



**Comments from Imtac on the Programme for
Government Draft Outcomes Framework
(consultation document)**

(March 2021)

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About Imtac

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. Its role is to advise Government and others in Northern Ireland on issues that affect the mobility of older people and disabled people.

The aim of Imtac is to ensure that disabled people and older people have the same opportunities as everyone else to travel when and where they want.

Imtac receives support from the Department for Infrastructure (herein after referred to as the Department).

Introduction

In making its comments on the PfG Draft Outcomes Framework Imtac have assessed the proposals against three criteria. Firstly, does the Outcomes Framework adequately address the discrimination and inequalities experienced by Deaf people, disabled people and older people in Northern Ireland. Secondly, and linked to the first, does the Outcomes Framework meet the NI Executive's obligations under the United Nations Convention on the Rights of People with Disabilities (UNCRPD). Thirdly, does the Outcomes Framework draw favourable comparison with similar outcome-based approaches in other jurisdictions, notably Scotland.

The Committee has noted a comment made by Paul Given MLA during his opening remarks¹ in proposing the Severe Fetal Impairment Abortion (amendment) Bill at Parliament buildings on the 15th March 2021. He said, "there is no place for disability discrimination in Northern Ireland in 2021." Of course, Imtac agrees with this statement. However, the reality is that Deaf people and disabled people living in Northern Ireland face daily discrimination in nearly every aspect of their lives. This discrimination is not the product of their impairment, but rather the product of both physical and attitudinal barriers created by a disabling society.

¹ <http://aims.niassembly.gov.uk/officialreport/report.aspx?eveDate=2021/03/15&docID=330674#3326114>

There is ample evidence of this day-to-day discrimination and inequality. Some issues such as the underrepresentation of Deaf people and disabled people in the workforce (the lowest levels in the UK), have been highlighted in the EQIA published with the Draft Outcomes Framework. The Disability Strategy Expert Advisory Panel report² provides recently published by the Department of Communities a much more comprehensive reflection of the scale of discrimination and the challenges this presents to Government in Northern Ireland.

As the UK is a signatory to the UNCRPD, Government in Northern Ireland is required³ to adopt all appropriate legislative, administrative and other measures for the implementation of the rights in the Convention. In its most recent report⁴ the UN Committee on the Rights of Persons with Disabilities has expressed concerns about grave and systemic violations of these rights in the UK (particularly but not exclusively around changes to social security provision) and the uneven implementation of the Convention by the UK Government and devolved administrations. The UN Committee were specifically critical of the Northern Ireland Government's lack of initiatives aimed at assessing and sufficiently addressing the inclusion of and living conditions for Deaf people and disabled people as well as the disparity in legal protections available to Deaf people and disabled people living in Northern Ireland compared to other parts of the United Kingdom. Northern Ireland was the only part of the UK not to receive any positive comments from the UN Committee in relation to its implementation of UNCRPD.

Imtac fully supports and endorses the recommendation of the Disability Strategy Expert panel that “the next Disability Strategy must be explicitly rights-based and act as the central tool for implementing the [UN]CRPD in Northern Ireland.” Given these documented poor past records of Government in Northern Ireland, it is essential, in the view of our Committee, that the Disability Strategy is underpinned by a very clear rights-based Programme for Government Outcome Framework.

Looking at practice elsewhere, Imtac believes the Scottish Government has set a good example of developing a rights-based framework. One the twelve outcomes which guides the current Scottish Programme for

² <https://www.communities-ni.gov.uk/system/files/publications/communities/dfc-social-inclusion-strategy-disability-expert-advisory-panel-report.pdf>

³ General obligations are contained Article 4 of UNCRPD

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<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhspCUnZhK1jU66fLQJyHIkqMIT3RDaLiqzhH8tVNxhro6S657eVNwuqlzu0xvsQUehREyYEQD%2BldQaLP31ODpRcmG35KYFtgGyAN%2BaB7cyky7>

Government⁵ is “We respect, protect and fulfil human rights and live free from discrimination.” A number of other outcomes, including the overall purpose highlights that inclusion is as important as other factors including wellbeing, sustainability and economic growth. The following extract from the most recent Programme for Government from Scotland highlights this proactive rights-based approach and, particularly important from the perspective of Imtac, explicitly recognises the disproportionate impact of COVID-19 has had on some groups in our society.

“The National Performance Framework **has promoting equality at its heart** and a National Outcome to **respect, protect and fulfil human rights**. It challenges us to ensure the needs of our most disadvantaged and marginalised communities are at the forefront as we take action to recover from COVID-19. This Government is driving an ambitious and progressive agenda to ensure equality and human rights are embedded in all we do. We know the impacts of COVID-19 have not been felt equally and it is expected ongoing economic impacts will be felt disproportionately by women, those from minority ethnic communities and disabled people. It is essential we continue to strengthen our approach to equality and human rights across Government **by listening, understanding and involving the people affected by our policies.**”

The Scottish Government’s approach provides our Committee with an inclusive benchmark with which to compare and assess the Northern Ireland Programme for Government Draft Outcomes Framework.

Comments on Draft Outcomes Framework

Overall Imtac has to express its concerns that the proposed draft Outcome Framework fails to meet the requirements of our society and our recommendations for a rights-based approach to tackling the daily discrimination faced by Deaf people, disabled people and older people in Northern Ireland. Without significant amendment to the Framework the Committee believes that the Northern Ireland Government will continue to fail to meet its obligations under UNCRPD and more importantly a specifically fail to address the inclusion and living standards of Deaf people and disabled people in Northern Ireland. Without addressing this there is further potential for Deaf People and disabled people in Northern

⁵ <https://www.gov.scot/publications/protecting-scotland-renewing-scotland-governments-programme-scotland-2020-2021/pages/3/>

Ireland to be left further behind their counterparts in other jurisdictions of the United Kingdom.

Currently the Draft Outcomes Framework specifically references “disability” in relation to care and support. This is, in the opinion of Imtac, a wholly stereotypical portrayal of Deaf people and disabled people as needy and a burden, and has no place in a modern society. The language and content of the Draft Outcomes Framework must be amended to reflect Deaf people, disabled people and older people as positive and equal contributors to Northern Ireland society. In order to achieve this Imtac recommends the following:

The outcome “We have a caring society that supports people throughout their lives” be removed altogether from the Outcomes Framework.

The outcome “We have an equal and inclusive society where everyone is valued and treated with respect” be amended to read “We have an equal and inclusive society where we respect, protect and fulfil human rights and live free from discrimination.”

References to “Disability” within the framework be changed to disabled people or people with disabilities reflecting social model language.

Significant work is also needed to amend reference to Deaf people and disabled people within the Outcomes Framework (including Key Priority Areas) to reflect the General Principles and Obligations of UNCRPD as set out in Articles 3⁶ and 4⁷.

Imtac recommends further consultation with disabled people and disabled people led organisations should take place to ensure the language within the Outcomes Framework and associated Key Priority area is inclusive, does not promote stereotypes and reflects UNCRPD obligations.

A key objective of the work of Imtac is ensuring that Government maximises the benefit of any investment it makes by embedding inclusion at the heart of policy and service design. Through a narrow and

⁶ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-3-general-principles.html>

⁷ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-4-general-obligations.html>

stereotyped view of Deaf people, disabled people and older people, the wording of the Outcomes Framework misses repeated opportunities to ensure that inclusion is at the heart of everything the Northern Ireland Executive does.

By way of example the outcome “We live and work sustainably – protecting the environment” addresses major issues of importance to Deaf people, disabled people and older people including the built environment, housing and transport. Whilst the wording of this outcome and associated priority areas rightly highlights the importance of sustainability, the Committee find it staggering that inclusivity and accessibility has been omitted. This must be rectified in the final Outcomes Framework. In order to achieve this Imtac recommends:

The outcome be reworded to read “We live in and work in communities that are inclusive and sustainable – protecting the environment”

The current text be amended to read “we need to ensure that our infrastructure is inclusive, integrated, efficient and sustainable ...”

Inclusive be added to the criteria for both the Built Environment and Housing.

The key priority “Active and Sustainable Transport” be reworded. As active travel is by definition sustainable transport this should read “Inclusive and Sustainable Transport”. The criteria for this priority should be changed to read “Promotion of access to safe, inclusive and sustainable transport.”

The Committee notes that the word inclusive appears in text under the outcome “Our economy is globally competitive, regionally balanced and carbon neutral.”

Imtac recommends that inclusive should also appear in the wording of the outcome - “Our economy is globally competitive, inclusive, regionally balanced and carbon neutral.”

The Committee notes that the wording of the Outcome “We all enjoy long, healthy active lives.” Although it may appear pedantic the

Programme for Government Outcomes must reflect the reality and long life is something no Government can guarantee.

Imtac recommends that the wording of this outcome be amended to read “We all enjoy healthy and active lives” or the simpler example from Scotland “We are healthy and active.”

The Committee is broadly content with the wording of other outcomes. However, the Committee recommends that opportunities are maximised to reinforce inclusion as a priority for the Executive in the text associated with the other Outcomes and in Key Priority Areas. This is particularly important for the following outcomes:

“Our children and young people have the best start in life” with specific reference to inclusion and SEN under each of the key priority areas.

“Everyone can reach their potential” with specific reference to inclusion and Deaf people and disabled people under each of the Key Priority areas.

“People want to live, work and visit here” with specific reference to inclusion and Deaf people and disabled people under each of the Key Priority areas.

Conclusion

The Committee notes the following section from the current consultation:

‘It is crucially important to get the wording of the Outcomes right as they will provide the starting point for future long-term strategic policy planning by the Executive and act as a touchstone for its strategies and actions moving forward. A key feature of the approach is that the design and content of work plans will be directly dependent on the contribution they make towards helping achieve one or more of the desired Outcomes within the Framework.’

As an organization of Deaf people, disabled people and older Imtac cannot be clearer in its advice that the current wording of the Outcomes and associated Key Priority Areas is not right and that if left unchanged the Executive will miss a significant opportunity to tackle the barriers that continue to exclude many people from playing an active and equal part

in our society through the PfG. The Committee has made a number of recommendations for changes it believes will help the Executive transform its approach around equality, rights and inclusion, as well as ensuring the Government here leads the way in delivering obligations under the UNCRPD. We would welcome the opportunity to work with the PfG Team in making the positive changes required.