



Northern Ireland  
Assembly

Committee for The Executive Office

# OFFICIAL REPORT (Hansard)

Overview Briefing:  
Equality Commission for Northern Ireland

13 May 2020

# NORTHERN IRELAND ASSEMBLY

## Committee for The Executive Office

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**Members present for all or part of the proceedings:**

Mr Colin McGrath (Chairperson)  
Mr Doug Beattie (Deputy Chairperson)  
Ms Martina Anderson  
Mr Trevor Lunn  
Mr George Robinson  
Mr Pat Sheehan  
Ms Emma Sheerin  
Mr Christopher Stalford

**Witnesses:**

Dr Evelyn Collins CBE	Equality Commission for Northern Ireland
Ms Geraldine McGahey OBE	Equality Commission for Northern Ireland

**The Chairperson (Mr McGrath):** We have with us Geraldine McGahey, the chief commissioner of the Equality Commission for Northern Ireland, and Evelyn Collins, who is the chief executive of the Equality Commission for Northern Ireland. I welcome you both to our meeting. Thank you for coming along to give us what was initially billed as our introduction to various arm's-length bodies. It was supposed to have taken place quite a number of weeks ago, but, unfortunately, the events of coronavirus have postponed matters. We are trying to catch up on that. We will record the conversation, and it is being broadcast live throughout the Assembly. A Hansard record is being kept. That is just to advise you, not to frighten you. Geraldine and Evelyn, I will pass over to you for a short briefing, and we will follow that up with some questions.

**Ms Geraldine McGahey (Equality Commission for Northern Ireland):** Thank you very much, Chairman. Good afternoon, members. Thank you for the invitation to speak today. It is unfortunate that we are doing this remotely instead of in person, particularly as it is my first meeting with you as chief commissioner.

I had the great pleasure of being appointed as chief commissioner with effect from 1 March, just before lockdown; I really have not got my feet under the table properly yet, although I have been a commissioner with the Equality Commission for Northern Ireland since 2015 and deputy chief since June of last year. I very much look forward to ongoing engagement with the Committee, which has such an important oversight role on the work of the Executive Office. Until we can meet in person, I am happy to attend Committee remotely. I am joined today by our chief executive, Evelyn Collins.

I hope you have found the briefing note that we sent through to you of some use. We did that to give you some background information and maybe help you focus the discussion that you want to have with us. Hopefully, you will have seen from it that the commission plays a vital role in working to

secure greater equality of opportunity and in challenging discrimination. Basically, our work falls across four key areas: assisting individuals with advice and, sometimes, support in cases of discrimination; supporting employers and public authorities with guidance and information about the requirements of equality law and good practice; encouraging the mainstreaming of equality considerations in public policy development and delivery and through research, not just to highlight key inequalities but to gain an understanding of public opinion; and investigating alleged breaches of equality schemes. We work at many different levels to help make progress towards a more equal society, and we will be glad to answer any questions that you have. However, before you do that, I will use my opening remarks to highlight some key aspects of our work in response to COVID-19.

At the outset, I reassure you that the commission will support both the work of the Executive as they try to keep people safe and the necessity for extraordinary measures. However, we will also use our powers and speak out where, we believe, it is necessary on equality issues. We have adapted what we do and how we do it. All staff are working from home, but we are able to carry on with all our services. We have been providing support and advice to employers, service providers and public authorities, and we continue to receive and respond to enquiries from members of the public who are concerned about their rights. We have also changed the emphasis of our business plan for the next year in order to respond to the impact of the pandemic.

Through all the communications that we have had to date, we have sought to raise awareness that equality matters in these difficult times, particularly as the early evidence suggests that there are differential impacts of COVID-19. That highlights the need to identify and consider equality issues in all of the responses to the pandemic, as well as the need to monitor emerging or potential equality issues. We have highlighted and will continue to highlight the importance of the existing framework of equality duties being taken into account in decision-making and the particular care that needs to be taken in the development of criteria for healthcare decisions so that they comply with equality principles.

As time goes on, we will produce rolling statements on COVID-19 and the equality implications with a focus on potential emerging or exacerbated inequalities. We have written to the First Minister and deputy First Minister to reinforce the importance of equality legislation and the need to progress with age goods, services and facilities (GSF) legislation and to the Health Minister to set out our key concerns and seek assurances about health and social care provision for disabled people during the pandemic.

Advice and guidance to employers and service providers continues to be updated. We have issued guidance notes in relation to furlough leave, protecting pregnant employees, making reasonable adjustments for disabled people and the section 75 duties when developing COVID-19-related policies. We will update them as the situation evolves and lockdown starts to lift. We have also written to the chief executive of each of the health trusts to remind them of the continued requirement to ensure the effective implementation of section 75 equality and good relations duties at this important time. You might be interested to know that, during the past six weeks, we have had significant enquiries from people regarding potential discriminatory treatment that they have received relating to COVID-19. We will continue to monitor cases of potential discrimination across each of the areas protected by discrimination legislation that arise from the health emergency. We will continue to seek opportunities to highlight the importance of paying attention to equality considerations in the various responses that are being made to COVID-19, and we will seek to identify and highlight key areas of public policy or law reform with the emerging potential equality issues.

It would be remiss of me not to highlight matters that fall within the jurisdiction of the Committee that have received growing attention in the media and are likely to escalate as we emerge from these difficult times. They are issues that you might wish to explore in the near future.

The first is the significant impact that the pandemic has had on older people, which has brought the issue of age discrimination very much to the fore. Legislation is required to protect people in Northern Ireland from age discrimination when accessing goods, facilities and services, including health and social care. They should basically be afforded the same rights and protections as those enjoyed by older people across the rest of the UK. The Executive undertook public consultation on the proposed legislation back in 2015, and it is timely to revisit that now. I know that it is in 'New Decade, New Approach', but it has not been prioritised yet.

The second area that you might want to keep your eye on relates to the significant lack of data that is currently available across a number of equality groupings. The effect of the pandemic will be around for such a long time that we all need to understand the current and future effect on the different

equality groups. That is something that you might wish to keep your eye on and investigate a little further.

I will leave you with those matters. Hopefully, that, combined with the briefing notes, has given you a good insight into what we do. We will be happy to talk to you about any of those matters in the future, maybe at a more appropriate time. Thanks for the opportunity to speak to you today. We are both happy to take questions.

**The Chairperson (Mr McGrath):** Thank you very much for that. I appreciate the presentation. We will progress to questions. I have two questions, and then I will pass to the Deputy Chair and then members. We have just received a briefing from the junior Ministers from the Department on issues relating to Brexit. As part of that, you will have the ability to submit proposals to the Specialised Committee on issues to do with the Northern Ireland/Ireland protocol. Have you been developing proposals, or have you submitted any to date?

**Ms McGahey:** The chief executive, Evelyn, has been having discussions on that with the Human Rights Commission. If you do not mind, I will hand over to Evelyn to answer that point.

**Dr Evelyn Collins (Equality Commission for Northern Ireland):** Good afternoon, Committee members and Chair. We have, of course, welcomed the commitment in article 2 of the Ireland/Northern Ireland protocol that no diminution of rights, safeguards or equality of opportunity will result from the UK's withdrawal from the EU, including protection against discrimination. Together with the Human Rights Commission, we will undertake a role as part of what is called a "dedicated mechanism" to provide independent oversight of that commitment. That will involve monitoring, advising, reporting and enforcement activities. Powers and duties in respect of that were provided for in schedule 3 to the European Union (Withdrawal Agreement) Act 2020. Article 14 of the Ireland/Northern Ireland protocol provides for us, along with the Human Rights Commission and the joint committee of representatives of the human rights commissions of Northern Ireland and Ireland, to refer matters of relevance to article 2, which deals with the non-diminution of rights, to the Specialised Committee. We are at early stages of planning the work of the dedicated mechanism generally. Discussions with the Northern Ireland Office (NIO) are ongoing in relation to resources for the role. We are, I think, receiving additional resources to do the new work, and planning is at an early stage. We will pick up pace over the coming period.

**Ms McGahey:** I hope that answers your question. I might just reiterate that we have not been having meetings with the Specialised Committee as yet. There has been no detail as to how those meetings will be convened or when they will be convened.

**The Chairperson (Mr McGrath):** OK. That is grand. Earlier, we were discussing how we might find out that sort of information, so we thought that we would ask you when you are with us. It was timely to have you here after the junior Ministers.

**Dr Collins:** Absolutely. We anticipate playing a very important role. It is complementary to the role that we play generally under statute to promote equality of opportunity and challenge discrimination. The commission and the Human Rights Commission have certainly been consistent in calling for no diminution of rights and equality as a result of Brexit. We appreciate having the formal role and the role to refer relevant matters to the Specialised Committee.

**The Chairperson (Mr McGrath):** Excellent. It is good to hear from you today on the equality issues that underpin some of the difficulties with the coronavirus. As time progresses, we will need to give serious attention to those issues and maybe have further discussion with you once we have moved beyond the immediate, pressing health response. When we get the urgent matters out of the way, we will need to discuss how people have been impacted by a lack of equality. Notwithstanding the issues with coronavirus at present, what is the greatest challenge to equality in Northern Ireland?

**Dr Collins:** We still see inequalities apparent across many areas of public policy — for example, education, housing, participation in public life and employment — and we have had recommendations to address key inequalities there and recommendations to encourage change. We also see significant gaps in legislative protection from discrimination that have developed between here and the rest of the UK since the Equality Act 2010. In her opening remarks, our chair, Geraldine McGahey, mentioned the importance of protection against age discrimination in the receipt of goods, facilities and services. That gap has existed for nearly a decade and is an important lack of protection that needs to be

addressed. There are other gaps in protections that were introduced in Britain in the 2010 Act that relate to disability, gender and race. Certainly, there is a challenge in having adequate legislative protection. We would also like to see — maybe I will stop here — much more effective implementation of the statutory duties arising from section 75 of the Northern Ireland Act. We produced a review a couple of years ago that showed that insufficient attention was being paid to ensuring effective implementation of the duties. We have been engaged in raising the profile of the duties again and trying to encourage leadership from senior civil servants and, now, Ministers on their implementation. It is about paying due regard to the need to promote equality. That is a challenge too. We would very much appreciate any help that you could give us with those challenges.

**The Chairperson (Mr McGrath):** Thank you very much for that. I will pass to the Deputy Chair, Doug.

**Mr Beattie:** Thank you very much, Geraldine and Evelyn, for your presentation. It is Doug Beattie; I am the Deputy Chair.

I thought that I would ask a broad question to get your thoughts on it. There is so much going on now with Brexit, COVID-19 and various other things. In many ways, we have kind of forgotten about 'New Decade, New Approach'. Can I get your thoughts on how, you think, the changes to the petition of concern are likely to work, particularly any role that, you think, you will have on the 14-day trigger period once a petition of concern has been lodged?

**Ms McGahey:** That is interesting. It is not something that we have given a lot of consideration to at the moment. We would prefer to come back to you on that, because it really requires and is worthy of a more in-depth consideration and review of the legislation and the proposals in more detail. If it is OK with you, can we come back to you on that?

**Mr Beattie:** Absolutely. It was a very general question anyway, just to get your thoughts on it. I am sure that we can pick that up at a later stage.

Can I ask another general question? This will probably be dear to your hearts. Your funding is being cut, and that cut is affecting staff. That will affect output. Can you give us an idea of the funding gap with which you now find yourselves?

**Ms McGahey:** Do you want me to be here all day? That problem is really causing a lot of pressure. Over the past 10 years, our staffing has been cut by nearly 50%. Our budget is down to just over £5 million. Evelyn, do you have the data, off the top of your head, on the amount to which that relates? It is very significant. Basically, we end up working through the year with an eye on the budget, as everybody else does, but we have to cut back on work programmes. We have to be very precise in how we spend that money and what we plan to do in a year. As things stand, we have not had our budget confirmed for the current financial year, although we are hopeful that that will come very soon. We will have serious problems if we have not had it by June. I think that Evelyn has more detail for you on the financial figures.

**Dr Collins:** Just over a decade ago, before public expenditure started to be constrained, our budget was well over £7 million. It had been at that level consistently for much of the decade prior to that. For the last financial year, it was just over £5 million, so it declined by around one third overall. I should, of course, have mentioned that when the Chair asked me what the challenges were, because, over the years, it has been a significant challenge to manage to deliver our services with such a reduced budget. Clearly, the reduction in budget has had consequences for what we can deliver in a context where the demand for our services is high. The briefing paper highlights that 3,600 to 4,000 people contact us each year for advice about potential complaints of discrimination. We have all the public authorities that we advise about their equality duties. Over 3,500 employers are registered for the purposes of fair employment monitoring. There is significant demand for the public service that we provide. We also seek to speak in the public policy debate.

The structure of our budget is such that the majority of it goes on the cost of staffing, so that is where we have had to make savings. At the end of March, we had just under 70 staff, compared with 138 staff 11 years ago. That is a reduction of around half, which has clearly had an impact on the scale of what we can do to address inequalities in Northern Ireland.

**Mr Beattie:** I guess that everybody is salami slicing their budgets at the minute. Of course, I know that you appreciate that you have to do the same. Can you briefly outline any service that you provided previously that you can no longer provide?

**Dr Collins:** It relates to things like promotional activities that we might have done previously, such as advertising to raise awareness of equality issues. We do not do that any more; we have been doing a lot more on the website. We would previously have run more face-to-face training events, conferences and so on. We have cut back significantly on that. Of course, we scrutinise all expenditure carefully, but we have had to cut back on specific things like that and to think of different ways to deliver them, like everybody across the public service. We do not provide hard copies of advice documents and so on. Those things are manageable, but we have had to cut back on a lot of the face-to-face engagement that we would have had. For example, if a company wanted all its staff to be trained, we used to be able to do that; now, we simply do not have the staff to train in individual companies, so we get companies together in a different way. That is the nature of the change that we have made over the past decade.

**Mr Beattie:** That is very clear. Thank you both for all that you do. Stay safe.

**The Chairperson (Mr McGrath):** I was going to bring Emma in next. She had indicated that she wanted to come in, given that the discussion is relevant to the Committee that she chairs. Are you there, Emma, and would you like to ask your question next?

**Ms Sheerin:** Thanks, Colin. I had not even realised that I had indicated that, but I have a question.

**The Chairperson (Mr McGrath):** I was covering for you [*Laughter.*]

**Ms Sheerin:** Thank you for the presentation and the paper, which gives a good overview of the work that the commission has done. I have a question that relates specifically to what is happening in the current crisis. I know that we all, as MLAs, receive the same sort of queries, particularly from workers who, perhaps, initially found it a struggle to get their employer to close up or to manage personal protective equipment (PPE) and social distancing properly. I am getting an abundance of queries now, since last weekend, about PPE and about social distancing in factories that are coming back to work. Obviously, I have forwarded those to the Health and Safety Executive (HSE) and asked that inspections are carried out.

You mentioned your role in advising employees and employers and the contacts that you had had. I just wondered, looking particularly at the groups covered in section 75 — women in the workplace or older people in the workplace — about the sort of queries that you get and how you deal with them.

**Ms McGahey:** As I said, the advice lines are still open, and officers are responding to any queries that they get. For example, over the six weeks from 23 March to 11 May, we had a total of 211 calls. Of those, 151 were about employment, but I have to say that only 88 were in relation to treatment that people had received in respect of COVID-19, and they have all been about employment issues. For example, there were concerns from some about the consistency of treatment of employees with respect to furlough and redundancy schemes. Specific concerns were raised by disabled workers and pregnant workers, as well as requests for information, guidance and advice about educational provision, especially for the disabled children of key workers. An example would be where a pregnant worker was asked to take sick leave rather than be furloughed. There were issues about face masks and disabled people not being able to understand what is communicated to them. A lack of thought has been given to how people who need to wear face masks can overcome issues about trying to communicate with the people with whom they need to communicate. There is a range of things.

As a result of that, we have updated the guidance notes that are on our website for employers and employees, and we will continue to update those and amend them as the situation evolves. We are also keeping track of some of the complaints and categorising them slightly differently, so that we can identify readily which ones relate specifically to COVID-19. On our website and on all the communications that we have issued, we publicise how people can contact us and encourage them to do so. It is important for us, for you and for all in the public and private sectors who have had to adapt their services that people understand the implications and consequences of those actions. We are very mindful of that, and officers are working really hard to keep tracking that and to give good advice and guidance and, hopefully, to get issues resolved before they escalate. We will be able to keep you apprised of that in the next wee while.

**Ms Sheerin:** Thanks, that is helpful and is to be encouraged. I noted that, on your website, you have a section dedicated to responsibilities during COVID-19 and the developing policies. You stated that, if an equality impact assessment (EQIA) had to be done, the consultation period would be shorter. I

hope that that does not mean that it would be any less stringent or that anything would be compromised.

**Ms McGahey:** Absolutely not. A lot of the information is readily available. People who write public policy documents are well aware of the policy issues. It is about keeping it at the forefront of your mind. Everybody recognises that we have to be flexible with time constraints and limits in the present environment. We need decisions taken very quickly — no one will complain about that — but, if you do not pay due regard and recognise that there are people with special needs, whatever they might be, across the equality groups, that is where problems will arise.

**Dr Collins:** The important point, as Geraldine was saying, is that the duties are continuing duties and need to be complied with. Our note was trying to be helpful to those who are working at pace, but it is clear that the duties continue to apply and are important duties. As Geraldine said in the introduction, the equality law framework around the duties should be helpful in addressing impacts and in understanding and taking mitigating measures as necessary when policies are being developed.

**Ms McGahey:** Does that help, Emma, or is there anything else that you want to ask?

**Ms Sheerin:** Yes, it does.

If you will indulge me, Chair, I have one further thing to ask. There has been a furore in recent days about care homes, and I have been contacted by residents' families. You touched on the gap in our legislation in terms of older residents. You mentioned the NDNA commitment: hopefully, we will be able to pick up on that post the crisis. With the virus in those institutions or sites, you will have a potential increase in cases among older people, who are, obviously, vulnerable. Also, generally speaking, people in caring roles are women, so there is a worry that it will disproportionately affect women and older people. We need to be mindful of that. Obviously, you guys are working on that and tracking it.

**Ms McGahey:** We are very conscious of that fact. That is why I mentioned to you, in my opening remarks, health and social care and the decision-making that has taken place in that sector. We have written to the Health Minister and the chief executives of the health trusts. We are being very observant of what is being reported. It is a bit early to start proper investigations and gather evidence, but we are keeping an eye on what is happening.

We are working with the Northern Ireland Human Rights Commission, and we will work with the Commissioner for Older People. You have heard it said already that older people in Northern Ireland are at a disadvantage in not having the protective legislation that they have across the rest of the UK, so it is something that, I think, there will be a lot of coverage of over the next wee while.

**Ms Sheerin:** Thank you very much, Evelyn and Geraldine.

**Mr Lunn:** Thanks, Geraldine and Evelyn, for your presentation. I was going to make the same sympathetic noises as Doug made about the cuts to your budget. I think that you will get a sympathetic ear from everybody around this table in that respect. Frankly, I wonder to what extent that affects your ability to operate. I am looking at the legal services section of your written presentation: you supported 72 legal cases last year. If some high-profile cases came along that were going to cost a lot of money, would you still have the ability to deal with them at present?

**Ms McGahey:** Not necessarily. We would have to prioritise what we do. The document set it out that we have a systematic approach to how we select what we will support, moving forward. It is done on a staged process, whereby we agree to seek an opinion on the merits of the case and then it is reviewed periodically by committees until it actually gets settled. If there was a very high-profile case and it offered strong, strategic benefits to the organisation and to the whole concept of equality and discrimination across Northern Ireland, I think, it would get priority and we would probably have to go cap in hand looking for additional resources at the various monitoring rounds.

We always have to keep a tight eye on the budget. We try not to let finances dictate what we do and do not support, but the reality is that, when you are making those decisions on a fortnightly basis, you are always conscious of how much of a bill you are running up and what the benefit of the item is in terms of being strategic, raising awareness etc, given the fact that we spend public money. If any

more money could come our way, we would, like every other public-sector organisation, have our hands out. You would not have to offer it twice. I hope that helps, Trevor.

**Mr Lunn:** It does. I am looking at your workload. You have extra duties with the withdrawal agreement and COVID-19. I presume that the rest of your workload and casework is increasing as well, and that is all to be dealt with by half the staff that you had 10 years ago.

**Ms McGahey:** Yes, it is hard to keep going. We have a very dedicated staff, and, from what I can see, they do many more hours than they are paid to do. They are committed to what they are trying to deliver.

On the dedicated mechanism, Evelyn said that, when we were having early discussions with the NIO etc, we said that we would agree to get involved in this only if we had sufficient resources to take it forward. Those discussions are ongoing. There is no clarity yet on how much will be available to us, but we believe that funding is coming from Westminster as opposed to from the Northern Ireland Budget, so we will wait to see what that might deliver.

**Mr Lunn:** I hope that things improve for you. Thanks very much. You do a great job.

**Ms Anderson:** Thank you, Geraldine and Evelyn. It is good to hear from you again. I want to pick up on the point that was made around the dedicated mechanism in article 2 of the protocol included in the withdrawal agreement Act. With Christopher in the room, I reinforce the point that the withdrawal agreement Act and the protocol in it was signed off by Boris Johnson, as opposed to anyone else.

I am keen to have more information on the EU labour law, particularly on how the EU equality directive will apply post the end of this transition in the context of the protocol. You referenced gaps around goods and services, particularly on the non-diminution of rights and non-discrimination around ethnicity and race. I am conscious that, if the EU were to upgrade any of these measures in the context of EU law and how it will still apply under the six directives in the protocol that apply here, the Assembly will need to upgrade its law accordingly. What work has been done by you by way of preparation to engage with the Executive and with MLAs? For instance, it would be helpful, I think, for this Committee and others to hear how you envisage that being taken forward.

I am conscious of what you said in the context of your cuts. Discrimination advice officers took over 4,000 calls from people who believed that they had been discriminated against, and the ground on which people raised most complaints was disability. Across our society, people with a disability are being discriminated against, as well as, as you said, those suffering age discrimination. The most vulnerable in our society are older people in the context of COVID-19. All of those issues are issues on which you have a monitoring role.

The enforcement role that you have in the dedicated mechanism is interesting, because, even though your budget has been cut, you mentioned the British Treasury allocating funding to that dedicated mechanism so that that full implementation of the protocol around rights for you will be able to be enforced. I know that we will not be able to do it justice today, Chair, but it would be helpful to have a more dedicated engagement with you and the Human Rights Commission to understand further how that dedicated mechanism will roll out, given that we are only seven months away from the end of the transition.

**Dr Collins:** Thank you for the question, Martina. I hope that I got it all, but it is not that easy to hear. You are right to identify that the provisions in relation to rights of individuals in article 2 make explicit mention of six directives relating to equality. There is an intention that, as any amendments to those are made at EU level, consequent changes will be made in the Northern Ireland context. Of course, we have not seen any changes at European Union level at present, but that will be kept track of, and we will need to monitor that carefully.

As you know, the issue of protecting people against age discrimination in respect of goods and services is not covered by EU law, despite the many years in which people campaigned at EU level for a horizontal directive to provide protection beyond the grounds of race in relation to goods and services. That is not something that will necessarily be corrected by any change there. Certainly, we will keep a track of that.

We understand that there are active discussions between the NIO and Treasury on resources. We and the Human Rights Commission have been pressing the importance of money being adequate and

provided in a timely manner so that we can recruit and set up dedicated staff to undertake this important work. We will be happy to come back to the Committee —.

**Ms Anderson:** I am sorry that I lumped all of the questions together. I am very conscious of age discrimination. The gap is happening here in this Administration: not by this current Administration, but because of previous Administrations here not taking forward action around goods and services. It is something that the Committee should look at. I hope that there is more of an attitude in the new Administration to try to address that so that there is not a gap around age discrimination with regard to goods and services, and that we can plug that gap. I was trying to capture all of the questions in one.

**Ms McGahey:** We will be happy to come back to a future meeting with whatever additional information you require around that dedicated mechanism, how the Equality Commission will fit into that and what we plan to do as we move forward, if that is helpful.

**The Chairperson (Mr McGrath):** OK. Thank you.

**Mr Stalford:** Hello there. Thank you for your contribution. Did I hear you right? Do you have 70 staff?

**Ms McGahey:** We have 68 full-time equivalent staff. Some of them are part-time.

**Mr Stalford:** While I was listening to Martina's interesting theory about Brexit, I looked up the annual report of the Equality and Human Rights Commission that operates in England and Wales. It has 196 staff. The Equality and Human Rights Commission has the combined functions of the two commissions that we have here but covers a jurisdiction of 58 million people. You have more than a third of their staff and cover a jurisdiction of 1.9 million people. Do you see a discrepancy there?

**Dr Collins:** There is a demonstrable difference in respect of the per capita spend. The issue for the Executive and the Executive Office Committee is what value it puts on ensuring that it has an effective equality body in Northern Ireland that provides the range of services that we do to address inequality and promote equality in Northern Ireland. That has been the focus to date, as opposed to a comparison. I am not aware that other bodies are compared in terms of per capita spend. It is one way to look at it, but, from our perspective, the important thing is that we have sufficient resources to undertake the statutory role that we have in the Northern Ireland context.

**Mr Stalford:** I presume that you are not suggesting that the Equality and Human Rights Commission in England and Wales is not providing sufficient cover.

**Dr Collins:** It is, of course. As you say, it covers human rights as well as equality issues. I was not suggesting that at all.

**Mr Stalford:** England and Wales have a combined body that covers equality and human rights. Why should we not?

**Dr Collins:** Again, that is a matter for the Executive. Over the years, the statutory framework that has been developed has provided for the establishment of a separate Equality Commission and Human Rights Commission. That has been provided for in the Northern Ireland Act, and that is the difference in the way that things are arranged here.

**Mr Stalford:** I appreciate that you are probably not in a position to answer this question, but it would be interesting to know what the Northern Ireland Human Rights Commission's staff total is. If it was, say, half of yours, that would mean you had close to 100 staff covering 1.9 million people, whilst 58 million people in England and Wales are covered by 196. When other members of the Committee weep over your lack of resources, I think England and Wales provide an accurate comparison. Thanks for your time.

**Ms McGahey:** We will come back to you on *[Inaudible.]*

**Mr Stalford:** Thank you.

**The Chairperson (Mr McGrath):** Pat, are you online? Do you have any questions?

**Mr Sheehan:** Yes, I have indeed, Colin. Can you hear me OK?

**The Chairperson (Mr McGrath):** Yes, go ahead.

**Mr Sheehan:** OK. Thanks very much, Geraldine and Evelyn, for your presentation. I want to concentrate on the impact of the COVID-19 pandemic. If it has done one thing, it has thrown into sharp relief the health inequalities that exist in our society. You mentioned the differential impact that it has had across society, particularly with regard to our elderly and disabled citizens. I have had to deal with a situation in Muckamore Abbey Hospital, which houses some of our most vulnerable citizens, and the situation there left a lot to be desired. Thankfully, it has improved, but one wonders whether disabled citizens in Muckamore have been discriminated against as a result of policy decisions taken at a higher level.

You said that you were keeping an eye on what is going on and that you had written to the Health Minister but that it is probably too early to carry out investigations. Do you not think that it is important for an organisation like yours to flag up publicly concerns about potential discrimination across society?

**Ms McGahey:** Yes, very much so. We have been emphasising in our public communications the importance of equality and the importance of looking after the vulnerable in our society and emphasising the various equality groups. I said that it was a little too early to investigate, but we are being very mindful that our communications should contribute to assisting in the current climate and difficulties, rather than being seen as white noise or hot air or taking away from the significant work that the Executive have been trying to do to keep people safe. That does not diminish what, we know, is going on around the impact on the elderly, the vulnerable and the disabled in our society. We are very conscious of that, and that is why we have written to the Minister and the chief executives of the health trusts re-emphasising the importance of the equality framework and the need to keep people involved in decisions about their care.

There is a Commissioner for Older People who has been very articulate in the media about what is happening around home care and care home settings. We have to be mindful of the fact that we do not have a role, primarily, in discrimination against older people, but we have been very vocal with regard to disabled people and encouraging the Minister to ensure that disabled people are involved in decisions about their care and in the development of policies about care issues. We will continue to work and be very vocal on that.

In my opening remarks, I referred to the fact that we support the Executive and commit to supporting the Executive, moving forward, and all the work that they have done in the crisis, but — I stress the "but" — we will use our powers and our voice to raise issues where we believe that there is an equality issue. We will take that very seriously, and I reassure you that that will be the case.

**Mr Sheehan:** That is welcome. You also mentioned the lack of data for a number of equality groups. Of course, one area where there is serious concern about the data or lack of it is in the care home setting. Elderly people but also disabled people are affected by all of this. It is difficult when you can see, in media presentations, that there is no definitive idea of the number of people who have died in care homes. There is no data on the number of people who have been transferred or referred to hospital from care homes. There is no information on the number of people who have died after being referred to hospital. Does the Equality Commission have a role in trying to tease out that type of data?

**Dr Collins:** Certainly, we have been promoting the need to collect equality disaggregated data, including data on disabilities and older people, for example. The section 75 duties that we have referred to covers nine grounds, as you will know. The areas that we get most information about in relation to the impact of COVID-19 are age and gender, and we are not getting as much information as we need to about the impact on people with disabilities or other categories such as black and minority ethnic communities, which are important. That is where our role is for the purposes of analysing the data used to inform decision making in relation to COVID-19, but equality disaggregated data is vital. Of course, the health service generally will want to know at what stage *[Inaudible]* outlines so that it can track and trace how the virus is spread *[Inaudible]* and I appreciate that.

**Mr Sheehan:** Yes, absolutely. Finally, I want to ask you a more general policy or strategy question, although it is connected to the COVID-19 pandemic. We have mentioned the health inequalities in society. In parts of my constituency of West Belfast life expectancy for males is eight or nine years lower than the same demographic in South Belfast, for example. People in West Belfast suffer

disproportionately from cardiovascular disease, obesity, diabetes, hypertension and so on, which are being flagged up as serious risk factors for COVID-19. Those health inequalities certainly disproportionately affect the socially and economically disadvantaged, so, coming out of the crisis, there needs to be a broader discussion about how we reduce those inequalities in society in general. What role do you see for the Equality Commission in that? Do you see yourselves having a voice in it?

**Ms McGahey:** Very much so, Pat. As I said, we will issue statements and carry out research and investigations to highlight the inequalities that are emerging or the inequalities that are being exacerbated by the process and the response to it. We have key inequality statements about health, housing, education — right across the spectrum. Those statements and recommendations are based on detailed research, stakeholder engagement, public opinion etc and are designed to inform policymakers about where things need to change. If you were to look at any of those key inequality papers at the minute and read them again in the light of what has happened in the past six, seven or eight weeks, you would see how they are all inter-related and how COVID-19 has brought many of those aspects very much under a spotlight. Health inequalities, housing inequalities: they are all there, and they are all relevant. There are people in our society who are suffering greatly.

One of the things that I will highlight is that we can only look at data through a poverty perspective or lens; we do not have the authority, power or vires to talk about poverty as a key inequality. We try to build it into the information that we provide. Evelyn, do you want to add anything?

**Dr Collins:** Just in support of what you are saying, while we do not have the vires in relation to poverty per se, we absolutely accept and promote awareness of the fact that inequality based on grounds such as disability or age can be very much exacerbated by poverty, and that needs to have attention paid to it in public policy and public service delivery. It is a very important point that inequalities are exacerbated by poverty. There is no doubt about that.

**Ms McGahey:** Another thing worth noting, although it might fall under the remit of the Education Committee, is that the inequalities that we have highlighted in education will really come home to roost over the next while. Our children are being impacted by homeschooling etc. It is for everyone's good that it happens — that is not the issue — but what do we need to do, as a society, to help those children to catch up? I am very conscious from the media that, in England, there is talk about creating a fund or a foundation to assist vulnerable children in catching up with education. We should perhaps look at such things in a bit more detail, but we will keep an eye on them and keep you apprised of the various research papers that we will produce over the next number of weeks and months.

**Mr Sheehan:** Thanks very much for that.

**Mr Robinson:** I welcome Geraldine and Evelyn to the Committee. I have one question, and it is a critical one, I think. Where are you based at present, and how accessible are you, given the crucial role that you have in society? Do you have satellite offices throughout Northern Ireland?

**Dr Collins:** Thank you, George. Our only offices are in Equality House in Shaftesbury Square in Belfast. Nobody is working there at the moment; we are all working remotely. Our advice lines and all our services continue to be provided, and, as Geraldine said, our phone lines are ringing with potential complaints and calls from employers and so on. We did that very quickly, once the Government advised that, where people could work from home, they should be facilitated to do so. I am pleased that services are being provided.

We have never been able to develop regional offices, but, when we are not in these extraordinary circumstances, we certainly go out and about in Northern Ireland to meet people where they need to be met. We make every effort to make our building accessible to people with all sorts of disabilities, as well as non-disabled people. People access a lot of information on our website, which we work hard to keep up to date as a source of information. We have done a lot of work on that.

**Mr Robinson:** I am sure that the cuts to your budget do not help with accessibility.

**Dr Collins:** Absolutely.

**Mr Robinson:** Thank you very much for your answers. I appreciate them.

**The Chairperson (Mr McGrath):** Thank you very much, George, for those questions.

I know that there can be difficulty sometimes during presentations when you ask questions early on but have other points that you want to make. I try to detract from that if we can. You are better off waiting to the last, and then you get to encompass. I know the frustrations. I know that Martina wishes to make a point, as does Christopher. I envisage that they are likely to be contrary, so I remind members that the questions and points are to those who are presenting in general and not across the Committee room. Martina, do you have something that you wish to come in on?

**Ms Anderson:** I suppose that neither of you will be surprised to hear that we do not calculate your value per capita. England, thankfully, did not have a Government who dealt only with one section of society. We will not rehearse the legacy of the conflict and the years of discrimination that society has endured. This is about two bodies that will address that and take us to a better place. If we had a calculation of what was going to be allocated in investment per capita, we in the north-west would be in a lot better position, I can tell you. Invest NI hardly ever comes our way to invest in anything per capita. I do not think that that is how you should calculate what you do.

Looking at the work that you carry out, I was really struck by that legal advice and the number of people who suffer as a consequence of society not dealing with them properly. People who have a disability are coming to you after experiencing discrimination. I am sure that that is across our society. The 47% of people you talked about to whom you have given legal advice, regardless of their religious denomination or the colour of their skin, have probably really benefited from the advice that you have given. So, well done. Like George and others, I support the fact that you need more staff working in the commission.

**The Chairperson (Mr McGrath):** It would be helpful to keep that as a comment rather than a question.

**Ms Anderson:** That is all it is: a comment.

**Mr Stalford:** It is remarkable to hear the member say that she does not want to rehearse the legacy of the conflict. Almost every contribution appears to be that.

There is an important point that needs to be put on record. Pat said that there was a difference between West Belfast and South Belfast in health inequalities. That is not true. There is a vast difference in my constituency in health inequalities. The health inequalities experienced by people in the Market, Sandy Row and Donegall Pass are the same as those experienced by people in Divis and other places in West Belfast. It is an inner-city/outer-city divide rather than an east/west, north/south one. I want to put that on record, because it is important.

**The Chairperson (Mr McGrath):** Again, we will accept that as a comment rather than a question.

**Mr Sheehan:** Can I come in with a quick comment?

**Mr Stalford:** I do not think that your remark was deliberate; I do not think that you were trying to be smart or anything.

**The Chairperson (Mr McGrath):** OK. Sometimes, going into "My statistics are bigger than yours" is not helpful if we are thinking of different perspectives, but people can, of course, illustrate their points with facts that they have to hand. Pat, do you want to make a quick comment?

**Mr Sheehan:** Just a quick comment. I made the point that it is only in parts of West Belfast that low life expectancy persists. I should have said that it was eight or nine years lower than parts of South Belfast. Just to clarify that.

**Mr Stalford:** That is fair enough.

**The Chairperson (Mr McGrath):** Thank you, Pat. That is helpful.

Geraldine and Evelyn, thank you very much for your attendance. It has been great to get the update, and it is very informative for new members of the Committee. We will invite you back to investigate other areas of your work that you mentioned. Thank you very much for coming along.

**Ms McGahey:** Thank you, Mr Chairman. We thank members for their interest and look forward to seeing you face to face next time, maybe.

**The Chairperson (Mr McGrath):** Hopefully so. Thank you.