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PRESS RELEASE

Equality Commission Rescind Decision on Newry & Mourne Council Compliance

The Equality Commission, at its meeting on 29 June 2016, has rescinded the decision by which it had accepted that a review by Newry and Mourne District Council of the naming of McCreesh Park in Newry, had complied with a recommendation made by the Commission following an Investigation of the matter.

In March 2014, the Equality Commission, following an Investigation under Section 75 of the Northern Ireland Act, recommended that the Council review the decision to name the play park. The Commission recommended that this be done in a transparent manner that took proper account of the legal obligations to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations.

The Council did conduct a review and voted to retain the name of the Park. In March 2015 the Commission, while expressing its disappointment with the decision to retain the name, accepted that the review had complied with the recommendation made by the Commission.

Following the granting of leave to apply for Judicial Review proceedings of that decision in April 2016, the Commission has given further consideration to all the relevant matters and the arguments raised in that application. Upon this further consideration the Commission has concluded that the Council has not fully complied with the recommendation, specifically around transparency, and has rescinded the decision challenged in the judicial review application.

The Commission has advised the Council of this and recommended that, to ensure transparency, the Council debate and vote on this issue should be conducted in public and properly recorded and that Councillors should be provided with a qualitative analysis of the consultation responses prior to that debate and vote.

The Commission has communicated this decision to the other parties to the Judicial Review.

Commenting on the decision, Dr. Michael Wardlow, Chief Commissioner of the Equality Commission, said “When we made our previous decision the Commission expressed its disappointment that the opportunity was not taken to find a name for the play park that would have more positive resonances with all those in the Council area and that would be more conducive to good relations between the communities. That remains our view.”