



# **EQUALITY COMMISSION FOR NORTHERN IRELAND**

**Response to consultation:**

**The Executive Office: New Strategy for Victims and Survivors**

**March 2024**

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## Executive Summary

- i. The Equality Commission for Northern Ireland (the Commission) welcomes the opportunity to respond to TEO's consultation on the New Strategy for Victims and Survivors of the Troubles/Conflict.
- ii. It is difficult to comment on the likely effectiveness of the Strategy without further information on specific actions and interventions.
- iii. Nevertheless, we have raised several key points in relation to the draft Strategy, including:
  - The need to clarify the timeframe of the Strategy, and that it will be supported by SMART action plans.
  - The Strategy should consider the needs of different equality groups, and the particular barriers they may face, including the specific needs of those with multiple identities.
  - Impacts on wider policy areas should be considered, including the role of women; sharing in education and shared housing.
  - Action is also required with regards to better targeting of interventions and tracking of impacts; collecting and using equality data to inform decision making; in leadership and stakeholder involvement; and in ensuring appropriate investment and resourcing.
- iv. We have also highlighted the importance of embedding consideration of and compliance with Article 2 Windsor Framework at an early stage in the development of policy and legislation processes, arising from the Strategy.
- v. The Commission has also reviewed the associated screening of this strategy and are requesting to meet the policy leads regarding this screening, to provide Section 75 advice, in line with TEO equality scheme commitments.

# 1 General comments

- 1.1 The Equality Commission for Northern Ireland ('the Commission') welcomes the opportunity to respond to the Executive office (TEO)'s consultation on the New Strategy for Victims and Survivors of the Troubles/Conflict.
- 1.2 The Equality Commission is responsible for implementing the legislation on age, fair employment and treatment, sex discrimination and equal pay, race relations, sexual orientation and disability. The Commission's remit also includes overseeing the statutory duties on public authorities to promote equality of opportunity and good relations under Section 75 of the Northern Ireland Act 1998, and the disability duties under the Disability Discrimination Act 1995.
- 1.3 Further information on our role and remit is outlined in Annex A.
- 1.4 Our response to this consultation exercise does not consider all areas of the proposals, but rather focusses on areas where the Commission has established key policy positions or advice.
- 1.5 Our response to the 2018 NIO consultation on Addressing the legacy of Northern Ireland's past<sup>1</sup> may be of interest and relevance.
- 1.6 We note there is no indication as to how long the proposed Strategy will last, nor whether action plans will be used. This makes it more difficult to know what is likely to be able to be achieved, and will make it less easy to monitor progress.
- 1.7 The actions which are indicated are in general high-level, and not time-bound. The lack of detail on specific actions planned makes it difficult to comment on the likely effectiveness of the Strategy, and how different actions may impact upon different equality groups. It also makes it more difficult to identify potential gaps or areas where further action may be helpful.
- 1.8 There is need for action to address a number of recommendations that the Commission considers important to see implemented across a range of Government strategies, programmes and plans, which will be relevant to the development of this Strategy:

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<sup>1</sup> ECNI (2018) [Response to NIO consultation: Addressing the legacy of Northern Ireland's past](#)

- Targeting Interventions, Tracking Impacts: All key measures of Government should not only be tracked in aggregate but also for the impact on individuals from across the full range of equality grounds. Providing comprehensive equality metrics for all key measures will assist equality considerations to be a core component of public policy design and delivery, facilitating the fuller targeting and delivery of interventions, including for the full range of equality groups.
- Equality Data: There is a need for Government and Public Authorities to collect and share comprehensive equality data to underpin the targeting of interventions and tracking of equality impacts. Key Government datasets should contain comprehensive equality data to facilitate full equality analysis. There is also a need to address gaps in the equality data held within key government datasets and to make this information accessible to a wide range of decision makers and stakeholders.
- Leadership: There is a need for leadership at all levels on equality issues. Leadership must promote positive attitudes, challenge stereotypes and discrimination and ensure that options to advance equality are considered at the earliest point, and across the lifecycle, of all policy development and delivery.
- Stakeholder Involvement: There is a need for full and routine stakeholder involvement and co-design. Government and Departments must fully and routinely involve key stakeholders in the design, delivery and review of law and public policy, so as to benefit from their expertise and experience.
- Resources: There is a need for SMART, time-bound and resourced action plans as a basis for effective, on-time and prioritised delivery. Stakeholder organisations and the Equality Commission must also be properly resourced to support individuals, organisations, and Government / Departments to better shape and assist delivery of the Programme for Government towards advancing equality of opportunity and good relations.

## **Section 75 of the NI Act 1998**

- 1.9 The Commission has reviewed the associated screening of this strategy and are **requesting to meet the policy leads** regarding this screening, to provide Section 75 advice, in line with TEO equality scheme commitments.
- 1.10 The Commission has provided Section 75 advice (jointly with Commission Policy advice) to the Department relating to a number of recent consultations including:
- [Equality Commission's response to the Executive Office's consultation on the review of Race Relations \(NI\) Order 1997 \(equalityni.org\)](https://equalityni.org/consultation-response-to-the-executive-office-consultation-on-the-review-of-race-relations-ni-order-1997)
  - [Equality Commission consultation response on Strategic Framework to End Violence Against Women and Girls \(equalityni.org\)](https://equalityni.org/consultation-response-to-the-executive-office-consultation-on-the-strategic-framework-to-end-violence-against-women-and-girls)
  - [Consultation Response to The Executive Office's Equality Impact Assessment: Spending Plans for 2023-24 \(equalityni.org\).](https://equalityni.org/consultation-response-to-the-executive-office-consultation-on-the-equality-impact-assessment-spending-plans-for-2023-24)
  - [Equality Commission response to TEO Consultation on Provision of Period Products \(equalityni.org\)](https://equalityni.org/consultation-response-to-teo-consultation-on-provision-of-period-products)
- 1.11 The Department should refer to this previous Commission Section 75 advice and review its screening assessment in relation to for example the Section 75 data used, Assessment of impacts, consideration of Mitigation/Alternative policies and Section 75 Monitoring arrangements for this policy.

## **2 Vision**

- 2.1 It would be welcome if the Vision (currently 'A trauma informed society that addresses the needs of victims and survivors'), reflected that victims and survivors will have diverse needs, including in relation to equality characteristics such as age, gender and disability.
- 2.2 Likewise, the Principles and Values should aim to further equality of opportunity, and such measures should be mainstreamed across the Strategy.

### 3 Pillars

- 3.1 This section relates to the substantive content of the draft Strategy. As above, the draft is currently high-level, without clear associated action plans, and it is therefore difficult to comment on its likely effectiveness.
- 3.1 There are a range of issues which will be relevant across the three proposed pillars of the past, needs and the future.
- 3.2 In the context of designing legacy institutions, the Commission has previously<sup>2</sup> highlighted the importance of a focus on measures:
- to tackle sectarianism, prejudice and hate, and the persistent and systemic separateness and lack of interconnection between the two main traditions in Northern Ireland;
  - to involve and engage everyone in the process, not just those who, in the past, have suffered directly or inflicted that suffering;
  - to ensure the process of reconciliation is based on equality and human rights principles; and
  - to make the elimination of inequalities an essential element of post-conflict programmes
- 3.3 The Commission considers<sup>3</sup> that good relations can be advanced through greater integration of communities; equality and fair participation; dignity and respect; good governance and regulation; and effective leadership at all levels.
- 3.4 Although it is welcome that the Strategy will ‘Work to better understand the different impact that the Troubles/conflict had on men and women, and how the different needs can be met today’, it would have been helpful if the draft Strategy document included more detail regarding how it intends to meet the different needs of men and women. We note that the EqIA states TEO will apply a ‘Gender-Lens to Strategy, and as standard in research, policy-making and in service delivery’,

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<sup>2</sup> ECNI (2018) [Response to NIO consultation - Addressing the legacy of Northern Ireland's past](#), para 7.

<sup>3</sup> [www.equalityni.org/SocialAttitudes/Policy](http://www.equalityni.org/SocialAttitudes/Policy)

and advises there will be a develop, implement and co-ordinate of a number of new and innovative initiatives in this regard.

- 3.5 The Commission has generally called for strategies taking a gender-specific, not gender-neutral, approach, to benefit men and women. However, it is unclear what the initiatives referred to in the EqIA will be, or how the Strategy will apply a 'gender-lens'. Further detail would be helpful. For instance, it would be useful to outline in the Strategy or in an accompanying action plan, how men and women will be involved in providing their views and what actions will be undertaken to better understand differential impacts. It is likewise unclear what the current understanding of the different needs of men and women is, and how these needs are being met currently.
- 3.6 Beyond the needs of men and women, the 'Needs' pillar of the draft Strategy makes no specific reference of other equality groups, such as disabled people or older and younger people.
- 3.7 The Strategy should consider the needs of different equality groups, and the particular barriers they may face, including the specific needs of those with multiple identities.
- 3.8 It is important to note that the experience of a person facing multiple inequalities is different from those facing inequality on a single ground. Actions should be targeted appropriately to meet the specific needs and address barriers across the range of equality grounds.
- 3.9 In addition, whilst socio-economic disadvantage is not a separate ground under the equality legislation, the barriers experienced by particular equality groups can be exacerbated by poverty and social deprivation.
- 3.10 Consideration for the needs of those with multiple identities should be mainstreamed throughout the Strategy's three pillars and resulting actions.

### ***Wider Issues***

- 3.11 The Strategy for Victims and Survivors of the Troubles/Conflict will likely relate to other policy areas, including the role of women in peace-building; sharing in education; and shared housing. These issues should be considered in relation to the pillars of the Strategy and associated actions.



## Role of women in peace building and post conflict reconstruction

- 3.12 The Belfast / Good Friday Agreement makes two commitments on the inclusion of women: the right of women to full and equal political participation and the advancement of women in public life.
- 3.13 The Commission continues<sup>4</sup> to recommend steps, including temporary special measures, to increase the representation of women in political and public life, including in peace building and post conflict reconstruction in Northern Ireland.
- 3.14 We have welcomed initiatives designed to ensure greater involvement of women in peace building, including the 2014 publication<sup>5</sup> of a strategic guide and toolkit<sup>6</sup>. This guide has recommended a gender mainstreaming approach including the inclusion of gender perspectives in all strategies, institutions and arrangements for peace building.
- 3.15 The CEDAW Committee, in its Concluding Observations in 2019, called on the UK Government ‘to ensure the participation of women in the post conflict reconstruction and peace-building processes in Northern Ireland, in line with UN Security Council Resolution 1325 (2000).’
- 3.16 For further information on our recommendations relating to participation in public life, see our webpage [Participation in Public Life Policy Priorities and Recommendations](#)

## Sharing in education

- 3.17 Education has a powerful role to play and can be a transformative influence in so many lives. The Commission considers it important that a system of shared education has a central role to play in advancing a shared society and has recommended a move to a system of sharing across the full range of education providers at each level of provision; one which routinely teaches students together via a shared curriculum in shared classes; where sharing impacts

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<sup>4</sup> ECNI (2015) Gender equality policy priorities and recommendations

<sup>5</sup> Hinds B, Donnelly D (2014) [WPS Toolkit](#) ‘Women, Peace and Security: Women’s Rights and Gender Equality, developing and applying women, peace and security practice in Northern Ireland’.

<sup>6</sup> The toolkit was developed following a Women and Peacebuilding Project to put forward the imperative for involving women and to set out good practice models from across the public sector for involving women in peace building.

meaningfully and substantively on every learner; and is central to the education system as a whole.

- 3.18 We consider that sharing across the education system could better provide learners with shared awareness, understanding and experience of the value and range of diverse cultures, identities and backgrounds in Northern Ireland; while also enabling learners from different cultures/communities to experience a shared society.
- 3.19 The Commission remains of the view that the overall system of education provision in Northern Ireland has an important role to play, not only in the development of the child, but in advancing cohesion, sharing and integration across all equality grounds.
- 3.20 For further information on our recommendations relating to education, see our webpage [Shared Education Policy Priorities and Recommendations](#)

### Shared housing

- 3.21 The Commission recommends that Government takes action to develop shared, safe communities based on equality, dignity and respect.
- 3.22 We have recommended that sharing in housing is advanced, while ensuring that objectively assessed housing need is met. We restate our view on the value of shared housing and that segregated housing in Northern Ireland is not the way forward for our society. We view socially, ethnically, politically and religiously integrated housing as a preferred option and long-term goal. The Commission recognises that people need to feel safe where they live, and considers that actions are needed to encourage and incentivise integration.
- 3.23 While reiterating the importance of ensuring that housing need is met on the basis of objectively assessed need, actions which advance sharing in housing could also serve to expand housing markets; increase opportunities to meet objectively assessed housing need; and advance sharing more generally.
- 3.24 For further information on our recommendations relating to housing, see our webpage [Housing and Communities: Policy Priorities and Recommendations](#).

## **4 The Way Ahead/ Review and Evaluation of the Strategy**

- 4.1 We recommend that the Strategy place lived experience at the heart of delivery; and ensures the meaningful involvement of individuals and their representative organisations in the design, delivery and review of policies and programmes affecting them.
- 4.2 It is important the needs of victims and survivors from across the equality groups are considered, to ensure they can share their lived experience to support the Strategy.
- 4.3 Stakeholder involvement from across the equality categories is necessary not only in co-design of the Strategy, but in delivery, and in the rolling monitoring and review of impacts. It is important that the expertise and advice used reflects the needs of different equality groups.
- 4.4 Annual reports on performance will rely on disaggregated data to accurately reflect how the Strategy is affecting different groups. In turn, this will assist in effectively targeting actions to meet objective needs, and to mitigate against any negative impacts.

### ***Monitoring progress and measuring success***

- 4.5 Our general advice is that all key measures should not only be tracked in aggregate, but also for the impact on individuals from each of the equality grounds. Providing comprehensive equality metrics for all key measures will assist equality considerations to be a core component of public policy design and delivery, facilitating the fuller targeting and delivery of interventions, including for the full range of equality groups.
- 4.6 In relation to both ongoing monitoring and the mid-term review, the data used for headline measures should be broken down to consider which equality groups are benefitting less than others on those key measures. Actions can then be targeted to those particular groups and their related barriers and enablers. This will benefit not only the members of those equality groups, but also the relevant overall headline measures and the overall success of the Strategy itself.

- 4.7 In order to assess the equality impacts and monitor any adverse impacts of policies, public authorities need information to ensure that decisions and equality assessments are evidence based and appropriate.
- 4.8 In this context, we recommend that the Strategy, and associated budget, includes provision to ensure the targeting, monitoring and reporting of actions, incorporating disaggregated equality data, to better advance equality of opportunity and address key inequalities.
- 4.9 Although the draft Strategy includes potential indicators, it is unclear what the current baselines are, or what any targets will be.
- 4.10 As above, it is unclear how long the Strategy will last. It is therefore unclear when a mid-way review will be. Clarity as to the length of the Strategy will assist in monitoring progress against any baseline indicators.

## **5 Article 2 Windsor Framework**

### ***Embedding Consideration of Article 2 Windsor Framework***

- 5.1 Following the UK's exit from the EU, the UK Government has committed under WF Article 2(1) to ensuring that certain equality and human rights in Northern Ireland (NI) will continue to be upheld after Brexit. Since 1 January 2021, the Commission, together with the NIHRC, has been given additional powers and responsibilities, as the 'dedicated mechanism', to ensure that the UK Government's commitment under WF Article 2 is met.<sup>7</sup>
- 5.2 Under WF Article 2(1) the UK Government has committed to ensuring there is no diminution of rights, safeguards and equality of opportunity as set out in the relevant part of the Belfast (Good Friday) Agreement. There is also a commitment to ensuring that some of Northern Ireland's equality laws will

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<sup>7</sup> Schedule 3 of [the European Union \(Withdrawal Agreement\) Act 2020](#) amended the Northern Ireland Act 1998 to confer these additional powers on the Commission – to monitor, advise, report on and enforce the UK's adherence to its commitment.

keep pace with any changes the EU may make to amend or replace the EU equality laws, set out in Annex 1 to the WF.<sup>8</sup>

5.3 In addition, UK courts when considering the interpretation of any of the equality directives listed in Annex 1, must do so in conformity with any relevant case law of the Court of Justice of the EU (CJEU).<sup>9</sup>

5.4 It should be noted that neither the NI Assembly, nor the NI Executive,<sup>10</sup> a Minister or NI Department<sup>11</sup> can act in a way that is incompatible with the UK Government's commitment with Article 2(1).

5.5 The Commissions recommend that in the development of the new Strategy for Victims and Survivors and any laws or policies arising from the Strategy, the Executive Office ensure that compliance with Article 2 Windsor Framework is embedded in policy and legislative processes at an early stage. This should include consideration of the extent to which any change engages Article 2 and ensuring that there is no diminution to the rights and safeguards which fall within its scope.<sup>12</sup>

5.6 In October 2023, in response to the TEO consultation on a Strategic Framework and Foundational Action Plan to End Violence Against Women and Girls<sup>13</sup>, the Commission welcomed The Executive Office taking the lead in producing a draft WF Article 2(1) Impact Assessment relating to the draft Strategic Framework. We noted that this was a helpful step in embedding Article 2(1) consideration into the development of

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<sup>8</sup> Windsor Framework Annex 1 Directives: Gender Goods and Services Directive (Gender) - Directive 2004/113/EC of 13 December 2004; Recast Directive (Gender) - Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006; Race Equality Directive (Race) - Directive 2000/43/EC of 29 June 2000; Framework Directive (religion and belief; age; sexual orientation; and disability) - Directive 2000/78/EC of 27 November 2000; Equal Treatment Directive: Self-employment (Gender) - Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010; Equal Treatment Directive: Social Security (Gender) - Directive 79/7/EEC of 19 December 1978.

<sup>9</sup> The Northern Ireland Office has, in its [2020 Explainer Document](#), stated that when a UK Court is considering the interpretation of any of the directives listed in Annex 1, this will be done in conformity with any relevant case law of the CJEU.

<sup>10</sup> Section 6 (2)(ca) of [Northern Ireland Act 1998](#) as amended by Schedule 3 to the [European Union \(Withdrawal Agreement\) Act 2020](#).

<sup>11</sup> Section 24 (1) (aa), [Northern Ireland Act 1998](#).

<sup>12</sup> [Annual Report](#) of the Equality Commission for Northern Ireland and the Northern Ireland Human Rights Commission on the Implementation of Article 2 of the Windsor Framework, (July 2023), para. 3.52.

<sup>13</sup> Equality Commission for Northern Ireland, [Response to consultation](#): The Executive Office: Strategic Framework to End Violence Against Women and Girls and Foundational Action Plan, (October 2023).

key Departmental strategies and will help increase both transparency and accountability in terms of compliance with Article 2(1). More generally it would help to raise awareness of Article 2(1) obligations.

- 5.7 We consider that carrying out a WF Article 2 impact assessment, incorporating Commission guidance and advice, would be helpful in embedding Article 2 Windsor Framework considerations into the new Strategy for Victims and Survivors. We also note that the Executive Office has produced guidance and training on the assessment of Article 2 considerations. In the following section we have detailed a non-exhaustive list of areas in which the Strategy's potential engagement of Article 2 commitments will need to be considered.

### ***EU Directives of relevance***

- 5.8 In WF Article 2, the UK Government commits to ensuring there is no diminution of the rights, safeguards and equality of opportunity protections contained in that chapter of the Belfast (Good Friday) Agreement 1998 as a result of the UK leaving the EU, including the right of victims “to remember as well as contribute to a changed society”.<sup>14</sup>
- 5.9 EU obligations underpinning the rights of victims include the EU Victims' Directive<sup>15</sup> as well as other relevant EU laws which support victims.<sup>16</sup> We consider that these EU Directives fall within the scope of WF Article 2 and that the new Strategy for Victims and Survivors must not only take account of these directives, but also ensure that the outworkings of the Strategy do not result in a diminution of the rights protected under these Directives contrary to WF Article 2. Moreover, obligations under the EU Victims' Directive must be interpreted in line with the EU Charter of Fundamental Rights provisions, including Article 47 (right to an effective remedy and to a fair trial) and general principles of EU law. The UK Government has acknowledged

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<sup>14</sup> [Belfast \(Good Friday\) Agreement](#), 10 April 1998, at Part 6 on Rights, Safeguards and Equality of Opportunity – Human Rights.

<sup>15</sup> [Directive 2012/29/EU](#), 'EU Directive of the European Parliament and of the Council Establishing Minimum Standards on the Rights, Support and Protection of Victims of Crime', 25 October 2012.

<sup>16</sup> [Directive 2011/36/EU](#) 'EU Council Directive on Preventing and Combating Trafficking in Human Beings and Protecting its Victims', 5 April 2011; [Directive 2011/92/EU](#), 'EU Parliament and Council Directive on Combating the Sexual Abuse and Sexual Exploitation of Children and Child Pornography', 13 December 2011; [Directive 2004/80/EC](#), 'EU Council Directive Relating to the Compensation to Crime Victims', 29 April 2004.

that the EU Victims' Directive falls within the scope of Article 2.<sup>17</sup>

- 5.10 In addition, in terms of the continuing relevance of rights under the EU Victims' Directive to victims of the Troubles, we ask the Department to note the recent ruling by the High Court in the matter of an application by Dillon and Others for Judicial Review in relation to the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 (the Legacy Act).<sup>18</sup> The Commission intervened in the Judicial Review as part of its statutory role, along with the NIHRC, under WF Article 2 to ensure that the UK Government's commitment to uphold certain equality and human rights in Northern Ireland after Brexit is met.
- 5.11 In particular, we note the judge's conclusion that certain provisions of the Legacy Act were incompatible with the EU Victims' Directive and the EU Charter of Fundamental Rights, and breached WF Article 2. The Commission welcomed that the ruling aligned with our views in several key areas regarding the application and interpretation of WF Article 2(1), including the court's conclusion that provisions of the Legacy Act which are found to be in breach of WF Article 2(1) should be disapplied. The Commission will consider the implications of the judgement and any further steps stemming from it.
- 5.12 Obligations outlined in the EU Victims' Directive which are of relevance to the new Strategy for Victims and Survivors include but are not limited to: the right to understand and to be understood (Article 3); the right to receive information from the first contact with a competent authority (Article 4); the right to access victim support services (Article 8); the minimum support to be provided by victim support services (Article 9); and the training of practitioners (Article 25).
- 5.13 It should be noted that following an evaluation of the implementation of the EU Victims' Directive initiated by the European Commission, in July 2023 the EU proposed amendments to the Victims' Directive. If enacted, the proposed

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<sup>17</sup> UK Government, '[UK Government Commitment to No-diminution of Rights, Safeguards and Equality of Opportunity in NI: What Does It Mean and How Will It Be Implemented?](#)' (NIO, 2020), para.13.

<sup>18</sup> '[Dillon, McEvoy, McManus, Hughes, Jordan, Gilvary, and Fitzsimmons Application and In the matter of the Northern Ireland Troubles \(Legacy and Reconciliation\) Act 2023 and the Secretary of State for Northern Ireland](#)', Judiciary NI (February 2024)



amendments will strengthen the Directive in several areas of relevance to this strategy, including victims' access to information, safety of vulnerable victims, and specialist support for vulnerable victims.

- 5.14 The Commission recommends that regardless of whether or not required to under the 'keeping pace' requirement associated with WF Article 2, the Executive Office should monitor the proposed changes to the EU Victims' Directive. It should also consider voluntarily aligning with any changes to the EU Victims' Directive where these changes reflect best practice, including international human rights best practice, and where they result in strengthened rights and protections for victims. It should also monitor any future CJEU case law relating to the EU Victims' Directive.

## **6 Conclusion**

- 6.1 We have set out a range of policy recommendations in relation to the New Strategy for Victims and Survivors. In particular, we have recommended:

- Clarity is provided as to the timeframe of the Strategy and that SMART action plans will be used;
- Consideration of the needs of different equality groups, and the particular barriers they may face, including the specific needs of those with multiple identities;
- Consideration of the interaction with wider policy areas, including the role of women in peacebuilding; sharing in education and shared housing; and
- Action to better target interventions and track impacts; collect and use equality data to inform decision making; in leadership and stakeholder involvement; and to ensure appropriate investment and resourcing.

- 6.2 However, it is difficult to comment on the likely effectiveness of the Strategy without further information on specific actions and interventions.

- 6.3 We have also raised a number of issues for consideration in relation to Article 2 of the Windsor Framework.



- 6.4 We have requested a meeting to provide Section 75 advice, in line with TEO equality scheme commitments.
- 6.5 We trust that the proposals and recommendations set out in this response are of assistance. If further discussion would be useful, please do not hesitate to contact us.

**ECNI**  
**March 2024**

## **7 Annex A: Role and remit of the Equality Commission NI**

- 7.1 The Equality Commission for Northern Ireland (“the Commission”) is an independent public body established under the Northern Ireland Act 1998.
- 7.2 The Equality Commission is responsible for implementing the legislation on age, fair employment and treatment, sex discrimination and equal pay, race relations, sexual orientation and disability. The Commission’s remit also includes overseeing the statutory duties on public authorities to promote equality of opportunity and good relations under Section 75 of the Northern Ireland Act 1998, and the disability duties under the Disability Discrimination Act 1995.
- 7.3 The Equality Commission has been designated to act as an ‘independent mechanism’ jointly with the Northern Ireland Human Rights Commission, to promote awareness of, and monitor the implementation of the United Nations Convention on the Rights of Persons with Disabilities with regard to Government’s obligations in relation to Northern Ireland
- 7.4 Further, the EU (Withdrawal Agreement) Act 2020 empowers the Commission, along with the Northern Ireland Human Rights Commission, to monitor, advise and report on, and enforce the UK Government’s adherence to its commitment as set out under Article 2 of Windsor Framework (formerly the Ireland/Northern Ireland Protocol). This commitment is to ensure that no diminution of rights, safeguards or equality of opportunity, as set out in that part of the 1998 Agreement entitled Rights, Safeguards and Equality of Opportunity results from the UK’s withdrawal from the Union, including in the area of protection against discrimination.
- 7.5 In general terms, our statutory remit provides that we are to:
- promote equality of opportunity and affirmative action
  - work towards the elimination of unlawful discrimination and harassment
  - keep relevant legislation under review
  - promote good relations between persons of different racial groups and good disability practice

- oversee the effectiveness of statutory equality duties on public authorities.

7.6 For further information see [Promoting Equality, Challenging Discrimination: A short guide to the role and services of the Equality Commission](#)