

TCDSU Recommends #YesNo in the March 8th Referendums

In light of the forthcoming referendum scheduled for March 8th, our union, representing a diverse body of students, including individuals with disabilities, carers, and their advocates, is calling on students to vote YES in the family referendum and to vote NO in the care referendum.

Our stance is informed by a multifaceted analysis, underscored by the principles of intersectionality. It is imperative that we do not sideline the needs and voices of individuals with disabilities who have called for a NO vote in the care referendum. Their perspective is vital in ensuring that we as a union, and student body, foster a truly inclusive and equitable society.

Concerns have been raised by Senator Tom Clonan, alongside respected organizations like FLAC, ICCL, and IHREC, regarding the current referendum wording's alignment with the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). Similarly, ILMI has pulled out of the coalition advocating the #YesYes vote because of the care referendum. The wording takes a narrow view of carers, pertaining solely to family, and completely disregards the needs of people with disabilities. This is a massive oversight on part of the government, and in light of further recent developments, such as the flawed Green Paper on Disability Reform, is no surprise. It is to note that the Irish Government still has not agreed to the Optional Protocol of the UNCRPD, which is deeply problematic and disappointing.

As a result of the proposed wording, concerns have been raised that despite the dire need for state intervention, financing and support, responsibility of caring will be placed solely on families. As Senator Tom Clonan put it, the proposed amendment “*gives constitutional expression to the conservative ideological position that the primary responsibility for care resides within the family and family members*”. Also, the brunt of this care work will thus overwhelmingly fall on women, making the amendment implicitly sexist. In this way, the state can shirk from any sort of legal responsibility for resourcing disability services. Ireland remains the only jurisdiction in the European Union where

people with disabilities and their carers have no legal right to access treatment, and this is not good enough. We need to vote NO on the care referendum to ensure stronger rights from the government - ones based on enforceable, rights-based wording, not vague promises.

Furthermore, the government's disregard for the Citizens Assembly's recommendations is alarming. It not only undermines the democratic process but also sets a dangerous precedent for sidelining citizen-led initiatives. The assembly had set out a vision for an enforceable, strong and clear approach to care, which has been completely ignored by the state. Defeating the referendum, sending it back to the drawing board would be a powerful statement that we will no longer stand for the state's utter disregard for people with disabilities and their carers.

We note the support for a YES vote in the care referendum from primarily state-funded entities, further adding to our concerns and highlighting the issues with this amendment.

Finally, we note that a NO vote does not mean the conversation is over, because there can be new proposals to re-do it and do it better. We can send it back to the drawing board. Thus, if we defeat the flawed amendment, it has a chance of coming back in a stronger form, with our concerns alleviated.

In light of these considerations, we urge our members and the wider community to adopt #YesNo stance in the upcoming referendum. By voting YES in the family referendum and NO in the care referendum, we stand in solidarity with those advocating for a more just, inclusive, and accessible society, and are standing in solidarity with people with disabilities and carers.

Our union remains committed to defending the rights and needs of all members, especially those often marginalized in public discourse. We believe that through collective action and informed decision-making, we can pave the way for a future that honors the dignity and rights of every individual.

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