

Cynulliad Cenedlaethol Cymru  
Bil Awtistiaeth (Cymru) drafft  
Llythyr Ymgynghori DAB44  
Ymateb gan Y Comisiwn Cydraddoldeb  
a Hawliau Dynol

National Assembly for Wales  
Draft Autism (Wales) Bill  
Consultation Letter DAB44  
Evidence from Equality and Human  
Rights Commission (EHRC)

Please refer to questions in the [Consultation Letter](#).

The Equality and Human Rights Commission welcomes the consultation on the Autism (Wales) Bill.

The draft Bill presents opportunities for the further protection and promotion of equality and human rights in Wales. Therefore, we support the Bill's development and are keen to offer advice during its legislative process.

Below are set out principles for consideration.

The draft Bill makes welcome reference to 'protecting and promoting rights.' The Commission has called for international human rights conventions to be further incorporated into domestic law. Therefore, the Commission would welcome the face of the Bill and any following guidance making direct reference to human rights, such as the UN Convention on the Rights of the Child and the UN Convention on the Rights of Persons with Disabilities. The conventions provide clear principles to ensure people's human rights are at the forefront of service delivery.

In relation to the consultation question regarding circumstances which may prevent access to services, it would be welcome if during the Bill's development due consideration is given to the protected characteristics (as set out in the Equality Act 2010) of autistic people. For example, evidence shows that a person's age, disability status or race can have an impact on their access to services.

The Bill should be drafted with the Equality Act 2010 and its Public Sector Equality Duty (PSED) provisions in mind. This duty places responsibilities on public bodies to promote equality and tackle discrimination. The Bill includes opportunities for public bodies to take forward work relevant to these objectives. It is important that the requirements of the draft Bill and the PSED complement each other. This may be relevant in terms of reporting requirements and the lists of bodies covered by the different legislation.

### **About the Equality and Human Rights Commission**

The Equality and Human Rights Commission (the Commission) is a statutory body established under the Equality Act 2006. It operates independently to encourage equality and diversity, eliminate unlawful discrimination, and protect and promote human rights. It contributes to making and keeping Britain a fair society in which everyone, regardless of background, has an equal opportunity to fulfil their potential. The Commission enforces equality legislation on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It encourages compliance with

the Human Rights Act 1998 and is accredited by the UN as an 'A status' National Human Rights Institution. Find out more about the Commission's work at: [www.equalityhumanrights.com](http://www.equalityhumanrights.com).