

EQUALITY COMMISSION FOR NORTHERN IRELAND

Response to the Department for Infrastructure [Consultation on the Active Travel Delivery Plan](#)

Executive Summary

- i. The Equality Commission for Northern Ireland (the Commission) welcomes the opportunity to respond to the Department for Infrastructure ('the Department') public consultation on their active travel plan.
- ii. The Commission broadly welcomes the proposals and note that they appear to be consistent with State Party obligations under the UN Convention of Rights of People with Disabilities.
- iii. The Commission recommend that:
 - the Department maintains a commitment to engage with stakeholders throughout the development and delivery stages of these plans.
 - Closely consider any recommendations made by The Inclusive Mobility and Transport Advisory Committee (IMTAC) IMTAC in relation to their plans.

1 Public Policy Comments

- 1.1 The Equality Commission for Northern Ireland (the Commission)¹ welcomes the opportunity to respond to the Department for Infrastructure ('the Department') public consultation on their active travel plan.
- 1.2 The Commission note that the plan sets out details regarding how the Department intends to meet their commitment to developing and maintaining the infrastructure that helps to make active travel journeys² safe and enjoyable.
- 1.3 The Department have outlined a range of potential health, social, environmental and economic benefits. They also note that active travel plays a role in promoting social equality and inclusivity by giving accessible travel options to people who cannot drive or do not have access to a car.
- 1.4 The Commission broadly welcomes the proposals and note that they appear to be consistent with State Party obligations under the UN Convention of Rights of People with Disabilities.

United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

- 1.5 Accessible active travel has relevance to a range rights outlined in the UNCRPD, including the right to be involved in decision making processes regarding the development and implementation of active travel options (Article 4.3), the right to equal access (Article 9), the right to live independently and be included in the community (Article 19); the right to health (Article 25) and the right to Participation in cultural life, recreation, leisure and sport (Article 30). **See appendix 2 for further detail.**

Proposed Actions

- 1.6 The Commission has no specific comments or recommendations in relation to the overall plan or each of the regional delivery plans.

¹ See Appendix 1 for details of the Commission's role and responsibilities.

² Travelling by physically active means such as walking, wheeling, or cycling".

Engagement with Stakeholders

- 1.7 The Commission recommend that the Department maintains a commitment to engage with stakeholders throughout the development and delivery stages of these plans. This should include accessible and collaborative engagement with all Section 75 groups, including people with Disabilities.

The Inclusive Mobility and Transport Advisory Committee

- 1.8 The Commission note that the Department has been liaising with The Inclusive Mobility and Transport Advisory Committee (IMTAC)³ on their active travel plans. We recommend that the Department closely consider any recommendations made by IMTAC in relation to their plans.

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³ The Inclusive Mobility and Transport Advisory Committee (IMTAC) is a committee of disabled people and older people as well as others including key transport professionals. The role of the Committee is to advise Government and others in Northern Ireland on issues that affect the mobility of Deaf people, disabled people and older people

Appendix 1

The Equality Commission Northern Ireland

The Equality Commission for Northern Ireland (the Commission) is an independent non-departmental public body established under the Northern Ireland Act 1998. We have a statutory remit to:

- promote equality of opportunity and affirmative action;
- work towards the elimination of unlawful discrimination and harassment;
- keep relevant legislation under review;
- promote good relations between persons of different racial groups and good disability practice;
- oversee the effectiveness of statutory equality and good relations duties on public authorities.

The Commission and the NI Human Rights Commission form the 'Independent Mechanism for Northern Ireland' (IMNI) which is tasked, under Article 33.2 of the [UN Convention on the Rights of Persons with Disabilities](#), with promoting, protecting and monitoring implementation of the Convention in Northern Ireland. Together with the Equality and Human Rights Commission (GB) and Scottish Human Rights Commission we form the United Kingdom's Independent Mechanism (UKIM).⁴

This response draws on our work across a range of policy areas including that derived from our role as part of the 'Independent Mechanism' in Northern Ireland as well as our work to promote equality and ensure the effectiveness of the Section 75 duties.⁵

⁴ For further information on the Convention see: <https://www.equalityni.org/uncrpd/>

⁵ Our powers and duties derive from a number of statutes which have been enacted over the last decades, providing protection against discrimination on the grounds of age, disability, race, religion and political opinion, sex and sexual orientation. We also have responsibilities arising from the Northern Ireland Act 1998 in respect of the statutory equality and good relations duties.

Appendix 2

UNCRPD Obligations

1.9 **Article 4.3** of the UNCRPD requires that In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.⁶

1.10 **Article 9** of the UNCRPD addresses the issue of Accessibility and states that:

To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, and to other facilities and services open or provided to the public, both in urban and in rural areas.

These measures, which shall include the identification and elimination of obstacles and barriers to accessibility, shall apply to, inter alia: a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces.⁷

1.11 **Article 19** of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) requires State Parties to recognize that persons with disabilities have the right to live independently and be included in the community.

1.12 State Parties to the Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities

⁶ [Article 4 - General obligations](#)

⁷ [Article 9 - Accessibility](#)

of this right and their full inclusion and participation in the community, including by ensuring that:

- Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;
- Persons with disabilities have access to a range of in-home, residential and other community support services.⁸

1.13 The UNCRPD Committee’s General Comment No. 5 on living independently and being included in the community, notes that: “Programmes and entitlements to support living independently in the community must cover disability-related costs.”

1.14 **Article 25** of the Convention requires State Parties to recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability.⁹

1.15 **Article 28** requires State Parties to recognize that persons with disabilities have the right to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.¹⁰

1.16 **Article 30** requires States Parties to recognize the right of persons with disabilities to take part on an equal basis with others in cultural life, and to take all appropriate measures to ensure that persons with disabilities enjoy access to recreational, leisure and sporting activities and places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services.¹¹

⁸ [Article 19 - Living independently and being included in the community](#)

⁹ [Article 25 - Health](#)

¹⁰ [Article 28 - Adequate standard of living and social protection](#)

¹¹ [Article 30 - Participation in cultural life, recreation, leisure and sport](#)