 47 against, and so the motion was defeated.

If the motion had been carried, then a tribunal would have to be appointed consisting of the Chief Justice and four other senior judges of the bench to adjudicate on the issue at hand.

## NEW UNIT TO ADDRESS WELFARE FRAUD

The Minister of Social Development and Family Services, Senator Donna Cox, has announced that her Ministry has established an investigation and compliance unit to address potential instances of fraud on matters relating to fraud in senior citizens and social welfare grants. The Minister announced the new development in her contribution to the 2022 Budget debate in the Senate. The Ministry is addressing fraudulent practices used by some people to try and access

financial reliefs, which they were never entitled, and to this end officials have been collaborating with the Financial Investigations Bureau, the Anti-Corruption Bureau and the Fraud Squad.

*"Within the last 12 months, there has been a 241% increase in the number of reports to the Trinidad and Tobago Police Service, with the majority of cases involving senior citizens' pensions," the Minister outlined. She noted that there will always be "those who, for their own selfish purposes, deliberately attempt to scam the system."*

Senator Cox said that last year some 68 such cases had engaged police attention. Since last August, fraudulent cheques were issued to 1,955 persons who were confirmed as dead. *"Some of the disability and pension cheques belonging to those 1,955 individuals are being cashed, with the most significant number, 81%, being senior citizens' pension cheques."* She added that a further 3,902 grants were also identified for investigation.

<sup>1</sup> All funds quoted in TT dollar which approximates to US\$1 to TT\$6.80, or TT\$1 to £0.11.







## THIRD READING REPORT

**The Constitution (One Hundred and Twenty-seventh Amendment) Bill, 2021***Brief background*

The *Constitution (One Hundred and Second Amendment) Act, 2018* inserted three new articles 342A, 366(26C) and 338B in the Constitution of India. Article 338B constituted the National Commission for Backward Classes. Article 342A dealt with the Central list (Federal list) of the Socially and Educationally Backward Classes (commonly known as the Other Backward Classes) and article 366(26C) defined the Socially and Educationally Backward Classes (SEBCs).

The legislative intent at the time of passing of the above Bill was that it deals with the Central list of the SEBCs. It was also clarified at the time of passing of the Bill in Parliament that the State and Union Territories may continue to have their separate State List/Union Territory List of SEBCs, and the castes or communities included in such State List or Union Territory List may differ from the castes or communities included in the Central List of SEBCs.

However, after the passing of the *Constitution (One Hundred and Second Amendment) Act, 2018*, the Supreme Court of India, in Writ Petition No. 938/2020 (and other related cases) denuded the powers of the State/Union Territory Governments in maintaining a state list of OBC Communities for their States/Union Territories. The Supreme Court ruled, that the States do not have the power to maintain their separate list of SEBCs and the Central List of SEBCs maintained by the Central Government would be the only list for all purposes.

A review petition filed before the Supreme Court asking for reconsideration of the above decision was dismissed by the Supreme Court.

With a view to protecting the Federal Structure of the country and to clearly empower the States to prepare and maintain their own State List/Union Territory List of SEBCs, a need was felt to amend article 342A, and make consequential changes in articles 338B and 366 of the Constitution. Accordingly, the Constitution (One Hundred and

Twenty-Seventh Amendment) Bill, 2021 was introduced in Lok Sabha on 9 August 2021.

*Debate*

During the entire Monsoon Session, the Members of certain political parties continued to raise issues relating to three farm laws, the hike in prices of petroleum products and the reported illegal surveillance program targeting prominent public persons intermittently and the House witnessed many disruptions and adjournments. However, in an exemplary display of political consensus all parties rising to the occasion agreed to have constructive debate on a Bill which empowered States and Union Territories to prepare their own lists of socially and educationally backward classes as the Bill concerned the welfare of marginalised sections of the society.

Accordingly, on 10 August 2021, discussion on the Bill was held for 7 hours and 54 minutes. During discussion, the Bill received unequivocal support from all the sections in Lok Sabha. The main points put forth by the Members included:

- This Bill intends to restore power of the State Governments to maintain their lists of OBCs which was taken away by the Supreme Court interpretation of the *Constitution (One Hundred and Second Amendment) Act, 2018*.
- The long-pending demand of Backward Classes to take up special caste-based census must be seriously considered, and caste-based data obtained during last census should be released.
- A separate Ministry should be created for the welfare of Other Backward Classes and the present cap of 50% on overall reservation should be removed.
- The Government should come forward with a new legislation to extend reservation to the private sector. Also, a Constitution Amendment Bill should be brought for including Dalit Muslims and Dalit Christians in the list of Scheduled Castes.
- Castes are state-specific. Some communities are dominant in one State but poor in other States. This Bill will ensure that their backward status will get legitimacy and hence policies for their upliftment are tailored well.

The Minister-in-charge Dr. Virendra Kumar, replying to the debate, *inter-alia*,

stated that this Bill restores power of States to take decision regarding OBCs in their respective States. Leaders from different political parties may follow separate ideologies, but the welfare of OBCs is central to all of them.

The Bill was passed by Lok Sabha on 10 August 2021 and by Rajya Sabha on 11 August 2021 as the Constitution (One Hundred and Fifth Amendment) Bill, 2021. The Bill, as passed by both Houses of Parliament, was assented to by the President of India on 18 August 2021.

**The Commission for Air Quality Management in National Capital Region and Adjoining Areas Bill, 2021***Brief background*

Air pollution is not a localised phenomenon as its cause and effect are felt in cities and towns far away from the source of pollution. India is committed to creating a clean environment and pollution free air as mandated in the Constitution of India. Accordingly, the *Air (Prevention and Control of Pollution) Act, 1981* was enacted. The National Clean Air Programme was also launched in 2019.

In the past, the issue of air pollution in National Capital Region (comprising whole of the Union Territory of Delhi and adjoining districts of the States of Haryana, Uttar Pradesh and Rajasthan) has been addressed through setting up Committees and task forces. However, a permanent, dedicated and participative mechanism adopting a collaborative approach involving relevant Central Ministries, State Governments, Local Bodies and other stakeholders to tackle air pollution in the National Capital Region was found wanting.

Due to the absence of an inter-sectoral, public-participative, multi-State dynamic body, the Supreme Court had to devote its precious time in constituting various *ad hoc* or permanent Committees at various stages to oversee the problem of air pollution in the National Capital Region. In compliance of the directions of the Supreme Court, the Central Government had constituted the Environment Pollution (Prevention and Control) Authority for the National Capital Region in 1998. However, the powers and functions of the Authority were limited to the State of Delhi without



The Parliament of India.

any collaboration with other nearby States thereby limiting its efficacy.

Noting the lack of inter-State co-operation, the Supreme Court directed the presence of the Chief Secretaries of the four States in question, namely, Punjab, Haryana, Delhi and Uttar Pradesh to ensure inter-state co-operation. Due to a lack of an oversight mechanism over the joint functioning of these States on issues concerning air pollution and specifically stubble burning, the Supreme Court, on numerous occasions, sought to improve and propose innovative measures and research initiatives to resolve the problem of air pollution.

In order to provide a permanent solution and establish a self-regulated, democratically monitored mechanism for tackling air pollution in National Capital Region and adjoining areas, it was deemed necessary to set up a Commission for Air Quality Management in National Capital Region and Adjoining Areas, which would replace the various Committees.

The Commission for Air Quality Management in National Capital Region and Adjoining Areas Bill, 2021 was accordingly introduced on 30 July 2021 in Lok Sabha. The Bill, *inter-alia*, provided for:

- (a) the constitution for the Commission for Air Quality Management in National Capital Region and Adjoining Areas;
- (b) three Sub-Committees to assist the Commission, viz; Sub-Committee on Monitoring and Identification, Sub-Committee on Safeguarding and Enforcement, and Sub-Committee on Research and Development; and
- (c) the imposition of environmental compensation by the Commission for causing air pollution by stubble burning.

#### Debate

Due to pandemonium in the House on the issues relating to three farm laws, the hike in prices of petroleum products and the reported illegal surveillance program targeting prominent public persons, discussion on the principle and provisions of the Bill could not be held. However, while moving a motion for consideration, the Minister-in-charge, Shri Bhupender Yadav submitted that the Government was fully committed towards a clean environment and the Bill was an effort to provide institutional mechanism for tackling the menace of air pollution in National Capital Region and adjoining areas by constituting Commission for Air Quality Management in National Capital Region.

The Bill was passed by Lok Sabha on 4 August 2021 and by Rajya Sabha on 5 August 2021. The Bill, as passed by the Houses was assented to by the President of India on 12 August 2021.

### The General Insurance Business (Nationalisation) Amendment Bill, 2021

#### Brief background

As per the New Public Sector Enterprises Policy for *Atmnirbhar Bharat* (self-reliant India), a minimum public sector presence is to be retained with insurance being identified as a strategic sector. In order to achieve this objective, it became necessary to amend certain provisions of the General Insurance Business (Nationalisation) Act, 1972 which required Government to have minimum 51% stake in the Public Sector General Insurers and gave the Central Government powers to control such Insurers. Accordingly, the General Insurance Business (Nationalisation) Amendment Bill, 2021 was introduced in Lok Sabha on 30 July 2021.

The Bill, *inter-alia*, provided for:

- (i) to remove the requirement that the Central Government holds not less than 51% of the equity capital in a specified insurer;





(ii) cessation of application of the Act to such specified insurer on and from the date on which the Central Government ceases to have control over it; and  
(iii) providing for liability of a director of specified insurer, who is not a whole time director, for such acts of omission and commission of the specified insurer which has been committed with knowledge and consent of such director.

#### Debate

Due to the previously mentioned disruptions in the House owing to various debates and issues, the debate on the Bill could not take place. The Bill was put to the vote of the House immediately after the Minister-in-charge, **Smt. Nirmala Sithraman** moved the motion for consideration.

The Bill was passed by Lok Sabha on 2 August 2021 and by Rajya Sabha on 11 August 2021. The Bill, as passed by the Houses received assent of the President of India on 18 August 2021.



## PARLIAMENTARY STANDARDS COMMITTEE DISPUTE

The autumn sitting at the UK Parliament in Westminster was dominated by a dispute over the recommendations of a report of the House of Commons Committee on Standards.

On 26 October 2021, the Committee published a report on the conduct of **Rt Hon. Owen Paterson, MP**, following an investigation by the independent Parliamentary Commissioner for Standards relating to allegations that he had lobbied Government Ministers on behalf of two companies for whom he served as a paid consultant. The Committee concluded that Mr Paterson's actions amounted to "*an egregious case of paid advocacy*" and that he "*repeatedly failed to perceive his conflict of interest and used his privileged position as a Member of Parliament to secure benefits for two companies for whom he was a paid consultant.*" Concluding that "*he has brought this House into disrepute*", the Committee recommended that Mr Paterson be suspended from serving in the House of Commons for 30 sitting days.

Such a period of suspension is a trigger for a Member of Parliament's 'recall' process, established in the *Recall of MPs Act, 2015*. This Act provides for a potential recall of a Member of Parliament if one or more of a number of sanctions are imposed on them, including a custodial sentence, a suspension from the House of a minimum duration, or a conviction for expenses fraud.

A petition is then opened in the Member's constituency, in which eligible voters have a six-week period in which to provide a signature in support of the recall. If 10% of eligible voters sign in support, the Member's seat is vacated, and a by-election is held. The recalled Member of Parliament is permitted to stand in the by-election. Since the passage of the Act, there have been three recall petitions triggered, of which two met the threshold for a by-election, both in 2019.

On 3 November 2021, the Leader of the House of Commons, **Rt Hon. Jacob Rees-Mogg, MP**, moved the motion to approve the Standards Committee report, but also expressed the Government's support for an amendment to the motion from Conservative backbencher, **Rt Hon. Dame Andrea Leadsom, MP**. Her amendment would decline to consider the report from the





## UK PARLIAMENT DISPUTES AND TRIBUTES

Parliamentary Report by Simon Keal, Parliament of the United Kingdom.

Standards Committee, noting “*concerns expressed about potential defects in the standards system*”, and instead appoint a new Select Committee to undertake a review of the standards system as a whole, as well as reviewing the specific case of Mr Paterson. The amendment specified the new Committee should be chaired by a Conservative, Rt Hon. John Whittingdale, MP, and that it comprises nine Members overall including four other Conservative MPs, three Labour MPs and one MP from the Scottish National Party (SNP).

Contributions to the debate included a speech from Dame Andrea Leadsom, who stated that “*I sincerely hope that colleagues from all parts of the Chamber will be prepared to join together to review this system, which is so clearly flawed*”, and from the Chair of the Committee on Standards, Chris Bryant, MP, who said “*it is the very definition of injustice that one should change the rules or the process at the very last moment, and to do so for a named individual. That is what the amendment does.*”

At the conclusion of the debate, Dame Andrea Leadsom’s amendment was passed by 250 to 232, with a number of Conservative MPs declining to support it despite a Government whip in favour. The amended motion was then supported by 248 votes to 221.

However, the plan to establish a new Select Committee was derailed when the opposition Labour Party and Scottish National Party declared that they would refuse to take up their allocated places. The subsequent day, 4 November 2021, the Leader of the House made a further statement to the House of Commons, stating that “*the change would need to be supported on a cross-party basis, and that is clearly not the case... while there is a very strong feeling on both sides of the House that there is a need for an appeals process, there is equally a strong feeling that this should not be based on a single case, or applied retrospectively.*” He announced that “*I and others will look to work on a cross-party basis to achieve improvements in our system for future cases.*”

The Government also indicated that it intended for the original report of the Standards Committee to be brought back to the House and approved unamended.

This decision prompted the resignation of Rt Hon. Owen Paterson, MP, triggering a by-election in his constituency of North Shropshire, which was scheduled to take place on 16 December 2021.

The Government subsequently put forward a motion on 15 November 2021 rescinding the resolution of 3 November and thus cancelling the establishment of the new Committee. The motion also approved the original report of the Standards Committee, while noting that “*that Mr Owen Paterson is no longer a Member of this House*”, meaning that the original proposed 30-day suspension could no longer be implemented. It had been anticipated that the motion would be

passed without debate, but a backbench Conservative Member, Christopher Chope, MP, registered his objection, meaning that an hour-long debate was required to be scheduled the following day.

Participants in the debate included the former UK Prime Minister, Rt Hon. Theresa May, MP, who said that “*the attempt by Right Hon. and Hon. Members of this House, aided and abetted by the Government under cover of reform of the process, effectively to clear his name was misplaced, ill-judged and just plain wrong.*” Following the debate, the motion was agreed without a division.

The Committee on Standards comprises seven Members of Parliament including





the Chair, as well as seven lay members from outside Parliament. It has existed in its current form since 2012, when it was separated from the larger Committee on Standards and Privileges. Its role is to oversee the work of the Parliamentary Commissioner for Standards, and to consider complaints referred to it by the commissioner on matters including the Registration of Members' Interests and breaches of the Code of Conduct.

### COP26 STATEMENT

Between 31 October and 12 November 2021, the UK Government hosted the 2021 United Nations Climate Change Conference, more commonly known as COP26. The conference was the first since the 2015 COP21 meeting in Paris for which participants were subject to the 'ratchet mechanism', requiring them to commit to enhanced climate pledges every five years. The COP26 President is UK Cabinet Minister, Rt Hon. Alok Sharma, MP, who previously served as Secretary of State for Business, Energy and Industrial Strategy but resigned from this position in January 2021 to commit to the COP26 role full time.

The COP26 conference concluded with the agreement of the Glasgow Climate Pact, which included the first ever commitment to limit the use of unabated coal; an agreement to revisit emission reduction plans in 2022 to ensure Paris Agreement climate targets remain achievable; and a commitment to climate finance for developing countries.

In a House of Commons statement following the conclusion of the conference, the UK Prime Minister, Rt Hon. Boris Johnson, MP, said that *"it was a summit that proved the doubters and the cynics wrong, because COP26 succeeded not just in keeping 1.5 alive, but in doing something that no UN climate conference has ever done before by uniting the world in calling time on coal."*

The Leader of the Opposition, Rt Hon. Sir Keir Starmer, MP, told the House in response that *"although the summit has been one of modest progress, we cannot kid ourselves: plans to cut emissions are still way short. The pledges made in Glasgow for 2030, even if all fully implemented, represent less than 25% of the ambition required."*

### HOUSE OF LORDS: 'PASS READER' VOTING

As the UK Parliament continued its transition to a more 'normal' way of working following the COVID-19 pandemic, the House of Lords saw a lively debate on a proposed move to a 'pass reader' system of voting. The House of Commons returned to a system of 'in-person' voting relatively soon after the onset of the pandemic, but the upper chamber decided to continue its system of electronic voting owing to ongoing concerns regarding the potential health risk of voting in this form. This meant that members voted using an app on their mobile devices, known as 'PeerHub'.

From autumn 2021, Members of the House of Lords were no longer permitted to vote while not present on the Parliamentary estate and were required to make a declaration to this effect before casting their vote; it was intended that this would be an interim step to the pass reader system, by which Members were once again required to attend the House of Lords chamber to vote, recording their vote by scanning their Parliamentary pass. This represented a change from past practice whereby Lords Clerks were present in the division lobby to record the vote of each Member by name.

On 25 October 2021, the Senior Deputy Speaker, Lord Gardiner of Kimble brought forward a motion to agree a report from the House of Lords Procedure and Privileges Committee which, among other matters, would have enabled the implementation of pass-reader voting. However, the proposition received a range of criticism during the debate on the motion. This centred in particular on the proposed removal of the role of Tellers, who previously verified the vote counts in each division lobby. A proposal for additional pass readers to be located outside division lobbies – to help avoid congestion and support social distancing if necessary – meant that the position of Teller would become obsolete.

Proposing an amendment to the motion to reject the parts of the report on divisions, Lord Taylor of Warwick stated that *"to my mind, returning to normal, which is, after all, the subtext of what we are trying to achieve today, includes, and does not exclude, telling."* Proposing a motion of regret that pass readers would be located outside lobbies, Labour peer Lord Rooker said that *"I am not seeking to turn the*

*clock back or seeking crowded Lobbies, but we do not have to rush this today."* Other critical amendments to the motion were proposed by Lord Cormack and Lord Forsyth of Drumlean.

Concluding the debate, the Senior Deputy Speaker said that *"I have heard and noted the significant concerns, which go beyond this report."* He added that he would *"seek to withdraw the Motion to agree the report and refer these matters back to the Procedure and Privileges Committee for further consideration and consultation."* Following this commitment, the various amendments were withdrawn, followed by the motion itself. This means House of Lords Members would continue to vote electronically for the time being.

### DEATH OF A MEMBER OF THE HOUSE OF COMMONS

On 7 October 2021 a Conservative MP and former cabinet minister, Rt Hon. James Brokenshire, MP, died of lung cancer at the age of 53. He had previously served in the cabinet as Secretary of State for Northern Ireland and as Secretary of State for Housing, Communities and Local Government, with his most recent role being Minister of State for Security. He took a leave of absence from this role in January 2021 and resigned in July 2021 due to ill health.

Members of Parliament paid tribute to James Brokenshire in the House of Commons on Wednesday 20 October 2021 when the House observed a one-minute silence. Paying tribute, the Speaker of the House of Commons, Rt Hon. Sir Lindsay Hoyle, MP said: *"I will always remember James for his positivity and good sense of humour – and for being one of the most friendly, thoughtful and well-liked people in the House of Commons. He was a politician who commanded affection and respect from colleagues, no matter which party they represented."*

His death necessitated a by-election in his constituency of Old Bexley and Sidcup, in outer London, which was held on 2 December 2021.

### MEMBERS OF PARLIAMENT PAY TRIBUTE TO SIR DAVID AMESS, MP

Following the tragic death of Hon. Sir David Amess MP on 15 October 2021, Members of the House of Commons paid tribute to Sir David on Monday 18 October.





The Parliament of the United Kingdom in London.

Image credit: Shutterstock\_974058.

Sir David was Member of Parliament for Southend West and gave almost 40 years of continuous service as an MP.

Before the start of business, the Venerable Tricia Hillas, the Speaker's Chaplain, led Chamber Prayers which was followed by a minute's silence.

The tributes concluded at approximately 5.30pm after which Members of both the House of Commons and the House of Lords took part in service of Prayer and Remembrance for Sir David at the nearby St Margaret's Church, Westminster, which is a 12th century church next to Westminster Abbey that is often called 'the parish church of the House of Commons'.

The Speaker of the House of Commons, Rt. Hon. Sir Lindsay Hoyle, MP, said: *"In nearly four decades in this House, Sir David was second to none in his determined commitment to his constituents, first as the Member for Basildon between 1983 and 1997, and since then as the Member for Southend West. He was tireless in making sure that the voice of Southend West was heard in this Chamber - it is difficult to believe that we will not hear him make the case for Southend achieving city status before the next recess."* The Speaker added: *"I would like to thank the Speakers from around the world who have sent messages of support, including - along with*

*many, many more - Speaker Pelosi [of the USA] and Speaker Smith of Australia, who wanted to let us know that Congress and the Australian Parliament are thinking of us, David's family and all at this time."*

### OPPOSITION FRONTBENCH CHANGES AND SELECT COMMITTEE ELECTION

The Leader of the Opposition, Rt Hon. Sir Keir Starmer, MP, conducted a 'reshuffle' of his Shadow Cabinet on 29 November 2021. Among the notable changes was the reappointment of Rt Hon. Yvette Cooper, MP, to the role of Shadow Home Secretary. Ms Cooper, who had not served on the front bench since 2015, had been serving as the Chair of the Home Affairs Select Committee since 2016. Her appointment means that she is required to resign this position, with a new Chair being elected by MPs.

Chairs of most Select Committees have been elected by MPs since 2010. Following a General Election, the office of the Speaker of the House of Commons writes to the political parties to advise them of the proper allocation of Committee Chairs to each party, based on each party's share of elected MPs. Following the most recent General Election in 2019 there were 16 Chairs allocated to the governing Conservative Party, nine to the main

opposition Labour Party, and two to the Scottish National Party. Party whips' offices then negotiate and agree which Chairs should be allocated to which party.

Elections are then usually held 14 days after allocations are confirmed, although in the current Parliament this was extended to reflect the need for additional time over the Christmas period and to reflect the new departmental structure established by the Government in late January 2020.

The election for the new Home Affairs Committee Chair was scheduled for 15 December 2021. As the position has been allocated to the Labour Party, only Labour Members of Parliament will be permitted to stand. To do so, they need to secure the signatures of 15 Labour Members in support of their candidacy. If the position is contested, an election is then held in which all Members are permitted to vote, using the 'alternative vote' system by which Members express numerical preferences for candidates.

Committee Chairs are normally permitted to serve for no longer than two full Parliaments or eight years, whichever is the greater, although this rule was suspended in the current Parliament, enabling a number of Chairs, whose terms would otherwise have expired, to re-stand.



## Office Holders of the Commonwealth Parliamentary Association



**PATRON:**  
Her Majesty Queen Elizabeth II  
Head of the Commonwealth

**VICE-PATRON:**  
Vacant (Canada Federal)

### CPA Executive Committee

Dates of membership below. Some Members are completing terms started by other Members. \* Term dates extended as no CPC and CPA General Assembly held in 2018, 2020 and 2021.

### CPA Officers

**CPA PRESIDENT:** (64<sup>th</sup> CPC to 65<sup>th</sup> CPC - 2019-2022)\*: **Hon. Anthony Rota, MP** Speaker of the House of Commons (Canada Federal)

**CPA VICE-PRESIDENT:** (64<sup>th</sup> CPC to 65<sup>th</sup> CPC - 2019-2022)\*: **Rt Hon. Alban Bagbin, MP**, Speaker of Parliament (Ghana)

**ACTING CHAIRPERSON OF THE CPA EXECUTIVE COMMITTEE** (63<sup>rd</sup> CPC to 65<sup>th</sup> CPC - 2017-2022)\*: **Hon. Ian Liddell-Grainger, MP** (United Kingdom) - since April 2021.

**ACTING CPA VICE-CHAIRPERSON** (64<sup>th</sup> CPC to 65<sup>th</sup> CPC - 2019-2022)\*: **Hon. Osei Kyei Mensah Bonsu, MP**, Ghana - since August 2021.

**CPA TREASURER** (64<sup>th</sup> CPC to 65<sup>th</sup> CPC - 2019-2022): **Hon. Datuk Shamsul Iskander Md. Akin, MP** (Malaysia)

**COMMONWEALTH WOMEN PARLIAMENTARIANS (CWP) CHAIRPERSON** (64<sup>th</sup> CPC to 65<sup>th</sup> CPC - 2019-2022): **Hon. Shandana Gulzar Khan, MNA** (Pakistan)

**ACTING CPA SMALL BRANCHES CHAIRPERSON** (64<sup>th</sup> CPC to 65<sup>th</sup> CPC - 2019-2022): **Joy Burch, MLA**, Speaker of the Legislative Assembly of Australian Capital Territory - Acting Chairperson since Feb 2021.

The CPA Coordinating Committee comprises the CPA Chairperson, Vice-Chairperson, Treasurer, CPA Small Branches Chairperson and Commonwealth Women Parliamentarians (CWP) Chairperson.

### Regional Representatives

#### AFRICA REGION

**Hon. Solomon Lechesa Tsenoli, MP**, Deputy Speaker of the National Assembly, South Africa (62<sup>nd</sup> CPC to 65<sup>th</sup> CPC - 2016-2022)\* Completing the term started by Namibia.

**Hon. Lazarous Chungu Bwalya, MP**, Zambia (62<sup>nd</sup> CPC to 65<sup>th</sup> CPC - 2016-2022)\*

**Hon. Dr Makali Mulu, MP**, Kenya (63<sup>rd</sup> CPC to 66<sup>th</sup> CPC - 2017-2023)\*

**Rt Hon. Sephiri Enoch Motanyane, MP**, Speaker, Lesotho (63<sup>rd</sup> CPC to 66<sup>th</sup> CPC - 2017-2023)\*

**Hon. Osei Kyei Mensah Bonsu, MP**, Ghana (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\* - Also Acting CPA Vice-Chairperson.

**Rt Hon. Dr Abass Bundu, MP**, Speaker, Sierra Leone (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\*

#### ASIA REGION

**Hon. Dr Fehmida Mirza, MP**, Pakistan, (62<sup>nd</sup> CPC to 65<sup>th</sup> CPC - 2016-2022)\*

**Hon. Dr Lal Chand Ukrani, MPA** Sindh, (63<sup>rd</sup> CPC to 66<sup>th</sup> CPC - 2017-2023)\*

**Hon. Mahinda Yapa Abeywardana, MP**, Speaker, Sri Lanka (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\* Completing the term started by another Sri Lanka Member.

#### AUSTRALIA REGION

**Hon. Jonathan O'Dea, MLA**, Speaker, New South Wales (62<sup>nd</sup> CPC to 65<sup>th</sup> CPC - 2016-2022)\* Completing the term started by another NSW Member.

**Hon. Bruce Atkinson, MLC**, Victoria (63<sup>rd</sup> CPC to 66<sup>th</sup> CPC - 2017-2023)\*

**Senator Hon. Slade Brockman**, President of the Senate, Australia Federal (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\* Completing the term started by another Australian Member.

#### BRITISH ISLANDS AND MEDITERRANEAN REGION

**Hon. Stuart McMillan, MSP**, Scotland Standing in for Northern Ireland (62<sup>nd</sup> CPC to 65<sup>th</sup> CPC - 2016-2022)\*

**Hon. Leona Roberts, MLA** Falkland Islands (63<sup>rd</sup> CPC to 66<sup>th</sup> CPC - 2017-2023)\*

**Hon. Julie Elliott, MP**, United Kingdom (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\* Completing the term started by another UK Member.

#### CANADA REGION

**Hon. Maryse Gaudreault, MNA**, Vice-President of the National Assembly, Québec (62<sup>nd</sup> CPC to 65<sup>th</sup> CPC - 2016-2022)\* Completing term started by Northwest Territories.

**Hon. Randy Weekes, MLA**, Speaker of the Legislative Assembly of Saskatchewan (63<sup>rd</sup> CPC to 66<sup>th</sup> CPC - 2017-2023)\* Completing the term started by Nova Scotia.

*Awaiting nomination*, Canada Federal (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\*

#### CARIBBEAN, AMERICAS AND THE ATLANTIC REGION

**Hon. Arthur Holder**, Speaker, Barbados (63<sup>rd</sup> CPC to 66<sup>th</sup> CPC - 2017-2023)\* Completing the term started by Trinidad and Tobago.

**Hon. Claudius J. Francis, MP**, Speaker, Saint Lucia (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\* Completing the term started by another St Lucia Member.

**Hon. Gordon J. Burton, MHA**, Speaker, Turks & Caicos (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\* Completing the term started by another Turks & Caicos Member.

#### INDIA REGION

**Shri Premchand Aggarwal, MLA**, Speaker of Legislative Assembly, Uttarakhand (62<sup>nd</sup> CPC to 65<sup>th</sup> CPC - 2016-2022)\* Completing the term started by Jammu and Kashmir.

**Shri Biswajit Daimary, MLA**, Speaker of the Legislative Assembly, Assam (63<sup>rd</sup> CPC to 66<sup>th</sup> CPC - 2017-2023)\* Completing the term started by another Assam Member.

**Shri Anurag Sharma, MP**, Lok Sabha, India Union, (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\*

#### PACIFIC REGION

**Hon. Gerry Brownlee, MP**, New Zealand (62<sup>nd</sup> CPC to 65<sup>th</sup> CPC - 2016-2022)\* Completing the term started by another New Zealand Member

**Hon. Therese Kaetavara, MHR**, Deputy Speaker, Bougainville (63<sup>rd</sup> CPC to 66<sup>th</sup> CPC - 2017-2023)\* Completing the term started by another Bougainville Member

**H. E. Hon. Ratu Epeli Nailatikau** Speaker, Fiji (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\*

#### SOUTH-EAST ASIA REGION

**Hon. Suhaizan Kayat, MLA** Speaker, Johor (62<sup>nd</sup> CPC to 65<sup>th</sup> CPC - 2016-2022)\* Completing the term started by Malacca

**Hon. Mr Lim Biow Chuan, MP** Singapore (63<sup>rd</sup> CPC to 66<sup>th</sup> CPC - 2017-2023)\* Completing the term started by another Singapore Member

**Hon. Datuk Wira Dr Mohd Hatta Ramli, MP**, Malaysia (64<sup>th</sup> CPC to 67<sup>th</sup> CPC - 2019-2024)\*

## CPA Small Branches Steering Committee

### ACTING CPA SMALL BRANCHES CHAIRPERSON

**Joy Burch, MLA**, Speaker of  
the Legislative Assembly of  
Australian Capital Territory (Acting  
Chairperson since Feb 2021)

### AFRICA REGION

**Hon. Gervais Henrie, MNA**  
Deputy Speaker, Seychelles  
(2019-2021)

### AUSTRALIA REGION

**Hon. Ngaree Ah Kit, MLA**  
Northern Territory (2020-2023)

### BRITISH ISLANDS AND MEDITERRANEAN REGION

**Hon. Juan Watterson, SHK**  
Speaker of the House of Keys,  
Isle of Man (2020-2023) - CPA  
Small Branches Vice-Chairperson

### CANADA REGION

**Hon. Nils Clarke, MLA**  
Speaker of the Legislative  
Assembly, Yukon (2019-2022)

### CARIBBEAN, AMERICAS AND THE ATLANTIC REGION

**Hon. Barbara Webster-Bourne,  
MHA**, Speaker of the House of  
Assembly, Anguilla (2020-2023)

### PACIFIC REGION

**Hon. Tofa Nafaitoa Talaimanu Ketu,  
MP**, Samoa (2019-2022)

### SOUTH-EAST ASIA REGION

**Hon. Hamizan bin Hassan, MLA**,  
Perlis (2020-2023)

*The CPA Small Branches Steering  
Committee comprises the CPA Small  
Branches Chairperson and seven  
Members who represent the seven out  
of the nine Regions of the CPA with  
Small Branches.*

## Commonwealth Women Parliamentarians (CWP) Steering Committee

### CWP PRESIDENT

*Vacant*, Canada Federal  
(2019-2021)

### CWP CHAIRPERSON

**Hon. Shandana Gulzar Khan,**  
**MNA**, Pakistan (2019-2022)

### AFRICA REGION

**Hon. Dr Zainab Gimba, MP**  
Nigeria (2019-2022)

### ASIA REGION

**Hon. Selima Ahmad, MP**  
Bangladesh (2021-2024)

### AUSTRALIA REGION

**Senator Nita Green**  
Australia Federal (2019-2022)

### BRITISH ISLANDS AND MEDITERRANEAN REGION

**Hon. Samantha Sacramento, MP**,  
Gibraltar (2019-2022)

### CANADA REGION

**Hon. Lisa Thompson, MPP**  
Ontario (2020-2023)

### CARIBBEAN, AMERICAS AND THE ATLANTIC REGION

**Hon. Valerie Woods, MP**  
Speaker of the House of  
Representatives, Belize  
(2021-2024) - Also CWP Vice-  
Chairperson (2021-2022)

### INDIA REGION

**Smt. Sunita Duggal, MP**  
Lok Sabha, India (2020-2023)

### PACIFIC REGION

**Hon. Selina Napa, MP**  
Cook Islands (2020-2023)

**SOUTH-EAST ASIA REGION**  
**Hon. Alice Lau Kiong Yieng, MP**  
Malaysia (2019-2022)

## Commonwealth Parliamentarians with Disabilities (CPwD) Regional Champions

### CPwD CHAIRPERSON

**Hon. Dennitah Ghati, HSC MP**  
Member of the National Assembly of  
Kenya (2021-2024)

### AFRICA REGION

**Hon. Dennitah Ghati, HSC MP**  
Member of the National Assembly of  
Kenya (2020-2023)

### ASIA REGION

**Hon. Zill-E-Huma, MNA**  
Member of the National Assembly of  
Pakistan (2020-2023)

### AUSTRALIA REGION

**Hon. Gareth Ward, MP**  
Minister for Families, Communities  
and Disability Services, New South  
Wales (2020-2023)

### BRITISH ISLANDS AND MEDITERRANEAN REGION

**Hon. Paul Maynard, MP**  
United Kingdom  
(2020-2023)

### CANADA REGION

*Awaiting nomination*  
(2020-2023)

### CARIBBEAN, AMERICAS AND THE ATLANTIC REGION

**Senator Paul Richards**  
Trinidad and Tobago (2020-2023)

### INDIA REGION

**Smt. Supriya Sule, MP**  
India (2020-2023)

### PACIFIC REGION

**Hon. Viam Pillay, MP**  
Assistant Minister for Agriculture,  
Waterways and Environment, Fiji  
(2020-2023)

### SOUTH-EAST ASIA REGION

**Senator Ras Adiba Mohd Radzi**  
Malaysia (2020-2023)

## CPA Regional Secretaries

**AFRICA REGION** Ms Nenelwa  
Joyce Mwiambi, Parliament of  
Tanzania

**ASIA REGION** Mr Syed Shamoon  
Hashmi, Parliament of Pakistan

**AUSTRALIA REGION** Ms Alex  
Cullum, Parliament of Australia

**BRITISH ISLANDS &  
MEDITERRANEAN** Mr Jon Davies,  
Parliament of the United Kingdom

**CANADA REGION** Mr Michel  
Patrice, Parliament of Canada

**CARIBBEAN, AMERICAS & THE  
ATLANTIC REGION** Mr Pedro E.  
Eastmond, Parliament of Barbados

**INDIA REGION** Shri Utpal Kumar  
Singh, Parliament of India

**PACIFIC REGION** Ms Megan  
Robins, Parliament of New Zealand

**SOUTH-EAST ASIA REGION** Mr  
Nizam Mydin bin Bacha Mydin,  
Parliament of Malaysia

## CPA Headquarters Secretariat

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A full listing of all CPA Branches can be found at: [www.cpahq.org](http://www.cpahq.org)

*Information as supplied by CPA Branches and CPA Regions to CPA Headquarters Secretariat*



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