



# Multi-level governance of personal assistance: Implications for human rights

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# Article 19: Living independently and being included in the community

(b) Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community



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# Questions

1. How is responsibility for personal assistance divided in Iceland, Norway and Sweden?
2. What are the implications for Article 19 (b) when responsibility for personal assistance is divided over several levels of government?
3. How can governance comply with the requirements of the Convention?



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# What is multilevel governance?

- ‘Reallocation of authority upward, downward and sideways from the central state’ (Hooghe & Marks, 2003, p. 233).
- ‘Shifting spheres of competence (creating potential for conflicts about competencies) and ongoing search for principles of decisional distribution’ (Marks, 1993, p. 104).
- 95,000 local authorities holding significant powers over public services and social policies in the EU (Committee of the Regions, 2009)



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# Iceland, Norway and Sweden

**States implemented relatively extensive policy and legislation prior to ratifying the UNCRPD**

**1994:** Sweden, the Act Concerning Support and Service Provision for Persons with Certain Functional Impairments (LSS)

**2000:** Norway, Social Services Act

**2014:** Iceland, Ministry of Welfare oversaw a pilot project



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# Multilevel governance

## Divided responsibilities

- 428 Norwegian municipalities (3,700 users)
- 74 Icelandic municipalities (60 users)
- 290 Swedish municipalities
- + The Social Insurance Agency (15, 900 users)



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# Methods

## Qualitative inquiry

Interviews, study visits, participant observations

## 54 Participants

## Multiple stakeholders

Personal assistance users, applicants, members of co-operatives

Administrators and Policy makers



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# Shifting spheres of influence

## The UNCRPD adds a supranational level of governance

- State parties, the EU and the UN
- Legislative and policy changes since ratification

## Decline in disabled peoples involvement at policy level

- Bottom up approach in initial policy development
- Increasingly top down



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# Disjuncture

- Supranational and national level
- National policy and civil society
- National policy and local government
- Local government and civil society
- The Social Insurance Agency and local government



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# How can governance comply with the requirements of Article 19?

## 1. Implementation at local level

- Civil stakeholder involvement
- Co-ordination with policy and between municipalities/regions
- Awareness of UNCRPD
- Financial support- earmarking and equalisation fund



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# How can governance comply with the requirements of Article 19?

## 2. Central state responsibility

Other examples from Nordic countries: Health policy and social insurance

- Civil stakeholder involvement
- Compliance with the UNCRPD
- Address proximity and monitoring



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