

Review Article

Pakistan's National Policy for Persons with Disabilities and National Plan of Action – A Critical Review

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Author's Contribution

¹ Conception of study

¹ Experimentation/Study conduction

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Abstract

Introduction: Fifteen years have passed since the National Plan of Action (NPA) was developed for the implementation of the National policy for persons with disabilities (NPPWDs). This policy and plan of action provided a much-elaborated road map to ensure that persons with disabilities get access to their basic rights.

Objectives: This study was conducted to a) Find notional shortcomings b) explore developments made & c) identify inherent biases present in both NPPWDs and NPA.

Materials and Methods: A desk review was carried out to identify gaps & discrepancies in National policy and NPA, and to examine developments and grey areas regarding achievements of the objectives. BIAS FREE framework was used to identify inherent biases in the documents.

Results: Findings of the study indicate that there were clear gaps in what Policy theoretically claimed and what its structure portrayed in reality. Based on BIAS FREE framework all three types of inherent biases (H: Maintaining an existing hierarchy, F: Failing to examine differences, and D: Using double standards) were found.

Conclusion: Legislative cover is now available for a few recommendations; these legislations are either result of direct implementation on NPA while few developments are indirect. A reasonable number of objectives remain unachieved.

Keywords: National plan of action, national policy for persons with disabilities, legislation, persons with disabilities, Pakistan.

Introduction

At the time of independence in 1947, there were very few institutes of special education in Pakistan. It was not till the 1980s that systematic care of children with special education was taken very seriously on Govt. the level.¹ With the proclamation of 1981 as "International Year of disabled persons" by the United Nations, govt. and civil society felt that along with other required measures, a full fledged policy should be formulated for persons with disabilities.²

Literature Review: Consistent and data-driven policies play an important role in the development of different sectors.³ In order to ensure that persons with disabilities get their rights, the first national policy was developed in 2002. Early efforts were made in 1986 when a draft of national policy was prepared and circulated in close circles. In 1988, the early draft was refined and spread in wider circles. But even then, only federal special education institutes were involved in the consultation process through the circulation of policy drafts.⁴ In 2000 a task force on disability was formed, which was headed by Justice (Retd.) Amir Raza (a prominent social worker). This team developed the first draft of the National Policy for persons with disabilities. After detailed deliberations and consultations, with the experts in the field and ministries involved, the policy was formulated. The policy was built upon the data gathered in the 1998 census, and a 2.49% ratio of disability was used as a reference point.⁵

A national plan of action was developed in 2006 to implement National policy for persons with disabilities (2000). The main focus areas remained the same. In the foreword, Ms. Zubaida Jalal, federal minister of social welfare & special education stated that "strong commitment of all level of govt. non-govt. departments & ministries, international organizations, and institutions were required to make this policy and plan of action a success".

A plan of action was developed after detailed consultations at different levels, including national-level consultative meetings and a situational analysis carried out in 2004 (National Plan of Action, 2006). This document also incorporated actions required to achieve targets of the UN-ESCAPE document named "Biwako millennium framework for action towards an inclusive, barrier-free and right-based society for persons with disabilities in Asia and the Pacific". The Plan of action stressed that the goals of the policy and plan of action could not be achieved in isolation therefore; integrated and collaborated efforts of

different actors at govt. level (ministries, departments, institutes, etc.), as well as the generation of funds from multiple sources, were required to realize the targets set in the plan of action.⁵

Significance: National Policy for Persons with Disabilities - NPPWDs (2002) and National Plan of Action - 2006 (NPA) were important milestones in the history of Pakistan as these were expected to open new avenues for empowerment and successful inclusion of Persons with Disabilities in society. As more than 15 years of NPA have passed, this study was an attempt to explore the extent to which NPPWDs and NPA, 2006 have been successful in achieving their goals and objectives.

Objectives: This study was conducted to a) Find notional shortcomings b) explore developments made & c) identify inherent biases present in both NPPWDs and NPA.

Materials and Methods

Desk review of secondary sources available at the National and provincial levels was done to investigate the implementation of NPPWDs and NPA. BIAS FREE framework was used as a tool to explore inherent biases in the NPPWDs and NPA. Document analysis of both NPPWDs and NPA was also done to identify notional/academic shortcomings in these documents. The desk review was aimed at answering these questions:

- What were the notional/academic shortcomings of the NPPWDs and NPA?
- What important developments have been made in the NPPWDs and NPA?
- What are the inherent biases present in the NPPWDs and NPA?

Data Collection: Data collection was primarily dependent on secondary data sources. For developments on NPPWDs & NPA-related legislations, notifications, reports, etc. were reviewed. Resources available online were searched using keywords according to each article and action area. Document analysis of both NPPWDs and NPA was done to identify discrepancies between both documents.

BIAS FREE framework (Building an Analytical System for Recognizing and Eliminating in-Equalities) is a relatively new and innovative tool. It is used to spot biases in policy programs, legislation, and policies.⁶ This tool was used to identify inherent biases in both NPPWDs and NPA.

Findings & Discussion

NPPWDs (2002) and NPA (2006) were well-elaborated and well-thought documents. Although many shortcomings and discrepancies existed in these documents, proper implementation of the action areas might have resulted in more favorable conditions to ensure that children and adults could enjoy their rights like typically developing children.

Notional / Academic Shortcomings:

There were visible differences between what NPPWDs and NPA theoretically claimed and what their structure portrayed in reality.

National policy for persons with disabilities did not clearly define "Persons with Disabilities" (PWDs). In the preamble of the policy document, insane and handicapped were quoted. In the same preamble, it was stated that the statistics given in the national census 1998⁷ include, "mild or temporary conditions" while there are "2 - 4% persons who have severe disabling conditions". These statements made it quite confusing how policy defined "disability or disabling conditions" and whether these terms were used interchangeably or had some difference. Therefore, the National Policy for persons with disabilities and NPA did not clearly define who the direct beneficiaries of the policy were.

One Guiding principle of the national policy was "Right based approach" rather than charity or welfare concepts in program planning and implementation, but in reality, most of the actions were spelled out and sequenced in such a way that they reflected the charity or welfare approach. Many actions suggested under "estimates of disability (action 1), prevention (action 2), medical rehabilitation (action 4), special education (action 5), etc." depicted a welfare model. Even action 7 which is about "women with disabilities" included "protect them from discrimination" and "give them priority in receiving training opportunities", this is a clear depiction of the welfare model.

One guiding principle given in the policy document was "non-discrimination" while discrimination was inherent in many steps suggested in NPA e.g. in vocational training & employment (action 9) much stress was laid on the "quota system (action 9.13)" and "Disability specific vocations (action 9.12)" which in the long run promoted discrimination and even hindered competitive development of persons with disabilities.

A vision of national policy stressed "mainstreaming" while under "aims and objectives" and focus area of "education & training" mainstreaming & integration

were discussed. While NPA was based upon the actions required for "inclusive, barrier-free and right-based society". It was not just difference in nomenclature but rather perspectives, because road maps required for integration & mainstreaming and Inclusion are quite different and require different strategies altogether.

It was noticeable that few action areas in NPA were very well elaborated while few remained under-discovered. Such as area related to prevention of disability was very well elaborated while the area of "medical rehabilitation" remained under elaborated and focused primarily on physical disabilities.

The possible reasons for these shortcomings can be; first, the NPA came after four years of formulation of national Policy, and the rapid changes in research and approaches towards persons with disabilities impacted the NPA. The second possible reason could be that different consultative groups were working on different areas for action, therefore, the difference in the very structure and deliberative process of those sub-groups reflects in the way actions plans were spelled out and described under different areas of action.

Developments on National Policy for PWDs and NPA:

Following developments and grey areas were identified regarding achievements of overall objectives of NPPWDs and NPA during the study. Developments were either result of direct implementation of NPA goals or indirect in the sense that different legislations and plans had been developed over the years that helped in achieving the overall objectives of NPPWDs and NPA.

Extent and distribution of disabilities (action 1):

It was recommended in action 1.1 that ICF (International classification of functioning, disability & health)⁸ should be used for the classification and identification of disabilities, and sample surveys should be conducted in selected districts to get a clear picture of the prevalence of disabilities (action 1.2). In order to make these statistics readily available it was also suggested that such data banks should be developed online (action 1.3 and 1.4).

The availability of reliable statistics for making informed policies for persons with disabilities remains an underdeveloped area. Few surveys were conducted by private organizations or under donor-funded projects but they lacked systematic collaboration with govt. departments, therefore, the information gathered through those surveys remained under-utilized.⁹

Most recently, a provincial level multiple indicator cluster surveys has been conducted in Punjab and a

dimension on functional difficulties faced by children 2 to 17 years was included in it. Two questionnaires were used, one for children under age five and the second for children and adolescents aged 5 to 17. The questions inquired about functional problems in hearing, seeing, moving, learning & remembering, accepting change, making friends, focusing attention, etc.¹⁰ More collaborative efforts are required at an inter-provincial level to make these data collection tools more culture friendly, comprehensive and use the same tools across provinces to get comparative data.¹¹

It was said in action 1.5 (NPA) that modules based on ICF should be included in the national census, ironically even counting a simple number of persons with disabilities was included in the 2017 census, only after a voice was raised by DPOs (Disabled person organizations), while no other details were included.¹¹

Prevention of Disability (action 2):

Considerable efforts have been made by the govt. to improve immunization (action 2.1, 2.2) in Pakistan. An expanded program on immunization (EPI) was launched in 1978. It targets 7.5 million children annually to protect them from infectious diseases including childhood tuberculosis, poliomyelitis, diphtheria, pertussis, tetanus, and measles.¹² Pakistan remains among the last countries failing to eradicate Polio, therefore, more concentrated efforts are required to improve the immunization program specifically for the eradication of polio.¹³

Pakistan is also among the top six priority countries for M&RI (measles and Rubella Initiative) collaboration. VPD surveillance report (2016) reported that out of a sample of 3,380 suspected cases of measles, 36% were found positive. 61% of cases were from Sindh, while the second highest reported cases i.e. 37% were from KPK.¹⁴

Action 2.5 of the NPA was regarding improving the nutritional status of children. National Nutrition Survey (2018) indicated that wasting has increased in Pakistan over the years. 15.1% of children were wasted in 2011 and this percentage increased to 17.7% in 2018. The concurrence of wasting and stunting is as high as 5.9%, which makes malnutrition more complex and threatening to the survival of the children.¹⁵ These statistics can give us a clear indication that children with special needs face nutrition and development problems at the same scale if not more.¹⁶

Early detection & intervention (action 3):

Even after 15 years, early detection and early intervention remain highly neglected areas. Only a few institutes such as Lahore, Karachi, Quetta & Multan

children's hospital are reported to be equipped enough to provide early intervention facilities while the rest of the population has no access to such specialized services.¹⁷ However, there has been a thrust towards developing the workforce and availability of allied health professionals (action 3.7). Many universities private & public have designed and launched degree programs in physical therapy, speech & language therapy, audiology, optometry, etc.¹⁸

Medical Rehabilitation Services (action 4):

This area was not well elaborated on in NPA. Its major focus was on physical disabilities and even among physical disabilities paraplegia was especially focused (action 4.1, 4.2). Therefore, the scope of work was already quite limited, which in itself is a grey area in terms of policy development.

Action 4.5 was about establishing rehabilitation medicine departments in major public hospitals. Progress on this goal has been slow as there are very few state-of-the-art rehabilitation medicine departments in public hospitals in Karachi, Lahore, and Rawalpindi.¹⁹

Special education for Severe and moderately severe children (action 5):

The overall situation of establishing new special education schools (action 5.12) has been quite encouraging, in Punjab alone there are more than 300 public special education schools.²⁰ In Sindh 62 institutes are being run by the department of empowerment of persons with disabilities which is quite encouraging.²¹ Govt. and private institutes have increased in number, especially in urban areas, but access to such schools, especially in rural areas, remains on the lower side.²²

NPA stressed the need for standardizing classification criteria for disabilities (action 5.1). Keeping in view recent changes in the way disability is defined in terms of interaction between impairment and environment, this action requires revisiting to adopt a more functional approach towards disability.²³

Quality of services in special education schools was emphasized in action 5.8 of NPA. Tassawar and Khurshid (2019) found out that many special education institutes lack the required facilities, non-teaching and teaching staff, and the infrastructure is also not according to the needs of students.²⁴ School enrolment is usually used as a key indicator of the performance of a special school. Much work needs to be done to ensure that more detailed quality indicators are developed to improve the quality of services in special education schools.²⁵

NPA called for a standardized core curriculum for persons with special needs (action 5.3). With the

development of single national curriculum guidelines, it has become more feasible to use the same student learning outcomes and adapt or modify the delivery of instruction, formative and summative assessment according to the requirements of special children.²⁶

For intellectual impairment, there is no standardized core curriculum. And there has been a lack of consolidated development toward any sort of alternative academic certification for these students.

Inclusive Education (action 6):

NPPWDs and NPA supported the concept of inclusive education for children and adolescents with special needs. Recommended legislation regarding “education for all” (action 6.1) originated in form of a constitutional amendment and addition of 25A which proclaims education as a basic right for every child aged 5 to 16. Ever since many legislations have been enacted by federal and provincial governments. Few significant legislations include; the federal free and compulsory education act 2012, Baluchistan persons with disabilities act 2017, KPK free and compulsory primary and secondary education act 2017, Sindh empowerment of persons with disabilities act 2018, and Sindh right of children to Free and Compulsory Education Act 2013.²⁷

Formulation of an “inclusive education policy” (action 6.2) was discussed in NPA. Over the years, there has been a paradigm shift in terms of approaching education as a facility for all children, therefore, instead of a separate inclusive education policy, it is more preferred and required to have an education policy that is diversity-friendly and has an inclusive spirit. This commitment is quite visible in the Punjab education sector plan (2019-2020) which talks about making schools more accessible for marginalized communities and children with special needs.²⁸

Several initiatives have been taken by the govt. for implementation of inclusive education in the country. In the recent past two such initiatives were taken by govt. of Punjab. Punjab inclusive education project (PIEP) was launched in 2014 in two districts of south Punjab and the Punjab education foundation's inclusive voucher schemes started in 2016 in six districts of the province. The major challenges faced included training of teachers, availability of required adaptations, and mostly the administrative ownership of the project. Inclusive education projects were launched in the school education department but administrating responsibilities vested with the special education department.²⁹ Research indicates that teachers working in inclusive classrooms in Pakistan consider modifications in the assessment and grading

system the most difficult. At times, the strict policies of regular schools regarding methods of assessing learning make inclusion more difficult.³⁰

We are still lacking orientation and training of inclusive education in Pre-service & in-service training of regular school teachers (action 6.5). Chaudry (2019) indicated in her study that a major barrier to the successful inclusion of students with neurodiversity is teacher training, both pre-service and in-service. If they are equipped with proper teaching strategies, outlook and have access to appropriate resources, students with special needs can more successfully be included in regular classrooms.³¹

As for the accessible physical structure of school buildings is concerned (action 6.7), guidelines exist but it is a common observation that many most private and public school buildings are not accessible for children with disabilities. The long-term goal under this area of action recommended “at least one inclusive education unit per union council”, we are far from reaching this goal by 2025.

Women with disabilities (action 7):

Women with disabilities still face double challenges for being women and also PWDs. There has been a gradual increase in awareness and voicing of the rights of women with disabilities.³² It was stressed in NPA that women role models should be portrayed through media to create a positive image of women with disabilities (action 7.2). We do see some good examples such as Muniba Mazari, Abia Akram, and Zahida Qureshi³³ who are working as activists and being portrayed very positively by mainstream and social media.

Vocational training, employment & economic rehabilitation (Action 9):

It was recommended in NPA that more vocational training opportunities should be created for persons with disabilities. Sajjad et. al. discovered in their study that very few schools were offering vocational training to students with special needs in Karachi, mostly focus was only on developing pre-vocational skills and there was a lack of standardized curriculum for vocational training.³⁴ At govt. level different organizations such as technical education and vocational training authority (TEVTA) provide technical education, although there is a fixed quota for persons with disabilities, yet unavailability of trained staff and lack of physical accessibility makes it difficult for PWDs to avail such training opportunities.³⁵

The government has announced a 3% quota in jobs for persons with disabilities.³⁶ A common observation, however, is that employers hesitate in hiring a PWD as an employee out of fear that they may not be able to

work as efficiently as other typical workers and prefer to pay the financial penalty instead. The awareness component has not been worked upon rigorously.³⁷ Women with disabilities report that they face constraints in accessibility and in-service training while being employed.³⁸ Arsh and colleagues (2019) found out in their study that in KPK no department was fulfilling the required 2% quota of job opportunities for persons with disabilities, mostly persons with disabilities are hired in the education department (0.68%) and agriculture and livestock department 90.48%).³⁹

It was recommended that the Annual labor force survey should include data on PWDs (action 9.20) but the labor force survey of 2018 -19 and prior surveys, do not include persons with disabilities; only statistics regarding occupational injury cases are provided.⁴⁰

Barrier-free physical environment (action 12)

In response to NPA "The Accessibility Code Pakistan, 2006" was developed by the Directorate general of special education. It's a very good document that provides guidelines for a barrier-free environment & buildings. The accessibility code of Pakistan was developed and enacted in response to requirements mentioned in National Policy for PWDs and NPA. In big cities awareness regarding accessible buildings is gradually improving but in periphery and rural areas it remains a big challenge.⁴¹

Support to the NGOs (action 16):

Action 16 included establishing an autonomous board for funding NGOs and enabling good stature NGOs to train small community-based organizations (CBOs). In Punjab, Punjab Welfare Trust for Disabled is playing quite an active role in this regard but nationally such coordinated efforts are not seen.⁴²

Linkages at federal, provincial, and district levels (action 17):

Concerned line ministries and departments are mentioned against every short-term and long-term goal. But it does not describe which ministry will have the ownership or should be responsible for the initiation of the task e.g. prevention (action 2) and early identification of disability (action 3) are relevant to the health ministry, but we do not see any mechanism how these collaborated efforts will be initiated and carried out. Another important aspect is the funding of actions, it is mentioned that inter-sectoral collaboration and funding from multiple sources will be required but we cannot see any clear explanation about who will fund the specific actions and under what mechanism this fund allocation will be done.

Inherent Biases in NPPWDs and NPA:

We can see that in every society, social services and resources are not equally distributed. Certain biases and hierarchies place certain segments of society higher than others. BIAS FREE framework was used to identify inherent biases in National Policy for PWDs and NPA. BIAS FREE stands for "Building an Integrative Analytical System for Recognizing and Eliminating in-Equities". The system is based on a three-dimensional matrix. Basically, three types of problems are studied:

H: Maintaining an existing hierarchy

F: Failing to examine differences

D: Using double standards

Overall National Policy for PWDs and NPA indicate the following inherent biased based on the Bias-Free framework:

H3 or Dominant Perspective is inherent in the very basic design of the Policy as all the deliberations and decision-making has been done by the dominant typical or normal population with a very little if not any representation of the concerned population i.e. persons with disabilities (PWDs).

H4 or Pathologization is functioning when the definition of disability is provided in National Policy for PWDs. All focus is on the "disability" of PWDs because they differ from the normative behavior of the majority of the population while no attention is laid on environmental constraints that limit mobility and accessibility. Action 1.1 "using ICF for measuring disabilities" and Action 5.1 "criteria for classifying disability in four categories" are a few examples of H4 type of bias as the major focus is laid on classification, identification of causes of disabilities, and trying to fix disability.

F1 or insensitivity seems to be functioning when action 9.13; "5% quota in existing mainstream vocational training programs" is recommended without realizing the fact that the physical environment and training material needs to be adapted in order to be made accessible for all users.

D1 or overt double standards seem to be working when, concession in bus fares, quota in employment, and other special treatments are mentioned.

D6 or stereotyping is working when we observe a generalized perspective adopted in both documents that PWDs should be "Helped and facilitated" and they should be "taught to realize their rights".

Recommendations

Based on the study following recommendations are made:

- There has been a paradigm shift in the way disability is defined (UNCRC, 2006), therefore the way disability is defined should be revised.
- Words play important role in forming ideas, therefore terminology used in policy and NPA should be revised.
- After the 18th amendment to the constitution and devolution of powers to provinces, many recommendations of NPA require reviewing.
- Social media was not that much active when National Policy for PWDs and NPA was formulated, further strategies could be adopted to achieve desirable results regarding awareness and advocacy.
- Electronic media is now far more active and has a wider range of audiences. Public and private sector channels should be utilized to promote awareness about disability and also to promulgate the rights of persons with disabilities.
- All big corporate houses have their "Corporate social responsibility programs", these programs could be used to raise awareness about the capabilities of PWDs in the corporate sector.

Conclusion

The legislative cover is now available for a few recommendations; these legislations are either result of direct implementation on NPA while few developments are indirect. A reasonable number of objectives remain unachieved.

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