



Northern Ireland
Assembly

Ad Hoc Committee on a Bill of Rights

OFFICIAL REPORT (Hansard)

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discussed at the beginning of this century. We were at the forefront of the campaign for a bill of rights back then, almost 25 years ago.

Why is a bill of rights important? It is important for a very simple reason: disabled people and disabled children do not really have rights. In a Northern Ireland context, we are not even really considered to be human beings. We are classed as people with special needs. Therefore, our issues are put in the context of needs, and we are seen as being resource-based and resource-intensive. We are not and have not been seen in a human rights context here and in quite a few other countries around the world. If you put something in the context of needs and do not deal with it, you can say, "Ah, well, that is not an emergency; it's an unmet need, so we're OK. We'll get there and do the best we can, but they're not that important". Of course, if we are not even human beings who are entitled to fundamental human rights and understood within the context of human rights, how could we be important?

In 2006, the UN Convention on the Rights of Persons with Disabilities (UNCRPD) was adopted, and, of course, disabled people and children all over the world got excited because, at long last, we were going to be seen as human beings who were entitled to fundamental human rights and so the ongoing issues that we faced would be seen, for the first time, in a human rights context. We all got a bit overexcited. After the UK ratified the UN convention in 2009, we had the periodic examination of the progress of the UK, which includes Northern Ireland, on the rights of disabled people. Of course, as you are probably aware, the UN Committee on the Rights of Persons with Disabilities concluded that there were systemic and grave violations of disabled people's human rights in the UK and that the UK Government were going backwards, rather than forwards, in maintaining the rights of disabled people.

The language of rights, the language of human rights and the idea of human rights for disabled people remain the most critical issues because, if we can be understood as human beings who are entitled to the same rights as everyone else and are seen on the same level as other human beings, we will be in the game, and people will understand why it is so important for people with disabilities to be included. I will give you an example: we met the former First Minister at a party conference on the day after the Assembly fell, and I said to him, "We're the North West Forum of Persons with Disabilities. We're a human rights organisation". He replied, "I thought you were a group of disabled people". Even he acknowledged that disabled people were not human beings and were not necessarily entitled to fundamental human rights.

First, it is about recognising that disabled people are human beings who are entitled to human rights and that their issues must be understood in the context of human rights, not within the context of resources; not within the context of unmet need; not within the context of being a burden on society; and not within the context that disabled people are always whingeing, demanding or moaning about something. We are demanding basic human rights, the same rights as everyone else has. There is an argument, "Well, you have the European Convention on Human Rights (ECHR) and all of those things". However, that does not supplant the idea or undermine the notion that a bill of rights in Northern Ireland that is specific to the people of Northern Ireland — *[Interruption.]* I apologise for the noise. Rafael Nadal, my Lhasa Apso, is getting a bit excited in the background. Sorry, the noise distracted me from what I was saying.

Basically, we would like to see our rights included in a bill of rights and our issues understood in that context. People say, "Well, it is very resource-intensive. We are doing everything we can. We have equality legislation". However, it is out-of-date equality legislation. It is 12 years behind disability legislation in England, Scotland and Wales, and theirs is also out of date. It does not meet the requirements of article 5, which is on equality and non-discrimination, of the UN Convention on the Rights of Persons with Disabilities, and the UN committee made that clear in 2017. The Equality Commission for Northern Ireland (ECNI), which is part of the independent mechanism for the monitoring of the convention, also made it clear, as early as 2009, that our legislation on equality and the human rights of disabled people was not fit for purpose. We are now in 2021, and our legislation is still not fit for purpose.

A bill of rights would address things like that. It would also address things like the burden placed on disabled people through social security reform. Disabled people have been thrown into poverty. Through our direct experience, we know disabled people who have died as a result of these welfare reforms.

Sorry, I was just thinking of Rory, one of the guys who lost his life recently. I was not expecting that; apologies. We know people who have died because of these welfare reforms. Disabled people are

being asked to go through a degrading and unlawful process to get their basic entitlement to their human right to social security. Sorry.

The Chairperson (Ms Sheerin): You are 100%. Do you want to take a wee second?

Mr O'Reilly: Sorry, I was thinking of Rory, the guy who lost his life. My friend had applied for the benefit. I told him not to worry. I told him that a protection mechanism was in place, that he would likely be the subject of a paper-based review and that, because of his history of mental health issues, he would not have to go through the assessment in which you are under interrogation for about an hour, maybe two hours or, in some cases, a lot less. Sometimes — quite a lot of the time — the person assessing does not listen to you and is anxious just to tick boxes on their sheet. I told him that it would be OK. Of course, that was not the case. He was not recommended for a paper-based review; in fact, he got a letter saying that he would be assessed for the personal independence payment (PIP). That triggered his mental health process and, in the long term, the loss of his life.

It is not just that disabled people are being targeted by cuts to public services, being thrown into poverty or having to beg for their right to social security. All those things have created a perfect storm in which disabled people are not just facing inequality but going further and further outside the fringes of society in terms of their treatment. It has been acknowledged by the UN committee that disabled people are being treated abysmally and that they should not be the subject and target of cuts and abuses by the state party.

There are financial pressures on the Government. There are financial pressures on all of us. We are now in the middle of a COVID pandemic, and that is very much being felt by disabled people in particular. Just last week, research from England was published, and it found that six out of 10 people who had died as a result of COVID were disabled and that they were the most affected group of all the equality constituencies. You will note that there was no separate emergency provision plan like those in Australia and Canada, where, under article 11 of the UN Convention on the Rights of Persons with Disabilities, you are required to make emergency provision for the protection of the rights of persons with disabilities. The initial UK state-wide report did not refer to an emergency plan, and, indeed, the Northern Ireland Assembly's state report in 2011 made no reference to it and has no emergency plan for people with disabilities, despite the obvious impacts that an emergency situation — in this case, a COVID pandemic — might have.

We are in a situation where we feel that disabled people's rights and disabled children's rights have been ignored for far too long. Only this week — in the last 48 hours — a child with complex support requirements was taken to hospital by their mother and, for almost an hour, was left to wait in soaking clothes for a hoist, despite the fact that the parent had given the hospital notice that they were coming. The previous March, at the same hospital, the child was put into a bed that was not safe or secure for them because it did not meet their particular requirements, and that child fell out of the bed. The hospital wrote an apology. It said that it was training its staff and was going to get a hoist. There is no care plan for that child. There was no coordination. Then, the hospital said that it would look to its parents' charity to see about getting a bed for the child. Other children and adults with disabilities are in that situation. The right to have a bed in hospital, the right to be secure in hospital and the right to be treated with dignity are fundamental. That is why a bill of rights is required.

You are probably aware that, on 23 October and again on 26 October last year, the Scottish Government announced that they were removing PIP. They announced that they were removing PIP because they did not want disabled people to have to jump through continuous hoops to get their basic income, an adequate standard of living and social protection. They said, after speaking to their 70 disabled person panellists, that the PIP process was degrading and amounted to being unlawful. We have argued that before with MLAs, and MLAs have said to us, "Ah, but, you know, we have to think of the block grant, and we have to think of parity". There is no guarantee that the Scottish Government's system will lead to equality of outcomes, but they point out that they follow seven basic human rights principles. They focus, essentially, on the principle of dignity and how they treat people when they need the support and help of society and their community. The methodology could change without breaking parity. In fact, it has been drawn to our attention in research that we looked at — we were part of a disability strategy expert advisory panel that was, in fact, appointed by one of the members of this Committee when they were Minister — that huge amounts could be saved by removing private sector involvement in the delivery of PIP work capability assessments. If they were done in-house and made the clear responsibility of Ministers, a fortune could be saved.

I am sorry. I will stop there. I apologise for getting emotional. I was not expecting that at all. I apologise.

The Chairperson (Ms Sheerin): No, no, Tony. Thank you very much for your account. There is no need to apologise at all. You spoke your truth, and that was very helpful for us. It was moving and powerful, and we appreciate that. You definitely have no need to apologise.

You have given us a clear account of your thoughts on a bill of rights and how necessary that is. Many of the experts who have given us advice here have talked about — you referred to this as well — rights versus resource. People have argued that we cannot deliver particular rights because there is a finite amount of money. My view is that that is not good enough and that we should use a bill of rights as an accountability measure to make sure that Ministers and Governments are doing what they have to do for the entire community and for people who have different life circumstances and do not have equality of opportunity on that basis. I think that a bill of rights would serve to remind Governments and Ministers of their responsibilities. Can you say more about that?

Mr O'Reilly: I am well aware of that argument, but I go back to the social security argument and the Scottish Government. They are keeping parity but changing the methodology. They are saying that, fundamentally, the dignity of a human person is most important and that we have to treat people with dignity.

We may not have the resources, today or tomorrow, for everything that is happening: for the mental health crisis in our society or the special educational needs sector, or whatever you want to call it. However, when you put human rights in place, you are telling the Government and society something. It is not just the responsibility of the Government. When you put a bill of rights in place, it is, as the Human Rights Commission identified, a social contract. It is a contract between the people and the Government of that society that they will uphold basic human rights.

One of those human rights, if you look at the general principles enshrined in, say, the UN Convention on the Rights of Persons with Disabilities, is the right to dignity and the right to treat people with dignity and compassion. That is a fundamental right, and our current social security provision does not provide that. You may not necessarily have to spend any more money to follow the Scottish model; in fact, you could spend less. I am familiar with the argument that you need primary legislation and with the issue of the block grant. We have seen the Northern Ireland Audit Office (NIAO) report, and we understand the financial accountability. We do not expect things to be changed in one day, but we have to begin to acknowledge that everyone is entitled to human rights.

Every one of us, as stated in the agreement — there is to be equality and respect for all — benefits from human rights. There is nobody who would not benefit from human rights. Most countries in the world have a bill of human rights, whether that is America or countries in Europe. It is a fundamental principle on which societies should be judged. It is not based on whether resources are available now; human rights is a gradual, evolutionary process. It is about building towards that, not, "We do not have the money, so let's skip the bill of rights."

We have been waiting for a bill of rights for nearly a quarter of a century, since this debate began at the beginning of the century. It was agreed in the Good Friday/Belfast Agreement, and we still do not have it.

The Chairperson (Ms Sheerin): I think that we are on the same page on this. Your testimony of the life that you have lived and the people whom you have known makes that very clear. Your personal experience shows what this means. What you say about a social contract is key. Anybody can recognise that, at a particular time, something might not be doable, but they can make a commitment that they want to do it.

I would go further and argue that political reasons are behind a lot of the rights that we talk about not being delivered and that we can always find the money that we need to find for things. To be honest, I do not accept the argument that resources are finite and that we cannot deliver x, y or z because of our priorities. If we prioritise rights and live in a rights-based society, it follows that people will be treated as human beings. You gave some examples of people going through crisis, and all of us, as constituency MLAs, can think of people going through similar crises. We can give examples of people who attend hospital and find that the support mechanisms, such as the bed or the furniture that they need, are not available. I have definitely had constituents in circumstances like that. With care in the community and care packages, people are not always treated with dignity.

I do not want to go over old ground. Thank you very much for your input. It is really useful, and I really appreciate it.

Mr O'Reilly: Thank you, Emma.

Mr Nesbitt: Tony, thank you very much for engaging with us today. I am sorry for your loss. I am also sorry to hear you —.

Mr O'Reilly: It is not my loss. He was a close friend. It is not about my loss. I give his life as an example of where people have lost their lives as a result of the welfare reforms. It is not just about the abject poverty that people face as a result of the reforms; it is about how we approach that.

Mr Nesbitt: I wanted to ask you that because, pre COVID, one of the most frustrating aspects of my work was accompanying people to PIP appeals. My experience was that the assessors were not taking due regard to people's mental health and capacity. If you take the question about preparing and cooking a meal, a lot of people can physically open a tin and put something on a gas burner but do not have the mental capacity to cook it without wandering off. Next thing, they are wondering why the fire brigade is at the door. Has that terrible imbalance been your experience?

Mr O'Reilly: There is a terrible imbalance. Some of our members have had a good experience. I have had a good experience of the assessment process. I do not want to say that about every assessment that every disabled person has had. However, quite a lot of disabled people have had exactly the experience that you have outlined where the assessors do not understand the nature of the disability or particular circumstances. When the people we support are being assessed and interrogated about how they wipe their backside, whether they can wipe their backside and to demonstrate how they wipe their backside. Sorry, I do not want to embarrass anybody, but this is what disabled people have to go through. They may not mention that they lie on their side in the bathroom and the pee goes all over the floor, because they want to keep a bit of their dignity. We have to tell them that the PIP assessment is not about their dignity; it is about getting an income to deal with the extra costs associated with their disability. They need you to tell the absolute truth. This is not a dignified process; in fact, it is the total opposite.

Mr Nesbitt: Yes, I could not agree more. I am guilty of giving that message to people I accompany. You really have to lay it on and tell the truth. Tony, you said that this cannot be based on resource; that it has to be based on rights. How are you on the concept of progressive realisation?

Mr O'Reilly: The progressive realisation is coming with international human rights law. It is about the steps that we take, how we look at the rights that all the different constituencies require, and how we progress those rights over time. When something is placed in the context of a right and the progressive realisation of a right, you are saying, "Yes, you have rights. Yes, you are a person entitled to rights, but, at the moment, we are going to do this and we might do this". It does not go far enough, but we are getting there. It is about being progressive and taking that approach. Countries that have a bills of rights, countries that have come through conflict such as ours or post-conflict societies such as South Africa have *[Inaudible]* got it right. Those countries face challenges with resources, but they have a bill of rights that is inclusive of wider society and community, and we should not be afraid of that.

Mr Nesbitt: You said that you got excited in 2006 about the UN convention only to be disappointed. Could that happen with the bill of rights here?

Mr O'Reilly: No. No, on the basis that, at the very least, if disabled people were included and recognised in a bill of rights in Northern Ireland, at least they would be seen as human beings with human rights as opposed to being dismissed as an unmet need or a special need.

Would the special education school sector have been included in COVID planning and not been excluded had there have been a bill of rights here? I imagine that it would have been included because we would have changed our mentality and approach to a human rights-based approach. We would have looked at children in the special education sector or in the health sector, or adults, within the context of human rights. I imagine that there would have been some progress, maybe not the progress that we are hoping for, but some progress.

In relation to the UNCRPD, our disappointment is that, of all the states examined by the UN convention on human rights, 88 criticisms were levelled at the United Kingdom. It was the most criticised of all the signatories to the UNCRPD. There was a significant number of criticisms of the Northern Ireland Assembly and the failure of the Northern Ireland Government to adopt its rights, and

those were disappointments. If you have a bill of rights here, you will develop a human rights culture and a culture of respect and dignity. The ball game would change significantly because it would be our bill of rights. It is specific to all the people in Northern Ireland and to the rights of unionists, nationalists, the LGBTQ community, older people and those who are disabled.

If you look at the wider equality constituencies and women's, ethnic minority, LGBTQ rights and the full list of rights, you will see that the only two constituencies here — older people and disabled people — are always seen in terms of need; they are never seen in terms of having rights.

Mr Nesbitt: Tony, a bill of rights is important in its own right as a document. However, it is also important in how it might change the culture with which we approach bringing forward legislation.

Mr O'Reilly: Absolutely.

Mr Nesbitt: I really appreciate your engagement. We have not yet discussed where we are going with this, but if we do get it over the line, for what it is worth, I will certainly be arguing that dignity is front and centre of a bill of rights.

Mr O'Reilly: Thank you so much.

Mr Durkan: Hello, Tony, it is great to see you. It has been a while. Thank you for that powerful, personal and pragmatic — that was most unlike you — contribution. I had a couple of questions prepared after reading your submission, but, as with every conversation with you, it will go off on a wee bit of a tangent.

The weaknesses — I suppose that you are being kind calling them "weaknesses" — that you have pointed out in the benefits system are something that we have been flagging up for some time. I have been firmly of the view that parity should not mean "parrot-ry" and that we should try to do things as best as we can. You referred to the competing pressures on public finance, but even when there is not enough money to go around, there should always be enough dignity to go around. That has been sadly lacking in many areas. A couple of members referred to PIP assessments —.

Mr O'Reilly: I have lost you.

The Chairperson (Ms Sheerin): It is not just you, Tony.

Mr Durkan: Sorry. I am back. Tony, a right few of the witnesses we have heard from take a narrow view of particular circumstances in the agreement to mean identity and cultural rights. Throughout our deliberations, I have, with others, highlighted how central socioeconomic issues were to the conflict here. You can tell me whether it is true that it is accepted that the conflict has contributed to our higher than average proportion of people with disabilities.

Mr O'Reilly: Yes.

Mr Durkan: The particular rights for those with disabilities should be included in a bill of rights. Is that your view?

Mr O'Reilly: That is my view. You raise another issue, and that is that, because of the conflict here, because of the ongoing debate and because we are living in a post-conflict society, nationalism and unionism take up most of the oxygen and most of the mainstream press and media, and, with the greatest respect, it occupies the minds of our politicians most of the time, because it is the big issue. That means that the equality and human rights issues facing other constituents, including disabled people, have suffered as a result, have been lost and have been completely absent from the debate.

When we explained that to members of the UN Committee, they said, "Yes, but disability would be a high priority", and I said, "No, not at all. In Northern Ireland, disabled people are probably the lowest priority. We are second-class citizens". Indeed, the equality and human agenda is low on the list, because we are still preoccupied with conflict, with post-conflict and the *[Inaudible]* stalemate that results from it. We are not a very mature democracy in terms of human rights and equality, but when we get a bill of rights and your report on what we can do better, that will help to bring us forward.

That is true of all post-conflict societies, but we have had 20 years of the peace dividend, and it is about time that the human rights and experiences of wider society are addressed, as referenced in the evidence by the former deputy First Minister — your uncle, Mark. It is not just about nationalism and unionism; it is about the human rights of everyone living in Northern Ireland, not just the two communities.

Mr Durkan: Yes, we have to do all that we can to push rights up the table, because when they hover round the bottom of the priorities table, the danger is that they will get relegated. Tony, are there any particular rights, or articulations of particular rights, in the EU Charter of Fundamental Rights that are particularly important for people with disabilities and which we should seek to replicate here?

Mr O'Reilly: The most important right is, obviously, the right to life. That is a particularly good one. That also means "quality of life". Given the cuts to services, social security and everything else, having an adequate standard of living and social protection is a fundamental human right. We would like to see those rights given particular focus. Again, I draw on the Scottish experience in starting to change their system. That does not necessarily cost a pile of money. It just means that they are looking to see how they can treat people with a little bit of dignity and change the process to one that is less abusive and could result in less poverty and less loss of human life.

Mr Durkan: Brilliant, Tony. Thank you for that. I will let you go. Speak to you soon.

Mr O'Reilly: No problem. Thank you, Mark.

Ms Bradshaw: Thank you very much for your presentation. A couple of the issues that I was going to raise have already been covered. I just wanted to pick up on a point, and I hope that I do not make you upset again.

Mr O'Reilly: I apologise for that.

Ms Bradshaw: No, no, no; not at all. On the issue of suicide rates amongst young people, Mencap told me not long ago, that, in many ways, the health service is happy to deal with the condition, but it forgets that there are poor mental health issues that do not get addressed. It might be difficult for you to answer this, but to what degree is poor mental health among disabled people attributed to a lack of dignity and societal support that they may feel generally and systemically when accessing the benefits or infrastructure that you referred to? Are there other barriers that we in the Assembly could take down or legislate on, such as the provision of better changing areas that was campaigned for? I am just wondering whether it is emotional or systemic. What should we focus on?

Mr O'Reilly: Mental health is very much related to your emotional state and well-being. You might be getting attacked in all areas. It could be cuts to basic public services or cuts to your entitlement to social security. It could be the methodology that you have to engage in and your having to go begging and to go through an interrogation process, whether that is the work capability assessment or the PIP assessment. You could be hoping that the £20 increase in universal credit will remain. Many disabled people no longer have the economic protections that they once had. As a member of my board said, when they got to the assessment centre, they were cured. They lost their disability overnight because they lost all their benefit entitlements. Now, on appeal, they got it back. However, people have to go through that process of appeal to get it back. They have to have the nerve to do it. Many disabled people do not. Many parents of disabled children do not. They think, "Oh, well. The initial decision is right". They then go through this long and burdensome process to get it back.

First, it is important to give people an adequate income. Second, and more important, is what the young people made clear on the 'Spotlight' programme about mental health: "We have a voice". That is equally true of young people and children with disabilities. They are saying, "Let us talk about our own experiences. We are experts on our own experiences. We walk in our shoes. Listen to us. Talk to us. Support us. Do not dismiss us or have someone else talk on our behalf". That is very true of children and young people generally, but it is doubly, doubly, doubly true of children with disabilities. It is also true of disabled adults. It is about making sure that people are listened to and heard.

The North West Forum had to go to the UN to seek clarity on article 4(3) on the voice of disabled people and children and young people and to argue how important that is to the decision-making process that impacts on their lives, particularly in relation to young people and the mental health of people in general. The relationship between how the independent mechanism works and the role of

disabled people in monitoring implementation of the convention is so important. Since the UN convention came in, they had misunderstood the article. Even the independent mechanism had not really understood fully articles 4(3) and 33(3). We went to the UN committee on behalf of the disabled persons-led organisation sector and said, "Look, we need your help here. We need decision makers, Government, the independent mechanism all to understand what the two articles mean, because they are not interpreting them correctly. We understand what they mean". Fortunately, the UN committee agreed with our assessment and agreed to put out a general comment, which is a quasi-legal declaration, as to how those articles should be interpreted.

That relates, in part, to mental health. If you do not listen to a person and you exclude them, they have nowhere to go. If you are not being listened to by decision makers and are not getting the opportunity that I am getting now to speak on behalf of disabled people in my organisation, that is not going to help your mental health. It is going to make it worse.

One of the things that we learnt from the 'Spotlight' report the other night is that young people and people with mental health issues need to talk and need support. That is not just in relation to big decisions or talking to MLAs, chief executives or esteemed Committees like this one. It is just talking about your circumstances, about what you want, about what you feel is right for you or your constituency, on either a personal or a much wider societal level. It is about listening to people and making sure that people know that you want to listen and that the experience that they are having is important.

Ms Bradshaw: Thank you very much. That is great.

Ms Ní Chuilín: Thank you for your presentation. It was very powerful. From what you have said, economic and social rights need to be included; that is a given. Another point is that, even though there may be disability discrimination legislation, it just does not go far enough. There is definitely a need to have that included in a bill of rights. Like Mark's point, I know from being in DFC and from Deirdre's approach that the process by which people are assessed for disability needs to be brought in-house and to be human rights-compliant. That will be up to the discretion and personal instincts of a Minister. I do not want to put words in your mouth, but, basically, you are saying that a bill of rights definitely has to have at its core human rights and equality for everybody.

Mr O'Reilly: Yes.

Ms Ní Chuilín: OK. Lastly, Paula and I were at the Health Committee this morning. One of the things that concern me is that no full equality impact assessment (EQIA) is being done on the draft Budget in respect of health, for example. It is a screening-out exercise. If there was a bill of rights and a stronger adherence to human rights and equality, we cannot be screened out; we would have to be included.

Mr O'Reilly: Yes. You will know this from when you took over as Minister temporarily. You asked the different expert panels to consider a range of issues, and we did. As you probably know, the forum was one of the members of the expert panel. Equality impact assessment or screening in or screening out does not necessarily solve the problem.

We have just looked at the Department for Communities equality impact assessment, which says that £1.5 million has been wiped out from the advice sector. Disabled people will not be able to apply for universal credit, PIP or help and support with work capability assessment, because that is where you go to get free advice. They will still be hostage to people who will charge them £40, £30 or £50 to help them to fill in their forms or do whatever. A lot of the time, these cowboys, as I call them, do not know what they are doing. The claimant then comes to us and says, "I did not get this because he did not do this or that". We say, "You need to do this and you need to say that". They will say, "But he did not tell us to do it", or, "She did not tell us to do it", and I will say, "Well, that is because they are interested in your money, not your entitlements". When you take away money and you take away the advice sector that supports disabled people, ethnic minorities and older people, you take away people's access to income.

You also raised the issue of in-house assessment. The Scottish model prioritises the importance of in-house assessment. It says that any assessment of disability benefits should be done only as a form of consultation and only if it is necessary. It says that evidence should be got the other way and that nobody should be put through any undue stress or indignity.

The other principle that the Scottish model uses — and I think that you are catching on to this — is Ministers taking direct responsibility for how citizens are treated and, hence, how disabled people are treated, rather than that being farmed off as a responsibility somewhere else. If a decision is made, the Minister is proud to take responsibility for that decision and stand by it. There is that high-level responsibility.

There is also a particular principle of economic cost saving. Like Northern Ireland, Scotland has to make savings in social security and everything else. In Scotland, they are competing for resources. They have COVID. They have people in the poverty described on 'Spotlight' a few days ago. They have similar things to what we have. They have said, "Look, if you remove these and have in-house assessment, you automatically start to save money". It is not just about guaranteeing or trying to progress someone's human right to an adequate standard of living and social protection; it is delivering what government needs from a fiscal point of view. It is saving money.

Ms Ní Chuilín: Yes. I completely agree. The reason I pointed out the equality impact assessment is that, up until now, Deirdre is the only one who has done that. She has pointed out is that, if the money is not found, these are the services that will go. She is not saying that she is cutting them, just to have that on the record. To be clear —.

Mr O'Reilly: You are saying that the Department for Communities is the only Department to have done an equality impact assessment on reforms, COVID measures and all the rest —

Ms Ní Chuilín: Yes.

Mr O'Reilly: — and none of the other Departments have —?

Ms Ní Chuilín: No. They have not done it yet. They should. The reason that I brought that up is that when you talk about human rights compliance and the need to have inclusion, you need to go as far as you possibly can to show that, unless you get the proper budget, these are the things that will be cut. Right?

Mr O'Reilly: Yes.

Ms Ní Chuilín: Advice, welfare, social protections, disability, isolation, benefits and all the rest should not be negotiable. That is the message, right across the board. However, the reason I raised it is that there is a school of thought that you should not include social and economic rights in a bill of rights. There is that thought. Even some of the witnesses that we have heard from have said things like, "Do not widen it out" and "Do not include everybody because that is not the way to go". Whom do you exclude? Which rights do you cherry-pick and whose rights are more important?

Mr O'Reilly: If you want to continue a history of exclusion and excluding disabled people, black people, the LGBTQ community and older people and giving them substandard treatment, by all means, exclude. If you want to think only of nationalism, whether under the tricolour or the Union Jack, in the two large communities —. I respect people's right to the Union and to nationalism, but there are a lot of people in Northern Ireland who are not interested in nationalism or unionism. They just want a bed, dignity for two weeks while they are dying or the possibility of another week when they do not have to go to a food bank. They do not have the time to think about the wider things that have preoccupied us for the last God knows how long.

Ms Ní Chuilín: I completely agree. I will finish on this point, Chair. I believe that you cannot have a full bill of rights without having economic and social rights in it. If you do not build those in, you will constantly put people who have been discriminated against to the back of the queue or the back of the bus.

Mr O'Reilly: Just to finish, if you do not include economic and social rights, you will be running contrary to the Good Friday/Belfast Agreement.

Ms Ní Chuilín: Tony, this place has been contrary to that for 23 years. I agree with you.

Mr O'Reilly: Thank you.

The Chairperson (Ms Sheerin): OK. No other member wishes to ask a question. Tony, all that is left is for me to thank you again for your contribution and the time that you have spent with us. We have questioned you greatly, and I can hear your wee dog in the background. Thank you very much again. That was really powerful and useful, and I appreciate your testimony. We will let you get on with the rest of your day. Thank you.

Mr O'Reilly: Thank you very much.

Ms Ní Chuilín: Thank you. I appreciated that. It was brilliant.

Mr O'Reilly: Thank you.