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CARERS NORTHERN IRELAND

**Report of a consultation with carers on a Single
Equality Bill for Northern Ireland**

November 2004

Introduction

With the support of the Office of the First and Deputy First Minister (OFMDFM), Carers Northern Ireland arranged two consultation meetings in October 2004 to facilitate the involvement of carers in the public consultation on the proposals for a Single Equality Bill. In addition to capturing views expressed at the meetings, Carers Northern Ireland offered to support individual carers and carers groups to develop their own responses.

Objectives of consultation events:

1. To raise awareness amongst carers about the proposal to introduce a Single Equality Bill in Northern Ireland
2. To brief carers about the key points contained within the Green Paper and the potential impact of the Single Equality Bill
3. To identify the elements of the Single Equality Bill that are of particular concern to carers
4. To seek carers views on:
 - Those elements of the proposals that are of specific concern to carers
 - Other elements of the proposals that are of general public concern

Participants

The meetings were promoted to carers' groups and carers' organisations as well as to individual carers who had previously expressed an interest in Equality and Human Rights issues. The flyer used is attached as appendix 1.

Meetings were held in fully accessible venues in Belfast and in Derry/Londonderry. Carers were assured that alternative care costs and transport costs would be reimbursed in order to enable carers to attend.

A total of 26 carers booked places on the events (19 for the Belfast event, 7 for Derry). Inevitably, the nature of caring means that caring responsibilities will always take priority, and so there was some dropout. However 14 people were able to attend the event in Belfast, and 3 attended the Londonderry meeting. A list of participants is attached as appendix 2.

All of the participants except two had some formal involvement with other carers through carers' groups or other carer-focused voluntary organisations. Most, therefore, brought to the meetings a range of views and concerns that went beyond their own personal experience of caring.

Before the day, participants received a short summary of the consultation document (2 sides of A4) and a briefing paper designed to focus their thinking on the elements of the bill that might have greatest impact on carers.

equal access to public services. There was therefore support from participants for a robust and effective Single Equality Bill.

However to retain support, it does need to be seen to be effective. A strong feeling was expressed that if this whole exercise is not to be a waste of everyone's time there need to be three things built in from the start:

1. Accurate costings of the resources needed to properly implement the Single Equality Bill, and the necessary allocation of Government funding made by Treasury. This, of course, needs to take account of the cost of inaction, i.e. the cost of leaving current inequities as they are and leaving the complex legal system as it is.
2. Proper monitoring and enforcement arrangements in place to ensure that organisations are actually putting the act into practice
3. Political will to make sure that the Act actually has the impact it needs to have to be effective.
4. Good communication from OFMDFM while the Bill is being developed and implemented.

There was strong support for the development of a Single Equality Bill for Northern Ireland that is designed in consultation with the people of Northern Ireland and is owned and championed by the politicians and the political institutions of Northern Ireland. Participants were concerned about the prospect of a Single Equality Bill for Northern Ireland that was simply adapted from British legislation and passed as an order in Council.

Because of this, there was some concern that the current process may be overtaken by events, if developments on equality in Britain move faster than the political process to restore devolution in Northern Ireland.

Approach to equality

It was agreed that the Single Equality Bill needed both to prohibit discrimination and also to promote equality of opportunity by identifying tangible, measurable actions that should be taken in order to promote equality.

Carers expressed dissatisfaction about some elements of the Disability Discrimination Act. However in respect of both prohibiting discrimination and promoting equality of opportunity, it was felt to offer a good model of how equality legislation can take this dual approach.

- Remove any perception that there is a 'hierarchy of rights' by ensuring that the same standards of fairness and equality apply to all
- Make it easier to address issues resulting from multiple identity
- Make it easier for organisations to understand what they need to do to promote equality by having consistent legal requirements
- Make it easier for people to know, understand and assert their rights

Grounds

Marital or Family Status/Dependents

Participants at the Single Equality Bill Presentation meeting had a range of views about the inclusion of the ground 'Marital or Family Status/Dependents', which was the terminology used in the discussion document. This is clearly the possible new ground of most relevance to carers.

There was a clear consensus that carers are not just vulnerable to social exclusion, but that they are actually at risk of both direct and indirect discrimination because of their caring responsibilities. It was therefore agreed that carers needed protection from discrimination and promotion of equality of opportunity under the Single Equality Bill.

The examples of discrimination carers described include:

- direct discrimination by employers or potential employers because of caring responsibilities,
- indirect discrimination in employment due to working practices that were not sufficiently flexible to allow carers to work
- difficulty in accessing education and leisure opportunities
- lack of equity and fairness in accessing social advantages (e.g. in some areas respite may be accessible to carers of older people, but not to carers of children with disabilities, for example)
- lack of social protection, particularly in terms of carers access to services to protect their own health and social well-being eg lack of access to health and safety information, training and other protection available to paid care staff carrying out the same tasks.

There was considerable discussion on how best the Single Equality Bill could respond to the particular circumstances of carers. The majority of participants felt strongly that a new ground to cover carers should be included within the Bill.

It was agreed that the 'catch-all' heading of 'marital or family status/dependents' should not be used. It is not helpful, as it confuses different issues that are not

Other Grounds

Socio-Economic Status

Some carers suggested that Socio-Economic Status might be a suitable ground for inclusion in the Bill as it would target those carers who are most vulnerable to a wide range of social exclusion, as well as offering protection to others who are disadvantaged by their financial and social circumstances. Other were concerned that this would be impossible to define in a meaningful enough way to afford effective protection to those who most needed it.

Language

Participants felt strongly that if 'language' was included as grounds for protection under the Single Equality Bill the definition must be extended to include British Sign language, Irish Sign Language and other forms of communication for those who have speech and communication difficulties.

Next steps

Carers wish to have further opportunities to meet and discuss the development of the Single Equality Bill at all key points in its future development. Written communication is important in giving feedback and updates, but is unlikely to be sufficient if OFMDFM wish to continue to engage people in discussion and debate.

All carers would like information on ramifications for carers should a new ground be included. As one carer pointed out – we are neither lawyers nor financial advisers. There would be a key role for the OFMDFM and the Equality Commission in developing a communications strategy that builds on the positive outcomes of this current phase of the debate.

Carers Northern Ireland would like to thank the OFMDFM for their financial support, which enabled us to undertake this consultation and enable the carers' voice to be heard on this vital issue.

Appendix 1

Single Equality Bill - participants

Ms	Lena	Bambrick
Ms	Joleen	Connolly
Dr	Geraldine	Fennell
Ms	Phil	Graham
Ms	Rosemary	Hamill
Ms	Mary	Haughey
Ms	Julie	Jameson
Ms	June	Kerr
Mrs	Indira	Laugee
Mr	Stephen	Lavery
Ms	Mary	McCloskey
Ms	Mairead	McCrea
Mrs	Emma	McDowell
Mr	Tony	McGurk
Mr	Brendan	McKeever
Ms	Eleanor	McMullan
Ms	Leandre	Monroe
Ms	Elizabeth	Moore

CARERS Northern Ireland

Single Equality Bill

Briefing meetings for Carers

Do carers have equal rights? Should carers have equal rights?

What would true 'equality of opportunity' mean for you?

The Office of the First and the Deputy First Minister is asking people what they think about plans for a Single Equality Bill for Northern Ireland. The new Bill could do away with existing equality law and replace it with one single law. We want to make sure that carers have a chance to find out about the proposals, and put their views forward.

Carers Northern Ireland is holding two meetings for carers and carers groups to discuss the proposals. All carers are welcome.

Belfast

Date: Wednesday, 27th October 2004
Time: 10.15am-12.30pm
Venue: NICVA, 61 Duncairn Gardens, Belfast

Derry/Londonderry

Date: Friday 29th October 2004
Time: 10.15am-12.30pm
Venue: The Junction, 8 Bishop Street, Derry City Centre

Thanks to funding from the OFMDFM, travel expenses and alternative care costs will be reimbursed.

The meetings are free, but booking is necessary. To book a place, and to let us know of any access or other requirements, contact:

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Phone 9043 9843. Email angela@carersni.demon.co.uk