

Equality for All?

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A citizens' jury on whether alcohol dependence
should be included as a disability in the Equality Act

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Research Fellow, School of Sociology and Social Policy at the University of Leeds

Professor Anna Lawson,
Professor of Law and Joint Director of the Centre for Disability Studies at the University of Leeds

Lucy Holmes,
Director of Research and Policy at Alcohol Change UK.

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Key arguments for excluding alcohol d
included that people are responsible

INTRODUCTION





TRACKING SURVEY

To see how opinions changed on exposure to evidence and after deliberation and reflection, recruiter informed people that:

people were asked to answer the following questions at (a) recruitment (b) after they had heard all of the experts' presentations, and (c) at the end of the jury.

The Equality Act became law in 2010. It legally protects people with certain characteristics

from discrimination (015-2-20115-4) terms people would pick (0) 6-418-1 (A15-6) FF00000007B5012145 jEMC 0.- 613.169 0.317 0.557 scnuality tct became law in 20 N- 610.169 C

1 To what extent do you agree or disagree that addiction to alcohol should be expressly excluded from the definition of disability, as defined by the Equality Act.

2 To what extent do you agree or disagree with the following statements:

- People addicted to alcohol do not deserve our sympathy
- We need a far more tolerant attitude towards people addicted to alcohol in our society
- Increased spending on alcohol addiction is a waste of public money
- One of the main causes of the alcohol addiction is a lack of self-discipline and will-power
- Virtually anyone can become addicted to alcohol

Jurors were able to choose:

- > Strongly Agree
- > Agree
- > Neutral
- > Disagree
- > Strongly Disagree
- > Neither
- > Don't Know or prefer not to say

DELIBERATIONS

Argument maps (diagrams that capture the structure of the deliberations) are available for download on the project's website [\[CLICK HERE\]](#). This section provides a summary of the key themes that emerged during the jury's deliberations.

One juror drew on personal experience.

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Should alcohol addiction be excluded from the Equality Act because the effect of the condition may involve anti-social or criminal activity?

Should alcohol addiction be excluded from the Equality Act because it is not generally recognised as a disability?

A minority of jurors thought that alcohol dependence should be excluded from the definition of disability for the purposes of the Equality Act because the effect of their condition may involve anti-social or criminal activity. A small number of jurors thought that alcohol dependence should be excluded because it is not generally recognised as a disability.

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Juror 4, Female, age 32

Other jurors thought that it was unfair that other mental health conditions which may lead to anti-social behaviour are included in the Act. They were concerned that blanket assumptions about people who are dependent on alcohol may disadvantage people unfairly and reinforce stereotypes.

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Juror 1, Female, age 25

Other jurors thought that it was unfair that other mental health conditions which may lead to anti-social behaviour are included in the Act. They were concerned that blanket assumptions about people who are dependent on alcohol may disadvantage people unfairly and reinforce stereotypes.

Juror 12, Female, age 36

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Juror 3, Male, age 45

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Should alcohol addiction be expressly excluded from the definition of disability as defined by the Equality Act 2010?

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CONCLUSION

The right to be free from discrimination is recognised in the Universal Declaration of Human Rights¹ and enshrined in international human rights law through its inclusion in the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights³. People dependent on alcohol or drugs are at high risk of discrimination and unfair treatment. Prejudice can lead to a loss of job or not being promoted or hired in the first place, even if the person is no longer drinking or taking drugs^{1, 2}. Some landlords and homeless shelters refuse housing to people with substance dependence, meaning they have no route to the streets^{3, 4}. People living with substance dependence report being ignored, discouraged or shamed during efforts to access healthcare services so they are reluctant to seek help⁵. It follows that there should be weighty reasons for the exclusion of substance dependence from the Equality Act.

This citizens' jury revealed that three quarters of the jury highlights the importance of informed jurors (11/15) disagreed that alcohol dependence should be excluded from the definition of disability as defined by the Equality Act. They rejected the government's reasoning that it should be excluded because it is self-inflicted, may involve anti-social or criminal activity and is not generally recognised as a disability. Some jurors emphasised that to be free from discrimination is a human right, therefore there is no justification for excluding people. The jurors who voted that alcohol dependence should be excluded from the definition of disability in the Equality Act nevertheless believed that people who are alcohol dependent should be protected from discrimination. It was including alcohol dependence within the definition of disability in the Act that they disagreed with.

Jurors raised credible arguments during their deliberations. For example, do subjective moral judgements such as the 'self-inflicted argument' have a place in discrimination law? Why are other conditions which may also be considered self-inflicted included in the Act while alcohol dependence is excluded? Is it ethical to exclude people with specific mental health conditions from the Act? Is the decision to exclude alcohol dependence from the Act for the purposes of the Act. We also recommend a separate citizens' jury on whether drug dependence and objective evidence or prejudice? should be excluded from the definition of disability in the Equality Act.

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