Human Rights Act Impact Assessment Form

This form will help you to articulate any human rights issues in the policy/proposal that you are working on. It is necessary for you to have read the OFMDFM guidance on human rights entitled "Get in on the Act; a practical guide to the Human Rights Act for public authorities in Northern Ireland" before completed this form.

If the policy/proposal is relevant to some rights but does not interfere with or limit them, your assessment must be signed off by a Senior Responsible Officer (Grade 7, equivalent or above). If you find that it does interfere with or limit one, or more of the Convention rights, and your Senior Responsible Officer agrees, you must seek legal advice, even if it is considered that the interference or limitation is justified.

A template and guidance form is also available at Human rights and public authorities | The Executive Office (executiveoffice-ni.gov.uk)

Please complete the form and email it to equality@infrastructure-ni.gov.uk for quality assurance.

(Your answers in this form will also help you draft an informed note to your legal advisor.)

1. Policy title and aims

Moving Together: An Inclusive Mobility Framework

The development of Moving Together: An Inclusive Mobility Framework fulfils a commitment contained within the Department's Transport Strategy 2035 and its Equality Scheme's Disability Action Plan to develop an inclusive transport strategy focused primarily on the needs of older, d/Deaf and disabled people. The Framework sets out the mechanisms through which the Department will improve accessibility, remove barriers to travel and support safe, confident and independent mobility. It translates the high-level ambitions of Transport Strategy 2035 into a coordinated programme of actions across transport services, infrastructure, planning, investment and policy development.

The overarching purpose of the Framework is to put people at the heart of what wthe Department does by promoting inclusion. Within this context, inclusive transport means a transport system and built environment that can be accessed, understood, and used by the widest possible range of people. Our vision is that everyone, regardless of age, disability, or personal circumstance, can travel safely, confidently, independently, and with dignity to the opportunities, services, and communities that matter most to them.
The Department recognises that other groups, including women and girls, children and young people, and people of racial and ethnic minorities, can also experience barriers to travel, and some people can fall into multiple groups which can result in more complex challenges.

While the Framework focuses specifically on addressing challenges identified by older, d/Deaf, and disabled people, measures which improve the accessibility, safety, and usability of transport systems for these groups can also benefit others in our society.

2. Rights which the policy/proposal engage

Go through each of the rights detailed below. For each one consider whether the policy/proposal engages the right, ie, how the policy/proposal you are working on could involve the right. Explain how the right is engaged.

Please note that the rights have been abbreviated so you should see the relevant Article in the Guide referred to above for the full title and explanation of the right.

Article 2 Right to Life
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to life'

Article 3 Prohibition of torture, inhuman and degrading treatment
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to Prohibition of torture, inhuman and degrading treatment'.

Article 4 Prohibition of slavery and forced labour
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to prohibition of slavery and forced labour'

Article 5 Right to Liberty
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to liberty'.

Article 6 Right to a fair trail
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to a fair trial'.

Article 7 No punishment without law
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to no punishment without law'.

Article 8 right to respect for private and family life
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to respect for private and family life'.

Article 9 Freedom of thought conscience and religion
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to freedom of thought conscience and religion'.

Article 10 Freedom of expression
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to freedom of expression'.

Article 11 Freedom of assembly and association
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to freedom of assembly and association'.

Article 12 Right to marry and found a family
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to marry and found a family'.

Article 13 Prohibition of discrimination
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to prohibition of discrimination'.

Protocol 1, Article 1 Right to property
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to property'.

Protocol 1, Article 2 Right to education
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to education'.

Protocol 1, Article 3 Right to free elections
No
Explanation: The Moving Together: An Inclusive Mobility Framework will not impact on the 'Right to free elections'.

If you have answered yes to any of these questions you must complete the rest of the form. If you have answered no to **all** questions, you may proceed to Question 9.

3. Rights which the policy/proposal interferes with or limits

Will the policy/proposal interfere with or limit any of the rights you identified as being engaged? If so, explain how the right is interfered with or limited.

You should note that interference could be a negative impact on the right or a failure to take positive action where this is required under the Article in question. For further guidance on which Articles require positive action, please consult the Guide [link at the start of this form].

Article

Interfered with or limited? Yes/No [delete one]

What is the interference/limitation

4. Those affected by the interference/limitation

Identify who could be affected by the interference or limitation, eg, sections of society or people with certain beliefs or opinions, and explain how they could be affected.

It will help in identifying interferences or limitations to think about all the people who could be affected and be seen as a victim within the Human Rights Act.

Who could be affected?

How could they be affected?

5. Legal basis for interference/limitation

Is there a law which allows you to interfere with or limit the rights identified in Question 4?

Any interference with or limitation on a Convention right must have a legal basis. You therefore need to establish whether there is a law which allows the proposed interference or limitation.

You may need legal advice to clarify this.

Relevant legislation:

Alternatively, the policy/proposal may involve the creation of a new law which allows for the interference or limitation. If this is the case, please detail and explain here.

6. Purpose of the policy/proposal

Even if the interference or limitation in the policy/proposal is according to the law, there are further conditions which must be met. The purpose of the policy/proposal must pursue a legitimate aim or fall under one of the specific exceptions in the Article in question.

Consider each of the Articles which the policy/proposal will interfere with or limit, and for each one specify the exception or legitimate aim which allows the interfence or limitation and explain why.

If you are unsure of the exceptions or legitimate aims which are applicable for the rights interfered with or limited by the policy/proposal you are working on, you should refer to the text of the Convention and the Guide [link at beginning of this form].

Article

Exception / Limitation

Explanation

7. Necessary in a democratic society

Articles 8, 9, 10 and 11 specify that interference or limitations must be necessary in a democratic society. If the policy/proposal interferes with or limits one of these rights, detail below how the right is necessary in a democratic society, ie, does it fulfil a pressing social need?

You may need to speak to the Senior Responsible Officer for clarification of this.

Article affected

Explain why it is necessary in a democratic society

8. Proportionality

Any interference with or limitation on a Convention right must be proportionate, ie, the policy/proposal must interfere with or limit a right more than is absolutely necessary to achieve its aims. For each Article which the policy/proposal interferes with or limits, explain how the interference or limitation is proportionate.

For further information on proportionality please consult the Guide.

Article affected

Explain why the interference / limitation is proportionate

9. Article 14 equality issues

Even if it does not interfere with or limit a right or freedom, could the policy/proposal result in people being treated differently in relation to any of the Convention rights? Article 14 does not allow discrimination in the exercise of any of the other Convention rights.

For further information on Article 14, please refer to the relevant pages in the Guide.

Convention Article affected

Article 14 of the Human Rights Act requires that people enjoy all the rights under the Act without discrimination. Article 14 is not a freestanding right and it can only operate when another right is engaged. There is no evidence to suggest that any of the proposals would affect people's enjoyment of one or more of the other rights in the Act.

How are people treated differently?

N/A

Is this justifiable?

N/A

You should now have a clearer view about the policy/proposal and the possibility of it engaging or interfering with Convention rights and freedoms.

Please ensure that form is also signed by your Senior Responsible Officer and if there is any possible interference of limitation refer to your legal advisor for further action and advice.

Please highlight in yellow the statement that applies, and sign below.

a) The policy/proposal does not engage any Convention rights.

b) The policy/proposal does engage one or more of the Convention rights, but does not interfere with or limit it/the.

c) The policy/proposal interferes with or limits one or more Convention rights and legal advice is being sought.

Countersign, hold copy with policy papers and refer to your legal advisor.

Signed by: Scott McClenaghan (Official)

Date: 05/11/2026 Grade: Deputy Principal

Signed by: Linda Buick (Senior Responsible Officer)

Date: 05/11/2026 Grade: Principal / Grade 7

Human Rights Act Referral to Legal Services Form

FAO: _____ From: _____
_____ _____
_____ _____

Please see the attached Human Rights Act Impact Assessment Form for the following proposal/policy.

Title and Objective of Policy/Proposal

I have identified the following rights as being interfered with/limited by this policy/proposal.

I would be grateful for your advice on this matter. All relevant papers are attached.

Your contact in this Department is:-
Name: _____
Address: _____
_____
Tel: _____ Email: _____