



## IMNI Joint Committee Meeting

### Note of the Meeting – 9<sup>th</sup> December 2022 – via tele-conference

IMNI Commissioners:

Ellen Finlay – ECNI (Chair)  
Helen Henderson (HH) – NIHRC

In Attendance:

NIHRC Officers:

Colin Caughey (CC)  
Lauren Shaw (LS)  
Clare McCann (CM)

ECNI Officers:

Evelyn Collins (EC)  
Darren McKinstry (DM)  
Paul Noonan (BD)  
Brian Drury (BD)

Apologies:

IMNI Commissioners:

Steven White – NIHRC  
Sheena McKinney – ECNI (Meeting date had been chosen in the context that it did not suit all Commissioners, specifically Sheena)

## **1 Welcome, Minutes & Matters Arising**

- 1.1 The Chair welcomed everyone, invited participants to introduce themselves and acknowledged apologies noted on page 1.
- 1.2 The minutes of the previous meeting were agreed.
- 1.3 The Chair invited IMNI officers to advise on actions noted in the minutes of the previous meeting:
  - NIHRC Officers confirmed that an invitation to the NI Sport and Human Rights Forum (4<sup>th</sup> May) had been circulated to IMNI Commissioners and the IMNI Forum.

## **2 Update on Key Areas of CRPD work**

### ***UK State Party Examination & 2016 Inquiry Update***

- 2.1 IMNI officers provided an update the UK State Party Examination schedule. The UNCRPD Committee had confirmed that the scheduled UK State party examination would be delayed, potentially by a number of years, due to a significant backlog of examination, including arising from the COVID crisis.
- 2.2 IMNI officers advised that the UNCRPD Committee have confirmed that in lieu of a full examination, the Committee would be undertaking a review in relation to progress by the UK Government to address recommendations made in their 2016 State Party Inquiry.
- 2.3 The date for this review is scheduled to be the 29th session of the Committee from 14th August 2023. The deadline for written submissions will be the 31st July. The procedure for input is not yet finalised.
- 2.4 The Independent Monitoring Mechanism intends to submit independent evidence to inform the Committee's deliberations, in line with our mandate. We will engage and involve disabled people and their organisations in this process.

- 2.5 IMNI officers also advised that IMNI are currently engaging with the other members of UKIM to agree ways of working and adopting a consistent approach to submissions to the UNCRPD Committee from each region.
- 2.6 In discussion, the importance of establishing clear forms of engagement, ways of influencing the Committee and reminding Government of their ongoing responsibilities was emphasised.

### ***Engagement with DfC & Disability Strategy***

- 2.7 IMNI officers advised that meetings and progression of work by the co-design group has been paused until a new NI Assembly is in place. IMNI met with DfC Officials in July to discuss developments and to seek an update on their plans to follow up on the UN Committee's recommendation relating to welfare reform. DfC indicated their current working view that disability legislative reform was unlikely to be progressed in stage one of the strategy.
- 2.8 In discussion, IMNI Officers confirmed that the draft strategy had been involved stakeholder input, but that both IMNI and DPOs had raised concerns about the limited scope to refine the strategy beyond making providing suggestions for input. IMNI have highlighted a number of priority issues that should be addressed in the Strategy. It is likely that in the absence of a Minister Officials will be reluctant to share a revised draft, and there is the risk, following the appointment of a Minister, that the Strategy could proceed to consultation without the co-design group having the opportunity to comment on/ suggest refinement to a substantive draft.
- 2.9 IMNI Officers also highlighted the lack of progress towards developing the proposed DfC Regional Disability Forum that has been in discussion for over 5 years. IMNI is monitoring this closely and it was noted that it is crucial that a mechanism is established for disabled people to engage directly with Government.
- 2.10 **Action:** It was agreed that IMNI would consider inviting DfC Officials to attend the next IMNI Forum Meeting to update IMNI and stakeholders on progress.

### 3 Papers for Information

- 3.1 The Chair highlighted the two papers that had been circulated in advance of the meeting.

#### ***Stakeholder Involvement and Engagement Activities***

- 3.2 Members discussed the paper and raised key points. It was noted that a concern raised during the recent Disability Forum concerned the potential absence of clear pathways for access to justice for people in residential care settings. It was noted that NIHRC have raised concerns in past and that both Commissions will be responding to the consultation on the closure of Muckamore Abbey Hospital. A combined response on key aspects is also under active consideration.
- 3.3 NIHRC are considering work in this area, building on COVID-19 access concerns. NIHRC officers noted that they would likely wish to consider wider frameworks, including the role of the Regulation & Quality Improvement Authority (RQIA) and The Patient Client Council (PCC).
- 3.4 The importance was also noted of ensuring that people with disabilities are afforded a voice in the relation to the implementation of recommendations from the Gillian Review. It was also suggested that some work should also be undertaken to consider how people with disabilities are treated travelling through criminal justice system.
- 3.5 **Action:** NIHRC officers indicated that they would undertake some background research and prepare a short paper - including on how individuals can raise complaints and which is the most appropriate State oversight body to address them. This will be presented at the next meeting of the IMNI Joint Committee.
- 3.6 Members were advised that ECNI recently supported a disability discrimination case that won at court of appeal. The point of clarification arising from this outcome will extend the definition of DDA more broadly in the context of autism. Further detail would be included in the update to the next IMNI-JC

#### ***Disability Related Policy, Advice and Research Update***

- 3.7 Members discussed the paper and raised key points. On Brexit, members were updated that ECNI / NIHRC have now received an response from Steve Baker (Minister of State for Northern Ireland) to

their letter (para point 2.14 of the paper) which had sought an update on recommendations set out in our July 2022 joint annual report on the implementation of Protocol Article 2 (2021 – 2022). In the response, the Minister committed to seek long term solutions to recommendations in the report, either through negotiation with the EU or via the Protocol Bill. Further detail would be included in the update to the next IMNI-JC

- 3.8 Discussion included a focus on any developments in addressing the gap between closure of EU Funding and the introduction of the UK Shared Prosperity Funding. It was noted that many organisations may not access sufficient funds and that many staff will, as a minimum, be placed on protective notice from the New Year onwards, with potential detrimental impacts on organisations, employees and service users. ECNI noted local Departments appeared to share ECNI / NIHRC concerns. ECNI were corresponding on this matter and hoped to be able to provide an update soon.
- 3.9 Members wished to record their appreciation and thank staff for the wide range of work undertaken by Officers across both Commissions over the period, including to prepare detailed reports in a timely manner for these meetings.

## 4 Any Other Business

- 4.1 None Identified.

## 5 Date of Next Meeting

- 5.1 IMNI Officers will consider best timing aligned to business need / external factors (including timing of CRPD Inquiry update and related IMNI stakeholder engagement). Timing is likely to be February or May 2023.
- 5.2 **Action:** IMNI officers to confirm date of next meeting.