



United Nations Convention on the Rights of Persons with Disabilities

Convention on the Rights of Persons with Disabilities (CRPD) Joint Committee

Minutes of Tenth Meeting - 4 December 2014

- Present:** Christine Collins (CC) (NIHRC – Commissioner)
(Chair)
Stella Burnside (SB) (ECNI – Commissioner)
Murray Watt (MW) (ECNI – Commissioner)
- In attendance:** Virginia McVea (VM) (NIHRC – Chief Executive)
Colin Caughey (CC) (NIHRC)
Deborah Howe (DH) (ECNI)
Darren McKinstry (DM) (ECNI)
Paul Noonan (PN) (ECNI)
- Apologies:** Paul Yam (PY) (NIHRC – Commissioner)
David Russell (DR) (NIHRC – Deputy Director)
Evelyn Collins (EC) (ECNI – Chief Executive)

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| <p>1.0</p> | <p>Welcome, Introductions and Overview</p> <ul style="list-style-type: none"> Minutes of the last meeting of 19th November 2013 and actions arising (Chair) | <p>CRPD/13/2/1</p> |
| | <p>The minutes of the meeting held on 19 November 2013 were then adopted.</p> <p>Under matters arising it was noted that the UK Independent Mechanism had made a submission to the UNCRPD Committee’s consultation on Article 12. It was further noted that a General Comment on Article 12 had now been published. In September 2014 IMNI provided advice on a draft Mental Capacity Bill on the basis of the Committee’s interpretation of Article 12 within the General Comment.</p> <p>IMNI noted discussions amongst national human rights institutions throughout Europe regarding compliance with Article 12 and noted developments in the Republic of Ireland</p> <p>It was agreed that IMNI should discuss the scope of Article 12 GC 1 with UKIM / NHRI colleagues; and consider holding an event to consider developments in Ireland regarding mental capacity and decision making; and the focus of Article 12 and its effective implementation. The potential for participation of academics from NUI Galway should be investigated.</p> <p>On a related matter VM reported that the NIHRC had been asked to submit evidence to the Northern Ireland High Court on the inherent jurisdiction of the Mental Health Review Tribunal to authorise the detention of individuals.</p> | <p>CC/VM to consider further and discuss with interested parties</p> <p>VM to share submission once available</p> |

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| 2.0 | Update on Key Areas of Work | |
| 2.1 | State Party Implementation and Monitoring | CRPD/13/2/2 |
| | <p>Monitoring Implementation of the UNCRPD in NI</p> <p>It was noted that the anticipated timeframe for the UNCRPD Committee’s examination of the UK had been delayed by at least one year. It was noted that both Commissions had informed civil society of this delay. It was agreed that once clarity was provided on the timeframe for examination a formal announcement should be provided.</p> <p><i>NI Disability Strategy</i></p> <p>PN updated on the NI Disability Strategy, noting that an anticipated annual report was yet to be published. In addition PN reported on delays in the development of indicators with a consultation paper having been launched in November 2014.</p> <p>It was noted that there had been significant changes in the OFMdfm staff team responsible for the Disability Strategy. It was agreed that officers would give consideration as to how best to use context of UKIM / /IMNI releases (See text further below); imminent disability strategy progress report; and current indicators consultation - to engage with new OFMDFM Disability staff</p> <p><i>Jurisdictional (State Party) Reporting</i></p> <p>It was noted that, in the context of UN Committee delays, the IMNI NI Jurisdictional Parallel Report has been published as a working paper in July 2014.</p> | <p>DR/CC/PN to consider</p> <p>PN/CC to develop submission to OFMdfm consultation</p> <p>PN to make contact with officials.</p> |

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| | <p>It was noted that the UKIM ‘List of Issues’ Report was in its final stages and, in the context of UN Committee delays, would be published as an interim version, alongside an easy read and BSL video in the coming days.</p> <p>It was noted that these reports had already been made available to UNCRPD Committee experts to inform their evolving thinking and that officers would continue to promote the Reports in their work both domestically and internationally.</p> <p>It was agreed that IMNI would continue with its co-ordinated approach of disseminating outputs; as well as latest information / understanding regarding UN Committee timelines for examination of UK SP report.</p> <p>As before, this dissemination to be combined with engagement / awareness raising with stakeholders, OFMDFM, elected officials etc</p> | <p>DH – Short update to be prepared for stakeholders advising of UKIM / IMNI ‘Issue’ reports.</p> <p>Consideration to be given to next steps in ongoing engagement</p> |
| 2.3 | Research and Policy Update (DM/CC) | CRPD/13/2/3 |
| | <p>CC referred Committee members to a range of responses to policy consultations undertaken by ECNI, NIHRC and IMNI, in order to reinforce the implementation of the CRPD in the development of public policy in Northern Ireland, including:</p> <ul style="list-style-type: none"> • OFMDFM: Delivering Social Change for Children and Young People (NIHRC) (May 2013); | |

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| | <ul style="list-style-type: none"> • Department for Employment and Learning (DEL) and Department of Enterprise Trade and Investment's (DETI) consultation on "Enabling Success": A New Strategic Framework to Tackle Economic Inactivity in Northern Ireland – Driving Social Change Through Economic Participation 'Enabling Success Economic Inactivity Strategy' (ECNI) (April 2014); • DoJNI: Public Consultation on the Draft Strategy on Stopping Domestic and Sexual Violence and Abuse in Northern Ireland, 2013-2020 (NIHRC) (April 2014); • Department for Health, Social Services and Public Safety and Department of Justice: Proposals for new Mental Capacity Legislation (IMNI) (September 2014); • Department for Health, Social Services and Public Safety: Consultation on Nursing Home Standards (NIHRC) (October 2014); • OFMDFM NI Assembly Committee Inquiry on Building a United Community (NIHRC) (October 2014) <p>CC advised that the NIHRC had sought to integrate UNCRPD considerations throughout its policy work.</p> | |
| 2.4 | Engagement Activities (DM) | CRPD/13/2/4 |

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| <p>With regards to wider coordination, it was suggested that each organisation could respectively share updates with, and from, relevant umbrella organisations – Equinet and ENNHRI</p> <p>DM provided an update on the work of Equinet and CC provided an update on the ENNHRI UNCRPD Working Group. It was noted that both fora provided an opportunity for learning from the experiences of other jurisdictions.</p> <p>NIHRC: Accident and Emergency Inquiry</p> <p>VM provided an update on the NIHRC’s Inquiry into Accident and Emergency services. VM reported that recommendations emerging from the A & E inquiry were likely to have specific implications for disabled persons. Thus providing an evidence base upon which IMNI could develop a programme of engagement relating to the health and social care system.</p> <p>VM further reported that the NIHRC had identified that a disproportionately low number of persons with a disability make complaints to the NI Ombudsman, who has responsibility for receiving complaints relating to maladministration, inter alia, in the health and social care system. It was noted that the NIHRC had recently completed a Service Level Agreement with the NI Ombudsman which resulted in the development of a manual on how to adopt a human rights based approach to the Ombudsman’s complaint handling and investigations processes.</p> <p>OHCHR Training - to raise key officials / members awareness and understanding of</p> | <p>DM to share current Equinet survey on EU Disability Strategy</p> <p>VM/CC to report on findings of the A& E Inquiry once report is finalised.</p> <p>VM/ CC to consider any next steps in the context of ongoing business planning</p> |
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| | <p>UNCRPD</p> <p>PN reported on discussions with the OHCHR regarding the possibility of training being provided on the UNCRPD in NI by the OHCHR European section. It was noted that there was a particular need for training on the UNCRPD for elected officials in NI. Politics Plus, an organisation which provides training to elected officials, was identified as a potential partner organisation for such training. In addition it was noted that a member of the UNCRPD Committee, Ms Safak Pavey, is a member of the Turkish Parliament. IMNI considered that the potential for Ms Pavey to contribute a peer-to-peer aspect of the training should be considered.</p> <p>Engagement with State Party</p> <p>Further consideration to be given to the potential involvement of IMNI Committee members in engagement with the State Party.</p> <p>Consideration also to be given to how officer level meetings can work to raise awareness / encourage actions within relevant departmental remits to address key shortfalls.</p> | <p>PN to continue liaison with OHCHR</p> <p>Consideration to be given in context of key issues arising from List of Issue considerations</p> |
| 3.0 | Dates of next meetings | |
| | <p>It was agreed that the next meetings of the Joint Committee would take place in late February 2015, exact date to be confirmed.</p> | <p>Respective secretariats to coordinate, and then seek to confirm, dates.</p> |