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PRESS RELEASE

Legal Protections for LGBT Pupils are Real

Commenting on the Rainbow Project's new report 'Left out of the Equation', the Equality Commission said:

'Left out of the Equation' highlights the negative experiences of Lesbian, Gay and Bisexual students at school and this is something that our society should not tolerate.

But it is incorrect to say that these pupils are not protected by the law – they are. The Sexual Orientation Regulations of 2006 outlaw discrimination in the provision of goods, facilities and services and specifically this covers educational establishments.

The Commission actively works to ensure that those protections are real for them, through our confidential advice services, our legal assistance and through our extensive work with education providers to guide and advise them on their obligations. For example, in March 2009 we published a guide to Eliminating Sexual Orientation Discrimination in Northern Ireland – Education, which outlines the law and good practice. The Department of Education referred to this guidance in its Circular relating to developing school policies on bullying sent to all Principals in 2010.

We have in the past considered whether other legislative approaches could be amended to improve the protection of all children in schools but have considered that

while the Section 75 equality and good relation duties apply to the Department of Education and to the Education and Library Boards it would be neither appropriate nor productive to extend its application to each and every school in Northern Ireland.

The Commission is committed to protecting and ensuring the rights of all young people in education and other spheres of life. In our work we are transparent and open about our decision-making processes and ensure that we are independent of all external pressures and organisations.

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