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Response to the Northern Ireland Assembly Commission Good Relations Strategy 2012-2016

July 2012

1. Introduction

NICEM is an independent non-governmental organisation working to promote a society free from all forms of racism and discrimination and where equality and human rights are guaranteed. As an umbrella organisation¹ we represent the views and interests of black and minority ethnic (BME) communities.²

Our vision is of a society in which equality and diversity are respected, valued and embraced, that is free from all forms of racism, sectarianism, discrimination and social exclusion, and where human rights are guaranteed.

Our mission is to work to bring about social change through partnership and alliance building, and to achieve equality of outcome and full participation in society.

NICEM has a long tradition of engaging with the Northern Ireland Assembly, in particular through its secretariat support to the All Party Group on Minority Ethnic Communities. Therefore, NICEM welcomes the opportunity to respond to the Northern Ireland Assembly Commission's consultation on its Good Relations Strategy 2012-2016. NICEM also welcomes the Commission's commitment to challenging racism and the promotion of good relations between persons of differing religious belief, political opinion and racial group, in particular its aim to ensure "that the entire community can have full and fair access to, and participate in, the operations of the Northern Ireland Assembly".³ Based on this vision, the Commission's commitment to good relations can be broken down into three key strands as follows:

1. Ensuring Full and Fair Access to the Northern Ireland Assembly
2. Ensuring Full and Fair Participation in the Northern Ireland Assembly
3. Using the Good Relations Strategy to Challenge Racism

This response will look at each of these three inter-related strands and comment on the Commission's activities as set out in the four aims of the strategy in the consultation document with regard to issues facing the BME community.

¹ Currently we have 28 affiliated BME groups as full members. This composition is representative of the majority of BME communities in Northern Ireland. Many of these organisations operate on an entirely voluntary basis.

² In this document "Black and Minority Ethnic Communities" or "Minority Ethnic Groups" or "Ethnic Minority" has an inclusive meaning to unite all minority communities. It refers to settled ethnic minorities (including Travellers, Roma and Gypsy), settled religious minorities, migrants (EU and non-EU), asylum seekers and refugees and people of other immigration status.

³ Northern Ireland Assembly Commission, Consultation document on the Good Relations Strategy 2012-2016, at 5.1-5.2.

2. Ensuring Full and Fair Access to the Northern Ireland Assembly

2.1. Northern Ireland Assembly and Parliament Buildings

International human rights monitoring bodies have often been critical of the under-representation of minority groups in political life in Northern Ireland.⁴ The often intimidating physical appearance and historic significance of Parliament Buildings can act as a barrier to full and fair access to the Assembly. Whilst the Scottish Government has addressed many such barriers in their design of their Parliament we are well aware that Stormont does not have luxury of starting from scratch. Therefore, NICEM welcomes initiatives such as the recent establishment of the Speaker's Art Group and the proposed use of exhibition spaces to reflect the multi-cultural aspects of Northern Ireland society as well as making the space more connected to and reflective of the community. In the consultation document, the Commission points out that it will display art by minority ethnic groups "in particular". As an umbrella organisation, NICEM would be willing to engage with the Commission to signpost it to relevant ethnic minority groups.

Moreover, NICEM also welcomes the initiative to hold Committee meetings outside the Parliament Buildings as this could lead to greater accessibility for minority groups that are not based in Belfast. This is particularly relevant for NICEM's work as it has recently, as part of its Strategic Advocacy Programme, set up three regional offices covering Belfast and the North East, Mid-Ulster and Down and the North West. NICEM would therefore, like to be informed and to be given notice of the Central Committee Office's intentions to hold meetings outside Parliament Buildings so that we will be able to inform groups and individuals who may wish to engage with the committee on specific issues.

Lastly, NICEM would like to express its concern about the facilitation of minority ethnic needs in the Assembly's catering service as this acts as a barrier to accessing the Assembly. Requests to facilitate dietary requirements where necessary should be fulfilled and catering staff should have the skill set to understand requests such as vegetarian, halal, kosher etc. It may be helpful for the Assembly to review catering as to whether or not it is value for money and reflective of the needs of diverse audiences. In addition, NICEM recommends that where appropriate communities should be permitted to serve food from their own cultural background as a means of promoting good relations. For example at a recent event launching research regarding Filipino community, if community members had been allowed to bring traditional Filipino food more community members would have been encouraged to attend, permitting such activities enhances cultural diversity and it is a more affordable way for minority communities to participate with the Assembly.

2.2. Language and Accessibility

Language is one of the most obvious barriers facing BME communities living in Northern Ireland and can affect accessibility to the Assembly. Therefore, it is essential that the needs of BME communities are accounted for in the Language Policy which is currently being developed by the Commission. Specific needs include the provision of information in relevant BME languages and access to quality interpreting and translation services where necessary.

⁴ See generally, Advisory Committee on the Framework Convention for the Protection of National Minorities, *Third Opinion on the UK*, Doc. ACFC/OP/III(2011)006, 30 June 2011; UN Committee on the Elimination of Racial Discrimination, *Concluding Observations on the UK*, UN Doc. CERD/C/GBR/CO/18-20, 14 September 2011.

This importance of catering for the linguistic needs of BME communities as well as national minority languages is integral to the promotion of good relations. Commenting on the protection of the rights of minorities in Northern Ireland, the Council of Europe Advisory Committee on the Framework Convention for the Protection of National Minorities expressed its concern that:

“most of the attention and efforts of the authorities continue to be directed at the two main communities, Catholics and Protestants. The needs in terms of preservation of cultures and languages of persons belonging to minority ethnic communities are reportedly not adequately catered for”.⁵

Nevertheless, in order for the Commission to discharge its legal obligations under section 75(2) of the Northern Ireland Act 1998 it is essential to respect the language rights of persons of differing religious belief, political opinion and racial group.

2.3. Increasing accessibility for BME groups

NICEM welcomes the efforts of the information and outreach section of the Assembly Commission. In particular, the community link networking initiative and the focus meetings with sectoral and voluntary groups. In particular, BME women often face particular barriers and NICEM would welcome efforts by the Commission to improve access of BME women to the Assembly and NICEM would be willing to work alongside the Commission in order to achieve greater accessibility. NICEM recommends that this should form a key priority in the Commission's strategy for the upcoming four years, given that the UK government will undergo examination by the United Nations Committee on the Elimination of All Forms of Discrimination Against Women in the coming year.

3. Ensuring Full and Fair Participation in the Northern Ireland Assembly

Some of the issues already discussed in section 2 are also essential components of ensuring full and fair participation of the BME community in the Northern Ireland Assembly, namely language issues and the involvement of particular groups. In order to avoid repetition, those points will not be set out again but their importance and significance are underlined here.

While there is good community participation of the BME community in the All Party Group on Minority Ethnic Communities, NICEM would welcome all efforts by the Assembly Commission to encourage and support greater participation, especially from groups and individuals who have not previously had any engagement.

One initiative which NICEM is very supportive of is the establishment of the Northern Ireland Youth Assembly and we would like to emphasise the importance of representation from the BME community in the make-up of the Assembly, given the under-representation of BME youths in decision-making processes. At this point it is useful to recall some of the UK's obligations under the UN Convention on the Rights of the Child (UNCRC), namely the inter-linked principles of non-discrimination⁶ and the right of the child to be heard.⁷ The

⁵ Council of Europe, Advisory Committee on the Framework Convention for the Protection of National Minorities, Third Opinion on the UK, ACFC/OP/III(2011)006, 30 June 2011.

⁶ Article 2 UNCRC.

UN Committee on the Rights of the Child has also called for special measures to be taken to encourage participation by vulnerable groups. Given these obligations and the good relations duty, NICEM feels it is of utmost importance that representatives of the BME community are involved in the Youth Assembly.

In terms of practical suggestions NICEM feels that the All Party Group on Ethnic Minority Communities could help to inform some discussions. Perhaps an ethnic minority representative of the Youth Assembly could occasionally attend the All Party Group and feed back on relevant issues from the youth assembly. NICEM would be willing to engage further with the Commission in the development of the Youth Assembly.

4. Using the Good Relations Strategy to Challenge Racism

Section 75(2) of the Northern Ireland Act 1998 places a positive duty on public authorities to promote good relations between persons of different religious belief, political opinion or racial group. That means that public authorities must adopt a pro-active approach. Based on the Assembly Commission's vision for the Good Relations Strategy, as outlined at section 5.2 of the consultation document, and its mandate to serve and support the Assembly, NICEM urges the Commission to use the strategy as a scrutiny tool to challenge racism. This requires a range of measures to be adopted, in particular ensuring that staff undertake effective anti-discrimination and equality training. Such training must go beyond basic cultural awareness in order to realise the Assembly Commission's vision of challenging racism, in particular institutional racism. NICEM is well experienced in the provision of such training and would be willing to engage with the Assembly Commission on this issue.

In addition, at sections 2.4 and 2.5 of the consultation document, the Commission suggests the establishment of Good Relations Champions. NICEM welcomes this initiative and suggests that the Commission build upon initiatives in the last Race Relations Strategy 2005-2010 (and hopefully the forthcoming Strategy) to establish departmental champions by creating the position of Race Relations Champion within the Assembly Commission. NICEM also suggests that the Assembly Commission links in with good practice initiatives in other Departments and further afield, for example the BEM link initiative in the Department of Justice, whilst this initiative is fairly new and its impact is yet to be seen it does represent a proactive step in the right direction.

5. Other issues

In the consultation document the Assembly Bursary Programme was mentioned. Education and training as well as employability within the BME community is a key priority for NICEM. NICEM would like to request more information, particularly in relation to the advertising of this bursary scheme as BME communities often face increased financial pressure as they often have to pay international student fees.

Lastly, NICEM notes at section 2.14 of the consultation document that the Assembly Commission intends to adopt best practice. NICEM would like to request more information on the sources the Assembly Commission looks to in order to ascertain best practice, for example what kind of engagement the Commission has with other regions in the UK. In

⁷ Article 12 UNCRC.

addition, NICEM would urge the Commission to look to the UK's international human rights obligations to inform best practice. For example, in its concluding observations resulting from the 2011 examination of the UK by the UN Committee on the Elimination of Racial Discrimination (CERD), the Committee recommended that:

The State party is invited to examine whether the legislative and policy framework for dealing with the situation in Northern Ireland could not benefit by being underpinned by the standards, duties and actions prescribed by the Convention and the Durban Declaration and Programme of Action on inter-sectionality between ethnic origin, religion and other forms of discrimination.⁸

6. Further Information

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⁸ UN Committee on the Elimination of Racial Discrimination, *Concluding Observations on the UK*, UN Doc. CERD/C/GBR/CO/18-20, 14 September 2011, para. 20.