



Beverley Hughes MP,
Minister of State for Children, Young People and Families
The House of Commons
London
SW1 OAA

20 October 2008

Dear Beverley Hughes,

We would like to draw your attention to the government's impending ratification of the United Nations Convention on the Rights of Disabled People. In doing so we are supporting the UNCCC coalition of 22 organisations which is campaigning for the government to ratify without reservation or limitation.

The DCSF originally signalled its intention to insert an interpretive declaration on Article 24, 2a ("Persons with disabilities are not excluded from the general education system"), to clarify that the general education system included both mainstream schools and segregated, "special" schools.

It also signalled its intention to reserve on Article 24, 2b ("Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live"), on the grounds that not all disabled children can currently be included in local provision, that children in rural areas may not be able to access a local school, and that this may undermine parental choice in education.

Following meetings with organisations working with and on behalf of disabled children, the DCSF has indicated that it would be open to the idea of not making a reservation, but possibly two or one interpretive declarations.

However, we do not understand why it should be necessary to make any reservations or interpretive declarations at all. Over thirty countries have already ratified the Convention unconditionally. Any conditions of any kind attached to the UK government's ratification of the Convention will cause alarm to the community of disabled adults in the UK who overwhelmingly recommend mainstream schooling for disabled children. It is highly likely that any reservation or interpretive declaration would be deemed to contravene the principles enshrined in the Convention and diminish Britain's status at the UN.

Of specific relevance to yourself as Minister for Children is the fact that it threatens to bring the UK government into disrepute with other countries in respect of its commitment to the rights of children. In this respect you will already have seen the UN report on this country's implementation of the Convention on the Rights of the Child, particularly 53 (d) which calls upon the government "to develop a comprehensive national strategy for the inclusion of children with disability in the society". You will recall that *Aiming high for disabled children* aims at "increasing their involvement and inclusion in society", describes "inclusion in universal provision" as "essential", and speaks of the "benefits to disabled children in terms of helping them feel included in mainstream provision." In any case, the other countries have signed on the commonsense understanding that it does not have to be matched clause by clause against already existing practice or legislation in their own country but that it does express an aspiration.

We hope you can bring your influence to bear on civil servants and political colleagues within the department to recommend to the Minister of Justice that the Convention may be ratified as it is, without the attachment of any conditions to Article 24.

Yours sincerely,

Chris Goodey
Assistant Director