

DRAFT Response: Committee Consideration

Communications Office
Room B4
Parliament Buildings
Stormont Estate
Belfast
BT4 3XX

13 January 2020

To whom it may concern:

Re: Consultation on the Creation of a Bill of Rights for Northern Ireland

Mid Ulster District Council would like to take this opportunity to put forward its views and opinions in relation to the creation of a Bill of Rights for Northern Ireland. The Council understands that this current consultation is as a result of the implementation of the New Decade New Approach Agreement. However, the creation and delivery of a Bill of Rights for Northern Ireland is also, a so far undelivered, aspect of the Belfast/ Good Friday Agreement. As such, while the Council welcomes progress in relation to progressing this aspect of the Belfast/Good Friday Agreement, the Council would hope that the process of developing and implementing a Bill of Rights is completed within the current term of the Assembly's mandate.

Views on Human Rights

In relation as to whether or not everyone in Northern Ireland enjoys the same human rights, it is clear from documented research, that this is currently not the case. Evidence shows that there are varying levels of access to services across society. In addition, there are specific human rights issues in relation to members of the BME (Black Minority Ethnic) community, the elderly, and people who are living in poverty.

While it may not be the intention to discriminate against people in these social groupings, nevertheless representatives of people in these social groupings report that, in practice, people can find it difficult to access the same rights as everyone and this can be for various reasons.

Protections

Regarding the groupings of people who may require more protection for their human rights, some groups of people are disproportionately impacted upon by deprivation, access to services, access to healthcare and secure employment. This issue has been highlighted recently by the Covid-19 pandemic, with the highest death rates being linked to areas of social deprivation. Therefore there is an argument to suggest that some people in Northern Ireland may need more protection of their human rights than others for an abundance of reasons; possibly including age, whether or not a person has a disability, their ethnic grouping and gender. However any protections should be rights based and equitable and provide a balanced approach.

Values

The Council would support the inclusion of values as stated within the consultation documentation. However, an emphasis should be placed on the actual rights provision itself, rather than focusing on values that can be hard to measure, support and implement. Overall the values of any Bill of Rights for Northern Ireland should embed fairness and equality deliver via a documented rights based agenda.

Bill of Rights Contents

The Council would class the development and implementation of a Bill of Rights for Northern Ireland as very important. Whilst the concept of developing an 'aspirational vision' may be useful for the development of a Bill of Rights, Mid Ulster District Council would promote the development of concrete rights, which seem real and can be used and more readily implemented, this should include civil and political rights that are based on fairness, equality and respect.

In relation to the inclusion of social, economic and cultural rights and the right to a healthy environment the Council takes the view that the inclusion of these rights are important and a must for any society, and should also be fully included in a Bill of Rights for Northern Ireland.

There are numerous examples of good practice of internal standards which should be considered and replicated, where appropriate, for Northern Ireland. This includes the EU Charter of Human Rights which provides twelve civil and political rights including the right to life; the prohibition of torture; the right to liberty and security; the right to a fair trial; the right to respect for private and family life; freedom of thought, conscience, and religion; and freedom of expression.

The Council welcomes the chance to provide into as part of this consultation process and awaits the outcome, bringing the finalisation of a Bill of Rights for Northern Ireland a step closer.

Yours sincerely

Councillor Cathal Mallaghan
Chair

Have your say: Human Rights in Northern Ireland

Consultation on the creation of a Bill of Rights for Northern Ireland

This consultation was set up by the Northern Ireland Assembly's Ad Hoc Committee on a Bill of Rights. The Committee wants to hear your views and understand how you feel about the creation of a Bill of Rights in Northern Ireland.

Why was the Ad Hoc Committee on a Bill of Rights set up?

The Ad Hoc Committee on a Bill of Rights was set up following the New Decade, New Approach Agreement in early 2020. The Committee is tasked with considering the creation of a Bill of Rights for Northern Ireland. That includes looking at the implications of a Bill of Rights here and what rights it might include. The Committee has discussed and received briefings from a wide range of stakeholders and experts in human rights in recent months, but a crucial part of its evidence-gathering is listening to those who are directly affected – you.

What is the consultation about?

This consultation is about the Committee getting your views, listening to what you think and taking on board how you feel about the creation of a Bill of Rights in Northern Ireland. The results of the consultation will provide valuable information to the Committee and help inform its forward work programme. The survey is completely anonymous and confidential. If you choose to provide contact details, so you are kept informed of the Committee's work, these details will not be linked to your responses.

Why should I get involved?

This is your chance to say what you think and how you feel. Your views and opinions are as important as anyone's. To get an understanding of what people who live here think about the creation of a Bill of Rights for Northern Ireland, we need to hear from lots of different people. By getting involved you'll help to ensure that the Committee's report is reflective of society across Northern Ireland.

How do I get involved?

You can complete the consultation survey attached.

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Complete our survey

This short survey should take less than ten minutes to complete. The results will provide valuable information to the Committee.

The survey is completely anonymous and confidential. If you choose to provide contact details they will not be linked to your responses.

1. Views on Human Rights

This first set of questions looks at your general view on human rights.

a. To what extent do you agree that everyone in Northern Ireland today enjoys the same basic human rights?

- | | |
|-------------------------------|--------------------------|
| A. Strongly agree | <input type="checkbox"/> |
| B. Agree | <input type="checkbox"/> |
| C. Neither agree nor disagree | <input type="checkbox"/> |
| D. Disagree | <input type="checkbox"/> |
| E. Strongly disagree | <input type="checkbox"/> |
| F. Don't know | <input type="checkbox"/> |

b. Why do you feel this way?

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2. Protections

In your view, do people in Northern Ireland need more protection for their human rights in relation to any of the following areas?

Choose as many as you like.

- A. Age ☐
- B. Caring responsibilities ☐
- C. Community background ☐
- D. Criminal record ☐
- E. Cultural background ☐
- F. Disability ☐
- G. Economic status or income ☐
- H. Ethnic group ☐
- I. Family or civil status ☐
- J. Gender ☐
- K. Health status ☐
- L. Language ☐
- M. National identity ☐
- N. Political or other opinion ☐
- O. Pregnancy and maternity ☐
- P. Property ☐
- Q. Religion or belief ☐
- R. Sexual orientation ☐
- S. Don't know ☐
- T. None of the above ☐
- U. Other ☐

If you selected 'Other', please let us know what other areas you think should be included:

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3. Values

In your view, which of the following values, if any, would make appropriate foundations for rights in Northern Ireland?

Choose as many as you like.

- A. Community ☐
- B. Human dignity (everyone deserves respect) ☐
- C. Fairness ☐
- D. Freedom and democracy ☐
- E. Justice ☐
- F. Mutual respect (respect for each other) ☐
- G. Parity of esteem (valuing all traditions equally) ☐
- H. Respect for culture, identity, traditions and aspirations ☐
- I. Peace and reconciliation ☐
- J. Don't know ☐
- K. Other ☐

If you selected 'Other', please let us know what other foundations you think should be included:

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4. Bill of Rights

Human rights are freedoms and protections belonging to everyone. A bill of rights contains human rights protections for everyone - it is a list of the laws a country agrees to make to protect all the people who live there.

a. How important, if at all, do you think a bill of rights is for Northern Ireland?

- A. Very Important ☐
- B. Important ☐
- C. Moderately important ☐
- D. Slightly important ☐
- E. Not important at all ☐
- F. Don't know ☐

b. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should set out an aspirational vision based on guiding or foundational values?

- A. Strongly agree ☐
- B. Agree ☐
- C. Neither agree nor disagree ☐
- D. Disagree ☐
- E. Strongly disagree ☐
- F. Don't know ☐

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c. Civil and political rights can include freedom from discrimination; the right to privacy; freedom of expression, assembly, religion and movement; and the right to a fair trial. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should include civil and political rights?

- A. Strongly agree ☐
- B. Agree ☐
- C. Neither agree nor disagree ☐
- D. Disagree ☐
- E. Strongly disagree ☐
- F. Don't know ☐

d. What, if any, political and civil rights would you like to see in a bill of rights for Northern Ireland?

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e. Social and economic and cultural rights can include rights around standards of living, health, social security, victims, education and language. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should include social, economic and cultural rights?

- A. Strongly agree ☐
- B. Agree ☐
- C. Neither agree nor disagree ☐
- D. Disagree ☐
- E. Strongly disagree ☐
- F. Don't know ☐

f. What, if any, social, economic and cultural rights would you like to see in a bill of rights for Northern Ireland?

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g. To what extent, if at all, do you agree that a bill of rights for Northern Ireland should include the right to a healthy environment?

A. Strongly agree ☐

B. Agree ☐

C. Neither agree nor disagree ☐

D. Disagree ☐

E. Strongly disagree ☐

F. Don't know ☐

h. Do you have any other comments?

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5. About You - Section 75

This section contains Section 75 questions. These questions allow us to ensure that we are carrying out our work with due regard to the need to promote equality of opportunity and good relations in respect of religious belief, political opinion, gender, race, disability, age, marital status, dependants and sexual orientation.

You do not need to complete this section but the more information we can collect the better we are able to monitor our responses.

All information will be kept completely anonymous and confidential. If you choose to provide contact details they will not be linked to your responses.

Only complete this section if you are happy to answer the Section 75 questions.

a. What is your gender?

- A. Female ☐
- B. Male ☐
- C. Prefer not to say ☐

b. Age Group

- A. Under 18 ☐
- B. 18 - 24 ☐
- C. 25 - 34 ☐
- D. 35 - 44 ☐
- E. 45 - 54 ☐
- F. 55 - 64 ☐
- G. Over 65 ☐
- H. Prefer not to say ☐

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c. How would you describe your national identity?

Choose as many as you like

- | | |
|----------------------|--------------------------|
| A. British | <input type="checkbox"/> |
| B. Irish | <input type="checkbox"/> |
| C. Northern Irish | <input type="checkbox"/> |
| D. English | <input type="checkbox"/> |
| E. Scottish | <input type="checkbox"/> |
| F. Welsh | <input type="checkbox"/> |
| G. Prefer not to say | <input type="checkbox"/> |
| H. Other | <input type="checkbox"/> |

If you selected 'Other', please let us know how you would describe your national identity:

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d. What is your ethnic group?

Select one only.

- | | |
|-----------------------|--------------------------|
| A. White | <input type="checkbox"/> |
| B. Chinese | <input type="checkbox"/> |
| C. Irish Traveller | <input type="checkbox"/> |
| D. Roma | <input type="checkbox"/> |
| E. Indian | <input type="checkbox"/> |
| F. Filipino | <input type="checkbox"/> |
| G. Black African | <input type="checkbox"/> |
| H. Black Other | <input type="checkbox"/> |
| I. Mixed ethnic group | <input type="checkbox"/> |
| J. Prefer not to say | <input type="checkbox"/> |
| K. Other | <input type="checkbox"/> |

If you selected 'Other', please let us know your ethnic group:

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e. Religious Belief

- A. Protestant ☐
- B. Roman Catholic ☐
- C. Other Christian ☐
- D. No religious belief ☐
- E. Prefer not to say ☐
- F. Other ☐

If you selected 'Other', please let us know your religious belief:

f. In terms of political outlook would you describe yourself as broadly...

- A. Nationalist ☐
- B. Unionist ☐
- C. Prefer not to say ☐
- D. Other ☐

If you selected 'Other', please let us know how you would describe your political outlook:

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g. Which of the following best describes your sexual orientation?

- A. Heterosexual/Straight ☐
- B. Gay or Lesbian ☐
- C. Bisexual ☐
- D. Prefer not to say ☐
- E. Other ☐

If you selected 'Other', please let us know how you would describe your sexual orientation:

h. Disability

A person has a disability if s/he has “a physical or mental impairment which has a substantial and long-term adverse effect on his/ her ability to carry out normal day-to-day activities” (Disability Discrimination Act 1995).

Choose as many as you like.

- A. I have a physical disability ☐
- B. I have a sensory disability ☐
- C. I have a learning disability ☐
- D. I do not have a disability ☐
- E. I have a mental health condition ☐
- F. I have a long-term health condition ☐
- G. Prefer not to say ☐

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i. Dependants

Choose as many as you like.

- A. I have personal responsibility for the care of a child (or children) ☐
- B. I have personal responsibility for the care of a person with a disability ☐
- C. I have personal responsibility for the care of a dependent older person ☐
- D. I do not have any dependants ☐
- E. Prefer not to say ☐

7 - Are you willing to be contacted again (for example, to take part in further consultation)?

- Y. YES ☐
- N. NO ☐

If 'Yes', please enter your email below. We will only use your email to contact you in relation to the work of the Ad Hoc Committee on a Bill of Rights.