



Northern Ireland
Assembly

Committee for the Office of the First Minister
and deputy First Minister

OFFICIAL REPORT (Hansard)

Sexual Orientation Strategy Consultation:
OFMDFM Officials

24 September 2014

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Mike Nesbitt (Chairperson)
Mr Chris Lyttle (Deputy Chairperson)
Mr Leslie Cree
Ms Megan Fearon
Mrs Brenda Hale
Mr Alex Maskey
Ms Bronwyn McGahan
Mr George Robinson

Witnesses:

Ms Patricia Carey	Office of the First Minister and deputy First Minister
Ms Margaret Rose McNaughton	Office of the First Minister and deputy First Minister
Mrs Janis Scallon	Office of the First Minister and deputy First Minister

The Chairperson: We welcome Janis Scallon, Patricia Carey and Margaret Rose McNaughton. You are back again, Margaret Rose — just the once this week.

Ms Margaret Rose McNaughton (Office of the First Minister and deputy First Minister): Thank you, yes.

The Chairperson: I offer you up to five minutes for opening remarks.

Ms McNaughton: Thank you very much, Chair, and thank you for providing us with the opportunity to update the Committee on phase 1 of the public consultation. I introduce Patricia Carey and Janis Scallon from our statistics and research branch.

Committee members will know that the public consultation on phase 1 ended on 6 June, and the Committee received an update on the development of the strategy on 24 June. Over the summer, the responses have been analysed and the process will be completed in the very near future, at which stage the Committee will receive a copy of the full analysis document. However, I want to share the main findings of the consultation with you. We received 995 responses, and that included 627 responses to the online questionnaire, 343 written responses from individuals and 25 written responses from organisations. In general, the responses indicated a high level of agreement with the proposed vision for the strategy. There was strong support for all five proposed emerging objectives and there was a high level of agreement with each of the two proposed strategic aims. However, other issues that people felt should be covered in the strategy ranged from transgender issues, same-

sex marriage, adoption rights and fertility treatment. A number of respondents wanted to see the language used in the strategy strengthened somewhat, and there was considerable support to develop a code for elected representatives, officials and public servants. People thought that there was a need for an awareness-raising programme for all criminal justice agencies that would focus on the experience of violence, discrimination and hate crime amongst LGB people. People felt that all educational institutions should explicitly welcome all students and pupils, regardless of their sexual orientation, and promote a learning environment in which all students can feel safe and respected. Other views expressed were that the strategy was unnecessary, because provision already exists in legislation, and the fear that Christian values would not be protected.

The consultation document itself recognised that several pieces of legislation had been introduced that addressed human rights, employment rights and equality. However, despite the protection afforded by law, various areas had been identified where the LGB population has faced inequalities, and the Equality Commission highlighted instances where laws are not adhered to. In its response, the Equality Commission also recognised that LGB people can suffer prejudice, intolerance and hatred in relation to their sexual orientation, which may manifest itself in ways that are outside the scope of legislation, such as various forms of bullying and harassment.

Following consideration of the analysis of the information gathered at phase 1, phase 2 can then begin. A development of the new strategy can raise awareness and give effect to current legislation. In drafting the new strategy, we will highlight that the strategy can help give effect to existing legal protections to ensure that they are properly understood and enacted, and that the strategy can address issues that are outside the scope of existing legal protections, such as promoting good relations and addressing homophobic bullying.

When a draft strategy is developed and agreed, the Committee will have an opportunity to comment on it before it is referred by Ministers to the Executive for final agreement and publication, with a view to conducting a further 12-week public consultation. We have committed to that at the beginning of the year. We hope to begin the development of phase 2 shortly, and the next meeting of the sexual orientation project group is set, I think, for 28 October.

Thank you, Chair. We are happy to take any comments that you may have.

The Chairperson: OK. Thank you very much. Last week, we were discussing active ageing, and there was a feeling amongst the stakeholders that the strategy was about as good as it gets. Is there any feedback about how phase 1 was run?

Ms McNaughton: We were trying to gather as much information as possible to help us inform a strategy, so people knew that this was like a pre-consultation to the development of the full strategy and that a further consultation exercise would take place. People were generally encouraged by the fact that something was being done. There is momentum out there now regarding a strategy being developed.

The Chairperson: Were there any surprises in the responses?

Ms McNaughton: No, there were no surprises. There were very differing views, of course, and that is to be expected. We respect people's views, and we want to take account of those views and be sensitive to them. We will do that as we go forward.

The Chairperson: As you said, there were nearly 1,000 respondents, so it is an issue that provokes reaction, and strong reaction, obviously. Is there an urban/rural split that you can identify?

Ms McNaughton: I will refer you to Janis, who has prepared a lot of the quantitative analysis.

Mrs Janis Scallon (Office of the First Minister and deputy First Minister): The survey for the online consultation did not ask people to identify their address, so we would not be able to tag them to urban or rural to split those results.

The Chairperson: Is there any discernable difference in attitude by age bracket?

Mrs Scallon: I am going to public attitude now as opposed to responses to the consultation where there were no differences. Public attitudes towards LGB and T have got much better over the years,

but there tends to be an age factor there. Analysis has shown, however, that it is difficult to know whether it is an age factor or a religion factor, and multilevel analysis would have to be carried out. That research is being done by Queen's University and the University of Ulster. They have stated that further multilevel regression would be required to determine whether age or religion is the factor towards attitudes.

The Chairperson: Is that research going to be undertaken?

Mrs Scallon: It has been undertaken. Data are publicly available. The research was undertaken in the Northern Ireland life and times survey, so the data are publicly available and have been since May.

The Chairperson: I am sorry. I obviously missed that. What does it conclude: that it is age or religion or both?

Mrs Scallon: It does not conclude. It simply says that both are factors, but it is not sure how much one can predict the attitude in the levels.

The Chairperson: So, you would need a further round to drill down on that.

Mrs Scallon: Yes.

The Chairperson: OK. As you mentioned LGB and T, can we just put on the record why transgender is not a part of this? Just for the record.

Ms McNaughton: When we spoke to transgender groups, they generally felt that their issues relate to gender, rather than to lesbian, gay or bisexual.

Ms Patricia Carey (Office of the First Minister and deputy First Minister): We also established that, under European law, and legally, transgender is a gender issue. Sexual orientation is to do with somebody's sexual identity, whereas transgender is to do with their gender. So, we are working on that basis. However, in the consultation, there was quite a significant number of people who commented on the fact that transgender issues should be part of this consultation. So, part of the next phase, I think, will be around education to make it clear that it is not that transgender issues are not being considered; it is that they are not being considered as part of the sexual orientation strategy and they will be considered as part of a gender strategy.

The Chairperson: Perfect. Thank you very much. I think that explains that.

I think you said that you got around 350 written responses from individuals who are basically opposed to the introduction of such a strategy but which did not address the specific questions asked in the consultation. So, what can you tell us about the nature of those responses and what they did address?

Ms McNaughton: The vast majority of those people were concerned that there may be some dilution of Christian values as a result of the introduction of any strategy. We recognise that those are the views of some people. People felt generally that the legislation that is in place at the moment is sufficient to provide protections for LGB people. Those were the two main issues that they were coming up with.

The Chairperson: It was several hundred responses. Were they all, put it this way, original, or did you sense that there was perhaps a generic response or a template that people were working off?

Ms McNaughton: There were four variations of one template.

Ms Carey: There were a number of other letters that did not follow one of the four templates but raised a number of issues. So, there were the four template-type responses and then a number of other letters that contained much the same issues but did not follow the templates.

The Chairperson: Is it possible to identify who or which organisation would be responsible for those templates?

Ms McNaughton: That was not included in the response. It was just a signature.

The Chairperson: Have made an attempt to trace it?

Ms McNaughton: No.

Ms Carey: They were all from individual people. There were 25 written responses from organisations, and all of the 300-plus individual letters on the template, or the separate letters, were from individuals. So, we are treating them as letters from individuals.

The Chairperson: But with an awareness that there is a coordinated effort across four different templates. So, what you do with that group of 300-plus? Do you engage with them during phase 2?

Ms McNaughton: We need to recognise, obviously, that those are their views, and we will be putting this forward to our own Ministers first and then working with the project team that we have established. We need to look at all the issues that were raised and see how we can address the issues that some people have. It may be that we need to engage with some of these people, and we are very happy to do so. It will help to identify an organisation rather than individuals, obviously. I would certainly be very happy to do that and maybe give them a better understanding of what the strategy is about. It is not about giving another section of the population more protection than others; it is about trying to create an equal society for everybody where there is mutual understanding and trust and respect. It is not that one section will get more than the other.

The Chairperson: I will now turn to questions 25 to 32. You are proposing specific themes that could be addressed, but there is no mention of the themes in your summary of responses. What can you tell us about how those respondees to the consultation reacted to the themes in questions 25 to 32?

Ms McNaughton: Those were to do with raising awareness, homophobic violence, education, health, employment, and culture, arts and leisure.

The Chairperson: Yes.

Ms Carey: Generally, there was acceptance that we focused on the right themes. There was general broad support of those themes, which came through from the quantitative analysis. The responses from the 300 or so individuals who wrote separately did not really deal with the themes as such, so it will not be possible, in analysing those, to form a view. In the overall consultation online — the 600-plus — there was definite broad support that those were the appropriate themes to be looking at.

The Chairperson: For example, at question 27, there is a suggestion of:

"Commissioning a new, longitudinal research project to produce a detailed profile of the LGB community and social attitudes towards it".

We do not know how many people strongly agreed, agreed, neither agreed nor disagreed etc.

Mrs Scallon: That is all part of the consultation analysis, which we are working through at the moment. Overall, the theme that received the most positive response was the one on homophobic violence, harassment and prejudice. However, every single theme received in excess of 80% support in the online consultation response. In order to get into the individual responses on each component and proposed action under those themes, we would need to do a lot of qualitative analysis of the responses, which we are working on at the minute.

The Chairperson: One of the advocacy groups for the LGB community here would argue that the UK Government did research that suggests that 6% to 10% of the UK population is LGB and, if that is the case for Northern Ireland, we are talking between 108,000 and 180,000 people. Does that chime with your view?

Ms McNaughton: That is one of the issues that we face. We need to have robust data and, because we do not have it, it is difficult for us to make any kind of analysis of the numbers. Some people would suggest that there is maybe up to 10,000 people from the LGB community. The new strategy will want to be clear that there is an outcome there that will provide robust data going forward.

Ms Carey: Advocacy groups here would also say that the number is somewhere between 6% and 10%. The issue is not just about knowing exact numbers; it is about gathering data about what the issues are. If there is an issue about knowing how many people are affected, there is obviously going to be an issue about how they are affected. Part of the next phase of looking at the data analysis and the requirement for data gathering will focus on that. The fact that over 80% of people in the online consultation felt that that is an area that needs to be addressed shows that that is a key element that would need to underpin any strategy.

Mrs Scallon: The latest figures that we have in the Northern Ireland life and times survey, which is a general survey of the population of around 1,200 respondents, showed that 1.3% identified as lesbian, gay or bisexual.

The Chairperson: Is that 1.3%?

Mrs Scallon: The respondents to the online consultation have suggested putting more questions into the Northern Ireland life and times survey, which we intend to do not this year but next year, to explore the matter more fully.

The Chairperson: I have a couple of specifics. Two groups originally suggested that they would like to see a focus group-style approach to this. They then withdrew. Do you know why?

Ms McNaughton: We got no explanation from them at all. I think that one group — I cannot remember the name — which may well have promoted conversion therapy in some sense, just sent an email to withdraw from the meeting that had been arranged.

The Chairperson: I suppose that we would all like to know why, in case they feel in any way that they cannot be part of it.

Ms McNaughton: As we go through the second phase and towards the development of an actual strategy document, we would certainly be very happy to engage with them. We have their details, and we will be happy to meet the group. I cannot remember the name of the group now.

The Chairperson: The vision that you propose is to:

"promote an inclusive society that tolerates diversity; enables equality of opportunity for all lesbian, gay and bisexual (LGB) people and their families; and recognises, protects and respects their human rights."

In that context, did you get any sense that people within the LGB community feel vulnerable, physically and/or mentally, through the lack of a strategy?

Ms McNaughton: The information coming to us was that there are issues that people from the LGB community face on a daily basis that suggest intolerance. Some of the respondents, particularly from the organisations, are very supportive of the vision but want it to be strengthened in some ways. Some people think that tolerating diversity means that you are putting up with diversity. They want to strengthen that to make it more about welcoming or promoting diversity as part of the general society that we live in. That is in recognition that just tolerating people can make them feel in some way vulnerable and that they need to be put up with.

The Chairperson: I suppose that that is the difference between a Government who does something because they want to do it and because it is the right thing to do and a Government who does it because, if they do not do it, they are in trouble.

Ms McNaughton: Generally, I think that the Programme for Government is clear that we want to have a society that is diverse, tolerant and inclusive.

The Chairperson: The last time that we discussed this, Margaret Rose, I think that you said that the head of the Civil Service wrote to Departments at the end of March requesting the nomination of a senior policy lead to engage in the development of the strategy. Departments were also asked to identify outcome-focused actions that would help deliver any emerging objectives. Can you update us on where that is?

Ms McNaughton: That will form part of the development of the actual strategy now. We were also engaged, of course, during the phase 1 consultation. When we get into developing phase 2, we will be taking the views of Departments on the actions that they are already taking — some of them are doing some really good stuff — and on other actions that Departments feel that they can take to better promote the diverse society that we have.

The Chairperson: Sorry, just to be clear: has each Department nominated a senior policy lead?

Ms McNaughton: There is a senior policy lead from each Department, yes.

The Chairperson: OK. And you think that the rest will flow out.

Ms McNaughton: The rest will flow as we go through the development of the actual phase 2 of the strategy.

The Chairperson: Members, I will open it to you. I will then ask my last question about the timeline from here on. OK, as there are no questions, please tell us about the timeline from here on.

Ms McNaughton: We hope to finalise the analysis document within the next few weeks. As I said, we have another meeting with the project group, which is set for 28 October. We would like to then start the development of phase 2. Because we have so many and such a wide range of responses, it is going to take a wee while to work through those and make sure that we reflect the views properly in the new strategy. However, we hope, certainly by the end of the year, to be finalising the document for further consultation.

Ms Fearon: The last time that you were in to talk about this before the consultation, I think, Martina Hanna said that a group had been set up to draft a strategy. Has that been established?

Ms McNaughton: Sorry, I am referring to the project group.

Ms Fearon: The project board.

Ms McNaughton: The project group that is meeting again on 28 October is the drafting group.

Ms Fearon: OK. What role does the project board have?

Ms McNaughton: The project group will report to the project board on progress. It will then agree at each stage what it can put forward.

Ms Fearon: Has the project board been given this analysis yet?

Ms McNaughton: Once this is finalised, we will have the programme board, as it will go through the Delivering Social Change (DSC) programme board.

Ms Fearon: Have there been any delays?

Ms McNaughton: We had hoped that it would not have taken so long to get the analysis document completed. There has been a delay in that regard. We hope that we will continue with the momentum and get things moving once again.

The Chairperson: Janis, Patricia and Margaret Rose, thank you very much.