



Independent Mechanism for Northern Ireland

Stakeholder Disability Forum

Minutes of Inaugural Meeting

4 March 2021: 11:30am – 13:30pm

Via tele-conference

Present:

Dr Bronagh Byrne
Alison Lockhart (IMTAC)
Michael Lorimer (Omnibus Partnership)
Majella McAteer (BDA)
Eithne Gilligan (Age NI)
Ellen Finlay (Children in Northern Ireland)
Julie Larmour-Knight (Mindwise)
Stephen Browne (MENCAP)
Ronald Patterson (MENCAP)
Gillian Clifford (RNIB)

In attendance:

Stephen Mathew (Commissioner ECNI) – Chair
June Best (Commissioner ECNI)
Helen Henderson (Commissioner NIHRC)
Stephen White (NIHRC Commissioners)*
Darren McKinstry (ECNI)
Paul Noonan (ECNI)
Brian Drury (ECNI)
Rhyannon Blythe (NIHRC)
Sarah Simms (NIHRC)
Heather (BSL Interpreter)
Rosemary Budd (BSL Interpreter)

Apologies:

Bill Riddal (CLNI); Tony O'Reilly (NWFPD).

Welcome/introductions

- 1.1 The Chair welcomed members to the inaugural meeting of the Forum and thanked them for their involvement.
- 1.2 The Chair advised members that if there are any technical issues, or need for further reasonable adjustments, they should not hesitate to raise.
- 1.3 The Chair outlined that the IMNI Disability Forum will advise and assist IMNI to deliver its Article 33 independent monitoring role. The Forum will also inform wider engagement to support and challenge Government to give effect to the UNCRPD in Northern Ireland.

The format of the Forum had been developed following engagement with Disabled people, in support of requirements set out in in the UN Convention on the Rights of Persons with Disabilities - Articles 4.3 and 33.3, elaborated upon in the UNCRPD Committee's General Comment No.7 - to formally involve persons with disabilities and their representative organisations in the monitoring of the implementation of the Convention.

- 1.4 The Independent Mechanism hoped that the work of the Forum will lead to closer and more effective collaboration between IMNI and the disability equality sector, leading towards increasing realisation of UNCRPD rights in Northern Ireland;
- 1.5 Chair invited attendees to introduce themselves with a word about their respective organisations and the individuals they represent.

Remit of Forum & Overview of Process for Election of Chair

- 2.1 Agenda items 2 & 3 were taken together.
- 2.2 Darren McKinstry (ECNI) set out that the IMNI Forum was not in replacement for the involvement of disabled people in the work of Government and the creation of the DfC Disability Forum.

The focus of the IMNI Forum was to assist IMNI in their work to fulfil the CRPD Article 33 independent monitoring role; and to co-ordinate engagement to support and challenging the UK Government, NI

- Executive, Department for Communities (DfC) and wider Ministers, and departmental officials to give effect to the CRPD in Northern Ireland.
- 2.3 Underpinning this focus were aims to monitor the UNCRPD; support and challenge government; understand, promote and raise awareness of the UNCRPD, associated rights and responsibilities, and key reports and findings; and build mutual capacity and wider engagement. It was also highlighted that the work of the Forum would take account of CRPD examinations phases – seeking both to inform examinations and to encourage implementation of resulting Concluding Observations.
- 2.4 With regards to appointment of a Chair, it was noted that it was intended to request DPO nominees for the end of March, allowing voting in April after the Easter break, with the intention of confirming a Chair by late April / Early May.

In response to questions regarding ensuring representation of those who are deaf or disabled, it was confirmed that best efforts had been made to secure a Forum membership that was weighted towards a majority (3/4 or higher) representation of persons with disabilities, and that based on available information it appeared that this had been achieved. It was also reaffirmed that the intention was that the IMNI Disability Forum will be chaired by a DPO representative.

3. Examination of next UK State Party Report by UNCRPD Committee

- 3.1 Sarah Simms (NIHRC) outlined key dates, anticipated timelines, and proposed actions.
- 3.2 Stakeholder submissions on the List of Issues for the United Kingdom of Great Britain and Northern Ireland should be forwarded to the Committee on the Rights of Persons with Disabilities by February 2022 i.e. one month before the adoption by the Committee of the List of Issues for the UK.
- 3.3 The date established for the submission of the 2nd and 3rd combined periodic reports by the UK State Party is July 2023. The Committee will adopt the list of issues prior to reporting during its pre-sessional working group envisaged to take place in April 2022, and request the State party's replies one year later i.e. April 2023.
- 3.4 IMNI will be making submissions at both the List of Issues and State Party examination phases. There is also an opportunity for DPOs and other interested civil society organisations to make submissions.

- 3.5 IMNI would be commencing development of its submissions in April 2021 and would be anticipating engagement with the sector on this towards the end of the year
- 3.6 Previous IMNI submissions are available on the Commissions' websites.
- 3.7 It was agreed that IMNI would send out an update on the timetable for the List of Issues and examination of the State Party.
- 3.8 Forum members highlighted a range of issues including the impact of the Covid-19 pandemic on disabled people's enjoyment of arrange of UNCRPD rights including participation in planning for and responding to the humanitarian emergency situation which arose (Article 11 UNCRPD).
- 3.9 Darren McKinstry (ECNI) requested that any members considering submissions to the UNCRPD Committee would share details with the Forum.

4. Mainstreaming the UNCRPD into the Programme for Government

- 4.1 In addition to a focus on the immediate and longer term impacts of COVID-19, Paul Noonan (ECNI) noted the importance of action to give full effect to the UNCRPD; deliver law reform; raise awareness and tackle prejudice; promote participation in public life: remove access barriers; address key inequalities across education, employment and housing; advance independent living; ensure the provision of appropriate support for people who have reduced capacity for decision-making; co-ordinate cross-departmental actions; and improve data collection and analysis to enhance public services.
- 4.2 Rhyannon Blythe (NIHRC) advised that the Human Rights Commission would taking a human-rights based approach to its response to the consultation.
- 4.3 Forum members expressed concern that actions to advance disability rights and obligations appeared under the 'caring society' rather than under the 'equal and Inclusive society' outcome, representing a medical-model approach rather than a social and/or human rights model based on the rights outlined in the UN Convention on the Rights of Persons with Disabilities.

5. **Mainstreaming the UNCRPD into the Disability Strategy**

5.1 Paul Noonan outlined a number of interventions to promote UNCRPD rights made as an ECNI representative on the Disability Strategy Co-Design Group including:

- Informal contact with the Expert Panel to raise issues around legislative reform, social protection and incorporation of the Convention whilst their report was being drafted;
- The vital need for a data development agenda as part of the Strategy to meet the requirements of Article 31 UNCRPD;
- The UNCRPD Committee's endorsement of 'Strengthening Protection for Disabled People'. Establishing that setting the appropriate standard for reform of disability equality law must meet the requirements of Article 5 UNCRPD i.e. the prohibition of all forms of discrimination and the human rights indicators for monitoring the Convention set by the UN Office of the High Commissioner for Human Rights;
- The need for a principles based approach to the provision of social security, based on the Scottish model, which recognises such provision as a human right and which places the dignity of claimants at its core.
- Sarah Simms outlined number of issues raised by NIHRC at the Disability Strategy Co-Design Group:

5.2 The Chair invited participants to share any key observations from DfC process to date and make suggestions as to how Forum members might best support and challenge Department for Communities to give effect to CRPD obligations in the design and delivery of the strategy. A range of issues were highlighted, including:

- Officials were planning to talk to children with disabilities, without having the necessary facilitation skills to do so;
- Concerns about the direction of travel – when proposals were put to officials, they responded by trying to dampen down expectations by advising that proposals must be realistic and achievable;

- Encouraging the expert panel to reference the UNCRPD only in the introduction to their report, rather than mainstreaming the Convention throughout the report;
- The need to embed other human rights treaties in the Convention;
- A question was raised as to how the Disability Strategy could be rights-based if the overall approach of the Executive to social policy was not rights based;
- That meetings of the Co-Design Group were being convened before the Group had sight the Expert Panel's final report;
- The need to put the final Expert Panel's report in the public domain;
- The different approaches taken by the Expert Panels for the other social strategies.

6. Training needs of Forum members

6.1 Based on the meeting discussion, it was suggested that focussed primer sessions might be of most benefit. For members who bring a diverse range of expertise and experience to the Forum, these would provide a common shared bedrock to inform or assist actions. Topics proposed included:

- Primer on CRPD and CRPD Examination phases - the benefits of engaging with the CRPD and how to do so (in the coming months).
- Key CRPD Obligations and Concluding Observations - that could be used to shape input to the PfG implementation; Disability Strategy; and other work of government.
- Bringing the CRPD to life. Practical examples of how it can help drive change / hold government to account (Complaints, Inquiries, Examinations and Concluding Observations)
- - CRPD General Comment No. 7 (on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention) - what it is and how we might ensure Government mainstream and implement.

6.2 Forum members to make any additional suggestions for training to IMNI (preferably by email).

7. A.O.B

7.1 None were advised

8. Conclusion / Summary

8.1 The Chair thanked participants for involvement and attendance and noted the importance of IMNI Forum in helping to realise CRPD Rights in Northern Ireland.

8.2 Following the meeting, IMNI will:

- compile a short note of key points and actions;
- be in contact regarding nomination of Chair and obtaining organisational; bios for inclusion on IMNI Forum webpage;
- provide any updates on CRPD examination timeline as obtained.

8.3 Will all likely be in rolling contact with regards to PfG, DfC Disability strategy and wider strategies.

8.4 Next meeting date to be confirmed (likely end of summer, ahead of any DfC engagement on draft Disability Strategy, but possibly sooner if needs require.

ANNEX:

FORUM MEMBERSHIP

Inclusive Mobility Transport Advisory Committee, DPLO (Alison Lockhart)

Centre for Independent Living NI, DPLO (Bill Riddall)

North West Forum of Persons with Disabilities, DPLO (Tony O'Reilly)

Omnibus Partnership, DPLO (Michael Lorimer)

British Deaf Association, DPLO (Majella McAteer)

Age NI (Eithne Gilligan)

Children in Northern Ireland (Ellen Finlay)

Mindwise / Together for You (Julie Larmour-Knight)

MENCAP (Stephen Browne)

Royal National Institute for the Blind (Gillian Clifford)

Dr Bronagh Byrne (individual)

Disability Action have been invited to nominate a representative to join the Forum but have yet to formally respond