



Northern Ireland
Assembly

Committee for the Office of the First Minister
and deputy First Minister

OFFICIAL REPORT (Hansard)

Sex Discrimination Order 1976 (Amendment)
Regulations (Northern Ireland) 2016

16 March 2016

Council for Ethnic Minorities (NICEM) wanted us to be broader in the opportunity to change the regulations on a wider basis. However, for these regulations, we need to comply with what the EU is telling us to do. We can apply them now neatly, and that will tidy up the regulations for this part of this mandate. As we move into the new mandate, the regulations will sit with the new Department for Communities, and we will inform the new Committee at that stage of what has happened to date and what else we are doing on gender equality and the other areas of equality that we are responsible for.

Finally, the impact that the regulations will have is really just technical. It is set out quite technically in the letter, but those are the simple impacts of those technicalities.

The Deputy Chairperson (Mr Lyttle): Thank you for your briefing. Will you explain again the reason for the timing of today's proposal, give a further explanation of exactly how the regulations will be dealt with by the Department for Communities and tell us what involvement the new Committee for Communities will have?

Mrs M Hanna: You will be aware that we advised the Committee prior to Christmas that we were going out to public consultation on the matter. We set out for the Committee the technicalities at that stage. Since the end of the consultation period, which was in January, there was a period when we had to consult our Departmental Solicitor's Office (DSO) simply because of the additional things we were being asked to do. Because those additional things had not been publicly consulted on, it would be technically incorrect for us to move to do them now. We need to have further discussions with the new Department and its Committee, but, in the meantime, this enables what is very much a directive from the Commission to make these technical amendments and to tidy them up and get them done. It has more or less been a timing issue. It has not been an issue of delay; it has been a timing issue with the consultation and then with the analysis of the consultation responses.

The Deputy Chairperson (Mr Lyttle): Will you seek an opportunity to brief the new Committee for Communities on the wider gender equality provisions at the earliest possible opportunity?

Mrs M Hanna: Absolutely. As the policy lead for gender equality, I am moving to the new Department for Communities, so it is to the benefit of our policy area that we advise the Minister, the new permanent secretary and, indeed, the Committee of our intentions on gender equality. So, yes, we will do that.

Mr Maskey: Thanks, Chair, and thank you for that, Martina. Clearly, this is us meeting our compliance requirements.

Mrs M Hanna: It is meeting our compliance requirements, but it is also tidying up the regulations with respect to gender reassignment to make them match what is generally afforded to everyone else.

Mr Maskey: So it is generally seen as a positive —

Mrs M Hanna: It is very positive.

Mr Maskey: It meets our requirements, but it is positive and beneficial as well.

Mrs M Hanna: It is positive.

Mr Maskey: When you referred to the ECNI —

Mrs M Hanna: Sorry, can I just say that I can hear you only if I see your face? If your hand is up, I cannot hear you. Apologies; I should have said.

Mr Maskey: I am sorry, my apologies. On the correspondence from ECNI and NICEM, it is my understanding that some of the issues they raised are outside the scope of the regulations.

Mrs M Hanna: Yes, at this moment.

Mr Maskey: At this moment in time. Do they understand that?

Mrs M Hanna: They will understand it, but they have rightly seen this as an opportunity for us to maybe go broader than that, but, because of where we are and how we consulted on the regulations, it allows us to make necessary amendments and we can then take cognisance of what they said to us as we move forward. We will listen to that.

The Deputy Chairperson (Mr Lyttle): Are members content with the proposal for the rule?

Members indicated assent.

The Deputy Chairperson (Mr Lyttle): Thanks very much indeed.

Mrs M Hanna: Thank you very much.

The Deputy Chairperson (Mr Lyttle): We wish you well with the ongoing work in the new Department.

Mrs M Hanna: Thank you very much. We are looking forward to it.