

1. Background

NICVA is the umbrella body for the voluntary, community and social enterprise (VCSE) sector in Northern Ireland with over 1,100 members, who provide a wide range of services and activities for public benefit. These range from health, social care, and emergency services; advice and counselling, community development and peacebuilding; to environmental, arts, and sporting activities. We work to support and advance the interests of the people and communities that our members support. We offer a wide range of practical services and support to our members to help them do what they do best - find innovative solutions for social challenges.

2. Our Consultation Response

NICVA welcomes the establishment of the Ad Hoc Committee on a Bill of Rights for Northern Ireland through the 'New Decade, New Approach' agreement and the current consultation. The formation of a Bill of Rights for Northern Ireland is long overdue and remains as unfinished business from the commitments made within the 1998 Belfast / Good Friday Agreement.

We welcome the engagement provided by the Committee and the opportunity to respond to his initial consultation period. As the umbrella group for the voluntary and community sector we would encourage the committee to further consult with the sector in order to gain a solid understanding from the various organisations who witness and work on rights-based initiatives throughout Northern Ireland. These groups do not always work on the single-issue topic of human rights but rather work to help and support the vulnerable in our society, some of whom would greatly benefit from a domestic legal rights-based framework. Given the unprecedented times we are living in, we would urge further engagement, context setting sessions and information seminars to help provide a thorough understanding of what a Bill of Rights for Northern Ireland could look like as well as achieve greater awareness of how our society feels about the proposed Bill. Against the backdrop of a global pandemic and the reduction of accessibility to the committee, and further taking into account the Christmas period, we would suggest that the current 12-week public consultation period is too short to inform the public and gather adequate feedback.

Welcoming the chance to respond to this important consultation, NICVA would like to take this opportunity to show support for the implementation of a Bill of Rights in Northern Ireland and we believe it would assist in filling the rights deficit that currently exists in our society. We believe it is very important that there is a clear and legal basis for the protection of rights for all citizens living within Northern Ireland. The implementation of a domestic legal framework has increased in importance following the UK's withdrawal from the EU and the possible legal implications this may have. The rights-based framework currently provided by EU membership has been overshadowed by many uncertainties created within a post-Brexit society. We believe it is important that international standards of human rights are incorporated into NI domestic law. Although many of these protections are currently afforded to our society through The Human Rights Act (1998), we would urge the devolved Government to adopt a similar legal framework specifically for Northern Ireland. This would ensure future certainty about the rights enjoyed by citizens in Northern Ireland rather than

relying on wider UK and international rights frameworks which are subject to change or even removal by wider political changes such as Brexit.

We do not feel that everyone in Northern Ireland currently enjoys basic human rights to the same degree. There are several sections in our society who experience gaps in the protection of their rights, and this has been highlighted throughout the past eleven months by the implications of the pandemic and the resulting lockdown(s). There are those who are treated less equally (including but not limited to people with disabilities, young people, women, black and ethnic minority groups, and older people) or face more barriers when trying to access adequate services (including but not limited housing, education, and health) therefore it is vital that a legal framework is in place to protect all of society.

NICVA recognise the importance of using values as a foundation for a rights framework in NI however we would highlight that values alone cannot and should not be a replacement for fundamental rights. Values should only underpin an actual legal framework. With regards to a Bill of Rights setting out an aspirational vision based on guiding or foundational values, NICVA would be wary of the dangers of using terminology that is broad and sweeping with regards to the rights of those living in Northern Ireland. It is vital that a Bill of Rights is definitive and has a sturdy legal basis. An aspirational vision would be a supportive prelude to a Bill of Rights however the rights themselves need to be enshrined in law.

3. Concluding Comments

Twenty years on from the Belfast/Good Friday Agreement, the vindication and protection of the human rights of all in our society is far from secure. Many of the rights contained within the Universal Declaration of Human Rights continue to go unprotected and our system of governance has a clear human rights deficit. This has been further emphasized by the COVID-19 pandemic and Brexit which has placed our current rights based legal protections under threat. There is now more than ever a need for a Bill of Rights for Northern Ireland.

NICVA welcomes the engagement and development towards a Bill of Rights for Northern Ireland. We would further welcome continued opportunities to support and inform this process.

For more information on any aspect of our response please contact

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