

Sinn Féin consultation response to Civil Service (Special Advisers) Bill

Sinn Féin are opposed to this Bill. We believe this is an issue of equality and fairness. This is an obvious attempt to prevent republican ex-prisoners from fulfilling the role of special advisers now and in the future. Many legal impediments are put in front of republican and loyalist ex-prisoners. Sinn Féin will not acquiesce to a situation in which further restricts access to employment or to the provision of goods, facilities and services.

Legislating to prohibit ex-prisoners from employment as a Special Adviser would further institutionalize discrimination. Prohibiting ex-prisoners from employment as a Special Adviser would be discriminatory and would run contrary to the Good Friday Agreement and the St Andrews Agreement. Sinn Féin believe it would represent a breach of Human Rights, contravene the ECHR, and run against the equality requirements on government, this would be patently unfair.

Sinn Féin are opposed to clauses **2** and **3** of the Special Advisors Bill on the basis that:

Ex-Prisoners have played a significant role in the peace process and the political process here. The peace process itself is premised on inclusivity. The system of government in the north is designed to guarantee inclusivity and participation of all sections of society. The institutions are required to promote equality.

All of this was enshrined in the Good Friday Agreement which was endorsed by majority north and south. The release of prisoners under the terms of the GFA bears out the fact that without addressing the issue of prisoners there would not have been a peace process. The GFA also recognized the need for measures to facilitate the reintegration of prisoners into the community including removing barriers to employment. This was again formally recognized in the St Andrews Agreement.

In the GFA the British and Irish governments pledged to:

'continue to recognize the importance of measures to facilitate the reintegration of prisoners into the community by providing support both prior to and after release, including assistance directed towards availing of employment opportunities, retraining and/or re-skilling, and further education' (Annex B, point 5. 10 April 1998.

The St Andrew's Agreement (2006, Annex B) pledged that:

'government will work with business, trade unions and ex-prisoner groups to produce guidance for employers which will reduce barriers to employment and enhance re-integration of former prisoners'.

Many elected representatives throughout Ireland are ex-prisoners, including Ministers, MPs, MLAs, Councilors, TDs and MEPs. The fact that ex-prisoners are returned to these positions demonstrates clearly that a significant section of society have confidence in these ex-prisoners to act as their representatives. It is important that inclusivity and representativeness transect all sections of government, elected, civil service, public appointments etc.

Legislating to prohibit ex-prisoners from any position of employment will alienate many former political prisoners and their families and whole sections of society. We live in a society which is still emerging from conflict. Punitive measures against one particular group of former participants in the conflict runs contrary to the ethos of conflict resolution and may lead to

alienation from the very political process which maps the route away from conflict. Conflict resolution requires a no-winners and no-losers approach.

Sinn Féin believes this Bill is in complete opposition to these fundamental concepts.

