



## Knowledge Exchange Seminar Series (KESS)

*...is a forum that encourages debate on a wide range of research findings, with the overall aim of promoting evidence-based policy and law-making within Northern Ireland*



# ***The Northern Ireland Bill of Rights in the Context of Brexit***

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**25 October 2017**

# What?

- Independent funded project (Joseph Rowntree Charitable Trust)
- Address the outstanding issue of NI Bill of Rights in the context of Brexit
- NIHRC's advice 2008
- NIO's response 2009
- Little political engagement since then
- Re-emerged in the current negotiating process

# How?

- A draft model Bill of Rights based on the NIHRC's advice:
  - [https://www.ulster.ac.uk/\\_data/assets/pdf\\_file/0017/205451/Bill-of-Rights-NI-Draft-Model-Bill-June-2017.pdf](https://www.ulster.ac.uk/_data/assets/pdf_file/0017/205451/Bill-of-Rights-NI-Draft-Model-Bill-June-2017.pdf)
- Limitations:
  1. Good place to start: NIHRC was tasked under the BGFA/NIA 1998

# How?

- Recap of the NIHRC's advice:
  - Human Rights Act plus
  - Supplementary rights: equality and non-discrimination; democratic rights; identity and culture; victims' rights; socio-economic rights; environmental rights; and children's rights
  - Judicial enforcement

# How?

## Innovative recommendations:

- annual reporting to the Northern Ireland Assembly and the Westminster Parliament on progress
- Establishment of a Human Rights Committee in the Assembly and a five-year independent review
- Apply to both the Assembly and the Executive
- Vertical as well as horizontal application



# How?

- Limitations:
  2. Lack of consensus within NIHRC
    - Three Schools of Thought:
      - I. NIHRC went too far/minimalist approach
      - II. Supports the NIHRC's approach
      - III. Advice didn't go far enough

# How?

- Limitations:
  3. Out of date in parts
  4. Compromise
  5. Capturing the intention of the Commission's advice properly in legislation:
    - draft model is a work in progress

# How?

- Other parts of the project:
  - Hosting events
- Feedback so far to reflect the changing circumstances (most notably Brexit):
  - additional rights relating to children's rights
  - refugee rights including the rights of refugee and unaccompanied children
  - equality of citizenship and access to rights





# How?

- citizenship equality
- the right to vote
- freedom of movement
- equivalence of rights on the island of Ireland
- EU citizenship rights
- EU equality protections
- stronger protections on women's rights
- marriage equality

# What Next?

- Redraft model Bill
- Policy Report Oct/Nov 2018
- Two governments
- Disseminated widely



# Contact Details

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