



# NORTHERN IRELAND LIBERAL DEMOCRATS

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## Response to Draft Programme on Cohesion, Sharing, and Integration

### 1. Introduction

This response is intended to complement the responses of The Rainbow Project, Lesbian Advocacy Services Initiative (LASI), Cara-Friend, and QueerSpace, among others.

### 2. CSI - an alternative perspective

The historical background to 'good relations' policies in Northern Ireland has meant that there has been, up until now, a focus on interaction between the two perceived religious sections of the broader Northern Irish community as a whole. In recent years, the increase of people of other religious and ethnic minorities as well as those who identify as lesbian, gay, bisexual or transgender (LGBT) within Northern Ireland has widened our understanding of community relations. It is, therefore, entirely right that the Programme for Cohesion, Sharing and Integration (CSI programme) ought to reflect this.

However, it is clear that the rights of, and indeed respect for, people with disabilities, people who are LGBT, women, and victims of the last forty years are not acknowledged in this draft Programme.

Whilst we welcome the movement towards action for shared space, education, and housing, as well as combating visible manifestations of racism and sectarianism, we feel that the CSI programme, could be further developed by using an alternative title, perhaps a subtitle, of 'Communities, Society, and Inclusion'. This would reflect the awareness of the many communities within the wider Northern Irish community and society, an awareness that shows that many in Northern Ireland actually belong to several differing strands of the many communities.

### 3. Liberty, equality, and community

*"The Liberal Democrats exist to build and safeguard a fair, free and open society, in which we seek to balance the fundamental values of liberty, equality, and community and in which no one shall be enslaved, by poverty, ignorance or conformity."*<sup>1</sup>

As Liberal Democrats, we suggest that the current form of the CSI programme does not pass the best practice with regard to promotion of equality that the Office of the First Minister and deputy First Minister (OFMDFM) is required to carry out by section 75 of the Northern Ireland Act 1998 (c.47).

The CSI programme must not be selective in which categories, outlined in section 75, it attempts to support: by doing so it is merely managing the historical divisions rather than addressing the problems.

Without any strong vision focused on the transformation of Northern Irish society as a whole, rather than as two perceived separate entities, there is a lack of recognition of the relationship between diversity and economic development, and the importance of strong, local, regional, and national political leadership.

### 4. OFMDFM fails to comply with own Equality Scheme

OFMDFM has singularly failed to comply with its own Equality Scheme. A screening exercise is required on this draft Programme 'at the earliest opportunity'. However, no screening template is attached to the draft Programme. The 'Equality Scheme' begins on page 75, on the following page we are informed that:

*"Equality is mainstreamed throughout the strategic development process of this Programme. Together with Equality Impact Assessment at programme level we will work with the Equality Commission to monitor any equality impact assessments of policies deriving from this Programme, to ensure*

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<sup>1</sup> Preamble to the Federal Constitution of the Liberal Democrats

*consistency; to continue to develop our overview of the equality aspects of the strategy.”*

This failure by OFMDFM to comply with its own equality scheme is a completely unacceptable assertion. This department is meant to be the lead on equality within the Northern Ireland Executive. Yet, it is attempting to claim that it has ‘not started policy development as yet, we’re only having a brainstorm session at the moment, we’ll get back to interested parties when we get going properly (at some point)’.

Other Northern Ireland Departments are quite happy to conduct EQIAs including the one on the ‘Rationalisation of Supply Chain Development Branch’<sup>2</sup>, by the Department of Agriculture and Rural Development (which ended on 21 October 2010). This policy is therefore deemed worthy of an EQIA, yet the CSI programme does not even warrant a ‘tick-box’ screening template.

We suggest that a ‘tick box’ equality compliance focus still prevails and this ignores the multiple identities which all of us in Northern Ireland have. Too often equality categories are seen as mutually exclusive, and this is quite patently not the case. As a government and society we ought to be building relationships between people, rather than between groups of people.

#### 5. **‘Homophobia is gay’<sup>3</sup>**

To use a campaign slogan from our Party’s youth wing, Liberal Youth, it is clear that OFMDFM thinks that ‘homophobia is [so] gay’ that it will not even mention its name in the draft Programme. This lack of recognition of ‘the last acceptable prejudice’<sup>4</sup>, which clearly exists in some sections of the Northern Irish community, should neither be condoned by the Northern Ireland Executive nor the Northern Ireland Assembly. It is essential that the CSI programme when redrafted specifically mentions homophobia, in addition to sectarianism and racism.

The dictionary definition of homophobia<sup>5</sup> does not provide a full picture of what LGBT people suffer through homophobic violence and harassment.

*‘Harassment includes verbal abuse, threats, offensive mail, phone calls and graffiti as well as being followed and having property stolen. Violence includes physical and sexual assault but also attempted physical assault, being spat at and being the target of thrown objects.’<sup>6</sup>*

It is clear that the OFMDFM-sponsored research which dates from 2003<sup>7</sup> has not had the influence on public policy that it warrants.

#### 6. **Northern Ireland leads Europe on hate crime**

Northern Ireland is the sole legal jurisdiction within the Council of Europe area to have specific, operative, disability-related and homophobic hate crime laws, which were developed by applying section 75 (of 1998 c.47), and the Northern Ireland Office’s equality scheme, to developing hate crime law within Northern Ireland.

The draft CSI programme does not acknowledge this groundbreaking approach. The draft Programme states:

*“Zero tolerance for crimes motivated by prejudice and all forms of hate crime, whilst actively promoting rights and respect;”.*

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<sup>2</sup> <http://www.dardni.gov.uk/index/publications/pubs-dard-agenda-for-equality/consultations-newpage-15.htm> (accessed 18 October 2010)

<sup>3</sup> In youth parlance the word ‘gay’ is used as a derogatory word to mean ‘bad’.

<sup>4</sup> Jarman and Tennant, *An Acceptable Prejudice? Homophobic Violence and Harassment in Northern Ireland*, (Belfast: Institute for Conflict Research, 2003), p.5; as found on <http://cain.ulst.ac.uk/icr/reports/jarman03homophobic.pdf> (accessed 25 October 2010)

<sup>5</sup> “an extreme and irrational aversion to homosexuality and homosexual people”, Pearsall (ed.) *The New Oxford Dictionary of English*, (Oxford: Oxford University Press, 1998), p.879, col. 1

<sup>6</sup> Jarman and Tennant, *op. cit.*, p.37

<sup>7</sup> Jarman and Tennant, *op. cit.*

However, any CSI programme which ignores disability-related and homophobic hate crime, whilst concentrating on racist and sectarian hate crime is not only completely unworkable, but also unsustainable in the long term. A quick papering over the cracks is not what Northern Ireland needs.

## 7. Moving forward

The commitment which has been reiterated by the OFMDFM junior Minister Robin Newton MLA in a debate in the Assembly<sup>8</sup> that

*“We have entered a new and hopeful period in our history. Our vision for this new era is that, working together, we will build a shared and better future for us all. We want to build a society where everyone shares in and enjoys the benefits of a more peaceful society.”<sup>9</sup>*

is a commitment that we fully support. However, this commitment must be reflective of the society in which we live. That is a society which, whilst having moved much further in ten years than many would have expected, is still a society with multiple problems. A society where 33 families have suffered racist attacks on their homes in one part of Belfast in recent weeks. A society that in the last year has seen 85% of gay people say that they had been attacked in the street<sup>10</sup>. Not to mention a society where 98% of LGBT youth are bullied in school, with 30% of that bullying being by adults<sup>11</sup>.

OFMDFM appears to be dragging its collective feet on the production of a timetable for action on a Sexual Orientation Strategy and Action Plan. It is well documented that four years have elapsed since the extensive consultation on this. Whilst it is important to place the rights of and respect for LGBT people in the CSI programme, it is equally vital to ensure the timely production of a Sexual Orientation Strategy and Action Plan. This is one example where the failure of setting challenging targets and measurements within the CSI programme leads to ‘a commitment to procrastinate’<sup>12</sup> rather than to positive action.

## 8. Suggestions

In order to progress all that we have outlined above, the Northern Ireland Liberal Democrats suggest that OFMDFM acts on our suggestions as outlined below.

- (1) Conduct a proper screening exercise on the CSI programme, including all screening questions.
- (2) Conduct a full Equality Impact Assessment on the CSI programme.
- (3) Ensure that all the forms of hate crime, as found in Northern Irish law, be included within the CSI programme.
- (4) Without detracting from the important work of tackling racism and sectarianism within the Northern Ireland community, ensure that the rights of, and respect for, people with disabilities, LGBT people, women, and victims are integrated into the CSI programme, as a means towards the full cohesion of our society.
- (5) Bring forward a timetable for action on the production of a comprehensive Sexual Orientation Strategy and Action Plan prior to dissolution before the next Assembly elections in May 2011.
- (6) Ensure that the final CSI programme includes a timetable for action, together with measurable and costed targets and outcomes, for implementation in its entirety by this and future Northern Ireland Executives.

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<sup>8</sup> *Official Report* (Hansard) Vol 55, No 6, p.280, col. 2 ff.

<sup>9</sup> *Programme for Cohesion, Sharing and Integration: Consultation Document*, p.3

<sup>10</sup> Speech by Dr Duncan Morrow, CEO of Community Relations Council at launch of Unite against Hate Sporting Weekend in Long Gallery, Parliament Buildings, Friday 15 October 2010.

<sup>11</sup> cf Gavin Boyd, The Rainbow Project, comment at LGBT Sectoral Consultation on *Draft Programme for Cohesion, Sharing and Integration*, 19 October, Holiday Inn, Ormeau Avenue, Belfast.

<sup>12</sup> cf Stephen Glenn, comment at LGBT Sectoral Consultation, *loc. cit.*.