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## **Equality Commission finds Legacy Bill process breached NIO equality scheme**

An investigation by the Equality Commission has found that the Northern Ireland Office failed to comply with its equality scheme commitments in relation to its handling of its equality assessment of the policies in the Northern Ireland Troubles (Legacy and Reconciliation) Bill (the Legacy Bill). The Commission's report from the investigation was published today.

In June 2022, the Commission raised concerns with the Northern Ireland Office that it had published its Equality Impact Assessment (EQIA) on its proposed legacy policies for consultation on 16 May 2022, alongside the Legacy Bill, as it was introduced into Westminster at its first reading. The Bill contained the policies that were subject to the equality impact assessment.

Chief Commissioner Geraldine McGahey said: "Our investigation found that the Northern Ireland Office had failed to comply with its Equality Scheme, as the Legacy Bill was introduced into Parliament at the same time as the Equality Impact Assessment was published for consultation. As the two were published together, it was simply not possible for the Northern Ireland Office to have taken into account the equality assessment of and any consultation responses received on those policies, prior to them being presented in the Bill."

"The Commission is recommending a number of improvements to the NIO's practices when it is developing policy options that will be legislated for. In particular, the NIO should ensure that the Secretary of State is provided with its equality assessment of the proposals at the appropriate point in the decision-making process, but certainly before the proposals are presented in a Bill before Parliament.

"It is therefore vital that the Equality Scheme processes should be applied and used as an integral part of the NIO's policy making process, rather than after the policy in question has been developed and the assessment of equality impacts appear as an apparent after thought. As our guidance clearly states, a proper equality assessment should be conducted for all policies being reviewed or developed by public authorities and these should be presented to the relevant decision maker, in this case the Secretary of State, to inform decision making," concluded Ms McGahey.

**Notes to editor**

Recommendations from the investigation report to NIO:

- The NIO must in future undertake its equality assessment of policies as part of the development process and ensure that such assessments are presented for proposed policies that are brought forward or announced.
- The NIO must make its equality assessments, and any consultation on them, available to its decision makers.
- The Secretary of State should ensure that his decisions are informed by the full information required; if the equality assessment is not presented with other information to inform his decision making, the Secretary of State should ask for it.
- [Download the full investigation report](#) (pdf)
- Paragraph 11 investigations, which are of the Commission's belief that a public authority may have failed to comply with its Equality Scheme, look at whether a public authority, in the delivery of its functions, complies with the commitments set out in its Equality Scheme. They do not investigate the decisions taken nor the outcomes that arise from those decisions.