



Norwegian Ministry  
of Children and Equality

Strategy

# A Society For All

The government's strategy for the equality of persons with disabilities  
for the period 2020–2030





# Content

<b>Foreword</b>	<b>4</b>
<b>1 About the strategy</b>	<b>7</b>
<b>2 The government's vision: an equal society</b>	<b>11</b>
<b>3 Legal frameworks</b>	<b>13</b>
3.1 National legal frameworks	13
3.2 International legal frameworks	14
<b>4 The government's strategy for 2020–2030</b>	<b>17</b>
4.1 Universal solutions and special measures	17
4.1.1 Housing	18
4.1.2 Transport	18
4.2 Self-determination, participation, involvement and inclusion	18
4.2.1 Democratic participation	19
4.2.2 Rule of law	19
4.3 Better organisational coordination at all levels	21
4.3.1 The Ministry of Children and Equality's coordination responsibilities	21
4.3.2 Better coordination between the directorates	22
4.3.3 Dialogue with municipal and county authorities	22
4.3.4 International cooperation	23
4.4 Four focus areas: education, employment, health and care, and culture and leisure	23
4.4.1 Education	24
4.4.2 Employment	25
4.4.3 Health and care	27
4.4.4 Culture and leisure	27
<b>5 Conclusion</b>	<b>31</b>
<b>Appendices</b>	<b>33</b>
Key milestones	33
Key concepts	38
Sources and further reading	39

# Foreword



The government's vision is a society where all people can participate and be given the opportunity to contribute to society. Policy for persons with disabilities should be based on equality, self-determination, participation, involvement and inclusion. Equality is promoted by treating equal cases equally and by accommodating differences.

In Norway, we have sound legal protection against discrimination. The purpose of the Equality and Anti-Discrimination Act is to promote equality and prevent discrimination. The Act is built on the foundation that everyone should have the same opportunities, rights and obligations, irrespective of gender, care responsibilities, ethnicity, religion, belief, disability, sexual orientation, gender identity, gender expression, age, or any combination of the above.

Inclusion and equality of persons with disabilities are preconditions for a sustainable welfare society and for individuals to be able to live free and independent lives. In 2013, Norway ratified the UN Convention on the Rights of Persons with Disabilities (CRPD). It obligates Norway to work to ensure that the rights of persons with disabilities are protected in the same way as those of others. The sustainability goals apply until 2030, underpinning the government's ambition that all persons should have opportunities for progress and development. No one should be left out of the implementation of the UN's sustainability goals.

The government will contribute to a meaningful everyday for persons with disabilities. This strategy shall promote equality and equal opportunities relating to education, employment, housing, health and care services and cultural and leisure activities. Persons with disabilities should be included and be able to participate in society throughout their lives. Persons with disabilities should have self-determination and influence in daily activities and provisions so that they can take responsibility for their own lives.

This strategy shall apply for the period 2020–2030. In 2019, the government will draw up an action plan with initiatives and measures derived from the strategy.

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The government will submit a Report to the Norwegian Parliament (Stortinget) on the rights of persons with disabilities. The initial preparations are set to start in 2019 and will be coordinated by the Ministry of Children and Equality.

The government wishes to thank the Norwegian Federation of Organisations of Disabled People (FFO), the Norwegian Forum of Disabled Peoples' Organizations (SAFO) and the Norwegian Association of Youth with Disabilities for their assistance in developing this strategy. These organisations have contributed knowledge, expertise and experience. The government will also continue to prioritise participation from and dialogue with the organisations in ongoing work to promote equality and inclusion.

*Oslo, December 2018*



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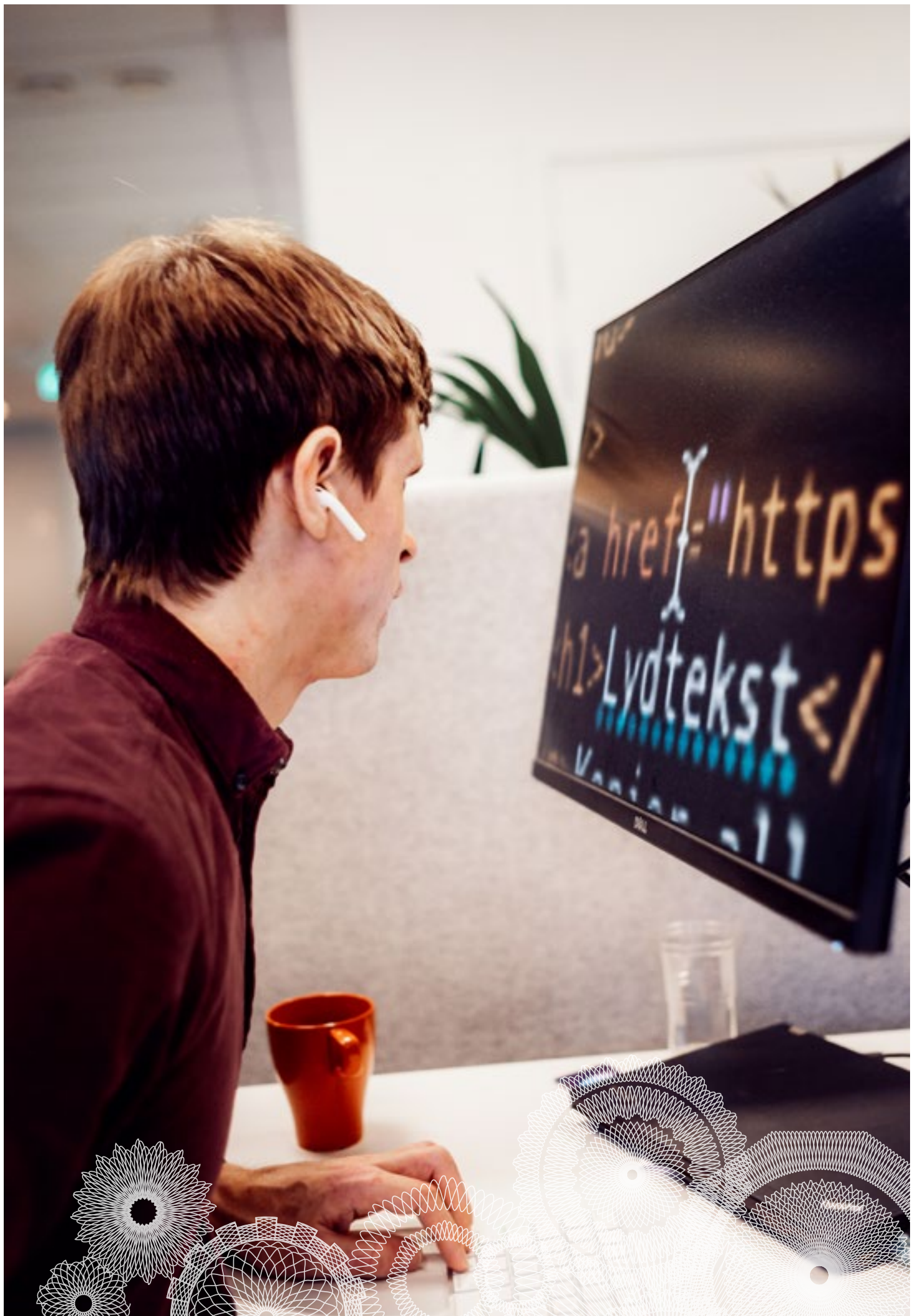
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# 1

## About the strategy



The government's vision is that of an equal society in which all can participate, contribute and live free and independent lives. At present, persons with disabilities encounter barriers that prevent equality. The objective of the government's strategy is to assist to remove these barriers and to promote equality. The commitment is twofold: first, an overarching strategy that presents the government's vision and policy for the period 2020–2030, and second, an action plan of specific measures, to be launched in 2019.

The 2008 Act relating to a Prohibition Against Discrimination on the Basis of Disability (Anti-Discrimination and Accessibility Act) was an important milestone. The ratification of the UN Convention on the Rights of Persons with Disabilities (CRPD) in 2013 was similarly historic. A new Equality and Anti-Discrimination Act was passed in 2017 and came into force on 1 January 2018. The purpose of the Act is to promote equality and prevent discrimination on all grounds.

The government will ensure that applicable laws and regulations and the UN Convention on the Rights of Persons with Disabilities (CRPD) are fulfilled in the policy development. The Norwegian Ministry of Children and Equality will be responsible for coordinating this work.

During the 1970s, care services and nursing were expanded with a wider societal philosophy. The obligations of society to contribute to breaking down barriers were given greater weight. This was further emphasised in the 1990s and 2000s as the relational understanding of disability was made the basis of policy development and measures taken. The government will continue to promote the understanding and consequences of this relational understanding among state authorities. The Norwegian Ministry of Children and Equality, together with the Norwegian Directorate for Children, Youth and Family Affairs (Bufdir), will be particularly responsible for this.

There have been positive developments in politics and living conditions in many areas for persons with disabilities, but important challenges remain. These challenges relate to equal opportunities for education, inclusion in employment, proper and accessible health and care services and accessible cultural and leisure provisions. The barriers met by persons with disabilities occur in interaction with their surroundings, and are particularly prevalent in transitional situations. These include transitions from kindergarten to school, and from school to higher education and/or employment. Similarly challenging transitions can include moving to one's own home, changes in health and care services, and

changes in disability. To ensure good transitions for persons with disabilities, it is vital that different administrative levels and sectors cooperate. Good cooperation will contribute to creating consistency in each individual's everyday life.

Good coordination is a precondition for effective implementation of the government's vision of a society for all. Sectors and administrative levels must coordinate their efforts in order to achieve the goal of equality. People who need assistance from various authorities and agencies must not find that their quality of life and opportunities for involvement and inclusion are impaired due to a lack of organisational coordination.

This strategy describes the government's policy for equality for persons with disabilities for the period 2020–2030. This commitment should be seen from the perspective of that decade, and rests on the following four pillars:

- 1. Developing both universal solutions and special measures.**
- 2. Working for self-determination, participation, involvement and inclusion.**
- 3. Better organisational coordination at all levels.**
- 4. Four focus areas: education, employment, health and care, and culture and leisure.**

In 2019, the government will start work on preparing an action plan to support the strategy. In its work on the strategy, the government has greatly benefited from the organisations' assessments of remaining challenges. This contact with the organisations will continue during the work to prepare action plans containing measures to combat these challenges.







# 2

## The government's vision: an equal society

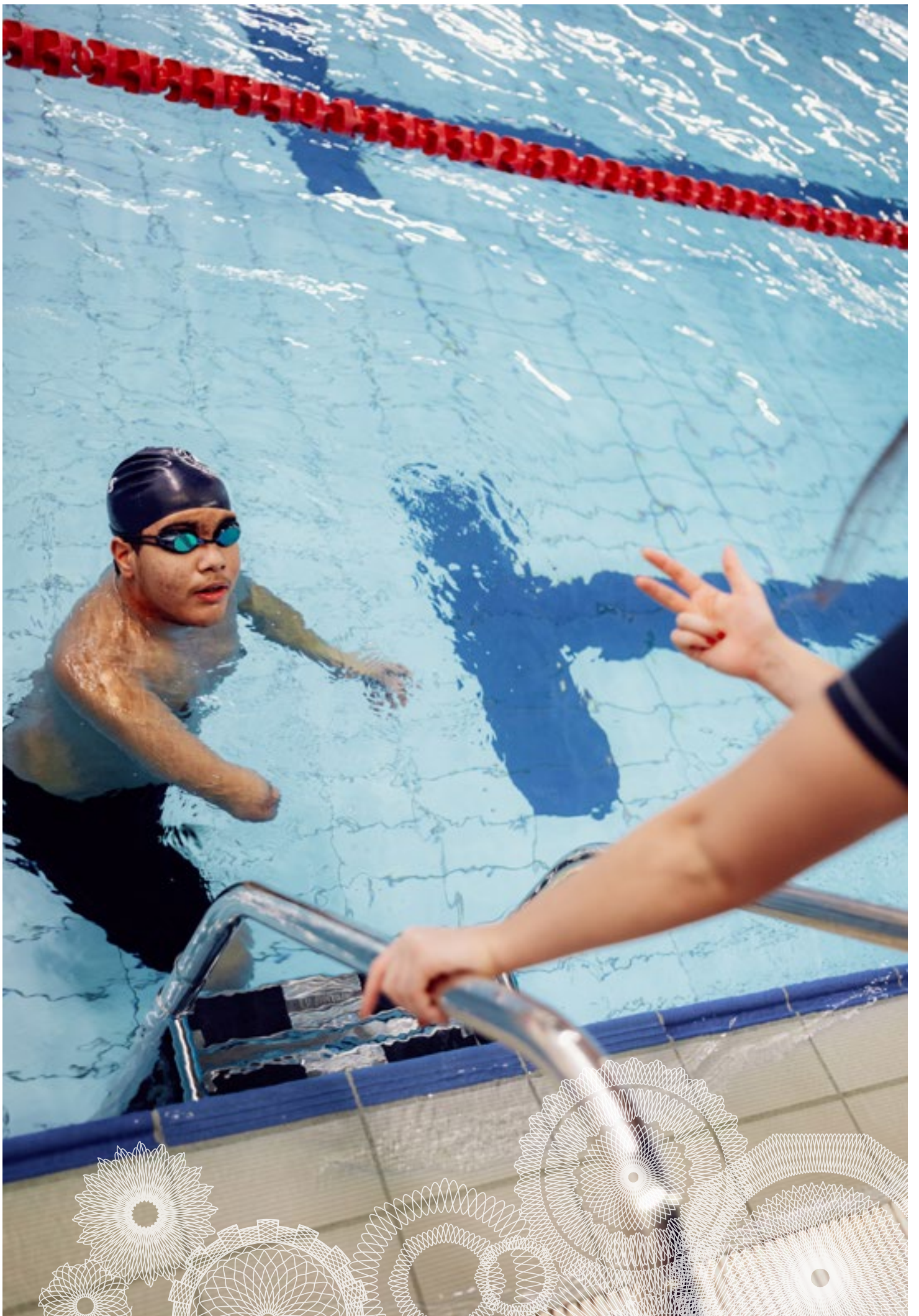


Most people have as a goal education and employment, with expectations of living free and independent lives. The government will facilitate equal

opportunities for persons with disabilities to be able to receive education, participate in employment and enjoy daily life along with others.

### The government wants that:

- The fundamental human rights of persons with disabilities should be observed and protected, as referred to in the UN Convention on the Rights of Persons with Disabilities.
- Persons with disabilities should have equal access to public services and to society's institutions, without hindrance from physical conditions, surroundings, the organisation of the services or technical solutions.
- Persons with disabilities should have equal opportunities in order to be included and participate in all areas of society, without hindrance from physical conditions, a lack of accessibility, living conditions or discriminatory attitudes.
- Developments of housing, public buildings, infrastructure and industrial areas should be subject to high requirements for universal design and *accessibility*. Educational buildings should be particularly prioritised.
- Persons with disabilities should encounter safe local environments and communities that facilitate activity and involvement for all.
- Persons with disabilities should have the same opportunities as every other citizens to make decisions about their own lives. This includes being able to actively participate in the formulation of provisions, services, legislation and policies that affect their everyday life, and having access to the support they may need for that purpose.
- The best interests of the child should be a fundamental consideration in all actions that affect children with disabilities.
- Policies, measures and services that affect persons with disabilities should be coordinated in the best way possible. The sectors shall cooperate when a service from one sector is a precondition for the individual's rights being observed in another sector. Decision makers have a primary responsibility for securing procedures for good coordination.



# 3

## Legal frameworks



### 3.1 National legal frameworks

National legal frameworks provide direction for the government's policies. The equal rights of persons with disabilities are reinforced in Norwegian legislation, including through changes to the Constitution, the new Equality and Anti-Discrimination Act and the Planning and Building Act.

#### **The Constitution**

On 13 May 2014, the Storting adopted a number of human-rights-related revisions to the Norwegian Constitution. The equality principle and the non-discrimination principle were included in Article 98 of the Constitution with the following wording: *"All are equals before the law. No person must be subject to unfair or unreasonable discrimination."* Other constitutional provisions relevant to the work on the equality of persons with disabilities include Article 102 on the right to privacy and Article 104 on the rights of children.

#### **The Equality and Anti-Discrimination Act**

A new Equality and Anti-Discrimination Act was passed in 2017. The purpose of the Act is to promote equality and prevent discrimination, including on the grounds of disability. The Act prohibits direct and indirect discrimination on the ground of disability, and instructs public

authorities, employers and others implement active measures in order to foster increased equality.

The Act includes specific provisions on a duty of accommodating and universal design, and a duty to actively promote universal design, which is particularly important in the work on equality for persons with disabilities.

#### **The Planning and Building Act**

The Planning and Building Act requires that the principle of universal design be respected in planning and in requirements for each construction project. In the Equality and Anti-Discrimination Act, universal design is defined as *"designing or accommodating the main solution with respect to the physical conditions ... such that the general functions of the undertaking can be used by as many people as possible, regardless of disability."*

The Planning and Building Act also instructs all those who submit planning proposals to facilitate participation. Under the Act, municipal authorities have a particular responsibility to secure active participation from groups that require particular accommodation. Municipal authorities must also ensure that groups and stakeholders who are not in a position to participate directly are provided proper opportunities for participation in other ways.

## 3.2 International legal frameworks

International legal frameworks are of significance to the development of Norwegian policy on the equality of and nondiscrimination against persons with disabilities. Conventions from the UN and the Council of Europe and directives from the EU are of particular importance.

### UN conventions

Norway ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) in 2013. The aim of the convention is to ensure equal protection of human rights for persons with disabilities. The preamble to the convention states that discrimination against persons with disabilities “is a violation of the inherent dignity and worth of the human person”.

The convention includes a number of provisions that specify how human rights should be understood and observed for persons with disabilities. The convention has been implemented in Norwegian law by transformation: the Equality and Anti-Discrimination Act in particular, as well as other legislation, includes legal provisions that fulfil the convention’s requirements.

In addition to this UN convention, which particularly applies to persons with disabilities, Norway has obligations to work on the equality of persons with disabilities under other UN conventions. These include the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child.

### Council of Europe conventions

Norway ratified the European Convention on Human Rights (ECHR) in 1952. The convention has been implemented in Norwegian law through Section 2 of the Human Rights Act, and in the event of inconsistency the convention will take precedence over the provisions of other legislation; cf. Section 3 of the Human Rights Act. The convention includes numerous provisions of significance to the work on the equality of persons with disabilities. In accordance with Article 14 of

the ECHR, the rights stipulated under the convention must be protected without discrimination on the basis of further specified grounds for discrimination. The European Court of Human Rights has stated that Article 14 provides protection against discrimination on the basis of “disabilities”.

Consideration for persons with disabilities is addressed in various conventions, including the Council of Europe Convention on preventing and combating violence against women and domestic violence, which was ratified by Norway in 2017. The purpose of the conventions is to prevent and combat all forms of violence against women and domestic violence, to protect the rights of women who are exposed to such violence and to promote national and international collaboration against violence. The conventions are also key to combating violence against women with disabilities.

### The EU

The EU has stipulated – and the European Commission has submitted proposals on – directives that directly apply to persons with disabilities. During the plan period, questions will be raised over whether these directives should be incorporated into the EEA Agreement and implemented in Norwegian law.

The Web Accessibility Directive (WAD) sets requirements on accessible websites and mobile applications, and instructs public enterprises to have accessible ICT solutions. According to the plan, the Directive will be incorporated into the EEA Agreement, requiring that the necessary legislative and regulatory changes be made, including to the Equality and Anti-Discrimination Act, the Anti-Discrimination Ombud Act, and the Regulation for Universal Design of Information and Communication Technology (ICT) Solutions. It is foreseen that the Storting will consider a proposition on this matter during its current four-year term.

The European Commission’s proposed directive on the accessibility of goods and services for persons with disabilities, the European Accessibility Act (EU-AA), is another directive that will have direct consequences for persons with disabilities. The proposed directive includes proposals for provisions on requirements for universal design in connection with public procurements, including the

enforcement of such obligations. The purpose of the directive is to make key products and services accessible to consumers and thereby contribute to a more inclusive society and increased equality for persons with disabilities. It is not yet clear when the Storting will consider a proposition on the implementation of the directive.





# 4

## The government's strategy for 2020–2030



The government's strategy for the equality of persons with disabilities rests on four pillars:

1. **Developing both universal solutions and special measures.**
2. **Working for self-determination, participation, involvement and inclusion.**
3. **Better organisational coordination at all levels.**
4. **Four focus areas: education, employment, health and care, and culture and leisure.**

### 4.1 Universal solutions and special measures

It is necessary to employ a wide range of measures in order to reduce barriers and create equal opportunities and equality. Some measures are directed towards individuals, others are aimed towards groups of persons with disabilities, and some are general measures for the entire population. These measures shall contribute to equality for persons with disabilities and shall provide an easier life for all people living in Norway.

Universal design is a strategy for development and design of products and surroundings in order to achieve an inclusive society. It provides a general quality of society that serves all users without appearing stigmatising or discriminatory. Main solutions must be able to be used by as many people as possible, irrespective of disability. Universal design of the surroundings is a separate goal, but universal design also contributes to fulfilling other goals relating to living conditions, equality, health, physical activity, environment, etc.

The government is working in accordance with an action plan for universal design for the period 2015–2019. The government will continue working for a universally designed society. This shall provide good accessibility for everyone to areas such as educational buildings, housing and infrastructure. Universal design shall be included early in the planning process when designing urban and residential areas.

Specially formulated measures that contribute to reducing barriers and alleviating disability are important. Such measures may include technical assistive aids, specialist services or service schemes, adapted housing and buildings or targeted financial schemes.

These measures are under regular assessment and development. General and special measures are assessed in context to achieve the best possible effect for equality and for providing equal opportunities for persons with disabilities. This applies to areas such as housing and transport.

#### **4.1.1 Housing**

A safe and sound place to live is important for quality of life and participation in society. The national strategy for social work in housing *Bolig for velferd* ("Housing for welfare") is an overarching, cross-sector, long-term strategy for the field. The objective is that people who are economically disadvantaged in the housing market will receive help to get – and keep – their own home. Persons with disabilities may need assistance to get their own home and to cope with their living arrangements.

According to Statistics Norway's 2015 Survey of Living Conditions, 6 per cent of households that include persons with disabilities report that they have a need for adapted housing that is not met. In households that include persons who have difficulties moving about, 53 per cent have stairs or steps leading into the home, whereas this is the case for 62 per cent of all households.

Official Norwegian Report 2016:17, *På lik linje* ("On the Same Level") shows that the housing situation for persons with intellectual disabilities has improved as a result of the responsibility reform. However, persons with intellectual disabilities still live differently from the general population: among the population as a whole eight out of ten own their own home, whereas among persons with intellectual disabilities very few own their own home.

Housing is a private responsibility. Nevertheless, public instruments contribute to the development of a good housing offering. The Norwegian Regulations on Technical Requirements for Building Works (TEK) set minimum quality requirements for buildings in order to address important consumer and society interests. For instance, the Regulations set requirements for universal design and accessibility, air quality and lighting conditions. The requirements for accessibility in the Regulations are the

most important instrument to contribute to there being more accessible housing.

The state is also stimulating good-quality housing by means of financial instruments, including the Norwegian State Housing Bank's grants for the post-construction installation of lifts. Municipal authorities must contribute to obtaining housing for individuals who cannot manage it themselves, including specially adapted housing for individuals who need it due to disability.

#### **4.1.2 Transport**

Good public transport is important for everyone. The accessibility of the transport sector for persons with disabilities is under ongoing development by means of universal design. The Norwegian National Transport Plan includes a stage goal of working towards universally designed trip chains. The design of buses and trains, and upgrading stops, stations and terminals, have been prioritised focus areas. Nevertheless, there is a need for a more united commitment to making trip chains connected. The goal of connected trip chains places increased requirements on cooperation between state agencies and enterprises, municipal authorities, county authorities and private stakeholders.

Those who cannot use the ordinary transport system are offered various forms of assistance, such as subsidies for travel for work or education, and grants for the purchase of vehicles.

## **4.2 Self-determination, participation, involvement and inclusion**

Self-determination, participation, involvement and inclusion must be the basis of policy development for persons with disabilities. Each individual must have the opportunity to live a free and independent life, with various options and individual support. There must be good systems for participation and involvement.

People are society's most important resource. In order for everyone to be able to contribute to and utilise the opportunities provided by society,

it is a fundamental precondition that they will be included in all arenas of society and can participate as independently as possible in these arenas. Persons with disabilities have experiences that are important for the development of society. Participation at all levels is vital in order to highlight problems and implement effective measures and solutions. Participation is therefore of great significance in matters concerning individuals or groups of citizens.

#### 4.2.1 Democratic participation

Norwegian democracy gives citizens many opportunities to influence society. These opportunities include both formal channels of participation, such as voting in elections and membership of political organisations, as well as participation in informal channels, such as campaigns and public debate. These are channels of participation that are essentially open to all. Even though everyone has equal formal opportunities, it is not necessarily the case that all who wish to get involved have real opportunities to be heard in the political system.

In order to achieve participation and involvement, the Ministries meet regularly with organisations for persons with disabilities. Permanent contact forums and user councils have also been established within relevant directorates, such as the Norwegian Labour and Welfare Administration (NAV), the Norwegian Directorate for Children, Youth and Family Affairs (Bufdir), the Norwegian Directorate of Health, the Norwegian Directorate for Education and Training, the Norwegian State Housing Bank and the Norwegian Directorate of Public Roads. The report *Deltakelse og mangfold*<sup>1</sup> is an overview of what the ministries are specifically doing within their areas of responsibility for persons with disabilities.

Each municipal and county authority must set up an advisory council for persons with disabilities. This council is an advisory body for the municipal or county council concerned. The advisory council can publish statements on matters to be handled

by the municipal or county council that affect persons with disabilities, and can also take the initiative to discuss matters. Under the Planning and Building Act, all who submit plans are required to secure participation from affected parties, and the municipal authorities are particularly required to facilitate participation for people who would not otherwise be in a position to participate.

The participation scheme can help to secure a broad, open and accessible participation in matters that affect persons with disabilities, and can thereby contribute towards the matter becoming more widely understood before the municipal or county council makes a decision. Municipal and county authorities make a range of decisions that are of significance for persons with disabilities. This scheme ensures that the advisory council for persons with disabilities is able to present its views and contribute to the matter becoming more widely understood before a decision is made. An obligation for municipal and county authorities to set up advisory councils for persons with disabilities will arise as a result of the new Norwegian Local Government Act when it comes into force during 2019. The Regulation on Supplementary Regulations for Advisory Councils for Persons with Disabilities will also come into force during 2019.

#### 4.2.2 Rule of law

Confidence in the police, the courts of law and the administration of justice is high among the population, and Norway ranks highly in rule-of-law surveys.<sup>2</sup> Nevertheless, multiple reports point to challenges in connection with rule of law for persons with disabilities.<sup>3</sup> Many persons with disabilities are dependent on facilitation in order to effectively be able to exercise their rights. Nevertheless, the guarantees of rule of law apply to all citizens.

Persons with disabilities may be more vulnerable to violence than the rest of the population. A range of circumstances, such as isolated living conditions and dependency on help and support from other

1 *Deltakelse og mangfold – regjeringens innsats for personer med funksjonsnedsettelse 2014–2017* (Participation and Diversity – the Government's initiative for persons with disabilities 2014–2017). Norwegian Ministry of Children and Equality 2017.

2 The World Justice Project, *Rule of Law Index 2017–2018*

3 Olsen et al. 2016, and Nordlandsforskning (2018), *Rettsikkerhet – likeverd og likeverdig behandling* (Rule of Law – Equal status and equal treatment)

people, increase the risk of becoming exposed to physical or psychological violence. Persons with disabilities may be more vulnerable to attacks from employees in the health and care sector.<sup>4</sup> Research suggests that children with chronic illnesses or other disabilities have an increased risk of being exposed to violence from their parents.<sup>5</sup>

Various factors may explain why persons with disabilities are more vulnerable. A considerable proportion of persons with disabilities find themselves in a situation of dependency on their attacker and/or public services, assistance and care. Such dependency involves a significant difference in power and increased vulnerability. Some live in institutions or in shared housing and are exposed to attacks from other residents. Many, especially persons with cognitive disabilities, are also isolated. It can therefore be difficult for third parties to detect what is happening.

Insufficient knowledge about boundary setting can become a hindrance to understanding and expressing that an act of abuse has occurred. Ability and opportunity to communicate may also be a hindrance to communicating what has happened and to being understood by others. In particular, vulnerable adults with cognitive disabilities or other disabilities who may have been exposed to, or who have witnessed, sexual offences, female genital mutilation, domestic abuse, murder or physical injury must be provided facilitated interviews.<sup>6</sup> Facilitated interviews are performed in state children's homes by police investigators with special training.

In 2017, a total of 135 facilitated interviews of persons with cognitive disabilities were performed in children's homes. In total, 6,443 facilitated interviews were performed in children's homes during the year.

When it comes to other special process rules that have been designed to address the interests and rights of persons with cognitive disabilities, reference is made to the possibility of having an appointed lawyer provided at the authorities' expense, involving trusted third parties in interviews, and using witness support. If persons with significant speech or hearing disabilities are parties, experts or witnesses in legal cases, the authorities cover the costs of interpretation.<sup>7</sup>

It is very difficult to establish whether a greater or smaller proportion of persons with cognitive disabilities encounter the administration of criminal justice compared with the rest of the population. Norwegian and international studies have shown that the incidence of cognitive deficiencies involving IQs lower than 70 among representative prison populations is 7–29 per cent.<sup>8</sup> A study of these conditions in Norway showed a figure of 10.8 per cent.<sup>9</sup> The number of legal cases where intellectual disability is relevant is approximately 1,000 per year.<sup>10</sup>

The Norwegian Correctional Service must facilitate services that inmates with disabilities would otherwise be entitled to in society. Individual assessments of those convicted are undertaken when the individuals concerned are imprisoned. The practical facilitation will often take place in cooperation with the health service. In addition, the Norwegian Ministry of Justice and Public Security and the Norwegian Ministry of Health and Care Services cooperate on the mentally ill and intoxication in prison. According to 2016 statistics from the Norwegian Directorate of Health, there were 178 persons with disabilities in Norwegian prisons in 2016. The figure increased to 216 in 2017.

While persons with disabilities may often be more vulnerable, simply raising the alarm about an emergency situation can itself prove challenging. In order to give deaf people and persons with

4 Gundersen, T., Farstad, G.R. & Solberg, A. (2011). *Ansvarsdeling til barns beste? Om Barn og unge med funksjonsnedsettelse i barnevernet* (Distribution of responsibility in the best interest of children? Children and young people with disabilities in Child Welfare Services). NOVA report 17/11. Oslo: NOVA.

5 Jones, L., Bellis, M.A., Wood, S., Hughes, K., McCoy, E., Eckley, L., Bates, G., Mikton, C., Shakespeare, T. and Officer, A. (2012). Prevalence and risk of violence against children with disabilities: a systematic review and meta-analysis of observational studies. *The Lancet*, 380(9845), 899–907.

6 Cf. Section 239 of the Norwegian Criminal Procedure Act.

7 Cf. Section 137 of the Norwegian Courts of Justice Act.

8 Søndena, 2009.

9 Søndena, Rasmussen, Palmstierna & Nøttestad, 2008.

10 Cf. calculations in Nordlandsforskning 2018, *Rettsikkerhet – likeverd og likeverdig behandling* (Rule of Law – Equal status and equal treatment).

hearing disabilities the opportunity to communicate directly with the emergency services, in 2018 the Norwegian Agency for Public Management and eGovernment (Difi) launched the Nød-tekst pilot project. Nød-tekst gives preregistered users the option of sending SMS messages direct to Norwegian emergency numbers instead of having to contact the emergency services by textphone.

Involvement and inclusion may also involve ensuring that persons with disabilities actually have access to important societal institutions. Applying universal design to existing buildings is particularly challenging for some courts and prisons, because many of the buildings concerned are very old. Attempts are being made to adapt existing buildings, while new courts of law and prisons are being established in accordance with the requirement of universal design. Equipment to transmit sound for persons with hearing disabilities has been set up in at least one courtroom in every courthouse in Norway.

The guardian scheme is an assistive measure set up to provide necessary support to people who due to illness or disability cannot look after their own interests. Guardians can be appointed to take care of personal and/or financial matters, and must base any decisions on the individual's integrity, will and wishes. By the end of 2017, over 67,000 people had appointed guardians, and over 47,000 guardians were registered. Most guardians are family members or otherwise closely related.

In addition to bringing Norwegian law into line with the UN Convention on the Rights of Persons with Disabilities (CRPD), the main objectives of introducing the guardianship reform and the new Norwegian Guardianship Act in 2013 were increased legal equality and rule of law. The Auditor General's investigation of the implementation of the guardianship reform<sup>11</sup> showed, however, that the reform's potential for improving the rule of law had not been sufficiently utilised. The Auditor General's recommendations are of high priority, and many of them have been fully followed up.

11 Doc. 3:6 2017–2018, delivered to the Storting on 27 February 2018.

12 <https://www.regjeringen.no/no/sub/inkluderingsdugnad/id2596993>

13 Report No. 15 to the Storting (2017–2018): *Leve hele livet. En kvalitetsreform for eldre*

The report provides a sound basis for the further development of the administration of guardianship.

### 4.3 Better organisational coordination at all levels

Effective, consistent and coherent command signals are vital in order for employees of municipal, county and state services to be able to operate a sound and efficient administration in line with laws and regulations. It is the government's ambition that this strategy will contribute to better coordination and more unified governance. The government will emphasise the following to achieve this:

#### 4.3.1 The Ministry of Children and Equality's coordination responsibilities

The government will clarify the Ministry of Children and Equality's responsibility as a coordinating ministry for policy for persons with disabilities. This means that the responsibilities of the Ministry of Children and Equality include:

- Maintaining an overview of the equality situation for persons with disabilities, based on such information as the ministries' interim, inspection, Research & Development, and statistics on key figures from various sectors and from subordinate enterprises and directorates.
- Coordinating work on national strategies and propositions and reports to the Storting that cover policy and measures across the various policy areas.
- Contributing to related national strategies and propositions and reports to the Storting that are of significance for persons with disabilities, such as *Inkluderingsdugnaden*<sup>12</sup> and *Leve hele livet* (Live Your Whole Life).<sup>13</sup>
- Helping to handle cross-sector challenges and assisting the ministries to clarify the distribution of responsibilities.

- Providing guidance to the ministries in their work to achieve equality for persons with disabilities. The sector ministries' responsibilities for working towards equality within their sectors have been established, and the ministries are responsible for securing sound knowledge material in their own sector areas as a basis for policy development.
- Coordinating the international work relating to the human rights of persons with disabilities.
- Operating an official group for equality for persons with disabilities, with the objective of securing sound expertise in the ministries regarding the policy area, and helping to ensure that the ministries work in a coordinated manner.
- Facilitating the participation and involvement of user organisations in policy formulation by means of regular annual meetings with political involvement.

#### **4.3.2 Better coordination between the governmental agencies**

The government's policy for persons with disabilities will be implemented by various sectors and directorates. The key players in the field are the Norwegian Directorate for Children, Youth and Family Affairs, the Norwegian Directorate for Education and Training, the Norwegian Labour and Welfare Administration, the Norwegian Directorate of Health, the Norwegian Agency for Public Management and eGovernment (Difi) and the Norwegian State Housing Bank. In addition, the Norwegian Directorate of Integration and Diversity, the Norwegian Directorate of Building Quality, the Norwegian Public Roads Administration, the Directorate of Norwegian Correctional Service, the Language Council of Norway and the Norwegian Library of Talking Books and Braille all work to implement various parts of the policy for equality for persons with disabilities. The government will assess measures that may contribute to increased collaboration between the governmental agencies where necessary.

#### **The government will:**

- Make clear the Norwegian Directorate for Children, Youth and Family Affairs' coordinating role in the equality field.
- Systematise the collaboration between the directorates and facilitate the creation of a plan for major cross-directorate assignments.
- Contribute to the development of a common knowledge basis on current challenges as a basis for the prioritisation of initiatives.
- Continue the work of securing coordinated services for children and young people with disabilities as part of the government's follow-up of better coordinated services for vulnerable children and young people.

#### **4.3.3 Dialogue with municipal and county authorities**

The UN Convention on the Rights of Persons with Disabilities (CRPD) obligates Norwegian municipal authorities to work in a coherent manner on service development to protect the fundamental rights of persons with disabilities. It is the government's wish that the municipal authorities should have more knowledge about the convention's contents and obligations as part of their work on equality for persons with disabilities. The UN Convention on the Rights of Persons with Disabilities (CRPD) must be complied with in all policy formulation.

The municipal authorities have a primary responsibility to provide effective services for the municipalities' inhabitants. Many persons with disabilities are dependent on well-coordinated municipal services. Although these services are organised by various agencies in the municipalities, the government expects good cooperation between sectors and services, so that each individual user can receive a unified and individually tailored service offering.

Local advisory councils for persons with disabilities are advisory bodies for the municipal and county authorities. These councils provide advisory statements to the municipal and county authorities in cases that affect persons with disabilities, such as budgetary and planning matters for municipal and county councils.

#### The government will:

- Give County Governors the task of maintaining a complete overview of the regulations and guiding the municipalities in relevant regulations and the significance of seeing the connection between the regulations.
- Provide a programme on municipal training on the CRPD and prepare guidance materials on how the convention can be implemented in municipal enterprises.
- Facilitate annual meeting places between the municipal authorities in order to contribute to an exchange of experience on municipal projects that have been implemented in order to secure equality for persons with disabilities within various areas of society.
- Assist municipal advisory councils for persons with disabilities with information and training, so that the advisory councils can play an active role in local democracy and local decision-making processes.

#### 4.3.4 International cooperation

The government will be active and visible in international forums to promote better living conditions and strengthened rights for persons with disabilities globally. Participation and cooperation in international forums is also important in order

to gather ideas for national policy development in the area of equality for persons with disabilities.

#### The government will:

- Continue its involvement in the Nordic Council of Ministers, the Council of Europe, the EU/EEA and the UN.
- Follow up the work on the UN's sustainability goals, including the obligation to ensure that no one be left behind.
- Participate in relevant forums and partnerships within foreign policy and development policy.

#### 4.4 Four focus areas: education, employment, health and care, and culture and leisure

The government will direct its efforts towards four specific areas. These are based on knowledge on the barriers encountered by persons with disabilities and on which initiatives should be prioritised in order to achieve equality.

Various reports and knowledge bases indicate that persons with disabilities do not have equality with the population as a whole when it comes to the observance of their fundamental rights and having access to education, employment, good health, family life and participation in society.<sup>14 15</sup> For example, 20 per cent of young persons with disabilities stated in 2015 that they had experienced discrimination or differential treatment in the previous year. This is double the proportion among young people in general.

In the 2015 *Alternativ rapport til FN-komiteen*<sup>16 17 18</sup> from the civil society to the UN Committee for the Convention on the Rights of Persons with Disabilities (the CRPD Committee), the organisations point out

14 [https://www.bufdir.no/Statistikk\\_og\\_analyse/Nedsatt\\_funksjonsevne/Oppvekst\\_og\\_utdanning/Skole](https://www.bufdir.no/Statistikk_og_analyse/Nedsatt_funksjonsevne/Oppvekst_og_utdanning/Skole)

15 [https://www.bufdir.no/Statistikk\\_og\\_analyse/Nedsatt\\_funksjonsevne/Arbeid/Arbeidsdeltakelse](https://www.bufdir.no/Statistikk_og_analyse/Nedsatt_funksjonsevne/Arbeid/Arbeidsdeltakelse)

16 [http://www.ffo.no/globalassets/altrapptilfn\\_web.pdf](http://www.ffo.no/globalassets/altrapptilfn_web.pdf)

17 <https://www.bufdir.no/bibliotek/Dokumentside/?docId=BUF00003589>

18 <https://www.difi.no/rapport/2014/11/mot-alle-odds-veier-til-samordning-i-norsk-forvaltning>

that the rights of persons with disabilities under the convention are not being fully observed.<sup>19</sup> The organisations call attention to the following as particular equality challenges:

- insufficient accessibility
- insufficient self-determination
- insufficient protection against violence and attacks
- low participation in employment and higher education.

The Norwegian Equality and Anti-Discrimination Ombud asserts in its supplementary report to the CRPD Committee in 2015<sup>20</sup> that persons with disabilities are discriminated against by means of insufficient participation; a low level of self-determination; insufficient protection against violence, attacks, harassment and hate speech; low participation and inclusion in employment and education; and poor access to goods and services.

Persons with disabilities participate to a lower degree in various arenas of society than do others, including in employment. Some also receive education in locations other than compulsory classes or their local school. Pro rata, persons with disabilities are less likely to take higher education than the population as a whole, and are less active in leisure and cultural activities than the population as a whole.<sup>21</sup>

The options available, individual assistance and effective systems for participation are of significance for each individual's opportunities for self-determination. Persons with disabilities may have reduced opportunities to make decisions about their own lives compared with the rest of the population.

Many public studies and reports<sup>22</sup> show that there is a need for better coordination and coordinated governance of cross-sectorial efforts for persons with disabilities in order to ensure a more effective implementation of the policy. In 2009, the Office of the Auditor General of Norway recommended<sup>23</sup> a more coordinated commitment from ministry

level. This is in line with the Rights committee's recommendations in Official Norwegian Report 2016: 17 *På lik linje* ("On the Same Level") on a clarification of the Norwegian Ministry of Children and Equality's responsibilities for coordination.

#### 4.4.1 Education

Early intervention and inclusive kindergarten and school are important focus areas for the government. Early intervention is necessary in order to prevent social exclusion and to facilitate good development and learning in kindergarten and school. An expert group appointed by the Norwegian Ministry of Education and Research and led by Professor Thomas Nordahl presented on 4 April 2018 the report *Inkluderende fellesskap for barn og unge* (Inclusive community for children and young people). The report contains an analysis of special educational support and special education offered in kindergartens and primary, lower secondary and upper secondary schools. The main conclusion is that for many years the provision offered to children and pupils with special needs has been of poor quality and that the offering has often had an excluding effect.

Figures regarding the transitions between kindergarten and primary school and between lower secondary and upper secondary school show clear challenges. In 2017, 6 per cent of five-year-olds in kindergartens received special educational support. In Year 1 (the first year of primary school), just under 4 per cent of pupils received special education, and this share increases later in primary and lower secondary school. In Year 10, 11 per cent receive special education, whereas only 3 per cent receive special education in the first year of upper secondary school. This indicates that there is still a need for strengthened early intervention.

Facilitation in kindergarten should contribute towards children with disabilities being able to go to kindergarten and benefiting from the provision of kindergarten. They should be able to participate in the social community and social development, and

19 <https://www.ssb.no/helse/artikler-og-publikasjoner/unge-med-nedsatt-funksjonsevne-har-darligere-livskvalitet>

20 <https://www.ido.no/globalassets/bilder/pdf-er/innsjuttinnspill---crpd-komiteens-pre-sesjon.pdf>

21 [https://www.bufdir.no/Statistikk\\_og\\_analyse/Nedsatt\\_funksjonsevne](https://www.bufdir.no/Statistikk_og_analyse/Nedsatt_funksjonsevne)

22 The Auditor General, No. 3:10 (2008–2009)

23 The Auditor General's investigation of life in society for persons with disabilities. Document No. 3:10 (2008–2009).



should have the same opportunities for activities and the same development opportunities as all other children.

About 40 per cent of pupils who have been granted special education receive this education in a class situation, and there has been an improvement in this year-on-year. Further improved facilitation in an inclusive community is a desirable development and a political goal.

Adapted education means the measures adopted by the school to ensure that all pupils receive the best possible benefit from the standard education. The school's ability to give its pupils education that looks after those pupils' academic and social development within the framework of compulsory education helps to determine the need for special education.

Education is a vital factor for persons with disabilities to gain access to the labour market. Job opportunities increase with education, and the relationship between education and employment is stronger for persons with disabilities than for others.

Among persons with disabilities who have completed four years of higher education, 55 per cent are in employment. The share of the population as a whole with equivalent education who are in employment is 83 per cent (Statistics Norway, Q2 2017). Among persons with disabilities who have attended lower secondary school, 34 per cent are in employment, whereas the equivalent share within the population as a whole is 52 per cent.

#### **Within the field of education, the government will:**

- Work to improve facilitation and reinforced inclusion in kindergartens and schools.
- Work to ensure that all children and young people are able to achieve their potential, both socially and academically.
- Continue to develop special educational expertise in kindergartens and schools.
- Ensure that children and young people with special needs will receive the necessary support and assistance as early as possible during their education.

#### **4.4.2 Employment**

Employment provides each individual with financial independence, counteracts poverty and is important for equality. The opportunity to live on one's own earnings and have a meaningful job is vital for the vast majority of us. High participation in employment is also absolutely key for the sustainability of our welfare provisions.

The share of persons with disabilities in employment is considerably lower than in the population as a whole. In the 15–66 age group, the share of persons with disabilities in employment is 44 per cent, whereas the equivalent share in the population as a whole is 74 per cent (source: Statistics Norway's workforce survey, Q2 2018). There have been no major changes in the shares in employment for any of these groups in recent years.

Norway has a labour market with high competence requirements. The higher the level of education one has, the higher the likelihood of being in employment. The effect of higher education is twice as great among persons with disabilities than among the rest of the population.<sup>24</sup> However, persons with disabilities on average have lower levels of educa-

<sup>24</sup> Tøssebro, Jan and Sigrid Elise Wik (2015): *Funksjonshemmedes tilknytning til arbeidslivet. En kunnskapsoversikt*. Research Council of Norway.

tion than the rest of the population. Low or disrupted education or training is the clearly largest risk factor associated with ending up unemployed. In a future labour market with higher competence requirements, increased efficiency and fiercer competition for jobs, there are reasons to believe that persons with little or no work experience or who lack competence (or have the wrong competence) will be in a weak position.

The Norwegian Labour and Welfare Administration (NAV) is responsible for offering targeted follow-up to individuals who need assistance to get into employment or to continue in employment. There can be considerable variation in the type of help that individual users need. NAV estimates that approximately 60 per cent of the group with reduced working capacity have a need for employment measures. Moreover, a large proportion of the group need medical follow-up and rehabilitation before they may be ready for work or for measures relating to employment. For others, it is both possible and appropriate to start measures relating to employment at the same time as providing medical treatment.

Each county has an assistive aids centre, although the assistive aids centres for Oslo and Akershus have been merged into one. Each assistive aids centre has an overarching and coordinating responsibility for assistive aids for persons with disabilities in that county, and it acts as a resource and competence centre for public bodies and other organisations. The assistive aids centre assists municipal authorities, employers and other partners with advice, guidance, training and facilitation. The assistive aids centre has expertise on the consequences of disabilities, possible solutions to practical problems, products available on the market and adaptation of the environment in which the assistive aid is to be used, whether in the home, at school, at work or in leisure.

A person can have a disability without having reduced working capacity. The difference is that in one case the assessment is made by the individual concerned, and in the other by NAV on the basis of a working capacity assessment. Many persons with disabilities participate in employment without

a need for work-related assistance from NAV. The term “reduced working capacity” refers to persons who due to illness, injury or other obstacles need extra follow-up from NAV in order to find or stay in work. In March 2018, approximately 190,000 people were registered as having reduced working capacity.

There are great differences in levels of employment depending on the type and severity of the disability concerned. Degree of disability plays a significant role in the transition from education to employment.<sup>25</sup> Persons with more severe disabilities have the greatest problems in finding employment. This may relate to challenges in connection with adaptations and accessibility, as well as employers’ attitudes. There is much to indicate that employers discriminate between taking facilitatory action for existing employees and recruiting new employees. Studies show that about 60 per cent of employers are positive to employing persons with disabilities. However, it is unclear whether there is a correlation between positive attitude and concrete action. It also appears that employers who already have employees with disabilities have more positive attitudes. Employers’ perceived risk in employing persons with disabilities has been highlighted as an important barrier to the employment of persons with disabilities.<sup>26</sup>

#### **Within the field of employment, the government will:**

- Facilitate increased inclusion in employment.
- Facilitate good access to the necessary assistance and assistive aids to enable persons with disabilities to secure participation in employment.
- Make it easier for employers to employ persons with disabilities by creating security for both employees and employers.
- Provide employers with sound knowledge of how the workplace can be adapted for persons with disabilities.

25 Legard, S. (2012): *Overgangen mellom utdanning og arbeid for unge med nedsatt funksjonsevne*. Oslo, AFI.

26 Tøssebro, Jan and Sigrid Elise Wik (2015): *Funksjonshemmedes tilknytning til arbeidslivet. En kunnskapsoversikt*. Research Council of Norway.

### 4.4.3 Health and care

The government's objective in health and care policy is that everyone should have equal access to health services, irrespective of diagnosis, place of residence, personal finances, gender, ethnic background or living situation. Furthermore, reducing differences in social health is another objective.

Persons with disabilities are in more frequent contact with the health and care services than are others: 34 per cent of persons with disabilities report having bad health, compared with 6 per cent among the population as a whole. For instance, 30 per cent of persons with disabilities state that they have psychological problems, and one in four has visited a psychologist in the last year.<sup>27</sup>

Satisfaction with life and good health are important goals for quality of life and are an expression of how individuals perceive their existence. The authorities have a responsibility to promote health, prevent illness and secure the necessary health and care services for the entire population. As far as possible, the services provided should be unified yet adapted to each individual.

In accordance with the Norwegian Patient and User Rights Act, measures and services provided under the Norwegian Health and Care Services Act and the Norwegian Specialist Health Service Act must, wherever practicable, be formulated and performed in cooperation with the individual concerned. For some patients, depending on the degree of disability and their situation, disability may make it difficult to make decisions or to fully comprehend the consequences of various treatment options. It is therefore an important task for the services to arrange matters such that service users, wherever practicable, can make decisions based on their own requirements and needs.

The government will ensure that the user-guided personal assistance (BPA) scheme contributes to service users having an active and as far as possible independent life despite their disabilities. Evaluations and input from various special interest organisations and user organisations show a desire for freer user guidance, more appointments

in general, and more appointments in areas other than health, for example school, leisure, parental responsibilities and everyday recreation. In this connection it is particularly important to take the right steps to secure the best opportunities for persons with disabilities to live active and independent lives.

#### **Within the field of health and care, the government will:**

- Ensure that all residents of Norway have access to equal health and care services of good quality.
- Ensure that the health and care service has a clear responsibility for securing patient and user participation in the service provision.
- Ensure that the health and care service has sound knowledge about persons with disabilities and methods to mobilise users' own resources.
- Carry out a study with a view to ensuring that BPA is formulated in such a way that the scheme contributes to achieving equal status, equal opportunities irrespective of place of residence, equality and involvement in society for persons with disabilities, good working conditions for the assistants and sustainability in the scheme.

### 4.4.4 Culture and leisure

Meaningful leisure time is central to learning, life skills, health and involvement in society, irrespective of disability. The government therefore wishes to lower the threshold for involvement. Everyone should have equal opportunities to have active and meaningful leisure time.

According to Statistics Norway<sup>28</sup> 31 per cent of persons with disabilities seldomly participate in social

27 Statistics Norway: <https://www.ssb.no/helse?de=Helsetjenester&innholdstype=publikasjon-artikkel&start=105>

28 Jorun Ramm, Berit Otnes (2013) Personer med nedsatt funksjonsevne. Indikatorer for levekår og likestilling, Statistics Norway.

activities. This is twice as many as in the population in general. About 40 per cent of persons with disabilities state that they would like to participate more in social activities, such as visiting family and friends, outings, holidays or as spectators in cultural or sporting arenas. Among the general population, 9 per cent would like to participate more in social activities.

The share of persons with disabilities who participate in voluntary organisations, on the other hand, is approximately the same as for the rest of the population, according to the same survey. This applies to both membership and voluntary activity. The share who participate in outdoor and cultural activities is generally lower among persons with disabilities.

The Norwegian Centre for Research on Civil Society and Voluntary Sector<sup>29</sup> has also carried out research on involvement in voluntary organisations. The Centre measured slightly lower involvement in voluntary organisations among persons with disabilities than was found by Statistics Norway, and also considered distribution between various types of activities. Sport is one area where lower involvement was particularly noted.

Many of the cultural and leisure activities within the local community are created by voluntary organisations. This is activity that cannot be decreed or decided by the government, but that is the result of involvement and desire among the population. The government wishes to support this type of initiative through broad and unbureaucratic grant schemes and predictable framework conditions for voluntary organisations.

Low social involvement among persons with disabilities may be due to a lack of energy to participate, a lack of information about what is on offer, the activities not being accessible, the service apparatus not being good enough, or other physical or social barriers. For example, in a survey carried out by Sintef, 10 per cent of the respondents with disabilities stated that they often had to turn down arrangements, and 20 per cent that they often had to give up participating in activities that they wanted to or should have participated in due to a lack of transport.<sup>30</sup>

#### **Within culture and leisure, the government will:**

- Lower the thresholds for involvement in cultural and leisure activities. Persons with disabilities should have the same opportunities to participate in cultural and leisure activities as the rest of the population.
- Provide assistance to children and young people with disabilities to have the opportunity to regularly participate in at least one organised leisure activity.
- In close dialogue with voluntary sector provide disabled children and young people with proper leisure activities.
- Facilitate the provision of more accessible cultural and leisure activities through simplification and digitalisation.

29 Ivar Eimhjellen (2011) Inkludering av funksjonshemmede i frivillige organisasjoner, Norwegian Centre for Research on Civil Society and Voluntary Sector.  
30 Sintef, 2015, [https://www.bufo.no/Statistikk\\_og\\_analyse/Nedsatt\\_funksjonsevne/Transport/Bruk\\_av\\_transport/](https://www.bufo.no/Statistikk_og_analyse/Nedsatt_funksjonsevne/Transport/Bruk_av_transport/)





# 5

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## Conclusion



National Norwegian legislation and regulations, together with the UN Convention on the Rights of Persons with Disabilities (CRPD), form the foundation of the government's work on equality for persons with disabilities.

The development of this policy area requires a high level of understanding and continuous awareness of the living conditions of persons with disabilities. To develop future policy in this area, systematic data collection and statistical analysis is vital. The municipal monitor developed by the Norwegian Directorate for Children, Youth and Family Affairs will play a part in this, and the Directorate will continue to develop this tool during the strategy plan period. The municipal monitor will be very helpful to politicians and leaders in the municipalities. It will be an excellent tool for the

municipal advisory councils for persons with disabilities. The monitor has been created to enable persons with disabilities, their family members and their organisations to observe municipal authorities' activities. In addition, the monitor will be a basis both for future periodical UN reports on the UN convention and for measures in the coming action plans.

This strategy will be the basis for the government's long-term initiatives in this area. The strategy will be followed up by time-bound action plans that discuss specific initiatives and priorities for the period. In addition, the action plans will address new challenges that arise within the frameworks specified by the strategy plan and that the municipal monitor has been able to identify.

the 1990s, the number of publications on the topic has increased steadily. The number of publications in the field has increased from 10 in 1980 to 100 in 2000, and is expected to reach 150 in 2005.

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# Appendices



## Key milestones

Listed below are key historic documents and milestones of significance to the relational understanding of disabilities that applies today and that

is anchored in the UN Convention on the Rights of Persons with Disabilities (CRPD) and the Norwegian Equality and Anti-Discrimination Act.

1960

**1969**

**Appointment of the Blom committee** to draw up new legislation on special education. The result is seen as the most important post-war document on special education.

**1967–1971**

**The National Insurance Act** was introduced in 1967 and gave an entitlement to assistive aids. From 1971 onwards, individuals who due to illness, injury or disability needed help to manage with everyday life were entitled to assistive aids.

**1966**

**Report No. 88 to the Storting (1966–67): On the development of care for disabled people.** Social barriers were discussed in a chapter on technical social planning.

1970

**1975**

**The Special Schools Act** was integrated into the Primary and Lower Secondary Education Act, and adapted education as a principle became part of the law.

**1976**

**The Act concerning Upper Secondary School.** The integration of persons with disabilities into upper secondary school was legally established. In the first admission regulations, 2 per cent of student places were reserved for persons with disabilities.

**1977**

**Report No. 23 to the Storting (1977–78): Disabled people in society.** The fundamental principle of the report is inclusion in society.

**1979–1993**

Establishment of 16 county assistive aids centres.

1980

**1982**

**Young people with special needs for facilitated education** received priority admission to upper secondary education.

**1986–1987**

**Report No. 67 to the Storting (1986–87): Responsibility for measures and services for the intellectually disabled** clarified issues such as the basis for the HVPU reform and the distribution of responsibility between municipal and county authorities and the state.

**1986–1987**

**Changes to the Primary and Lower Secondary Education Act** specifying that all children, wherever practicable, should be permitted to attend the school with which they are geographically affiliated.

**1989–1990**

**Report No. 47 to the Storting (1989–90): On the implementation of the reform for persons with intellectual disabilities** described matters such as a shift from institutional reform to open care, the division of responsibility between various services, and the right to work, housing, education and leisure.



**1991**

**The HVPU (Health care for the intellectually disabled) reform.** Responsibility for persons with intellectual disabilities was transferred from the county authorities to the municipal authorities. Institutions were closed down, and users were moved to ordinary housing in their home municipalities.

**1991**

**An entitlement to more than three years of upper secondary education** was introduced for young people with special needs for facilitated education after expert assessment and decision.

**1992**

**A restructuring of special education** was carried out, involving the establishment of state special educational competence centres.

**1993**

**The UN's Standard Rules on the Equalization of Opportunities for Persons with Disabilities** were adopted by the UN. The rules are an instrument for working systematically towards full participation and equality.

**1994**

**Change to the assistive aids centres.** The responsibility for the assistive aids centres was transferred from the counties to the state.

**An entitlement to up to five years of upper secondary education** was introduced for students with a need for specially facilitated education upon admission to the first selected foundation course of upper secondary education.

**1995**

**An entitlement to teaching in sign language** was introduced in Section 2–4 of the Primary and Lower Secondary School Education Regulation. It was maintained in Section 2–6 of the Education Act.

**1998**

**Report No. 23 to the Storting (1997–98): On education for children, young people and adults with special needs** discussed how the provision of special educational services should be organised, in terms of the specialist assistance and support work provided by the local PPT (Educational and Psychological Counselling Service) and state competence centres.

**Special education was formulated as an individual right** in paragraph 5.1 of the Education Act.

**The government's action plan for the disabled (1998–2001)** described overarching political objectives and specific individual measures that the ministries involved undertook to implement during the period.

**Report No. 8 to the Storting (1998–99): On the action plan for the disabled 1998–2001 – participation and equality**, the last of four published plans from the government, the first of which being the Government's action plan for the disabled 1990–1993.

**1999**

**The Act on the Use of Force and Coercion.** This Act focuses on individuals' rights, with the objective of limiting and controlling the use of force and coercion. A new chapter (6A, later 4A) was introduced into the Act relating to Social Services, now Chapter 9 of the Health and Care Services Act. There is a specific directive in connection with this Act.



**2000**

**Entitlement to necessary education in Braille.** Training in the use of necessary technical aids, and training to find one's way around school, get to and from school and navigate the home environment is added to the Education Act.

## 2001

**The intention agreement for a more inclusive workplace** (the IA agreement) was entered into between the authorities and the workplace parties in 2001. The overarching objective of the IA collaboration is to improve the working environment, strengthen work attendance, prevent and reduce sickness absence, and prevent exclusion and dropout from employment. Three operative subgoals were set, of which subgoal 2 is to prevent dropout and increase employment among persons with disabilities. The IA agreement has been renegotiated three times, in 2005, 2010 and 2014.

## 2002

**Report No. 40 to the Storting (2002–2003): On dismantling disabling barriers.** The report notifies measures such as legislation against discrimination, the creation of a documentation centre, legally established user representation at municipal level, a reinforced grant scheme for disabled persons' organisations, etc.

**The government's first action plan for increased accessibility for persons with disabilities.** A total of 97 measures were proposed in the areas of transport, buildings and outdoor areas, ICT, and other areas of society.

**The Office for Children, Youth and Family Affairs (Bufetat) and the Directorate for Children, Youth and Family Affairs (Bufdir)** were created. Bufdir is the specialist directorate for equality and antidiscrimination, and is subject to the Ministry of Children and Equality.

**The Directorate for Education and Training (Udir)** was created. Udir is subject to the Ministry of Education and Research and is responsible for the development of kindergarten and primary, lower secondary and upper secondary education, including Statped, which offers services to municipal and county authorities within six fields.

**The National Institute on Intellectual Disability and Community (NAKU)** was created by the Directorate for Health and Social Affairs. NAKU is subject to the Ministry of Health and Care Services.

**Report No. 30 to the Storting (2003–2004): Culture for learning** set a goal of reducing the number of case decisions for special education by reinforcing adapted education in the ordinary school system. This report formed the basis for the Knowledge Promotion Reform.

## 2007

**The Public Procurement Act** requires that during the planning of public procurements, consideration must be taken of universal design.

## 2008

**The Anti-Discrimination and Accessibility Act** introduced a protection against discrimination on the grounds of disability.

**The UN Convention on the Rights of Persons with Disabilities (CRPD)** came into force.

**The Planning and Building Act** emphasises that the principle of universal design must be complied with in planning and

in requirements for individual building projects.

## 2009

**Universal design** is embedded in the purpose paragraph of the Planning and Building Act.

**Second planning period for the government's action plan for universal design and increased accessibility (2009–2013).** 50 measures within the fields of building and construction, planning and outdoor areas, transport, ICT, and the vision of a universally designed Norway by 2025.



## 2011

**Report No. 18 to the Storting (2010–2011): Learning together: early intervention and effective learning environments for children, young people and adults with special needs.** The report builds on three strategies: Identify – follow up; Target-oriented qualifications – improved learning outcome; Cooperation and coordination – better implementation.

## 2012

**Report No. 45 to the Storting (2012–2013): Freedom and equal status – About people with intellectual disabilities.** The report is a review of the responsibility reform (HVPU reform) 20 years on. The report has become a basis for mapping out the road ahead.

**The right to use one's own form of communication was introduced in the Education Act (Section 2-16).** This gives pupils who wholly or partly lack functional speech and who need alternative or supplementary communication the right to use the necessary communication tools in their education.

**2012**

**Employment strategy for persons with disabilities**

was proposed as an annex to Proposition No. 1 to the Storting (2011–2012): the state budget for 2012, and was implemented in 2012. The objective of the strategy is that more young people with disabilities who are in the transitional phase between education and employment should find work. The employment strategy has since been reinforced and continued.

**2013**

**Discrimination legislation was revised**

**A new Guardianship Act came into force.** The new law replaces the previous Guardianship Act from 1927 and the 1898 Act relating to the Declaring of a Person as Incapable of Managing His Own Affairs. Under the new legislation, responsibility for oversight of guardians and the administration of minors' assets is transferred from the municipal public guardians' offices to the county governors. One of the objectives was to bring Norwegian guardianship legislation into line with the requirements in the CRPD (see the next milestone).

**Norway ratified the UN Convention on the Rights of Persons with Disabilities (CRPD).** The aim of the convention is to ensure equal protection of human rights for persons with disabilities.

**2014**

**Bolig for velferd** (Housing for welfare), an overarching cross-sectorial and long-term strategy for social work in housing, was launched. The objective is that people who are economically disadvantaged in the housing market, including persons with disabilities, should receive help to get – and keep – their own home. The strategy runs until the end of 2020.

**2015**

**Third action plan period for the government's action plan for universal design and increased accessibility** (2015–2019), with 47 measures in the areas of ICT, welfare and everyday technology, building and construction, planning and outdoor areas, transport and cross-sectoral measures.

**Introduction of user-guided personal assistance (BPA),** which gives persons under the age of 67 with a major, long-term need for personal assistance and children under the age of 18 living at home the statutory right to respite measures. BPA is founded on a wish to give people a greater opportunity to take responsibility for their own life and welfare.

**Norway's first report on the implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD).** The Equality and Anti-Discrimination Ombud's supplementary report and the civil society's alternative report coordinated by the Norwegian Federation of Organisations of Disabled People (FFO) were submitted to the UN Committee the same year.

**2016**

**Changes to the Kindergarten Act:** regulations on special educational assistance and teaching in sign language were moved from the Education Act to the Kindergarten Act. The Act puts the municipal authorities under an obligation to facilitate kindergarten provisions. Parents and children gained a right to submit complaints, and the PPT (Educational and Psychological Counselling Service) must assist kindergartens with organisational and skills development for children with special needs.

**2017**

**New Equality and Anti-Discrimination Act.** The purpose of the Act is to promote equality and prevent discrimination on the grounds of gender, pregnancy, leave in connection with childbirth or adoption, care responsibilities, ethnicity, religion, belief, disability, sexual orientation, gender identity, gender expression, age or a person's other material characteristics. The Act was passed by the Storting in June 2017 and came into force on 1 January 2018.

## 2018

**Separate enforcement and promotion bodies.** In the new Equality and Anti-Discrimination Ombud Act, the Equality and Anti-Discrimination Ombud was exclusively entrusted with the promotion of equality. Its enforcement responsibilities were transferred to a new Anti-Discrimination Tribunal with the authority to impose redress in cases relating to employment and compensation in other cases.

**The obligations of active measures and reporting** in the Equality and Anti-Discrimination Act were proposed to be reinforced. The obligation to report on active work on equality is embedded in the Accounting Act. The proposal has been sent out for consultation.

## Key concepts

### Disability

Since the 1980s, Norwegian policy for persons with disabilities has been based on a so-called relational understanding of disability. In other words, disability is understood as the result of a discrepancy between the individual's abilities and the facilities offered by society. The degree of disability can be reduced by adapting society and breaking down disabling barriers, or by supporting and building up the individual's abilities through treatment, training and assistance.

"Persons with disabilities" is an umbrella term used of various persons with various disabilities. Disability involves a loss of, damage to or difference in a body part or in one of the body's psychological, physiological or biological functions. Some are born with disabilities, whereas others find themselves with disabilities later in life as a result of illness or injury (see the website of the Norwegian Directorate for Children, Youth and Family Affairs).

### Equality

Equality is defined in the Norwegian Equality and Anti-Discrimination Act as equal status, equal opportunities and equal rights. The objective of equality builds on the principle that all humans are of equal value and should have the same opportunities to a good and free life. Hence, equality is based on considerations of justice. Equality means that everyone should have equal formal rights. However, equal formal rights does not necessarily result in equal real opportunities. Equality also involves creating the conditions for persons with various abilities to have equal real opportunities to participate in society. This latter aspect is particularly important in work on equality for persons with disabilities. The Norwegian Equality and Anti-Discrimination Act emphasises that equality "presupposes accessibility and accommodation". In order to achieve real equality, barriers created by society must be broken down, and each individual must have access to assistance and support in order to be able to participate on an equal basis with others in education, employment, politics, family life and civil society.

### Inclusion

Inclusion is an overarching goal in our society. The intention is to give everyone the same opportunities to participate in society. Inclusion means that society, society's institutions and public services should be adapted to the entire target group. Individuals are given the opportunity to keep their individuality. Society must be adapted to the diversity of citizens by means of individually adapted arrangements and flexible solutions that will mean that what is offered is designed and facilitated in such a manner that each individual has the experience of being an equal member of society. The objective of inclusion is based on equality being perceived as a right to be different, and not just as a right to be part of a community. Inclusion is seen in the context of participation, equality and diversity, normalisation and differentness, quality of life and belonging.

### Self-determination and participation

Self-determination concerns the opportunity of the individual to make choices and decisions about their own life or that are of significance to their life. Self-determination is not just a matter of being involved in the difficult and challenging choices, such as where to live, but also the everyday choices about what to wear, what to say to people you meet, and whether or not to eat breakfast. The opportunities for self-determination and participation are dependent on there being options and that each individual's choices are treated with respect. At the same time, the individual's opportunities to make choices can be reinforced through training and exercise, adapted and facilitated information, and support and assistance to make decisions. For persons who use public services, self-determination and participation is assured by the individual being given the opportunity to influence the formulation and performance of the services that they use, and to give a response and feedback to their experience of the quality of the services.

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