

Inequalities in Participation in Public Life in Northern Ireland

An investigation of the nine Section 75 grounds

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Glossary

Glossary

Government Public Appointments

A Government Public Appointment is an appointment to the board of a public body. These are bodies set up by government ministers, but are not part of a government department. Government Public Appointments discussed in this report refer to those appointments which are the responsibility of the Northern Ireland Executive and exclude appointments made by the Northern Ireland Office which are appointments overseen by the UK Government.

There are around 80 public bodies sponsored by Northern Ireland government departments. They play a real part in shaping and influencing policy and decision-making locally. Some provide advice to government ministers while others deliver a range of public services.

Public bodies operate independently of ministers, although ministers remain ultimately responsible for them. Some are also known as non-departmental public bodies (NDPBs).

Most public bodies are led by boards comprising non-executive chairs and members appointed by ministers. These are considered Government Public Appointments.

House of Lords Appointments

There are two types of House of Lords Appointments. The first type of appointment is party political appointments. These Members of the House of Lords are appointed by the Queen on the advice of the Prime Minister.

The second type of House of Lords appointments are for Non-Party Political Membership of the House of Lords. The House of Lords Appointments Commission oversees this process. The Commission will consider self-nomination and nomination by another person or organisation. All nominations will be considered against the same criteria regardless of whether they are self-nominations or nominations made by another person.

There are special circumstances when members are appointed:

- Life peerages may be given to some MPs (from all parties) when they leave the House of Commons at the end of a parliament.
- When a prime minister resigns, he or she may recommend ‘resignation honours’ for politicians, their political advisers and others who have supported them.
- Members can be appointed, on a party basis on political lists to ‘top up’ each of the three main party groups’ strengths, on the expectation that they will attend regularly and perhaps take on frontbench work as spokespersons or business managers (whips).
- One-off announcements can cover peerages for particular individuals such as someone appointed as a minister who is not a member of the House.

- A limited number of 26 Church of England archbishops and bishops sit in the House. When they retire as bishops their membership of the House ceases and is passed on to the next most senior bishop. The Archbishop of Canterbury is usually given a life peerage on retirement.
- Former speakers of the House of Commons have traditionally been awarded a peerage at the request of the Commons.

Local Strategic Partnerships

Local Strategic Partnerships bring together representatives from the local statutory, voluntary, community and private sectors to address local problems, allocate funding, and discuss strategies and initiatives. They aim to encourage joint working and community involvement, and prevent 'silo working' (i.e., different agencies that share aims working in isolation) with the general objective of ensuring resources are better allocated at a local level.

Community associations or fora

A community association is a nongovernmental association of participating members of a community, such as a neighbourhood, village, cooperative, or group of homeowners or property owners in a delineated geographic area. Participation may be voluntary, require a specific residency, or require participation in an intentional community. Community associations may serve as social clubs, community promotional groups, service organisations, youth sports group or quasi-governmental groups.

Community police liaison committees

A community police liaison committee is a forum for the Police Service of Northern Ireland to engage with organised groups of citizens (e.g. community associations or groups) in order to develop relationships between the police service and local communities. Membership is drawn from a range of other areas of participation in public life defined in this appendix.

Neighbourhood watch committees

Neighbourhood Watch is an initiative which offers individuals the opportunity to influence the safety of their neighbourhood and to reduce the fear of crime and anti-social behaviour in their area.

The aim of Neighbourhood Watch is to support individuals so that they can protect themselves and their property. The scheme is promoted, supported and endorsed at a strategic level by a partnership between the Department of Justice, the Police Service of Northern Ireland (PSNI) and the Northern Ireland Policing Board (NIPB).

The need for a Neighbourhood Watch Scheme is identified and developed by local communities together with each of the partner organisations in the process. In commencing a scheme, community representatives talk to their local police officer,

the PCSP co-ordinator, to arrange an initial community meeting to get an overview of Neighbourhood Watch and to clarify any issues.

When community support for the establishment of a scheme has been obtained, the community identifies at least one Neighbourhood Watch co-ordinator for the area to be covered by the scheme. All the residents within the designated area are notified of the proposal and asked to register their interest.

Citizen's panels

A citizen's panel is a statistically representative sample of the local population, usually a local authority area, which the local authority and/or partner public bodies may use to conduct research on how local people feel about issues affecting their area. Citizen's panels range in size depending on the geographic area covered and the resources of the authority managing the panel. Membership of the panel is regularly 'refreshed' to ensure it remains representative of the population.

Public bodies focus or working groups

A public body's focus or working group is an ad-hoc group drawn together by a public body to examine a specific issue. Depending on the issue to be examined a public body will draw together experts and/or interested parties as members of the group to examine the issue of interest. The lifespan of a focus or working group can last anywhere between a few weeks and several years, again depending on the issue to be addressed.

School Boards of Governors

Every school is managed by a Board of Governors that works alongside the school Principal to meet the educational needs of the school pupils in a secure and safe environment. The Board of Governors consists of:

- members representing the owners or former owners of the school
- parents and teachers who are elected by the parents and teachers associated with the school
- members of the general public with an interest in education who are appointed by the Department of Education or your local education and library board.

School Councils

A school council is a group of pupils elected by their fellow pupils to represent their opinions and raise issues with their head teacher and governors in the school. The school council can also take forward projects on behalf of the pupils, and be involved in planning and things like the School Development Plan, governing body meetings and interviewing staff.

Youth Councils

Youth councils are a form of youth voice engaged in community decision-making. Youth councils exist on local, state, provincial, regional, national, and international levels among governments, non-governmental organisations (NGO), schools, and other entities. The Youth Council for Northern Ireland (YCNI) was established under the Youth Service (Northern Ireland) Order and is funded through grant-in-aid by the Department of Education.

User groups for a service provided by a public authority

A public authority user's group is generally a group or club focussed on the use of a particular service provided by a public authority. Members of a public authority user's groups will have generally considerable experience of using the particular service as a user themselves or engage with a service on behalf of a relative or friend. User's groups are generally set up by users of a service; however, on occasion public authorities establish these groups themselves to engage with their service users.

Elected representatives

An elected representative is an individual who has been elected by the public to represent them at a local, regional, national or even international level. In Northern Ireland, representatives are elected to hold office in local council, the Northern Ireland Assembly, the House of Commons and the European Parliament. Generally, representatives are elected for four year terms of office with the exception of the House of Commons which can sit for a maximum of five years.

Members of political fora

A political forum is generally a place where individuals can come together to discuss and debate specific issues. Membership of a political forum can either be entirely open or based on a shared characteristic. In Northern Ireland there is the pensioner's parliament and the black and minority ethnic parliament, where people who share those characteristics can come together to discuss and debate relevant issues to their political forum.

Access to voting system

Access to the voting system is set out in legislation and any person in Northern Ireland over the age of 18 can register to vote and have access to the voting system through participation in the ballot of electors.

Litigants - access to law and courts

A litigant is a party to a lawsuit; someone involved in litigation; "plaintiffs and defendants are both litigants".

Judges (e.g. magistrates)

A judge presides over court proceedings, either alone or as a part of a panel of judges. The powers, functions, method of appointment, discipline, and training of judges vary widely across different jurisdictions. The judge is supposed to conduct the trial impartially and in an open court. The judge hears all the witnesses and any

other evidence presented by the parties of the case, assesses the credibility and arguments of the parties, and then issues a ruling on the matter at hand based on his or her interpretation of the law and his or her own personal judgment. In Northern Ireland the Judiciary is organised as follows:

Court of Judicature

The Court of Judicature of Northern Ireland is constituted by the Judicature (Northern Ireland) Act 1978. Until 1 October 2009 its name was the Supreme Court of Judicature. The Court of Judicature is the most important superior court of Northern Ireland. It consists of the following courts:

- The Court of Appeal in Northern Ireland (Court of Appeal, formally "Her Majesty's Court of Appeal in Northern Ireland")
- The High Court of Justice in Northern Ireland (High Court, formally "Her Majesty's High Court of Justice in Northern Ireland")
- The Crown Court

The title of the court was changed on 1 October 2009 when the relevant provisions of the Constitutional Reform Act 2005 came into force establishing the Supreme Court of the United Kingdom.

Court of Appeal

The Court of Appeal is the highest court specifically of Northern Ireland. Appeal from the Court of Appeal lies to the Supreme Court of the United Kingdom. The Court of Appeal hears appeals from the Crown Court, High Court, county courts, courts of summary jurisdiction and tribunals.

High Court

The High Court of Justice (High Court) is, like its English equivalent, split into three divisions: Queen's Bench Division, Family Division and Chancery Division. The High Court is located in the Royal Courts of Justice, Belfast.

Crown Court

The Crown Courts hear more serious criminal cases. These are indictable offences and "either way" offences which are committed for trial in the Crown Courts rather than the magistrates' courts.

County courts

The county courts are the main civil courts. While higher-value cases are heard in the High Court, the county courts hear a wide range of civil actions, consumer claims, and appeals from magistrates' courts. The county courts are called family care centres when hearing proceedings brought under the Children (Northern Ireland) Order 1995 and appeals from the family proceedings courts. There are seven county court divisions in Northern Ireland.

Subordinate courts

Below the High Court are several classes of courts. Magistrates' courts (including youth courts, family proceedings courts and domestic proceedings courts) hear less-serious criminal cases and conduct preliminary hearings in more serious criminal cases. They are divided into 21 petty sessions districts. The Crown Court hears all serious criminal cases which are committed to trial. When sitting as family proceedings courts the magistrates' courts hear proceedings brought under the Children (Northern Ireland) Order 1995.

Additionally, there is the Enforcement of Judgments Office, and coroners' courts, which investigate the circumstances of sudden, violent or unnatural deaths.

In terms of Judicial Appointments, these are made to one of eight groupings identified in the NISRA Equity Monitoring Reports and NIJAC Annual Reports. These groups are defined as follows:

Group 1: Supreme Court - Lord Chief Justice, Lord Justices of Appeal, High Court Judges & Temporary judges of High Court

Group 2: County Court Judges; deputy County Court Judges; Chief Social Security and Child Support Commissioner; Social Security and Child Support Commissioner & deputies

Group 3: District Judges (Magistrates' Courts) and deputies

Group 4: District Judges & deputies; Masters; Coroners and deputies; Deputy Statutory Officer; Official Solicitor

Group 5: Industrial Tribunals & Fair Employment Tribunal (President FT, Vice President FT, Chairman FT, Chairman FP)

Group 6: Appeal Tribunals (President of Appeal Tribunals FT, Legal Chairman FT, Legal Member FP, Financial Member FP, Medical Consultant Member FP, Medical General Member FP, Expert Member FP)

Group 7: Special Educational Needs Disability Tribunal (President FP, Chairman FP); Mental Health Review Tribunal (Chairman FP, Deputy Chairman FP, Legal FP, Medical FP, Experienced FP); Lands Tribunal (President FP, Member FT); Pensions Appeal Tribunal (President FP, Deputy President FP, Legal Member FP, Medical Member FP, Service Member FP); Northern Ireland Valuation Tribunal (President FP, Legal FP, Ordinary Member FP, Valuation FP); National Security Certificates Appeal Tribunals (Chairman FP, Deputy Chairman FP, Legal FP, Lay FP); Charity Tribunal (President FP, Legal Member FP, Ordinary Member FP); Health and Safety Appeal Tribunals (Legal Chairman FP); Care Tribunal (Chairman FP); Reserve Forces Appeal Tribunals (Chair of the Reserve Forces Re-Instatement Committee FP); Northern Ireland Traffic Penalty Tribunal (Adjudicator FP); Criminal Injuries Compensation Appeals Panel for NI (Chairman FP, Adjudicator: Legal FP, Medical FP, Lay FP)

Group 8: Lay Magistrates FP

Notes: FT - Full time FP - Fee paid

Jurors

A juror is an individual who has been selected to serve on a jury and will be sworn to render an impartial verdict (a finding of fact on a question) officially submitted to them by a court, or to set a penalty or judgment.

Recruitment and selection panels

A recruitment and selection panel is a group of individuals brought together to conduct the recruitment and selection of an individual for a particular office or role. Recruitment and selection panels are brought together to conduct the recruitment process for Government Public Appointment and judicial appointments.

Executive Summary

Executive Summary

The Equality Commission for Northern Ireland (ECNI) acknowledge that participation in public, political and civic life is vital to people's sense of status and belonging and they work to promote participation by under-represented groups. The under-representation of several groups in public, political and civic life was highlighted in the ECNI's 2007 Statement on Key Inequalities. The ECNI is responsible for overseeing the implementation of the duties on public authorities which are required by Section 75 of the Northern Ireland Act 1998 and the Disability Discrimination Act 1995 (as amended).

There has been limited investigation of trends or patterns in respect to inequalities across the nine Section 75 grounds since the ECNI's 2007 Statement on Key Inequalities¹. Therefore the ECNI wishes to update the 2007 Statement on Key Inequalities in order to identify any persistent and or emergent key inequalities in participation in public life and changing trends across all equality groups.

The overall aim of the research is to provide an up-to-date evidence base identifying new and/or persistent key inequalities in participation in public life in Northern Ireland during the period 2007-2014 as a whole, and individually for each of the nine equality grounds. In order to address this aim a four stage approach to the research is adopted comprising a full systematic literature review, a meta-analysis of quantitative secondary data, an expert seminar and a series of depth interviews with representatives of underrepresented equality grounds.

Literature Review

The literature review identified several barriers and enablers across a range of Section 75 grounds as well as a number of barriers and enablers which affect those with multiple identities across several underrepresented groups. These barriers appear consistently in reports at a Northern Ireland, UK, and EU/International level. The barriers to participation in public life that were most frequently cited include lack of training, education and skills; lack of experience; lack of confidence or low self-esteem; lack of knowledge or access to information; and, the time and costs of participation.

A deeper analysis of the extant literature reviewed during this research identified that there is a common thread running through the literature across a number of Section 75 ground with respect to organisational / systemic barriers over which individuals from underrepresented groups have little influence. These barriers include the bureaucracy associated with participation in public life; lack of outreach; lack of flexibility; physical barriers (e.g. inaccessible buildings); negative perceptions and stereotypes about those from underrepresented groups; and, the perceived culture of political institutions and public bodies. These systemic barriers represent a significant obstacle for those from underrepresented groups if they wish to participate in public life.

¹ Equality Commission for Northern Ireland (2007) *Statement on key inequalities in Northern Ireland*. Belfast

In terms of the enablers of participation in public life, it was possible to identify a number of common enablers across several Section 75 grounds. The most frequently mentioned enablers of participation in public life include positive actions / measures, raising awareness of opportunities to participate in public life, reaching out to underrepresented groups, monitoring and evaluating the level of diversity, changing the recruitment process / targeted recruitment materials and practices, and creating a more positive environment that is accepting of underrepresented groups.

While the barriers to participation in public life tend to act at either an individual or organisational / systemic level, the recommendations and solutions to underrepresentation across the Section 75 grounds indicated in the literature reviews suggest that action is required at a policy level. This was evident in the literature review with many reports identifying that the support of organisations and institutions for underrepresented groups is essential to engaging those groups in participating in public life. Indeed, there are a number of reports in the literature review that suggest everyone will benefit generally from greater diversity in policy and decision-making with more representative and considered policies and decisions implemented. Consequently, many of the reports considered in the literature review suggest that in order to tackle the systemic barrier noted previously requires top-down led change.

Meta-analysis of secondary data

Data Availability

A key finding of the meta-analysis of secondary data is that there is a lack of available data on participation in public life across each Section 75 ground for the areas of public life included within this study. Where data is available it is concentrated on Government Public Appointments, School Governors, Elected Representatives, Access to the Voting System and Judicial Appointments. However, it should be noted that there are still limitations in the available data across these areas of participation in public life. In particular, there is no data available for any areas of participation in public life relating to the Section 75 grounds of marital status, dependent status and sexual orientation. Furthermore, there is quite limited data which is disaggregated by two or more Section 75 grounds that could potentially shed light on the issue of multiple inequalities encountered as a result of multiple identities (e.g. barriers faced by young, single mothers). The lack of available data presents a considerable challenge to identifying key inequalities in participation in public life or changing trends across all equality groups. Nevertheless, it was possible to identify key inequalities in terms of the underrepresentation of women, young people, persons of a Protestant community background, persons of a Catholic community background, persons of a Minority Ethnic background, and persons' with disabilities.

Key Inequalities

The meta-analysis of secondary quantitative data identified key inequalities in terms of the underrepresentation of women, young people, persons of a Protestant community background, persons of a Catholic community background, persons of a Minority Ethnic background, and persons with disabilities in terms of Government

Public Appointments, Elected Representatives, access to the voting system, and the Northern Ireland Judiciary.

With respect to Government Public Appointments in terms of annual applications, annual appointments and positions held, it was possible to identify key inequalities in respect to the underrepresentation of women, young people (aged under 40), persons of a Minority Ethnic Background, and persons with disabilities. It was also possible to identify a key inequality in the underrepresentation of women over 60 in terms of annual applications for Government Public Appointments.

In terms of Elected Representatives there was data available for the Section 75 grounds gender and age. The meta-analysis of secondary data revealed that women are underrepresented as MP's, MLA's, Government Ministers, Local Councillors, Candidates for Local Council elections and Council Mayor/Chairpersons. In addition, the meta-analysis also indicated that young people (under 40) are underrepresented as MLA's.

In addition, there was also some data available on access to the voting system which provided a comparison between the electoral register in 2007 and 2012. The data provided by the Electoral Commission revealed that young people (aged 18 – 44) and those of a Nationalist political opinion are underrepresented in terms of electoral registration.

Further, the meta-analyses of data on the Northern Ireland judiciary indicated that there are key inequalities in terms of Judicial Office positions (applicants and appointments) for women, young people (aged 18 – 40), persons of a Minority Ethnic Background, and persons with a disability.

There are also key inequalities in Judicial Office Court positions (applicants and appointments) for women, young people (aged 18 – 40), persons of a Catholic community background, and persons with a disability. It was also possible to identify that there is a key inequality for persons of a Minority Ethnic Background in terms of Judicial Office Court positions (appointments).

In addition, there are key inequalities for women, young people (aged 18 – 40), persons of a Protestant community background and persons with a disability in terms of annual applicants for Judicial Office Tribunal (Legal) positions and for women, young people (aged 18 – 40), and persons with a disability in terms of annual appointments to Judicial Office Tribunal (Legal) positions.

Further, there are also key inequalities for women, young people (aged 18 -40), persons of a Catholic community background and persons with a disability in terms of annual applicants for Judicial Office Tribunal (Non-Legal) positions and for women, young people (aged 18 -40), and persons with a disability in terms of annual appointments to Judicial Office Tribunal (Non-Legal) positions. There was also a key inequality for those aged 41-50 in terms of underrepresentation as applicants to Judicial Office Tribunal (Non-Legal) appointments. There were also key inequalities for women, persons of a Catholic community background and persons with a disability in terms of Recommendations for Renewal of Judicial Appointments.

Finally, in terms of Recommendations for Judicial Appointments it was possible to identify key inequalities for women, and persons with disabilities.

Comparison of the ECNI Statement of Key Inequalities 2007 and the meta-analysis of secondary data 2014

A comparison of available figures from the ECNI 2007 Statement on Key Inequalities to those available for the 2014 meta-analysis of secondary data reveals slow progress to change the levels of participation in public life among historically underrepresented groups. For example, in terms of gender as a Section 75 ground, between 2007 and 2014 there has been an overall increase of 1% in the proportion of Government Public Appointments held by woman, a 2% increase in women MLAs, a 4% increase in female Councillors in local government. In respect to persons with a disability, there has been a 1% reduction in the number of Government Public Appointments held by persons' with a declared disability. Overall, the comparison between 2007 and 2014 reveals little change and identifies persistent key inequalities which are experienced by women and persons with disabilities in terms of their participation in public life.

Introduction

1 Introduction

1.1 Background

The Equality Commission for Northern Ireland (ECNI) 2007 Statement on Key Inequalities in Northern Ireland noted that in relation to public life the potentially positive impact that diversity can have on the policy decision-making process². Despite generally wide acceptance of the benefits of diversity, there remains persistent and considerable under-representation of many groups in public, political and civic life, resulting in further marginalisation of such groups and a range of services that do not give expression to the experiences of people in those groups. The ECNI Statement on Key Inequalities recognises particular issues in terms of the under-representation of women, ethnic minorities, and disabled people. For example, in 2007 women made up only 32% of Government Public Appointments, 17% of Northern Ireland Members of the Legislative Assembly (MLAs), 21% of local Councillors, and 23% of the Judiciary (when excluding Lay Magistrates). The ECNI Statement on Key Inequalities also notes that for persons with a disability the level of underrepresentation is also very low. Despite persons with a disability making up around 18% of the population in 2007, only 3% of Government Public Appointments in 2007 were held by persons with a disability³.

The social, economic and political context of Northern Ireland has changed considerably since the ECNI produced its Statement on Key Inequalities in 2007. In particular, Northern Ireland has a changing demographic profile with increasing numbers of young people, and an increasing proportion of Black and Minority Ethnic (BME) and migrant workers among the general population. There is therefore a requirement to update the understanding of the pattern of inequalities in participation in public life.

There are two key issues in undertaking an analysis of the level of participation in public life. Firstly, having a clear definition of what participation in public life means; and secondly, having a clear idea of which areas of public life should be included when analysing the level of participation in public life. Most United Nations (UN) and international conventions which place obligations on state parties to ensure equality in the right to participate in public life do not define the areas of public life to which they may apply beyond access to the voting system. This is covered in more detail in Section 2. Similarly, the policy framework at United Kingdom (UK) and Northern Ireland (NI) levels do not offer any greater clarity in terms of the areas of public life which should be included when considering how best to promote equality of opportunity in participating in public life. The ECNI has provided some guidance as to the definition of participation in public life and those areas which are included in public life. The ECNI's 2007 'Guide for Public Authorities – Promoting Positive Attitudes Towards Disabled People and Encouraging the Participation of Disabled People in Public Life'⁴ defines 'public

² Equality Commission for Northern Ireland (2007) *Statement on key inequalities in Northern Ireland*. Belfast

³ *Ibid.*

⁴ ECNI (2007) *A Guide for Public Authorities – Promoting Positive Attitudes Towards Disabled People and Encouraging the Participation of Disabled People in Public Life*. Available from: <http://www.equalityni.org/archive/pdf/ECNIDisPlan.pdf>

life’ as: “...a very broad term, which includes government public appointments; the House of Lords; Local Strategic Partnerships; community associations or fora; community police liaison committees; neighbourhood watch committees; citizens panels; public bodies’ focus or working groups; school Boards of Governors, school councils; youth councils; user groups for a service provided by a public authority. This is not an exhaustive list⁵.”

The Guide goes on to note that ‘Participation’ in public life can:

“...include the way in which people contribute to or are involved in public policy decision making or decisions relating to the way in which public authorities deliver their services or carry out their functions. This involvement can be at various levels including community, regional and national.

It can also include the way in which people can participate in political life; for example, as elected representatives, members of political fora, in terms of their access to the voting system. It can, in addition, include their participation as litigants (in terms of access to the law and Courts), judges (for example, magistrates) and jurors⁶”.

Alongside this, the Commission’s 2008 ‘Guidance for public authorities on consulting and involving children and young people’⁷ provided an explanation of ‘active participation’ which builds upon the definition cited above.

“... ‘active participation’ means not only engaging with people when developing policies, but also giving them the opportunity to take part in decision-making when developing and planning policies”.

Furthermore, public authorities should:

“...be willing to invite people to engage with you at a more formal level. This may include involving people in decision-making structures and activities if appropriate (for example, recruitment and selection panels, committees and boards)”.

And:

“...should look to encourage participation, as far as possible, from the groups affected by [their] policies”.

This offers a framework within which it is possible to investigate participation in public life across the nine section 75 grounds. Table 1.1 offers a summary of the various areas of participation highlighted previously.

⁵ *ibid.*

⁶ *ibid.*

⁷ ECNI (2008) *Let’s Talk, Let’s Listen*, Guidance for public authorities on consulting and involving children and young people’. Available from: http://www.equalityni.org/Publications/Employers-Service-Providers/Public-Authorities/Let-s-talk_-let-s-listen-Guide-for-consulting-with?ID=1114

Table 1.1 – Areas of Participation in Public Life⁸

Government Public Appointments
House of Lords Appointments
Local Strategic Partnerships
Community associations or fora
Community police liaison committees
Neighbourhood watch committees
Citizens panels
Public bodies focus or working groups/Advisory Groups
School Boards of Governors
School Councils
Youth Councils
User groups for a service provided by a public authority
Elected representatives
Members of political fora
Access to voting system
Litigants - access to law and courts
Judges (e.g. magistrates)
Jurors
Recruitment and selection panels

These definitions of areas of participation in public life are quite extensive and provide a good analytical framework for analysing levels of participation in public life across the nine Section 75 grounds. A brief explanation of each of the areas outlined in the Glossary at the beginning of the report.

Since the ECNI 2007 Statement on Key Inequalities, there has been a patchwork of reports that examine participation in public life in NI and more broadly across the UK. Most recently in 2014 the Commissioner for Public Appointments Northern Ireland (CPANI) reported that women (33%), young people (1%), disabled people (2%) and members of an ethnic minority (1%) are under-represented in Government Public Appointments⁹. These figures demonstrate minimal improvement in levels of diversity from the CPANI 2005 report which indicated that women (31%), young people (2%), disabled people (2%), and members of an ethnic minority (0%) are under-represented in government public appointments¹⁰. Further, there has been a decline in the representation of disabled people (2%).

The findings are reflected in the Department of Enterprise, Trade and Investment Northern Ireland (DETINI)¹¹ statistics indicating that women tend to be

⁸ A definition of each of these areas of participation in public life is provided in Section 1: Glossary

⁹ Commissioner for Public Appointments Northern Ireland (2014). *Under-representation and lack of diversity in Government Public Appointments in Northern Ireland, Belfast.*

¹⁰ Commissioner for Public Appointments Northern Ireland (2005) *Report of the working group on diversity in Government Public Appointments, Belfast.*

¹¹ DETINI (2007) *Women in Northern Ireland: Labour Market Statistics Bulletin.*, Belfast.

underrepresented in politics and public life in Northern Ireland. The DETI report¹² found that only 33% of Government Public Appointments are held by women, 21% of local government councillors are women. A total of 16% of MLAs and Members of Parliament (MPs) (representing the Northern Ireland parties) are women compared with an average of 19% across all parties at Westminster. There has been minimal change in the representation of women in Northern Ireland across these positions since DETI's¹³ 2007 report, with DETI's¹⁴ 2014 report demonstrating that 37% of Government Public Appointments held by women, 25% of local government councillors are women, 22% of MPs are women and 20% of MLAs are women. Taking into account the latest Census (2011) figures which indicate that women make up 51% of the Northern Ireland population, it is possible to get some idea of the extent of underrepresentation of women.

The Office of the First Minister and Deputy First Minister (OFMDFM) also report regularly on inequalities in participation in public life through their annual report on Government Public Appointments as well as on a more ad-hoc basis through their equality and social need research programme. The annual reports¹⁵¹⁶¹⁷¹⁸¹⁹²⁰²¹²² on Government Public Appointments provide the basis for the CPANI and DETI reports on government public appointments. The annual reports support the figures provided above and indicate that the long term trend has remained reasonably static with minimal changes in the proportion of women, young people, disabled people, members' of an ethnic minority and those of differing political persuasion holding Government Public Appointments. In the instance of disabled people the proportion of Government Public Appointments held has actually decreased in recent years.

In addition, OFMDFM collect and report on a variety of areas of participation in public life through the annual Profile of Older People publication, the Labour Force Survey Religion report, Good Relations indicators as well as the Gender Strategy statistics publication. These on-going publications are also supplemented by OFMDFM's equality and social need research programme, which provides an ad-hoc picture of inequalities in participation in public life. This research programme covers all nine Section 75 grounds and participation in public life is included in a number of the strategies and on-going research projects. For example, the Childcare Research project undertaken by RSM McClure Watters examined how access to childcare can facilitate participation in a range of activities (e.g. participation in the labour market), particularly for women, but did not include participation in public life²³. The reports mentioned previously identify current levels of participation in public life across a number of Section 75 grounds and highlight that women and members of an ethnic minorities continue to be under-represented.

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ DETINI (2014) *Women in Northern Ireland: Labour Market Statistics Bulletin.*, Belfast.

¹⁵ OFMDFM (2007) *Government Public Appointments Annual Report*, Belfast.

¹⁶ OFMDFM (2008) *Government Public Appointments Annual Report*, Belfast.

¹⁷ OFMDFM (2009) *Government Public Appointments Annual Report*, Belfast.

¹⁸ OFMDFM (2010) *Government Public Appointments Annual Report*, Belfast.

¹⁹ OFMDFM (2011) *Government Public Appointments Annual Report*, Belfast.

²⁰ OFMDFM (2012) *Government Public Appointments Annual Report*, Belfast.

²¹ OFMDFM (2013) *Government Public Appointments Annual Report*, Belfast.

²² OFMDFM (2014) *Government Public Appointments Annual Report*, Belfast.

²³ RSM McClure Watters (2014) *Childcare Research*, Belfast: Office of the First & Deputy First Minister.

There is a marginally more diverse picture across the UK with around 36% of Government Public Appointments held by women, 6% held by members of an ethnic minority, 5% held by disabled people, and 2% held by people under 35²⁴. In terms of MPs the level of representation of women in parliament is similar across the UK (22%) and Northern Ireland (20%). Again, the proportion of women holding ministerial positions is broadly similar across the UK (23%) and Northern Ireland (25%) and tends to reflect their overall representation in parliament or assembly respectively²⁵. This is despite pledges by successive UK governments to increase the numbers of women holding ministerial positions. In comparison with European Union (EU) member states, the UK (including Northern Ireland) ranks 18th of the 27 members with respect to the representation of women in government²⁶. Much of the prior research at UK and EU level tends to focus on the participation of women in public life and there has been little investigation of other potentially under-represented grounds such as disabled people, younger people, and members of an ethnic minority.

Prior academic and practitioner research identifies that there are a range of issues which act as either barriers or enablers of participating in public life. These include, among other things, a lack of role models, a hostile environment, exclusion from informal networks (e.g. social networks of work/professional colleagues), lack of social capital, personal caring responsibilities, access to affordable childcare, existing imbalances in representation, access to opportunities, and stereotyping and lack of information. This is far from an exhaustive list, although it does offer some suggestion as to the range of barriers/enablers to an individuals' participation in public life. While there has been a myriad of studies which look at barriers/enablers to participation in public life, these have tended to focus on a single Section 75 ground. There has been limited investigation of commonalities of these barriers/enablers across Section 75 grounds.

Prior academic and practitioner research therefore tends to indicate that there has been limited on-going investigation of the level of participation in public life across the nine Section 75 grounds and the barriers/enablers to participation in public life. There has, of course, been investigation of these issues for individual section 75 grounds with gender perhaps receiving the most attention. The requirements outlined in the terms of reference to this report make clear the need for ECNI to collate and synthesise the information regarding the level of inequality and barriers/enablers of participating in public life, across each of the Section 75 grounds.

²⁴ Commissioner for Public Appointments (2013) *Annual Report*, London.

²⁵ Centre for Women & Democracy (2014) *Sex & Power 2014: Who runs Britain? Counting Women In coalition*, London.

²⁶ *Ibid.*

1.2 Aims & Objectives

On that basis, the overall aim of the research is to provide an up-to-date evidence base identifying new and/or persistent key inequalities in participation in public life in Northern Ireland as a whole, and individually for each of the nine equality grounds.

The key objectives of the research are as follows:

- a) For each equality ground identified by Section 75 of the Northern Ireland Act 1998, a comprehensive and updated picture (data permitting) of any key inequalities evident in patterns and trends in participation in public life in Northern Ireland,
- b) For each equality ground, an overview of potential barriers and enablers to participation in public life including an assessment of any changing dynamics.
- c) A distillation, from the above ground by ground consideration, of the most substantive overarching key inequalities to participation in public life in Northern Ireland.
- d) Involvement of relevant stakeholders via an expert seminar to explore and refine emerging findings of the research, with a view to informing the final report and associated recommendations.
- e) A summary of any relevant wider observations noted during the project - including any views regarding data quality/availability; analysis or policy relevant issues that emerge through the course of the research.

Legal and policy context covering inequality
in participation in public life

2 Legal and policy context covering inequality in participation in public life

The Good Friday Agreement (1998) and the subsequent Northern Ireland Act (1998) represented the official cessation of what is known as “the troubles” and the emergence of Northern Ireland as a post conflict society. These developments precipitated the beginning of a distinctive equality framework unique to the Northern Ireland experience that was designed to tackle the problems and legacies caused by past discrimination regarding²⁷ economic, social and political rights on the grounds of religion and politics. At the time, McLaughlin (n.d.) argued that the Belfast Agreement (1998) set the context for the equality agenda in Northern Ireland around, ‘*in particular the right to equality of opportunity in all social and economic activity, regardless of class, creed, disability, gender or ethnicity*’²⁸. While the Belfast Agreement (1998) set the context for equality, the Northern Ireland Act (1998), specifically Section 75, established the legislative framework for equality. This did not include the issue of class as it was viewed as potentially constraining policy making and moving the focus away from the promotion of equality. However, the ECNI continues to review this position on a regular basis and highlight the link between class and inequality in participation in public life, among other areas of inequality²⁹. It is felt that this position ensures that issues of poverty and class are considered in the equality agenda, but do not focus attention away from the promotion of equality under Section 75.

Northern Ireland can however, be described as a society that is struggling to emerge from its post conflict society identity due to its focus on the two polarised cultural identities while struggling to comprehend equality issues that have emerged in a rapidly diversifying society³⁰. This can be emphasised by evidence that demonstrates that while participation in public life has focused on the accommodation of both communities there has been little meaningful improvement in the representation of groups identified in Section 75 of the Northern Ireland Act in public life since 1998. The remainder of this section focuses on setting out the International, UK and Northern Ireland legal context with regards to the promotion of equality of opportunity in participation in public life.

2.1 International context

The context set at an International level is informed by the various UN Covenants³¹, Conventions³², Declarations³³ and Statements of Principles³⁴. In particular, there are

²⁷ Donnelly, C. and Osborne, R. (2005) ‘Devolution, Social Policy and Education: Some observations from Northern Ireland’, *Social Policy and Society*, Vol. 4. (2), pp 147-156.

²⁸ McLaughlin, E. (n.d.) *Mainstreaming Equality: The Statutory Equality Duties in Northern Ireland: The early years of implementation*, Queen’s University Belfast; Belfast.

²⁹ ECNI (2014) *Addressing socio-economic disadvantage: Review and update*; Belfast.

³⁰ McLaughlin, E. (n.d.) *Mainstreaming Equality: The Statutory Equality Duties in Northern Ireland: The early years of implementation*, Queen’s University Belfast; Belfast.

³¹ UN Covenants are legal agreements between states and when they are signed it is internationally legally binding for parties who have signed.

a number of UN Conventions that have been signed and ratified³⁵ by the UK Government that relate to the grounds defined in Section 75 of the Northern Ireland Act 1998. States that sign and ratify the UN Conventions detailed below are required to submit progress reports to the respective expert UN Committees every four years for each convention. These Committees then critically review these reports prior to undertaking a detailed examination of the state in question via interviews with government representatives. Subsequently, the committee considers the submissions and expert evidence to inform its concluding observations. These concluding observations provide an analysis of a respective state's performance in meeting their obligations under the particular convention.

The articles identified within the United Nations documents detailed below outline the internationally recognised standards for the enjoyment of rights by all people without distinction of any kind including the right to participate in public life and provided the foundation for subsequent UN Conventions that sought to address discrimination and inequality experienced by specific groups in terms of their participation in public life.

Universal Declaration of Human Rights (1948)

Article 2 of the Declaration is the primary basis for the global expression for the recognition of the entitlement of rights and freedoms for all people, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. While the declaration does not constitute a treaty or convention it has been recognised by the UN as constituting an obligation for the International community to abide by and it also forms the basis for the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. This declaration and the two covenants comprise what is known as the "International Bill of Human Rights". The rights enshrined within the declaration are also further elaborated in a series of international treaties and conventions outlined in Table 2.1.

International Covenant on Civil and Political Rights

Article 2 and Article 25 of the United Nation's Covenant on Civil and Political Rights (ICCPR) 1966 outlines overarching principles regarding the participation in public life by all citizens. Article 2 of the covenant places an undertaking on states to ensure the rights of all individuals without distinction of any kind, such as race colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Specifically relating to participation in public life Article 25 ensures the right and opportunity of individuals including the distinctions

³² UN Conventions are official agreements between states that, when signed, they are legally binding for the states that have signed them. When a convention is adopted by the UN General Assembly the convention can then be ratified by member states.

³³ Declarations are documents stating agreed international standards but are not legally binding in the legal sense in which covenants and conventions are. Those states that do not comply with these declarations of international norms or principles to be adhered to are subject to moral sanctions by the International community.

³⁴ UN Statements of Principles are official UN documents which are non-legally binding authoritative statements of principles which are usually developed in a UN conference environment.

³⁵ Ratification involves a process by which the state legislature confirms the member states government action of signing the convention. Those states that violate the standards that they have signed and ratified in the convention can then be censured by the UN.

mentioned in Article 2 and without any unreasonable restrictions (1) to take part in the conduct of public affairs, as well as (3) to have access on general terms of equality to public service in their country.

International Covenant on Economic, Social and Cultural Rights

Article 2 of the United Nation's Covenant on Economic, Social and Cultural (ICESCR) rights compels the states party to the covenant to ensure that rights enshrined in the covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Framework Convention for the Protection of National Minorities

Article 15 of the Council of Europe's Framework Convention for the Protection of National Minorities commits signatories to create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

UNOHCHR (2014): Minority Rights - International Standards and Guidance for Implementation

In 2014, the UN Office of the High Commissioner for Human Rights set out a guide for implementation to ensure the equal participation of minorities in public life. The guidance³⁶ stated that,

“The participation of persons belonging to minorities in public affairs and in all aspects of the political, economic, social and cultural life of the country where they live is in fact essential to preserving their identity and combating social exclusion. Mechanisms are required to ensure that the diversity of society with regard to minority groups is reflected in public institutions, such as national parliaments, the civil service sector, including the police and the judiciary, and that persons belonging to minorities are adequately represented, consulted and have a voice in decisions which affect them or the territories and regions in which they live. Participation must be meaningful and not merely symbolic, and recognize, for instance, that minorities are commonly underrepresented and that their concerns may not be adequately addressed. The participation of women belonging to minorities is of particular concern.”

³⁶ UNOHCHR (2014) *Minority Rights - International Standards and Guidance for Implementation*; Geneva.

Participation must be effective. During its second session, on 12 and 13 November 2009, the Forum on Minority Issues focused on minorities and effective political participation. A key reference for the session was article 2 (2) of the United Nations Minorities Declaration, which provides for the right of persons belonging to national or ethnic, religious and linguistic minorities “to participate effectively in cultural, religious, social, economic and public life”. For the participation of persons belonging to minorities to be effective, it is not sufficient for States to ensure their formal participation; States must also ensure that the participation of representatives of minorities has a substantial influence on the decisions which are taken (pp. 12)”

Outlined in Table 2.1 is a list of Conventions, Covenants, Declarations and Statements of Principles that contribute to a set of internationally agreed standards and norms in relation to participation in public life by those groups that are identified in Section 75.

Table 2.1 – International Conventions, Covenants, Declarations and Statements of Principles

	Year	Relevant Article/Principle (s)
Universal Declaration of Human Rights	1948	2
International Convention on the Elimination of Racial Discrimination	1969	5
International Covenant on Civil and Political Rights	1976	2, 25
International Covenant on Economic, Social and Cultural Rights	1976	2
United Nations Convention on the Elimination of all Forms of Discrimination Against Women	1979	7, 8, 13, 15,
United Nations Convention on the Rights of the Child	1989	12
United Nations Principles for Older Persons	1991	7
Framework Convention for the Protection of National Minorities	1995	15
Yogyakarta Principles	2006	25
United Nations Convention on the Rights of Persons with Disabilities	2008	29 Preamble (o), 3(c), 4(3),

These international treaties and UN Conventions form the basis of the international context informing the UK Government and Northern Ireland Executive’s approach to the equality agenda and the rights of the nine Section 75 grounds. Each of these conventions and treaties contain articles in relation to participation in public life and they have been designed to encourage greater diversity in public life. The articles contained within these conventions are discussed in greater detail in the relevant chapter covering each Section 75 ground.

2.2 UK context

At a UK level, equality legislation and policy dates back to the 1970s. However, it was not until the 1990s and 2000s that significant focus was given to promoting

equality of opportunity across a broader range of grounds. Table 2.2 illustrates the UK legislative context with respect to equality legislation.

Table 2.2 – Timeline of UK equality legislation

Legislation	Year
Race Relations Act	1965
Equal Pay Act	1970
Sex Discrimination Act, Equal Pay Act Amendment	1975
Race Relations Act	1976
Sex Discrimination Act	1982
Equal Pay Act Amendment	1984
Employment Act	1989
Disability Living and Disability Working Allowance	1991
Asylum and Immigration Appeals Act	1993
Disability Discrimination Act	1995
Employment Rights Act, Asylum and Immigration Act Amendment	1996
Protection from Harassment Act	1997
Human Rights Act, National Minimum Wage Act	1998
Employment Relations Act, Maternity and Parental Leave Regs', Sex Discrimination (Gender Reassignment), Asylum and Immigration Act Amendment	1999
Race Relation Amendment Act Amendment, Disability Rights Commission Act.	2000
Special Educational Needs and Disability Act.	2001
Sex Discrimination (Election Candidates) Act	2002
Employment Equality (Religion and Belief), Race Relations Act Amendment, Employment Equality (Sexual Orientation).	2003
Civil Partnership Act, Gender Recognition Act.	2004
Disability Discrimination Act Amendment, Employment Equality (Sex Discrimination).	2005
Racial and Religious Hatred Act, Employment Equality (Age), Equality Act.	2006
Judicial Appointments Act	2009
Disability Discrimination and other Human Rights Legislation Amendment Act	2009
Equality Act	2010

Over the last four decades, equality and anti-discrimination legislation has attempted to make the UK a more equal society. However, the legislation is complex and despite the progress that has been made, inequality and discrimination persist and progress on some issues has been slow.

Equality Act 2010

The Equality Act 2010 (2010 duty) is now the principal legislation for equality in Great Britain (GB). The legislation simplifies, strengthens and harmonises past and present legislation and provides the legal framework for the protection of the rights of individuals and to advance equality of opportunity. The main pieces of legislation that it simplifies, strengthens and harmonises are:

- the Equal Pay Act 1970
- the Sex Discrimination Act 1975
- the Race Relations Act 1976
- the Disability Discrimination Act 1995
- the Employment Equality (Religion or Belief) Regulations 2003

- the Employment Equality (Sexual Orientation) Regulations 2003
- the Employment Equality (Age) Regulations 2006
- the Equality Act 2006, Part 2
- the Equality Act (Sexual Orientation) Regulations 2007

The introduction of the Equality Act 2010 in Great Britain in October 2010 has addressed a number of the deficiencies highlighted by the ECNI in their recommendations for reform of Northern Ireland equality law; deficiencies that have not been addressed in Northern Ireland³⁷. Its enactment, however, has resulted in significant differences between Great Britain and Northern Ireland equality law. These differences affect all grounds of discrimination (race, sex, age, disability, etc.) across a wide range of areas (employment, education, the provision of goods and services, housing, and participation in public life, etc.)³⁸.

These differences also mean that there are varying levels of protection against discrimination across different parts of the United Kingdom; with less comprehensive and enforceable rights across a number of equality grounds for individuals in Northern Ireland³⁹. It is this gap in equalities legislation and protection which now sets much of the context for the Northern Ireland equalities agenda.

2.3 Northern Ireland context

The UK context for equality informs a significant amount of the equality agenda in Northern Ireland through the provision of UK wide legislation, as well as the role the UK government plays with respect to meeting obligations under international treaties and compliance with UN and with EU law. Much of the legislation identified in the national context also applies to Northern Ireland either through legislation or orders and regulations in respect to Northern Ireland. A list of this legislation is provided in Table 2.3.

³⁷ ECNI (2014) *Gaps in equality law between Great Britain and Northern Ireland*. ECNI; Belfast

³⁸ *Ibid.*

³⁹ *Ibid.*

Table 2.3 – Northern Ireland Equality legislative context

Legislation	Year
Equal Pay Act (NI)	1970
Sex Discrimination (NI) Order	1976
Disability Discrimination (Meaning of Disability) Regulations (NI)	1996
Race Relations (NI) Order	1997
Fair Employment & Treatment (NI) Order	1998
Northern Ireland Act	1998
Fair Employment (Monitoring) Regulations (NI)	1999
Fair Employment (Monitoring) (Amendment) Regulations (NI)	2000
Fair Employment (Monitoring) (Amendment) Regulations (NI)	2002
Employment Equality (Sexual Orientation) Regulations (NI)	2003
Disability Discrimination Act 1995 (Amendment) Regulations (NI)	2004
Equality Act (Sexual Orientation) Regulations (NI)	2006
Employment Equality (Age) Regulations (NI)	2006
Employment Equality (Age) (Amendment) Regulations (NI)	2006
Employment Equality (Age) (Amendment No.2) Regulations (NI)	2006
Equality Act (Sexual Orientation) (Amendment) Regulations (NI)	2006
Disability Discrimination (NI) Order	2006
Equality Act (Sexual Orientation) (Amendment No.2) Regulations (NI)	2007
Employment Equality (Age) (Amendment) Regulations (NI)	2009
Autism Act (NI)	2011
Employment Equality (Age) (Repeal of Retirement Age Provisions) Regulations (NI)	2011
Sex Discrimination Order 1976 (Amendment) Regulations (NI)	2011
Sex Discrimination Order 1976 (Amendment) Regulations (NI)	2012

The passing of the Northern Ireland Act (1998) which devolved decision-making power to a legislative assembly in Belfast and came into force on 1st January 2000 is the basis for much of the equality agenda in Northern Ireland. The Northern Ireland Act 1998 set Northern Ireland in a different direction in terms of the promotion of equality of opportunity which Great Britain has only recently come to terms with, in the passing into law of the Equality Act in 2010.

In particular, Section 75 of the Northern Ireland Act placed a statutory obligation on public authorities in carrying out their various functions to promote equality of opportunity and good relations in the policy making and service delivery sphere.

Section 75(1) states that “A public authority shall in carrying out its functions relating to Northern Ireland, have due regard to the need to promote equality of opportunity-

- between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
- between men and women generally;
- between persons with a disability and persons without; and,
- between persons with dependants and persons without.

The obligation of Section 75(1) requires a proactive rather than a responsive approach and thus it is not merely limited to requiring public authorities to eliminate the presence of discrimination in the discharge of their functions, but to proactively promote equality of opportunity across the categories designated above. Section 75 requires public authorities to take a proactive approach to encourage greater equality of opportunity through their policy development and to give particular consideration to positive action where a policy impacts different people in a different way. The insertion of the phrase “due regard” is intended to ensure that the extent to which equality of opportunity and good relations is promoted is proportionate to the relevance of the particular duty to any function or policy of a public authority.

A “public authority”, for the purposes of Section 75, is defined as part of the Northern Ireland Act (1998) and has since been refined to reflect changes to the organisation of public authorities in Northern Ireland. These designated public authorities include government departments and agencies, local councils, health trusts, housing associations, colleges and universities. Section 75 duties apply throughout all aspects of the designated organisations outlined above including service planning and delivery, employment policy, service procurement, enforcing the law, approving budgets and regulation.

Equality Scheme

Schedule 9 of the Northern Ireland Act 1998 provides the requirements that are placed on public authorities in order for them to perform their statutory duties as required by Section 75. One of these requirements is the development of an equality scheme by which public authorities can demonstrate their commitment to fulfilling their duties under Section 75 in relation to their relevant functions. Public authorities are required to submit a written document to the Commission for approval. This document should adhere to the guide provided by the commission and should incorporate the following statutory requirements and statutory advice in order to comply with Section 75 statutory duties.

The equality scheme should demonstrate how the public authority will assess its compliance with the Section 75 statutory duties and arrangements for consultation with those directly affected by any policy. The equality scheme should include a Statement on leadership commitment to Section 75 statutory duties signed by a senior figure in the public authority as well as an outline of internal arrangements. A board member should at all times be assigned primary responsibility for the discharge of the duties in order to ensure clear roles of responsibility and accountability. It is also recommended by the Commission that a commitment to develop action plans detailing proactive initiatives to promote equality should be included in the document. These plans should outline the desired outcomes for the Section 75 groups and demonstrate the performance measures and associated timescales.

When developing these plans an audit of inequalities should be completed. This will provide a review and analysis of the level of inequality that persists for both those affected by the discharge of the public authority’s functions and service users. Finally a commitment to conduct an annual review of progress by 31ST August should be included which can then be used to assess the level of progress in the organisation in relation to their Section 75 duties. There is also a requirement within

Schedule 9 of the Northern Ireland Act 1998 that public authorities must review their approved equality scheme every five years and submit a report of that review to the Equality Commission.

The equality scheme should detail how the public authority will assess the effect of its policies during the policy development process in relation to the promotion of equality of opportunity and the method of consultation that will be used. Screenings and Equality Impact Assessments (EQIA) should be used for this purpose. If, during the screening process, a policy is identified as being detrimental to equality of opportunity, then it should then be subject to an EQIA. The lead role in the screening and EQIA process should be taken by a policy decision maker and any screening exercise should be “signed off” at the appropriate level.

There should be an outline of monitoring arrangements of policies that seeks to uncover any negative impacts on the promotion of equality for opportunity where relevant as well as contributing to helping public authorities improve service delivery.

Screening

There is a requirement for public authorities to perform a screening process during the policy development process in order to monitor policies for any adverse impacts on the promotion of equality of opportunity and to engage in a process of continuous consultation with any Section 75 groups who are potentially likely to be affected. During the screening process the following four screening questions should be applied to policies –

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories?
(minor/major/none)
2. Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?
3. To what extent is the policy likely to impact on good relations between people of a different religious belief, political opinion or racial group?
(minor/major/none)
4. Are there opportunities to better promote good relations between people of a different religious belief, political opinion or racial group?

Policies that are identified as potentially having a significant impact for equality of opportunity must be subject to a full equality impact assessment. When ambiguity arises, a consultation exercise should take place as to whether the policy should be subject to an equality impact assessment. This includes consulting Section 75 grounds that may be affected by the implementation of the proposed policy, or amendments to existing policy. The consultation process represents an opportunity for participation in public life through the policy making process.

The screening process is primarily concerned with identifying the existence of any potential adverse impacts on equality of opportunity. However, Section 75 statutory duties require a positive approach by public authorities and therefore there is a role

in the screening process to explore opportunities that have the potential to better promote equality of opportunity.

The lead role in the screening and EQIA process should be taken by a policy decision maker and any screening exercise should be “signed off” at the appropriate level.

Equality Impact Assessment (EQIA)

The potential for a policy to have an adverse impact on any Section 75 group requires a public authority to consider how this can possibly be mitigated against and reduced. This includes the proposal for an alternative policy that can mitigate the potential adverse effect and facilitate the promotion of good relations. It is recommended that public authorities allow a 12 week consultation period to consult with those who will be affected by policy decisions as well as engage in an information gathering exercise to ascertain the extent of the impact on the Section 75 categories.

A decision should then be made as to whether there is or is likely to be a differential impact on any of the Section 75 groups. It should first be considered if the policy is unlawfully discriminatory. If it is unlawful, a decision will need to be made as to how to ensure the authority acts lawfully and if it is found to be lawful then mitigating measures will need to be considered, as well as alternative policies which would better promote equality of opportunity. A public authority is required by law that any decision with respect to a policy adopted will take into account any EQIA and consultation. It is also required by law to publish a report on the results. A monitoring system must then be established to continuously monitor the impact of the policy and review results of this on an annual basis which must be published. If the results over a two year period show a greater adverse impact than predicted or opportunities which could better promote equality of opportunity, then the policy should be revised to ensure improved outcomes for the relevant Section 75 groups.

Review of the Effectiveness of the Equality Duties in Northern Ireland

Schedule 9 of the Northern Ireland Act 1998 sets out a requirement that public authorities must review their approved equality scheme every five years and submit a report of that review to the Equality Commission. The ECNI (2007) review of the effectiveness of Section 75 of the Northern Ireland Act 1998⁴⁰ provides a number of themes and conclusions that emerged from the five year review reports received from public authorities up to July 2007. At the outset the report indicated that the primary view of public authorities was that the approved schemes provided a solid framework for advancing equality of opportunity over the previous 5 years, but there was also the view that a more frequent review of perhaps every two years would prove to be more effective⁴¹.

The ECNI identified a number of key lessons for public authorities in order to ensure effective implementation of Section 75. In terms of leadership, the report indicated that commitment of senior staff was necessary in order to ensure effective

⁴⁰ ECNI (2007) *Keeping it Effective: Reviewing the Effectiveness of Section 75 of the Northern Ireland Act 1998*. ECNI; Belfast.

⁴¹ *Ibid.*

implementation. The report cited promising behaviour in relation to public authorities who were integrating Section 75 equality duties into their business objectives and processes rather than the duties running in parallel with them. However, there was concern that some public authorities were not mainstreaming equality of opportunity by not embedding it in their policy making process. The report also highlighted significant challenges faced by authorities in meeting their duties regarding engagement or consultation, in particular in relation to processes in place to report back to consultees. Finally, the report cited a continuing lack of uniformity in relation to arrangements and practices within public bodies to support equality scheme implementation.

The report was satisfied that public authorities had introduced structures and processes to meet their obligations under Section 75 but that the progress reports were limited in showing tangible outcomes in relation to screening and equality impact assessments. Many public authorities showed a lack of understanding of their duties by developing policies in advance of considering their implications on equality. The report found that evidence of monitoring for adverse impacts was limited particularly by government departments and there are currently limited skills in this area among public authorities. There was also a lack of information provided on outcomes.

The report made a number of recommendations in order to address the issue of equality and improvements in consulting those directly affected by policies rather than representative groups, building on areas of cooperation and partnership and increased monitoring information to address gaps in data.

This duty sets the context for equality in Northern Ireland and was designed to promote equality through the leadership of public authorities. The impact of this duty has been interpreted across a variety of policy areas and Section 75 grounds that are discussed in more detail in subsequent sections.

Disability Discrimination (Northern Ireland) Order 2006 – Disability Duties

Additionally, the Disability Discrimination (Northern Ireland) Order 2006 expanded upon Section 75 of the Northern Ireland Act and provided more comprehensive duties for persons with a disability by inserting Section 49A and 49B into the Disability Discrimination Act 1995. These sections created specific disability duties for public authorities⁴². Section 49A⁴³ states that public authorities, when carrying out their functions, must have due regard to the need to:

- promote positive attitudes towards disabled persons; and,
- Encourage the participation of persons with a disability in public life.

The Equality Commission guide⁴⁴ cites that the purpose for the introduction of the duties is that they should make a “substantial and tangible” difference to disabled people’s lives. The view was also held that promoting positive attitudes and

⁴² McIlwhan, R.; Rogers, S. and Bridge, S. (2009), Evaluating the effectiveness of the disability discrimination (ni) order 2006 duties: Research Report – findings. P.4 (available at http://oro.open.ac.uk/40551/1/EvaluatingDisabilityDutiesResearchFindings2010.pdf_ext%3D.pdf)

⁴³ Section 49A Disability Discrimination (Northern Ireland) Order 2006

⁴⁴ ECNI (2007) A Guide for Public Authorities - Promoting positive attitudes towards disabled people and encouraging the participation of disabled people in public life. ECNI: Belfast.

participation in public life could assist in addressing negative attitudes and underrepresentation for disabled people in public life⁴⁵.

Section 49B⁴⁶ also states that “a public authority, to which this subsection applies, shall prepare and submit to the commission a plan (referred to as ‘disability action plans’) showing how the public authority proposes to fulfil the duty imposed by Section 49A in relation to the relevant functions”. These action plans must conform to the Equality Commission’s guidelines and public authorities are required to report annually in terms of their progress in achieving their action plan targets⁴⁷.

In addition, they must also carry out a review of their plans every 5 years and report to the Commission. Section 49A confers powers and duties upon the Equality Commission that include reviewing the effectiveness of the duties, offer advice to public authorities in relation to the duties, and the power to report a public authority to the assembly where non-compliance occurs. Non – compliance by a public authority has the potential to result in a challenge by means of a claim to the High Court for Judicial review⁴⁸.

There are a number of differences between Section 75 and Section 49A. Firstly, the Section 75 duty applies to people without a disability as well as disabled people whereas the Section 49A relates specifically to disabled people. In contrast to Equality schemes, disability action plans do not have to be approved by ECNI and there is no requirement under Section 75 to produce an action plan. Also, in contrast to Equality Schemes, Disability Action Plans must contain action measures aligned to performance indicators or targets as well as a timeline for implementation of these measures. These measures must be focused on ‘outcomes’ that are targeted towards real changes in relation to attitudes towards disabled people and their participation in public life. However, consultation on these action plans is not required unlike Section 75⁴⁹.

Gaps between Northern Ireland Equality Legislation and GB Equality Legislation

As discussed in the preceding section, the recent implementation of the Equality Act (2010) in Great Britain has now resulted in widening gaps in equality law protection between the two jurisdictions resulting in deficiencies in equality protection being addressed by the legislation in Great Britain but unaddressed in Northern Ireland. There is now lack of uniformity between equality protection in Northern Ireland compared with the rest of the United Kingdom that has resulted in less comprehensive and enforceable rights across a number of equality grounds⁵⁰. These

⁴⁵ Equality Commission (2009) Equality Effectiveness of the Disability Duties Review Report” P4-5 (available at <http://www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/EffectivenessofDisabilityDutiesReviewreport2010.pdf?ext=.pdf>)

⁴⁶ Section 49B Disability Discrimination (Northern Ireland) Order 2006

⁴⁷ Rosemarie McIlwhan, Sheila Rogers and Simon Bridge (2009), EVALUATING THE EFFECTIVENESS OF THE DISABILITY DISCRIMINATION (NI) ORDER 2006 DUTIES: RESEARCH REPORT – FINDINGS. P. 5-6 (available at http://oro.open.ac.uk/40551/1/EvaluatingDisabilitydutieResearchFindings2010.pdf_ext%3D.pdf)

⁴⁸ *Ibid.*

⁴⁹ Equality Commission December 2009 “Equality Effectiveness of the Disability Duties Review Report” P7-8 (available at <http://www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/EffectivenessofDisabilityDutiesReviewreport2010.pdf?ext=.pdf>)

⁵⁰ ECNI (2014) *Gaps in equality law between Great Britain and Northern Ireland*. ECNI; Belfast

differences affect all grounds of discrimination (race, sex, age, disability, etc.) across a wide range of areas (employment, education, the provision of goods and services, housing, and participation in public life etc.)⁵¹.

In 2011, the UN Committee on the Elimination of Racial Discrimination noted its regret that the Equality Act 2010 does not apply to Northern Ireland and recommended that the state take immediate measures to ensure a single equality law and a Bill of Rights are adopted in Northern Ireland or that the Equality Act 2010 is extended to Northern Ireland⁵².

Public Sector Equality Duty (GB)

In the context of a public authority's responsibility of promoting equality of opportunity, the Public Sector Equality Duty in Great Britain, outlined in the national context section, now has more heightened obligations as well as more robust and stronger enforcement powers than the Public Authority Equality Duty in NI. Section 149 of the 2010 Act now places a general equality duty on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The categories of protection are age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation.

Section 149 offers more clarity than Section 75 by specifying what needs in particular due regard should be provided for. Offering further clarity regarding how the Public Sector Authority Duty is enforced, Section 149 (8) states "Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by those specified in Section 149 (8) of the Act"⁵³.

While OFMDFM has set the policy context for Section 75 groups, ECNI has been tasked with the responsibility for monitoring and making policy recommendations for increasing equality of opportunity for Section 75 groups. In fact, ECNI has focussed on the impact of the Section 75 duty in terms of educational attainment, employment, health and social care, housing and community services, and participation in public life.

Most notably in 2007, the 'European Year of Equality of Opportunity for All', the ECNI set out the nature of the equality agenda in Northern Ireland in their Statement on Key Inequalities⁵⁴ 2007. Recognition of the progress made over the recent past was made and the aim to increase the rate of progress towards greater equality for all was set out. This statement was published at a time of political change in Northern Ireland with the re-establishment of the devolved assembly. It was hoped the ECNI Statement on Key Inequalities would have a positive impact on decision-makers in how they took forward the equality agenda.

⁵¹ *Ibid.*

⁵² UN (2011) *Committee on the Elimination of Racial Discrimination: Seventy-ninth session*, Geneva

⁵³ Section 149 (8), Equality Act 2010.

⁵⁴ ECNI (2007) *Statement on key inequalities in Northern Ireland*. Belfast

ECNI set out a specific challenge in the Statement on Key Inequalities 2007 when identifying that,

‘...there remains persistent and considerable under-representation of many groups in public, political and civic life, resulting in further marginalisation of such groups and a range of services that do not give expression to the experiences of people in those groups’.

Indeed, the 2007 Statement on Key Inequalities⁵⁵ reports that the persistent underrepresentation of women in public and political life is characterised by only 32% of Government Public Appointments held by women, 17% of MLAs (18 out of 108) are women, 21% of local councillors are women, excluding lay magistrates only 23% of the Judiciary are women. Similarly, only 3% of Government Public Appointments are held by disabled people while 18% of the working age population are disabled. Unsurprisingly, increasing the representation of underrepresented groups represents a significant challenge.

The Statement on Key Inequalities also argued however, that greater diversity in participation in public life had benefits, such as more informed policy decision-making processes, ensuring that public policy and services reflect the needs of all citizens and residents, and transforming attitudes and behaviour and creating an environment for equal respect. Consequently, participation in public life is a priority area for ECNI.

2.4 Summary

The equality context for Northern Ireland is informed by the international treaties and statements of principles to which the UK is a signatory, the UN conventions which the UK has ratified, the UK legislative framework as applied through the appropriate Northern Ireland Orders, specific Northern Ireland legislation and in particular Section 75 of the Northern Ireland Act (1998). The international treaties and UN conventions mentioned previously, as well as the UK legislative framework and Northern Ireland policy context, require specific actions and the Northern Ireland Executive has developed a range of strategies and action plans to reduce barriers to participation in public life. The international context and the Northern Ireland policy context concerning rights associated with participation in public life by each Section 75 ground are discussed in more detail in the following sections. The chapters also detail the leading international and national academic research and studies that provide a more detailed analysis of the barriers and enablers for participation in public life by each individual Section 75 ground. A meta-analysis is contained at the end of each of the chapters detailing the current situation regarding representation of those groups within each of the Section 75 grounds by providing the available figures of participation in relation to public life.

⁵⁵ ECNI (2007) *Statement on key inequalities in Northern Ireland*. Belfast

Gender

3 Gender

3.1 Summary of key findings

The research found that data was publicly available for only five of the nineteen areas of public life investigated for this study for the examination of gender, namely: Government Public Appointments, Community Associations or Fora, School Board of Governors, Elected Representatives and the Judiciary.

The analysis of the data for the areas of public life cited above indicated that there are persistent key inequalities for women. This is demonstrated by their underrepresentation in their participation in respect to:

- Government Public Appointments (Applicants and Appointments) and Chairpersonships
- Elected Representatives (MP's, MLA's, Government Ministers, Local Councillors, Candidates for Local Council elections, and Council Mayor/Chairpersons)
- The Northern Ireland Judiciary
 - Judicial Office positions across the more senior groupings (Applicants and Appointments)
 - Judicial Office Court positions (Applicants and Appointments)
 - Judicial Office Tribunal (Legal) positions (Applicants and Appointments)
 - Judicial Office Tribunal (Non-Legal) positions (Applicants and Appointments)
 - Judicial Tribunal (Applicants and Appointments)
 - Recommendations for Judicial Appointments
 - Recommendations for Renewal of Judicial Appointments

Further, to the inequalities identified above, there have been notable increases in the underrepresentation (decreases in the representation) of women in respect to Chairpersonships of Government Public Appointments and Judicial Tribunal Appointments during the reporting period 2007-2014.

In respect to the participation of women in Community Associations or Fora; and School Board of Governors, the data is only available on a limited basis and therefore this research was unable to draw reliable conclusions for these areas of public life.

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of gender are as follows:

Key Barriers

In examining barriers to participation in public life on the ground of gender that it was possible to identify in the literature that woman encountered:

- Lack of affordable childcare
- Long hours culture of participating in politics

- Lack of flexibility in meeting times and locations
- Domestic and caring responsibilities (including children and/or elderly, sick or infirm relatives)
- A masculine or macho culture (e.g. the culture and behaviour, informally accepted norms of language and views and expressions associated with participating in public life which tend to be male orientated)
- Low levels of skills, experience and confidence
- A lack of knowledge about what is required
- Remuneration
- The application, recruitment and selection processes
- Gender stereotyping (i.e. assumptions about what women can contribute)

It could be argued that the barriers highlighted above can also apply to women and men with multiple identities. For example, it could be suggested that remuneration may affect men from ethnic minorities, disadvantaged backgrounds or with caring responsibilities in participating in public life too.

Key Enablers

Enablers of participation in public life identified in the literature review include:

- Quotas for the representation of women (e.g. elected positions)
- Access to resources (e.g. financial support)
- Access to affordable childcare
- Clear guidance for public bodies on identifying barriers and implementing positive action measures
- Support for public bodies to put in place time-bound, measurable plans for increasing the participation of women
- Flexible structures and working practices
- Education and training
- Raising awareness of participating in public life and what's involved
- Holding meeting by video-conference and ensure they end by 5 p.m.
- Encourage employers to release people for meetings and to view such public work as a positive contribution to their business
- Recruitment drives aimed at women

The items listed above represent barriers to, and enablers of participation in public life that it was possible to identify from reports which focus on gender and participation in public life. It is important to note that many of the highlighted enablers may facilitate participation across the ground of gender assisting men and women to participate in public life.

The remainder of this section sets out firstly; the literature review of both academic and professional reports which explore the underrepresentation of either men or women, and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons of different gender. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the level of representation of gender across a range of areas of participation in public life.

3.2 Literature review

The context section (Chapter 2) provided an overview of the legal and policy framework which sets out the right to equal participation in public life for all regardless of race, colour, creed, gender, age, sexual orientation or disability through the UN Declaration of Human Rights (1948)⁵⁶, the International Covenant On Civil and Political Rights (1976)⁵⁷, International Covenant on Economic, Social and Cultural Rights (1976)⁵⁸, and the Northern Ireland Act (1998) Section 75⁵⁹. However, there is a specific legal and policy framework dedicated to the promotion of equality in participation in public life on the basis of gender.

Legal and Policy Framework

Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)

In 1979, the United Nations General Assembly adopted the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)⁶⁰. CEDAW is intended to provide a basis for achieving equality between men and women. Article 7 of the convention specifically relates to participation in public life stating:

“States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies, to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government, to participate in non-governmental organizations and associations concerned with the public and political life of the country.”⁶¹

Charter of Fundamental Rights of the European Union

The charter of the Fundamental Rights of the European Union enshrined into European Union Law by the Lisbon Treaty emphasises that taking appropriate measures to redress a gender imbalance is permitted within the context of European

⁵⁶ United Nations General Assembly (1948) “Universal Declaration of Human Rights” (available at http://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf)

⁵⁷ United Nations General Assembly (1976) “The International Covenant On Civil and Political Rights” (available at <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>)

⁵⁸ United Nations General Assembly (1976) “The International Covenant on Economic, Social and Cultural Rights” (available at <http://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>)

⁵⁹ Northern Ireland Act (1998) (available at <http://www.legislation.gov.uk/ukpga/1998/47/contents>)

⁶⁰ United Nations (1979), Convention on the Elimination of All Forms of Discrimination against Women (available at <http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>)

⁶¹ Ibid

Union Law⁶². This allowance is provided for in Article 23 of the Charter that states that the principle of equality between men and women shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of the under-represented sex.

Yogyakarta Principles

The Yogyakarta Principles⁶³ are a set of principles regarding the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity. The principles were developed to apply universal human rights law standards to address the abuse of rights experienced by Transgender people and are intended to identify the obligations of states to respect, protect and fulfil these rights. Principle 25 directly addresses rights regarding participation in public life. Principle 25 outlines the right of every citizen to take part in the conduct of public affairs, including the right to have equal access to all levels of public service and employment in public functions, without discrimination on the basis of gender identity. The principle recommends that states review, amend and enact legislation to take account of this, employ measures to eliminate stereotypes and prejudices that prevent or restrict participation in public life and also to ensure the inclusion of each person to participate in the formulation of policies affecting them without discrimination and with respect for their gender identity.

The Sex Discrimination (Gender Reassignment) Regulations Northern Ireland (1999)

Prior to the implementation of the UK Gender Recognition Act (2004) Northern Ireland had several pieces of legislation that aimed to tackle sexual discrimination. Most notably the Sex Discrimination (Gender Reassignment) Regulations Northern Ireland (1999) extending the Sex Discrimination Act 1975. This measure prevents discrimination against a person undergoing gender reassignment or who has undergone gender reassignment on the grounds of pay, and treatment in employment and vocational training.

Gender Recognition Act 2004

The Gender Recognition Act (2004) GRA provides transsexual people, over the age of eighteen and living in the UK, with legal recognition in their acquired gender. Under the Gender Recognition Act transsexual people who experience severe gender variance, and have medical treatment for the condition, may apply to the Gender Recognition Panel for a Gender Recognition Certificate. Successful applicants, who are granted a full Gender Recognition Certificate, will from the date of issue be considered to be in the eyes of the law to be of their acquired gender. To date more than 2,400 certificates have been issued.⁶⁴ Due to the enactment of the Gender

⁶² European Union (2010), The charter of the Fundamental Rights of the European Union, Lisbon Treaty (available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0389:0403:en:PDF>)

⁶³ The Yogyakarta Principles (2007), "Principles on the application of International Human Rights Law in relation to Sexual Orientation and Gender Identity" (available at http://www.yogyakartaprinciples.org/principles_en.pdf)

⁶⁴ <http://www.gires.org.uk/GRA.php>

Recognition Act 2004⁶⁵ it is now possible for transgender people to change their legally recognised gender, allowing them to acquire a new birth certificate as well as legal recognition for their acquired sex in law. Therefore the Section 75 public authority duty now has the potential to cover transgender persons under the obligation to have due regard to the need to promote equality of opportunity between men and women.

The Equality Act (2010) synchronises and extends the provisions of the previous equality legislation for people in Great Britain who have what is referred to as a ‘protected characteristic’ and this includes the characteristic of gender reassignment. Section 149 of the Equality Act 2010 specifically mentions gender reassignment under the public authority duty. The Act also no longer requires a person to be under medical supervision before they can qualify for protection from discrimination⁶⁶.

Committee on the Elimination of Discrimination Against Women (2013)

In 2013 CEDAW published its concluding observations⁶⁷ of the United Kingdom and Northern Ireland report and identified issues of concern within the context of women’s participation in public life. The committee noted that it continued to be concerned with the underrepresentation of women in the judiciary and on public sector boards. This underrepresentation was also more apparent when the position of black and minority ethnic women was examined as well as women with disabilities. The committee concluded that targeted measures should be employed to increase the representation of women and across these underrepresented groups.

Specifically in relation to Northern Ireland, the committee was concerned that women were not represented adequately in the post conflict processes and the present failure to fully implement Security Council Resolution 1325: Role of Women in Peace Building. Security Council Resolution 1325⁶⁸ asserts the principle of women’s participation in the prevention of conflict, building peace and working towards social justice. The resolution calls for the increase of all women at all levels of decision-making within national, regional and international institutions. The committee concluded that temporary special measures should be employed to increase the participation of women in political and public life in Northern Ireland.

OFMDFM’s ‘Gender Equality Strategy 2006-2016’

OFMDFM’s ‘Gender Equality Strategy 2006-2016’ seeks to tackle on-going inequalities in relation to gender⁶⁹. The strategy sets out a blueprint for what government is doing in Northern Ireland to promote gender equality. The strategy is

⁶⁵ Gender Recognition Act (2004) (available at <http://www.legislation.gov.uk/ukpga/2004/7/contents>)

⁶⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85028/vcs-service-providers.pdf

⁶⁷ Committee on the Elimination of Discrimination against Women (2013) “Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland” (available at <http://www.edf.org.uk/blog/?p=28176>)

⁶⁸ United Nations Security Council Resolution 1325 (2002), Women, Peace and Security (available at <http://www.un.org/womenwatch/daw/public/eWPS.pdf>)

⁶⁹ OFMDFM, (2006), Gender Equality Strategy: a framework for action to promote gender equality for women and men 2006-2016 (available at www.ofmdfmi.gov.uk/genderequalitystrategy2006-2016.pdf)

guided by and linked to international commitments of which the UK is a signatory on promoting gender equality and gender empowerment as set out in the Beijing Platform for Action, adopted at the 1995 UN Fourth World Conference on Women in Beijing⁷⁰ and the United Nations Convention for the Elimination of All Forms of Discrimination against Women (CEDAW)⁷¹. The Beijing Platform for action⁷² set out a list of principles to address fundamental disadvantages experienced by women. It includes commitments to improve the lives of women in terms of issues surrounding poverty, health, education and training, violence against women, women in armed conflict, women in the economy, decision making, human rights, gender stereotyping, inequality and discrimination and the violation of the rights of girls⁷³. In order to overcome historical discrimination, the strategy⁷⁴ identifies a number of key issues which it argues must be tackled. These key issues include childcare/caring; health and well-being, representation in public life/decision making, education and life-long learning, access to employment, gender pay gap, work-life balance, stereotypes and prejudices linked to gender, peace-building, poverty, and gender related violence⁷⁵.

In order to tackle these issues, the strategy sets out two main courses of action. Firstly, gender mainstreaming through incremental change in policies, strategies and activities. Secondly, the strategy proposes specific measures of gender based affirmative action such as affordable child-care, and women only training to encourage women into senior decision-making roles. These gender action measures were supported by two separate cross-departmental action plans for each sex in order to meet the strategic objectives as specified in the strategy document. These actions are based upon priority areas for action in consideration of available analysis of gender inequality in Northern Ireland and are closely aligned to the strategic objectives of the Beijing Platform for Action⁷⁶ and CEDAW⁷⁷.

Specifically in relation to representation in public life and decision making, these action plans set out a number of strategic objectives that aim to meet Northern Ireland's International commitments under article 7(b) of CEDAW namely for women "to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government"⁷⁸. The strategy action plans include actions such as the

⁷⁰ The Beijing Platform for Action (1995) (Available at <http://www.un.org/womenwatch/daw/beijing/beijingdeclaration.html>)

⁷¹ United Nations (1979), Convention on the Elimination of All Forms of Discrimination against Women (available at <http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>)

⁷² The Beijing Platform for Action (1995) (Available at <http://www.un.org/womenwatch/daw/beijing/beijingdeclaration.html>)

⁷³ Northern Ireland Assembly Election Website, Research Publications 2011 Northern Ireland Research and Information Service Research Paper, Michael Potter: Equality and Human Rights Legislation in Northern Ireland: A Review (NIAR 313-11 P.24)

⁷⁴ OFMDFM, (2006), Gender Equality Strategy: a framework for action to promote gender equality for women and men 2006-2016 (available at www.ofmdfmi.gov.uk/genderequalitystrategy2006-2016.pdf)

⁷⁵ OFMDFM, (2006), Gender Equality Strategy: a framework for action to promote gender equality for women and men 2006-2016 (available at www.ofmdfmi.gov.uk/genderequalitystrategy2006-2016.pdf)

⁷⁶ The Beijing Platform for Action (1995) (Available at <http://www.un.org/womenwatch/daw/beijing/beijingdeclaration.html>)

⁷⁷ Committee on the Elimination of Discrimination against Women (2013) "Concluding observations on the seventh periodic report of the United Kingdom of Great Britain and Northern Ireland" (available at <http://www.edf.org.uk/blog/?p=28176>)

⁷⁸ United Nations (1979), Convention on the Elimination of All Forms of Discrimination against Women (available at <http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>)

collection of accurate data in order to provide information to measure equality and fair representation for women, initiatives to improve the gender balance on all government-appointed committees, boards and other relevant official bodies. The strategy action plans are accompanied by high level indicators⁷⁹ designed to provide benchmarks for gender equality.

The Gender Equality Strategy: A Baseline Picture⁷⁹ report in 2008 and updated report in 2011⁸⁰ provides baseline data across various indicators on gender differences across Northern Ireland. This report was followed by updated reports providing updated figures modelled on the baseline figures in 2011, 2013 and 2014. These performance indicators are designed to reflect the vision and aims of the strategy and to monitor gender changes in economic and public life in order to assess whether actions and targets contained within the action plans have been achieved. In relation to participation in public life these reports provide indicators⁸¹ that monitor the decision making roles in Northern Irish public life including political life, Government Public Appointments and the judiciary. In the Gender Equality Strategy Statistics 2014⁸² update, these indicators show that at present women continue to be underrepresented in these public institutions. In terms of political life, women still only make up 25% of local councillors, 20% of MLAs and 22% of Northern Ireland MPs. In terms of Government Public Appointments, women only make up 37 of Government Public Appointments and in terms of the total permanent and deputy judiciary (as defined in the Glossary, Section 1) they account for 23%. The figures detailed above for female representation in these public institutions are broadly similar to the UK figures. In terms of public authorities, 35% of Government Public Appointments in 2012 were held by women in the UK overall⁸³. In terms of MPs, the level of representation of women in parliament is similar across the UK at 23⁸⁴%. The figures indicate that there are persistent key inequalities for women in participation in the UK and more specifically in Northern Ireland.

In 2013, OFMDFM published a mid-term review⁸⁵ of the Gender Equality Strategy.⁸⁶ The review was designed to assist the Gender Equality Unit and Gender Advisory Panel in setting the direction for the Strategy⁸⁷ for the remainder of its term up to 2016. It also coincided with the ending of the period that covered the first action plans and was designed to evaluate the action plans that had been agreed for

⁷⁹ OFMDFM, Gender Equality Strategy: A Baseline Picture (2008), (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016>)

⁸⁰ Gender Equality Strategy Statistics: 2011 Update (available at http://www.ofmdfmi.gov.uk/gender_equality_strategy_statistics__2011_update.pdf)

⁸¹ OFMDFM, Gender Equality Strategy: A Baseline Picture (2008), Gender Equality Strategy Statistics: 2011 Update (2011), Gender Equality Strategy Statistics: 2013 Update (2013) (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016>)

⁸² OFMDFM, Gender Equality Strategy Statistics: 2014 Update (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-statistics-2014-update.pdf>)

⁸³ Women in Public life, the Professions and the Boardroom (2014) Carl Baker, Richard Cracknell (SN5170

P.3,) House of Commons Library

⁸⁴ Women in Parliament and Government (2014) Richard Kreen,, Richard Cracknell (SN1250 P.3) House of Commons Library.

⁸⁵ OFMDFM (2013) Gender Equality Strategy 2006 – 2016 Review (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016-review.pdf>)

⁸⁶ OFMDFM, (2006), Gender Equality Strategy: a framework for action to promote gender equality for women and men 2006-2016 (available at www.ofmdfmi.gov.uk/genderequalitystrategy2006-2016.pdf)

⁸⁷ Ibid.

the 2008 – 2011⁸⁸. The review took the form of reviewing the progress against the action plans for men and women, gathering some qualitative and quantitative information from those closely involved with the Strategy and identifying any gaps in data in the OFMDFM Gender Statistics baseline⁸⁹ publication⁹⁰.

Overall, the review found that although the strategy was a positive step, it had not been progressed effectively enough and that its implementation and monitoring measures should be improved⁹¹. In particular, it found that the associated action plans were too general and recommended that they should be made SMART (Specific, Measurable, Achievable, Realistic and Time bound). The review indicated that revised action plans should be drafted with the SMART targets⁹². The review also indicated that action plans for men and women should be as gender specific as possible and where gender specificity was not possible, actions should be inserted into both plans with relevant outcomes⁹³. The review also recommended that annual monitoring as stated should be conducted in order to ensure that progress against action plans could be reviewed more effectively for the remaining years covered by the strategy⁹⁴. It was also indicated that challenges faced by transgender persons should be given greater recognition by the strategy⁹⁵.

ECNI ‘Shadow Report to the Committee on the Elimination of Discrimination Against Women (2013)

The assertion that there continues to be an underrepresentation of women in public life in Northern Ireland is further supported by the Equality Commission for Northern Ireland (ECNI). The current situation in terms of the level of women’s underrepresentation is reported on by the ECNI (2013) in their ‘Shadow Report to the Committee on the Elimination of Discrimination Against Women’⁹⁶. Like previous investigations in terms of the level of representation of women in public life, the ECNI (2013) report identifies that 33% of Government Public Appointments are held by women, 22% of MPs are women, and 23% of Councillors are women. Consequently, the report recommends that temporary special measures are taken by government to achieve commitments set out in the Good Friday / Belfast agreement. In relation to Article 7 of the convention, the ECNI argue that steps should be taken to fulfil the commitments enshrined in the Good Friday

⁸⁸ OFMDFM (2013) Gender Equality Strategy 2006 – 2016 Review P9 (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016-review.pdf>)

⁸⁹ Gender Equality Strategy Statistics: 2011 Update (available at http://www.ofmdfmi.gov.uk/gender_equality_strategy_statistics__2011_update.pdf)

⁹⁰ OFMDFM (2013) Gender Equality Strategy 2006 – 2016 Review Methodology P.7-8 (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016-review.pdf>)

⁹¹ OFMDFM (2013) Gender Equality Strategy 2006 – 2016 Review Executive Summary P. 5 (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016-review.pdf>)

⁹² OFMDFM (2013) Gender Equality Strategy 2006 – 2016 Review P.10-11 (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016-review.pdf>)

⁹³ OFMDFM (2013) Gender Equality Strategy 2006 – 2016 Review P.22 (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016-review.pdf>)

⁹⁴ OFMDFM (2013) Gender Equality Strategy 2006 – 2016 Review P.9-10 (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016-review.pdf>)

⁹⁵ OFMDFM (2013) Gender Equality Strategy 2006 – 2016 Review P.18 (available at <http://www.ofmdfmi.gov.uk/gender-equality-strategy-2006-2016-review.pdf>)

⁹⁶ Equality Commission of Northern Ireland (2013), Shadow Report to the Committee on the Elimination of Discrimination against Women (available at http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/EqualityCommissionForNorthernIreland_UK55_ForTheSession.pdf)

Agreement⁹⁷ of ensuring the full and equal participation of women in Northern Ireland in political and public life. Further, the ECNI suggests that actions should also be developed to achieve objectives of including women in peace building set out in UNSCR 1325. The ECNI suggests that this is required as the government's intended steps are unclear and that the government should identify and implement positive action measures. Similar views are expressed in the Commissioner for Public Appointments Northern Ireland (2013) submission to the Northern Ireland Assembly All Party Working Group on UNSCR 1325⁹⁸ which concluded that there has been no improvement concerning the representation of women in Government Public Appointments since the Good Friday Agreement and further that many women felt excluded by the nature of the appointment process and the operation of Boards.

The shadow report⁹⁹ submitted by the Northern Ireland Women's European Platform (NIWEP) in 2013 to CEDAW also draws similar conclusions. It states that women continue to be under-represented in politics and public life in NI. It noted that women's representation in politics and public life compares unfavourably with the position of female representation of 35% in the Scottish Parliament and 41% in the Welsh Assembly. It also noted its disappointment that the Sex Discrimination (Election Candidates) Act 2002¹⁰⁰ which permits positive action measures in relation to women's political participation has at present not been used in NI. It also states that while it is positive that a government report contains an aspiration that by 2015 50% of all new appointments being made to public boards will be women, it does not make any reference to any clear measures to achieve this increase. The submission also made a number of recommendations, which included immediate action to ensure UNSCR1325 is implemented, temporary special measures to address the continued level of under representation and through the use of specific measures to ensure the adequate inclusion of women in the new local government structures.

Summary

Overall, the legal and policy framework has sought to remove the legal impediments to implementing specific actions that would widen participation in public life and ensure the full and equal participation of women. However, despite the removal of any legal impediments to widening participation, there remains an underrepresentation of women in public life across a broad range of areas. The following section explores the current experiences of women in terms of their participation in public life including the barriers they face and those things which have helped enable their participation, as noted in the literature.

⁹⁷ Belfast Agreement(1998) (available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/136652/agreement.pdf)

⁹⁸ Commissioner of Government Public Appointments, John Keanie, Submission to the Northern Ireland Assembly All Party Working Group on UNSCR 1325 "Guardian of the Government Public Appointment Process" (available at http://www.publicappointmentsni.org/presentation_to_niapg_on_unscr_1325.pdf)

⁹⁹ The Northern Ireland Women's European Platform (2013) Shadow Report to the Committee on the Elimination of Discrimination against Women (available at <http://blog.niwep.org/wp-content/uploads/2013/06/NIWEP-Shadow-Report-to-CEDAW-2013.pdf>)

¹⁰⁰ Sex Discrimination Act (2002) (available at <http://www.legislation.gov.uk/ukpga/2002/2/contents>)

Barriers to, and enablers of, participation in public life

There have been a number of academic and equality practitioner studies which have examined the issue of underrepresentation of women in positions of power, decision-making roles and in participation in public life in the UK, Ireland, Europe and internationally. Given the extent of potentially available literature to draw on, this review has focussed on studies which have been undertaken within a Northern Ireland, Ireland and/or UK focus.

Much of the current agenda addressing gender inequality in politics in Ireland has followed on from a 2004 report by Knight et al (2004), which looked at the views of women in politics in the Republic of Ireland argued that traditional political systems have not made enough of an allowance to facilitate those with responsibilities for caring. Knight et al (2004)¹⁰¹ in their research into experiences of female politicians stated that “the long hour’s culture of parliamentary politics has repeatedly been identified by women legislators as a disincentive to women’s political participation.” The authors also argue that female candidates have more diverse financial needs that extend beyond electoral costs, such as support for housekeeping, family care services and other issues¹⁰². The authors go on to explain that women tend to be less connected and less familiar with political culture than men and perceive politics as confrontational and masculine. This was felt to be a key factor for many women making them uncomfortable within a political setting and acting as a disincentive for them in participating in this arena¹⁰³. The authors went on to argue that this creates a barrier to women’s progress in politics because the culture and behaviour, informally accepted norms of language and views and expressions are male orientated¹⁰⁴. In relation to Irish party politics, they illustrated this view by providing the example of local party meetings being held within a pub¹⁰⁵. Overall this study identifies a number of issues facing women who wish to participate in politics.

On behalf of the Women’s Centres Regional Partnership, Dr Helen McLaughlin undertook an investigation into the barriers to participation faced by women from disadvantaged communities in Northern Ireland¹⁰⁶. The report (2009) covers participation across a range of activities, such as employment, training, education, and political and public life. The report goes on to identify that the same barriers which prevent women from participating in education, training and work, also impact on women’s willingness and ability to take part in public life. These barriers for women living in disadvantaged communities include a lack of childcare, poverty, low levels of skills, experience and confidence, lack of flexibility, and lack of travel and transport. However, the report (2009) identifies that there are also some additional factors which prevent women from considering a role in public political life, for example: the perceived culture of public bodies; a lack of knowledge about

¹⁰¹ Kathleen Knight, Yvonne Galligan, & Una Nic Giolla Choille, “Equalizing Opportunities for Women in Electoral Politics in Ireland: The Views of Women Members of Parliament”, in *Women and Politics* (Vol. 26(1) 2004; pp1-20), pp14-15

¹⁰² *Ibid.*

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*

¹⁰⁶ McLaughlin, H. (2009) *Women living in disadvantaged communities: barriers to participation*. Belfast.

what is required, and problems associated with remuneration and the application process.

The report¹⁰⁷ goes on to suggest that these barriers result in lower levels of female participation, lower quality decisions due to fewer viewpoints being represented, underrepresentation being multiplied at more local levels, and the programmes to increase female representation mostly engaging middle class white women. As evidence of the ineffectual nature of contemporary programmes to increase female representation, the report notes that Government Public Appointments held by women is stuck at around the 33% level¹⁰⁸. Consequently, the report argues for a series of enablers to increase female representation including strengthening the code of practice for Government Public Appointments to increase the diversity of appointments; clear guidance for public bodies on identifying barriers and implementing positive action measures; support for public bodies to put in place time-bound, measurable plans for increasing the participation of women, particularly women from disadvantaged and rural communities; and, public bodies and political structures to review working practices and identify areas where flexibility can be introduced¹⁰⁹.

Around the same time in 2009, the Women's National Commission (WNC) published a guide for women in public life which focuses on encouraging women to apply for Government Public Appointments^{110 111}. The guide notes that women have historically been underrepresented in Government Public Appointments across the UK and at the time of publication women made up 33% of Government Public Appointments across the UK, 34% in Scotland and 32% in Northern Ireland. The guide identified a number of barriers that negatively affect the representation of women in Government Public Appointments. These barriers included a lack of awareness about Government Public Appointment opportunities; a lack of time because of caring, housework and general family life; assumptions about what women can contribute; the joining of a male dominated culture and, also that women don't feel they have the confidence to trust their ability or to apply.

Nevertheless, the guide¹¹² does go on to acknowledge the range of initiatives, such as education and training, and raising awareness that goes on throughout the UK and Northern Ireland. However, the guide adds a number of suggestions which the WNC believes would help increase the representation of women in Government Public Appointments. These include widening the range of requirements for appointees to ensure broader range of people are represented on the board; hold meeting by video-conference and ensure they end by 5 p.m.; encouraging employers to release people for meetings and to view such public work as a positive contribution to their

¹⁰⁷ McLaughlin, H. (2009) *Women living in disadvantaged communities: barriers to participation*. Belfast.

¹⁰⁸ McLaughlin, H. (2009) *Women living in disadvantaged communities: barriers to participation*. Belfast.

¹⁰⁹ *Ibid.*

¹¹⁰ Women's National Commission (2009) *Women in public life*. London. <http://wnc.equalities.gov.uk/work-of-the-wnc/women-in-public-life.html>

¹¹¹ There is sometimes an ambiguity in the language in reports which discuss government public appointments which is difficult sometimes to disentangle however it should be noted that when public appointments are mentioned in reports it may sometimes mean wider government public appointments.

¹¹² Women's National Commission (2009) *Women in public life*. London. <http://wnc.equalities.gov.uk/work-of-the-wnc/women-in-public-life.html>

business; and, adopting further training and mentoring programmes to encourage women into Government Public Appointments.

In 2009 a parliamentary committee¹¹³ was set up to report on women's participation in politics in Ireland. The Committee reviewed international research and in their report (2009) identified similar challenges that face women's entry into politics throughout the world¹¹⁴. The report identified that perhaps the most significant obstacle facing women in terms of their participation in politics is access to affordable childcare and subsequently participate in politics. A related issue was access to resources and the report noted that women generally have access to fewer resources making it more difficult to access childcare. The report also found that women are less likely to put their names forward for candidate selection or for the publicity of elections. The report argued that women currently have a lack of confidence when compared to men in relation to participating in political life in general and this becomes more of a prominent issue when deciding to put themselves forward for election in political parties. Further, the report noted that a masculine culture still permeates all levels of politics. For example, Members of the Oireachtas in their submissions to the committee argued that although women no longer face clear discrimination when attempting to enter politics, the masculine culture that exists creates an uncomfortable setting for women. Finally, the report found that candidate selection procedures are traditionally restrictive towards female selection. The report articulated the view that candidate selection processes are the most significant barrier that women face when attempting to participate in political life.

While the report¹¹⁵ did identify a number of barriers to women's participation in politics, a number of recommendations were made that were subsequently enacted into legislation in Ireland in 2012. A key recommendation of the report was to make changes to political party processes and Council/Oireachtas sitting times including making the times more flexible in order to ensure childcare responsibilities could be taken into account for both men and women. In particular, meeting times and locations of party meetings should be adjusted in this regard. Childcare support should also be provided and those elected members who give birth during their tenure should be entitled to automatic pairing arrangements. The use of video conferencing should also be used to accommodate those with caring responsibilities. The report also recommended that greater resources should be provided to support women's political activity and measures such as providing government funding for women candidates until adequate representation levels are reached, as well as voluntary funds by political parties to support women candidates. The report also suggested that political parties should introduce recruitment drives aimed at women, mentoring programmes for new women members, leadership training programmes and greater state funding for female political networks. Further, the report also suggested that civic education programmes should be used in schools to replace the image of a stereotypical male politician, female role models should be used, challenge the cultural view that women are primarily responsible for childcare and

¹¹³ Houses of the Oireachtas (2009), Joint Committee on Justice, Equality Defence and Women's Rights Women's Participation in Politics (available at http://www.oireachtas.ie/documents/committees30thdail/j-justiceedwr/reports_2008/20091105.pdf)

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

the setting up of a major advertising campaign targeting women to encourage them to enter politics as well as challenging traditional stereotypes. Finally, the report recommended that government should adopt candidate quota legislation that would include the temporary obligation by parties to impose a maximum limit on any one gender to run in elections. This should be based on the Belgium system which stipulates that no party could have more than two thirds candidates from one gender. The recommendation on Quotas has been enacted for the upcoming elections in Ireland.

As mentioned in the legal and policy context chapter and above, the current situation in terms of the level of women's underrepresentation is reported on by ECNI (2013) in their 'Shadow Report to the Committee on the Elimination of Discrimination Against Women'¹¹⁶. The report points out that while 67% of MEPs are women, only 22% of MPs, 20% of MLAs and 23% of councillors are women. Further, in 2011-2012 women accounted for 33% of Government Public Appointments held, 29% of Government Public Appointments made and 27% of all applications received for vacant Government Public Appointments. The report concludes that the figures demonstrate both continued under-representation and limited movement to improvement. In the shadow report (2013) ECNI argue that special temporary measures should be employed in order to redress this underrepresentation and to fulfil the obligations set out in UNSCR 1325¹¹⁷. These measures should involve women in peace building activity, actions to mitigate against the negative impact on women's ability to participate in public life following the abolition of the Women's National Commission, consulting with non-governmental women's organisations, and further contributions to ensure the implementation of the Convention.

Within the Republic of Ireland context, there has been work undertaken which evaluates the underrepresentation of women in Irish politics between the turn of the millennium and 2013. A study by Buckley et al (2013)¹¹⁸ identified that due to the on-going underrepresentation of women and the political reform that was on-going in Irish politics due to the financial crisis, that it was an appropriate time to address this historical underrepresentation. As a result of on-going work by Buckley et al (2013)¹¹⁹ and others, legislation on gender quotas was enacted by the Irish Parliament in 2012. The legislation provides for a 30 per cent gender quota for party candidates at the next general election in 2016 which will then rise to 40 per cent seven years thereafter. It also has strict enforcement rules by stipulating that non-compliant parties will lose half of their annual state funding.

In the study undertaken by Buckley et al (2013), they found that women only made up 15.7% of the lower house Dail Eireann and that since 1918 only 6% of a total of 4744 Dail seats have been occupied by women¹²⁰. Although the on-going underrepresentation of women in 21st century Irish politics can be linked to barriers

¹¹⁶ Equality Commission of Northern Ireland (2013), Shadow Report to the Committee on the Elimination of Discrimination against Women (available at http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/EqualityCommissionForNorthernIreland_UK55_ForTheSession.pdf)

¹¹⁷ United Nations Security Council Resolution 1325 (2002), Women, Peace and Security (available at <http://www.un.org/womenwatch/daw/public/eWPS.pdf>)

¹¹⁸ Fiona Buckley (2013), "Women and Politics in the Republic of Ireland": The Road to Sex Quotas. Irish Political Studies, Vol. 28, No. 3, pp. 341-359

¹¹⁹ *Ibid.*

¹²⁰ *Ibid.*

that can be described as universal in nature and can equally be applied to other jurisdictions. They argue that the nature of party recruitment is in favour of selecting local male activists which is driven by tendency to select a “safe pair of male hands” rather than experimenting with new untested female candidates¹²¹.

More recently, in a Northern Ireland context, work has been undertaken to investigate women’s participation in public life as Northern Ireland has moved to a post-conflict society. The Women and Peace building Project (2012-2014)¹²² was a cross border initiative supported by the Special EU Programmes Body. The project consists of a partnership approach between the Women’s Resource and Development Agency (WRDA), the Community Foundation for Northern Ireland (CFNI) and the National Women’s Council of Ireland (NWCI). The project draws on the main provisions of UNSCR 1325¹²³ and focuses on a number of themes including the participation of women throughout the peace process as well as representation in decision making roles at all levels. The Good Friday Agreement explicitly mentions that the parties to the agreement affirm “the right of women to full and equal political participation” as well as a commitment by the British Government to pursue the advancement of women in public life¹²⁴. Concerning the question of whether women felt that women’s participation on these bodies/groups was better or worse since the Good Friday Agreement it was found that women feel they have become increasingly invisible in decision-making with the exception of a very small number of high profile women.

As part of the project the WRDA developed a toolkit¹²⁵ (informed by the views of women and public sector stakeholders) designed to show policy makers in Northern Ireland the measures that need to be taken and the targets that need to be achieved in order to implement elements of UN Security Council Resolution 1325 on Women, Peace and Security in order to ensure women participate fully in politics. The toolkit serves as a guide to inform public policy on women, peace and security issues so as to benefit women and through them society more generally. In relation to the participation in public life by women, the toolkit made a number of recommendations, including actions such as a commitment to increase the number of women in decision making contained within a future Programme for Government (although no targets were identified), accompanied with measurable actions. In addition, the report also suggested that consideration of the adoption of quotas aligned to targets to increase women’s representation in Government Public Appointments and electoral candidates, as well as a commitment by the Judicial Appointments Commission to set targets to achieve greater equality in judicial appointments.

¹²¹ Fiona Buckley Yvonne Galligan Claire F. McGing (2013) “Someday, girls, someday”: Legislating for candidate gender quotas in Ireland.

¹²² The Women and Peacebuilding Project (2012-2014), “Issues of Participation and Representation” Belfast.

¹²³ United Nations Security Council Resolution 1325 (2002), Women, Peace and Security (available at <http://www.un.org/womenwatch/daw/public/eWPS.pdf>)

¹²⁴ The Good Friday Agreement (1998) : Rights, Safeguards and Equality of Opportunity (available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/136652/agreement.pdf)

¹²⁵ The Women’s Resource and Development Agency, Bronagh Hinds Debbie Donnelly (2014) “Women, Peace and Security: Women’s Rights and Gender Equality Developing and Applying Women, Peace and Security Practice in Northern Ireland/Ireland” (available at http://www.wrda.net/Documents/Toolkit_Booklet.pdf)

These represent the key studies which have looked at issues in participation in public life on the basis of gender in relation to men and women. Unfortunately, there has been very little examination of those issues facing transgender persons in relation to how people may face barriers to participation on the basis of their gender identity. A report for the Joseph Rowntree Foundation¹²⁶ highlights several trends for transgender persons, the most apparent of which is the lack of any significant variation in the areas in which Transgender people participate. This has been attributed by participants as a fear held by transgender people of the transphobic nature of the general population. In particular, transgender people fear of being ‘outed’ and the subsequent scrutiny the media would place upon them. Whilst transgender people who participate within public life tend to see this as a barrier of perception rather than reality it continues to act as a barrier to participation. Furthermore whilst fear was the most common cited personal barrier items such as location, profession and workplace were also highlighted.

Non-institutional factors identified by participants within Ryrie *et al* (2010)¹²⁷ primarily focus upon the role of the media and its portrayal of people from these communities. Participants often voiced a concern about the negative portrayal the media provides regarding lifestyle, relationships and even targeting individuals. This concern over participation was also shown to extend to the partners of interviewees, and the public scrutiny it could carry.

An additional societal factor which directly and indirectly affects the ability of transgender people and their ability to participate is that of traditionalism within Northern Ireland. A specific facet of this can be seen through the role of religious beliefs and those within office who identify with those beliefs. This was presented as a potential matter which has the potential to impact upon the decision of transgender people to participate.

The experiences of transgender people who participate in public life was shown to be quite diverse¹²⁸. Some participants did report positive experiences, whilst others reported instances of abuse, vandalism and increasing levels of perceived threat from individuals within the wider community¹²⁹. Additionally many interviewees do believe that transgender people are underrepresented, and need a presence in the public sphere as well as visible transgender elected representatives to increase their representation and act as role models for the community as well as alter external perceptions.

¹²⁶ Iain Ryrie, Sarah McDonnell, Kate Allman, Robert Pralat (2010) *Experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people*. London: Government Equalities Office.

¹²⁷ Iain Ryrie, Sarah McDonnell, Kate Allman, Robert Pralat (2010) *Experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people*. London: Government Equalities Office.

¹²⁸ Iain Ryrie, Sarah McDonnell, Kate Allman, Robert Pralat (2010) *Experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people*. London: Government Equalities Office.

¹²⁹ Iain Ryrie, Sarah McDonnell, Kate Allman, Robert Pralat (2010) *Experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people*. London: Government Equalities Office.

Ryrie *et al* (2010)¹³⁰ conclude their report by outlining several ways in which transgender people could be encouraged to participate. First and foremost the report identified the need to challenge stereotypes and alter the current perceptions of those from these communities. This could potentially be achieved through the application of local and national awareness campaigns and outreach programmes to normalise, guide and support members of these communities. This broad recommendation would require specific action points targeted towards the appropriate areas in order to be successful, but has the potential to increase participation of transgender persons.

Within a Northern Ireland context there has been some investigation of the experiences of young transgender people and their families. McBride (2013)¹³¹ undertakes a series of depth interviews and focus groups with transgender people and their families to investigate experiences of gender distress and the issues encountered when identifying as transgender. The report highlights a number of key issues that young transgender people in Northern Ireland face.

These issues include:

- High levels of prejudice, discrimination and harassment trans people face
- A general lack of awareness, understanding and knowledge of transgender issues
- Feeling isolated and disempowered, and consequently suffer from low self-esteem
- Coming 'out' to parents and/or loved ones
- A lack of information regarding issues of gender identity, gender dysphoria and transgender, which are absent from Northern Ireland's 'revised curriculum'
- Barriers to accessing appropriate healthcare information, advice and services

This report¹³² outlines a difficult context within Northern Ireland for young transgender people, particularly in light of the significant prejudice and harassment transgender people encounter. Consequently, the report argues that service providers and policy makers need to take a proactive approach in order to erode the cultural inertia that is marginalising young transgender people and preventing many of them from reaching their full potential. The report outlines the basis of a more proactive approach through a series of twenty one recommendations aimed at engaging the public and community/voluntary sectors in the provision of advice, support and access to key services in supporting young transgender people.

A number of barriers and enablers were identified in the reports discussed above. It was possible to synthesise the key barriers to participation on the ground of gender.

The barriers to participation in public life identified in the literature are as follows:

- Lack of affordable childcare

¹³⁰ Iain Ryrie, Sarah McDonnell, Kate Allman, Robert Pralat (2010) *Experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people*. London: Government Equalities Office.

¹³¹ McBride, R-S. (2013) *Grasping the nettle*, Institute for Conflict Research; Belfast.

¹³² McBride, R-S. (2013) *Grasping the nettle*, Institute for Conflict Research; Belfast

- Long hours culture of participating in politics
- Lack of flexibility in meeting times and locations
- Domestic and caring responsibilities (including children and/or elderly, sick or infirm relatives)
- A masculine or macho culture (e.g. the culture and behaviour, informally accepted norms of language and views and expressions associated with participating in public life which tend to be male orientated)
- Low levels of skills, experience and confidence
- A lack of knowledge about what is required
- Remuneration
- The application, recruitment and selection processes
- Gender stereotyping (i.e. assumptions about what women can contribute)

The enablers of participation in public life identified in the literature are as follows:

- Quotas for the representation of women (e.g. elected positions)
- Access to resources (e.g. financial support)
- Access to affordable childcare
- Clear guidance for public bodies on identifying barriers and implementing positive action measures
- Support for public bodies to put in place time-bound, measurable plans for increasing the participation of women
- Flexible structures and working practices
- Education and training
- Raising awareness of participating in public life and what's involved
- Holding meeting by video-conference and ensure they end by 5 p.m.
- Encourage employers to release people for meetings and to view such public work as a positive contribution to their business
- Recruitment drives aimed at women

The items listed above represent the barriers to, and enablers of, participation in public life that it is possible to identify from those reports which focus on gender and participation in public life.

There were also some specific barriers and enablers in relation to transgender persons. These barriers include fear of being 'outed', negative media stereotyping, and the fear of vandalism, violence or abuse. Despite these fears, a number of enablers were identified in the literature such as openly transgender people holding political office or high profile positions in public life. The potential for role models to encourage others and work towards ending the myths of transgender people portrayed in the media. Finally, local and national awareness campaigns and outreach programmes to normalise, guide and support transgender persons were also felt to act as an enabler of participation in public life.

3.3 Meta-analysis of secondary quantitative data

There is a variety of data collected and reported with respect to participation of men and women in public life. More recently, the issue of gender identity has come to be discussed in relation to gender and moved away from being discussed alongside issues of sexual orientation. Therefore, participation in public life for transgender

persons is viewed in relation to gender as it relates to an individual's gender identity. The addition of gender identity within the scope of gender has created a gap in where information is available. However, there is information available with respect to gender as a ground in relation to the relative participation of men and women in public life which is reported here. Although, there is no information collected specifically for Transgender persons, as individuals Transgender persons will be either male or female and as such will potentially experience gender inequalities as well as additional issues with respect to their gender identity.

Areas of Data Absence

An extensive search of online and offline sources was conducted in relation to all the areas covered by the definition of participation of public life contained within the introduction. It became apparent during these search efforts that data was absent in terms of some of the bodies contained within the definition, including:

- Local Strategic Partnerships
- Citizens Panels
- Public Bodies focus and or working groups
- School Councils
- Youth Councils
- User groups for a service provided by a Public Authority
- Members of Political Fora
- Access to Voting System
- Litigants – Access to Law and Courts
- Jurors
- Recruitment and Selection Panels

Data Availability

However, despite the lack of data noted above, there was some centralised data relating to men and women in public life available in terms of:

- Government Public Appointments,
- Members of a voluntary group,
- Elected representatives, and
- The judiciary

Furthermore, there was limited information relating to:

- Community Police Liaison Committees
- Neighbourhood Watch Committees
- Community Associations or fora
- School Boards of Governors

The data¹³³ available for the above mentioned areas, although in places limited, provides some indication of gender participation in these areas of participation in public life.

Understanding and Benchmarking Available Data

In order to adequately assess the level of participation across gender lines it was considered appropriate to display the current Census (2011) figures for gender composition in Northern Ireland, detailed in Table 3.1.

Table 3.1 – Northern Ireland Census 2011: Gender composition of the NI population

	Male		Female	
	N	%	N	%
Census 2011	887,323	49%	923,540	51%

Source: NISRA Northern Ireland 2011 Census Population Tables, Table KS101NI: Usual Resident Population

Government Public Appointments

Data is published annually by OFMDFM on the Government Public Appointments which are appointed by Government Ministers in the Northern Ireland Executive. Government Public Appointments are made to Non-Departmental Public Bodies reporting to the Ministers responsible for each of the twelve government departments. Most appointments are made in line with the Commissioner for Public Appointments for Northern Ireland's code of practice¹³⁴. These Government Public Appointments are advertised widely and are conducted through open competition. In terms of the most recent figures (2013/14), a total of 1,411 (Table 3.2) appointments are currently held with 290 of those appointments made during 2013/14 (Table 3.3). Please also note that Government Public Appointments are generally held for a three year period, therefore in any given year, there is around a third of appointments made subject to the recruitment and selection process. Therefore, this meta-analysis is unable to examine the success rates of applicants for Government Public Appointments.

¹³³ Please note that all percentages in this meta-analysis have been rounded up to whole numbers except where the percentage is below 1% and for the 2011 Census. Also where numbers and percentages are provided during the 2007-2014 time period, an additional aggregate figure has been inserted in order to analyse the overall level of representation during the reporting period.

¹³⁴ The Commissioner for Public Appointments Northern Ireland February 2014 "Code of Practice for Ministerial Government Public Appointments in Northern Ireland (available at http://www.publicappointmentsni.org/cpa_ni_code_of_practice_jk4_-_feb_2014.pdf)

Table 3.2 – Gender Composition of Overall Government Public Appointments

	Government Public Appointments Overall Held				Government Public Appointments Chairpersons Held			
	Male		Female		Male		Female	
	N	%	N	%	N	%	N	%
2006/2007	1383	68%	641	32%	96	74%	33	26%
2007/2008	1139	68%	533	32%	66	78%	19	22%
2008/2009	1106	68%	528	32%	81	81%	19	19%
2009/2010	880	66%	449	34%	67	78%	19	22%
2010/2011	1017	67%	493	33%	80	82%	18	18%
2011/2012	944	67%	464	33%	79	81%	18	19%
2012/2013	824	66%	482	34%	73	78%	20	22%
2013/2014	910	64%	501	36%	76	79%	20	21%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Appointments Held: 2024 (2007), 1672 (2008), 1634 (2009), 1329 (2010), 1510 (2011), 1408 (2012), 1406 (2013), and 1411 (2014).

Base Annual Appointments: 451 (2007), 450 (2008), 320 (2009), 256 (2010), 416 (2011), 433 (2012), 291 (2013), and 290 (2014).

Table 3.3 – Gender Composition of Government Public Appointments¹³⁵

	Annual Government Public Appointments Overall				Government Public Appointments Chairpersons Appointments				Government Public Appointments Applicants				Government Public Appointments Chairpersons Applicants			
	Male		Female		Male		Female		Male		Female		Male		Female	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2006/2007	296	66%	155	34%	24	73%	9	27%	775	70%	336	30%	180	66%	94	34%
2007/2008	304	68%	146	32%	21	84%	4	16%	623	68%	294	32%	59	91%	6	9%
2008/2009	231	72%	89	28%	26	81%	6	19%	685	75%	231	25%	171	71%	69	29%
2009/2010	162	63%	94	37%	11	85%	2	15%	717	64%	399	36%	25	86%	4	14%
2010/2011	284	68%	132	32%	31	82%	7	18%	749	74%	260	26%	136	80%	35	20%
2011/2012	306	71%	127	29%	20	80%	5	20%	930	73%	350	27%	133	77%	39	23%
2012/2013	176	60%	115	40%	15	75%	5	25%	733	70%	317	30%	128	71%	52	29%
2013/2014	168	58%	122	42%	20	80%	5	20%	625	69%	279	31%	107	77%	32	23%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Appointments: 451 (2007), 450 (2008), 320 (2009), 256 (2010), 416 (2011), 433 (2012) 291 (2013), and 290 (2014).

¹³⁵ (Please note that there were more total appointments held than total applicants due to the re-appointments process to public boards. Appointments are generally held for a three year period, therefore in any given year, there are only around one third of appointments made subject to the recruitment and selection process.)

Overall, Tables 3.2 and 3.3 indicate an historic and on-going underrepresentation of women in terms of Government Public Appointments and public appointed chairpersonships. Table 3.2 also demonstrates that Government Public Appointments held have remained at a broadly consistent level for both men and women during the period 2006/2007-2013/2014, although there have been some small increases in 2012/13 and 2013/14. In contrast, chairpersonships have increased for men since 2007 and therefore have decreased for women during the same time period.

In relation to applicants, Table 3.3 shows that since a peak in 2009/2010 (36%) in female applicants the female share decreased, although in more recent years has been on an upward trajectory. However, the female share of applicants is below the 2011 Census figure for every year in the reporting period. Indeed, the underrepresentation of female applicants for Chairpersons is more marked and has decreased overall by 11 percentage points from 2006/2007. Although the percentage of women applying for Government Public Appointments fluctuated between 2006/2007 and 2013/2014, and increased somewhat in more recent years, this has had only a small effect on the number of appointments of women to public bodies which has remained reasonably consistent throughout this time period. Nevertheless, there is a clear and on-going underrepresentation of women in terms of Government Public Appointments, publicly appointed Chairpersonships, and applications for Government Public Appointments. Further, there have been notable increases in the underrepresentation (decreases in the representation) of women in respect to Chairpersonships of Government Public Appointments during the reporting period 2007-2014. It can therefore be concluded that the underrepresentation of women in Government Public Appointments is a key inequality in terms of women's participation in public life.

Community associations or fora

Community association or fora are non-governmental voluntary bodies that are formed and made up of members of the local community. Their purpose is to improve the quality of life in their local area by developing social, recreational and educational activities.

While there are no centrally collected sources of data on participation in community associations or fora, the Northern Ireland Council for Voluntary Action (NICVA) do collect and publish statistics on the composition of volunteers. This offers a useful overview of the gender profile of volunteers in Northern Ireland in 2012 (see Table 3.4).

Table 3.4 – Gender composition of volunteers in Northern Ireland (2012)

	N	%
Male Volunteers	15,575	41%
Female Volunteers	22,510	59%
Male Governors	3,562	43%
Female Governors	4,762	57%

Source: NICVA (2012) State of the Sector VI.

Base: 38,085 volunteers; 8,324 Governors.

The NICVA report¹³⁶ only offers a snapshot for 2012. Previous NICVA reports on the state of the sector do not provide a breakdown of volunteers by gender. Nonetheless, it is clear from Table 3.4 which shows a difference of 18 percentage point between males and females in terms of those who volunteer and a 14 percentage point difference between males and females who are governors that proportionally more females than males volunteer. In addition Table 3.4 demonstrates that women are over represented in volunteering and governor positions in proportion to the 2011 Census figure while men are underrepresented in the same context. According to a study of volunteering in the US by Taniguchi (2006), it is traditionally thought that women volunteered more than men as they had more time and participated less in the paid workforce¹³⁷. However, this study further identified that women are still more likely to volunteer than men as volunteering is viewed in gender stereotypical terms.

School Boards of Governors

An extensive search of online and offline sources indicated that there is no on-going collection, monitoring and reporting of Section 75 data on members of School Boards of Governors. However, it was possible to identify one report for the Department for Education Northern Ireland (DENI) that contained some demographic information on School Governors for 2009/10. Unfortunately, the survey undertaken as part of this survey provides only a snapshot of the picture with regards to School Governors in 2009/10 and it is therefore not possible to identify any trends over time. Nevertheless, the report does provide some indication of the composition of School Governors in Northern Ireland and how this is disaggregated by Section 75 grounds including gender.

The survey indicated that males and females were evenly represented in terms of school governors and therefore were generally reflective of the gender composition of the 2011 Census figures. However, the survey also indicated that there were representational differences in terms of gender with respect to governors' composition by school phase and governor type. The figures for the gender composition by school phase and governor type are presented in Table 3.5.

¹³⁶ NICVA (2012), State of the Sector VI (available at <http://www.nicva.org/sites/default/files/d7content/attachments-resources/stateofthesectorvi-fullcopy.pdf>)

¹³⁷ Taniguchi, H. (2006) Men's and Women's Volunteering: Gender Differences in the Effects of Employment and Family Characteristics, *Non-profit and Voluntary Sector Quarterly*, vol. 35, no. 1, pp 83-101.

Table 3.5 – Gender of Governor by School Phase
(2010)

	Male	Female	Prefer Not to Say
Nursery	19%	82%	0%
Primary	47%	52%	0%
Post-Primary Non Grammar	56%	43%	0%
Post-Primary Grammar	63%	33%	2%
Special	51%	49%	0%

Source: *PwC survey of School Governors Spring 2010*

Base: 751¹³⁸

Table 3.5 indicates that women tend to be overrepresented on School Boards of Governors at Nursery level and considerably underrepresented on School Boards of Governors at Post-Primary Grammar levels. Although it is not possible to determine whether this is an underlying trend in the representation of women on School Boards of Governors at Post-Primary Grammar school level, this report does indicate a level of inequality.

¹³⁸ While the report provided the total number of useable responses received it did not report individual numbers by gender.

Table 3.6 – Gender of Governor by Governor Type (2010)

	Male	Female	Prefer Not to Say
DE Governor	55%	45%	0%
ELB Governor	57%	43%	0%
Transferor	58%	41%	0%
Trustee	46%	49%	2%
Parent Governor	43%	56%	1%
Teacher Governor	25%	75%	0%
Other	57%	43%	0%

Source: *PwC survey of School Governors* Spring 2010

Base: 751¹³⁹

Table 3.6 indicates that women tend to be overrepresented in terms of Teacher Governors because a higher proportion of teachers are women and underrepresented in terms of Department of Education (DE) Governors, Education and Library Board (ELB) Governors and Transferors and other. Although it is not possible to determine whether this is an underlying trend in the representation of women on School Boards of Governors, in terms of Department of Education and Education and Library Board Governors as well as Transferors and Other, this report does indicate a level of inequality. Please note that ‘Prefer not to say’ or ‘other’ is not defined.

Elected representatives

A review of online and offline sources revealed a range of datasets on the participation of women as elected representatives as Members of European Parliament (MEPs), Members of Parliament (MP), Members of the Legislative Assembly (MLA), and as Local Councillors. The Centre for the Advancement of Women in Politics, the Northern Ireland Assembly and Houses of Parliament regularly collect and publish data on the level of representation of women as elected representatives.

¹³⁹ While the report provided the total number of useable responses received it did not report individual numbers by gender.

Table 3.7 – Percentage Northern Ireland MEPs

	Overall % Female MEPs	Northern Ireland Female MEPS	% of Northern Ireland Female MEPs
1979	16%	0	0%
1984	18%	0	0%
1989	19%	0	0%
1994	26%	0	0%
1999	30%	0	0%
2004	31%	1	33%
2009	35%	2	67%
2014	37%	2	67%

Source: Overall % Female : European Parliament/ Results of the 2014 European Election Results – Men and Women Distribution % Northern Ireland : DETINI: Women in Northern Ireland PP. (2014) (2009) (2007)

Base: MEPS Overall (2014) 751

Northern Ireland MEPS: 3

Table 3.7 displays the gender composition of the overall MEPs and MEPs elected in Northern Ireland during the period 1979 to 2014. During the period 1979-2003 no female MEPs were elected from Northern Ireland. This is in contrast to the overall figures for member states¹⁴⁰ that show that during the same period females accounted for between 16% and 30% of MEPs. However, in relation to Northern Ireland this trend has reversed in recent years and females now make up the two thirds of Northern Irish MEPs while the overall figure for all member states while increasing, has only increased by 6% since 2004¹⁴¹. It should be noted that only three MEPs are elected in Northern Ireland and therefore the base numbers are very small. Table 3.7 also indicates that females in Northern Ireland have a much higher representation at MEP level when compared to female representation in other areas of elected office in Northern Ireland.

In terms of the level of female representation as MPs, recent trends in this area are summarised in Table 3.8.

¹⁴⁰ EU Parliament (2014) Election Results: Men and Women Distribution (available at: <http://www.europarl.europa.eu/elections2014-results/en/gender-balance.html>) Accessed on 12th January 2015

¹⁴¹ EU Parliament (2014) Election Results: Country Results (<http://www.europarl.europa.eu/elections2014-results/en/country-results-uk-2014.html>) Accessed on 12th January 2015

Table 3.8 – Level of female representation as MPs in Northern Ireland

	Female MPs	
	N	%
2001	3	17%
2005	3	17%
2010	4	22%

Source: Centre for the Advancement of Women in Politics Website, UK Elections 2010 – The Results for Northern Ireland, UK General Election 2005, Election Results Table 1: Gender breakdown of the House of Commons 2001
Base: 18 Members of Parliament

Table 3.8 indicates that the percentage of women MPs has remained relatively low over the last three general elections. The 2011 Census figures indicate that females make up 51% of the population; however, Table 3.8 shows that only 22% of those elected as members of parliament were women. In saying that, it does reflect the data provided in international studies that illustrates that women hold around 22% of parliamentary seats¹⁴². Nevertheless, there is a considerable underrepresentation of women in parliament and this would appear to be a persistent and an on-going trend.

In terms of the level of female representation as MLAs, recent trends in this area are summarised in Table 3.9.

Table 3.9 – Level of female representation as MLAs in Northern Ireland

Assembly	Male					Female				
	Candidates		Elected		Success Rate	Candidates		Elected		Success Rate
	N	%	N	%		N	%	N	%	
1998	247	83%	94	87%	0.38	49	17%	14	13%	0.29
2003	207	81%	90	83%	0.44	49	19%	18	17%	0.37
2007	209	81%	90	83%	0.43	48	19%	18	17%	0.38
2011	180	83%	88	81%	0.49	38	17%	20	19%	0.53
1998 - 2011	843	82%	362	84%	0.43	184	18%	70	16%	0.38

Source: The Electoral Commission, Report on the Northern Ireland Assembly election on 5 May 2011 (2011); Northern Ireland Assembly Archive, Elections to the Northern Ireland Assembly (2007)(available: http://archive.niassembly.gov.uk/io/leaflets/leaflet_08_elections.htm)
Base: Candidates: (1998) 296 (2003) 256 (2007) 257 (2011) 218
Elected: 108

Table 3.9 demonstrates that during the period 1998-2011, there has been a persistent underrepresentation of women as candidates for election to the Assembly and in terms of those elected to the Northern Ireland Assembly. Female representation as candidates for each election is also significantly below the corresponding 2011 Census figure and has actually experienced a decrease since the 2007 election. In

¹⁴² Inter-parliamentary Union (2015) Women in National Parliaments (<http://www.ipu.org/Wmn-e/world.htm>) Accessed on 15th January 2015

addition, while women make up 22% of MPs, they made up just 19% of MLAs at the 2011 election. However, Table 3.9 does show that there is a somewhat increasing trend towards greater representation of women in the Northern Ireland Assembly, albeit with slow progress. This figure is still significantly below the corresponding 2011 Census figure and further reinforcing the underrepresentation of women in the Northern Ireland Assembly.

Table 3.9 also indicates that women are more underrepresented in terms of candidates for the 2011 Assembly election than in terms of the representation of elected female MLA's. This indicates that the level of female underrepresentation in the Assembly may be due to the low level of female candidates for election. Table 3.9 also shows that the success rates for both men and women have increased since 1998 due to the decrease in the overall number of candidates standing at each election. In terms of success rates, in the 2011 election females for the first time had a 0.53 success rate while men had a slightly lower success rate of 0.49. This is in contrast to previous Assembly elections between 1998 and 2011 in which women had a lower success rate than men. Therefore, it can be determined from Table 3.9 that the underrepresentation of women in the Northern Ireland Assembly in more recent years may be due to their underrepresentation as candidates rather than their success when they in fact stand for election.

The gender composition for each political party's candidates for the 2011 election to the Northern Ireland Assembly is displayed in Table 3.10 below.

Table 3.10 – The 2011 Northern Ireland Assembly Election Candidates

Assembly	Total Candidates		Male Candidate % of total		Female Candidate % of total	
	N		N	%	N	%
Alliance Party	22		15	68%	7	32%
British National Party	3		2	67%	1	33%
Democratic Unionist Party	45		38	84%	7	16%
Green Party	6		5	83%	1	17%
Independent	15		14	93%	1	7%
People Before Profit Alliance	4		4	100%	0	0%

Procapitalism	1	1	100%	0	0%
Progressive Unionist Party	1	1	100%	0	0%
SDLP	28	24	86%	4	14%
Sinn Fein	40	29	73%	11	28%
Socialist Party (Northern Ireland)	3	3	100%	0	0%
The Workers Party	4	4	100%	0	0%
Traditional Unionist Voice	12	10	83%	2	17%
UK Independence Party	6	5	83%	1	17%
Ulster Unionist Party	28	25	89%	3	11%
Total	218	180	83%	38	17%

Source: Northern Ireland Research and Information Service, Northern Ireland Assembly Election 2011 (2011)

Source: Northern Ireland Research and Information Service, Northern Ireland Assembly Election 2011 (NIAR 263-11: 2011)

Base: 218

Table 3.10 indicates that women are underrepresented in terms of candidates for the 2011 Assembly election in proportion to the 2011 Census figure. They also demonstrate that the issue of female underrepresentation in terms of women standing as candidates for the assembly election is shared by all the political parties and particularly present in smaller political groupings. In particular, the low level of female representation in terms of candidates for the Democratic Unionist Party (DUP), Social Democratic & Labour Party (SDLP) and the Ulster Unionist Party (UUP) are considerably below the 2011 Census figures for the percentage female population in Northern Ireland. Although Sinn Fein and the Alliance Party have higher female representation in terms of candidates than the other political parties it is still considerably below the 2011 Census figures.

Table 3.11 displays the success rate for male and female candidates for the 2011 Northern Ireland Assembly Election.

Table 3.11 – Candidates and elected MLAs in the 2011 Northern Ireland Assembly Election

Assembly	Male					Female				
	Candidate % of total		Elected %		Success Rate	Candidate % of total		Elected %		Success Rate
	N	%	N	%		N	%	N	%	
Alliance Party	15	68%	6	75%	0.40	7	32%	2	25%	0.29
BNP	2	67%	0	0	0	1	33%	0	0	0
DUP	38	84%	33	87%	0.87	7	16%	5	13%	0.71
Green Party	5	83%	1	100%	0.20	1	17%	0	0%	0
Independent	14	93%	1	100%	0.07	1	7%	0	0%	0
People Before Profit Alliance	4	100%	0	0	0	0	0	0	0	0

Procapitalism	1	100%	0	0	0	0	0	0	0	0
Progressive Unionist Party	1	100%	0	0	0	0	0	0	0	0
SDLP	24	86%	11	79%	0.46	4	14%	3	21%	0.75
Sinn Fein	29	73%	21	72%	0.72	11	28%	8	28%	0.73
Socialist Party (Northern Ireland)	3	100%	0	0	0	0	0	0	0	0
The Workers Party	4	100%	0	0	0	0	0	0	0	0
TUV	10	83%	1	100%	0.10	2	17%	0	0%	0
UUP	25	89%	14	88%	0.56	3	11%	2	13%	0.67
UKIP	5	83%	0	0%	0	1	17%	0	0%	0
Total Candidates /Elected	180	83%	88	81%	0.49	38	17%	20	19%	0.53

Source: Northern Ireland Research and Information Service, Northern Ireland Assembly Election 2011 (2011)

Source: Northern Ireland Research and Information Service, Northern Ireland Assembly Election 2011 (NIAR 263-11: 2011)

Base: 218 (Candidates) 108 (Elected)

Table 3.11 demonstrates that in terms of the combined figures for the total candidates and those elected that women had a marginally higher success rate than men. Table 3.11 also demonstrates that with the exception of the DUP, Alliance party, Traditional Unionist Voice (TUV), Green party and Independents, women had a greater chance of success of being elected across the political parties. This further demonstrates that the underrepresentation of women in the Assembly may be due to the low number of women who stand as candidates in the election.

In terms of the level of female representation as MLAs by political party, recent trends in this area are summarised in Table 3.12.

Table 3.12 – Female MLAs 1998 - 2011

Party	1998 Female MLAs		Total Seats Won		2003 Female MLAs		Total Seats Won		2007 Female MLAs		Total Seats Won		2011 Female MLAs		Total Seats Won	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
APNI	1	17%	6	2	33%	6	2	29%	7	2	25%	8				
DUP	1	5%	20	2	7%	30	3	8%	36	5	13%	38				
SF	5	28%	18	7	29%	24	8	29%	28	8	28%	29				
SDLP	3	13%	24	5	22%	18	4	25%	16	3	21%	14				
UUP	2	7%	28	2	7%	27	0	0%	18	2	13%	16				
Other	2	17%	12	0	0%	3	1	33%	3	0	0%	3				
<i>Total</i>	<i>14</i>	<i>13%</i>	<i>108</i>	<i>18</i>	<i>17%</i>	<i>108</i>	<i>18</i>	<i>17%</i>	<i>108</i>	<i>20</i>	<i>19%</i>	<i>108</i>				

Source: 2011 Columns: Northern Ireland Assembly Election Website, Research Publications 2013, Number 108/13 Northern Ireland Research and Information

Service Research Paper, Michael Potter: Women in the Northern Ireland Assembly (NIAR 570 - 13 Appendix 2)
 2007 Columns: Research Publications 2007, Number 01/07, Research Paper, Northern Ireland Assembly Election 2007, Table 4.1 and Table 7.3
 2003 Columns: Centre for the Advancement of Women in Politics Website, Archive Northern Ireland Assembly Election, November 2003, Women Members of the Northern Ireland Assembly Table 2.
 1998 Columns: ARK – Elections Website – Northern Ireland Assembly Elections 1998 – Women in the Assembly Elections.

Table 3.12 indicates that although the level of representation of women in the Assembly is increasing, it is only increasing incrementally across some of the parties. It has decreased for the Alliance Party in terms of percentage from 2007 and remaining relatively unchanged for Sinn Fein since 1998. This is illustrated by Table 3.12, which shows that the decrease in the number of seats for the Ulster Unionists and SDLP since 1998 has led to the level of female representation aligned to both parties remaining static and actually decreasing in the case of the SDLP since 2007. However, a 4% reduction when related to low overall numbers is not truly indicative of any trend. Likewise, the increasing number of seats for the DUP and Sinn Fein has not been marked by a proportionate increase in female representation in both parties in the assembly. This emphasises that the underrepresentation of women in the assembly is an issue that is not isolated to any of the five main political parties in their representation in the Assembly.

Table 3.13 – Ministers in Northern Ireland Executive 1999 - 2014¹⁴³

Party	Male		Male MLA		Female		Female MLA	
	N	%	N	%	N	%	N	%
1999	12	80%	94	87%	2	14%	14	13%
2007	10	71%	90	83%	4	29%	18	17%
2011	11	73%	88	81%	4	27%	20	19%
2014	11	73%	88	81%	4	27%	20	19%
Total	44	76%	272	84%	14	24%	52	16%

Source: 2011 MLA Rows: Northern Ireland Assembly Election Website, Research Publications 2013, Number 108/13 Northern Ireland Research and Information Service Research Paper, Michael Potter: Women in the Northern Ireland Assembly (NIAR 570 - 13 Appendix 2)
 2007 MLA Rows: Research Publications 2007, Number 01/07, Research Paper, Northern Ireland Assembly Election 2007, Table 4.1 and Table 7.3
 2003 MLA Rows: Centre for the Advancement of Women in Politics Website, Archive Northern Ireland Assembly Election, November 2003, Women Members of the Northern Ireland Assembly Table 2. 1998 MLA Rows: ARK – Elections Website – Northern Ireland Assembly Elections 1998 – Women in the Assembly Elections.

¹⁴³ 1998 Northern Ireland Assembly Elections used as comparator for 1999. *2011 Northern Ireland Elections used as comparator for 2014. *Total MLA figures: Gender breakdown figures from 1998, 2007 and 2011 Assembly Elections (Although elections were held in 2003, the Assembly was suspended before Ministers were appointed. The number of Ministers increased from 14 in 1999 and 2007 to 15 in 2011.

Minister Columns: Northern Ireland Assembly Election Website, Research Publications 2013, Number 108/13 Northern Ireland Research and Information Service Research Paper, Michael Potter: Women in the Northern Ireland Assembly (NIAR 570 - 13 Appendix 3 Female Members of the Assembly: Historic by Constituency)

Table 3.13 demonstrates that there has been a persistent underrepresentation of women as Ministers in the Northern Ireland Executive when compared to the 2011 Census figures. Table 3.13 also shows that there has been no increase in the number of female MLA's at the executive Table since 2007. However, this level of underrepresentation in ministerial roles is not surprising considering that female MLAs only make up 19% of MLAs.

Table 3.14 details the female representation in the 1997 – 2014 Local election results.

Table 3.14 – Female representation of Councillors elected at each election between 1997 and 2014

Party	Female	
	N	%
1997	86	14%
2001	108	19%
2005	122	21%
2011	¹⁴⁴	24%
2014	116	25%

Source: 1997 and 2001 Rows: Centre for the Advancement of Women in Politics Website, Archive UK Election June 2001, Northern Ireland Local Election Results for Women, Table 1 and 2.

2005 Rows: Centre for the Advancement of Women in Politics Website, NI Local Elections.

2011 Rows: DETINI Women in Northern Ireland PP.22.

2014 Rows: Northern Ireland Assembly Election Website, Research Publications 2014, Number 80/14, Local Elections 2014: Results by Party and Gender, Michael Potter and Margaret Kelly,

2005

Base: ARK – Elections Website – Northern Ireland – The 2005 Local Government Elections in Northern Ireland – The 2011 Local Government Elections In Northern Ireland

Base: Total number of elected councillors at each election between 1997 and 2014. 1997(606) 2001(582) 2005(582) 2011(582) 2014(462)

Table 3.14 demonstrates that there is a persistent trend of underrepresentation of women as Councillors in Local Government in Northern Ireland. However, there is a trend of increasing female representation at Local Government level, although this is still considerably less than the figures on the female population provided by the 2011 Census. It is however, higher than the level of female representation in terms of MPs and MLAs.

Table 3.15 displays the figures for the number of positions of Mayors and Chairpersons in Local Government in Northern Ireland that have been held by women.

¹⁴⁴ It was not possible to identify a report that provided the specific figure for women elected as local councillors

Table 3.15 – Female Mayors/ Chairpersons

	Female Mayors/Chairpersons	
	N	%
2007	2	8%
2008	5	19%
2009	5	19%
2010	6	23%
2011	2	8%
2012	5	19%
2013	8	30%
2013/2014* ¹⁴⁵	6	23%

Source: DETNI: Women in Northern Ireland (2007 – 2014)

Base: 26 District Councils

Table 3.15 shows that there is a persistent trend of underrepresentation of women as Chairpersons and Mayors in Local Government. Although there have been incremental increases in terms of female representation in these positions in recent years, it is still has not exceeded 30% and therefore is considerably less than the percentage of women that account for the population as stated in the 2011 Census. In fact excluding 2010/2011, the figures are proportionally less than the low level of representation that women had during those time periods in Local Government. Therefore women are both underrepresented in these higher positions when compared to the 2011 Census figures and the representation they have in Local Government.

Overall, the underrepresentation of women in elected positions may be considered a key inequality given that it is relatively consistent across most levels of elected office.

Judiciary

There are two publications in particular; The Equity Monitoring Reports collated by NISRA and the Northern Ireland Judicial Appointments Commission (NIJAC) Annual Reports that provide an overview of the gender composition of the Northern Ireland Judiciary (further detail on these reports is provided in Appendix 2).

The data contained within these publications covers the same area of participation in public life with the NISRA reports providing greater detail and sub analysis of the data provided in the NIJAC reports. As the data in both reports covers the same area of participation in public life, it is felt appropriate to present a combined analysis where appropriate. The rationale for presenting the data in this way is to provide:

¹⁴⁵ In 2013/14 the appointment of Chairperson in Omagh was split between Anne Marie Fitzgerald and Marty McColgan (six months each). Therefore, there were 27 Mayors/Chairpersons in total in 2013/14.

- An overview of the composition of the Judiciary
- An analysis of applicants to the Judiciary
- An analysis of appointments to the judiciary – including renewals and recommendations
- An analysis of success rates for applicants to the judiciary

The above areas of analysis depend upon availability of data. The data is disaggregated by:

- Judicial Office
- Court and Tribunal (Legal)
- Court and Tribunal (Non-Legal)
- Lay Magistrates

Presenting the data in this manner provides a broad picture of the gender composition of the Judiciary and then particular types of Judicial Office.

Composition

Tables 3.16, 3.17, 3.18, 3.19 and 3.20 presented below display the figures on the level of representation of male and females in Judicial Office during the reporting period 2007-2014 as provided for by the NISRA Equity Monitoring Reports. For the purposes of the meta-analysis of data covering the judiciary two different sets of comparator data will be used, one specifically covering Court or Tribunal (Legal) positions and a different comparator for Tribunal (Non) Legal positions. These positions require separate comparator information as the requirements for holding these positions is different.

The comparator that is used for Court or Tribunal (Legal) positions is Legal professional data based on data for Solicitors on the Roll supplied by Law Society and data on Barristers supplied by the Bar Library, each with seven or more years' post-qualification experience. This comparator has increased for females from 34% in 2007 to 39% in 2014. This comparator is used as it is a key qualifying criteria for holding a Court or Tribunal (Legal) position is seven years' post-qualification experience as a barrister.

The comparator that is used for Tribunal (Non-Legal) positions is a weighted combination of Medical Professionals based on SOC 2211 (medical practitioners) aged 25-69 from 2011 Census and the economically active population aged 25-69 from 2011 Census. This comparator is used as it is not necessary to hold a legal qualification to hold a Tribunal (Non-Legal) position. These are generally lay positions; however, for some Tribunal (Non-Legal) positions medical or other qualifications are desired. In saying that, there is no set qualifying criteria for many Tribunal (Non-Legal) positions and therefore Census data is used for comparative purposes.

Table 3.16 details the gender composition of the Northern Ireland Judiciary during the period 2007-2014.

Table 3.16 – Overall Composition (%) of Public Judicial Posts in

Northern Ireland for Males and Females, 2007-2014

Judiciary	Male	Female
2007	56%	44%
2008	56%	44%
2009	55%	45%
2010	57%	44%
2011	57%	43%
2012	57%	44%
2013	57%	43%
2014	57%	43%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

Base: (2007) 675, (2008) 794, (2009) 762, (2010) 671, (2011) 675, (2012) 673, (2013) 661, (2014) 690

Table 3.16 shows that women were underrepresented in Judicial Office positions for every year during the reporting period when compared to the 2011 Census. It also shows that the level of female representation in Judicial Office positions has generally remained consistent during the period 2007-2014 at between 43%-45%. However, it has decreased from a peak of 45% in 2009 to 43% in 2014. For all the years in the reporting period the representation of women in Judicial Office positions is at least 6 percentage points below the 2011 Census figure of 51%. Therefore, this indicates an historic and on-going trend of underrepresentation of women in these roles. The underrepresentation of women in Judicial Office positions may therefore be considered a key inequality in participation in public life.

Table 3.17 details the gender composition of the Judicial Office Court positions in the Northern Ireland Judiciary during the period 2007-2014.

Table 3.17 – Percentage of Male and Female Judicial Office Court Positions, 2007-2014

Courts	Male (Courts and Tribunals Legal Comparator)		Female (Courts/Tribunals Legal Comparator)	
	Male	Female	Male	Female
2007	79%	66%	21%	34%
2008	79%	66%	21%	34%
2009	78%	66%	22%	34%
2010	75%	63%	25%	38%
2011	75%	63%	25%	38%
2012	78%	63%	23%	38%
2013	78%	63%	22%	38%

2014	78%	61%	23%	39%
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Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

Base: (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176

Table 3.17 demonstrates that women were underrepresented in Judicial Office Court positions for every year during the reporting period when compared to the 2011 Census figure. Although there has been a marginal increase in terms of representation in these positions since 2007, this is still considerably below the population estimate for women in the 2011 Census. This therefore indicates that there has a persistent trend of underrepresentation of women in Judicial Office Court positions.

It also demonstrates that women are also underrepresented for every year when compared to the relevant comparator. It also must be noted that the level of representation within the comparator definition has increased by 5 percentage points during the reporting period while the level of representation of women in Judicial Office Court positions has only increased by two percentage points. This therefore indicates that there has been an on-going trend of underrepresentation of women who have the relevant qualifications and experience in Judicial Office Court positions. This demonstrates that women are underrepresented in Judicial Office Court positions in relation to their general population as well as being underrepresented even when only those men and women with relevant qualifications and experience are examined. The underrepresentation of women in Judicial Office Court positions may therefore be considered a key inequality in participation in public life.

Table 3.18 details the gender composition of the Judicial Office Tribunal (Legal) positions in the Northern Ireland Judiciary during the period 2007-2014.

Table 3.18 – Percentage of Male and Female Judicial Office Tribunal (Legal) Positions, 2007-2014

Tribunals (Legal)	Male	Male (Courts/ Tribunals Legal Comparator)		Female (Courts/Tribunals Legal Comparator)	
		Male	Female	Male	Female
2007	54%	66%	46%	34%	34%
2008	54%	66%	46%	34%	34%
2009	54%	66%	46%	34%	34%
2010	56%	63%	44%	38%	38%
2011	59%	63%	41%	38%	38%
2012	58%	63%	42%	38%	38%
2013	58%	63%	42%	38%	38%
2014	58%	61%	42%	39%	39%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

Base: (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176

Table 3.18 demonstrates that women were underrepresented in Judicial Office Tribunal (Legal) positions for every year during the reporting period when compared to the 2011 Census. In addition, it also indicates that the level of representation of women in these positions has decreased since 2009. However, Table 3.18 also indicates that the level of representation for women in Judicial Office Tribunal (Legal) positions is around 20% higher than in Judicial Office Court positions included in Table 3.17. Therefore, this indicates that there has a continuing trend of underrepresentation of women in Judicial Office Court positions. The underrepresentation of women in Judicial Office Tribunal (Legal) positions may therefore be considered a key inequality in participation in public life.

In contrast to 2011 Census data, the relevant comparators in Table 3.18 actually demonstrate that women were overrepresented for every year in terms of Judicial Office Tribunal (Legal) positions during the reporting period, while men in fact are underrepresented according to their relevant comparator. This demonstrates that women are overrepresented in these positions even when only those men and women with relevant qualifications and experience are examined.

Table 3.19 details the gender composition of the Judicial Office Tribunal (Non-Legal) positions in the Northern Ireland Judiciary during the period 2011-2014. Please note that the Northern Ireland Equity report only provides figures during the period 2011 – 2014 for Judicial Office Tribunal (Non-Legal) positions.

Table 3.19 – Percentage of Male and Female Judicial Office Holders in Tribunal (Non-Legal) Positions, 2011-2014

Tribunals (Non-Legal)	Male	Male (Tribunals Non-Legal Comparator)	Female	Female (Tribunals Non-Legal Comparator)
2011	55%	53%	45%	47%
2012	55%	53%	45%	47%
2013	55%	53%	45%	47%
2014	54%	53%	46%	47%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2011 - 2014

Table 3.19 demonstrates that women were underrepresented in Judicial Office Tribunal (Non - Legal) positions for every year during the reporting period when compared to the 2011 Census figure. Table 3.19 also indicates that the level of representation for women in Judicial Office Tribunal (Non - Legal) positions is around 20 percentage points higher than in Judicial Office Court positions included in Table 3.17 and slightly higher than the figures on Tribunal (Legal) in Table 3.18. In addition, it also indicates that the level of representation of women in these positions has remained at a broadly constant level since 2011. Therefore this indicates that that there has been an enduring trend of underrepresentation of women in Judicial Office Tribunal (Non-Legal) positions.

Table 3.19 also demonstrates that women were marginally underrepresented for every year in terms of Judicial Office Tribunal (Non-Legal) positions during the

reporting period according to their relevant comparator. This demonstrates that women are marginally underrepresented in these positions even when only those men and women with relevant qualifications and experience are examined. The underrepresentation of women in Judicial Office Tribunal (Non-Legal) positions may therefore be considered a persistent key inequality in participation in public life.

Table 3.20 details the gender composition of the Judicial Office Tribunal Lay Magistrate positions in the Northern Ireland Judiciary during the period 2007-2014. The comparator that is used for Table 3.20 is the gender breakdown of the Northern Ireland population provided by the 2011 Census.

Table 3.20 – Percentage of Male and Female Judicial Office Holders in Lay Magistrate Positions, 2007-2014

Lay Magistrates¹⁴⁶	Male	Female
2007	46%	54%
2008	47%	53%
2009	45%	55%
2010	47%	53%
2011	46%	54%
2012	45%	55%
2013	43%	57%
2014	43%	57%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007- 2014

(2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176

Table 3.20 demonstrates that women were marginally overrepresented for every year in Judicial Office Lay Magistrate positions for every year during the reporting period when compared to the 2011 Census, with men being underrepresented for every year in Lay Magistrates positions during the reporting period. Table 3.20 also indicates that the level of representation for women in Lay Magistrate positions is around 10 percentage points higher than in Judicial Office Tribunal (Legal and Non-Legal) positions included in Tables 3.17 and 3.18, as well as over 30 percentage points higher than the figures on Judicial Office Court positions in Table 3.16. In addition, it also indicates that the level of representation of women in these positions has incrementally increased since 2007.

Table 3.21 presents the figures for the gender composition of the Judiciary by the eight Judicial groupings during the period 2007 – 2014.

¹⁴⁶ For the purposes of analysing Lay Magistrates, as it is a role that does not require specific legal or medical qualifications etc, the Census 2011 has been used as a comparator

Table 3.21 – Overall composition of the Judiciary by the Eight Judicial groupings

Year	Section 75 Ground	Group 1		Group 2		Group 3		Group 4		Group 5		Group 6		Group 7		Group 8		Total	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2007	Male	16	100%	41	79%	26	77%	13	65%	16	47%	107	52%	40	65%	116	46%	375	56%
	Female	0	0	11	21%	8	24%	7	35%	18	53%	98	48%	22	36%	136	54%	300	44%
2008	Male	16	100%	42	79%	31	78%	13	65%	14	44%	97	50%	114	59%	115	47%	442	56%
	Female	0	0	11	21%	9	23%	7	35%	18	56%	96	50%	81	42%	130	53%	352	44%
2009	Male	15	100%	37	79%	31	78%	13	62%	14	45%	91	50%	115	59%	104	45%	420	55%
	Female	0	0	10	21%	9	23%	8	38%	17	55%	92	50%	81	41%	125	55%	342	45%
2010	Male	14	100%	36	77%	30	77%	15	56%	14	48%	90	49%	76	70%	104	47%	379	57%
	Female	0	0	11	23%	9	23%	12	44%	15	52%	93	51%	33	30%	119	53%	292	44%
2011	Male	13	100%	38	78%	31	76%	15	56%	13	46%	87	49%	94	69%	93	46%	384	57%
	Female	0	0	11	22%	10	24%	12	44%	15	54%	91	51%	42	31%	110	54%	291	43%
2012	Male	12	100%	50	83%	31	76%	14	56%	13	48%	86	48%	91	68%	88	45%	385	57%
	Female	0	0	10	17%	10	24%	11	44%	14	52%	94	52%	42	32%	107	55%	288	43%
2013	Male	14	100%	47	83%	31	78%	14	56%	11	46%	88	48%	94	70%	78	43%	377	57%
	Female	0	0	10	18%	9	23%	11	44%	13	54%	95	52%	41	30%	105	57%	284	43%
2014	Male	15	100%	46	82%	34	76%	15	58%	10	44%	105	48%	92	70%	76	43%	393	57%
	Female	0	0	10	18%	11	24%	11	42%	13	57%	113	52%	39	30%	100	57%	297	43%
2007 - 2014	Male	115	100%	337	80%	245	77%	112	59%	105	46%	751	49%	716	65%	774	45%	3155	56%
	Female	0	0	84	20%	75	23%	79	41%	123	54%	772	51%	381	35%	932	55%	2446	44%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 – 2014
 Base: (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 675 (2012) 673 (2013) 661 (2014) 690
 Group 1 (2007) 16 (2008) 16 (2009) 15 (2010) 14 (2011) 13 (2012) 12 (2013) 14 (2014) 15
 Group 2 (2007) 52 (2008) 53 (2009) 47 (2010) 47 (2011) 49 (2012) 60 (2013) 57(2014) 56
 Group 3 (2007) 34 (2008) 40 (2009) 40 (2010) 39(2011) 41 (2012) 41 (2013) 40 (2014) 45
 Group 4 (2007) 20 (2008) 20 (2009) 21 (2010) 27 (2011) 27 (2012) 25 (2013) 25 (2014) 26
 Group 5 (2007) 34 (2008) 32 (2009) 31 (2010) 29 (2011) 28 (2012) 27 (2013) 24 (2014) 23
 Group 6 (2007) 205 (2008) 193 (2009) 183 (2010) 183 (2011) 178 (2012) 180 (2013) 183 (2014) 218
 Group 7 (2007) 62 (2008) 195 (2009) 196 (2010) 109 (2011) 136 (2012) 133 (2013) 135 (2014) 131
 Group 8 (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176

Group 1¹⁴⁷

Group 1 contains the most senior positions in the Northern Ireland Judiciary as well as containing the smallest number of Judicial Office holders out of the 8 different categories. Table 3.21 shows that women have had no representation in the most senior positions in the Judiciary during the period 2007 – 2014. There is therefore a persistent inequality with respect to the composition of the Court of Judicature.

Group 2¹⁴⁸

The overall figure for the reporting period in Table 3.21 shows that women are significantly underrepresented in Group 2 in proportion with their stated population in the 2011 Census while men are significantly overrepresented in the same context. Table 3.21 also shows that women are significantly underrepresented in proportion to the 2011 Census figures on an annual basis throughout the reporting period while men are significantly overrepresented in the same context. Although representation levels for women increased from 21% in 2007 to 23% in 2010, there was a subsequent decrease in recent years to 18% in 2014. In contrast, representation levels for men experienced a small decrease in 2010; however, in recent years there has been a steady increase and now 82% of positions in Group 2 are held by men. Therefore, representation levels for women have declined since 2007 whereas representation for men has increased.

Group 3¹⁴⁹

Table 3.21 also shows a considerable underrepresentation of women in Group 3 in comparison to the proportion of the population in the 2011 Census while men are significantly overrepresented. Further, Table 3.21 shows that women are significantly underrepresented in proportion to the 2011 Census figures on an annual basis throughout the reporting period while men are significantly overrepresented. Representation levels have generally remained consistent for both men and women throughout the reporting period and representation for women is at the same level in 2014 as it was in 2007 while men's representation has decreased by 1%.

Group 4¹⁵⁰

Again, Table 3.21 shows that women are underrepresented in Group 4 in proportion with their stated population in the 2011 Census while men are overrepresented. Although representation levels for women increased to 44% in 2010, remaining above 40% since that time, these representation levels are still below the figure stated in the 2011 Census. Therefore, women are still unrepresented in these positions. Similarly although men's representation levels in Group 4 decreased in 2010 and remained at 56% for the remaining years with the exception of a small increase in 2014, they are still overrepresented in these positions in proportion with 2011 Census figure.

¹⁴⁷ Court of Judicature - Lord Chief Justice, Lord Justices of Appeal, High Court Judges & Temporary judges of High Court

¹⁴⁸ County Court judges; deputy County Court judges; Chief Social Security Commissioner; Social Security Commissioner & deputies

¹⁴⁹ Resident magistrates & deputies

¹⁵⁰ District Judges & deputies; Masters; Coroners

Group 5¹⁵¹

Table 3.21 shows that in contrast to other Judicial Appointments, with the exception of Group 8, women are slightly overrepresented in Group 5 in proportion with their stated population in the 2011 Census while men are slightly underrepresented. Further, Table 3.32 also shows a similar pattern of representation of men and women on an annual basis throughout the reporting period. Representation levels for men and women have fluctuated throughout the reporting period, although there has been an increase in women's representation since 2012 to its current peak of 57% in 2014. In contrast representation levels for men have decreased in the same period.

Group 6¹⁵²

In terms of Group 6, Table 3.21 shows that women and men are broadly represented in proportion to the 2011 Census figures. This is particularly the case when examining the annual figures, especially from 2010 onwards where the figures generally reflect the gender composition of the population as stated in the 2011 Census. It must be acknowledged that representation levels for Group 6 for men and women were the most proportionate to the 2011 Census figures in terms of all the Judicial groupings.

Group 7¹⁵³

The pattern of underrepresentation of women can again be seen for Group 7. Table 3.21 shows that the overall figure for women is considerably below the stated population in the 2011 Census while men are overrepresented throughout the reporting period. Again, the pattern of underrepresentation of women is clear when looking at the annual figures. In terms of trends over the reporting period 2007 – 2014, Table 3.21 shows that representation levels for women initially increased during 2007 – 2009 then subsequently decreased from 41% to 30% in 2010 and remained around that level until 2014.

Group 8¹⁵⁴

The overall figures for Group 8 between 2007 and 2014 illustrated in Table 3.21 show that women are very slightly overrepresented when compared to the proportion of the population. This is also true for the annual figures, although there are some fluctuations between years where the level of representation is closer to the proportion of the population stated in the 2011 Census. It was possible to identify trends in the data with representation levels for men and women initially fluctuating between 2007 and 2010 with a subsequent increase in women's representation to levels in 2014 that are which peaked at 57%. In contrast, representation levels for men have decreased by similar during the same period.

¹⁵¹ Industrial Tribunals & Fair Employment Tribunal (President, Vice President, Full & Part Time Chairmen)

¹⁵² Appeals Tribunals (President, FT Legal Member; PT Legal, Medical, Financial, Experienced Members)

¹⁵³ Care Tribunal; Lands Tribunal – President & Member; Mental Health Review Tribunal; National Security Certificates Appeal Tribunal; Reinstatement Committee, Reserve Forces Act; Special Educational Needs Tribunal; Pensions Appeal Tribunal; VAT Tribunal

¹⁵⁴ Lay magistrates

Overall Judiciary

The analysis above demonstrates that women are significantly underrepresented in senior positions in the Judiciary. In particular, representation levels for women in Judicature positions are particularly low and most notably women had no representation in terms of the positions of Lord Chief Justice, Lord Justices of Appeal, High Court Judges and Temporary Judges of High Court. While women are still underrepresented as District Judges and Deputies, Masters and Coroners, they do have greater representation than in more senior court positions. Representation levels for women are higher in less senior Judicial positions. In particular, women have higher representation levels than men in Industrial and Fair Employment Tribunals as well as in Lay Magistrate positions.

Therefore, the analysis from Table 3.21 indicates that there is a persistent trend of underrepresentation of women in the Judiciary overall and in particular a significant underrepresentation in senior Judicial positions. The underrepresentation of women in the Judiciary may therefore be considered a key inequality in participation in public life.

Applicants

Table 3.22 shows the gender composition of Annual Applicants for Judicial Appointments Combined Courts and Tribunals, which is subsequently broken down by Courts (Table 3.23) and Tribunal (3.24) positions. These tables provide figures for the gender composition of those individuals who applied for a Judicial Court or Tribunal appointment between 2006/2007 and 2013/2014. It must be noted that the 2014 annual report only provides figures for the total applicants for Judicial appointments and does not include separate figures for the applicants to Judicial Court appointments or Judicial Tribunal appointments. Therefore the figures for applicants for Judicial appointment in 2014 are only included in the combined figures for Judicial Court and Tribunal applicants for appointment and not in the disaggregated figures in Tables 3.23 and 3.24.

Furthermore, due to the absence of separate figures displaying the gender composition of those recommended for a Judicial Court or Tribunal appointment, it is not possible to compare Judicial Court applicants or Judicial Tribunal applicants separately against those who were recommended for appointment.

Table 3.22 – Gender Composition of Annual Applicants for Judicial Appointments Combined Courts and Tribunals

	Male		Female	
	N	%	N	%
2006/2007	146	60%	99	40%
2007/2008	46	70%	20	30%
2008/2009	112	64%	63	36%
2009/2010	73	60%	49	40%
2010/2011	169	64%	96	36%
2011/2012	135	64%	74	36%

2012/2013	91	59%	63	41%
2013/2014	213	61%	138	39%
2007-2014	985	62%	602?	38%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial appointments Combined (Courts/Tribunals): (2007), 245 (2008), 66 (2009), 167 (2010), 122 (2011), 265 (2012), 209 and (2013), 154.

The figures in Table 3.22 show during the period 2007-2014, that overall women are underrepresented in terms of applicants for Judicial appointments in proportion to the 2011 Census figure. Table 3.22 also demonstrates that the representation of women as applicants for Judicial appointments has fluctuated during the period 2007-2014 but have largely remained around 40%, although the figures for all the years of the reporting period are still considerably less than the female population as stated in the 2011 Census. This would suggest that there has been a prevailing trend of underrepresentation of women in terms of applicants for Judicial appointments. This may therefore be considered a key inequality in participation in public life.

The figures for the gender composition of annual applicants for Judicial appointments (Court) are provided in Table 3.23.

Table 3.23 – Gender Composition of Annual Applicants for Judicial Appointments (Court)

	Male		Female	
	N	%	N	%
2006/2007	30	71%	12	29%
2007/2008	39	74%	14	26%
2008/2009	35	71%	14	29%
2009/2010	41	58%	30	42%
2010/2011	98	66%	50	34%
2011/2012	56	59%	39	41%
2012/2013	54	56%	43	44%
2007-2013	353	64%	202	36%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial Appointments (Courts): (2007), 42 (2008), 53 (2009), 49 (2010), 71 (2011), 148 (2012), 95 (2013), 97.

The overall figures in Table 3.23 show during the period 2007-2013 that women are underrepresented in terms of applicants for Judicial Court appointments in proportion to the 2011 Census figure. Table 3.23 also demonstrates that the representation of women as applicants for Judicial Court appointments has broadly increased during the period 2007-2013, although the figures are still considerably less than the female population as stated in the 2011 Census. This would suggest that there has been a persistent trend of underrepresentation of women in terms of

applicants for Judicial Court appointments. This may therefore be considered a persistent key inequality in participation in public life.

The figures for the gender composition of annual applicants for Judicial appointments (Tribunal) are provided in Table 3.24.

Table 3.24 – Gender Composition of Annual Applicants for Judicial Appointments (Tribunals)

	Male		Female	
	N	%	N	%
2006/2007	116	57%	87	43%
2007/2008	7	54%	6	46%
2008/2009	77	61%	49	39%
2009/2010	32	63%	19	37%
2010/2011	71	61%	46	39%
2011/2012	79	69%	35	31%
2012/2013	37	65%	20	35%
2007-2013	419	62%	262	38%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial Appointments (Tribunals): (2007), 203 (2008), 13 (2009), 126 (2010), 51 (2011), 117 (2012), 114 and (2013), 57.

The figures in Table 3.24 show that overall women are underrepresented in terms of applicants for Judicial Tribunal appointments in proportion to the 2011 Census figure, for the period 2007-2013. Table 3.24 also demonstrates that the representation of women as applicants for Judicial Tribunal appointments has decreased during the period 2007-2013 and is considerably less than the female population as stated in the 2011 Census. This would suggest that there has been a persistent underrepresentation of women in terms of applicants for Judicial Tribunal appointments. This may therefore be considered a key inequality in participation in public life. However, due to the low numbers of applicants for Judicial Tribunal appointments on an annual basis, it is difficult to draw any definitive conclusions from the figures in Table 3.24.

The NISRA Equity Monitoring reports also provided figures on the percentage of applicants to Courts and Tribunals (Legal) as well as Tribunals (Non-Legal). The figures for the gender breakdown for applicants to Judicial Office Court positions are included in Table 3.25 below.

Table 3.25 – Gender Composition of Annual Applicants for Judicial Office Courts Positions

Courts	Male	Male (Comparator)	Female	Female (Comparator)
2007	70%	66%	30%	34%
2008	74%	66%	26%	34%
2009	67%	66%	33%	35%
2010	61%	63%	39%	37%
2011	66%	65%	34%	35%
2012	56%	65%	44%	35%
2013	58%	65%	43%	35%
2014	63%	61%	37%	39%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007- 2014¹⁵⁵

The figures in Table 3.25 indicate that between 2007 and 2014 women are underrepresented in terms of applications for Judicial Office Court positions when compared to the 2011 Census. With the exception of 2010, 2012, and 2013 women are also underrepresented when compared to the comparator figure of women as legal professionals with the required qualifying criteria of seven years post qualifying experience as a barrister. While there are annual fluctuations in the level of representation of women, which in some years is above the comparator figures, there is a persistent trend of underrepresentation of women when compared to the 2011 Census. There is therefore a key inequality in participation in public life in relation to annual applications for Judicial Office Court positions.

The figures for the gender breakdown for applicants to Judicial Office Tribunals (Legal) positions are included in Table 3.26 below.

¹⁵⁵ The 2014 report did not provide figures for applicants to Tribunal (Legal) Positions

Table 3.26 – Gender Composition of Annual Applicants for Judicial Office Tribunal (Legal) Positions

Tribunal (Legal)	Male	Male (Comparator)	Female	Female (Comparator)
2007	66%	66%	34%	34%
2008	54%	66%	46%	34%
2009	65%	66%	35%	34%
2010	40%	63%	60%	38%
2011	67%	63%	33%	38%
2012	52%	63%	48%	38%
2013	56%	63%	44%	38%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007- 2014¹⁵⁶

The figures in Table 3.26 show that women were underrepresented in Judicial Office Tribunal (Legal) applicants in every year of the reporting period with the exception of 2010 when compared to the population as stated by the 2011 Census. However, in terms of the comparator figures, women are actually overrepresented as applicants excluding the years 2007 in which the figure was proportionate to the comparator, and 2011 in which it was below the comparator. The figures also demonstrate that generally female representation in terms of applicants excluding 2010 has fluctuated between 33% and 48%. Therefore, as these figures are below the 2011 Census figure this would suggest that there has been an on-going trend of underrepresentation of women in terms of being applicants for Judicial Office Tribunal (Legal) positions. This may therefore be considered a key inequality in participation in public life.

The figures for the gender breakdown for applicants to Judicial Office Tribunal (Non-Legal) positions are included in the Table 3.27 below.

¹⁵⁶ The 2014 report did not provide figures for applicants to Tribunal (Legal) Positions

Table 3.27 – Gender Composition of Annual Applicants for Judicial Office Tribunal (Non-Legal) Positions

Tribunal (Non-Legal)	Male	Male (Comparator)	Female	Female (Comparator)
2007	71%	74%	29%	26%
2008 ¹⁵⁷	-	69%	-	31%
2009	76%	57%	24%	43%
2010	55%	57%	45%	43%
2011	59%	57%	42%	43%
2012	61%	53%	39%	47%
2013	89%	53%	11%	47%
2014	52%	53%	48%	47%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

The figures in Table 3.27 show that women were underrepresented as Judicial Office Tribunal (Non-Legal) applicants in every year of the reporting period when compared to the population as stated by the 2011 Census. Similarly to the comparator figures with the exception of the years 2010 and 2014. The representation levels for women also fluctuated during the reporting period. The representation levels initially experienced an increase until 2010; however, there was then a subsequent decrease in the representation of women in the intervening years until 2014 when in fact it experienced a sharp increase to the highest levels during the reporting period. However, women are still underrepresented in these appointments when compared to the 2011 Census and this would suggest that there has been continuing trend of underrepresentation of women in terms of applicants to Judicial Office Tribunal (Non-Legal) positions. This may therefore be considered a key inequality in participation in public life.

Appointments

The NISRA Equity Monitoring reports also provided figures on the percentage of appointments to Courts and Tribunals (Legal) as well as Tribunals (Non-Legal) and Lay Magistrates. The Equity Monitoring reports do not provide separate figures for appointments to Judicial Office Court and Tribunal (Legal) appointments. They also do not provide combined figures for Court and Tribunal applicants and therefore the appointment and applicant figures cannot be compared. The figures for the gender breakdown for appointments to Judicial Office Court and Tribunal (Legal) positions are included in the Table 3.28 below.

Table 3.28 – Gender Composition of Annual Appointments for Judicial Office Courts and Tribunal (Legal) Positions

Courts and	Male	Male	Female	Female
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¹⁵⁷ No recruitment schemes for non-legal members of Tribunals were run during the time period covered by the 2008 report

Tribunal (Legal)	(Comparator)		(Comparator)	
2007	76%	66%	24%	34%
2008	78%	66%	22%	34%
2009	50%	66%	50%	34%
2010	33%	63%	67%	38%
2011	73%	63%	27%	38%
2012	83%	63%	17%	38%
2013	86%	63%	14%	38%
2014	86%	69%	14%	31%

Source: NISRA, "The Judiciary in Northern Ireland 2014", Equity Monitoring Reports 2007 – 2014

The figures in Table 3.28 show that women were underrepresented in Judicial Office Court and Tribunal (Legal) appointments in every year of the reporting period with the exception of 2009 and 2010 when compared to the population as stated by the 2011 Census and similarly to the comparator figures. The figures also demonstrate that generally female representation in these appointments excluding 2009 and 2010 have remained around one fifth of appointments. This would suggest that there has been a continuing trend of underrepresentation of women in terms of being appointed to Judicial Office Court or Tribunal (Legal) positions. This may therefore be considered a key inequality in participation in public life. Although due to the low numbers of Recommendations for Judicial Appointment being made on an annual basis, it is difficult to draw any definitive conclusions from the figures in Table 3.28.

The figures for the gender breakdown for appointments to Judicial Office Tribunal (Non-Legal) positions are included in the Table 3.29 below.

Table 3.29 – Gender Composition of Annual Appointments for Judicial Office Tribunal (Non-Legal) Positions

Tribunal (Non-Legal)	Male	Male (Comparator)	Female	Female (Comparator)
2007	77%	74%	23%	26%
2008* ¹⁵⁸	-	69%	-	31%
2009	83%	57%	17%	43%
2010	69%	57%	31%	43%
2011	55%	57%	46%	43%
2012	57%	53%	43%	47%
2013	86%	53%	14%	47%
2014	50%	53%	50%	47%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2010 - 2014

The figures in Table 3.29 show that women were underrepresented in Judicial Office Tribunal (Non-Legal) appointments in every year of the reporting period when compared to the population as stated by the 2011 Census and similarly to the comparator figures with the exception of 2011. However, the figures also show that in recent years, female representation in these appointments have broadly increased as well as the female comparator figures, although it remains to be seen if this trend will continue considering the low percentage figure for female appointments in 2013. Overall this is a key inequality in participation in public life, although due to the low numbers of Judicial Office Tribunal (Non-Legal) appointments being made on an annual basis it is difficult to draw any definitive conclusions from the figures in Table 3.29.

In terms of comparing appointment (Table 3.29) and applicant (Table 3.27) figures in relation to Tribunals (Non-Legal), the figures show that from 2007-2010 that proportionately women were underrepresented in appointments when compared to the number of applicants who were women. However, from 2011 the reverse is true and women are now overrepresented in these appointments when compared to the number of applicants who were women.

Recommendations and Renewals for Appointment

Table 3.30 below provides combined figures for the gender composition of those individuals who have been recommended for Judicial appointment and renewal between 2006/2007 and 2013/2014. This is subsequently disaggregated for recommendations for Judicial appointment in Table 3.31 and recommendation for renewals of Judicial appointments in Table 3.32.

Table 3.30 – Gender Composition of Annual Recommendations for Judicial Appointment and Renewal of Judicial Appointments Combined

¹⁵⁸ No recruitment schemes for non-legal members of Tribunals were run during the time period covered by the 2008 report

	Male		Female	
	N	%	N	%
2006/2007	108	59%	74	41%
2007/2008	35	71%	14	29%
2008/2009	45	79%	12	21%
2009/2010	192	48%	208	52%
2010/2011	18	51%	17	49%
2011/2012	63	73%	23	27%
2012/2013	57	72%	22	28%
2013/2014	60	65%	32	34%
2007-2014	578	59%	402	41%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment and Renewal of Appointment: (2007), 182 (2008), 49 (2009), 57 (2010), 400 (2011), 35 (2012), 86 (2013), 79 and (2014), 92.

The figures in Table 3.30 show that 41% of those people who were recommended for renewal of a Judicial appointment during the period 2006/2007 – 2013/2014 were women. However, the figures presented in Table 3.30 are still considerably less than the female population as stated in the 2011 Census. This would suggest that there has been an enduring trend of underrepresentation of women in terms of being recommended for Judicial appointment or renewal. This may therefore be considered a key inequality in participation in public life. Although due to the low numbers of recommendations for Renewal of Judicial Appointment being made on an annual basis, it is difficult to draw any definitive conclusions from the figures in Table 3.30.

Table 3.31 below provides the gender of those persons who have been recommended for Judicial appointment between 2006/2007 and 2013/2014. The NIJAC annual reports do not provide separate gender figures for Recommendations for Judicial Court appointments or Judicial Tribunal appointments and therefore they are not included in this meta-analysis.

Table 3.31 – Gender Composition of Annual Recommendations for Judicial Appointment

	Male		Female	
	N	%	N	%
2006/2007	88	58%	63	42%
2007/2008	9	82%	2	18%
2008/2009	18	72%	7	28%
2009/2010	12	48%	13	52%
2010/2011	11	69%	5	31%
2011/2012	24	75%	8	25%
2012/2013	19	83%	4	17%
2013/2014	34	57%	26	43%
2007-2014	215	63%	128	37%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment: (2007), 151 (2008), 11 (2009), 25 (2010), 25 (2011), 16 (2012), 32 (2013), 23 and (2014), 60.

The overall figures in Table 3.31 show that women are slightly less (-1 percentage point) represented in terms of applicants for Judicial Court appointments (Table 3.21) than those recommended for all Judicial appointments, during the period 2006/2007-2013/2014. While they are more represented (2 percentage points in both cases) as applicants for Judicial Tribunal appointments and the applicants for combined appointments in the same context. Therefore the percentage differences are not substantial enough to draw any definitive conclusions. The figures in Table 3.31 show that overall only 37% of those people who were recommended for Judicial appointment since 2006/2007 were women, lower than the 2011 Census figure. This indicates that there is a persistent key inequality in terms of annual recommendations for Judicial appointment.

Table 3.32 below provides figures for the gender composition of those individuals who have been recommended for Renewal of Judicial Appointment between 2006/2007 and 2013/2014.

Table 3.32 – Gender Composition of Annual Recommendations for Renewal of Judicial Appointment

	Male		Female	
	N	%	N	%
2006/2007	20	65%	11	35%
2007/2008	26	68%	12	32%
2008/2009	27	84%	5	16%
2009/2010	180	48%	195	52%
2010/2011	7	37%	12	63%
2011/2012	39	72%	15	28%
2012/2013	38	68%	18	32%
2013/2014	26	81%	6	19%
2007-2014	363	57%	274	43%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Renewal of Appointment: (2007), 31 (2008), 38 (2009), 32 (2010), 375 (2011), 19 (2012), 54 (2013), 56 and (2014), 32.

The figures in Table 3.32 show that overall 43% of those who were recommended for renewal of a Judicial appointment during the period 2007 - 2014 were women. This is higher than the representation levels in Table 3.26; however, this is still considerably less than the female population as stated in the 2011 Census. This would suggest that there has been a prevailing trend of underrepresentation of women in terms of being recommended for renewal of a Judicial appointment. This may therefore be considered a key inequality in participation in public life.

Success Rates

The success rate for the gender breakdown of applicants for Judicial appointment is detailed in Table 3.33.

The success rate is a calculation of the likelihood of any one applicant belonging to a specific group being appointed. Where these proportions are broadly similar this would indicate that applicants stand a relatively equal chance of being appointed regardless of their gender. Where these proportions are dissimilar then that would indicate that male and female applicants stand an unequal chance of being appointed, favouring candidates from the group where there is a higher ratio.

Table 3.33 – Success Rate of Gender Composition of Applicants for Judicial Appointments Combined Courts and Tribunals

	Applicants		Appointments		Success Rate	Applicants		Appointments		Success Rate
	Male		Male		Male	Female		Female		Female
	N	%	N	%	Ratio	N	%	N	%	Ratio
2006/07	146	60%	88	58%	0.60	99	40%	63	42%	0.64
2007/08	46	70%	9	82%	0.20	20	30%	2	18%	0.10
2008/09	112	64%	18	72%	0.16	63	36%	7	28%	0.11
2009/10	73	60%	12	48%	0.16	49	40%	13	52%	0.27
2010/11	169	64%	11	69%	0.07	96	36%	5	31%	0.05
2011/12	135	64%	24	75%	0.18	74	36%	8	25%	0.11
2012/13	91	59%	19	83%	0.21	63	41%	4	17%	0.06
2013/14	213	61%	34	57%	0.16	138	39%	26	43%	0.19
2006/07-2013/14	985	62%	215	63%	0.22	602	38%	128	37%	0.22

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment: (2007), 151 (2008), 11 (2009), 25 (2010), 25 (2011), 16 (2012), 32 (2013), 23 and (2014), 60.

Base Annual Applicants for Judicial Appointments: (2007), 245 (2008), 66 (2009), 167 (2010), 122 (2011), 265 (2012), 209 (2013), 154 and (2014), 351.

The figures detailed in Table 3.33 demonstrate that although there were differences in individual years, male and female applicants for Judicial appointments had an equal success rate of around a 1 in 5 chance (represented as 0.22) of being appointed. With this in mind it is not possible to say that women face persistent inequalities in the applicant and appointment process as each candidate who is a woman stands the same chance of appointment as a candidate who is a man at the overall level. Rather, the data would suggest that the inequality exists prior to the applicant stage and if the proportion of applicants who are women were to increase it is likely that this would be reflected in appointments.

3.4 Depth Interviews

A series of 13 depth interviews were conducted with a range of participants across the nine Section 75 grounds. There were a total of 7 female interviewees and 6 male interviewees. It should also be noted that 2 of the interviewees were Transgender persons.

Identity

Most participants when first asked how they identify themselves, did not refer to their gender as either a male or female, but instead talked about their interests outside of their participation in public life, as the basis of their identity. Of the 6 male respondents not one indicated that they felt underrepresented on the basis of their gender. Of the 7 female interview participants over half did not feel that they were necessarily underrepresented until prompted. In saying that, two respondents

did identify that women are underrepresented and went on to discuss at length the fact they were often the only woman in the room at most meetings.

“When I look around me in [meetings] I see very few female faces and when you go to meetings with [others in the public authority] you often find you are the only woman in the room.” (Interviewee K)

Another participant on the same topic noted that;

“It is so bad that at some meetings one or two of the men thought I was there to take notes and make the tea. They were a bit better when they found out [who I was] and I gave as good as I got, but it’s almost like you have to prove yourself.” (Interviewee P)

This went to an even more fundamental level for those participants who identified themselves as transgender. One transgender participant, who would not define themselves as either male or female, indicated that they felt their gender identity as a transgender person is often ignored and they are viewed only as either a male or female.

“I wanted to use the toilet on the floor we were on, so I just went in there as it was the closest one ... I was told later that I would have to use the men’s toilet which was on a different floor and a long way from where we were. I don’t understand what the problem is; I just wanted to use the bathroom and went to the nearest one. People don’t really understand transgender issues...” (Interviewee I)

Although there was some sense from the interview participants that their gender and/or gender identity could be viewed as a potential barrier to participation in public life, for most participants they indicated that they would not allow this to be used in such a way and that they were determined to participate and be successful. Overall then, female participants recognised that women are underrepresented in public life and they belong to this underrepresented group. However, most female participants indicated that in many ways they did not feel underrepresented despite the challenges they faced.

Experiences of participating in public life

Most interview participants have been participating in two or more ways in public life and this was across a range of different areas of participating in public life. In general, interview participants were encouraged to participate in public life by family, friends or members of their community. Most participants could not put their participation down to one single event, but rather a desire to give something back to the community. Most participants felt that their participation in public life had increased over time and in the main this was put down to increasing experience of participation.

In general, most participants described their participation in public life as a positive experience even when faced with some of the issues described previously and consequently did not report encountering many barriers to participating in public life specific to their gender. In saying that, one participant did note that women are more likely to face public scrutiny of their appearance because they are women.

“Because of the profile of [my current role] I have been on TV and radio a lot. I was on [a radio show] recently and I had one woman call in and say ‘I saw you on the TV the other day and I loved what you were wearing, can I ask where you got that dress?’ I mean that just would not happen to a man.” (Interviewee K)

While this sentiment was only expressed by one participant, there was definitely a sense with some of the other female interview participants that appearance played a key role in how seriously they were taken by others and men in particular.

Although most participants did not have caring responsibilities for young children, there was generally a sense that women carry the burden of responsibility for child caring and also other domestic activities. Therefore access to affordable childcare was viewed as important to enabling women to participate in public life, however, the time when many public bodies, institutions, and organisations makes it difficult to gain access to childcare.

“It is difficult for women to [participate in public life]. Women often carry the burden of responsibility for childcare but our [public bodies] meets in the evening and nursery care is not available then so how are women supposed to [participate in public life]?” (Interviewee K)

While access to affordable childcare applies to those with dependent status, interview participants viewed this as a potential barrier which is more likely to affect women than men due to the division of caring responsibilities.

Another issue which was viewed as potentially putting women off participating in public life was a lack of confidence or low self-esteem. This was not something that female interview participants felt had affected them, but there was an acknowledgement that this could act as a barrier for some women and that it was more likely to affect women than men.

“I know lots of good women who would make wonderful [representatives on the boards of public bodies], and yet they don’t come forward. I think it is probably something to do with self-confidence. I don’t think men stop and think if they can do something, they just look at it and say I can do that and then off they go. A woman has to be sure before they go for something.” (Interviewee S)

In general, most participants recognised that women are underrepresented in public life but this was felt to be generally improving and that increasingly women were accepted. In saying that, participants did acknowledge that there were issues, such as childcare and domestic responsibilities, which were felt to be more likely to affect women than men.

Thoughts for future directions

Most of the discussion on thoughts for future directions revolved around what public bodies and organisations can do to reach out to traditionally underrepresented groups as well as the arguments for and against quotas for increasing the representation of women. With respect to quotas a variety of opinions were

expressed both for and against the concept as a principle. In the main, interview participants were not in favour of quotas and preferred that people were appointed to boards or were elected to positions on the basis of the merit principle. In saying that, one participant did suggest that quotas were potentially necessary to start to build the pool of candidates against which the merit principle can be applied.

“Instinctively I would not be in favour of quotas for [underrepresented groups] as it really should be the best person for the job ... As things haven’t changed we probably now need quotas to get a greater pool of female candidates from which you would then apply the merit principle. You can’t tell me that we can’t get enough good women to come forward that would be capable of being [on the boards of public bodies].” (Interviewee S)

While there were mixed views for quotas, most participants felt that public bodies should do their utmost to reach out to underrepresented groups including women. A number of participants noted that for Government Public Appointments it was common practice to place in the advertisement a line about encouraging applications from women or other underrepresented groups. While this was felt to be useful in encouraging applications some participants felt that this could inadvertently make it difficult to increase the representation of women in public life.

“I was part of a [selection] process where there were two candidates fighting for one position because they felt there was the best chance of success. Both candidates for the position were women. Now if one of us had been a bit braver and went for [a different position] there would have been two women instead of only one. So, while it is good to encourage women to come forward it can have unintended consequences.” (Interviewee P)

This highlights for some participants the danger of focusing the attention of an underrepresented group on one position which can lead to sustaining their position as underrepresented as they tend to focus on one position which they feel they would have the highest chance of success whereas if there is a wider pool of applicants going forward for more positions this would maximise representation.

Overall, there was recognition that women are underrepresented and that this was partially to do with the unequal burden of childcare and other domestic responsibilities that are placed on women. While women are underrepresented there was a feeling that this was an issue more around numbers and increasingly less about the culture or environment into which women were going to participate in public life. Although no participants argued that equal representation was only a matter of time there was limited appetite for quotas and a desire that the best person would be appointed or elected.

3.5 Summary and conclusions

It was possible to identify a number of key inequalities on the basis of gender in the meta-analysis of secondary data. The data indicated that there were key inequalities for women in terms of their underrepresentation in Government Public Appointments, as Elected Representatives, and within the Northern Ireland Judiciary

(including Judicial Office positions (applicants and appointments), Judicial Office Court positions (applicants and appointments), Judicial Office Tribunal (Legal) positions (applicants and appointments), Judicial Office Tribunal (Non-Legal) positions (applicants and appointments), Judicial Tribunal positions (applicants and appointments), Recommendations for renewal of Judicial Appointments, and Recommendations for Judicial Appointments). In addition, it was also possible to identify an inequality for men in terms of their lower participation in terms Community Associations / Fora. It should be noted that this is based on one year's data, although it does provide a snapshot of representation levels of men and women in this area of participation in public life.

The literature review provided some indication of the potential reasons behind the underrepresentation of women across the areas of participation in public life included in the meta-analysis of secondary data. The literature review identified a number of barriers to participation in public life that women have commonly experienced in Northern Ireland, Ireland, the UK as well as the EU and internationally. The key barriers to participation in public life identified in the literature are include a lack of affordable childcare; a long hours culture of participating in politics; a lack of flexibility in meeting times and locations; a masculine or macho culture; problems with remuneration, and gender stereotyping (i.e. assumptions about what women can contribute).

While the research cannot directly attribute the underrepresentation of women across many areas of public life to these barriers, the literature review would suggest that it is likely they contribute in some way to the underrepresentation of women in many areas of public life. In saying that, the meta-analysis of secondary data indicates, where trend data is available, that the level of representation of women has been increasing in terms of elected representatives. Again, the literature review indicates actions that have been put in place, some of which are in Northern Ireland, which may have contributed to increasing the level of participation by women. The enablers of participation in public life identified in the literature included quotas for the representation of women (e.g. elected positions); access to affordable childcare; clear guidance for public bodies on identifying barriers and implementing positive action measures; flexible structures and working practices; holding meeting by video-conference and ensure they end by 5 p.m.; and, recruitment drives aimed at women

In order to develop greater understanding of those factors which act as barriers to increasing the participation of women in public life, as well as those factors which have contributed already to increasing the participation of women in public life, further research which specifically investigates the experiences' of men and women is required. In addition, much more data collection, monitoring and reporting is required to make it possible to determine trends in the level of representation of men and women across all areas of participation in public life.

Age

4 Age

4.1 Summary of key findings

The research found that data was publicly available for only five of the nineteen areas of public life investigated for this study with regards to age, namely: Government Public Appointments, Access to Voting System, School Board of Governors, Elected Representatives and the Judiciary.

The key findings of the analysis of data for the areas of public life cited above show there are persistent inequalities in terms of the underrepresentation of younger people, particularly for those under the age of 40 within:

- Government Public Appointments (Applicants and Appointments)
- Elected Representatives (MLAs)
- The Northern Ireland Judiciary
 - Judicial Office positions across the eight groups
 - Judicial Office Court positions (Applicants)
 - Judicial Office Tribunal Appointments Applicants
 - Judicial Office Tribunal (Legal) positions (Applicants)
 - Judicial Office Tribunal (Non-Legal) positions (Applicants and Appointments)
 - Lay Magistrate positions
 - Judicial Office Court and Tribunal (Legal) Appointments
 - Recommendations for Judicial appointment
 - Recommendations for Renewal of Judicial appointments

In relation to those aged over 40, a key inequality was the underrepresentation of those aged 41-50 within:

- Judicial Office Tribunal (Non-Legal) Applicants

There are no identified inequalities for those aged 51 and over within the areas of public life covered by the available data.

In respect to the participation of those aged 18 to 65+ years in the areas of Access to the Voting System and School Board of Governors, the data is only available on a limited basis. Therefore, this research was unable to draw reliable conclusions regarding participation for these areas of public life.

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of age are as follows:

Key Barriers

In examining barriers to participation in public life on the ground of age that it was possible to identify from the literature include:

- Lack of outreach to both younger and older people

- Time and cost commitments required, particularly for younger people
- Bureaucracy associated with participating in public life (i.e. Government Public Appointments) for younger and older people
- Lack of experience, particularly for younger people
- Lack of confidence or low self-esteem / anticipated fear or anxiety many younger and older people have of the participation process
- Lack of travel or transport for younger and older people
- Physical barriers (e.g. access to buildings, lack of a sound loop system), particularly for older people who may have age related health issues
- Domination of recruitment/selection panels by white middle aged males, which is particularly an issue for younger people
- Negative perceptions about the skills, abilities and experience of both younger and older people

Key Enablers

Enablers of participation in public life identified in the literature review include:

- Reaching out to younger and older people
- Mentoring programmes / positive role models which encourage younger people to participate
- Creating a more positive environment / culture change that is accepting of both younger and older people
- Communication that is timely and appropriate / national and local awareness campaigns which encourage both younger and older people to participate

The remainder of this section sets out firstly; the literature review of both academic and professional reports which explore the underrepresentation of persons of different age, and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons of different age. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the level of representation of age across a range of areas of participation in public life.

4.2 Literature review

The context section (Chapter 2) provided an overview of the legal and policy framework which sets out the right to equal participation in public life for all regardless of race, colour, creed, gender, age, sexual orientation or disability through the UN Declaration of Human Rights (1948)¹⁵⁹, the International Covenant On Civil and Political Rights (1976)¹⁶⁰, International Covenant on Economic, Social and Cultural Rights (1976)¹⁶¹, and the Northern Ireland Act (1998) Section 75¹⁶².

¹⁵⁹ United Nations General Assembly (1948) "Universal Declaration of Human Rights" (available at http://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf)

¹⁶⁰ United Nations General Assembly (1976) "The International Covenant On Civil and Political Rights" (available at <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>)

¹⁶¹ United Nations General Assembly (1976) "The International Covenant on Economic, Social and Cultural Rights" (available at <http://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>)

However, there is a specific legal and policy framework dedicated to the promotion of equality in participation in public life on the basis of age group.

Legal and Policy Framework

The broad legal and policy framework for equalities is explained in detail in section 2. However, there are specific legal and policy documents which impact the promotion of equality of opportunity in participation in public life. An overview of these is provided below.

Young People

United Nations Convention On The Rights Of The Child (1989) (UNCRC)

The United Nations Convention on the Rights of the Child (UNCRC)¹⁶³ is an international human rights treaty that recognises and protects the human rights of children. It was unanimously adopted by the UN General Assembly in 1989 and is the most widely ratified international human rights instrument. The UNCRC was signed by the UK in 1990, ratified in late 1991 and came into force on 15 January 1992. Participation by children in public life is covered by Article 12 of the convention which states ‘Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account’.

A Ten Year Strategy For Children And Young People In Northern Ireland 2006 - 2016

The Children and Young People Strategy¹⁶⁴ was launched by OFMDFM in 2006 and was accompanied by a 3 year action plan¹⁶⁵ in 2008. The strategy is informed and guided by the principles outlined in the UNCRC. A central theme of the strategy is the need to develop a culture where the views of young people are sought on decisions that impact them and the need for understanding and awareness of their rights as fundamental to encouraging participation. The Action Plan contains a number of actions which relate specifically to children and young people including their participation in public life. The plan specifies actions to strengthen the voice of children and young people in all relevant aspects of government and has led to the Participation Network which enables the effective engagement of young people in decision making in line with Article 12 of the convention. There have also been proposals put forward for the establishment of a Youth Assembly. OFMDFM also continue to sponsor the Northern Ireland it is to promote and safeguard the interests

¹⁶² Northern Ireland Act (1998) (available at <http://www.legislation.gov.uk/ukpga/1998/47/contents>)

¹⁶³ United Nations General Assembly (1989) Convention on the Rights of the Child (available at http://www.unicef.org.uk/Documents/Publication-pdfs/UNCRC_PRESS200910web.pdf)

¹⁶⁴ OFMDFM (2006) ‘Our Children and Young People – Our Pledge A Ten Year Strategy for Children and Young People in Northern Ireland 2006 – 2016’ (available at <http://www.ofmdfmi.gov.uk/ten-year-strategy.pdf>)

¹⁶⁵ *Ibid.*

and rights of young people and specifically in relation to participation in Public life under the commissioner's priority area of "having your say".

With respect to OFMDFM's ten year strategy for children and young people 2006-2016, participation is identified as a key issue. Specifically, the strategy sets out that it will prioritise the rights of the child to a name and identity, to be consulted and taken account of, to access to information, to freedom of speech and opinion and to challenge decisions on their behalf. In that vein, key activities such as training and consultancy to support the statutory sector in order to engage directly with children and young people, and develop and promote standards of good practice in relation to child and youth participation, are prioritised in the strategy.

In its most recent concluding observations to the UK in 2008, the UN Committee on the Rights of the Child have recommended, in accordance with Article 12, that measures are developed which are designed to promote, facilitate and implement the principle of respect for the views of the child in family, schools, and the community as well as institutions and in administrative and Judicial proceedings. The committee also recommends the development and support for children's participation in youth forums and parliaments and to continue to collaborate with civil society to increase meaningful participation.

Older People

United Nations Principles For Older Persons (1991)

To date, there is still no single international convention on the rights of elderly people and the rights of older people at an international level are mainly governed by the ICCPR (1976)¹⁶⁶ and the ICESCR (1976)¹⁶⁷. In 1991 the UN General Assembly issued the UN Principles for Older Persons¹⁶⁸; however, these principles only place states under a moral obligation rather than a legal obligation. The principles were intended to provide states with guidelines in relation to the rights and entitlements of older people. In the area of participation in public life, the principles encourage governments to include within their national programmes the principle that older persons should remain integrated in society, participate actively in the formulation and implementation of policies that directly affect their well-being and share their knowledge and skills with younger generations.

Presently, the United Nations are considering the rights of older people and have established an open ended working group on ageing and are calling on governments to ensure that older persons have access to information about their rights so as to enable them to participate fully and justly in their societies and to claim full enjoyment of all human rights.

OFMDFM's Active Ageing Strategy 2014-20

¹⁶⁶ United Nations General Assembly (1976) "The International Covenant On Civil and Political Rights" (available at <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>)

¹⁶⁷ *Ibid.*

¹⁶⁸ United Nations General Assembly (1991) "United Nations Principles for Older Persons" (available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/OlderPersons.aspx>)

Responses to the consultation on the OFMDFM's Active Ageing Strategy 2014-2020¹⁶⁹ are currently being analysed. The strategy consultation document sets out a vision that aims to transform attitudes and services for older people. It is designed to provide direction for departments to improve existing services to meet the needs of older people as well as a proposal for new signature programmes to tackle and overcome the obstacles that older people currently face. The strategic objectives are based on the United Nations Principles for Older People of independence, participation, care, self-fulfilment and dignity. In relation to supporting the Section 75 duty of promoting equality of opportunity, the strategy aims to promote the active participation of older people in all aspects of life including involvement in decision making on policies and the provision of services. Older people's interests are currently served by The Commissioner for Older People Act (Northern Ireland) 2011. The Commissioner for Older People Northern Ireland is legally obliged to have regard to the UN principles for older people and this is reflected in the Commissioner's duty under the 2011 Act to promote positive attitudes towards older persons and encourage participation by older persons in public life.

Barriers to, and enablers of, participation in public life

UNICEF¹⁷⁰ recently published a report on the participation of children and young people in the decision-making process. The report argues that the participation of children and young people in the decision-making process will lead to better decision-making, strengthen young peoples' understanding of human rights and democracy, promote social integration and cohesion in society, and encourage more young people to participate. In saying that, the report recognises a number of challenges to the participation of children and young people in the decision-making process. The report identifies that poverty, a lack of mutual respect and trust, poor education and training, a lack of direct access to institutional systems and structures within government, lack of representation, and cost, represent barriers to the participation of children and young people in the decision-making process. Consequently, the report calls for advocacy, good governance, education and information, opportunities for volunteering and concerted media campaigns to encourage the participation of children and young people in the decision-making process.

In 2014, NICCY published a report which examined the impact of young people's involvement in the development of departmental policies, strategies, legislation and services¹⁷¹. Data collection was through a series of semi-structured interviews with young people who acted as "Children's Champions" for the twelve governmental departments. Findings from the report indicated that there was a lack of systematic means within any reviewed department to record, identify and evaluate the participation undertaken by young people. Furthermore, there was a lack of an identifiable framework through which participants would receive feedback based on

¹⁶⁹ OFMDFM (2014) Active Ageing Strategy 2014-20 Consultation Document (available at <http://www.ofmdfmi.gov.uk/active-ageing-strategy-2014-2020-consultation-summary.pdf>)

¹⁷⁰ UNICEF (n.d.) *Children and young people: Participating in the decision-making process*, UNICEF; New York.

¹⁷¹ Kennan, P. (2010) 'Walking or Talking Participation', Northern Ireland Commissioner for Young People (NICCY) Belfast. <http://www.niccy.org/Publications/policyandresearchreportsandpapers/policyandresearchreportsbydate/walking-or-taking-participation>

their consultation. However, this does not mean it does not take place, merely that there is an absence of rigor in monitoring participant activity. The report also stated that evidence supporting youth engagement was limited to consultation on specific stratagems or policies and frequently involved informal listening. Longer term processes and pre-consultation exercises were observed but were primarily within specific policies, not wider departmental action. However, there was some evidence of more extensive creative partnership processes being used. For example, the Department of Agriculture and Rural Development (DARD) has developed close working relationships with organisations such as Young Farmers clubs and the Northern Irish Youth forum. This relationship has provided young people with an opportunity to feed ideas and concerns into the development of DARDs Children and Young People's Action Plan.

One of the key weaknesses identified within the report was a lack of co-ordination of and communication about engaging with young people across and within departments. The report suggested that this situation could result in valuable learning lost, work duplicated and departments providing inadequate accounts of their engagements. However, some departments did indicate that informal discussions did occur between departments. Additionally, for many departments consultation with youth groups relies upon the consultation being facilitated and appropriately reported by external organisations, irrespective of departmental representation at these consultations. This could have implications for the quality and validity of the provided data.

The report noted that OFMDFM had removed direct support for the Participation Network as of December 2012, a network which many departments identify as a means to gain guidance, and centrally coordinate consultation efforts with invested groups. This service also allowed for the facilitation of engagement, as well as providing caveats for departmental consultation. The need for such technical support in relation to engaging children and young people in public decision making was identified by the majority of interviewees.

Within the report a number of factors that enable engagement were identified. Examples of these include; pre-consultation, young people being prepared for engagement, intradepartmental communication, ministerial leadership and enthusiasm from departmental representatives. Additionally, departmental staff identified examples related to feedback, evaluation, engagement, documentation and support structures when probed for good practice. Instances of this good practice can be seen within the guidance for consultants within the Department of Justice or direct structural support as provided by the Department of Health, Social Services and Public Safety which created a YouTube video addressing youth consultancy. Similarly, NICCY have summarised a series of barriers identified by the youth consultants; attitudes of departmental staff, lack of practical support, time and workload, responsibilities of arm's length bodies, fear of disadvantaging adults and the current processes and procedures in departmental consultations.

This report does acknowledge some examples of good practice; however, one of the key messages from this research was that more work still needs to be done in order to create a more systematic and consistent approach to engaging with children and young people.

A study of the barriers to participating in public life by Carman (2012) examined whether innovative methods, such as Scotland's public petitions system, for encouraging participation among traditionally underrepresented groups had the potential to make a difference¹⁷². The study draws on a survey conducted by Ipsos MORI Scotland for the Public Petitions Committee of the Scottish Parliament. The study found that traditional patterns of participation among well-educated, middle class white males were perpetuated by the innovation in the Scottish Public Petitions system. Indeed, the author argues that as more opportunities become available that will allow individuals to have some degree of influence over policies that are adopted, asymmetrical participation across social strata due to resource barriers to participation may become more pronounced and more problematic.

Consequently, Carman (2012) suggests that novel innovations should not be relied upon as a quick fix to engagement with traditionally underrepresented groups¹⁷³.

A report by The Evaluation Trust and South West Foundation (2009) examined engagement and empowerment among older people¹⁷⁴. This report provides evidence from a case study of how public authorities engage with older people. The report identifies a number of continuing barriers to the meaningful engagement of older people. These include ageism, lack of confidence amongst older people, fear of recriminations, lack of belief amongst staff, professional language and jargon, professionals believing issues are too complex for older people, and costs - time and money. These barriers presented the most significant barriers for older people's participation in public life.

Nevertheless, the report went on to identify a number of ingredients as important in 'making involvement happen'¹⁷⁵. These include confidence building (e.g. training courses for older people), an effective complaints system, senior leadership and commitment, training in communication skills, learning from good practice, developing networks and ongoing investment. Each of these was felt to be critical to ensuring that older people could engage in public life. Older people are viewed as 'experts by experience' and have a lot to offer by their participation in public life and that involving older people is powerful for the older person themselves and the organisation. However, the report recognises that it is a dynamic process and needs to produce tangible results both for the older person and the organisation. The report concluded that encouraging the participation of older people helps organisations feel connected with their users and reminds organisations why they do the job they do, and why it is important that they do it well.

In 2009, the Volunteer Development Agency delivered a report on Northern Ireland Public Policy for Older People and Volunteering as part of its 'Unlocking Potential' project¹⁷⁶. The overall aim of the project is to encourage and support healthier ageing and civic engagement in Northern Ireland by enabling and empowering older

¹⁷² Christopher Jan Carman (2012) *Barriers are Barriers: Asymmetric Participation in the Scottish Public Petitions System*. *Parliamentary Affairs*, pp.1-21.

¹⁷³ Christopher Jan Carman (2012) *Barriers are Barriers: Asymmetric Participation in the Scottish Public Petitions System*. *Parliamentary Affairs*, pp.1-21.

¹⁷⁴ The Evaluation Trust and South West Foundation (2009) *Engagement and empowerment among older people: A case study*, National Empowerment Partnership: London

¹⁷⁵ *Ibid.*

¹⁷⁶ Volunteer Development Agency (2009) *Report on Northern Ireland Public Policy for Older People and Volunteering*, Volunteer Development Agency: Belfast

people to take part in volunteering. The report notes that there has been a considerable effort by the ‘Unlocking Potential’ Project to challenging ageist attitudes by highlighting the valuable contribution that older people make to society through volunteering as well as the work done by the Commissioner for Older People. Overall, the report shows that volunteering is a powerful tool in encouraging active citizenship and engagement; and it plays a key role in addressing key government priorities which are focused on older people. Nevertheless, the report does identify ageism as a key issue for the participation of older people in Northern Ireland.

A number of barriers and enablers were identified in the reports discussed above. It was possible to synthesise the key barriers to participation on the ground of age.

The barriers to participation in public life identified in the literature are as follows:

- Lack of outreach to both younger and older people
- Time and cost commitments required, particularly for younger people
- Bureaucracy associated with participating in public life (i.e. Government Public Appointments) for younger and older people
- Lack of experience, particularly for younger people
- Lack of confidence or low self-esteem / anticipated fear or anxiety many younger and older people have of the participation process
- Lack of travel or transport for younger and older people
- Physical barriers (e.g. access to buildings, lack of a sound loop system), particularly for older people who may have age related health issues
- Domination of recruitment/selection panels by white middle aged males, which is particularly an issue for younger people
- Negative perceptions about the skills, abilities and experience of both younger and older people

The enablers of participation in public life identified in the literature are as follows:

- Raising awareness
- Reaching out to younger and older people
- Mentoring programmes / positive role models which encourage younger people to participate
- Creating a more positive environment / culture change that is accepting of both younger and older people
- Communication that is timely and appropriate / national and local awareness campaigns which encourage both younger and older people to participate

The items listed above represent the barriers to, and enablers of, participation in public life that it is possible to identify on those reports which focus on age and participation in public life.

4.3 Meta-analysis of secondary quantitative data

Areas of Data Absence

An extensive search of online and offline sources was conducted in relation to all the areas covered by the definition of participation of public life contained within the

introduction. It became apparent during these search efforts that data was absent in terms of age for many of the bodies contained within the definition, including:

- Local Strategic Partnerships
- Citizens Panels
- Community Police Liaison Committees
- Neighbourhood Watch Committees
- Community Associations or fora
- Public Bodies focus and or working groups
- School Councils
- Youth Councils
- User groups for a service provided by a Public Authority
- Members of Political Fora
- Litigants – Access to Law and Courts
- Jurors
- Recruitment and Selection Panels
- Members of a voluntary group

Data Availability

However, there was centralised data relating to men and women in public life available in terms of:

- Government Public Appointments,
- Elected representatives,
- Access to voting system
- The Judiciary

Furthermore, there was limited information relating to:

- School Boards of Governors

The data¹⁷⁷ available for the above mentioned areas, although in places limited provides some indication of age group participation in these areas of participation in public life.

Understanding and benchmarking available data

In order to adequately assess the level of participation across different age groups it was considered appropriate to display the current Census figures for age group composition in Northern Ireland as provided by the 2011 Northern Ireland Census. These are detailed in the table below.

¹⁷⁷ Please note that all percentages in this meta-analysis have been rounded up to whole numbers except where the percentage is below 1% and for the 2011 Census.

Table 4.1 – 2011 Census Northern Ireland age demographics

Panel A: 2011 Census Comparator Data for Government Public Appointments; Elected Representatives

2011 Census	<30 ¹⁷⁸	30-39	40-49	50-59	60+		
	17%	12%	15%	12%	20%		
Panel B: 2011 Census Comparator Data for School Boards of Governors							
2011 Census	16-25	26-35	36-45	46-55	56-64	65+	
	14%	13%	14%	14%	10%	15%	
Panel C: 2011 Census Comparator Data for Access to the Voting System							
2011 Census	16-17	18-24	25-34	35-44	45-54	55-64	65+
	37%	10%	13%	14%	14%	11%	15%
Panel D: 2011 Census Comparator Data for Members of the NI Judiciary							
2011 Census	30 and under ¹⁷⁹	31-40	41-50	51-60	61-70	71-80	81+
	17%	13%	14%	12%	9%	6%	3%
Panel E: 2011 Census Comparator Data for Judicial Appointments							
2011 Census	<35 ¹⁸⁰	36-40	41-45	46-50	51-55	55-60	61+
	24%	7%	7%	7%	6%	5%	19%
Panel F: 2011 Census Comparator Data for Judicial Office Holders							
2011 Census	<40 ¹⁸¹	41-50	51+				
	31%	14%	30%				

Source: NISRA, Northern Ireland Census 2011 Population Tables, Table KS102NI: Age Structure¹⁸²

Table 4.1 displays the 2011 Census data according to the age bands that will be used as a baseline comparator to compare against the available data. Panel A provides comparator data for Government Public Appointments and Elected Representatives, Panel B provides comparator data for School Boards of Governors, Panel C provides comparator data for Access to the Voting System, Panel D provides comparator information, Panel E provides comparator data for Judicial Appointments and Panel F provides data for Judicial Office Holders. The data displayed in Table 4.1 does not overlap to provide distinct categories for comparative purposes.

Government Public Appointments

¹⁷⁸ When discussing those aged under 30 we refer to the proportion of the population aged between 18 and 30.

¹⁷⁹ *Ibid.*

¹⁸⁰ When discussing those aged under 35 we refer to the proportion of the population aged between 18 and 35

¹⁸¹ When discussing those aged under 40 we refer to the proportion of the population aged between 18 and 40

¹⁸² NISRA (2012) Northern Ireland Census 2011 Population Tables, Table KS102NI: Age Structure, (available at: <http://www.ninis2.nisra.gov.uk/public/Theme.aspx?themeNumber=136&themeName=Census2011>) Accessed on 28/08/2014

There is data available on age for Government Public Appointments. The data provides figures across various age groups but also shows that a significant amount of applicants and appointees' age remains unknown. This is detailed in the Table 4.2 and 4.3 below. Please also note that Government Public Appointments are generally held for a three year period, therefore in any given year, there are only around a third of appointments made subject to the recruitment and selection process. Therefore this meta-analysis is unable to examine the success rates of applicants for Government Public Appointments.

Table 4.2 – Age Range Composition of Government Public Applications

Annual Government Public Appointment Applications By Age															
	<30		30-39		40-49		50-59		60+		Total	N/K		Known	
	N	%	N	%	N	%	N	%	N	%		N	%	N	%
2006/2007	12	1%	79	7%	175	16%	335	30%	335	30%	1111	175	16%	936	84%
2007/2008	11	1%	66	7%	183	20%	265	29%	297	32%	917	95	10%	822	90%
2008/2009	5	<1%	46	5%	146	16%	261	28%	295	32%	916	163	18%	753	82%
2009/2010	19	2%	73	7%	161	14%	326	29%	413	37%	1116	124	11%	992	89%
2010/2011	10	1%	61	6%	177	18%	309	31%	368	36%	1009	84	8%	925	92%
2011/2012	21	2%	96	8%	253	20%	421	33%	394	31%	1280	95	7%	1185	93%
2012/2013	15	1%	71	7%	150	14%	336	32%	324	31%	1050	154	15%	896	85%
2013/2014	15	2%	59	7%	139	15%	291	32%	278	31%	904	122	13%	782	87%
2007 – 2014	108	1%	551	7%	1384	17%	2544	31%	2704	33%	8303	1012	12%	7291	88%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Appointments: 451 (2007), 450 (2008), 320 (2009), 256 (2010), 416 (2011), 433 (2012) 291 (2013), and 290 (2014).

Base Known Age Group: (2007), 936 (2008), 822 (2009), 753 (2010), 992 (2011), 925 (2012), 1185 (2013), 896 (2014), 782.

Table 4.2 indicates that the known age composition of applicants for Government Public Appointments is predominantly over the age of 40 and in particular over the age of 50. Table 4.2 also demonstrates that representation of persons under the age of 40 and in particular persons in the age group <30 in terms of applicants for Government Public Appointments have been historically very low. It is also considerably less than the proportion of the population as stated in the 2011 Census of 17% of the total population. The overall percentage of applicants for Government Public Appointments across different age groups has remained reasonably consistent over the period 2006/2007-2013/2014. This would suggest that there has been a persistent trend of underrepresentation of persons under the age of 40 in terms of participation in public life in terms of applicants for Government Public Appointment. This may therefore be considered a key inequality in participation in public life.

Table 4.3 – Age Range Composition of Government Public Appointments

	Annual Government Public Appointments Overall														
	<30		30-39		40-49		50-59		60+		Total	N/K		Known	
	N	%	N	%	N	%	N	%	N	%		N	%	N	%
2006/2007	4	1%	17	4%	73	16%	113	25%	100	22%	451	144	32%	307	68%
2007/2008	6	1%	34	8%	90	20%	99	22%	99	22%	450	122	27%	328	73%
2008/2009	0	-	16	5%	60	19%	100	31%	90	28%	320	54	17%	266	83%
2009/2010	6	2%	23	9%	44	17%	74	29%	85	33%	256	24	9%	232	91%
2010/2011	3	1%	17	4%	43	10%	107	26%	141	34%	416	105	25%	311	75%
2011/2012	6	1%	23	5%	83	19%	129	30%	132	30%	433	60	14%	373	86%
2012/2013	5	2%	21	7%	63	22%	88	30%	71	24%	291	42	15%	249	85%
2013/2014	11	4%	19	7%	34	12%	78	27%	86	30%	290	62	21%	228	79%
2007-2014	41	1%	170	6%	490	17%	788	27%	804	28%	2907	613	21%	2294	79%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012).

Base Annual Appointments: 451 (2007), 450 (2008), 320 (2009), 256 (2010), 416 (2011), 433 (2012) 291 (2013), and 290 (2014).

Base Known Age Group: (2007), 307 (2008), 328 (2009), 266 (2010), 232 (2011), 311 (2012), 373 (2013), 249 and (2014), 228.

Table 4.3 shows that Government Public Appointments are mainly comprised of persons over the age of 40 and more so those over the age of 50. Further, Table 4.3 also demonstrates that persons under the age of 40 and even more so those under the age of 30 are especially underrepresented in Government Public Appointments. In particular, the level of appointment of those under 40 is substantially below the comparable proportion of the population (17%) indicated by the 2011 Census.

Perhaps of most concern in Table 4.3 is the increasing trend towards the overrepresentation of those aged over 50. These trends are complicated by the proportion of Government Public Appointments where the age of the appointee is not known. Nevertheless, this is insufficient to account for the considerable difference between the numbers of appointees aged under 30, or aged 30-39, when compared to the overall population. This may therefore be considered a key inequality in participation in public life. However, definitive conclusion should not be drawn from the above assertions as for 21% of those appointed in the period 2006/2007-2013/2014 age is not known.

School Boards of Governors

There is no on-going collection, monitoring and reporting of Section 75 data on members of School Boards of Governors. However, it was possible to identify one report for the Department for Education that contained some demographic information on School Governors for 2009/10. Therefore, it should be noted that this data is a snapshot of one year and only provides an indication of the age profile of school governors and should not be viewed as a completely accurate depiction of the age profile in 2010. This is summarised in Table 4.4.

Table 4.4 – Age Profile of Governor Respondents

Governor Survey Respondent	Age Profile of Governor Respondents						Total
	16-25	26-35	36-45	46-55	56-64	65+	
	0%	6%	29%	29%	18%	18%	751

Source: PricewaterhouseCoopers, School Governors: The Guardians of our Schools, 2010, Age Structure of School Governors

Base: 751 (2010)

Table 4.4 indicates that in 2010 the age composition of school governors is predominantly made up of persons over the age of 35. This age group is also overrepresented when compared against the 2011 Census as it makes up 94% of the school governors but only accounts for 54% of the Northern Ireland population. Table 4.4 also demonstrates that persons aged 16 to 35 who were school governors in 2010 were low at 6%. It also was considerably less than the proportion of the population as stated in the 2011 Census in which the age group 16 - 35 composed 26% of the total population while only accounting for 6% of school governors. Given this data is only available for period in time it is not possible to state if this a key inequality.

Table 4.5 – Age Profile of Types of Governor Respondents

	% Age Profile of Types of Governor Respondents								Total Candidates
	16-25	26-35	36-45	46-55	56-64	65+	N/K	Known	
Foundation Governor	0%	5%	24%	29%	14%	29%	0	101%	21
Teacher Governor	2%	24%	45%	22%	6%	2%	0	101%	67
Parent Governor	0%	9%	57%	29%	5%	0	1%	100%	128
Trustee	0%	2%	19%	30%	24%	24%	1%	99%	123
Transferor	0%	30%	7%	21%	20%	22%	0	100%	113
Education And Library Board Governor	0%	2%	14%	32%	27%	25%	1%	100%	152
Department Of Education Governor	0%	2%	21%	31%	23%	22%	1%	99%	112

Source: PricewaterhouseCoopers, School Governors: The Guardians of our Schools, 2010, Age Structure of School Governors

Base: 751 (2010) Due to rounding not sum to 100.

Table 4.5 indicates that in 2010 the age composition of school governors across the different types of governors is predominantly made up of persons over the age of 35 with the exception of Parent Governors and Transferors. Those aged 46 and over are also potentially over-represented across the various types of school governors with the exception of Parent Governors and Teacher Governors. Those aged 46 and over compose around 76% of governors when parent and teacher governors are excluded but only account for 40% of the population according to the 2011 Census. Parent and teacher governors are predominantly made up of those between the age of 36 and 45. This age group accounts for 67% of teacher and parent governors but only accounts for 28% of the population according to the 2011 Census. Table 4.5 also demonstrates that those aged under 36 across the various types of governors with the exception of teacher governors and transferors, was very low. It also was considerably less than the proportion of the population as stated in the 2011 Census in which the age group 16 - 35 composed of 26% of the total population while only accounting for around 4% of school governors excluding teacher governors and transferors. However, given the limitation of the data it is not possible to state if this is a key inequality.

Table 4.6 – Age Profile of School Management Sector of Governor Respondents

% Age Profile of Sectors of School Management of Governor Respondents									
	16-25	26-35	36-45	46-55	56-64	65+	N/K	Known	Total Candidates
Catholic Maintained	-	4%	28%	30%	21%	17%	-	100%	219
Controlled	-	7%	32%	26%	17%	18%	-	100%	354
Grant-Maintained Integrated	-	4%	26%	28%	22%	20%	-	100%	50
Voluntary Grammar	-	3%	18%	36%	20%	20%	3%	97%	90

Source: Pricewaterhouse Coopers, School Governors: The Guardians of our Schools, 2010, Age Structure of School Governors

Base: 751 (2010)

Table 4.6 indicates that in 2010 the age composition of school governors across the different school management sectors is predominantly made up of persons over the age 35. Those aged 36 and over are also potentially over-represented across the different school management sectors. This age group composes of around 94% of governors when parent and teacher governors are excluded but only accounts for 54% of the population according to the 2011 Census. Table 4.6 also demonstrates that those aged under 36, across the different sectors of school management, was very low. It also was considerably less than the proportion of the population as stated in the 2011 Census in which the age group 16 - 35 composed of 26% of the total population while only accounting for around 4% of school governors across the different sectors of school management. Nonetheless, the data limitations preclude us from being able to state that this is key inequality.

Elected representatives

The Northern Ireland Assembly publishes information on the age profile of MLAs, although data for previous Assemblies is not readily available. A breakdown of the age profile of MLAs is provided in Table 4.7 and 4.8. It should be noted that these tables reflect a snapshot in time and these figures change regularly as MLAs age over the course of their period in office.

Table 4.7 – Age Profile of Northern Ireland Assembly

Assembly Age Makeup										
2014	<30		30-40		40-50		50-60		60+	
	N	%	N	%	N	%	N	%	N	%
	2	2%	14	13%	27	25%	27	25%	38	35%

Source: Northern Ireland Assembly Website, MLAs, Statistics Assembly Age Make Up Tables¹⁸³

Table 4.7 identifies that in 2014 the majority of MLAs are aged 50 and above (60%) as well as those over 40 accounting for 85% of all members. These age groups are also over-represented when compared against the 2011 Census which states that those over 50 make up only 32% and those over 40 only 47% of the population. Table 4.7 also demonstrates that numbers of members under the age of 40 is low. Overall, those aged 50 and over (60%) are overrepresented in terms of the Northern Ireland Assembly compared to the 2011 Census figure of 32%. Further, those aged 40-49 (25%) are also overrepresented in the same context. In contrast, those aged <30 – 40 account for 15% of the Assembly but 19% of the 2011 Census. Thus there is an underrepresentation of this those <30-39 in the Assembly.

Table 4.8 – Age Profile of Northern Ireland Assembly by Political Party

Age Profile of Northern Irish Political Parties in Northern Ireland Assembly												
	DUP		Sinn Fein		UUP		SDLP		Alliance		Other	
	N	%	N	%	N	%	N	%	N	%	N	%
<30	0	0%	1	3%	0	0%	0	0%	0	0%	2	29%
30-40	5	13%	4	14%	0	0%	2	14%	2	25%	1	14%
40-50	14	37%	7	24%	3	23%	1	7%	1	13%	1	14%
50-60	8	21%	7	24%	6	46%	5	36%	0	0%	1	14%
60+	11	29%	10	34%	4	31%	6	43%	5	63%	2	29%

Source: Northern Ireland Assembly Website, MLAs, Statistics Assembly Age Make Up Tables¹⁸⁴

Table 4.8 identifies that in 2014 the majority of MLAs of each of the 5 main political parties are over the age of 50. In fact, 75% was the lowest figure for each of the parties in the Assembly in terms of the representation of members over the age of 50. These age groups are also over-represented when compared against the 2011 Census which states that those over 50 make up only 32% and those over 40 only 47% of the population. Table 4.8 also demonstrates that numbers of members of each political party in the Assembly under the age of 40 is low, indeed for some parties it is zero particularly for those <30. Members under the age of 40 who are members of the political party with the highest representation in this age group still only account for 25% of that party, while this was significantly less for some parties. The representation for this age group across the political parties was also

¹⁸³ Northern Ireland Assembly Website, MLAs, Statistics Assembly Age Make Up Tables (available at: <http://aims.niassembly.gov.uk/mlas/statistics.aspx>) Accessed on 10/04/2014

¹⁸⁴ *Ibid.*

considerably less than the proportion of the population as stated in the 2011 Census in which those aged 18 - 40 account for 29% of the population. The data available suggests that there may be inequality in participation in public life for those aged 18-40 years old.

Access to voting system

The Electoral Commission for Northern Ireland published a report on continuous electoral registration which offers an overview of the age profile of those registered to vote in Northern Ireland¹⁸⁵. This report provides an overview of the current age profile of those registered to vote and a comparison with December 2007 figures. This is summarised in Table 4.9.

Table 4.9 – Age Profile of Registered Voters

	Percentile Breakdown of Registered Voters within a given Age Range	
	December 2007	April 2012
<18	8%	66%
18-24	66%	56%
25-34	77%	48%
35-44	79%	62%
45-54	86%	84%
55-64	94%	85%
65+	97%	90%

Source: The Electoral Commission (2012) Continuous electoral registration, Belfast. Figure 7 Completeness¹⁸⁶ – age 2012 Base: 2,173. 2007 Base: 1,813 Local government register

Table 4.9 indicates that there have been reductions in the proportions registered to vote for all age groups with the exception of the under 18 age group. Most interestingly, there have been much greater decreases in the percentages registered to vote for each age group among those aged 18 – 44, while the decrease has generally been smaller for those aged 45+. This is despite work by the Electoral Commission to increase registration levels through moving to continuous registration. However, there has been significant improvement during the reporting period in terms of those aged 16-17 who are registered to vote at the subsequent election after reaching the age of majority. This is a likely outcome of the Chief Electoral Officer’s work with schools¹⁸⁷.

Judiciary

There are two publications in particular; The Equity Monitoring Reports collated by NISRA and the Northern Ireland Judicial Appointments Commission (NIJAC)

¹⁸⁵ Electoral Commission (2012) *Continuous electoral registration in Northern Ireland*. Belfast.

¹⁸⁶ Completeness: every person who is entitled to have an entry in an electoral register is registered'

¹⁸⁷ Electoral Commission (2012) *Continuous electoral registration in Northern Ireland*. Belfast. (pg. 36)

Annual Reports that provide an overview of the age composition of the Northern Ireland Judiciary (further detail on these reports is provided in Appendix 2).

The data contained within these publications covers the same area of participation in public life (Section 1: Glossary provides a definition of the various elements of the Northern Ireland judiciary) with the NISRA reports providing greater detail and sub analysis of the data provided in the NIJAC reports. As the data in both reports covers the same area of participation in public life, it is felt appropriate to present a combined analysis where appropriate. The rationale for presenting the data in this way is to provide:

- An overview of the composition of the Judiciary
- An analysis of applicants to the Judiciary
- An analysis of appointments to the Judiciary – including renewals and recommendations
- An analysis of success rates for applicants to the Judiciary

The above areas of analysis depend upon availability of data. The data is disaggregated by:

- Judicial Office
- Court and Tribunal (Legal)
- Court and Tribunal (Non-Legal)
- Lay Magistrates

Presenting the data in this manner provides a broad picture of the age composition of the Judiciary and then particular types of Judicial Office.

Composition

Tables 4.10 and 4.11 presented below display the figures on the level of representation of different age ranges in Judicial Office during the reporting period 2007-2014 as provided for by the NISRA Equity Monitoring Reports. As mentioned in the previous chapter, for the purposes of the meta-analysis of data covering the judiciary two different sets of comparator data will be used, one specifically covering Court or Tribunal (Legal) positions and a different comparator for Tribunal (Non) Legal positions. These positions require separate comparator information as the requirements for holding these positions is different.

The comparator that is used for Court or Tribunal (Legal) positions is Legal professional data based on data for Solicitors on the Roll supplied by Law Society and data on Barristers supplied by the Bar Library, each with seven or more years' post-qualification experience. This comparator is used as it is a key qualifying criteria for holding a Court or Tribunal (Legal) position is seven years' post-qualification experience as a barrister.

The comparator that is used for Tribunal (Non-Legal) positions is a weighted combination of Medical Professionals based on SOC 2211 (medical practitioners) aged 25-69 from 2011 Census and the economically active population aged 25-69 from 2011 Census. This comparator is used as it is not necessary to hold a legal qualification to hold a Tribunal (Non-Legal) position. These are generally lay

positions; however, for some Tribunal (Non-Legal) positions medical or other qualifications are desired. In saying that, there is no set qualifying criteria for many Tribunal (Non-Legal) positions and therefore 2011 Census data is used for comparative purposes.

Table 4.10 details the age composition of the Northern Ireland Judiciary during the period 2007-2014.

Table 4.10 – Age Profile of Members of the Northern Ireland Judiciary

Age Range	Members of the Northern Ireland Judiciary	
	N	%
<30	0	0%
31 - 40	4	3%
41 - 50	19	14%
51 - 60	58	42%
61 - 70	52	39%
71 - 80	1	1%
Total	134	100%

Source: Figures Supplied by Department of Justice 2014, following direct request for information.

Table 4.10 indicates that in 2014, the members of the Northern Ireland Judiciary are predominantly made up of persons aged 51 and over. This age group is also over-represented when compared against the 2011 Census as it makes up 83% of the Judiciary but only accounts for 30% of the Northern Ireland population. Table 4.10 also demonstrates that the number of persons in the combined age groups below 30, 31-40 and 41-50 who are members of the Judiciary is very low. It also is considerably less than the proportion of the population as stated in the 2011 Census in which the age group 18 -40 composed of 30% of the total population while only accounting for 3% of the Judiciary.

It should be noted that the proportion of the Judiciary aged between 41 and 50 is reflective of 2011 Census data on this age group. Unlike many other areas of participation in public life, Judicial appointments generally require legal qualifications and experience. This makes the potential pool of candidates for Judicial appointments much smaller and that these appointments will be drawn from the legal profession. It is clear from Table 7.13 that the overwhelming majority of the Northern Ireland Judiciary is aged above 50. Given the requirements for legal qualification and experience this is somewhat unsurprising. Due to the low turnover in Judicial appointments, this is unlikely to change quickly. There would appear to be an underrepresentation of those aged less than 50 in Judicial appointments.

The tables presented below display the figures on the level of representation of different age groups in Judicial Office during the reporting period 2007-2014 as provided for by the NISRA Equity Monitoring Reports. Table 4.11 details the age group composition of the Northern Ireland Judiciary during the period 2007-2014.

Table 4.11 – Age Profile of Judicial Office Holders¹⁸⁸

Office	Courts					Tribunals (Legal 2011-2014)					Tribunals (Non-Legal)					Lay Magistrates								
	Over 51 years Over 51 years comparator	41-50 years 41-50 years comparator	Under 40 years Under 40 years comparator	Over 51 ¹⁸⁹ years Over 51 years comparator	Under 40 years Under 40 years comparator	Over 51 years Over 51 years comparator	41-50 years ¹⁹⁰ 41-50 years comparator	Under 40 years Under 40 years comparator	Over 51 years Over 51 years comparator	41-50 years 41-50 years comparator	Under 40 years Under 40 years comparator	Over 51 years Over 51 years comparator	41-50 years 41-50 years comparator	Under 40 years Under 40 years comparator	Over 51 years Over 51 years comparator	41-50 years 41-50 years comparator	Under 40 years Under 40 years comparator	Over 51 years Over 51 years comparator	41-50 years 41-50 years comparator	Under 40 years Under 40 years comparator	Over 51 years Over 51 years comparator	41-50 years 41-50 years comparator	Under 40 years Under 40 years comparator	
2007	78%	31%	21%	33%	1%	35%	63%		34%		3%								48%		26%		25%	
2008	75%	31%	19%	33%	5%	35%	56%		31%		13%								51%		22%		27%	
2009	72%	31%	21%	33%	7%	35%	56%		30%		14%								48%		23%		29%	
2010	79%	31%	17%	33%	4%	35%	69%		27%		5%								50%		32%		18%	
2011	80%	31%	17%	33%	3%	35%	67%	31%	22%	33%	11%	35%	74%	29%	24%	30%	2%	42%	52%	24%	31%	27%	17%	49%
2012	80%	31%	17%	33%	2%	35%	69%	31%	21%	33%	10%	35%	70%	29%	24%	30%	6%	42%	52%	24%	31%	27%	17%	49%
2013	85%	31%	14%	33%	1%	35%	82%	31%	13%	33%	5%	35%	78%	29%	15%	30%	7%	42%	59%	24%	30%	27%	11%	49%
2014	84%	26%	13%	23%	3%	52%	82%	26%	15%	23%	2%	52%	77%	26%	11%	27%	12%	48%	67%	28%	26%	29%	8%	43%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 – 2014

Base: Numbers unavailable for Courts and Tribunals (Legal and Non-Legal)

Lay Magistrates (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176

¹⁸⁸ Please note that the figures that provide a breakdown for Tribunal (Legal) and Tribunal (Non-Legal) are only available from 2011 onwards. Therefore the figures in the Tribunals (Legal) column display a combined figure of both legal and non-legal Tribunal members of the Northern Ireland Judiciary from 2007 to 2011

¹⁸⁹ Please note an amendment in 2011 to the age range over 51 years to over 50 years.

¹⁹⁰ Please note an amendment in 2011 to the age range from 41 years to 50 years and to 41 years to 49 years.

Table 4.11 shows that persons in Judicial Office are predominantly over the age of 51. Table 4.11 also shows that for every year of the reporting period that persons over the age of 51 and over made up the majority of Judicial appointments with the exception of Lay Magistrate positions in 2007 and 2009. In particular, persons over the age of 51 accounted for 80% or more of Judicial Court positions annually since 2011. The figures also show that representation in this age group has been increasing across the different types of Judicial Office positions during the reporting period. It is clear that this age group is overrepresented in Judicial Office positions considering that persons over the age of 50 only account for 32% of the population as stated in the 2011 Census.

The figures in Table 4.11 also demonstrate that during the reporting period the representation in Judicial Office Court and Tribunal positions by persons between the ages 41-50 is reasonably reflective of the population as stated by the 2011 Census. However, the representation in terms of Lay Magistrate positions by this age group is disproportionate to this age group when compared to the 2011 Census. The figures also demonstrate that the representation of this age group has been steadily decreasing during the reporting period in terms of Judicial Office Court and Tribunal positions.

There are significantly low levels of representation for persons under the age of 40 in all the different types of Judicial Office positions considering that the 2011 Census states the persons between the ages of 18 and 40 accounted for 29% of the population. Although this age group does not experience the same level of underrepresentation in terms of Lay Magistrate positions, it is still considerably lower than the population as stated in the 2011 Census. It should be noted that the level of representation of those under the age of 40 is somewhat affected by the selection criteria which requires candidates for Judicial Office to have seven years post qualifying experience. However, the level of representation of those under 40 in Judicial Office is still well below the comparator data of legal professionals. This suggests that there is a persistent trend of underrepresentation of those under 40 in Judicial Office.

Table 4.12 presents the figures for the overall age group composition of the Judiciary by the eight Judicial groupings during the period 2007 – 2014.

Table 4.12 – Overall composition of the Judiciary by the eight Judicial groupings

Year	Section 75 Ground	Group 1		Group 2		Group 3		Group 4		Group 5		Group 6		Group 7		Group 8		Total	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2007	<40	0	0	0	0	0	0	1	5	3	9	4	2	2	3	64	25	74	11
	41 - 50	0	0	6	12	13	38	7	35	15	44	77	38	11	18	66	26	195	29
	51+	16	100	46	89	21	62	12	60	16	47	124	61	49	79	122	48	406	60
2008	<40	0	0	0	0	5	13	2	10	4	13	14	7	37	19	67	27	129	16
	41 - 50	0	0	6	11	14	35	5	25	14	44	63	33	51	26	54	22	207	26
	51+	16	100	47	89	21	53	13	65	14	44	116	60	107	55	124	51	458	58
2009	<40	0	0	0	0	5	13	3	14	4	13	13	7	39	20	66	29	130	17
	41 - 50	0	0	7	15	14	35	5	24	14	45	60	33	50	26	53	23	203	27
	51+	15	100	40	85	21	53	13	62	13	42	110	60	107	55	110	48	429	56
2010	<40	0	0	0	0	2	5	3	11	2	7	2	1	11	10	41	18	61	9
	41 - 50	0	0	5	11	10	26	7	26	9	31	53	29	23	21	71	32	178	27
	51+	14	100	42	89	27	69	17	63	18	62	128	70	75	69	111	50	432	64
2011	<40	0	0	0	0	2	5	2	7	1	4	3	2	16	12	34	17	58	9
	41 - 50	0	0	2	4	12	30	8	30	9	32	48	27	22	16	63	31	164	24
	51+	13	100	47	96	27	66	17	63	18	64	127	71	98	72	106	52	453	67
2012	<40	0	0	0	0	2	5	1	4	1	4	10	6	14	11	34	17	62	9
	41 - 50	0	0	3	5	13	32	8	32	9	33	48	27	21	16	60	31	162	24
	51+	12	100	57	95	26	63	16	64	17	63	122	68	98	74	101	52	449	67
2013	<40	0	0	0	0	1	3	0	0	0	0	13	7	8	6	20	11	42	6
	41 - 50	0	0	3	5	9	23	7	28	4	17	28	15	17	13	55	30	123	19
	51+	14	100	54	95	30	75	18	72	20	84	142	78	110	82	108	59	496	75
2014	<40	0	0	0	0	4	9	0	0	0	0	28	13	3	2	14	8	49	7
	41 - 50	0	0	2	4	11	25	6	23	3	13	22	10	21	16	45	26	110	16
	51+	15	100	54	96	30	67	20	77	20	87	168	77	107	82	117	67	531	77
2007 - 2014 ¹⁹¹	<40	0	0	0	0	21	7	12	6	15	7	87	6	130	12	340	20	605	11
	41 - 50	0	0	34	8	96	30	53	28	77	34	399	26	216	20	467	27	1342	24
	51+	115	100	387	92	203	63	126	66	136	60	1037	68	751	68	899	53	3654	65

Source: NISRA, "The Judiciary in Northern Ireland 2014", Equity Monitoring Reports 2007 - 2014

Group 1 (2007) 16 (2008) 16 (2009) 15 (2010) 14 (2011) 13 (2012) 12 (2013) 14 (2014) 15; Group 2 (2007) 52 (2008) 53 (2009) 47 (2010) 47 (2011) 49 (2012) 60 (2013) 57(2014) 56;

Group 3 (2007) 34 (2008) 40 (2009) 40 (2010) 39(2011) 41 (2012) 41 (2013) 40 (2014) 45; Group 4 (2007) 20 (2008) 20 (2009) 21 (2010) 27 (2011) 27 (2012) 25 (2013) 25 (2014) 26;

Group 5 (2007) 34 (2008) 32 (2009) 31 (2010) 29 (2011) 28 (2012) 27 (2013) 24 (2014) 23; Group 6 (2007) 205 (2008) 193 (2009) 183 (2010) 183 (2011) 178 (2012) 180 (2013) 183 (2014) 218; Group 7 (2007) 62 (2008) 195 (2009) 196 (2010) 109 (2011) 136 (2012) 133 (2013) 135 (2014) 131; Group 8 (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176.

¹⁹¹ Please note that 2014 amended the age range from 41 years to 50 years and to 41 years to 49 years and from over 51 years to over 50 years.

Group 1¹⁹²

Table 4.12 shows that for the most senior positions (Group 1) in the Northern Ireland Judiciary those aged 51 and over account for all the positions in this category during the period 2007 – 2014. Therefore, these figures demonstrate that this age group is vastly overrepresented in proportion to the figure for this age group presented in the 2011 Census. However, this is perhaps unsurprising considering the legal qualifications and experience required that are unlikely to be achieved by persons under the age of 51.

Group 2¹⁹³

Those aged 51 and over (92%) account for the majority of Group 2 and are considerably overrepresented in these positions in proportion with their stated population in the 2011 Census (30%). Those in the age group 41-50 (8%) have limited representation in Group 2 but nevertheless are still underrepresented in proportion to the Census 2011 figure (14%). This age group initially experienced an increase in representation in this category in the period 2007 – 2009 and actually achieved parity with the 2011 Census figure. However, it has subsequently decreased and the representation level in 2014 was substantially lower than the representation level in 2007. Those persons aged between 18 and 40 have no representation in this group and therefore are vastly underrepresented.

Group 3¹⁹⁴

Like Groups 1 and 2, the majority of Group 3 is comprised of those aged 51 and over (63%), again indicating their overrepresentation when compared to the 2011 Census. Group 3 also has an overrepresentation of those in the age group 41-50. Again like Groups 1 and 2, those aged between 18 and 40 have limited representation in Group 3. Table 4.12 also shows an emergent trend of increasing overrepresentation of those aged over 5. While there has been annual fluctuations in terms of representation levels for those aged between 41 -50, there is also an emergent trend towards decreasing levels of representation of this age group. However, those aged between 41- 50 are still overrepresented in this category on an annual basis when compared to the 2011 Census. Representation levels for those aged 18 – 40 have generally decreased since 2009, although an increase is noted in 2014 for the first time in the reporting period. However, this age group is still significantly underrepresented and there is a general trend of decline between 2008 and 2013.

Group 4¹⁹⁵

Similarly to Groups 1, 2 and 3, there is an overrepresentation of those aged 51 and over (66%) which is well above their proportion of the population according to the 2011 Census (30%). Those in the age group 41-50 (28%) are also overrepresented in Groups 4 while those aged between 18 and 40 are underrepresented when compared

¹⁹² Court of Judicature - Lord Chief Justice, Lord Justices of Appeal, High Court Judges & Temporary judges of High Court

¹⁹³ County Court judges; deputy County Court judges; Chief Social Security Commissioner; Social Security Commissioner & deputies

¹⁹⁴ Resident magistrates & deputies

¹⁹⁵ District Judges & deputies; Masters; Coroners

with the 2011 Census representation. It is also possible to identify a trend of increasing representation of those aged 51 and over, and a trend towards decreasing levels of representation of those aged between 41 and 50. However, those aged 41-50 are still overrepresented in Group 4 on an annual basis in proportion to the 2011 Census. The representation levels for those aged 18 – 40 experienced an initial increase between 2007 and 2009 but subsequently there has been a year on year decrease and there is now no representation in the years 2013 and 2014.

Group 5¹⁹⁶

The overall figure for the reporting period in Table 4.12 shows that those aged 51 and over account for the majority of Group 5 positions and are vastly overrepresented in comparison to their proportion of population identified in the 2011 Census. Those in the age group 41-50 are overrepresented in Groups 5, while there are low levels of representation of those aged 18-40 in comparison to their proportion of the population in the 2011 Census.

Since 2010 there has been a rapid increase in the representation levels for those aged over 51. In contrast, while representation levels for those aged 41- 50 were initially similar to those aged 51 and over; from 2010 there has been an observable decrease in the representation levels for this age group from a peak of 45% in 2009 to 13% in 2014. The current representation level for this age group now reflects the figure in the 2011 Census. Like Groups 4, the representation levels for those aged 18 – 40 decreased from 2009 to no representation in 2013 and 2014. Those aged 18-40 were also significantly underrepresented on an annual basis throughout the reporting the reporting period in proportion to the 2011 Census figure.

Group 6¹⁹⁷

Again, the figure in Table 4.12 illustrate that the majority of positions in Group 6 are held by those aged 51 and over (68%) and there is also an overrepresentation of those in the age group 41-50 (26%) when compared to the 2011 Census figures. Like all other Groups, there are very low levels of representation, significantly below the 2011 Census figures, for those aged 18-40 (6%) in Group 6 positions.

It is also possible to identify similar trends in Group 6 as observed in Groups 4 and 5 with an increasing level of representation of those aged 51 and over and a trend towards decreasing representation of those aged 41 – 50. Unlike other Groups, the representation levels for those aged 18 – 40 has increased in the period 2011- 2014 and in 2014 surpassed the level of representation for those aged 41 -50. However, those aged 18-40 are still underrepresented on an annual basis in proportion to the 2011 Census figure.

¹⁹⁶ Industrial Tribunals & Fair Employment Tribunal (President, Vice President, Full & Part Time Chairmen)

¹⁹⁷ Appeals Tribunals (President, FT Legal Member; PT Legal, Medical, Financial, Experienced Members)

Group 7¹⁹⁸

Like Group 6, the overall figure for the reporting period in Table 4.12 shows that those aged 51 and over (68%) account for the majority of these positions and are vastly overrepresented in Group 7 in proportion with their stated population in the 2011 Census. Those in the age group 41-50 are also overrepresented in the same context. In contrast, while those aged 18-40 have more representation overall than they have in other Judicial groups, although they are still significantly underrepresented when compared to the 2011 Census figure.

Table 4.12 also shows that the representation levels of those aged over 51 initially decreased during the period 2007 to 2009 but subsequently have increased to levels marginally above those in 2007. In contrast, representation levels for those aged 41 – 50 initially increased from 2007 – 2009 but subsequently decreased in 2010 onwards, remaining relatively unchanged since 2011. Since 2011 the representation levels for those aged 41 – 50 have been generally reflective of the figure in the 2011 Census. The representation levels for those aged 18 – 40 initially increased between the period 2007 -2009 but have subsequently decreased for the remainder of the reporting period. During the years 2008 – 2010, those aged 18-40 accounted for between 19% - 21% which is a closer reflection of their population as stated in the 2011 Census. However, in the remaining years in the reporting period they were underrepresented in proportion to the 2011 Census figure.

Group 8¹⁹⁹

There is a more comprehensive spread of age groups in terms of age group composition of Lay Magistrates throughout the reporting period when compared to the other Judicial groupings. However, the overall figure for the reporting period in Table 4.12 shows that those aged 51 and over (53%) still comprise the majority of these positions. Similarly, those in the age group 41-50 (27%) are also overrepresented. In contrast, while those aged 18-40 are underrepresented in proportion to the 2011 Census figure, the overall representational level is nevertheless a closer reflection of the 2011 Census figures than the levels shown in other Judicial groupings.

Overall Judiciary

Table 4.12 shows that those aged 51 and over (65%) account for the majority of these positions and are overrepresented in proportion with their stated population in the 2011 Census. Those in the age group 41-50 are also overrepresented, while those aged 18-40 have limited representation. Table 4.12 also shows that the representation levels of those aged 51 and over have increased since 2010 and they now account for over 75% of the Northern Ireland Judiciary. In contrast, representation levels for those aged 41 – 50 decreased during the reporting period and the representation for this age group now more closely reflects the figure in the 2011 Census. The representation levels for those aged between 18 and 40 initially

¹⁹⁸ Care Tribunal; Lands Tribunal – President & Member; Mental Health Review Tribunal; National Security Certificates Appeal Tribunal; Reinstatement Committee, Reserve Forces Act; Special Educational Needs Tribunal; Pensions Appeal Tribunal; VAT Tribunal

¹⁹⁹ Lay magistrates

increased between 2007 and 2009, however, there was a subsequent decrease in the representation levels and it is now below the 2011 Census level.

It is clear through the analysis of the Judicial groupings discussed above that more senior positions (Groups 1-6) are more likely to be held by those aged over the age of 41 and in particular over the age of 51. As mentioned in the analysis above the underrepresentation of those aged 18-40 in the more senior positions in the Judiciary is perhaps unsurprising considering the legal qualifications and experience required for these positions and the unlikelihood of this being achieved by persons under the age of 41 and in particular those aged under 51.

Applicants

Table 4.13 shows the age composition of Annual Applicants for Judicial Appointments Combined Courts and Tribunals, which is subsequently broken down by Courts (Table 4.14) and Tribunal (4.15) positions. These tables provide figures for the age composition of those individuals who applied for a Judicial Court or Tribunal appointment between 2007 and 2013. It must be noted that the 2014 annual report only provides figures for the total applicants for Judicial appointments and does not include separate figures for the applicants to Judicial Court appointments or Judicial Tribunal appointments. Therefore the figures for applicants for Judicial appointment in 2014 are only included in the combined figures for Judicial Court and Tribunal applicants for appointment and not in the disaggregated figures in Tables 4.14 and 4.15.

Furthermore, due to the absence of separate figures displaying the age composition of those recommended for a Judicial Court or Tribunal appointment, it is not possible to compare Judicial Court applicants or Judicial Tribunal applicants separately against those who were recommended for appointment.

Table 4.13 – Age Range (Years) Composition of Annual Applicants for Judicial Appointments Combined (Courts/Tribunals)

	Applicants For Judicial Appointment													
	<35		35-40		41-45		46-50		51-55		56-60		60+	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2006/07	13	5%	37	15%	34	14%	61	25%	46	19%	23	9%	31	13%
2007/08 ²⁰⁰	7	11%	18	27%	11	17%	20	30%	6	9%	4	6%	0	-
2008/09	11	6%	19	11%	26	15%	31	18%	51	29%	26	15%	11	6%
2009/10	7	6%	17	14%	26	21%	23	19%	33	27%	12	10%	4	3%
2010/11	33	12%	42	16%	55	21%	38	14%	57	22%	30	11%	10	4%
2011/12	25	12%	13	6%	30	14%	27	13%	61	29%	30	14%	23	11%
2012/13	20	13%	24	16%	30	19%	28	18%	33	21%	14	9%	5	3%
2013/14	39	11%	48	14%	70	20%	58	16%	71	20%	48	14%	17	5%
2006/07-	155	10%	218	14%	282	18%	286	18%	358	23%	187	12%	101	6%

²⁰⁰ Please note that age bands changed in 2008 onwards from the age range 31-35 to below 35 and from 35-40 to the age range 36-40.

2013/14														
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Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Applicants for Judicial appointments: (2007), 245 (2008), 66 (2009), 175 (2010), 122 (2011), 265 (2012), 209 (2013), 154 and (2014), 351.

The figures in Table 4.13 identify that the majority of applicants for Judicial appointments and those recommended for Judicial appointment are aged 41-55 (59%). This age group is overrepresented for applicants for Judicial appointments when compared to the 2011 Census. The 2011 Census indicates that this age group accounts for 20% of the population. Table 4.14 also demonstrates that those aged 18-35 and those aged 36-40 are underrepresented as applicants for Judicial appointment in proportion to the 2011 Census figures which states 23% and 7% respectively. It must be noted that these representation levels in terms of the age profile of Judicial applicants is not surprising considering that relevant qualifications and experience are required to meet the eligibility criteria for these positions.

Tables 4.14 and 4.15 below provide figures for the age profile of those individuals who applied for a Judicial Court and Tribunal appointment between 2006/2007 and 2012/2013. Due to the absence of separate figures displaying the age profile of those recommended for a Judicial Court or Tribunal appointment, it is not possible to compare Judicial court applicants or Judicial tribunal applicants separately against those who were recommended for appointment. It also must be noted that the 2014 NIJAC annual report only provides figures for the total applicants for Judicial appointments and does not include separate figures for the applicants to Judicial Court Appointments or Judicial Tribunal Appointments.

Table 4.14 – Age Composition (Years) of Annual Applicants for Judicial Appointment (Court)

	<35		36-40 ²⁰¹		41-45		46-50		51-55		56-60		60+	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2006/07	0	-	5	12%	8	19%	17	40%	7	17%	5	12%	0	-
2007/08	7	13%	15	28%	9	17%	14	26%	5	9%	3	6%	0	-
2008/09	1	2%	9	19%	8	16%	8	16%	14	29%	7	14%	2	4%
2009/10	3	4%	11	16%	18	25%	17	24%	16	23%	5	7%	1	1%
2010/11	22	15%	23	16%	39	26%	23	16%	27	18%	12	8%	2	1%
2011/12	1	1%	10	11%	17	18%	17	18%	37	39%	8	8%	5	5%
2012/13	17	18%	16	16%	23	24%	17	18%	16	16%	7	7%	1	1%
2006/07-2012/13	51	9%	89	16%	122	22%	113	20%	122	22%	47	8%	11	2%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial Appointment (Courts): (2007), 42 (2008), 53 (2009), 49 (2010), 71 (2011), 148 (2012), 95 (2013), 97.

²⁰¹ Please note that age bands changed in 2008 onwards from the age range 31-35 to below 35 and from 35-40 to the age range 36-40.

The figures in Table 4.14 identify that overall applicants for Judicial Court appointments are predominantly made up of persons aged between 41 and 55 (64%). This age group is also over-represented when compared against the 2011 Census as those between the age of 41 and 60 only accounted for 26% of the population in 2011. Table 4.14 also demonstrates that persons between the ages of 18-40 (25%) are underrepresented in terms of applicants for Judicial Court but accounts for 30% of the population in 2011. There is a very slight overrepresentation of those aged 56-60 when compared to the 2011 Census figure (5%); however, there is a significant underrepresentation of those aged 60+ when compared to the 2011 Census (19%). While it is not possible to specifically identify why there is such an underrepresentation of those aged 60+ among applicants, one possible explanation may be proximity to state retirement age.

Table 4.15 – Age Composition (Years) of Annual Applicants for Judicial Appointments (Tribunals)

	<35		36-40 ²⁰²		41-45		46-50		51-55		56-60		60+	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2006/07	13	6%	32	16%	26	13%	44	21%	39	20%	18	9%	31	16%
2007/08	0	-	3	23%	2	15%	6	46%	1	8%	1	8%	0	-
2008/09	10	8%	10	8%	18	14%	23	18%	37	30%	19	15%	9	7%
2009/10	4	8%	6	12%	8	16%	6	12%	17	33%	7	14%	3	6%
2010/11	11	9%	19	16%	16	14%	15	13%	30	26%	18	15%	8	7%
2011/12	24	21%	3	3%	13	11%	10	9%	24	21%	22	19%	18	16%
2012/13	3	5%	8	14%	7	12%	11	20%	17	30%	7	12%	4	7%
2006/07-2012/13	65	10%	81	12%	90	13%	115	17%	165	24%	92	14%	73	11%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial Appointments (Tribunals): (2007), 203 (2008), 13 (2009), 126 (2010), 51 (2011), 117 (2012), 114 and (2013), 57.

The figures in Table 4.15 identify that applicants for Judicial Tribunal appointments are predominantly made up of persons aged 46 and over. This age group is also over-represented when compared against the 2011 Census as it makes up 65% of applicants for Judicial Tribunal appointments during the period 2006/2007-2012/2013 but those aged over 46 only accounted for 38% of the population in 2011. Overall there is broad representation across all age groups in applicants for Judicial Tribunal appointments. It is worth noting however, that over the reporting period there has been a trend towards increasing representation (2007/2008 – 2011/12) for those aged 56-60 and decreasing representation for those aged 60+ (2006/07 – 2012/13) bearing in mind annual fluctuations. Table 4.15 also demonstrates that persons between the ages of 18-40 are underrepresented in terms of applicants for Judicial Tribunal appointments when compared to the 2011 Census. This age group makes up only 13% of applicants to Judicial Tribunal appointments during the period 2006/2007-2012/2013 but the age group 18-39 accounts for 29% of the population in 2011.

The NISRA Equity Monitoring reports also provided figures on the percentage of applicants to Courts and Tribunals (Legal) as well as Tribunals (Non-Legal).

The figures for the age breakdown for applicants to Judicial Office Court Positions are included in Table 4.16 below.

Table 4.16 – Age Profile of Annual Applicants for Judicial Office Court Positions

Courts	40 Years or	40 Years or	41-50 Years ²⁰³	41-50 Years ²⁰⁴	51 Years or	51 Years or
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²⁰² Please note that age bands changed in 2008 onwards from the age range 31-35 to below 35 and from 35-40 to the age range 36-40.

	Under	Under Comparator	Comparator	Over	Over Comparator
2007	18%	35%	58%	25%	31%
2008	42%	35%	43%	15%	31%
2009	33%	35%	26%	41%	31%
2010	17%	35%	49%	34%	31%
2011	30%	35%	42%	28%	31%
2012	13%	35%	42%	46%	31%
2013	31%	35%	36%	33%	31%
2014 ^{205*}	-	-	-	-	-

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

Table 4.16 illustrates a mixed picture with annual fluctuations for each age group. In saying that, those aged 40 and under are underrepresented in each year except 2008. This would tend to indicate a persistent trend of underrepresentation for this age group. In contrast, those aged 41 – 50 are overrepresented in each year with the exception of 2009. Again, this would indicate a prevailing trend of overrepresentation of those aged 41-50. With respect to those aged 51 and over there has been a much more variable picture. Those aged 51 and over have been overrepresented in the applicant pool in 2009, 2010, 2012 and 2013 and were underrepresented in 2007, 2008 and 2011. It is therefore not possible to identify any underlying trend for this age group.

The figures for the age breakdown for applicants to Judicial Office Tribunals (Legal) positions are included in Table 4.17.

²⁰³ Please note that 2014 amended the age range from 41 years to 50 years and to 41 years to 49 years and from over 51 years to over 50 years.

²⁰⁴ Please note that 2014 amended the age range from 41 years to 50 years and to 41 years to 49 years and from over 51 years to over 50 years.

²⁰⁵ Figures in 2014 for Tribunal (Legal) applicants did not exist in the 2014 Report

Table 4.17 – Age Profile of Annual Applicants for Judicial Office Tribunal (Legal) Positions

Tribunal (Legal)	40 Years or Under	40 Years or Under Comparator	41-50 Years ²⁰⁶	41-50 Years ²⁰⁷ Comparator	51 Years or Over	51 Years or Over Comparator
2007	22%	35%	49%	33%	29%	31%
2008	23%	35%	62%	33%	15%	31%
2009	18%	35%	45%	33%	38%	31%
2010	15%	35%	55%	33%	30%	31%
2011	26%	35%	32%	33%	42%	31%
2012	15%	35%	46%	33%	39%	31%
2013	23%	35%	31%	33%	46%	31%
2014 ^{208*}	-	-	-	-	-	-

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

The figures in Table 4.17 show that those aged 40 and under were underrepresented year-on-year when compared to the population profile of the 2011 Census (30%), while those persons aged 41 and over were generally overrepresented with the exception of 2011 and 2013. In contrast, those aged 51 and over have formed an increasing proportion of the applicant pool, with the exception of 2010. There is an emerging trend towards ever increasing numbers of those aged 51 and over in the applicant pool for Judicial Office Tribunal (Legal) Positions. Overall, table 4.17 highlights a key inequality in the underrepresentation of those aged 40 and under in the applicant pool for Judicial Office Tribunal (Legal) Positions.

The figures for the age profile for applicants to Judicial Office Tribunal (Non-Legal) positions are included in the Table 4.22 below.

²⁰⁶ Please note that 2014 amended the age range from 41 years to 50 years and to 41 years to 49 years and from over 51 years to over 50 years.

²⁰⁷ Please note that 2014 amended the age range from 41 years to 50 years and to 41 years to 49 years and from over 51 years to over 50 years.

²⁰⁸ Figures in 2014 for Tribunal (Legal) applicants did not exist in the 2014 Report

Table 4.18 – Age Profile of Annual Applicants for Judicial Office Tribunal (Non-Legal) Positions

Tribunal (Non-Legal)	40 Years or Under	40 Years or Under Comparator	41-50 Years ²⁰⁹	41-50 Years ²¹⁰ Comparator	51 Years or Over	51 Years or Over Comparator
2007	13	36	20	29	67	35
2008	-	-	-	-	-	-
2009	12	47	12	29	76	24
2010	24	46	19	28	57	26
2011	15	47	19	28	66	25
2012	42	47	9	28	49	25
2013	9	47	24	28	67	25
2014 ^{211*}						

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

The figures in Table 4.18 show that persons aged 51+ accounted for the majority of Judicial Office Tribunal (Non-Legal) applicants for every year of the reporting period and over represented in proportion to the comparator figures shown in the table. The figures also show those aged 40 and under were underrepresented when in relation to the comparator figures for every year in the reporting period. This was also the case for those aged 41 -50. This indicates that there is a persistent trend of underrepresentation of those persons aged 40 and under, and those aged 41 – 50, in relation to Judicial Office Tribunal (Non - Legal) applicants.

Appointments

The NISRA Equity Monitoring reports also provided figures on the percentage of appointments to Courts and Tribunals (Legal) as well as Tribunals (Non-Legal). The Equity Monitoring reports do not provide separate figures for appointments to Judicial Office Court and Tribunal (Legal) appointments. They also do not provide combined figures for Court and Tribunal applicants and therefore the appointment and applicant figures cannot be compared in this respect. The figures for the age profile for appointments to Judicial Office Court and Tribunal (Legal) positions are included in the Table 4.19.

²⁰⁹ Please note that 2014 amended the age range from 41 years to 50 years and to 41 years to 49 years and from over 51 years to over 50 years.

²¹⁰ Please note that 2014 amended the age range from 41 years to 50 years and to 41 years to 49 years and from over 51 years to over 50 years.

²¹¹ Figures in 2014 for Tribunal (Legal) applicants did not exist in the 2014 Report

Table 4.19 – Age Profile of Annual Appointments for Judicial Office Courts and Tribunal (Legal) Positions

Courts and Tribunal (Legal)	40 Years or Under	41-50 Years	51 Years or Over
2007	32%	38%	30%
2008	44%	56%	0
2009	33%	17%	50%
2010	22%	56%	22%
2011	27%	27%	47%
2012	0	33%	67%
2013	0	14%	86%
2014 ²¹²	33%	50%	17%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

The figures in Table 4.19 show that persons over the aged 41 and over account for the majority of Judicial Office Court and Tribunal (Legal) appointments for every year of the reporting period, while persons under the age of 40 only account at maximum for one third of appointments excluding 2008 and significantly lower than this percentage for individual years. These figures demonstrate that those under the age of 40 have been underrepresented since 2009 when compared to the population profile of the 2011 Census. They also demonstrate that those over the age of 41, and in some years persons between the age of 41-49 as well as those persons over the age of 51, have been overrepresented during the reporting period. However, for a number of years those aged 40 and under were appointed proportionately in line with the population profile of the 2011 Census, although zero applicants were appointed in this age range in 2012 and 2013. This may therefore be considered an emerging inequality in participation in public life.

Although due to the low numbers of Judicial Office Court and Tribunal (Legal) appointments being made on an annual basis, it is difficult to draw any definitive conclusions from the figures in Table 4.19.

The figures for the age profile for appointments to Judicial Office Tribunal (Non-Legal) positions are included in the Table 4.20 below.

²¹² Age range changes for this year to 41-50 and 51+

Table 4.20 – Age Profile Composition of Annual Appointments for Judicial Office Tribunal (Non-Legal) Positions

Tribunal (Non-Legal)	40 Years or Under	41-50 Years	51 Years or Over
2007	15%	15%	69%
2008	-	-	-
2009	17%	0	83%
2010	25%	19%	56%
2011	0%	18%	82%
2012	48%	14%	38%
2013	0	0	100%
2014 ²¹³	35%	24%	41%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

The figures in Table 4.20 show that those persons aged 41 and over accounted for the majority of Judicial Office Tribunal (Non-Legal) appointments while in particular appointments of those persons aged 51 and over accounted for the majority of appointments in this context excluding 2012 and 2014. These figures also demonstrate that those under the age of 40 were underrepresented during the reporting period excluding the years 2012 and 2014, when compared to the population profile of the 2011 Census (30%). They also demonstrate that those persons over the age of 51 have been overrepresented for every year during the reporting period. However, in more recent years such as 2012 and 2014 persons aged 40 and under were appointed in greater proportions, although this remains to be seen if this will continue as an established trend given fluctuations over the period. This may therefore be considered a key inequality in participation in public life. It must be noted that these representation levels in terms of the age profile of appointments to Judicial Office Tribunal (Non-Legal) are not surprising considering that relevant qualifications and experience are required to meet the eligibility criteria for these positions.

In terms of comparing the percentage of Judicial Office Tribunal (Non-Legal) applicants by age range shown in Table 4.18 against the number of appointments by age range in Table 4.20; both tables demonstrate that the percentage of applicants of each age range generally corresponds to the percentage of appointments of each age range. However, there is perhaps higher representation for those aged 51 years and over in terms appointments to Judicial Office (Non-Legal Tribunals) than in relation to applicants for these positions. In addition there is greater representation in respect of the age group 41-49 years in terms of applicants when compared to appointments.

Recommendations and Renewals for Appointment

Table 4.21 below provides combined figures for the age profile of those individuals who have been recommended for a Judicial appointment or renewal between 2007 and 2014.

²¹³ Age range changes for this year to 41-50 and 51+

Table 4.21 – Age Composition (Years) of Annual Recommendations for Judicial Appointment and Renewal of Judicial Appointments Combined

	<35		36-40 ²¹⁴		41-45		46-50		51-55		56-60		60+	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2006/2007	10	5%	27	15%	24	13%	35	19%	28	15%	20	11%	38	21%
2007/2008	0	-	4	8%	3	6%	10	20%	10	20%	8	16%	14	29%
2008/2009	1	2%	4	7%	3	5%	11	19%	10	18%	15	26%	13	23%
2009/2010	16	4%	32	8%	47	12%	73	18%	79	20%	61	15%	92	23%
2010/2011	1	3%	2	6%	3	9%	6	17%	9	26%	3	9%	11	31%
2011/2012	8	9%	2	2%	10	12%	8	9%	15	17%	16	19%	27	31%
2012/2013	3	4%	5	6%	9	11%	7	9%	17	22%	15	19%	23	29%
2013/2014	13	14%	7	8%	10	11%	8	9%	15	16%	17	18%	22	24%
2006/2007-2013/2014	52	5%	83	8%	109	11%	158	16%	183	19%	155	16%	240	24%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment and Renewal of Appointment: (2007), 182 (2008), 49 (2009), 57 (2010), 400 (2011), 35 (2012), 86 (2013), 79 and (2014), 92.

The figures in Table 4.21 are largely reflective of the representation levels included in Table 4.23, although they are in contrast to Table 4.22. The overall figures in Table 4.21 identify that those who were either recommended for a Judicial appointment or renewal during the period 2006/2007-2013/2014 were predominantly composed of persons aged over 50 (59%). This is in contrast to Table 4.22 that identified that 49% of those who were recommended for Judicial appointment were over the age of 50. Those aged 50 and over are also over-represented when compared against the 2011 Census as it makes up 59% of those recommended for a Judicial appointment or renewal during the period 2007-2014 but only accounts for 30% of the population in 2011.

Table 4.21 also demonstrates that persons between the age of 18-50 (40%) who were recommended for a Judicial appointment or renewal are underrepresented when compared to the 2011 Census (45%). This is in contrast to Table 4.21 that identified that 50% of those who were recommended for a Judicial appointment were between the age of 18 to 50 while those between the age of 18-50 only make up 40% of those recommended for a Judicial appointment or renewal. This age group broadly reflects the population as identified by the 2011 Census. It should be noted that these representation levels in terms of the age profile of recommendations for Judicial

²¹⁴ Please note that age bands changed in 2008 onwards from the age range 31-35 to below 35 and from 35-40 to the age range 36-40.

appointments or renewal are not surprising considering that relevant qualifications and experience are required to meet the eligibility criteria for these positions.

Table 4.22 below provides the age profile of those persons who have been recommended for Judicial appointment between 2006/2007 and 2013/2014. The NIJAC annual reports do not provide separate figures for recommendations for Judicial court appointments or Judicial tribunal appointments and therefore they are not included in this meta-analysis.

Table 4.22 – Age Profile of Annual Recommendations for Judicial Appointment

	<35		36-40 ²¹⁵		41-45		46-50		51-55		56-60		60+	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2006/2007	10	7%	27	18%	18	12%	25	17%	25	17%	15	10%	31	21%
2007/2008	0	-	3	27%	3	27%	3	27%	0	-	1	9%	1	9%
2008/2009	1	4%	3	12%	2	8%	5	20%	7	28%	5	20%	2	8%
2009/2010	3	12%	3	12%	4	16%	1	4%	9	36%	4	16%	1	4%
2010/2011	1	6%	2	13%	1	6%	3	19%	6	37%	1	6%	2	13%
2011/2012	7	22%	1	3%	4	12%	0	-	6	19%	8	25%	6	19%
2012/2013	3	13%	0	-	1	4%	1	4%	4	18%	3	13%	11	48%
2013/2014	13	22%	7	12%	10	17%	8	13%	6	10%	12	20%	4	6%

²¹⁵ Please note that age bands changed in 2008 onwards from the age range 31-35 to below 35 and from 35-40 to the age range 36-40.

2006/2007-2013/2014	38	11%	46	13%	43	13%	46	13%	63	18%	49	14%	58	17%
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Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment: (2007), 151 (2008), 11 (2009), 25 (2010), 25 (2011), 16 (2012), 32 (2013), 23 and (2014), 60.

Table 4.22 indicates that those persons recommended for Judicial appointment are predominantly made up of persons over the age of 46. This is in contrast to Table 4.12 and Table 4.16 that both identify that applicants' for Judicial Court Appointments are predominantly made up of persons in the age group 41-55. However, it is generally similar to Table 4.15 that identifies that those aged over 46 and over make up 66% of overall applicants for Judicial Tribunal appointments during the period 2006/2007-2013/2014 while Table 4.21 identifies this figure to be 62% for those recommended for Judicial appointment. This age group is also over-represented when compared against the 2011 Census as it makes up 62% of those recommended for Judicial appointment during the period 2006/2007-2013/2014 but only accounts for 38% of the population in 2011. Table 4.22 also demonstrates that persons between the age of 18 and 46 who were recommended for Judicial appointment are relatively proportionately represented when compared to the 2011 Census. However, when considering those aged under 40 there is underrepresentation of this age group when compared to the 2011 Census figure. Therefore suggesting a key inequality in terms of underrepresentation of those aged 18-40 years of age. It should be noted that these representation levels in terms of the age profile of recommendations for Judicial appointment are not surprising considering that relevant qualifications and experience are required to meet the eligibility criteria for these positions.

Table 4.23 below provides figures for the age profile of those individuals who have been recommended for renewal for Judicial appointment between 2006/2007 and 2013/2014.

Table 4.23 – Age Composition (Years) of Annual Recommendations for Renewal of Judicial Appointment

	<35		36-40 ²¹⁶		41-45		46-50		51-55		56-60		60+	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2006/2007	0	0%	0	0%	6	19%	10	32%	3	10%	5	16%	7	23%
2007/2008	0	0%	1	3%	0	0%	7	18%	10	26%	7	18%	13	34%
2008/2009	0	0%	1	3%	1	3%	6	19%	3	9%	10	31%	11	35%
2009/2010	13	3%	29	8%	43	12%	72	19%	70	19%	57	15%	91	24%
2010/2011	0	0%	0	0%	2	11%	3	15%	3	15%	2	11%	9	48%
2011/2012	1	2%	1	2%	6	11%	8	15%	9	16%	8	15%	21	39%
2012/2013	0	0%	5	9%	8	14%	6	11%	13	23%	12	22%	12	22%
2013/2014	0	0%	0	0%	0	0%	0	0%	9	28%	5	16%	18	56%

²¹⁶ Please note that age bands changed in 2008 onwards from the age range 31-35 to below 35 and from 35-40 to the age range 36-40.

2006/2007- 2013/2014	14	2%	37	6%	66	10%	112	18%	120	19%	106	17%	182	28%
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Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Renewal of Appointment: (2007), 31 (2008), 38 (2009), 32 (2010), 375 (2011), 19 (2012), 54 (2013), 56 and (2014), 32.

The figures in Table 4.23 identify that overall those who were recommended for Renewal of Judicial Appointment were predominantly composed of persons aged over 50 (64%). This is in contrast to Table 4.17 that identified that 49% of those who were recommended for Judicial appointment were over the age of 50. This age group is also over-represented when compared against the 2011 Census which accounts for 30% of the population in 2011. Table 4.23 also demonstrates overall that persons between the ages of 18-50 (36%) who were recommended for renewal of a Judicial appointment are underrepresented when compared to the 2011 Census (44%). Indeed, when considering those under 40 years of age there is more marked underrepresentation. There is therefore a key inequality in terms of underrepresentation of those aged 18-40 years of age in terms of Recommendations for Renewal of Judicial Appointment. It must be noted that these representation levels in terms of the age profile in recommendations for Renewal of Judicial Appointment is not surprising considering that relevant qualifications and experience are required to meet the eligibility criteria for these positions.

Success Rates

The success rate for the age breakdown of applicants for Judicial Appointment is provided in Table 4.24. The success rate is a calculation of the likelihood of any one applicant belonging to a specific group being appointed. Where these proportions are broadly the similar this would indicate that applicants stand a relatively equal chance of being appointed regardless of their age group. Where these proportions are dissimilar then that would indicate that applicants from different age groups stand an unequal chance of being appointed, favouring candidates from those groups where there is a higher ratio.

Table 4.24 – Success Rate of Age Range (Years) Composition of Applicants for Judicial Appointments

	<35	35-40	41-45	46-50	51-55	56-60	60+
2006/07	0.77	0.73	0.53	0.41	0.54	0.65	1
2007/08 ²¹⁷	0	0.17	0.27	0.15	0	0.25	1 Recommended*
2008/09	0.09	0.16	0.08	0.16	0.14	0.19	0.18
2009/10	0.43	0.18	0.15	0.04	0.27	0.33	0.25
2010/11	0.03	0.05	0.02	0.08	0.11	0.03	0.2
2011/12	0.28	0.08	0.13	0	0.10	0.27	0.26
2012/13	0.15	0	0.03	0.04	0.12	0.21	2.2*
2013/14	0.33	0.15	0.14	0.14	0.08	0.25	0.24

²¹⁷ Please note that age bands changed in 2008 onwards from the age range 31-35 to below 35 and from 35-40 to the age range 36-40.

2006/07-2013/14	0.25	0.21	0.15	0.16	0.18	0.26	0.57
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Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014)

Base Annual Recommendations for Appointment: (2007), 151 (2008), 11 (2009), 25 (2010), 25 (2011), 16 (2012), 32 (2013), 23 and (2014), 60

Base Annual Applicants for Judicial appointments: (2007), 245 (2008), 66 (2009), 175 (2010), 122 (2011), 265 (2012), 209 (2013), 154 and (2014), 351

* Applicants under 60 when making application

Table 4.24 indicates that overall applicants for Judicial appointments over the age of 50 have around a 1 in 4 chance (0.16, 0.18, 0.26) represented as of being recommended for Judicial. However, those applicants who are aged below 50 only have around a 1 in 5 (represented as 0.25, 0.21) chance of being recommended for a Judicial appointment. Table 4.20 also demonstrates that those applicants over the age of 55, and in particular over the age of 60 have a higher chance than any of the other applicants in other age groups. Those over the age of 55 have a 1 in 3 (represented as 0.18 and 0.26) chance of being recommended for a Judicial appointment while those over the age of 60 have around a 1 in 2 (0.57) chance. The applicants with the lowest chance of being selected are those applicants aged between 41-50 who only have a 1 in 6 (represented as 0.15 and 0.16) chance of being recommended for a Judicial appointment.

4.4 Depth Interviews

A series of 13 depth interviews were conducted with a range of participants across the nine Section 75 grounds. Of the 13 interview participants, 3 are aged below 30 and 4 are aged over 60. As part of this study two round table discussion groups were undertaken with a total of 16 members of the NICCY Youth Panel (NYP). The NICCY Youth Panel (NYP) is made up of young people who share their experiences and thoughts with the Commissioner and her staff and help NICCY make decisions about issues that affect children and young people. Members of the panel represent young people aged between 12 and 18, from different religions, with different abilities and disabilities and from different ethnic groups. The members are also spread geographically throughout Northern Ireland. The aim of the groups was to find out what motivated young people to participate in public life and what did they consider to be the main enablers and barriers (perceived or real) to participation in public life.

In both groups a variety of reasons were given for becoming involved in the NYP. These included altruistic reasons such as “wanting to make a difference for all young people” to more pragmatic reasons such as wanting to gain skills and experience to enhance UCAS applications.

“We were interested in NICCY to make up time in voluntary hours, to meet new people and make a change to young people’s lives”

“ We were encouraged to come because it makes us feel that we can be heard and have our lives and futures changed for the better”

A couple of the young people stated that were actively encouraged to become a member of the NYP by their parents as they [the parents] believed it was a positive activity and it would give them the opportunity to have new experiences, make friends and meet new people. Whereas others were encouraged by either a member of staff from their school or through the School Council.

“In school, directly from history teacher, our school was told about NICCY through John. We also heard about it from the School Council”

Several young people stated that their involvement with NYP has encouraged them to take part in other youth participation activities such as youth councils and school councils.

“We feel being involved with NICCY has helped us to become more involved in other groups e.g. youth councils, school councils”

The groups were asked to identify what they perceived as potential barriers that may affect young people’s ability to participate in public life. Their responses have been divided into two sections- physical barriers and attitudinal barriers. Perceived physical barriers included: a lack of time due to education and/or work obligations. Young people explained that they often have to juggle different priorities and at times feel they cannot fit all activities into their daily routines. The exam period in schools was often cited as an example. The timing of some activities was also considered to be a potential barrier particularly if activities take place during school hours.

“We feel we can be discouraged by having to come during the week rather than the weekend”

In terms of attitudinal barriers both groups identified a lack of confidence or low self-esteem as issues that can have negative impacts on some young people’s decision making processes and hence they don’t become involved. Furthermore, as one group acknowledged, not all young people have the same interests or desire to participate in public life and that the activities on offer are just not for them.

Lack of awareness due to poor communication regarding the range and type of activities young people can become engaged in was also perceived as a potential barrier. Young people suggested that better use could be made of social media to communicate to all young people about opportunities available and that schools could also be more proactive in this area.

“More advertising – on internet or somewhere available to young people – more publicity”

“Schools involving people in groups and letting them know what is available for young people – encouraging young people to get involved”

The application and selection process was cited as a potential barrier for young people particularly those with learning needs or low literacy levels. The length of

time for applications to be processed was also considered as a de-motivator as young people may lose their initial enthusiasm and interest.

“Making the application process easier- making forms easier and more readily available”

In terms of enablers young people stated that it was vital that all young people receive travel and lunch expenses paid when appropriate. The level of parental and school support received was also perceived as very important as both had an important part to play in sustaining young people’s involvement.

“Schools are happy to let us out as long as people make them aware of what’s happening”

Several young people stated that the opportunity to work towards specific awards (Millennium Award, Order of Malta) was a motivating factor in their decision to participate in certain activities and they suggested that other incentives could also be promoted. Overall, the young people participating in the groups had developed a culture of participation and consequently did not perceive a great deal of barriers to their participation, particularly given the level of facilitation by NICCY.

This could also be said of the three interview participants that had passed state pension age. Of these three none had noted any barriers that they had encountered specifically as a result of their age. Instead the barriers that had been encountered were attributed to the issues experienced as a result of belonging to underrepresented groups in other Section 75 grounds such as gender and ethnicity, as well as other issues such as reliance on public transportation or friends providing transport.

In terms of their identity none of the interview participants who had reached state pension age discussed their age to any great extent and it was not particularly viewed as important to their identity. In saying that, one interview participant did feel that their age was potentially a mental barrier to their on-going participation in the rights of an underrepresented group within another Section 75 ground.

“I’m too old to campaign [on those issues now]. Sure, I go and talk to [those] groups when they invite me along to speak, but I think the actual campaigning is better left up to the next generation.”

(Interviewee R)

This view was, to some extent, mirrored in the views expressed by interview participants that would be included in the 18 – 24 age group, as well as some of the other interview participants who indicated that they felt it was important to ensure that young people are actively involved and participating in public life. Indeed, some interview participants acknowledged that it was difficult for young people to become involved.

“It’s difficult to get young people ... on our board. They often find it difficult to get through the selection process because they don’t have experience of governance issues. To get onto a board, or to get a Government Public Appointment, that is the kind of experience you often need. It’s not that young people don’t have the ability, but they don’t have the experience.” (Interviewee C)

This was felt to be a considerable barrier for young people in terms of their participation in public life. In order to overcome this obstacle the same interviewee suggested that it would be useful to offer mentoring and shadowing arrangements, or even potentially a shorter term on the board to give younger people a taste of being on the board and the effort required for them to participate. In contrast, these sorts of issues were not felt to be as important for older people. One interviewee discussed the high level of retired civil servants going through the Government Public Appointments process.

“I have sat on a couple of boards over the last few years and you always end up with two or three retired civil servants. I used to think it was not good having all these retired civil servants sitting on boards left, right and centre, but I will tell you something – they know how to get things done. They have lots of experience and lots of contacts and can quite often pick up the phone and talk to the right people.”

(Interviewee S)

Although this was specific to civil servants, it highlights an important enabler of participation in public life. Many older people bring significant skills and experience to their role in public life whether that is a Government Public Appointment or some other area included within the definition. In addition, older people have good networks of contacts and have the time to be able to commit to participating in public life. Where barriers are experienced by older people these often come at the intersection with underrepresented groups in other Section 75 grounds.

4.5 Summary and conclusions

Age inequalities can occur for both younger and older people, adding a complexity to this Section 75 ground which may not be as identifiable in other Section 75 grounds. The literature review identified a number of barriers which are specific to young people such as a lack of experience, a lack of confidence or low self-esteem, a lack of transport, and the domination of recruitment/selection panels by white middle aged males.

In terms of older people, issues such as lack of confidence amongst older people; fear of recriminations; lack of belief amongst staff; professional language and jargon; professionals believing issues are too complex for older people; and costs were identified as barriers to participation.

Overall, the literature review identified that there are a number of barriers which can affect either younger people or older people and that needs to be addressed to ensure their inclusion in the full range of areas of participation in public life included in the definition.

The literature review also identified a number of enablers which are specific to young people such as reaching out to younger people and encouraging participation, as well providing mentoring programmes or role models which would encourage participation. In terms of older people, specific enablers included ensuring that buildings are accessible and appropriate facilities are available to accommodate the participation of older people, specifically those with age related health issues.

In terms of the meta-analysis of secondary quantitative data, there were a significant number of areas of participation in public life included within the definition for which there was no data. This is a key observation in itself. It was clear from the meta-analysis of secondary data for those areas in which data exists that there is a persistent trend of underrepresentation of younger people, particularly those under the age of 40. This was evident across Government Public Appointments, access to the voting system and the Judiciary. Although, the data for School Boards of Governors and Elected Representatives shows an underrepresented of those aged under 41, it cannot be considered a key inequality given the limitations of the data.

While it was possible to identify key inequalities for the underrepresentation of younger people, particularly those under 40, it is important to note that for Government Public Appointments there was no data for 23% of appointees and for the Judiciary the candidate pool for those under 40 is reduced due to the length of legal experience required to be considered competent for a Judicial appointment. Bearing this in mind, it would appear that there is a key inequality for younger people (<40) when it comes to participating in public life which has persisted during the period 2007-2014.

Religious belief

5 Religious belief

5.1 Summary of key findings

This chapter investigated inequalities on the ground of religious belief. It should be noted that where public authorities collect and publish data on participation in public life it covers the ‘Protestant’, ‘Catholic’, ‘Other’ and/or ‘Neither’ community backgrounds rather than what would otherwise be considered religious belief. As public authorities collect and publish some data on community background, this chapter investigates and analyses this form of classification for inequalities. Due to the variations in the collection of data relating to religious belief available data was benchmarked against the 2011 Census for community background.

Where there is data available, namely Government Public Appointments, School Board of Governors and the Judiciary, it is presented by community background, and as such, has been analysed for the purposes of this study.

The key findings of the analysis of secondary data are as follows:

- Fluctuating levels of participation across different community backgrounds in terms of Government Public Appointments
- The Northern Ireland Judiciary:
 - Those of a Catholic community background are found to be underrepresented in:
 - Judicial Office Court, Tribunals (Non-Legal) and Lay Magistrates positions
 - Judicial Office Tribunal (Non-Legal) Applicants and Appointments
 - Recommendations for Judicial Appointments
 - Recommendations for Renewal of Judicial Appointments
 - In contrast, those from a Protestant community background are found to be underrepresented in:
 - Judicial Office Tribunals (Legal) positions
 - Applicants for Judicial Appointments Court
 - Applicants for Judicial Appointments Tribunal
 - Applicants for Judicial Office Tribunal (Legal) positions

In respect to the participation by religious belief in School Board of Governors, data is only available on a limited basis. Consequently, this research was unable to draw reliable conclusions for this area of public life.

While the meta-analysis focussed on community background, it was possible to investigate religious belief more widely in the literature review. The key findings of the literature review covering barriers and enablers of participation in public life are as follows:

- Barriers to participation in public life mainly affect non-Christian denominations and include:

- Concerns about prejudice,
 - Navigating the bureaucracy associated with participating in public life,
 - The perceived culture of public bodies, and
 - A lack of community confidence and trust in public bodies.
- Enablers of participation in public life identified in the literature review include:
 - Support from public bodies to increase diversity in participation, reaching out to underrepresented groups,
 - Raising awareness and communicating appropriately, and
 - Targeted recruitment to encourage participation among persons with a range of religious beliefs.

The remainder of this chapter sets out firstly; the literature review of both academic and professional reports which explore the underrepresentation of persons of different religious belief, and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons of different community background. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the level of representation of religious belief across a range of areas of participation in public life.

5.2 Literature review

The context section (Chapter 2) of this full report provided an overview of the legal and policy framework which sets out the right to equal participation in public life for all regardless of race, colour, creed, gender, age, sexual orientation or disability through the UN Declaration of Human Rights (1948)²¹⁸, the International Covenant On Civil and Political Rights (1976)²¹⁹, International Covenant on Economic, Social and Cultural Rights (1976)²²⁰, and the Northern Ireland Act (1998) Section 75²²¹. The specific legal and policy framework dedicated to the promotion of equality in participation in public life on the basis of religious belief is discussed below.

Legal and Policy Framework

The most important legislation for the promotion of equality of opportunity in participation in public life in Northern Ireland is Section 75 of the Northern Ireland Act (1998).

Section 75 Northern Ireland Act 1998

²¹⁸ United Nations General Assembly (1948) "Universal Declaration of Human Rights" (available at http://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf)

²¹⁹ United Nations General Assembly (1976) "The International Covenant On Civil and Political Rights" (available at <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>)

²²⁰ United Nations General Assembly (1976) "The International Covenant on Economic, Social and Cultural Rights" (available at <http://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>)

²²¹ Northern Ireland Act (1998) (available at <http://www.legislation.gov.uk/ukpga/1998/47/contents>)

The Northern Ireland Act (1998) devolved decision-making power to a legislative assembly in Belfast that came into force on 1st January 2000. The Act is the basis for much of the equality agenda in Northern Ireland. In particular Section 75 of the Northern Ireland Act placed a statutory obligation on public authorities in carrying out their various functions to promote equality of opportunity across 9 different grounds, one of which is between persons of different religious belief²²². Section 75 of the Northern Ireland Act is discussed in greater detail in chapter 2 of this report.

Fair Employment and Treatment Northern Ireland Order (FETO) 1998

The Fair Employment and Treatment (NI) Order 1998 outlaws discrimination on the basis of religious belief²²³ and covers the Government Public Appointments and Judicial Appointments processes. This order identifies four possible types of discrimination direct discrimination; indirect discrimination; harassment; and victimisation and sets out monitoring arrangements and recourse to the law in the event an individual believes they may have been discriminated against. ECNI monitors and reviews the participation of members of each community to identify whether levels of participation are fair. Each year, ECNI publishes a Monitoring Report seeks to inform employers and interested parties about aggregate compositional patterns that, alongside other information on local labour availability, might suggest a dynamic or pattern that might better inform their own considerations of fair participation within their own or specific employment(s).

Barriers to, and enablers of, participation in public life

In Northern Ireland the focus on equality and non-discrimination among persons of different religious beliefs has primarily concentrated on the Protestant or Catholic community background. Much of this focus has been on issues of housing, employment and education although attention has been given to representation of both Protestants and Catholics within the power sharing arrangements established by the 1998 Belfast Agreement. As a consequence of the efforts to establish greater equality between Protestants and Catholics, less attention has been given to the participation of persons with other religious beliefs²²⁴. Ganiel (n.d.) suggests that a key issue of the focus on bringing Protestants and Catholics together is that there is little outreach to other religious faiths. Ganiel (n.d.) argues that a result of this limited outreach to other religious faiths is a lack of engagement.

This is not reflected in the UK where there have been some studies which explore the participation in public life among persons of non-Christian religious belief. A study by O'Toole *et al* (2013) highlights that there is increasing representation of the Muslim community in public and political life evidenced by higher levels of representation at a parliamentary and local government level, as well as in the governance structures of public bodies and authorities²²⁵. The authors suggest that this is facilitated by developments within the UK policy framework which has

²²² Section 75 of the Northern Ireland Act (1998)

²²³ National Archives (2014) The Fair Employment and Treatment (Northern Ireland) Order 1998, (Available at: <http://www.legislation.gov.uk/nisi/1998/3162/contents/made>) Accessed on 05.03.2015

²²⁴ Ganiel, G. (n.d.) Surveying Religion's Public Role: Perspectives on Reconciliation, Diversity and Ecumenism in Northern Ireland. *Shared Space: A research journal on peace, conflict and community cohesion in Northern Ireland*.

²²⁵ O'Toole, T.; Dehanas, D. N.; Modood, T.; Meer, N., and Jones, S. (2013) *Taking Part: Muslim Participation in Contemporary Governance*. University of Bristol.

focussed on reaching out to the Muslim community and encouraged participation in governance structures by members of the Muslim community. The study by O'Toole *et al* (2013) does however, identify that community mistrust of public bodies and political institutions is a consequence of how the state tries to engage with the Muslim community, which acts as a barrier to wider participation.

An earlier UK study by Weller (2009) identified key enablers and barriers to broadening participation in public life across a wider spectrum of religious beliefs²²⁶. Weller (2009) notes the role of local authorities in reaching out and engaging with local faith groups as an important enabler of participation in public life. However, Weller (2009) identifies that a lack of social capital²²⁷ and limitations around the extent to which public bodies and political institutions recognise and reach out to smaller religious minorities (e.g. Buddhists, Baha'i, Jain or Humanists) act as key barriers to participation in public life for religious minorities.

Interestingly, the focus on broadening participation in public life to religious minorities has resulted in some Christian groups, such as Premier Christian Media, to claim that Christians are marginalised in participation in public life²²⁸ within Britain. The report by Premier Christian Media (2011) highlights that Christians perceive a bias against them within public bodies and political institutions and a perception that the rights of Christians are subsidiary to those of other religions. While it may be difficult to identify parallels in a Northern Ireland context there is no doubt a perception among Christians in the UK that they are marginalised as the state focuses on trying to reach out and engage with other religious faiths viewed as underrepresented.

A 2008 study commissioned by the Joseph Rowntree Foundation (JRF) identified barriers to citizen governance at the intersection of faith, gender and race²²⁹. The research was informed by a literature review and data was collected through in-depth interviews with 115 women across Birmingham who participated in public life. The research identified that there was a number of common themes which contributed to the initial engagement in public life. These include a focus on a specific issue, the desire to make a difference for their community, or through a sense of religious duty. The report identified a common experience among participants where they encountered prejudice and discrimination through the attitudes and behaviours of some people leading, managing and participating within governance structures which limited their access to and progression within all types of structures. These included negative perceptions about their abilities and being undermined because of faith stereotypes.

The report (2008) commissioned by JRF²³⁰ conducted in Birmingham also identified that cultural factors impacted the ability of some women to participate within public life. Some Muslim women pointed out that mixed-gender settings would be an

²²⁶ Weller, P. (2009) How participation changes things: 'inter faith', 'multi faith' and a new public imaginary. In (eds) Adam Dinham, Robert Furbey, Vivien Lowndes, *Faith in the Public Realm: Controversies, Policies and Practices*. Policy Press: University of Bristol

²²⁷ Social capital is referred to by Weller as the skills, knowledge, abilities and resources individuals require to effectively participate in public life, however, this term can be applied to participation in other areas of life.

²²⁸ Premier Christian Media (2011) *Report on the Marginalisation of Christianity in British Public Life 2007-2011*. Premier Christian Media: London.

²²⁹ Rai (2008) *Routes and barriers to citizen governance*. York: Joseph Rowntree Foundation.

²³⁰ *Ibid.*

obvious barrier for some women from their faith community. In addition, some participants found that excessive bureaucracy hindered rather than facilitated participation and highlighted poor communication channels, conflicts of interests between community needs and personal and organisational agendas, and restrictive 'top-down' approaches. Others pointed to a distinct lack of community confidence and trust in political institutions and public bodies and views that participation was largely a futile exercise. In the view of some, ideological conflicts limited the scope for faith groups to take a more active part within local governance.

In order to overcome these barriers, the report identifies the need for effective, visible and connected leadership. The report states for this to happen it is necessary for the front-line leadership to be empowered, trained and equipped in order to maximise partnership potential. They need to demonstrate a commitment to the highest ethical standards and strong public accountability structures. In addition to this they need to set in place a range of practical measures such as mentoring programmes, the use of positive role models, capacity building and training support. While many of the barriers identified in the JRF (2008) report may be specific to women from an ethnic minority, the recommendations mentioned above could equally apply to other underrepresented groups.

A number of barriers and enablers were identified in the reports discussed above. These appeared consistently across reports at different levels. It was therefore possible to synthesise the key barriers to participation on the ground of religious belief.

The barriers to participation in public life identified in the literature are as follows:

- Lack of outreach to underrepresented groups
- Concerns about prejudice or discrimination against an underrepresented group
- Lack of education/training/capacity building
- Lack of skills
- Bureaucracy associated with participating in public life (i.e. Government Public Appointments)
- Lack of experience
- Lack of confidence or low self-esteem / anticipated fear or anxiety many people have of the participation process
- Perceived culture of public bodies
- Lack of support/development of sector for underrepresented groups
- Negative perceptions about the skills, abilities and experience of people from underrepresented groups
- Being undermined because of stereotypes
- Lack of community confidence and trust in political institutions and public bodies
- Cultural acceptance of female participation

The enablers of participation in public life identified in the literature are as follows:

- Clear guidance for public bodies on identifying and removing barriers

- Support for public bodies to put in place time-bound, measurable plans for increasing diversity in participation
- Raising awareness among underrepresented groups
- Monitoring, analysing and evaluating the level of diversity
- Reaching out to underrepresented groups
- Creating a more positive environment / culture change
- Communication that is timely and appropriate / national and local awareness campaigns
- Mentoring and positive role modelling for participants
- Capacity building and training support

The items listed above represent the barriers to, and enablers of, participation in public life that it is possible to identify on those reports which focus on religious belief and participation in public life.

5.3 Meta-analysis of secondary quantitative data

There is no centralised collection or publication of data on religious belief in the areas of public life in Northern Ireland. However, there is some data available in terms of community background, although this has clear shortcomings as individuals are categorised as being part of the Protestant community or Catholic community or neither. Therefore we are unable to assess the level of individual non-Christian religions as well as individual Christian denominations and instead use the Census data on community background as a comparator for the data which is made publicly available. There may of course be some advantages with using community background as a measure because this categorisation provides scope for comparison and is a commonly used term of reference. Bearing this in mind, it should be noted that the data that is available in terms of Protestant and Catholic community background has limitations in relation to assessing representation by religious belief.

Areas of data absence

An extensive search of online and offline sources was conducted in relation to all the areas covered by the definition of participation of public life contained within the introduction. It became apparent during these search efforts that data was absent in terms of community background for many of the bodies contained within the definition, including:

- Local Strategic Partnerships
- Citizens Panels
- Public Bodies focus and or working groups
- School Councils
- Youth Councils
- User groups for a service provided by a Public Authority
- Members of Political Fora
- Litigants – Access to Law and Courts
- Jurors
- Recruitment and Selection Panels
- Members of a voluntary group
- Community Police Liaison Committees

- Neighbourhood Watch Committees
- Community Associations or Fora
- Access to Voting System

Data availability

However, there was centralised data relating to community background in public life available in terms of:

- Government Public Appointments
- The Judiciary

Furthermore, there was limited information relating to:

- School Boards of Governors

The data²³¹ available for the above mentioned areas, although in places limited, provides some indication of participation levels from those of different community background in these areas of participation in public life. These will now be discussed.

Understanding and benchmarking available data

In order to adequately assess the level of participation of persons of different religious belief, it was considered appropriate to display the current 2011 Census figures for the composition of the religion or religion brought up in for the population of Northern Ireland. These are detailed in the Table 5.1.

Table 5.1 – Northern Ireland 2011 Census Population Statistics Religion or Religion brought up in

	Protestant and Other Christian		Catholic		Other Religions		No Religion	
	N	%	N	%	N	%	N	%
Census 2011	875,717	48%	817,385	45%	16,592	0.9%	101,169	6%

Source: NISRA Northern Ireland Census 2011 Population Tables, Religion (or religion brought up in) 2011 KS212 (2012)

²³¹ Please note that all percentages in this meta-analysis have been rounded up to whole numbers except where the percentage is below 1%. Also where numbers and percentages are provided during the 2007-2014 time period, an additional aggregate figure has been inserted in order to analyse the overall level of representation during the reporting period.

Table 5.1 shows that 45% of the population were either Catholic or brought up as Catholic, while 48% belonged to or were brought up in the Protestant, Other Christian or Christian-related denominations. A more detailed collection and breakdown of figures showing representation by person's religious belief in public life is necessary in order to offer an opportunity to examine differences in levels of representation of persons of different religious belief prevalent in Northern Ireland against the 2011 Census data. Without this breakdown it is not possible to state categorically whether there is underrepresentation in public life for any religious belief.

Government Public Appointments

The data presented below displays the Government Public Appointments community background composition as detailed in the OFMDFM annual publications on Government Public Appointments. Please also note that Government Public Appointments are generally held for a three year period, therefore in any given year, there are only around a third of appointments made subject to the recruitment and selection process. Therefore this meta-analysis is unable to examine the success rates of applicants for Government Public Appointments.

It must also be noted that the figures in Table 5.2 below include re-appointments and therefore this makes it difficult to compare it against the figures detailing the number of annual Government Public Appointments applicants.

Table 5.2 – Community Background Composition of Government Public Appointments

	Annual Government Public Appointments Overall								Government Public Appointment's Applicants							
	Protestant Community		Roman Catholic Community		Neither		N/K		Protestant Community		Roman Catholic Community		Neither		N/K	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2006/07	134	30%	118	26%	35	8%	164	36%	516	46%	444	40%	105	9%	46	4%
2007/08	176	39%	143	32%	21	5%	110	24%	406	44%	382	42%	125	14%	4	0.4%
2008/09	158	49%	99	31%	27	8%	36	11%	463	51%	348	38%	88	10%	17	2%
2009/10	104	41%	101	39%	22	9%	29	11%	537	48%	443	40%	101	9%	35	3%
2010/11	173	42%	137	33%	28	7%	78	19%	531	53%	348	34%	107	11%	23	2%
2011/12	191	44%	148	34%	34	8%	60	14%	631	49%	504	39%	121	9%	24	2%
2012/13	134	46%	114	39%	10	3%	32	11%	504	48%	394	38%	127	12%	25	2%
2013/14	120	41%	105	36%	17	6%	48	17%	397	44%	351	39%	105	12%	51	6%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012).
 Base Annual Appointments: 451 (2007), 450 (2008), 320 (2009), 256 (2010), 416 (2011), 433 (2012), 291 (2013), and 290 (2014).
 Base Annual Government Public Appointment’s Applicants: 1111 (2007), 917 (2008), 916 (2009), 1116 (2010), 1009 (2011), 1280 (2012) 1050 (2013), 904 (2014)

Table 5.2 illustrates that overall during the period 2006/2007-2013/2014, the community background of public appointees and applicants to Government Public Appointments has generally become more known. Indeed, the quality of the collected figures on the community background composition of public appointees has significantly improved since 2007 when not known was 36%. However, the percentage of overall appointments who are not-known still remains at 17% as of 2014. A more detailed collection and breakdown of figures is therefore needed in order to more robustly evaluate the level of representation from persons of different community background appointments within Government Public Appointments.

Table 5.2 illustrates that since 2007/2008, the two main communities have accounted for the largest proportions of government public appointments, although their individual proportions have fluctuated. Further, throughout the period 2006/2007-2013/2014 the two main communities have accounted for the majority of applicants.

When considering each of the two main communities during the period 2006/2007-2013/2014, Protestants have year on year accounted for a larger proportion of applicants and appointments to Government Public Appointments than Catholics.

When considering appointments from those who declared a community background with the 2011 Census figures, both of the two main communities are underrepresented year on year in the period 2006/2007-2013/2014, with the exception of 2008/2009 for Protestants.

In terms of applicants who declared a community background from the two main communities, Protestant levels are broadly reflective of the 2011 Census figures for each of the years in the reporting period. In contrast, applicants from a Catholic background are underrepresented in each year of the reporting period when compared to the 2011 Census figure. This would suggest a persistent inequality in terms of Catholic applicants to Government Public Appointments. However, it is worth noting that the appointment of Protestants and Catholics has proportionality been reasonably consistent since 2007/2008 with the exception of 2010/11.

Table 5.3 – Community Background Composition of Government Public Appointment’s Chairpersons

	Annual Government Public Appointment’s Chairpersons								Government Public Appointment’s Chairperson’s Applicants							
	Protestants		Catholics		Neither		N/K		Protestants		Catholics		Neither		N/K	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2006/2007	10	30%	14	42%	6	18%	3	9%	133	49%	108	39%	28%	10%	5	2%
2007/2008	14	56%	7	28%	0	0%	4	16%	31	48%	21	32%	12	18%	1	2%
2008/2009	17	53%	10	31%	2	6%	3	9%	112	47%	97	40%	27	11%	4	2%

2009/2010	6	46%	4	31%	0	0%	3	23%	16	55%	7	24%	5	17%	1	3%
2010/2011	16	42%	14	37%	4	11%	4	11%	95	56%	57	33%	15	9%	4	2%
2011/2012	12	48%	3	12%	3	12%	4	16%	61	35%	76	44%	29	17%	6	3%
2012/2013	10	50%	5	25%	3	15%	2	10%	71	39%	64	36%	42	23%	3	2%
2013/2014	13	52%	8	32%	2	8%	2	8%	58	42%	63	45%	13	9%	5	4%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012).

Base Annual Appointments Chairpersons: 33 (2007), 25 (2008), 32 (2009), 13 (2010), 38 (2011), and 25 (2012).

It should be noted that the total number of Chairpersonships is relatively low at around 130. Most interestingly, Table 5.3 indicates during the period 2006/2007-2013/2014 reasonably steady numbers of Chairpersonships held by persons of neither of the two main community backgrounds or the community background of Chairpersons being not known. While the proportions vary on an annual basis, generally around 1 in 4 of all chairpersons appointed was neither from a Protestant nor Catholic Community background. It would be difficult to assess whether there is any particular trend of underrepresentation of any specific community background given the small numbers involved and the number of appointed chairpersons whose community background is not known.

School Boards of Governors

A recent report commissioned by the Department of Education on School governors in Northern Ireland (2010) provided information on the community background composition of school governors²³². The responses for the different types of school governors are shown in Table 5.4 below.

Table 5.4 – Community Background Composition of School Board of Governors^{233 234}

	Protestant Community Background	Catholic Community Background	Neither/nor	Prefer not to say
Education and Library Board Governors	62%	26%	N/A	N/A
Department of Education Governors	31%	52%	N/A	N/A
Total	49%	38%	4%	8%

Source: DENI/ PricewaterhouseCoopers (2010) “School Governors: The Guardians of our schools”
Base: 751 (2010)

²³² DENI/ PricewaterhouseCoopers (2010) “SCHOOL GOVERNORS: The Guardians of our schools”. Available at http://www.deni.gov.uk/school_governors_the_guardians_of_our_schools_-_report_number_54.pdf.

²³³ There is no breakdown provided on the basis of school type.

²³⁴ Please note that the report only provided figures of the percentage of those governors who indicated neither or preferred not to say in terms as an overall total of school board of governors.

The figures in Table 5.4 show that in terms of the community background of respondents that are known, overall those from a Protestant community background are more highly represented in school governor positions than those from a Catholic community background. However, for Department of Education Governor positions those from a Catholic community background are more highly represented than those from a Protestant community background. Table 5.4 shows that for Education and Library Board Governors those from a Protestant community background are more highly represented than those from a Catholic community background. However, the report²³⁵ also notes that these figures equal the proportion of the Department of Education Governor posts in controlled schools and in schools with a Catholic ethos. Overall, no further conclusions can be drawn from the data given that it only presents a profile for an individual year.

Judiciary

There are two publications in particular; The Equity Monitoring Reports collated by NISRA and the Northern Ireland Judicial Appointments Commission (NIJAC) Annual Reports that provide an overview of the community background composition of the Northern Ireland Judiciary (further detail on these reports is provided in Appendix 2).

The data contained within these publications covers the same area of participation in public life with the NISRA reports providing greater detail and sub analysis of the data provided in the NIJAC reports. As the data in both reports covers the same area of participation in public life, it is felt appropriate to present a combined analysis where appropriate. The rationale for presenting the data in this way is to provide:

- An overview of the composition of the Judiciary
- An analysis of applicants to the Judiciary
- An analysis of appointments to the Judiciary – including renewals and recommendations
- An analysis of success rates for applicants to the Judiciary

The above areas of analysis depend upon availability of data. The data is disaggregated by:

- Judicial Office
- Court and Tribunal (Legal)
- Court and Tribunal (Non-Legal)
- Lay Magistrates

Presenting the data in this manner provides a broad picture of the community background composition of the Judiciary and then particular types of Judicial Office.

Composition

²³⁵ DENI/ PricewaterhouseCoopers (2010) "SCHOOL GOVERNORS: The Guardians of our schools". Available at http://www.deni.gov.uk/school_governors_the_guardians_of_our_schools_-_report_number_54.pdf.

Table 5.5 displays the figures on the level of representation of different age ranges in Judicial Office during the reporting period 2007-2014 as provided for by the NISRA Equity Monitoring Reports. As in previous chapters, two different sets of comparator data is used for the purposes of the meta-analysis of data, one specifically covering Court or Tribunal (Legal) positions and a different comparator for Tribunal (Non) Legal positions. These positions require separate comparator information as the requirements for holding these positions is different.

The comparator that is used for Court or Tribunal (Legal) positions is Legal professional data based on data for Solicitors on the Roll supplied by Law Society and data on Barristers supplied by the Bar Library, each with seven or more years' post-qualification experience. This comparator is used as it is a key qualifying criteria for holding a Court or Tribunal (Legal) position is seven years' post-qualification experience as a barrister.

The comparator that is used for Tribunal (Non Legal) positions is a weighted combination of Medical Professionals based on SOC 2211 (medical practitioners) aged 25-69 from 2011 Census and the economically active population aged 25-69 from 2011 Census. This comparator is used as it is not necessary to hold a legal qualification to hold a Tribunal (Non) Legal position. These are generally lay positions; however, for some Tribunal (Non) Legal positions medical or other qualifications are desired. In saying that, there is no set qualifying criteria for many Tribunal (Non) Legal positions and therefore Census data is used for comparative purposes.

Table 5.5 details the overall community background composition in Judicial Office in Northern Ireland during the reporting period 2007-2014.

Table 5.5 – Community background composition of the Northern Ireland Judiciary 2007-2014

Community Background	Courts						Tribunals (Legal)						Tribunals (Non-Legal) ²³⁶						Lay Magistrates					
	Catholic	Catholic comparator	Protestant	Protestant comparator	Not Determined	Not Determined comparator	Catholic	Catholic comparator	Protestant	Protestant comparator	Not Determined	Not Determined comparator	Catholic	Catholic comparator	Protestant	Protestant comparator	Not Determined	Not Determined comparator	Catholic	Catholic comparator	Protestant	Protestant comparator	Not Determined	Not Determined comparator
2007	40%	53%	55%	44%	5%	3%	40%	53%	51%	44%	8%	3%	N/A	N/A	N/A	N/A	N/A	N/A	37%	53%	60%	44%	4%	3%
2008	39%	53%	56%	44%	5%	3%	40%	53%	53%	44%	7%	3%	N/A	N/A	N/A	N/A	N/A	N/A	37%	53%	60%	44%	4%	3%
2009	42%	53%	53%	44%	6%	3%	40%	53%	53%	44%	7%	3%	N/A	N/A	N/A	N/A	N/A	N/A	37%	53%	59%	44%	4%	3%
2010	42%	53%	54%	44%	4%	3%	41%	53%	52%	44%	8%	3%	N/A	N/A	N/A	N/A	N/A	N/A	38%	53%	58%	44%	4%	3%
2011	43%	53%	52%	44%	5%	3%	55%	53%	41%	44%	4%	3%	34%	38%	57%	55%	9%	7%	37%	40%	59%	58%	3%	3%
2012	41%	53%	54%	44%	6%	3%	57%	53%	40%	44%	4%	3%	37%	38%	54%	55%	7%	7%	37%	40%	59%	58%	4%	3%
2013	39%	53%	55%	44%	6%	3%	56%	53%	40%	44%	4%	3%	56%	38%	40%	55%	4%	7%	38%	40%	59%	58%	3%	3%
2014	39%	57%	56%	38%	6%	5%	58%	57%	39%	38%	3%	5%	38%	43%	54%	48%	8%	9%	39%	44%	57%	50%	3%	6%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 – 2014

Base: Numbers unavailable for Courts and Tribunals

Lay Magistrates: (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176

²³⁶ Please note that figures that provide the breakdown for Tribunal (Legal) and Non-Tribunal (Non-Legal) are only available from 2011 onwards. Therefore the figures in the Tribunals (Legal) column display a combined figure of both legal and non-legal Tribunal members of the Northern Ireland Judiciary from 2007 to 2011.

The figures in Table 5.5 show that during the period 2007-2014 those persons from a Catholic community background were underrepresented in Judicial Office Court and Lay Magistrate positions when compared to the population as stated in the 2011 Census. Furthermore, between 2011 and 2014 (with the exception of 2013) persons from a Catholic community background were also underrepresented in Tribunals (Non-Legal) positions. In respect of Judicial Office Court and Lay Magistrate positions, Table 5.5 identifies that those from a Protestant community background are now overrepresented within Judicial Office Court and Lay Magistrates positions.

It is also possible to identify a trend within the figures in Table 5.5 for Tribunals (Legal) positions towards levels of representation which are more in line with the comparator data on community background. This is particularly the case between 2011 and 2014. However, since 2011 Protestants have been underrepresented in Tribunal (Legal) positions when considered against the 2011 Census figures.

In contrast, it is not possible to determine the level of representation of those who define themselves as being from neither community background as the Equity Monitoring report only provides figures on those in which their community background could not be determined.

Table 5.6 presents the figures for the overall community background composition of the Judiciary by the eight Judicial groupings during the period 2007 – 2014.

Table 5.6 - Overall composition of the Judiciary by the eight Judicial groupings

Year	Section 75 Ground	Group 1		Group 2		Group 3		Group 4		Group 5		Group 6		Group 7		Group 8		Total	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2007	Protestant	8	50	31	60	16	47	14	70	13	38	103	50	38	61	151	60	374	55
	Catholic	6	38	18	35	17	50	6	30	20	59	83	41	19	31	92	37	261	39
	N.D	2	13	3	6	1	3	0	0	1	3	19	9	5	8	9	4	40	6
2008	Protestant	8	50	32	60	17	43	15	75	12	38	96	50	116	60	146	60	442	56
	Catholic	6	38	18	34	21	53	5	25	19	59	80	42	69	35	90	37	308	39
	N.D	2	13	3	6	2	5	0	0	1	3	17	9	10	5	9	4	44	6
2009	Protestant	7	47	26	55	17	43	15	71	12	39	92	50	114	58	136	59	419	55
	Catholic	6	40	18	39	21	53	6	29	18	58	74	40	72	37	84	37	299	39
	N.D	2	13	3	6	2	5	0	0	1	3	17	9	10	5	9	4	44	6
2010	Protestant	7	50	27	57	17	44	18	67	12	41	95	52	59	54	130	58	365	54
	Catholic	6	43	17	36	21	54	9	33	16	55	74	40	41	38	84	38	268	40
	N.D	1	7	3	6	1	3	0	0	1	3	14	8	9	8	9	4	38	6
2011	Protestant	6	46	26	53	19	46	17	63	11	39	90	51	70	52	120	59	359	53
	Catholic	6	46	19	39	21	51	10	37	16	57	74	42	57	42	76	37	279	41
	N.D	1	8	48	1	2	0	0	0	1	4	14	8	9	7	7	3	37	6
2012	Protestant	5	42	32	53	20	49	17	68	11	41	87	48	65	49	115	59	352	52
	Catholic	6	50	21	35	21	51	8	32	15	56	79	44	60	45	73	37	283	42
	N.D	1	8	7	12	0	0	0	0	1	4	14	8	8	6	7	4	38	6
2013	Protestant	7	50	32	56	20	50	16	64	10	42	87	48	64	47	107	59	343	52
	Catholic	6	43	18	32	20	50	9	36	13	54	81	44	61	45	70	38	278	42
	N.D	1	7	7	12	0	0	0	0	1	4	15	8	10	7	6	3	40	6
2014	Protestant	7	47	34	61	21	47	17	65	9	39	109	50	63	48	101	57	361	57
	Catholic	7	47	15	27	24	53	9	35	13	57	94	43	60	46	69	39	291	42
	N.D	1	7	7	13	0	0	0	0	1	4	15	7	8	6	6	3	38	6
2007 - 2014	Protestant	55	48	240	52	147	46	129	68	90	39	759	50	589	54	1006	59	3015	54
	Catholic	49	43	144	31	166	52	62	32	130	57	639	42	439	40	638	37	2267	40
	N.D	11	10	81	17	8	3	0	0	8	4	125	8	69	6	62	4	319	6

Source: NISRA, "The Judiciary in Northern Ireland 2014", Equity Monitoring Reports 2007 - 2014

Group 1 (2007) 16 (2008) 16 (2009) 15 (2010) 14 (2011) 13 (2012) 12 (2013) 14 (2014) 15; Group 2 (2007) 52 (2008) 53 (2009) 47 (2010) 47 (2011) 49 (2012) 60 (2013) 57 (2014) 56; Group 3 (2007) 34 (2008) 40 (2009) 40 (2010) 39 (2011) 41 (2012) 41 (2013) 40 (2014) 45; Group 4 (2007) 20 (2008) 20 (2009) 21 (2010) 27 (2011) 27 (2012) 25 (2013) 25 (2014) 26; Group 5 (2007) 34 (2008) 32 (2009) 31 (2010) 29 (2011) 28 (2012) 27 (2013) 24 (2014) 23; Group 6 (2007) 205 (2008) 193 (2009) 183 (2010) 183 (2011) 178 (2012) 180 (2013) 183 (2014) 218; Group 7 (2007) 62 (2008) 195 (2009) 196 (2010) 109 (2011) 136 (2012) 133 (2013) 135 (2014) 131; Group 8 (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176;

Group 1²³⁷

The overall figure for the reporting period in Table 5.6 shows that those from a Protestant community background are broadly represented in Group 1 in proportion to their stated population in the 2011 Census. Although there may not be a direct comparison between ‘Not Determined’ in the figures presented above to the combined ‘Other’/‘No Religion’ in the 2011 Census, it is worth noting that there is a slightly higher representation of ‘Not Determined’ in the Judiciary when compared to 2011 Census figures for ‘Other’/‘No Religion’. In contrast, those from a Catholic community background are somewhat underrepresented in Group 1 in comparison to the 2011 Census. However, representation for those from the Catholic community background has generally increased since 2007 and achieved parity with the stated 2011 Census figure by 2011 and has subsequently remained above the Census figure with the exception of 2013. In contrast representation for those from a Protestant community background has fluctuated during the same period but has generally remained between 46% and 50% with the exception of 2012.

Group 2²³⁸

In relation to Group 2, those from a Protestant community background are overrepresented while those from a Catholic community background are underrepresented in comparison to their respective proportions of the population as indicated in the 2011 Census. This is a persistent trend across the reporting period for both the overrepresentation of those from a Protestant Community and the underrepresentation of those from a Catholic community. While the trend has been persistent over the period, there are some notable patterns within the data in terms of the representation for those from a Protestant community background which decreased from 60% in 2007 to 53% in 2012 and subsequent increased to a peak of 61% in 2014. In contrast, representation for those from a Catholic community background broadly increased from 2007 to 2011, however in more recent years levels have decreased below those displayed in 2007.

It is also notable in Table 5.6 that the proportion of those in Group 2 of a ‘Not Determined’ community background is broadly similar to the 2011 Census figure for ‘Other’ / ‘No Religion’ between 2007 and 2010. In 2011, the figures dip well below the 2011 Census figure and from 2012 to 2014 the comparable figures are well above the 2011 Census figure.

Group 3²³⁹

In contrast to Group 2, those from a Protestant community background are marginally underrepresented in Group 3 while those from a Catholic community background are overrepresented. On an annual basis, the representation of those from a Protestant community decreased between 2007 and 2010 but subsequently increased during the period 2011-2013 and at times achieved parity with the 2011 Census figure and 2007 representation levels with a decrease being observed in

²³⁷ Court of Judicature - Lord Chief Justice, Lord Justices of Appeal, High Court Judges & Temporary judges of High Court

²³⁸ County Court judges; deputy County Court judges; Chief Social Security Commissioner; Social Security Commissioner & deputies

²³⁹ Resident magistrates & deputies

2014. Representation levels of those from a Catholic community background also increased during the period 2007-2010, after which they decreased until 2014 when an increase is observed. Those from a Catholic community background also remained consistently overrepresented on an annual basis during the reporting period when compared to the 2011 Census figure. Interestingly, the community background of all those in Group 3 is determined as either Protestant or Catholic, therefore there is arguably an underrepresentation of those of an 'Other' / 'No Religion' when compared to the 2011 Census.

Group 4²⁴⁰

As with Group 2 and in contrast to Group 3, the overall figure for the reporting period shows that those from a Protestant community background are overrepresented while those from a Catholic community background are underrepresented. The data presented in Table 5.6 also shows that the representation of those from a Protestant community background generally decreased between 2008-2011, although since 2012 has increased and remains overrepresented year on year when compared to the 2011 Census figure. In contrast, the representation levels of those from a Catholic community background has increased since 2008, although the levels of representation on annual basis are still below the 2011 Census figure. Like Group 3, the community background is determined for all those in Group 4. This may therefore suggest that those of an 'Other' / 'No Religion' community background in the 2011 Census are potentially underrepresented when compared to the figure for 'Not Determined' in the NISRA report.

Group 5²⁴¹

As with Group 3, those from a Protestant community background are underrepresented in Group 5 while those from a Catholic community background are overrepresented. While there has been some minor annual fluctuations, the annual representation of those from a Protestant community background has broadly remained below the 2011 Census figure. The representation levels of those from a Catholic community background have generally decreased since 2007 but nevertheless year-on-year are notably higher than the stated 2011 Census figure. The level of representation of those of a 'Not Determined' community background has generally remained at the 3%/4% level throughout the reporting, which is below the 7% level of those of an 'Other' / 'No Religion' in the 2011 Census. This may indicate an underrepresentation of persons of an 'Other' / 'No Religion' in Group 5.

Group 6²⁴²

The overall figures for Group 6 during the reporting period show that those from a Protestant community background are marginally overrepresented while those from a Catholic community background are marginally underrepresented. The figures show a reasonably consistent pattern on an annual basis with those from a Protestant community background marginally overrepresented with the exception of 2012 and

²⁴⁰ District Judges & deputies; Masters; Coroners

²⁴¹ Industrial Tribunals & Fair Employment Tribunal (President, Vice President, Full & Part Time Chairmen)

²⁴² Appeals Tribunals (President, FT Legal Member; PT Legal, Medical, Financial, Experienced Members)

2013. Similarly, the representation levels of those from a Catholic community background has generally remained consistent and are marginally underrepresented until 2012, but in more recent years have achieved greater parity with the 2011 Census figure. It should also be noted, that overall 8% of Judicial Office holder's community background in Group 6 is "Not Determined", which is approximately 1% above the level of those of an 'Other' / 'No religion' community background.

Group 7²⁴³

Table 5.6 also shows that in Group 7 those from a Protestant community background are overrepresented while those from a Catholic community background are underrepresented. There is an identifiable trend within the data towards a proportionate representation of those from both a Protestant and Catholic community background and since 2012 the level of representation of those from both community backgrounds is broadly in line with the 2011 Census figures. While there are some annual fluctuations in the level of representation of those with a community background which is 'Not Determined', it is generally in and around the 2011 Census figure for those of with a community background defined as 'Other' / 'No Religion'. This would suggest that for Group 7 there is trend towards a proportionate reflection of the 2011 Census community background figures.

Group 8²⁴⁴

The overall figures in the reporting period for Group 8 demonstrate that those from a Protestant community background are overrepresented while those from a Catholic community background are underrepresented. Again, there is a reasonably consistent pattern year on year with similar levels of overrepresentation of those from a Protestant community background and underrepresentation of those from a Catholic community background. The figure for Group 8 also show that overall 4% of Judicial Office holder's community background in Group 8 is "Not Determined" which is below the approximately 7% in the 2011 census where community background is defined as 'Other' / 'No Religion'. This may indicate an underrepresentation of those of an 'Other' / 'No Religion' community background in Group 8.

Overall Judiciary

The overall figure for the reporting period in Table 5.6 shows that those from a Protestant community background are overrepresented in proportion with their stated population in the 2011 Census while those from a Catholic community background are underrepresented in the same context, across the Judiciary groupings.

Table 5.6 also shows that although overall representation of those from a Protestant community background has decreased on annual basis between 2008 and 2012, despite an increase in 2013, representation levels decreased again in 2014. However, the figures demonstrate that those from a Protestant community background are

²⁴³ Care Tribunal; Lands Tribunal – President & Member; Mental Health Review Tribunal; National Security Certificates Appeal Tribunal; Reinstatement Committee, Reserve Forces Act; Special Educational Needs Tribunal; Pensions Appeal Tribunal; VAT Tribunal

²⁴⁴ Lay magistrates

overrepresented in the Judiciary in proportion to the 2011 Census figure on an annual basis. In contrast overall representation levels of those from a Catholic community background have incrementally increased over the period but have remained static at 42% from 2012. The figures also demonstrate that those from a Catholic community background are still marginally underrepresented in the Judiciary as a whole in proportion to the 2011 Census figure. It must be noted however, that Table 5.6 also shows that on an annual basis 6% of Judiciary's community background is "not determined".

Applicants

Table 5.7 shows the community background composition of Annual Applicants for Judicial Appointments Combined Courts and Tribunals, which is subsequently broken down by Courts (Table 5.8) and Tribunal (5.9) positions. These tables provide figures for the community background composition of those individuals who applied for a Judicial Court or Tribunal appointment between 2006/2007 and 2013/2014. It must be noted that the 2014 annual report only provides figures for the total applicants for Judicial appointments and does not include separate figures for the applicants to Judicial Court appointments or Judicial Tribunal appointments. Therefore the figures for applicants for Judicial appointment in 2014 are only included in the combined figures for Judicial Court and Tribunal applicants for appointment and not in the disaggregated figures in Tables 5.8 and 5.9.

Furthermore, due to the absence of separate figures displaying the community background composition of those recommended for a Judicial Court or Tribunal appointment, it is not possible to compare Judicial Court applicants or Judicial Tribunal applicants separately against those who were recommended for appointment.

Table 5.7 – Community Background Composition of Annual Applicants for Judicial appointments Combined (Courts/Tribunals)

	Protestant		Catholic		Neither	
	N	%	N	%	N	%
2006/2007	133	54%	96	39%	16	7%
2007/2008	27	41%	34	52%	5	8%
2008/2009	81	46%	81	46%	13	8%
2009/2010	55	45%	61	50%	6	5%
2010/2011	110	42%	146	55%	9	3%
2011/2012	95	45%	100	48%	14	7%
2012/2013	50	33%	93	60%	11	7%
2013/2014	155	44%	178	51%	18	5%
2006/2007 – 2013/2014	706	44%	789	50%	92	6%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial appointments Combined (Courts/Tribunals):

(2007), 245 (2008), 66 (2009), 175 (2010), 122 (2011), 265 (2012), 209 (2013), 154 and (2014), 351.

The figures for the representation of those from different community backgrounds in terms of applicants for combined Judicial appointments displayed in Table 5.7 are marginally different to the Judicial Court applicant figures displayed in Table 5.8 while they are generally similar to the Judicial Tribunal applicant figures in Table 5.9 The figures in Table 5.7 show since 2007/2008 those from a Catholic community background are more highly represented in terms of combined Judicial applicants than those from a Protestant community background. The overall figures during the period 2006/2007-2013/2014 also demonstrate that those from a Catholic community background are overrepresented in terms of applicants in proportion to the 2011 Census figure. Indeed, this is also true for every year in the reporting period since 2007/2008. In contrast, those from a Protestant community background are underrepresented at the overall level and in every year since 2007/2008 when compared with the 2011 Census figure. Table 5.7 also shows that the representation levels of those who designate themselves as neither remained broadly consistent throughout the reporting period (with the exception 2010/2011).

Table 5.8 – Community Background Composition of Annual Applicants for Judicial Appointment (Court)

	Protestant		Catholic		Neither	
	N	%	N	%	N	%
2006/2007	23	55%	16	38%	3	7%
2007/2008	21	40%	28	53%	4	8%
2008/2009	26	53%	22	45%	1	2%
2009/2010	35	49%	35	49%	1	2%
2010/2011	64	43%	80	54%	4	3%
2011/2012	43	45%	50	53%	2	2%
2012/2013	35	36%	59	61%	3	3%
2006/2007-2012/2013	247	45%	290	52%	18	3%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial Appointment (Courts): (2007), 42 (2008), 53 (2009), 49 (2010), 71 (2011), 148 (2012), 95 (2013), 97.

The overall figures in Table 5.8 show that in the period between 2006/2007 and 2013 that those from a Catholic community background are more highly represented in relation to applicants for Judicial Court appointments than those from a Protestant community background. The overall figures during the period 2006/2007-2012/2013 also demonstrate that those from a Catholic community background are overrepresented in terms of applicants in proportion to the 2011 Census figure while those from a Protestant community background are underrepresented in the same context.

The figures also show that there has been an increasing trend of representation of those with a Catholic community background with notable spikes in 2007/2008 and

2012/2013. The inverse is reflected in the representation of those with a Protestant community background. The percentage of those who designate themselves as neither has decreased overall during the period from 7% to 3%, although has remained at a consistent level since 2008/2009.

Table 5.9 – Community Background Composition of Annual Applicants for Judicial Appointment (Tribunals)

	Protestant		Catholic		Neither	
	N	%	N	%	N	%
2006/2007	110	54%	80	39%	13	7%
2007/2008	6	46%	6	46%	1	8%
2008/2009	55	44%	59	47%	12	9%
2009/2010	20	39%	26	51%	5	10%
2010/2011	46	39%	66	57%	5	4%
2011/2012	52	46%	50	44%	12	10%
2012/2013	15	26%	34	60%	8	14%
2006/2007-2012/2013	304	45%	321	47%	56	8%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial (Tribunals): (2007), 203 (2008), 13 (2009), 126 (2010), 51 (2011), 117 (2012), 114 and (2013), 57.

The figures for the representation of those from different community backgrounds in terms of applicants for Judicial Tribunal appointments in Table 5.9 are different when compared to the representation levels displayed in Table 5.8 for applicants for Judicial Court appointments and the figures presented in Table 5.7 for combined Judicial applicants. The overall figures in Table 5.9 demonstrate that there is broad representation for those from both the Protestant and Catholic community backgrounds with the figures provided in the Census 2011. However, when considering individual years, Table 5.9 shows Protestant underrepresentation occurring in every year from 2007/2008 onwards; most notably in 2012/2013 when the figure was considerably lower than the 2011 Census. This trend is similar to that observed for applicants to combined Judicial appointments (Table 5.7).

Table 5.9 also shows that the Catholic share of applicants for Judicial Tribunal appointments has generally increased over the period, and suggests that the dip observed in 2011/2012 was temporary. With the exception of 2010/2011, the representation of those who are designated as neither has generally increased during the period.

The NISRA Equity Monitoring reports also provided figures on the percentage of applicants to Court, Tribunals (Legal) and Tribunals (Non-Legal) positions. The figures for the community background for applicants to the Judicial Office (Court) positions are included in Table 5.10.

Table 5.10 – Community Background Profile of Annual Applicants for Judicial Office Court positions

Courts	Protestant	Protestant Comparator	Catholic	Catholic Comparator	Neither	Neither Comparator
2007	55%	44%	37%	53%	8%	3%
2008	40%	44%	53%	53%	8%	3%
2009	41%	44%	60%	53%	0%	3%
2010	54%	44%	44%	53%	2%	3%
2011	43%	44%	54%	53%	3%	3%
2012	43%	44%	55%	53%	2%	3%
2013	41%	44%	57%	53%	3%	3%
2014	38%	38%	61%	57%	1%	5%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

Table 5.10 illustrates that the level of representation of those from a Protestant community background has generally been below the comparator figure and 2011 Census figure. In contrast, there has generally been a trend towards decreasing levels of representation among applicants for Judicial Office (Court) positions across the reporting period. Protestants are underrepresented compared with the 2011 Census figure and comparator figures every year with exception 2007 and 2010. Indeed, since 2010 figures have decreased year on year. Thus, suggesting a key inequality in terms of Protestant applicants for Judicial Office Court positions. In contrast, the inverse is true for Catholic applicants to Judicial Office Court positions and in more recent years there is an emerging trend towards ever greater overrepresentation of those from a Catholic community background. However, there is a trend towards decreasing representation of those from a ‘Neither’ community background. Nevertheless, when compared to the comparator figures it is difficult to identify any key inequalities from the data.

The figures for the community background for applicants to the Judicial Office Tribunal (Legal) positions are included in the Table 5.11 below.

Table 5.11 – Community Background Composition of Annual Applicants for Judicial Office Tribunal (Legal) Positions

Tribunals (Legal)	Protestant	Protestant Comparator	Catholic	Catholic Comparator	Neither	Neither Comparator
2007	43%	44%	50%	53%	7%	3%
2008	40%	44%	53%	53%	8%	3%
2009	35%	44%	60%	53%	5%	3%
2010	45%	44%	50%	53%	5%	3%
2011	31%	44%	63%	53%	6%	3%
2012	28%	44%	67%	53%	4%	3%
2013	21%	44%	74%	53%	5%	3%
2014 ²⁴⁵	N/A	N/A	N/A	N/A	N/A	N/A

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

The figures in Table 5.11 show that those with a Catholic community background make up the majority of applicants for Judicial Office Tribunal (Legal) positions for every year of the reporting period excluding 2007 and 2010 when they accounted for 50% of all applicants. Between 2007 and 2014 Protestants have been consistently underrepresented with both the comparator figure and the 2011 Census figure. In terms of trends or patterns in the data, between 2007 and 2010. Indeed, between 2011 and 2013 there is a trend towards a decreasing level of representation of those from a Protestant community background and increasing level of representation of those from a Catholic community background with the exception of 2007 and 2010, while those from ‘Neither’ community background are consistently above the comparator figures. This would suggest that there is an emerging key inequality for those from a Protestant community background for Judicial Office Tribunals (Legal) positions.

The figures for the community background for applicants to the Judicial Office Tribunal (Non-Legal) positions are included in Table 5.12 below.

²⁴⁵ Applicant figures in relation to Tribunals (Legal) were not provided in the 2014 report

Table 5.12 – Community Background Composition of Annual Applicants for Judicial Office Tribunal (Non-Legal) Positions

Tribunals (Non-Legal)	Protestant	Protestant Comparator	Catholic	Catholic Comparator	Neither	Neither Comparator
2007	63%	61%	26%	33%	11%	6%
2008 ²⁴⁶	-	-	-	-	-	-
2009	52%	60%	21%	30%	27%	10%
2010	48%	56%	50 %	40%	2%	4%
2011	53%	57%	42%	40%	6%	4%
2012	40%	57%	49%	40%	11%	4%
2013	61%	57%	22%	40%	17%	4%
2014	55%	48%	30%	43%	15%	9%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

The figures in Table 5.12 show that those with a Protestant community background make up the majority of applicants for Tribunal (Non-Legal) positions for every year of the reporting period, generally remaining above 50%, excluding 2010 and 2012. The figures also show that applicants with a Catholic community background despite an increase during the period 2010 -2012 have subsequently decreased in recent years. However, in contrast with the Judicial Office Tribunal (Legal) positions it is also clear that those from a Protestant Community background are overrepresented for most of the years during the reporting period in proportion with the 2011 Census figures while those from a Catholic community background are underrepresented in the same context. In relation to the comparator figures there has been much fluctuation by different community background during the reporting period which makes it difficult to identify any trend.

Table 5.12 also shows that those who designated themselves as neither initially increased but subsequently decreased and in more recent years have remained broadly similar (below 20%). The figures also show that the representation levels of those who designated themselves as neither are significantly higher when compared with Judicial Office Tribunal (Legal) positions (Table 5.11).

Appointments

The NISRA Equity Monitoring reports also provided figures on the percentage of appointments to Courts and Tribunals (Legal) as well as Tribunals (Non-Legal). The Equity Monitoring reports do not provide separate figures for appointments to Judicial Office Court and Tribunal (Legal) appointments. They also do not provide combined figures for Court and Tribunal applicants and therefore the appointment and applicant figures cannot be compared. The figures for the community background of appointments to Judicial Office Court and Tribunal (Legal) positions are included in Table 5.13.

²⁴⁶ Data not collected in 2008

Table 5.13 – Community Background Composition of Annual Appointments for Judicial Office Courts and Tribunal (Legal) Positions

Courts and Tribunal (Legal)	Protestant	Catholic	Neither
2007	46%	51%	3%
2008	22%	67%	11%
2009	33%	67%	0
2010	44%	56%	0
2011	40%	53%	7%
2012	67%	33%	0
2013	43%	57%	0
2014	50%	50%	0

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014²⁴⁷

The figures in Table 5.13 show that those with a Catholic community background accounted for the majority of appointments to Court and Tribunal (Legal) positions during the reporting period excluding 2012 and 2014. In 2012, those with a Protestant community background made up over two thirds of the appointments and 2014 there was equal representation between the two community backgrounds. The figures also demonstrate that appointments of those with a Protestant community background have been lower during the period 2007-2011, than those with a Catholic community background; however since 2012 appointments of those with a Protestant community background have increased while those with a Catholic community background have decreased. Although, the figures also demonstrate that those from a Catholic community background were overrepresented for each of the years of the reporting period with the exception of 2012 in proportion to the 2011 Census figure while those from a Protestant community background were underrepresented though the trend appears to be moving away from that in more recent years, 2012 and 2014.

Appointments of those who are designated as neither has remained broadly non-existent since 2008 with the exception of 2011. However, neither is not a religion and although it would appear that those who designate themselves as neither have a much greater underrepresentation in these appointments than either those persons with a Protestant or Catholic community background, it is not a key inequality with regard to religion.

The figures for the community background for appointments to Judicial Office Tribunal (Non-Legal) positions are included in the Table 5.14.

Table 5.14 – Community Background Composition of Annual Appointments for Judicial Office Tribunal (Non-Legal) Positions

²⁴⁷ Data provided in source document is in percentage terms only, no base numbers are given.

Tribunals (Non-Legal)	Protestant		Catholic		Neither	
	N	%	N	%	N	%
2007		69%		23%		8%
2008 ²⁴⁸		-		-		-
2009		33%		50%		17%
2010		50%		44%		6%
2011		55%		36%		9%
2012		33%		57%		10%
2013		57%		14%		29%
2014		59%		39%		2%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014²⁴⁹

The figures in Table 5.14 show that those with a Protestant community background accounted for the majority of appointments to Tribunal (Non-Legal) positions during the reporting period, excluding the years 2009 and 2012. Table 5.14 also shows that appointments of those with a Protestant community background also remained broadly consistent during the reporting period, excluding the years 2009 and 2012. The figures presented in Table 5.14 for Annual Appointments for Judicial Office Tribunal (Non-Legal) positions show fluctuation for both Protestant and Catholic community backgrounds, although some periods of consistency for Protestants between 2010 – 2014 (with the exception of 2012) are observed. The figures also demonstrate that those from a Protestant community background were overrepresented for all the years of the reporting period with the exception of 2009 and 2012 in proportion to the 2011 Census figure while those from a Catholic community background were underrepresented in the same context with the exception of the years 2009 and 2012.

In terms of the comparison of appointment and applicant figures in relation to Tribunals (Non-Legal), appointments of Protestant, Catholic and Neither community background have generally reflected the corresponding applicants with the exception of 2009 for both Protestant and Catholic community background.

Recommendations and Renewals for Appointment

Table 5.15 below provides combined figures for the community background of those individuals who have been recommended for Judicial appointment and those recommended for renewal for Judicial appointment during the period 2006/2007 and 2013/2014.

Table 5.15 – Community Background Composition of Annual Recommendations for Judicial Appointment and Renewal of Judicial Appointments Combined

	Protestant		Catholic		Neither	
	N	%	N	%	N	%

²⁴⁸ Please note that no figures were provided in the 2008 report on the community background composition for appointments for Judicial Office Tribunal (Non-Legal) Positions.

²⁴⁹ Data provided in source document is in percentage terms only, no base numbers are given.

2006/2007	99	54%	72	40%	11	6%
2007/2008	22	45%	24	49%	3	6%
2008/2009	32	56%	24	42%	1	2%
2009/2010	224	56%	153	38%	23	6%
2010/2011	20	57%	12	34%	3	9%
2011/2012	38	44%	38	44%	10	12%
2012/2013	40	51%	36	46%	3	4%
2013/2014	57	62%	33	36%	2	2%
2006/2007-2013/2014	532	54%	392	40%	56	6%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment and Renewal of Appointment: (2007), 182 (2008), 49 (2009), 57 (2010), 400 (2011), 35 (2012), 86 (2013), 79 and (2014), 92.

The overall figures in Table 5.15 are largely reflective of the representation levels included in Tables 5.16 and 5.17. The overall figures above show that in the period 2006/2007 and 2013/2014 those from a Protestant community background are more highly represented in the figures for the recommendations for appointment and renewal of Judicial appointment than those from a Catholic community background or those who designate themselves as neither. This is also generally true of individual years with the exception of 2007/2008 and 2011/2012, although the figures show some fluctuations within this reporting period of representation between the two community backgrounds and those who designate themselves as neither. However, there is an underrepresentation of Catholics in relation to Annual Recommendations for Judicial appointment and Renewal of Judicial Appointments combined.

Table 5.16 below provides the community background of those persons who have been recommended for Judicial appointment between 2006/2007 and 2013/2014. The NIJAC annual reports do not provide separate community background figures for recommendations for Judicial Court appointments or Judicial Tribunal appointments and therefore they are not included in this meta-analysis.

Table 5.16 – Community Background Composition of Annual Recommendations for Judicial Appointment 2007 - 2014

	Protestant		Catholic		Neither	
	N	%	N	%	N	%
2006/ 2007	87	58%	55	36%	9	6%
2007/2008	4	36%	6	55%	1	9%
2008/2009	10	40%	14	56%	1	4%
2009/2010	12	48%	11	44%	2	8%
2010/2011	8	50%	7	44%	1	6%
2011/2012	14	44%	14	44%	4	12%

2012/2013	12	52%	8	35%	3	13%
2013/2014	36	60%	23	38%	1	2%
2006/2007-2013/2014	183	53%	138	40%	22	6%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment: (2007), 151 (2008), 11 (2009), 25 (2010), 25 (2011), 16 (2012), 32 (2013), 23 and (2014), 60.

The overall figures in Table 5.16 for the period 2006/2007-2013/2014 show that those from a Protestant community background are more highly represented in the recommendations for Judicial Appointment in the Judiciary than those from a Catholic community background or those who designate themselves as neither. The overall figures also show that those from a Protestant community background are overrepresented in proportion to the 2011 Census figure while those from a Catholic community background are underrepresented in the same context. The overall figures in Table 5.7, 5.8 and 5.9 show that those from a Catholic community background are more highly represented in terms of applicants for Judicial appointments and therefore are in contrast to the overall figures for recommendations of Judicial appointment presented in Table 5.16. Furthermore, Tables 5.7, 5.8 and 5.9 show that overall Protestants are underrepresented in terms of applicants to Judicial appointments which is in contrast to Table 5.16 which demonstrates that those from a Protestant community background are more highly represented in appointments.

The representation levels of those who designate themselves as neither are generally similar in terms of applicants for Judicial Tribunal and Court/Tribunal appointments combined when compared to the proportion of those who are designated as neither who were recommended for Judicial appointment. Although the percentage of those who designated themselves as neither in terms of Judicial Court applicants is below the percentage of those who designated as themselves as neither who were recommended for a Judicial appointment. However, Table 5.7 only covers the reporting period up to 2013 as the 2014 annual report only provides figures for the total applicants for Judicial appointments and does not include separate figures for the applicants to Judicial Court appointments or Judicial Tribunal appointments.

However, the figures also show that in general there has been a large degree of annual fluctuation across both community backgrounds as well as those who designate themselves as neither and this makes it difficult to identify trends.

Table 5.17 provides figures for the community background of those individuals who have been recommended for renewal of Judicial appointment between 2007 and 2014.

Table 5.17 – Community Background Composition of Annual Recommendations for Renewal of Judicial Appointment

	Protestant		Catholic		Neither	
2006/2007	12	39%	17	55%	2	6%
2007/2008	18	47%	18	47%	2	5%
2008/2009	22	69%	10	31%	0	0%
2009/2010 ²⁵⁰	212	56%	142	38%	21	6%
2010/2011	12	63%	5	26%	2	11%
2011/2012	24	44%	24	44%	6	11%
2012/2013	28	50%	28	50%	0	0%
2013/2014	21	61%	10	31%	1	3%
2006/2007- 2013/2014	349	55%	254	40%	34	5%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Renewal of Appointment: (2007), 31 (2008), 38 (2009), 32 (2010), 375 (2011), 19 (2012), 54 (2013), 56 and (2014), 32.

The overall figures in Table 5.17 are broadly reflective of the representation levels included in Table 5.16. The overall figures show that in the period 2006/2007-2013/2014, those from a Protestant community background were more highly represented in the recommendations for renewal of Judicial appointment than those from a Catholic community background or those who designate themselves as neither. Therefore it can be observed that those from a Catholic community have experienced a persistent key inequality in terms of underrepresentation in terms of the recommendations for renewal of Judicial appointment. However, this is not true of some individual years and the figures show annual fluctuations within this reporting period of representation between the two community backgrounds or those who designate themselves as neither. Further, due to the small base numbers for individual years, and the yearly fluctuations, drawing definitive conclusions is problematic.

Success Rates

²⁵⁰ Please note that additional responsibilities for Judicial appointments were devolved and a new strategy for appointments and renewals was adopted

The success rate of those from each community background are detailed in Table 5.18 below and further discussed in the commentary that follows. The success rate is a calculation of the likelihood of any one applicant belonging to a specific group being appointed. Where these proportions are broadly the similar this would indicate that applicants stand a relatively equal chance of being appointed regardless of their religious belief. Where these proportions are dissimilar then that would indicate that applicants from different religious beliefs stand an unequal chance of being appointed, favouring candidates from those religious beliefs where there is a higher ratio.

Table 5.18 – Success Rate of Community Background Composition of Applicants for Judicial Appointment

	Success Rate of Applicants		
	Protestant	Catholic	Neither
2006/2007	0.65	0.57	0.56
2007/2008	0.15	0.18	0.20
2008/2009	0.12	0.17	0.08
2009/2010	0.22	0.18	0.33
2010/2011	0.07	0.05	0.11
2011/2012	0.15	0.14	0.29
2012/2013	0.24	0.09	0.30
2013/2014	0.23	0.13	0.06
2006/2007-2013/2014	0.26	0.17	0.23

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Judicial Appointment: (2006/2007), 151 (2007/2008), 11 (2009), 25 (2010), 25 (2011), 16 (2012), 32 (2013), 23 and (2014), 60.

Base Annual Applicants for Judicial appointments: (2007), 245 (2008), 66 (2009), 167 (2010), 122 (2011), 265 (2012), 209 (2013), 154 and (2014), 351.

The overall figures detailed in Table 5.18 demonstrate that in the period 2007-2014, applicants for Judicial appointments from a Protestant community background and those who designated as Neither are marginally more likely to be recommended for Judicial appointment than those from a Catholic community background. Those applicants for Judicial appointment from a Protestant community background and those designated as Neither have around a 1 in 4 (represented as 0.26 and 0.23 respectively) chance of being recommended for appointment while those applicants from a Catholic community background have below a 1 in 5 (represented as 0.17) chance of being recommended for Judicial appointment. This is a reasonably consistent pattern between 2007 and 2014 and it could therefore be argued that there is a persistent key inequality in terms of the success of candidates for Judicial appointments for those from a Catholic community background.

5.4 Depth Interviews

A series of 13 depth interviews were conducted with a range of participants across the nine Section 75 grounds. Of the 13 interview participants, 8 defined themselves as either Protestant or Catholic with the remainder either identifying themselves as neither or a member of a religious minority. For most interview participants, they felt that their religious belief did not necessarily contribute to their identity. Instead, they felt that their religion was akin to their community background and a marker as to the community in which they grew up rather than necessarily a reflection of their current identity. This was particularly the case for the 8 interview participants identifying themselves as either Protestant or Catholic. Of those 8 interview participants, 3 regularly practised their religion.

For the other 5 interview participants, they held a minority religious belief and this was viewed as an important aspect of their identity. Those of a minority religious belief did feel that they were underrepresented in public life while those of either a Protestant or Catholic religious belief did not feel that they were underrepresented.

“I am a member of [a minority religious] community and I would say that [my] community is underrepresented. Many [people of my religious community] in Northern Ireland are professionals; they are doctors, lawyers, nurses, scientists so it is difficult to participate in public life. Like everyone we want a better community for our children, but it is difficult to find the time to [do everything].”

(Interviewee X)

There was a sense that it was difficult for the 8 interview participants who regularly practice their religion to find the time they required to work, participate in their religion, enjoy their family life and also participate in public life. In addition, there was a sense that it was difficult for people of minority religious beliefs to participate in public life due to issues such as a lack of awareness and potentially negative stereotypes, attitudes and behaviours that they may encounter.

“I am a member of [a religious minority belief]. I have worked in many different countries and there is a lot of misunderstanding about my religion. People don't really understand it and maybe they don't accept it either.” (Interviewee O)

While there was some sense that people from a religious minority may face barriers to their participation in public life, there may be some evidence that these barriers may exist more at the intersection of religious belief and ethnic background. For example, one interview participant who is a member of the majority ethnic grouping of Northern Ireland is a more recent adherent to a minority religious belief. This interview participant indicated that they had not faced many of the barriers faced by other members of their minority religious belief who also had an ethnic minority background. This would tend to indicate that some barriers to participation in public life occur at the intersection of religious belief and ethnic background.

In terms of some of the enablers of participation in public life, most participants from a religious minority discussed its importance to them in helping guide their actions and directing them to participate in public life. This was felt to be a particular driving force behind their participation in public life.

“[My faith] teaches that it is important to serve other human beings for the common good.” (Interviewee Z)

While their religious belief was viewed as important to their decision to participate for those interview participants of a religious minority belief, there was a sense among most interviewees regardless of their religious belief that their own drive and determination and the desire to give something back to the community was the key enabler of their participation in public life. In addition, educational background was viewed as an important enabler of participating in public life by almost all participants.

An interviewee who had mentioned that lack of awareness of ways in which to participate in public life did suggest that some organisations are good at making you aware of opportunities.

“Although I am not a parent governor at my children’s school, the schools are good at letting you know what is happening and when they are looking for parents to be involved. This makes it easier for people in my community to become involved.” (Interviewee X)

This was viewed as a key element in reaching out to members of a religious minority in terms of encouraging their participation in public life. In saying that, interview participants did give the impression that there were not a significant amount of barriers to those of a Protestant or Catholic religious belief and while there may be some greater barriers to those of a minority religious belief. These very often occurred at the intersection of ethnic background and religious belief.

5.5 Summary and conclusions

The promotion of religious equality has historically been framed around discrimination issues between the two main religious groups, Catholics and Protestants. However, the remit of Section 75 of the Northern Ireland Act (1998) is not only concerned with due regard to the promotion of equality of opportunity in the participation in public life in relation to Catholics and Protestants, but rather it covers all religious beliefs. The literature review, although mainly UK based, identified a number of areas of good practice and factors which enable the participation of persons with a range of religious beliefs. These include support from public bodies to increase diversity in participation, reaching out to underrepresented groups, raising awareness and communicating appropriately, and targeted recruitment to encourage participation among persons with a range of religious beliefs. Nevertheless, the literature review also identified that persons’ of a minority religious belief, mainly non-Christian denominations, have faced barriers to participation in public life such as concerns about prejudice, navigating the bureaucracy associated with participating in public life, the perceived culture of public bodies and a lack of community confidence and trust in public bodies. Within the literature review some reports suggest that it is only at an organisational / systemic level that effective action can be taken to overcome barriers to participation

in public life. Overall, the literature review provides a sense that existing structures and practices around participation in public life require top-down led change to overcome existing barriers.

The meta-analysis revealed that there was only data available for community background for three areas of participation in public life: Government Public Appointments, the Northern Ireland Judiciary and School Governors. While it is not possible to benchmark the community background figures against the Census 2011 data for religious belief, the meta-analysis revealed that there is a representation across the Protestant and Catholic communities as well as those designating themselves as 'neither' for Government Public Appointments and the Northern Ireland Judiciary. Bearing in mind the caveats of the figures it is difficult to identify any key on-going inequalities in participation in public life for persons with different religious beliefs. However, in respect to analysis against community background it was also clear from the meta-analysis of secondary quantitative data that there has been an increasing level of representation of persons from a Protestant community background in Judicial appointments, although Protestants are underrepresented in Tribunal (Legal) positions. In contrast there is a persistent underrepresentation of those from a Catholic community background. This is despite an overrepresentation of those from a Catholic community background as applicants. It could be argued that Judicial appointments represent an area of a key inequality for persons from a Catholic community background, although it should be noted that this is based on small overall numbers. It is clear that there is insufficient collection and publication of data on this ground across most areas of participating in public life. These are the two key issues for participation in public life for persons based upon different community backgrounds.

Political opinion

6 Political opinion

6.1 Summary of key findings

A key finding of the analysis of secondary data is that there is limited publicly available data covering political opinion across most of the nineteen areas of public life identified within this study, making it difficult to investigate potential inequalities.

When considering the data that is available, namely for Government Public Appointments and Elected Representatives, it is not possible to identify any emerging or persistent inequalities in participation in public life for persons with different political opinions.

In respect to the participation within School Boards of Governors and Access to Voting System, data is only available on a limited basis and therefore this research was unable to draw reliable conclusions for these areas of public life.

The key findings of the literature review covering barriers and enablers of participation in public life are as follows:

Key Barriers

Barriers to participation in public life on the ground of political opinion that it was possible to identify in the literature include:

- Lack of outreach on behalf of political parties
- Lack of influence for individuals to influence politics
- Lack of trust and dissatisfaction with politicians
- Disengagement from politics
- Fear of political violence

Enablers of participation in public life identified in the literature review include:

- Grassroots peace building
- Reaching out to underrepresented groups
- Capacity building and training support
- Committed leadership

The remainder of this section sets out firstly; the literature review of both academic and professional reports which explore the underrepresentation of persons of different political belief, and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons of different political belief. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the level of representation of political belief across a range of areas of participation in public life.

6.2 Literature review

The context section (Chapter 2) provided an overview of the legal and policy framework which sets out the right to equal participation in public life for all, regardless of race, colour, creed, gender, age, sexual orientation or disability through the UN Declaration of Human Rights (1948)²⁵¹, the International Covenant On Civil and Political Rights (1976)²⁵², International Covenant on Economic, Social and Cultural Rights (1976)²⁵³, and the Northern Ireland Act (1998) Section 75²⁵⁴. However, there is a specific legal and policy framework dedicated to the promotion of equality in participation in public life on the basis of political opinion.

Legal and Policy Framework

International Covenant on Civil and Political Rights

Article 2 and Article 25 of United Nation's Covenant on Civil and Political Rights (UNCRPD) (1976) outlines overarching principles regarding the participation in public life by all citizens. Article 2 of the covenant places an undertaking on states to ensure the rights of all individuals. The covenant specifically recognises that a person's political or other opinion is a distinction that should not affect the states undertaking to ensure these rights. Specifically relating to participation in public life. Article 25 ensures the right and opportunity of individuals without any unreasonable restrictions (1) to take part in the conduct of public affairs and (3) to have access on general terms of equality to public service in their country. It states that as mentioned in Article 2, a person's political or other opinion should not affect the operation of Article 25²⁵⁵.

Good Friday Agreement/Belfast Agreement

The Good Friday Agreement/Belfast Agreement as enacted by the Northern Ireland Act (1998)²⁵⁶ made further provisions for safeguards within the political institutions to ensure power sharing on the basis of national identity or political opinion namely in being designated as either Unionist or Nationalist. In Northern Ireland, a Unionist viewpoint is characterised by a belief in a continuing political union between Great

²⁵¹ United Nations General Assembly (1948) "Universal Declaration of Human Rights" (available at http://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf)

²⁵² United Nations General Assembly (1976) "The International Covenant On Civil and Political Rights" (available at <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>)

²⁵³ United Nations General Assembly (1976) "The International Covenant on Economic, Social and Cultural Rights" (available at <http://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>)

²⁵⁴ Section 75 of the Northern Ireland Act (1998) (available at <http://www.legislation.gov.uk/ukpga/1998/47/contents>)

²⁵⁵ Article 2 and 25 of the United Nations General Assembly (1976) "The International Covenant On Civil and Political Rights". Available at: <http://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf>

²⁵⁶ The Belfast/Good Friday Agreement (1998) "Strand One: Democratic Institutions in Northern Ireland". Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/136652/agreement.pdf.

Britain and Northern Ireland²⁵⁷. This viewpoint has political representation in the form of the Democratic Unionist Party (DUP), Ulster Unionist Party (UUP), Traditional Unionist Voice (TUV), Progressive Unionist Party (PUP) and the United Kingdom Independence Party (UKIP). A Nationalist viewpoint in Northern Ireland is characterised by a belief in a United Ireland and that rule from London has been to the detriment of Irish interests²⁵⁸. This viewpoint has political representation in the form of Sinn Fein (SF) and the Social Democratic and Labour Party (SDLP).

The Good Friday Agreement/Belfast Agreement makes the following provision under section 5 of strand one in terms of the democratic institutions of Northern Ireland:

There will be safeguards to ensure that all sections of the community can participate and work together successfully in the operation of these institutions and that all sections of the community are protected, including:

- a) allocations of Committee Chairs, Ministers and Committee membership in proportion to party strengths;
- b) the European Convention on Human Rights (ECHR) and any Bill of Rights for Northern Ireland supplementing it, which neither the Assembly nor public bodies can infringe, together with a Human Rights Commission;
- c) arrangements to provide that key decisions and legislation are proofed to ensure that they do not infringe the ECHR and any Bill of Rights for Northern Ireland;
- d) arrangements to ensure key decisions are taken on a cross-community basis;
 - (i) either parallel consent, i.e. a majority of those members present and voting, including a majority of the Unionist and Nationalist designations present and voting;
 - (ii) or a weighted majority (60%) of members present and voting, including at least 40% of each of the Nationalist and Unionist designations present and voting.
- e) An Equality Commission to monitor a statutory obligation to promote equality of opportunity in specified areas and parity of esteem between the two main communities, and to investigate individual complaints against public bodies.

The agreement also states that the First Minister and Deputy First Minister shall be jointly elected into office by the Northern Ireland Assembly voting on a cross-community basis, according to 5(d) (i) above.

Barriers to, and enablers of, participation in public life

A key issue when undertaking a review of the literature is the connection between religious belief, community background and political opinion. In Northern Ireland there would appear to be inextricable links between these three facets of an individual's identity, making it difficult to examine one without reference to the others. This is particularly the case for political belief which arguably follows from

²⁵⁷ Southern, N, "Britishness, "Ulsterness" and Unionist Identity in Northern Ireland", *Nationalism and Ethnic Politics*, Volume 13, Issue 1 January 2007, pp. 71–102

²⁵⁸ Kee R. (1972) *The Green Flag: A History of Irish Nationalism*

religious belief and community background. Nevertheless religion, community background and political belief are different and increasingly political belief in Northern Ireland is not necessarily contingent upon either religion or community background. Having said that, much of the data explored in the meta-analysis is reported on the basis of Unionism and Nationalism.

There has been very little recent examination of barriers and enablers of participation in public life on the basis of political opinion. While the issue of under representation was investigated and reported upon until the early 1990s, there has been very little contemporary examination exploring barriers and / or enablers of participation in public life on the ground of political opinion. This is a quite an under researched area in comparison to other grounds, such as gender. A considerable issue is engagement with politics, political parties and political institutions. In saying that, there has been some examination around the lack of engagement with politics and political parties.

A 2012 study by Clark and Wilford²⁵⁹ noted that the turnout of 54.5% in the 2011 Northern Ireland Assembly election is indicative of disengagement with politics. While the authors argue that this turnout is indicative of disengagement, this turnout is proportionately higher than Scotland (50.4%)²⁶⁰ and Wales (41.8%)²⁶¹. While Northern Ireland achieved a higher turnout than either Scotland or Wales, Clark and Wilford²⁶² suggest that there is disengagement from politics in Northern Ireland which can somewhat be attributed to the on-off nature of the Assembly and the on-going possibility of a return to Direct Rule. The survey conducted by the authors found that approaching 90% of respondents felt that they had no influence over decision-making in Northern Ireland, which compared to around 55% in a similar survey carried out in Northern Ireland in 2007²⁶³. While this perhaps arguably reflects the normalisation of Northern Ireland from a conflict to a post-conflict society discussed in Chapter 2, it does highlight that there is increasing disengagement from politics and political parties in Northern Ireland. Interestingly, while the study does not report on any barriers to those of different political opinion, it does highlight some barriers to greater engagement in politics and with political parties. These include a lack of outreach, lack of influence, lack of trust, and dissatisfaction with politicians.

Perhaps a key issue for disengagement in politics and with politicians in Northern Ireland for many people is the on-going fear of political violence that political parties and the political institutions have not yet resolved to enable the movement to a fully post-conflict society. This is reflected in the findings of a study conducted by Thiessen et al (2010)²⁶⁴ which examined how civic leaders viewed the prospects for

²⁵⁹ Clark, A. and Wilford, R. (2012) Political Institutions, Engagement and Outreach: The Case of the Northern Ireland Assembly. *Parliamentary Affairs* 65, 380–403

²⁶⁰ Scottish Parliament (2011) Elections Results 2011. Available at: http://www.scottish.parliament.uk/ResearchBriefingsAndFactsheets/S4/SB_11-29.pdf

²⁶¹ Electoral Commission (2011) Report on the National Assembly for Wales general election 5 May 2011. Available at: <http://www.electoralcommission.org.uk/elections/past-elections2/?a=141330>

²⁶² Clark, A. and Wilford, R. (2012) Political Institutions, Engagement and Outreach: The Case of the Northern Ireland Assembly. *Parliamentary Affairs* 65, 380–403

²⁶³ University of Ulster (2007) *Northern Ireland Life & Times Survey*. Available at: www.ark.ac.uk

²⁶⁴ Thiessen, Chuck, Byrne, Sean, Skarlato, Olga, and Tennent, Paul, 'Civil Society Leaders and Northern Ireland's Peace Process: Hopes and Fears for the Future', *Humanity and Society*, Vol. 34, February, 2010,

peace building. The authors identify that civic leaders in Northern Ireland have confidence that community level engagement in peace building projects will stabilise politics and tensions between those with different political opinions (i.e. Unionists and Nationalists), while there is much lower levels of confidence that this can be achieved through political leaders and institutions.

A number of barriers and enablers were identified in the reports discussed above. These appeared consistently across reports at different levels. It was therefore possible to synthesise the key barriers to participation on the basis of political opinion.

The barriers to participation in public life identified in the literature are as follows:

- Lack of outreach on behalf of political parties
- Lack of influence for individuals to influence politics
- Lack of trust and dissatisfaction with politicians
- Disengagement from politics
- Fear of political violence

The enablers of participation in public life identified in the literature are as follows:

- Grassroots peacebuilding
- Reaching out to underrepresented groups
- Capacity building and training support
- Committed leadership

The items listed above represent the barriers to, and enablers of, participation in public life that it is possible to identify on those reports which focus on political opinion and participation in public life.

6.3 Meta-analysis of secondary quantitative data

While data on the political make up of elected institutions such as the Northern Ireland Assembly or Local Government is freely available, the participation in other areas of public life is much less well known with much less data collected or made available. This section does not concentrate on an overview of the political party allegiances of elected representatives as this would essentially just offer an overview of the strength of the various political parties at different elections and for different institutions. Alternatively this section has focussed on the available data on political opinion in relation to elected representatives and other areas of public life.

Areas of data absence

An extensive search of online and offline sources was conducted in relation to all the areas covered by the definition of participation of public life contained within the introduction. The only data that was available in relation to political opinion was whether individuals were Nationalist, Unionist, neither, other, or had no political opinion and whether they were members of or carried out political activity for a political party. It became apparent during these search efforts that data was absent in terms of many of the bodies contained within the definition, including:

- Local Strategic Partnerships
- Citizens Panels
- Public Bodies focus and or working groups
- School Councils
- Youth Councils
- User groups for a service provided by a Public Authority
- Members of Political Fora
- Litigants – Access to Law and Courts
- Jurors
- Recruitment and Selection Panels
- Members of a voluntary group
- The Judiciary
- Community Police Liaison Committees
- Neighbourhood Watch Committees
- Community Associations or fora

Data availability

However, there was limited data relating to political opinion in public life available in terms of:

- Government Public Appointments
- Elected representatives,
- School Boards of Governors
- Access to Voting System

The data²⁶⁵ available for the above mentioned areas, although in places limited provides some indication of participation of those of different political opinions in these areas of participation in public life. These will now be discussed.

Understanding and benchmarking available data

Unlike other grounds, political opinion data is not collected as part of the Census. Consequently, for the purposes of benchmarking the available data on participation in public life of those with differing political opinions, it was felt appropriate to provide political opinion data on the outcome of the most recent elections and also political opinion data as presented in the Northern Ireland Life and Times Survey (NILT)²⁶⁶. This study is based on a statistically robust random sample of 1,200 adults of the Northern Ireland population. The survey is conducted annually and tracks changes in the proportion of the population describing themselves as Unionist or Nationalist. Table 6.1 displays the recent electoral results of the main political parties and Table 6.2 provides an indication of the political opinion of Northern Ireland's population based on the NILT survey.

²⁶⁵ Please note that all percentages in this meta-analysis have been rounded up to whole numbers except where the percentage is below 1%. Also where numbers and percentages are provided during the 2007-2014 time period, an additional aggregate figure has been inserted in order to analyse the overall level of representation during the reporting period.

²⁶⁶ University of Ulster (2013) The Northern Ireland Life and Times Survey, Political Attitudes Module. Available at http://www.ark.ac.uk/nilt/2013/Political_Attitudes/UNINATID.html.

Table 6.1 – Northern Ireland 2011 Political Parties Representation by Elections 2010 General Election Results, 2011 Assembly Election Results First Preference Votes, 2014 Local Election Results First Preference Votes, 2014 European Election Results First Preference Votes)²⁶⁷

	DUP	Sinn Fein	Ulster Unionist	SDLP	Alliance	Others
MP 2010 No's	8	5	0	3	1	1
Vote Share %	25	26	15	17	6	12
MLA 2011 No's	38	29	16	14	8	3
Vote Share %	29	26	13	14	8	8
Local Election 2014 No's	130	105	88	66	32	45
Vote Share %	28	23	19	14	7	9
European Election 2014 No's	1	1	1	0	0	0
Vote Share %	21	26	13	13	7	20

Sources: Electoral Office for Northern Ireland Website:

Elections 2010, UK Parliamentary Election Results²⁶⁸

Elections 2011, NI Assembly Election Candidates Elected²⁶⁹

Elections 2014, European Parliamentary Election Results²⁷⁰

Elections 2014, Local Council Elections 2014²⁷¹

The Northern Ireland Life and Times Survey (NILT)²⁷² also provide an indication of Northern Ireland's population composition of political opinion. However, the survey only provides data on the percentage of Unionists, Nationalists, Neither or Other (specify).

²⁶⁷ University of Ulster (2013) The Northern Ireland Life and Times Survey, Political Attitudes Module. Available at http://www.ark.ac.uk/nilt/2013/Political_Attributes/UNINATID.html.

²⁶⁸ Electoral Office for Northern Ireland (2010) Elections 2010, UK Parliamentary Election Results (available at: <http://www.eoni.org.uk/Elections/Election-results-and-statistics/Election-results-and-statistics-2003-onwards/Elections-2010/Election-results>) Accessed on 18/06/2014

²⁶⁹ Electoral Office for Northern Ireland (2011) Elections 2011, NI Assembly Election Candidates Elected (available at: <http://www.eoni.org.uk/Elections/Election-results-and-statistics/Election-results-and-statistics-2003-onwards/Elections-2011/Election-results>) Accessed on 18/06/2014

²⁷⁰ Electoral Office for Northern Ireland (2014) Elections 2011, Local Council Elections (available at: <http://www.eoni.org.uk/Elections/Election-results-and-statistics/Election-results-and-statistics-2003-onwards/Elections-2014/Local-Council-Elections-2014-Results-by-Stage>) Accessed on 19/06/2014

²⁷¹ Electoral Office for Northern Ireland (2014) European Parliamentary Election Results (available at: <http://www.eoni.org.uk/getmedia/693afda7-a19d-4ba8-95a9-d140f2a651ba/Declaration-of-Result>) Accessed on 19/06/2014

²⁷² University of Ulster (2013) The Northern Ireland Life and Times Survey, Political Attitudes Module. Available at http://www.ark.ac.uk/nilt/2013/Political_Attributes/UNINATID.html.

Table 6.2 – Northern Ireland Life and Times Survey (NILT)²⁷³

	% Generally speaking, do you think of yourself as a Unionist, a Nationalist or neither?*				
	Unionist	Nationalist	Neither	Other	Don't Know
2007	36%	24%	40%	0%	0%
2008	37%	19%	43%	0%	1%
2009	32%	24%	43%	1%	0%
2010	34%	20%	45%	-	1%
2012	28%	23%	47%	1%	2%
2013	29%	25%	43%	1%	2%

Source: University of Ulster: The Northern Ireland Life and Times Survey, Political Attitudes Module 2010 - 2013²⁷⁴

Tables 6.1 and 6.2 offer some indication of the relative strength of different political opinions within Northern Ireland. This offers some context against which available data can be considered. Table 6.2 demonstrates that according to the NILT study that the percentage of the Northern Irish population who think of themselves as Unionist has steadily declined since 2008 while those who think of themselves as Nationalist, Neither, Other or Don't know have broadly remained consistent over the reporting period. It is worth noting that throughout the reporting period, the results of the NILT survey indicate that 40% or more of the population consider themselves to be neither Unionist nor Nationalist. This contrasts with the 2014 local authority elections with 47% of votes cast for the two main Unionist parties and 37% of votes cast for the main two Nationalist parties. This highlights a key difference between self-identification with either a Unionist or Nationalist viewpoint and how votes are cast at elections. In saying that, both the election result data and the results of the NILT survey offer useful comparators where no Census data is available.

Government Public Appointments

The only available data obtained for political opinion with the exception of elected representatives relates to Government Public Appointments²⁷⁵, which is summarised in Table 6.3. This data is defined as declared political activity which includes activities such as office holding, candidature, public speaking or writing in support of a political party. However, it does not relate to political allegiance or voting preferences and therefore it is difficult to accurately assess the level of representation in Government Public Appointments as regards differing political opinions. Since 2008 there is also no collection of declarations of political activity at the application stage. A revised Code of Practice published by the Commissioner for Public Appointments for Northern Ireland in 2007 stipulated that political activity would no longer be monitored in relation to applications for Government Public

²⁷³ University of Ulster (2013) The Northern Ireland Life and Times Survey, Political Attitudes Module. Available at http://www.ark.ac.uk/nilt/2013/Political_Attitudes/UNINATID.html.

²⁷⁴ The Northern Ireland Life and Times Survey did not run in 2011 due to lack of funding

²⁷⁵ OFMDFM Government Public Appointments Annual Reports 2007 – 2012. Available at <http://www.ofmdfmi.gov.uk/public-appointments-annual-reports>.

Appointment and therefore information on declared political activity is only collected at appointment stage of the process. Please also note that Government Public Appointments are generally held for a three year period, therefore in any given year, there are only around a third of appointments made subject to the recruitment and selection process. Therefore this meta-analysis is unable to examine the success rates of applicants for Government Public Appointments.

Table 6.3 – Political Opinion Composition of Government Public Appointments

Annual Government Public Appointments Overall														
	Declared Political Activity ²⁷⁶		DUP		Sinn Fein		UUP		SDLP		Alliance		Others	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2006/2007	33	7%	5	15%	5	15%	7	21%	12	36%	3	9%	1	3%
2007/2008	44	10%	6	14%	7	16%	9	20%	12	27%	5	11%	5	11%
2008/2009	22	7%	2	9%	5	23%	4	18%	6	27%	3	14%	2	9%
2009/2010	33	13%	7	21%	6	18%	7	21%	7	21%	0	-	6	18%
2010/2011	41	10%	7	17%	8	20%	10	24%	10	24%	3	7%	3	7%
2011/2012	71	16%	17	24%	16	23%	17	24%	12	17%	4	6%	5	7%
2012/2013	27	9%	5	19%	7	23%	3	11%	6	22%	-	-	5	19%
2013/2014	26	9%	3	12%	6	23%	4	15%	5	19%	3	12%	5	19%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Appointments: 451 (2007), 450 (2008), 320 (2009), 256 (2010), 416 (2011), 433 (2012), 291 (2013) and 290 (2014)

The figures in Table 6.3 are based on information provided on political opinion by public appointees themselves. On average, only 1 in 10 public appointees declare political activity. Given this, it is difficult to draw any conclusions on the relatively low base numbers for this ground. In saying that, it was possible to identify a trend between 2006/07 and 2011/12 towards a reasonable reflection of electoral strength among public appointees who declared political activity.

School Boards of Governors

A recent report commissioned by the Department of Education on school governors in Northern Ireland by PricewaterhouseCoopers was published in 2010 and provided information on the political composition of school governors.²⁷⁷ As part of the report, a survey of 751 school governors was conducted and they were asked to state their political belief. The responses are shown in Table 6.4.

²⁷⁶ This column displays information with respect to the total number of annual public appointees who declare any political activity.

²⁷⁷ DENI/ PricewaterhouseCoopers (2010) "SCHOOL GOVERNORS: The Guardians of our schools". Available at http://www.deni.gov.uk/school_governors_the_guardians_of_our_schools_-_report_number_54.pdf.

Table 6.4 – Political Opinion Composition of School Board of Governors

School Governors	Unionist	Nationalist	Other	No Political Opinion	Preferred not to say
Total	33%	28%	11%	9%	19%

Base: 751 (2010)

Source: DENI/ PricewaterhouseCoopers (2010) “SCHOOL GOVERNORS: The Guardians of our schools”

The figures for a Unionist and Nationalist viewpoint generally correspond with the results of the NILT survey. However, the results for an Other viewpoint indicate that this is much higher at 9% for School Governors compared to 1% as identified in the NILT survey. It is not possible to compare the remaining two columns as No Political Opinion may not be definitionally similar to ‘Neither’ as collected in the NILT survey. Likewise, it is not possible to compare ‘Preferred not to say’ in the School Governor survey to ‘Don’t Know’ in the NILT survey for the same reason. In other words, defining oneself as of ‘No Political Opinion’ is different from indicating the one is neither Unionist or Nationalist. Similarly, indicating that you ‘Prefer not to say’ when it comes to your political opinion is different from indicating that you ‘Don’t know’ when it comes to your political opinion.

In terms of the Northern Ireland Assembly designation, Unionists and Nationalists are underrepresented as school governors while anyone who is not a Unionist or Nationalist are overrepresented in terms of school governorships, although there is no allowance made for those with no political opinion or prefer not to say in the Northern Ireland Assembly designation.

Elected representatives

As discussed at the beginning of the chapter this section does not concentrate on an overview of the political opinion of elected representatives and only provides data on recent election results of the political parties in order to act as a benchmark for political opinion in other areas of public life. However, in relation to the Northern Ireland Assembly, figures are provided on member’s political opinion in regards to whether they are a Unionist or Nationalist or other. As discussed in Section 6.2 – Legal and Policy Framework, as a result of the Belfast agreement it was determined that the Northern Ireland Assembly would be based on a power-sharing model representing both Unionists and Nationalists. There would be cross-community power sharing at executive level including the Office of First Minister and Deputy First Minister (OFMDFM) and a multi-party executive. When they are elected members of the Assembly have to designate as Nationalist or Unionist or other when signing the Register as a MLA. It must be acknowledged that this frames political opinion in a particularly narrow way but it is to date the only collected and published information on political opinion of elected representatives in Northern Ireland. The designation in the Assembly following each Assembly election for the period 2007 -2014 is detailed in Table 6.5.

Table 6.5 – Northern Ireland Assembly Designation Political Opinion

	Unionist		Nationalist		Other	
	N	%	N	%	N	%
1998	58	54%	42	39%	8	7%
2003	54	50%	44	41%	10	9%
2007	55	51%	44	41%	9	8%
2011	56	52%	43	40%	9	8%
2014	53	49%	43	40%	11	10%

Source: Northern Ireland Assembly Website, MLAs Statistics Assembly Political Make-up²⁷⁸

Base: 1998, (108) 2003, (108) 2011, (108) 2014, (107)

*(Speaker elected on cross community vote after the 2011 election and designated as none)

The figures in Table 6.5 are broadly reflective of the strength of the five main political parties in Northern Ireland. The representations by these designations have largely remained stagnant since the devolved institutions were initiated. MLA's who members of the DUP are; UUP as well as individual members of the TUV, UKIP and an independent MLA are designated as Unionist. The MLA's who are members of Sinn Fein and the SDLP are designated as Nationalist and the MLA's who are members of the Alliance party as well as individual members of NI21, the Green Party and an independent MLA are designated as other. The NI assembly designation process is formulated on a cross community basis and only forces members to decide between Unionist, Nationalist or other. In contrast the NILT survey's²⁷⁹ question on political view is constructed in terms of how respondents define themselves. It also allows respondents a wider range of choices including 'don't know' and lastly it is based on a sample size of 1200. Therefore, it is difficult to assess the current level of underrepresentation of these designations because the only available benchmarks for comparison are the electoral strength of the political parties in Northern Ireland and survey indicators.

Access to voting system

The search of online and offline sources of data revealed that there is regular collection and publication of the composition of the electoral register across a number of Section 75 grounds (e.g. age, race, and political view)²⁸⁰. The figures for the percentage of those categorised by political opinion registered on the electoral register is presented in Table 6.6 below. It is unclear how the Electoral Commission has obtained these figures. However, it would appear to be based on an extrapolation of the results of the NILT survey and applied to the electoral register.

Table 6.6 – Political Opinion Composition of Electoral Register

Electoral Register	Unionist	Nationalist	No Political Opinion
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²⁷⁸ Northern Ireland Assembly (2014) MLAs Statistics Assembly Political Make-up (available at: <http://aims.niassembly.gov.uk/mlas/statistics.aspx>) Accessed on 20/06/2014

²⁷⁹ University of Ulster (2013) The Northern Ireland Life and Times Survey, Political Attitudes Module.

²⁸⁰ The Electoral Commission (2012) *Continuous electoral registration*, Belfast.

Total	87%	77%	62%
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Source: The Electoral Commission (2012) *Continuous electoral registration*, Belfast, Political View.

The figures in Table 6.6 identify that Unionists are more likely to be on the electoral register than Nationalists and unsurprisingly those with no political view are less likely to be on the electoral register when compared to Unionists or Nationalists.

Table 6.7 – Northern Ireland Election Turnout Rates

Elections	Turnout	
	2003 Assembly Elections	702,249
2007 Assembly Elections	696,538	63%
2011 Assembly Elections	674,108	56%
2014 Local Elections	638,332	51%
2014 European Elections	635,927	52%

Source: Electoral Office for Northern Ireland, Election 2003, NI Assembly Election Turnout²⁸¹, Election 2007, NI Assembly Election Turnout²⁸², Election 2011, NI Assembly Election Turnout²⁸³, Election 2014, Local Council Election Turnout²⁸⁴, Election 2014, European Election Turnout²⁸⁵.

An examination of the figures for the European Parliamentary elections and local government Council elections that took place in Northern Ireland in May 2014 show similar turnout rates. For the local council elections the turnout rate was 51% and for the European Parliamentary elections it was 52%²⁸⁶. Turnout at the 2011 Northern

²⁸¹ Electoral Office for Northern Ireland (2003) Election 2003, NI Assembly Election (<http://www.eoni.org.uk/Elections/Election-results-and-statistics/Election-results-and-statistics-2003-onwards/Elections-2003>)

²⁸² Electoral Office for Northern Ireland (2007) Election 2007, NI Assembly Election (available at <http://www.eoni.org.uk/Elections/Election-results-and-statistics/Election-results-and-statistics-2003-onwards/Elections-2007/Statistics>)

²⁸³ Electoral Office for Northern Ireland (2014) Election 2011, NI Assembly Election Turnout (available at http://www.eoni.org.uk/getmedia/635fa9e1-b3ab-4c3b-85f1-ce0a1eecd358/ni_assembly_election_2011_-_turnout)

²⁸⁴ Electoral Office for Northern Ireland (2014) Election 2014, European Parliamentary Election Turnout (available at <http://www.eoni.org.uk/Elections/Election-results-and-statistics/Election-results-and-statistics-2003-onwards/Elections-2014>)

²⁸⁵ Electoral Office for Northern Ireland (2014) Election 2014, European Parliamentary Election Turnout (available at <http://www.eoni.org.uk/Elections/Election-results-and-statistics/Election-results-and-statistics-2003-onwards/Elections-2014>)

²⁸⁶ Electoral Office for Northern Ireland (2014) Election 2014, European Parliamentary Election Turnout (available at <http://www.eoni.org.uk/Elections/Election-results-and-statistics/Election-results-and-statistics-2003-onwards/Elections-2014>)

Ireland Assembly Election was 56%^{287, 288}. This was a low participation rate compared to the 2003²⁸⁹ and 2007²⁹⁰ Assembly elections which were just over 60%²⁹¹.

6.4 Depth Interviews

A series of 13 depth interviews were conducted with participants across the nine Section 75 grounds. Of the 13 interview participants, 5 held elected positions at either Council or Assembly level. The 5 elected representatives included the UUP, SDLP, Alliance, Green party and NI21. In terms of the other 8 interview participants, interviews were conducted with Nationalists, Unionists, those designated as ‘other’ and trade Unionists²⁹². For those interview participants who are elected representatives their political opinions are a very important part of their identity and their political opinions were often cited as one of the factors which led to their participation in public life.

“I was brought up to believe in social justice and that we need to look after each other. As I have got older that’s come to include other things like the environment and animal welfare ... I have been involved in a lot of campaigns over the years and with the encouragement I received it seemed like a natural step to stand for election.” (Interviewee P)

I have strong [political] beliefs that I got from my parents ... I was involved in student politics and after university it seemed natural to continue...” (Interviewee K)

This sentiment was also expressed by another participant who identified themselves as a trade Unionist. While one or two other participants did identify with a political party or set of political opinions, most other participants did not and this was despite having strong views and sometimes actively participating in campaigns on sensitive political issues.

²⁸⁷ Electoral Office for Northern Ireland (2014) Election 2011, NI Assembly Election Turnout (available at http://www.eoni.org.uk/getmedia/635fa9e1-b3ab-4c3b-85f1-ce0a1eecd358/ni_assembly_election_2011_-_turnout)

²⁸⁸ This figure differs from the Clark and Wilfred Study referenced earlier as Clark and Wilfred’s figure is derived from a quota survey representative of the population of Northern Ireland aged 16+ whereas the Electoral Commission figure is exact turnout figures from voters. However the Clark and Wilfred figure is within the margin of error hence not statistically significantly different.

²⁸⁹ Electoral Office for Northern Ireland (2003) Election 2003, NI Assembly Election (<http://www.eoni.org.uk/Elections/Election-results-and-statistics/Election-results-and-statistics-2003-onwards/Elections-2003>)

²⁹⁰ Electoral Office for Northern Ireland (2007) Election 2007, NI Assembly Election (available at <http://www.eoni.org.uk/Elections/Election-results-and-statistics/Election-results-and-statistics-2003-onwards/Elections-2007/Statistics>)

²⁹² Trade Unions are representative bodies for employees and are primarily concerned with negotiating on members pay and conditions. However, many trade unions (including those in Northern Ireland) maintain a political fund (<http://www.nidirect.gov.uk/trade-union-political-funds>) which may be used during the electoral process to affect the outcome. In Northern Ireland there are over 30,000 trade union members contracted in to union political funds (<http://www.nicertoffice.org.uk/fs/doc/publications/annual-report-web.pdf>). A political fund is not akin to support for a specific political party but rather to influence politics in favour of the views of the trade union.

In general, interview participants did not believe that the range of political opinions are underrepresented in the various areas of participation in public life included in the definition. However, one participant did believe that members of the trade union movement are underrepresented in public life.

“If you look at the Health & Safety Executive it used to have trade union representation on it, but now there is no-one on the executive from the trade union movement ... it's got to the point that trade Unionists won't even put their name forward because they don't think they stand a chance.” (Interviewee S)

There was a firm perception from this interview participant that members of the trade union movement felt increasingly disillusioned from participating in public life as a result of a view that they are discriminated against in Government Public Appointments and other areas of participation in public life. In fact, this was reflected in their own experience when seeking a Government Public Appointment.

“I applied for a Government Public Appointment and I got through the interview and was recommended to the minister for appointment. Unfortunately, I wasn't appointed. I have no clear idea why I wasn't appointed. I don't know if it was the fact that I am a woman or that I am a trade Unionist.” (Interviewee S)

Those interview participants that hold elected positions gave a much more positive account of their participation in public life despite some of the difficulties that they encountered. In particular, these difficulties were focussed on the process of getting elected rather than facing specific barriers to participation in public life. In general, most interview participants did not feel that there were any specific barriers to participating in public life on the basis of their political opinion.

In saying that, some of the interview participants that hold an elected office felt that political parties could do more to reach out to underrepresented groups in other grounds to encourage their participation in public life.

“There are groups who are underrepresented in politics and public life and it is our job as politicians to reach out to those groups and encourage their participation.” (Interviewee K)

While participants did not identify any significant barriers to participation in public life, they did identify a number of enablers which have helped them to participate in public life. The key enabler mentioned by almost all participants who hold an elected position was a support network of family, friends and colleagues.

“I was encouraged to stand for election by [colleagues] who thought I could be successful ... and ... I don't think I would have been able to continue for so long without having a very supportive husband.”
(Interviewee F)

In addition, educational background was viewed as an important enabler of participation in public life. Interview participants indicated that while a good educational background may not be necessary to hold public office they felt that it had definitely helped them.

“I don’t think that a University degree is necessary to get elected, but that level of education helps develop the skills and confidence...”

(Interviewee R)

Other important enablers discussed by some of the interview participants who hold an elected position is the fact that their political party reached out to them and encouraged their participation. While this was not uniform for all participants who hold an elected position, there was a sense that there was some form of encouragement offered by their respective parties.

“I was writing on political issues and had been involved in a number of groups and campaigns when at University. I joined [my party] and became increasingly involved in the party. Coming up to the elections [the party] came to see me and asked if I would stand.” (Interviewee M)

M)

These were the key enablers that interview participants discussed when talking about their own situation, but as mentioned previously there was a recognition that more could be done within political parties to encourage people to become involved and participate in public life. In saying that, this was more focussed on communication and having a positive culture and environment. There was not much discussion about quotas for participation of people for different political opinions. However, the interview participant identified as a trade Unionist did feel that there should be places reserved on specific public bodies for trade unions. With the exception of this issue, generally participants felt that those of differing political opinions were able to participate fully in public life.

6.5 Summary and conclusions

The promotion of equality for those of different political opinions has historically been framed around discrimination issues between the two main political viewpoints, Unionism and Nationalism. While there has been considerable investigation of the underrepresentation of Nationalism within political and public life, much of this pre-dates the period of focus for this study. With the implementation of the Northern Ireland (1998) Act and this issue has been increasingly addressed. Nevertheless, the literature review did note that there is an issue in terms of disengagement with politics and politicians. Consequently, while the two main viewpoints of Unionism and Nationalism are used to demarcate the boundary between two communities, fewer people participate and engage with politics. The literature review further identified the following barriers: lack of outreach, lack of influence, lack of trust, dissatisfaction with politicians and on-going fear of political violence.

The meta-analysis revealed that there was only data available for political opinion for three areas of participation in public life, namely; Government Public Appointments, elected representatives and School Governors. As with religious belief, the available secondary data focussed on Unionism and Nationalism as the core political opinion systems within Northern Ireland. The sources of secondary data did not disaggregate data for those of an ‘other’ political opinion which at the level of political representation tends to be made up of Alliance, NI21, Greens and Independents. Again, this creates some issues in terms of benchmarking available

figures against a more complete set of indicators that would identify a broader range of political opinions rather than just a Unionist or Nationalist designation. Bearing this in mind, it has not been possible to identify from the data any emerging or persistent inequalities in participation in public life for persons with different political opinions. It is clear that there is insufficient collection and publication of data on this ground across most areas of participating in public life.

Race

7 Race

7.1 Summary of key findings

This chapter investigated inequalities on the ground of race. A key finding of the meta-analysis of secondary data was that there is limited publicly available data covering race across most areas of participation in public life.

Where the data is available it is limited to Government Public Appointments, Access to Voting System and the Judiciary. An examination of the data shows that Minority Ethnic groups experience persistent key inequalities in terms of their underrepresentation in participation in public life within:

- Government Public Appointment positions (Applicants and Appointments)
- The Northern Ireland Judiciary
 - Judicial Office positions across the eight groupings
 - Lay Magistrate positions
 - Judicial Office Court positions (Applicants)
 - Judicial Office Tribunal (Legal) Applicants
 - Recommendations for Judicial Appointments
 - Recommendations for Renewal of Judicial Appointments

Due to the low numbers it is not possible to identify if these inequalities are specific to a particular ethnic minority background. This is a consequence of how data is aggregated and reported.

Furthermore, although data was available for race in the area of Access to the Voting System, the data is only available on a limited basis. This research was therefore unable to draw reliable conclusions for this area of public life.

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of race are as follows:

- Barriers to participation in public life on the ground of political opinion that it was possible to identify in the literature include
 - Lack of training, education and skills
 - Concerns about prejudice or discrimination against an underrepresented group; lack of experience
 - Lack of confidence or low self-esteem
 - Lack of knowledge or access to information
 - The time and costs of participation
- Enablers of participation in public life identified in the literature review include:
 - Raising awareness
 - Reaching out to underrepresented groups
 - Creating a more positive environment

The items listed above represent barriers to, and enablers of participation in public life that it was possible to identify from reports which focus on race and participation in public life. It is important to note that many of the highlighted enablers may facilitate participation in public life across racial groups.

The remainder of this section sets out firstly; the literature review of both academic and professional reports which explore the underrepresentation of persons of different race, and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons of different race. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the level of representation of race across a range of areas of participation in public life.

7.2 Literature review

The context section (Chapter 2) provided an overview of the legal and policy framework which sets out the right to equal participation in public life for all regardless of race, colour, creed, gender, age, sexual orientation or disability through the UN Declaration of Human Rights (1948)²⁹³, the International Covenant on Civil and Political Rights (1976)²⁹⁴, International Covenant on Economic, Social and Cultural Rights (1976)²⁹⁵, and the Northern Ireland Act (1998) Section 75²⁹⁶. However, there is a specific legal and policy framework dedicated to the promotion of equality in participation in public life on the basis of race.

Legal and Policy Framework

International Convention On The Elimination Of Racial Discrimination (ICERD)

The International Convention on the Elimination of Racial Discrimination (1969) (CERD)²⁹⁷ is a UN treaty aimed at eradicating racism and racial discrimination worldwide. ICERD requires that all states that are parties to the Convention must pursue a policy of eliminating racial discrimination and promoting harmony and understanding among all racial and ethnic groups. In respect of participation in public life. Article 5 of the convention obliges state parties to undertake to guarantee

²⁹³ United Nations General Assembly (1948) "Universal Declaration of Human Rights" (available at http://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf)

²⁹⁴ United Nations General Assembly (1976) "The International Covenant On Civil and Political Rights" (available at <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>)

²⁹⁵ United Nations General Assembly (1976) "The International Covenant on Economic, Social and Cultural Rights" (available at <http://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>)

²⁹⁶ Northern Ireland Act (1998) (available at <http://www.legislation.gov.uk/ukpga/1998/47/contents>)

²⁹⁷ United Nations General Assembly (1969) "The International Convention on the Elimination of Racial Discrimination" (available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>)

the right of everyone, without distinction as to race, colour, or national or Minority Ethnic Background the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public services.

Framework Convention for the Protection of National Minorities

The Framework Convention for the Protection of National Minorities (1995)²⁹⁸ provides further international standards that have been adopted by member states of the Council of Europe. Article 15 of the convention states that “The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.”

Advisory Committee on the Framework Convention for the Protection of National Minorities On The Effective Participation of Persons Belonging To National Minorities In Cultural, Social and Economic Life and in Public (2008)²⁹⁹

The purpose of this commentary was to expand on the interpretation of Article 15 of the framework convention and to provide a guide for state authorities and decision makers involved in minority protection but also for those tasked with promoting greater minority participation. In particular the committee expands upon the interpretation of Article 15 in relation to participation in public affairs. It states that phrase “effective participation” provides a wide scope that includes national minorities being involved in public life through mechanisms such as representation in elected institutions or bodies, consultative mechanisms, public administration and the Judiciary. The committee notes that particular focus should be placed upon gender issues of persons belonging to national minorities. In relation to electoral representation and participation, it states that this should be done through constitutional guarantees and with legislation that ensures this effective participation as well as targeted measures facilitating representation in elected institutions or bodies. The committee cites certain measures such as exemptions from threshold requirements, reserved seats or veto rights that have proven useful in the past in promoting participation in elected bodies. It also states that consultative bodies tasked with responsibility for the interests of national minorities should be given clear legal status and an accompanying legal obligation should be inserted to consult them. These consultative bodies should be inclusive and representative and should be reviewed regularly to ensure that they represent a range of views amongst those belonging to national minorities.

In relation to public administration and the Judiciary, the committee states that these should reflect the diversity of society and that the recruitment of those belonging to

²⁹⁸ Council of Europe (1995) “Framework Convention for the Protection of National Minorities” (available at <http://conventions.coe.int/Treaty/en/Treaties/html/157.htm>)

²⁹⁹ Council of Europe (2008) “Advisory Committee on the Framework Convention for the Protection of National Minorities On The Effective Participation of Persons Belonging To National Minorities In Cultural, Social and Economic Life and in Public” (available at http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_CommentaryParticipation_en.pdf)

national minorities should be promoted. It notes however, that measures that include strict equality in representation of groups should not be instigated but rather proficiency requirements should not go beyond what is necessary for a post.

The committee states that in respect of the measures outlined above, that it is essential that these are supported by adequate human and financial resources. The committees also makes it clear that that regular reviews should be conducted in respect of representation and participation of national minorities to ensure that representation in the institutions mentioned previously reflects the societal make-up.

EU Racial Equality Directive 2000 - Opinion of the European Union Agency for Fundamental Rights 2013

The European Union (EU) has robust anti-discrimination legislation. The Racial Equality Directive represents a prominent share of the EU legislative commitment to fight discrimination. The directive is generally considered to have significantly raised the level of protection against discrimination across the EU, as Member States were required to review their existing anti-discrimination legislation in order to comply with the directives' requirements. Legislation is, however, just one aspect of the overall reality in which fundamental rights unfold. To adopt legislation is to make a clear commitment to combat discrimination. But legislation does not automatically translate into positive results on the ground; for that to occur, dedicated follow-up on the legal obligations undertaken must ensue. The Opinion of the European Union Agency for Fundamental Rights sets out a number of actions which would assist in the promotion of equality. These include:

- Intensify efforts to raise awareness of rights under EU equality directives and member states legislation
- Consider institutional and procedural reforms to ensure improved access to justice for those facing racial discrimination
- Enhancing availability of robust data, at a disaggregated level, in relation to promoting equality across all areas covered by the directive
- Undertake positive action by maintaining or adopting specific measures to prevent or compensate for disadvantages linked to racial or Minority Ethnic Background
- Member States closing any gaps in the legislative and policy framework between states to ensure a minimum level of protection across the EU.

The European Union Agency for Fundamental Rights suggests that if member states take on board their opinion on these five areas that there could be greater progress towards race equality across the EU and within member states.

The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities³⁰⁰ sets out the rights of minorities and establishes that States have an obligation to respect, protect and promote those rights. Article 2.2 states that “persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life”. This has been widely interpreted as including the political rights relating to election and to being elected, the holding of public office and full participation in other political and administrative activities.

OFMDFM A Racial Equality Strategy for Northern Ireland 2005 – 2010

The strategy³⁰¹ was designed to provide a framework that presented the opportunity to tackle racial inequalities, eradicate racism and in partnership with A Shared Future – Policy and Strategic Framework for Good Relations in Northern Ireland (“A Shared Future”)³⁰², to initiate actions to promote good race relations. The strategy notes that it is informed by recent experience in NI where ethnic minority groups were increasingly becoming victims of racial motivated violence. In order to create this framework the strategy set out number of high level strategic aims and principles. These include the elimination of racial inequality and promoting equality of opportunity in all aspects of life, including public life for people of different ethnic backgrounds, equal protection to combat racism, ensuring equality of serving provision for minority ethnic persons in accessing and benefiting from all public services, to increase participation of minority ethnic groups in public, political, economic, social and cultural life, promote dialogue between those of different faiths and backgrounds. The strategy was underpinned by, and was implemented within, the existing legislative framework and statutory duties set out in section 75.

Draft Racial Equality Strategy “A sense of belonging: Delivering Social Change through a Racial Equality Strategy for NI 2014-2024”

In realisation that the needs of and the issues facing Northern Ireland's ethnic minority population had changed in the intervening years with the emergence of an ever more multi-cultural society combined with the issues that are product of the economic downturn, the NI programme for Government 2011-2015 made a commitment to develop a revised Racial Equality Strategy³⁰³. A public consultation was launched on the draft strategy in June 2014. The strategy will be part of the Delivering Social Change Framework within which NI Executive ministers will work together to tackle poverty and social exclusion. The draft revised strategy is underpinned by the same strategic aims and principles detailed in the 2005 strategy. However, some of these strategic aims have been updated and refined. These include creating a victim centred approach in combating racism and increasing representation of people from an ethnic background in political, economic, social

³⁰⁰ United Nations General Assembly (1992) “The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities” (available at <http://www.ohchr.org/documents/publications/guideminoritiesdeclarationen.pdf>)

³⁰¹ OFMDFM (2005) “A Racial Equality Strategy for Northern Ireland 2005 – 2010” (available at <http://www.ofmdfmi.gov.uk/racial-equality-strategy-2005-2010.pdf>)

³⁰² OFMDFM (2005) A Shared Future – Policy and Strategic Framework for Good Relations in Northern Ireland (“A Shared Future”) (available at <http://www.ofmdfmi.gov.uk/policy-strategic-framework-good-relations.pdf>)

³⁰³ OFMDFM (2014) “Draft Racial Equality Strategy “A sense of belonging: Delivering Social Change through a Racial Equality Strategy for NI 2014-2024” (available at <http://www.ofmdfmi.gov.uk/racial-equality-strategy-2014-2024-consultation.pdf>)

and cultural life. The draft strategy also raises the question of whether there is a need for another strategic aim to ensure one's rights to maintain one's cultural identity.

ECNI Response to the consultation by OFMDFM on 'A Sense of Belonging-Delivering Social Change through a Racial Equality Strategy for Northern Ireland 2014-2024'

As part of the consultation process on the Draft Racial Equality Strategy for Northern Ireland 2014-2024, the ECNI was invited to give its views and make recommendations. As part of the ECNI response to the consultation process a number of key issues were identified. In general, ECNI felt the draft strategy was weak as it did not include baseline data to support a meaningful assessment of inequalities faced by Ethnic Minority communities, which in turn makes it difficult to identify priority areas. Further, the ECNI is concerned with regards to the reasoning provided for extending the Strategy to non-Christian faiths and felt this could have been tackled within this strategy. The ECNI also felt that the strategy lacked commitment, evident through a lack of action plan, timetable for legislative reform and no ministerial representation on the Racial Equality Panel. This last issue was viewed as a particular weakness in the draft strategy as it highlights different arrangements compared to the 'Together: Building Stronger Communities' strategy which does have ministerial representation.

While ECNI does highlight a number of key concerns, the draft strategy is viewed as a step in the right direction in order to tackle the increasing levels of racial violence in Northern Ireland. With that in mind, the ECNI proposes a number of recommendations to strengthen the draft strategy. Specifically, these are around addressing the lack of data on which the strategy is based, highlighting priority areas based on the experiences of inequalities by BME groups, setting SMART objectives for promoting equality, obtaining ministerial representation on the Racial Equality Panel and having a detailed timetable for the delivery of legislative reform. The ECNI believes these actions will contribute to a strengthened strategy and promotion of equality of opportunity for BME groups.

Barriers to, and enablers of, participation in public life

In 2008, the Joseph Rowntree Foundation (JRF) commissioned a study to look at the barriers to citizen governance at the intersection of gender and race in England³⁰⁴. The research sought to identify the reasons for engagement and barriers to participation for women with multiple identities across underrepresented groups. The research was informed by a literature review and data was collected through in-depth interviews with 115 women across Birmingham that participates in public life. The research identified that there was a number of common themes which contributed to the initial engagement in public life. These include a focus on a specific issue, the desire to make a difference for their community, or through a sense of religious duty. The report identified a common experience among participants' where they encountered prejudice and discrimination through the attitudes and behaviours of some people leading, managing and participating within governance structures limited their access to and progression within all types of structures.

³⁰⁴ Rai (2008) *Routes and barriers to citizen governance*. York: Joseph Rowntree Foundation.

These included negative perceptions about their abilities, being undermined because of race, gender and faith stereotypes, and the persistent ‘glass ceiling’.

The report also identified that cultural factors impacted the ability of some women to participate within public life. Female participation among Indian, Pakistani and Bangladeshi communities was sometimes perceived as being contrary to cultural norms, leading to negative and in some cases hostile responses from their communities. Some Muslim women pointed out that mixed-gender settings would be an obvious barrier for some women from their faith community. More generally, across all ethnic groups, it was the lack of confidence that was perceived to be the major challenge requiring targeted support to encourage and equip more women for participation in public life. In addition, some participants found that excessive bureaucracy hindered rather than facilitated participation and highlighted poor communication channels, conflicts of interests between community needs and personal and organisational agendas, and restrictive ‘top-down’ approaches. Others pointed to a distinct lack of community confidence and trust in political institutions and public bodies and views that participation was largely a futile exercise. In the view of some, ideological conflicts limited the scope for faith groups to take a more active part within local governance.

In order to overcome these barriers, the report identifies the importance of the following:

- Effective, visible and connected leadership.
- Leadership that is empowered, trained and equipped is essential for maximising partnership potential;
- Public authorities that have a commitment to the highest ethical standards and strong public accountability structures;
- Practical measures such as mentoring programmes, and the use of positive role models and capacity building and training support;
- A positive environment and a ‘listening, can-do’ culture; and,
- Communication that is timely and appropriate.

A broad study by Cemlyn et al (2009)³⁰⁵ on behalf of the Equality and Human Rights Commission looked at the inequalities faced by the Gypsy and Traveller communities across the UK. This is one of the few studies which looks at these communities and is particularly relevant in a Northern Ireland context given the size of these communities and their historical underrepresentation in Northern Ireland. While the study covers a broad range of inequalities the underrepresentation and barriers to political participation among gypsy and traveller communities is investigated at length.

The study identifies that there are significant barriers to voter registration including physical difficulties related to lack of secure sites, enforced mobility, lack of a postal address, and restricted postal deliveries even if resident on some public sites. With respect to political participation, the pervasive racism, hostility and rejection gypsies and travellers experience from mainstream society, undermines any confidence they

³⁰⁵ Cemlyn, S.; Greenfields, M.; Burnett, S.; Matthews, Z., and Whitwell, C. (2009) *Inequalities experienced by Gypsy and Traveller communities: A review*, Equality and Human Rights Commission, Manchester.

might have in engaging in voting or membership of political parties. The report also notes that this affects the engagement with public services as well as limited, if any, support for self-organisation and community development. In saying that, the report identifies that Northern Ireland had an MP with a traveller background during the 1970s, although there has been very limited representation since that time.

The report goes on to suggest a number of ways in which the inequalities faced by the gypsy and traveller communities can be addressed. These include:

- inequalities relating to accommodation need to be addressed in order to remove barriers to voter registration for gypsies and travellers;
- normal postal deliveries to individual accommodation units need to be provided on all gypsy and traveller sites;
- elected politicians of all parties and at all levels must not only commit themselves to avoiding direct expressions of racism and discrimination towards gypsies and travellers, but must adopt an approach in keeping with the Race Relations (Amendment) Act 2000 and the Human Rights Act 1998 to promote inclusive non-discriminatory policies and solutions in relation to gypsies and travellers.
- elected politicians should provide positive political leadership in tackling embedded issues of inequality and friction between communities;
- community members, including young people, who are taking political and community leadership in promoting solutions to the issues affecting their communities need active support and access to funding.

While some of the issues identified in the report may be specific to the gypsy and traveller communities, some of the solutions could be applied to other underrepresented groups.

The Northern Ireland Committee for Ethnic Minorities (NICEM)³⁰⁶ have also made a response to the UN Committee on the elimination of discrimination against women. In their submission NICEM focus on the multiple identities of women from an ethnic minority. NICEM report that while some BME women are active in their local communities, many have expressed concerns about the under-developed and under-resourced nature of the BME women's sector in NI. This, as well as economic dependence and childcare responsibilities (due to lack of affordable care subsidised by the state), act as key barriers to the full participation of BME women. With respect to asylum-seeker women, participation has also been directly impacted by government policies such as 'no recourse to public funds' and the legal restrictions, i.e. the denial of the right to work. In order to increase participation among women of an ethnic minority NICEM suggest that the NI executive introduce quotas for BME women in their participation in public life. NICEM also note a particular issue around increasing participation in public life among gypsy and traveller women who often face discrimination in access to public services and recommend the introduction of a statutory duty to promote safe and adequate sites for travellers as a first step to promoting greater equality. Again, the issue raised by

³⁰⁶ NICEM (2013)

Submission to United Nations Committee on the Elimination of All Forms of Discrimination Against Women in response to the UK's seventh Periodic Report (available at http://nicem.org.uk/wp-content/uploads/2014/01/NICEM_CEDAW-submission_June13_Final.pdf)

the NICEM report are specific to the multiple identities of BME women but some of the solutions suggested in the report such as quotas can be applied to other underrepresented groups.

A number of barriers and enablers were identified in the reports discussed above. These appeared consistently across reports at different levels. It was therefore possible to synthesise the key barriers to participation on the basis of race.

The barriers to participation in public life identified in the literature are as follows:

- Lack of outreach to ethnic minority communities
- Concerns about prejudice or discrimination against persons of an ethnic minority backgrounds
- Lack of education/training/capacity building
- Time commitments required
- Costs or resources required
- Bureaucracy associated with participating in public life (i.e. Government Public Appointments)
- Perceived culture of public bodies
- Negative perceptions about the skills, abilities and experience of people of an ethnic minority background
- Being undermined because of stereotypes
- Lack of community confidence and trust in political institutions and public bodies

The enablers participation in public life identified in the literature are as follows:

- Positive action measures / Special measures to encourage participation of people of an ethnic minority background
- Changing the recruitment process / targeted recruitment materials and practices to encourage participation of people of an ethnic minority background
- Reaching out to ethnic minority communities
- Creating a more positive environment / culture change

The items listed above represent the barriers to, and enablers of, participation in public life that it is possible to identify on those reports which focus on race and participation in public life.

7.3 Meta-analysis of secondary quantitative data

The search of online and academic databases revealed that the only data that was available was categorised as minority ethnic groups or minority ethnic background. There was no available data in relation to race, although as we discovered during our searches, definitions of ethnicity and race are closely aligned. For example the Northern Ireland Census in 2011 categorised minority ethnic background as any person who was not “white”. For the purposes of this meta-analysis we have excluded individuals from minority religious and cultural groups from the definition of ethnicity. The reason for this exclusion is that it is possible to belong to a minority religious and / or cultural group but at the same time belong to the majority ethnic group in Northern Ireland (i.e. white).

An extensive search of online and offline sources was conducted in relation to all the areas covered by the definition of participation of public life contained within the introduction.

Areas of Data Absence

It became apparent during these search efforts that data was absent in terms of ethnicity or Minority Ethnic Background from many of the bodies contained within the definition, including:

- Local Strategic Partnerships
- Citizens Panels
- Public Bodies focus and or working groups
- School Councils
- Youth Councils
- User groups for a service provided by a Public Authority
- Members of Political Fora
- Litigants – Access to Law and Courts
- Jurors
- Recruitment and Selection Panels
- Members of a voluntary group and
- Community Police Liaison Committees
- Neighbourhood Watch Committees
- Community Associations or fora
- School Boards of Governors
- Elected representatives

Data Availability

However, there was centralised data relating to ethnicity available in terms of:

- Government Public Appointments
- The Judiciary

Furthermore there was limited data available on:

- Access to the voting system

The data³⁰⁷ available for the above mentioned areas, although in some places limited provides some indication of participation of those of different ethnicity in these areas of participation in public life. These will be discussed below.

Understanding and Benchmarking Available Data

In order to adequately assess the level of participation across race and ethnicity it was considered appropriate to display the current Census 2011 figures for

³⁰⁷ Please note that all percentages in this meta-analysis have been rounded up to whole numbers except where the percentage is below 1% and for the 2011 Census. Also where numbers and percentages are provided during the 2007-2014 time period, an additional aggregate figure has been inserted in order to analyse the overall level of representation during the reporting period.

race/ethnicity composition in Northern Ireland. The Northern Ireland Census provided figures for minority ethnic groups in relation to non-white persons and travellers in relation to minority ethnic groups.

These are detailed in the Table below. Table 7.1 displays the white and minority ethnic population of the Northern Irish population. Table 7.1 also includes a profile of the minority ethnic groups that make up the total resident minority ethnic populations in Northern Ireland.

Table 7.1 – Northern Ireland 2011 Census Ethnicity Population Statistics

		ETHNICITY						
		White	Chinese	Irish Traveller	Indian	Pakistani	Bangladeshi	
Count		1,778,449	6,303	1,301	6,198	1,091	540	Total
%		98.2	0.4	0.1	0.3	0.1	0.0	
		Other Asian	Black Caribbean	Black African	Black Other	Mixed	Other	
Count		4,998	372	2,345	899	6,014	2,353	1,810,863
%		0.3	0.0	0.1	0.1	0.3	0.1	100

Source: NISRA, Northern Ireland 2011 Census Population Tables, Table KS201NI: Ethnic Group

In light of the relatively small minority ethnic population (1.8%) that resides in Northern Ireland, for the purposes of this meta-analysis, the commentary below will focus on the minority ethnic community as a whole rather than reviewing each individual minority ethnic group. This also corresponds with how data is published by public authorities (where available). In other words, public authorities which publish data on ethnic minorities do so for the minority ethnic community as a whole rather than individual minority ethnic groups

Government Public Appointments

OFMDFM’s annual publication on the composition of Government Public Appointments does offer some indication of the level of participation among members of an ethnic minority. These figures represent those public applicants and appointees who come from a minority ethnic background. Please also note that Government Public Appointments are generally held for a three year period, therefore in any given year, there are only around a third of appointments made subject to the recruitment and selection process. Therefore this meta-analysis is unable to examine the success rates of applicants for Government Public Appointments. This data is summarised in Table 7.2.

Table 7.2 – Representation of Minority Ethnic Background in Government Public Appointments

	Annual Government Public Appointments from a Minority Ethnic Background		Annual Government Public Appointment's Applicants from a Minority Ethnic Background	
	N	%	N	%
2006/2007	2	0.44%	9	0.81%
2007/2008	1	0.22%	15	2%
2008/2009	2	0.62%	6	0.65%
2009/2010	2	0.78%	6	0.54%
2010/2011	4	0.96%	12	1%
2011/2012	4	0.92%	14	1%
2012/2013	4	1%	15	1%
2013/2014	2	0.69%	16	2%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012).

Base Annual Appointments: 451 (2006/2007), 450 (2007/2008), 320 (2008/2009), 256 (2009/2010), 416 (2010/2011), 433 (2011/2012), 291 (2012/2013) and 290 (2013/2014).

Base Annual Government Public Appointment's Applicants: 1111 (2006/2007), 917 (2007/2008), 916 (2008/2009), 1116 (2009/2010), 1009 (2010/2011), 1280 (2011/2012), 1050 (2012/2013) and 904 (2013/2014).

Table 7.2 highlights that historically there is a very low level of representation of ethnic minorities in terms of Government Public Appointments applicants and Government Public Appointments in Northern Ireland. To some extent this reflects the low proportion of the Northern Ireland population from an ethnic minority. However, in saying that, between the 2001 and 2011 Census the proportion of the Northern Ireland population from an ethnic minority more than doubled from 0.8% to 1.8%. While Table 7.2 illustrates that there has been some increase in the number of Government Public Appointments (between 2006/2007 and 2013/2014), this remains below the proportion of the population from an ethnic minority. Overall however, the figures would tend to suggest that there has been persistent trend of underrepresentation of members of an ethnic minority in terms of participation in public life as applicants and appointees to Government Public Appointments with the exception of 2013/14 when the level of applications for Government Public Appointments from members of an ethnic minority reached parity with the proportion of the population in the 2011 Census. Nevertheless, appointments to Government Public Appointments still remain below the proportion of the population indicated in the 2011 Census and this can therefore be considered a key inequality in participation in public life.

Access to voting system

The search of online and offline sources of data revealed that there is regular collection and publication of the composition of the electoral register across a number of Section 75 grounds (e.g. age, political view)³⁰⁸. Unfortunately there is no data available on the basis of race and ethnicity. Consequently, the Electoral Commission and the Electoral Office for Northern Ireland were contacted and asked whether they collected and published any data on the level of registration of different race and ethnicity on the electoral register. The Electoral Office indicated that the Electoral Commission would be able to provide some data and subsequently the Electoral Commission referred to the report on continuous registration³⁰⁹. As such, it was not possible to identify the level of registration of persons of different race or ethnicity on the electoral register and consequently their access to the voting system.

However, the Electoral Commission published a report³¹⁰ in 2005 that included the results from a survey of person's from ethnic minorities in relation to voter registration and voter turnout. A survey³¹¹ was conducted with a sample of 502 people from 59 different minority ethnicities. The survey results showed that 40% of the sample was registered to vote in 2005 and that of those registered 48% had voted in the 2003 Northern Ireland Assembly election. This was compared with a total turnout of 64% among the general population, indicating that ethnic minorities are less likely to vote than those persons who are not from an ethnic minority group.

Judiciary

There are two publications in particular; The Equity Monitoring Reports collated by NISRA and the Northern Ireland Judicial Appointments Commission (NIJAC) Annual Reports that provide an overview of the ethnic minority background composition of the Northern Ireland Judiciary (further detail on these reports is provided in Appendix 2).

The data contained within these publications covers the same area of participation in public life (Section 1: Glossary provides a definition of the various elements of the Northern Ireland judiciary) with the NISRA reports providing greater detail and sub analysis of the data provided in the NIJAC reports. As the data in both reports covers the same area of participation in public life, it is felt appropriate to present a combined analysis where appropriate.

The rationale for presenting the data in this way is to provide:

- An overview of the composition of the Judiciary
- An analysis of applicants to the Judiciary

³⁰⁸ The Electoral Commission (2012) *Continuous electoral registration*, Belfast.

³⁰⁹ The Electoral Commission (2012) *Continuous electoral registration*, Belfast.

³¹⁰ The Electoral Commission (2005) "Exploring and measuring the attitudes and behaviour of members of minority ethnic communities in Northern Ireland to participating in the democratic process generally and with specific regard to registering for and voting at elections" (available at http://www.electoralcommission.org.uk/__data/assets/pdf_file/0007/47293/BMEreport_20325-14951__N__.pdf)

³¹¹ The Electoral Commission (2005) "Exploring and measuring the attitudes and behaviour of members of minority ethnic communities in Northern Ireland to participating in the democratic process generally and with specific regard to registering for and voting at elections" (available at http://www.electoralcommission.org.uk/__data/assets/pdf_file/0007/47293/BMEreport_20325-14951__N__.pdf)

- An analysis of appointments to the Judiciary – including renewals and recommendations
- An analysis of success rates for applicants to the Judiciary

The above areas of analysis depend upon availability of data. The data is disaggregated by:

- Judicial Office
- Court and Tribunal (Legal)
- Court and Tribunal (Non-Legal)
- Lay Magistrates

Presenting the data in this manner provides a broad picture of the ethnic minority background composition of the Judiciary and then particular types of Judicial Office.

Composition

Table 7.3 displays the figures on the level of representation of persons of an ethnic minority background in Judicial Office during the reporting period 2007-2014 as provided for by the NISRA Equity Monitoring Reports. As mentioned in the previous chapter, for the purposes of the meta-analysis of data covering the Judiciary two different sets of comparator data will be used, one specifically covering Court or Tribunal (Legal) positions and a different comparator for Tribunal (Non Legal) positions. These positions require separate comparator information as the requirements for holding these positions is different.

The comparator that is used for Court or Tribunal (Legal) positions is the proportion of economically active ethnic minority population aged 25-69 according to the 2011 Census and this data is provided from 2011 onwards.

Table 7.3 details the ethnic minority background composition of the Northern Ireland Judiciary during the period 2007-2014.

Table 7.3 – Minority Ethnic Background composition of Judicial Office holders: Courts, Tribunals and Lay Magistrates 2007- 2014

Minority Ethnic Background	Courts	Tribunals	Lay Magistrates	Comparator
2007	0	2%	1%	N / A
2008	0	1%	1%	N / A
2009	0	2%	1%	N / A
2010	0	2%	1%	N / A
2011	0	2%	1%	0.7%
2012	0	2%	1%	0.7%
2013	0	2%	1%	0.7%
2014	0	3%	1%	2%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 – 2014

Base: Numbers unavailable for Courts and Tribunals and Lay Magistrates(2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176

The figures in Table 7.3 show that that there were no individuals from a Minority Ethnic Background that have held a Judicial Office Court position during the period 2007-2014 and individuals from a Minority Ethnic Background have only held 1% of Lay Magistrate positions on an annual basis. Further, Table 7.3 demonstrates that those from a Minority Ethnic Background are underrepresented in Judicial Office Court positions and Lay Magistrate positions when compared to the population of those from a Minority Ethnic Background in the 2011 Census (1.8%). However, the level of representation for Lay Magistrates was higher for the years 2011-2013 when compared with the economically active comparator figures, although it was lower in 2014. In relation to Judicial Office Tribunal positions, individuals from a Minority Ethnic Background have had higher representation when compared to Judicial Office Court positions and Lay Magistrate positions. With the exception of 2008, individuals from a Minority Ethnic Background have on an annual basis been reflective of the 2011 Census figure (1.8%) and since the introduction of comparator figures in 2011 higher than the comparator figures.

The figures in Table 7.3 have also remained broadly consistent throughout this period. Therefore, indicating that that there has been a persistent trend of underrepresentation of those from a Minority Ethnic Background in Judicial Office Court and Lay Magistrate positions. The underrepresentation of those from a Minority Ethnic Background in Judicial Office Court and Lay Magistrate positions may therefore be considered a key inequality in participation in public life.

Table 7.4 presents the figures for the overall ethnic background composition of the Judiciary by the eight Judicial groupings during the period 2007 – 2014.

Table 7.4 – Overall composition of the Judiciary by the eight Judicial groupings

Year	Section 75 Ground	Group 1		Group 2		Group 3		Group 4		Group 5		Group 6		Group 7		Group 8		Total	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2007	White	16	100	52	100	34	100	20	100	34	100	199	97	62	100	250	99	667	99
	Other	0	0	0	0	0	0	0	0	0	0	6	3	0	0	2	1	8	1
2008	White	16	100	53	100	40	100	20	100	32	100	187	97	195	100	243	99	786	99
	Other	0	0	0	0	0	0	0	0	0	0	6	3	0	0	2	1	8	1
2009	White	15	100	47	100	40	100	21	100	31	100	178	97	195	100	227	99	754	99
	Other	0	0	0	0	0	0	0	0	0	0	5	3	1	1	2	1	8	1
2010	White	14	100	47	100	39	100	27	100	29	100	178	97	108	99	221	99	663	99
	Other	0	0	0	0	0	0	0	0	0	0	5	3	1	1	2	1	8	1
2011	White	13	100	49	100	41	100	27	100	28	100	173	97	134	99	201	99	666	99
	Other	0	0	0	0	0	0	0	0	0	0	5	3	2	2	2	1	9	1
2012	White	12	100	60	100	41	100	25	100	27	100	175	97	131	99	193	99	664	99
	Other	0	0	0	0	0	0	0	0	0	0	5	3	2	2	2	1	9	1
2013	White	14	100	57	100	40	100	25	100	24	100	178	97	133	99	171	99	652	99
	Other	0	0	0	0	0	0	0	0	0	0	5	4	2	2	2	2	9	2
2014	White	15	100	56	100	45	100	26	100	23	100	213	98	129	99	174	99	681	99
	Other	0	0	0	0	0	0	0	0	0	0	5	3	2	2	2	2	9	1
2007 - 2014	White	115	100	421	100	320	100	191	100	228	100	1481	97	1087	99	1680	99	5533	99
	Other	0	0	0	0	0	0	0	0	0	0	42	3	10	1	16	1	68	1

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 – 2014

Group 1 (2007) 16 (2008) 16 (2009) 15 (2010) 14 (2011) 13 (2012) 12 (2013) 14 (2014) 15

Group 2 (2007) 52 (2008) 53 (2009) 47 (2010) 47 (2011) 49 (2012) 60 (2013) 57 (2014) 56

Group 3 (2007) 34 (2008) 40 (2009) 40 (2010) 39 (2011) 41 (2012) 41 (2013) 40 (2014) 45

Group 4 (2007) 20 (2008) 20 (2009) 21 (2010) 27 (2011) 27 (2012) 25 (2013) 25 (2014) 26

Group 5 (2007) 34 (2008) 32 (2009) 31 (2010) 29 (2011) 28 (2012) 27 (2013) 24 (2014) 23

Group 6 (2007) 205 (2008) 193 (2009) 183 (2010) 183 (2011) 178 (2012) 180 (2013) 183 (2014) 218

Group 7 (2007) 62 (2008) 195 (2009) 196 (2010) 109 (2011) 136 (2012) 133 (2013) 135 (2014) 131

Group 8 (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176

Groups 1-5

Table 7.4 shows that during the reporting period persons from a Minority Ethnic Background did not hold any of the most senior positions in the Judiciary. These Judicial Office positions included all Judge positions, Commissioner positions and President of Industrial Tribunals or Fair Employment Tribunals. This highlights a key inequality in participation in public life for those from a Minority Ethnic background.

Group 6

Overall, those from a Minority Ethnic Background accounted for 3% of positions in Group 6 which demonstrates that those from a Minority Ethnic Background are actually over represented when compared to the 2011 Census data in terms of Appeal Tribunals positions. These figures also demonstrate that during the period 2007 – 2014 those from a Minority Ethnic Background consistently composed 3% of Group 6 positions with the exception of 2013.

Group 7

In terms of Group 7, the overall figure of representation for those from a Minority Ethnic Background demonstrates a level of underrepresentation when compared to the corresponding Census figure. However, Table 7.4 shows that since 2007 representation for those from a Minority Ethnic Background has increased and since 2011 have achieved parity with the corresponding 2011 Census figure. It should be noted that the individual numbers in these positions actually only increased by two individuals since 2007 and therefore definitive statements of improvement of representation in this regard should be avoided.

Group 8

The overall figure of representation for those from a Minority Ethnic Background in Group 8 demonstrates a level of underrepresentation when compared to the corresponding Census figure.

Table 7.4 shows that since 2007 the level representation for those from a Minority Ethnic Background has remained unchanged with the exception of 2013 when it increased slightly and subsequently decreased in 2014 to similar levels observed previously. However, due to the low numbers it is difficult to draw any conclusive inferences from the figures in Table 7.14 in relation to Group 8.

Overall Judiciary

In terms of the overall composition of the Northern Ireland Judiciary, those from a Minority Ethnic Background only account for 1% of the total positions held on an annual basis with the exception of 2013 where they accounted for 2% of the Judiciary. The level of representation of those from a Minority Ethnic Background is under representative of the 2011 Census figure. It also must be acknowledged that the overall representation of those from a Minority Ethnic Background has only increased by 1 person during the reporting period.

It is clear from Table 7.4 that those from a Minority Ethnic Background have achieved a greater level of representation in more junior Judicial Office positions which although is still underrepresented is more closely reflective with their representation in the Northern Irish population (2011 Census). As discussed, any increases during the reporting period were generally due to the level of total positions decreasing rather than a tangible improvement in the number of individual office holders. It must be noted however, representation of those from a Minority Ethnic Background were non-existent in relation to more senior positions in the Judiciary.

Applicants

Tables 7.5, 7.6 and Table 7.7 below provide figures for the Minority Ethnic Background of those individuals who applied for a Judicial Court and Tribunal Appointment between 2007 and 2013. Due to the absence of separate figures displaying the Minority Ethnic Background of those recommended for a Judicial Court or Tribunal appointment, it is not possible to compare Judicial Court applicants or Judicial Tribunal applicants separately against those who were recommended for appointment. It also must be noted that the 2014 annual report only provides figures for the total applicants for Judicial appointments and does not include separate figures for the applicants to Judicial Court appointments or Judicial Tribunal appointments.

Table 7.5 – Minority Ethnic Background Composition of Annual Applicants for Judicial Appointment Combined (Courts/Tribunals)

	White		Minority Ethnic Background	
	N	%	N	%
2006/2007	245	100	0	-
2007/2008	66	100	0	-
2008/2009	169	97	6	3%
2009/2010	121	99	1	1%
2010/2011	261	98	4	2%
2011/2012	204	98	5	2%
2012/2013	153	99	1	1%
2013/2014	345	98	6	2%
2006/2007-2013/2014	1564	99%	23	1%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial appointments Combined (Courts/Tribunals): (2007), 245 (2008), 66 (2009), 175 (2010), 122 (2011), 265 (2012), 209 (2013), 154 and (2014), 351.

The figures in Table 7.5 above show that overall in the period between 2006/2007 and 2013/2014 that those from a Minority Ethnic Background have made up 1% of Judicial applicants. Considering that the population of those persons who have a Minority Ethnic Background has increased from 0.8% in 2001 to 1.8% in 2011, the figures in Table 7.5 broadly reflect the Minority Ethnic Background of the Northern Irish population as published by the Northern Ireland Census. In fact when the years 2006/2007 and 2007/2008 are removed from analysis, Table 7.6 demonstrates that those with a Minority Ethnic Background are overrepresented with the exception of 2012/2013. It is clear that the level of Judicial applicants from a Minority Ethnic Background has increased in line with the increase in population of those from a Minority Ethnic Background in recent years. However, due to the low numbers of Judicial applications on an annual basis, it is difficult to draw any inferences from the figures in Table 7.5.

Table 7.6 – Minority Ethnic Background Composition of Annual Applicants for Judicial Appointment (Court)

	White		Minority Ethnic Background	
	N	%	N	%
2006/2007	42	100%	0	-
2007/2008	53	100%	0	-
2008/2009	49	100%	0	-
2009/2010	71	100%	0	-
2010/2011	147	99%	1	1%
2011/2012	94	99%	1	1%
2012/2013	96	99%	1	1%
2006/2007-2012/2013	552	99%	3	0.5%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial Appointment (Courts): (2007), 42 (2008), 53 (2009), 49 (2010), 71 (2011), 148 (2012), 95 (2013), 97.

The figures in Table 7.6 above show that overall in the period 2006/2007 and 2012/2013 that those from a Minority Ethnic Background accounted for 0.5% of those who have applied for a Judicial Court appointment. Considering that the population of those persons who have a Minority Ethnic Background has increased from 0.8% in 2001 to 1.8% in 2011, the figures in Table 7.6 demonstrate that those with a Minority Ethnic Background are slightly underrepresented in Judicial Court applications, especially in relation to the absence of any applications from this demographic between 2006/2007 and 2009/2010. However, due to low numbers of Judicial Court applications on an annual basis, it is difficult to draw any inferences from the figures in Table 7.6.

Table 7.7 – Minority Ethnic Background Composition of Annual Applicants for Judicial Appointment (Tribunals)

	White		Minority Ethnic Background	
	N	%	N	%
2006/ 2007	203	100%	0	-
2007/2008	13	100%	0	-
2008/2009	120	95%	6	5%
2009/2010	50	98%	1	2%
2010/2011	114	97%	3	3%
2011/2012	110	96%	4	4%
2012/2013	57	100%	0	-
2006/2007-2012/2013	667	98%	14	2%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial Appointment (Tribunals): (2007), 203 (2008), 13 (2009), 126 (2010), 51 (2011), 117 (2012), 114 and (2013), 57.

The overall figures for the representation of those from a Minority Ethnic Background in terms of applicants for Judicial Tribunal appointments in Table 7.7 are marginally different to the Judicial Court applicant figures displayed in Table 7.6. The overall figures in Table 7.7 demonstrate that in the period 2006/2007 – 2012/2013, those from a Minority Ethnic Background account for 2% of those who applied for a Judicial Tribunal appointment. Considering that the population of those persons who have a Minority Ethnic Background has increased from 0.8% in 2001 to 1.8% in 2011, the figures in Table 7.7 are generally reflective of the Minority Ethnic Background Northern Irish population.

Indeed, when the years 2006/2007, 2007/2008 and 2012/2013 are removed from the analysis, Table 7.7 demonstrates that those with a Minority Ethnic Background are overrepresented when compared to the 2011 Census figure. In comparison to the figures on Judicial Court applications in Table 7.6, the figures in Table 7.7 demonstrate a higher level of representation in terms of this demographic in Judicial Tribunal applications. Although similarly to Table 7.6 due to the low numbers of Judicial Tribunal applications on an annual basis, it is difficult to draw any conclusive inferences from the figures in Table 7.7.

The NISRA Equity Monitoring reports also provided figures on the percentage of applicants to Court, Tribunals (Legal) and Tribunals (Non-Legal).

Table 7.8 shows that between 2007 and 2010 there were zero applicants from persons of a Minority Ethnic Background. In the years 2011, 2013 and 2014 there were applicants from persons of a Minority Ethnic Background which were above the comparator figures displayed in Table 7.8. However, with the exception of 2013 there was underrepresentation from persons of a Minority Ethnic Background on annual basis when compared with the 2011 Census figure. There is therefore a key inequality in participation in public life with respect to applicants for Judicial Office Court positions.

Table 7.8 – Minority Ethnic Background Composition of Annual Applicants for Judicial Office Court Positions

Court	Minority Ethnic Background Applicants	Comparator
2007	0%	N / A
2008	0%	N / A
2009	0%	N / A
2010	0%	N / A
2011	0.7%	0.7%
2012	0%	0.7%
2013	2.8%	0.7%
2014	0.5%	2%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

Table 7.9 presents the figures for the Minority Ethnic Background of applicants for Judicial Office Tribunal (Legal) positions.

Table 7.9 – Minority Ethnic Background Composition of Annual Applicants for Judicial Office Tribunal (Legal) Positions

Tribunals (Legal)	Minority Ethnic Background Applicants	Comparator
2007	1%	N / A
2008	0%	N / A
2009	0%	N / A
2010	0%	N / A
2011	4%	0.7%
2012	0%	0.7%
2013	0%	0.7%
2014	0%	2%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

The figures in Table 7.9 show that for the years 2008, 2009, 2010, 2012, 2013 and 2014 that there were zero applications from persons of a Minority Ethnic Background and therefore persons from a Minority Ethnic Background were underrepresented when compared to the population as stated by the 2011 Census in Tribunals (Legal) for these years. However, for the years 2007 and 2011 those persons with a Minority Ethnic Background were actually overrepresented when compared to the population in the 2011 Census and the comparator figure. However, consideration needs to be given to the low numbers of Judicial Tribunal (Legal) applications on an annual basis, which makes it difficult to draw any conclusive inferences from the figures in Table 7.9.

The figures for the Minority Ethnic Background for applicants to the Judicial Office Tribunal (Non-Legal) positions are included in the Table 7.10.

Table 7.10 – Minority Ethnic Background Composition of Annual Applicants for Judicial Office Tribunal (Non-Legal) Positions

Tribunals (Non-Legal)	Minority Ethnic Background Applicants	Comparator
2007	0%	N / A
2008	0%	N / A
2009	18%	N / A
2010	0%	N / A
2011	2%	0.7%
2012	7%	0.7%
2013	0%	0.7%
2014	5%	2%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

The figures in Table 7.10 show that for 2007, 2008, 2010 and 2013 that there were zero applications from persons from a Minority Ethnic Background and therefore persons from a Minority Ethnic Background were underrepresented when compared to the population as stated by the 2011 Census in Tribunals (Non-Legal) for these years and the comparator figure. However, in more recent years (2009, 2011, 2012 and 2014) those persons from a Minority Ethnic Background were actually overrepresented when compared to the population in the 2011 Census and the comparator figures. However, consideration should be given to the low numbers of Judicial Tribunal (Non-Legal) applications on an annual basis, which makes it difficult to draw any conclusive inferences from the figures in Table 7.10.

Appointments

Note that there is no data provided by NISRA on the ethnic composition of annual appointments for Judicial Courts and Tribunals Legal and Non-Legal as presented in some other chapters.

Table 7.11 provides combined figures for the Minority Ethnic Background (as defined by NIJAC³¹²) of those individuals who have been recommended for and recommended for renewal for Judicial Appointment between 2006/2007 and 2013/2014.

Table 7.11 – Minority Ethnic Background Composition of Annual Recommendations for Judicial Appointment and Renewal of Judicial appointments Combined

	White		Minority Ethnic Background	
	N	%	N	%
2006/2007	182	99%	1	0.5%

³¹² Minority Ethnic Background is categorised by designating everyone who is not white as being from a Minority Ethnic Background.

2007/2008	49	100%	0	-
2008/2009	57	98%	1	2%
2009/2010	400	99%	5	1%
2010/2011	35	94%	2	6%
2011/2012	86	99%	1	1%
2012/2013	79	99%	1	1%
2013/2014	92	98%	2	2%
2006/2007-2013/2014	967	99%	13	1%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment and Renewal of Appointment: (2007), 182 (2008), 49 (2009), 57 (2010), 400 (2011), 35 (2012), 86 (2013), 79 and (2014), 92.

The overall figures in Table 7.11 are reflective of the representation levels included in Table 7.12 and Table 7.13. The figures in Table 7.11 show that overall in the period between 2006/2007 and 2013/2014 that those from a Minority Ethnic Background account for 1% of those recommended for Judicial Appointment. Considering that the population of those persons who have a Minority Ethnic Background has increased from 0.8% in 2001 to 1.8% in 2011, the figures for individual years in Table 7.11 broadly reflect the Minority Ethnic Background of the Northern Irish population as published by the Northern Ireland Census. Although, in some years those with a Minority Ethnic Background are observed to be overrepresented when compared to the 2011 Census figure the same is true for underrepresentation being observed in individual years. However, while the population of those persons with Minority Ethnic Background has steadily increased from 2007, the number of Recommendations for Judicial Appointment and Recommendations of Renewal of Judicial Appointment has remained relatively stagnant over the same period. However, when considering Table 7.11 consideration should be given to the low numbers of Recommendations for Judicial Appointment and renewal of appointment being made on an annual basis, it is difficult to draw any inferences from the figures in Table 7.11.

Table 7.12 below provides Minority Ethnic Background of those persons who have been recommended for Judicial appointment between 2007 and 2014. Therefore this enables a comparison exercise to be performed between the 2011 Census and the NIJAC reports. However, the NIJAC reports do not provide an individual ethnic group breakdown of those who are not designated as white and therefore a comparison exercise cannot be performed in this regard. The NIJAC annual reports do not provide separate Minority Ethnic Background figures for Recommendations for Judicial Court appointments or Judicial Tribunal appointments and therefore they are not included in this meta-analysis.

Table 7.12 – Minority Ethnic Background Composition of Annual Recommendations for Judicial Appointment

	White		Minority Ethnic Background	
	N	%	N	%

2006/2007	151	100%	0	-
2007/2008	11	100%	0	-
2008/2009	24	96%	1	4%
2009/2010	24	96%	1	4%
2010/2011	16	100%	0	-
2011/2012	32	100%	0	-
2012/2013	22	96%	1	4%
2013/2014	59	98%	1	2%
2006/2007-2013/2014	339	99%	4	1%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment: (2007), 151 (2008), 11 (2009), 25 (2010), 25 (2011), 16 (2012), 32 (2013), 23 and (2014), 60.

The figures in Table 7.12 above show that when the overall figure for the period between 2006/2007 and 2013/2014 is considered those from a Minority Ethnic Background account for 1% of those recommended for Judicial appointment. Considering that the population of those persons who have a Minority Ethnic Background has increased from 0.8% in 2001 to 1.8% in 2011, the overall figure in Table 7.12 reflects an underrepresentation of those of a Minority Ethnic Background when considered against the Northern Irish population as published by the Northern Ireland Census. However, for the years where there is Minority Ethnic Background representation, it exceeds their population as noted by the 2011 Census. Although, it is important to note that during the period there have been occasions of zero representation for persons of a Minority Ethnic Background, most notably in 2006/2007 considering the high number of Recommendations for Judicial Appointment in that year.

In addition, in relation to Judicial Tribunal applicants, those from a Minority Ethnic Background have higher representation overall and for a number of the individual years during the reporting period than they have in relation to being recommended for a Judicial appointment in Table 7.12. However, this analysis must be treated with caution as Table 7.6 only covers the period 2006/2007 – 2012/2013 in contrast to Table 7.12 that includes figure for 2013/2014. Overall, due to the low numbers of recommendations for Judicial Appointment being made on an annual basis, it is difficult to draw any inferences from the figures in Table 7.12.

Table 7.13 below provides figures for the Minority Ethnic Background of those individuals who have been recommended for renewal for Judicial Appointment between 2007 and 2014.

Table 7.13 – Minority Ethnic Background Composition of Annual Recommendations for Renewal of Judicial Appointment

	White		Minority Ethnic Background	
	N	%	N	%
2006/2007	30	97%	1	3%

2007/2008	38	100%	0	0%
2008/2009	32	100%	0	0%
2009/2010	371	99%	4	1%
2010/2011	17	89%	2	11%
2011/2012	53	98%	1	2%
2012/2013	56	100%	0	0%
2013/2014	31	97%	1	3%
2006/2007- 2013/2014	628	99%	9	1%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Renewal of Appointment: (2007), 31 (2008), 38 (2009), 32 (2010), 375 (2011), 19 (2012), 54 (2013), 56 and (2014), 32.

The overall figures in Table 7.13 are reflective of the representation levels included in Table 7.12. Table 7.13 shows that overall in the period between 2006/2007 and 2013/2014 those from a Minority Ethnic Background made up 1% of those recommended for renewal of Judicial Appointment. Considering that the population of those persons who have a Minority Ethnic Background has increased from 0.8% in 2001 to 1.8% in 2011, the figures for individual years in Table 7.13 generally reflect the Minority Ethnic Background of the Northern Irish population as published by the Northern Ireland Census. In fact in some individual years Table 7.11 demonstrates that those with a Minority Ethnic Background are overrepresented when compared to the 2011 Census figure. However, it should be noted that there are individual years of zero representation of those from a Minority Ethnic Background, most recently in 2012/2013. Similar to Table 7.12 due to the low numbers of recommendations for Renewal of Judicial Appointment being made on an annual basis, it is difficult to draw any inferences from the figures in Table 7.13.

Success Rates

The success rate for the Ethnic Background breakdown of applicants for Judicial Appointment is provided in Table 7.14. The success rate is a calculation of the likelihood of any one applicant belonging to a specific group being appointed. Where these proportions are broadly similar this would indicate that applicants stand a relatively equal chance of being appointed regardless of their Ethnicity. Where these proportions are dissimilar then that would indicate that applicants of different ethnicity stand an unequal chance of being appointed, favouring candidates from those groups where there is a higher ratio.

Table 7.14 – Success Rate of Minority Ethnic Background Composition of Applicants for Judicial Appointment

	Applicants		Success Rate of Applicants		Applicants		Success Rate of Applicants	
	White		White	Minority Ethnic Background		Minority Ethnic Background		
	N	%		N	%			
2006/2007	245	100%	0.62	0	-	No Appointments		
2007/2008	66	100%	0.17	0	-	No Appointments		
2008/2009	169	97%	0.14	6	3%	0.17		
2009/2010	121	99%	0.20	1	1%	1		
2010/2011	261	98%	0.06	4	2%	No Appointments		
2011/2012	204	98%	0.16	5	2%	No Appointments		
2012/2013	153	99%	0.14	1	1%	1		
2013/2014	345	98%	0.17	6	2%	0.17		
2006/2007-2013/2014	1564	99%	0.22	23	1%	0.17		

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment: (2007), 151 (2008), 11 (2009), 25 (2010), 25 (2011), 16 (2012), 32 (2013), 23 and (2014), 60.

Base Annual Applicants for Judicial appointments: (2007), 245 (2008), 66 (2009), 167 (2010), 122 (2011), 265 (2012), 209 (2013), 154 and (2014), 351.

The figures detailed in Table 7.14 demonstrate that in the period 2006/2007-2013/2014 applicants for Judicial appointments with a Minority Ethnic Background have a marginally lower success rate than those with a white Minority Ethnic Background. However, in some individual years such as 2009/2010 and 2012/2013 those with a Minority Ethnic Background actually have a notably higher success rate than those with a white Minority Ethnic Background. However, it must be noted that only one person applied in 2010 and only two applied in 2013. Thus, due to the low numbers of Recommendations for Judicial Appointment and Judicial applications on an annual basis, it is difficult to draw any conclusive inferences from the figures in Table 7.14.

7.4 Depth Interviews

A series of 13 depth interviews were conducted with a range of participants across the nine Section 75 grounds. Of the 13 interview participants, 4 participants had an ethnic minority background representing 3 different ethnic minorities (i.e. 2 interview participants had similar ethnic minority backgrounds).

For the ethnic minorities represented in the interview participants, there was definitely a feeling that their ethnic background was important and something which they identified as critical to their identity. In saying that, this was closely related to religious belief for two of the three ethnic minorities. There was only one participant from an ethnic minority background who did not closely associate that with their religious belief. For those participants from an ethnic minority background who did

also closely associate this with their religious belief they found it difficult to identify ways to participate in public life.

“...members of my community who have settled in Northern Ireland would like to be involved in public life, but we don't know where to start. We don't naturally support any particular party and without that type of knowledge and support we wouldn't know where to begin to participate in public life...” (Interview X)

While this was attributed by the participant to both their religious belief and ethnic background, when probing other participants from a similar minority religious belief it became clear that they did not encounter similar issues due to belonging to the majority ethnic group in Northern Ireland.

Other participants also expressed the difficulties they encountered when participating in public life due to the attitudes and behaviours of others.

“I remember being told once that as I wasn't a protestant or catholic and that because I wasn't from here that I shouldn't be [on a particular body].” (Interviewee O)

Another participant also discussed this topic, although not to the same extent, and did remark on the negative stereotyping someone from an ethnic minority background faces as well as the difficulties they encounter in terms of getting through the selection process.

“I remember being encouraged to [participate in the selection process] and I really wondered if someone from [my ethnic background] could be successful. Anyway, I went for it and was lucky enough to get [selected].” (Interviewee F)

This does illustrate a key difficulty that persons of an ethnic minority background face in terms of participating in public life. There was a perception that they would not be selected due to their ethnic background and the potentially negative stereotypes held about their ethnic background.

In general, lack of awareness regarding how and where to participate in public life and the fear of negative stereotypes appear to be the main barriers that were reported by interview participants from an ethnic minority background. In terms of those factors most likely to enable participation in public life there appeared to be little difference between persons from an ethnic minority background and other interview participants. Interview participants from an ethnic minority background discussed the support they received from their family and friends, as well as their educational background and organisations which reach out to encourage their participation.

“I am involved in a lot of things and travel across Northern Ireland both for business and for the groups I am involved in. I am always going off to something. Without having the support of my friends and family this would be much more difficult.” (Interviewee U).

Another participant also mentioned their family, and specifically their partner.

“My children are grown up now and no longer live with us, but I don’t think I would have been able to continue for so long without having a very supportive husband.” (Interviewee F)

As interview participants were drawn from those already participating in public life, it may be unsurprising more barriers were not identified. Despite the difficulties that interview participants had encountered they had successfully overcome these which in the main had been put down to their family and friends who offer them support and encouragement. In terms of what interview participants from an ethnic minority background would like to see in future much of the discussion took place around public bodies reaching out to ethnic minority communities and the importance of changing the culture to be more inclusive.

“We need to change the culture from a young age and encourage our children to learn more about each other and different cultures and different places. Only by doing this will create a culture where everyone is accepted and can participate equally.” (Interviewee O)

Overall, participants from an ethnic minority background felt that they were generally underrepresented in public life. This was attributed mainly to a lack of awareness of how and where to participate and the fear of negative stereotypes, attitudes and behaviours they might encounter, and in the case of some participants had encountered. Nevertheless, the interview participants had not been put off participating in public life. In saying that, interview participants generally felt that more needed to be done by organisations to encourage broader participation from ethnic minority communities.

7.5 Summary and conclusions

The literature review identified that the barriers to participation in public life that were most frequently cited for ethnic minority groups include lack of training, education and skills; concerns about prejudice or discrimination against an underrepresented group; lack of experience; lack of confidence or low self-esteem; lack of knowledge or access to information; and, the time and costs of participation. This was borne out to some extent by the depth interviews where ethnic minority group participants discussed lack of awareness around how and where to participate and also the concern about negative stereotypes, attitudes and behaviours they may encounter.

The most common enablers mentioned in the literature focussed on raising awareness, reaching out to underrepresented groups, and creating a more positive environment. Again these enablers were borne out specifically in the interviews with participants discussing the importance of these at length. In particular, interview participants felt that raising awareness and reaching out to underrepresented groups would do most to encourage broader participation in public life.

In terms of the meta-analysis of secondary quantitative data, this revealed that for most areas of participation in public life there was little or no centralised collection and publication of data. This is a key finding and more work is required by public authorities to monitor, evaluate and use this data if they are to address their duties under Section 75 of the Northern Ireland Act. In saying that, there was some data on the representation of ethnic minority persons in Government Public Appointments and the Judiciary. The meta-analysis indicated that while there were low overall numbers it was possible to identify that the proportion of applicants for Government Public Appointment and Government Public Appointments positions held are below the proportion of the population from an ethnic minority background. It is therefore possible to identify that there is a key inequality in terms of the representation of ethnic minority persons in the Government Public Appointment process.

Similarly, in terms of the Northern Ireland Judiciary it was possible to identify key inequalities for persons of an ethnic minority background in terms of underrepresented as holders of Judicial Office positions across the eight groups, Judicial Office Court and Lay Magistrate positions. Also as applicants for Judicial Appointment Court positions, applicants for Judicial Office Tribunal (Legal) positions, and recommendations and recommendations for renewal of Judicial Appointments.

Disability

8 Disability

8.1 Summary of key findings

This chapter investigated inequalities on the ground of disability. A key finding of the meta-analysis of secondary data was that there is limited publicly available data covering disability across most areas of participation in public life.

Where there is data available, it is limited to only two of the nineteen areas of public life, namely Government Public Appointments and the Judiciary. The data that was available indicated that there were persistent key inequalities for persons with disabilities in terms of their underrepresentation in participation in public life within:

- Government Public Appointment positions (Applicants and Appointments)
- The Northern Ireland Judiciary
 - Judicial Office positions across the eight groupings
 - Judicial Office Court positions (Applicants)
 - Judicial Office Tribunal positions (Applicants)
 - Lay Magistrate positions
 - Judicial Office Tribunal (Legal) positions Applicants
 - Judicial Office Tribunal (Non-Legal) Applicants
 - Judicial Office Tribunal (Non-Legal) Applicants
 - Recommendations for Judicial appointment
 - Recommendations for Renewal of Judicial appointments

Due to low numbers and how data is aggregated and reported, it is not possible to identify if these inequalities are specific to a particular disability.

Further, to the inequalities identified above, there have been notable increases in the underrepresentation of persons with disabilities in respect to Applicants for Judicial Office Court Appointments during the reporting period 2007-2014. This is somewhat worrying given the duties to promote participation in public life under the Disability Discrimination (Northern Ireland) Order 2006 and the United Nations Convention of the Rights of Persons with Disabilities (UNCRPD).

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of disability are as follows:

Key Barriers

In examining barriers to participation in public life on the ground of disability that it was possible to identify in the literature include:

- Inaccessible polling stations
- Inaccessible websites

- Physical barriers encountered by the blind or those in a wheelchair trying to access buildings
- Health issues
- Family responsibilities
- Lack of opportunities

Key Enablers:

Enablers of participation in public life for persons with disabilities identified in the literature review include:

- Mentors
- Allowing guide dogs access to buildings
- Promote positive attitudes towards disabled people
- Encourage the participation of disabled people
- Reserving places for disabled people on local decision making bodies
- Having ‘access to public life’ fund to provide financial support to approved candidates

The remainder of this section sets out firstly; the literature review of both academic and professional reports which explore the underrepresentation of persons with a disability, and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons with a disability. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the level of representation of persons with a disability across a range of areas of participation in public life.

8.2 Literature review

This section of the report will outline the identified themes within the literature surrounding the barriers and enablers encountered by disabled people when participating in public life. Relative to other sections within this report, disability has seen one of the higher proportions of direct action and legislation relating to the equal treatment of those with disabilities. This is outlined through the two summarised ECNI reports as well as the OFMDFM action plan targeted towards those with disabilities. The remainder of this section sets out firstly; the literature review of both academic and professional reports, and secondly; the meta-analysis of quantitative secondary datasets. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the data.

The context section (Chapter 2) provided an overview of the legal and policy framework which sets out the right to equal participation in public life for all regardless of race, colour, creed, gender, age, sexual orientation or disability through the UN Declaration of Human Rights (1948)³¹³, the International Covenant On Civil and Political Rights (1976)³¹⁴, International Covenant on Economic, Social and

³¹³ United Nations General Assembly (1948) “Universal Declaration of Human Rights” (available at http://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf)

³¹⁴ United Nations General Assembly (1976) “The International Covenant On Civil and Political Rights” (available at <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>)

Cultural Rights (1976)³¹⁵, the GB Equality Act (2010) Section 149³¹⁶, and the Northern Ireland Act (1998) Section 75³¹⁷. However, there is a specific legal and policy framework dedicated to the promotion of equality in participation in public life on the basis of disability.

Legal and Policy Framework

United Nations Convention On The Rights Of Person With Disabilities (2006) (UNCRPD)

A key development in protecting the rights of people with a disability has been the ratification of the United Nations Convention on the Rights of Persons with Disabilities³¹⁸ (UNCRPD) and its subsequent implementation. The Convention requires Government to report on measures it has taken to give effect to its obligations under the Convention.

Member countries which signed and ratified the Convention must promote, protect and ensure full and equal enjoyment of all human rights by all persons with disabilities. It applies to everyone with a disability and covers all areas of life including education, employment, health, culture, liberty, accessibility, and participation in public life. The preamble to the United Nations Convention on the Rights of Persons with Disabilities, Article 3 (c), 4 (3), and Article 29 relates directly to participation in public life. Specifically, Article 29 states that state parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake “to promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others and encourage their participation in public affairs”. Through the years the UN Committee on the Rights of Persons with Disabilities has developed a number of implied requirements that Article 29 confers through its concluding observations. These include the adoption of measures to fulfil article 29 obligations by ensuring that persons with disabilities can exercise their right to vote and participate in public life on an equal basis with others, that they can run for public office and that if elected to public positions that they are provided with support, including personal assistants.

‘OFMDFM’S “A Strategy to improve the lives of people with disabilities 2012 – 2015’

OFMDFM’s strategy to improve the lives of people with disabilities³¹⁹ sets out to deliver on the requirements of the UNCRPD. In line with this, the disability strategy

³¹⁵ United Nations General Assembly (1976) “ The International Covenant on Economic, Social and Cultural Rights” (available at <http://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>)

³¹⁶ Equality Act (2010) (available at <http://www.legislation.gov.uk/ukpga/2010/15/contents>)

³¹⁷ Northern Ireland Act (1998) (available at <http://www.legislation.gov.uk/ukpga/1998/47/contents>)

³¹⁸ United Nations General Assembly (2006) Nations Convention on the Rights of Persons with Disabilities 2006 (available at <http://www.un.org/disabilities/convention/conventionfull.shtml>)

³¹⁹ OFMDFM (2012) A strategy to improve the lives of people with disabilities 2012 - 2015. Belfast. (available at <http://www.ofmdfmi.gov.uk/disability-strategy-2012-2015-revised-010313.pdf>)

references the appropriate articles of the UNCRPD. This provides a mechanism for future reporting on the Government's obligations under the Convention and allows clearer comparison of Northern Ireland's progress locally against national and international standards. The strategy is designed to fulfil the government's obligations under the convention and references the appropriate articles and aligns them to its strategic themes. The strategy is informed by and builds upon the recommendations contained within the Promoting Social Inclusion (PSI) Working Group's report on Disability. These recommendations provide the framework for Northern Ireland to implement the convention and outline initiatives to tackle inequalities experienced by people with disabilities and strives to address the barriers facing disabled people in Northern Irish society. OFMDFM's strategy sets out to improve service delivery and increase opportunities for people with disabilities across a range of areas such as early years and family support, education, and independent living. A key theme of the strategy is participation and active citizenship and within this theme OFMDFM set out two strategic priorities. The first priority is to increase the opportunity of people with disabilities to influence policies and programmes in Government including the delivery of this Strategy and the subsequent Action Plan. The second priority is to improve interaction between all sectors to achieve the social inclusion of people with disabilities. The basis for these strategic priorities are supported by the governments obligations under Article 29 (b) of the convention "to promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others and encourage their participation in public affairs". However, a 2014³²⁰ report published by the ECNI, discussed in additional detail below, highlighted the extent to which the strategy inadequately addressed Northern Ireland's obligations under the UNCRPD. Firstly the report observed that the strategy defines itself with reference to the report of the promoting Social Inclusion Working Group on Disability' (PSI)³²¹, however, this was developed prior to the UK's ratification of the UNCRPD and it is therefore argued that the Strategy is not primarily focused on the UNCRPD to be considered a strategy for the implementation of the UNCRPD.³²² The report also notes that the strategy also references articles of the UNCRPD incorrectly and in some instances fails to address the Articles³²³. In relation to Article 6³²⁴ of the Convention, no reference is made to this article in the Disability Strategy's table outlining how the

³²⁰ ECNI (2014): 'UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD Final Report'. Dr Bronagh Byrne Dr Colin M Harper Rebecca Shea Irvine Hannah Russell Barry Fitzpatrick. (available at http://www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/RES1314-05_UNCRPD_Final-Report-v1_-130614.pdf)

³²¹ Office of the First Minister and Deputy First Minister (2009) 'Report of the Promoting Social Inclusion Working Group on Disability'. Belfast: OFMDFM. (available at http://www.ofmdfmi.gov.uk/report_of_the_promoting_social_inclusion_working_group_on_disability__pdf_1.38mb_.pdf)

³²² ECNI (2014): 'UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD Final Report' P164 – 166.

³²³ ECNI (2014): 'UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD Final Report' P164 – 166.

³²⁴ States Parties recognize that women and girls with disabilities are subject to multiple discrimination, and in this regard shall take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms. States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.

NI Executive was meeting their obligations under the UNCRPD³²⁵. In relation to Article 7³²⁶, there are only brief references of this in the strategy and therefore the strategy fails to address the implications of obligations and rights that are attached to Article 7. In relation to Article 29³²⁷, the report found that although this was addressed in Strategic Priority 1³²⁸ of the Disability Strategy to ‘increase people with disabilities’ opportunity to influence policies and programmes in Government’, there was only one planned programme to achieve this priority through the social enterprise model in Community and Voluntary Associations. Therefore, the strategy fails to fully address the gaps that currently exist in this regard³²⁹. The report also found that the articles of the UNCRPD were aligned to existing or planned Programme for Government Commitments without any consideration of the actual obligations and rights contained in those articles. The view was expressed that rather than the UNCRPD informing the Programme for Government Commitments in relation to disabled people, these commitments were developed in isolation and that the strategy should link actions to articles, not articles to actions³³⁰.

Section 49A Disability Discrimination Act (1995)

Since 2007³³¹, Section 49A of the Disability Discrimination Act 1995³³² which is discussed in detail in chapter 2, requires public authorities when discharging their functions to have due regard to requirement of encouraging the participation of people with disabilities in public life as well as the Section 75 duty to promote equality of opportunity across the designated categories. There are a number of differences between Section 75 and Section 49A. Firstly, the Section 75 duty applies to people without a disability as well as disabled people whereas the Section 49A relates specifically to disabled people. In contrast to Equality schemes, disability action plans do not have to be approved by Commission and there is no requirement under Section 75 to produce an action plan. Also, in contrast to Equality Schemes,

³²⁵ ECNI (2014): ‘UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD Final Report’ P164 – 166.

³²⁶ 1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.

2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.

3. States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.

³²⁷ States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake to:

(a) Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected

(b) Promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others, and encourage their participation in public affairs, including:

³²⁸ OFMDFM (2012) A strategy to improve the lives of people with disabilities 2012 - 2015.P5 Strategic Priority 1 ‘Increase disabled people’s opportunity to influence policies and programmes in Government including the delivery of this Strategy and the subsequent Action Plan’.

³²⁹ ECNI (2014): ‘UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD Final Report’ P149.

³³⁰ ECNI (2014): ‘UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD Final Report’ P164 – 166.

³³¹ Disability Discrimination (NI) Order 2006). (available at <http://www.legislation.gov.uk/nisi/2006/312/contents/made>)

³³² Section 49A of the Disability Discrimination Act (1995) (available at <http://www.legislation.gov.uk/nisi/2006/312/article/5>)

Disability Action Plans must contain action measures aligned to performance indicators or targets as well as a timeline for implementation of these measures. These measures must be focused on ‘outcomes’ that are targeted towards real changes in relation to attitudes towards disabled people and their participation in public life. However, consultation on these action plans is not required unlike Section 75³³³. Also, unlike Section 75 arrangements, the Disability Duties are not complemented by complaints mechanism.

ECNI ‘Effectiveness of the Disability Duties Review Report’ (2009)

In 2009 the Equality Commission published its review into the effectiveness of the disability duties conferred by Section 49A³³⁴. It indicated a number of key findings in relation to the obligations in Section 49a to have due regard to the requirement of encouraging the participation of people with disabilities in public life. The review noted a number of key areas for improvement in relation to the exercise of Section 49a duties in relation to participation in public life. The review identified many actions within the Disability Action Plans as not directly contributing to encouraging the participation of disabled people in public life and found that indicators were being too heavily focused on outputs instead of outcomes that encourage participation in public life by persons with a disability. There was also an inherent misunderstanding of perception of public life as only including Government Public Appointments. The review identified the need for an improvement in the provision of guidance for disability equality legislation, disability awareness and the disability duties to staff, in order to ensure an increase in awareness and understanding by staff to enable the promotion of participation in public life. In terms of the report recommendations, Recommendation 18 stated that, “Public Authorities should review and create opportunities to promote the participation of disabled people in public life which go beyond existing mechanisms such as Government Public Appointments or other pre-existing decision making structures, at all levels including national, regional and local.”

ECNI ‘Disability Programmes and Policies: How does Northern Ireland measure up?’ Report (2014)

In 2010, the Equality Commission for Northern Ireland (ECNI) commissioned research into the shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD³³⁵. The findings from this research were included in the report ‘How does Northern Ireland measure up?’ that was published by ECNI in 2012. The present 2014 report³³⁶ was commissioned by the

³³³ Equality Commission December 2009 “Equality Effectiveness of the Disability Duties Review Report” P7-8 (available at <http://www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/EffectivenessofDisabilityDutiesReviewreport2010.pdf?ext=.pdf>)

³³⁴ ECNI (2009) ‘Effectiveness of the Disability Duties Review Report (available at <http://www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/EffectivenessofDisabilityDutiesReviewreport2010.pdf?ext=.pd>)

³³⁵ ECNI (2012) ‘Disability programmes and policies: How does Northern Ireland measure up? Monitoring Implementation (public policy and programmes) of the United Nations Convention on the Rights of Persons with Disabilities (“UNCRPD”) in Northern Ireland.’ Colin Harper, Simon McClenahan, Dr Bronagh Byrne and Hannah Russell. (available at <http://www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/UNCRPDmonitoringimplementationFullReport0112.pdf>)

³³⁶ ECNI (2014): ‘UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD Final Report’. Dr Bronagh Byrne Dr Colin M Harper Rebecca Shea Irvine Hannah Russell Barry Fitzpatrick. (available at

ECNI to update the 2012 Report. In relation to participation in public life the report found that there are still significant gaps with respect to the implementation of Article 29 “Participation in public life”. The report indicated that participation of disabled people in political and public life continues to be a concern and the OFMDFM Disability strategy has not advanced additional effective measures that GB has taken to fulfil the requirements of Article 29. These additional measures have resulted in a gap between Northern Ireland and Great Britain in relation to the extent that Article 29 obligations have been fulfilled. In contrast to Northern Ireland, in Great Britain effective measures are being taken to address the underrepresentation of disabled people in political and public life. These measures include consultations, the establishment of a support fund for disability costs related to seeking elected office, and awareness-raising campaigns³³⁷.

Barriers to, and enablers of, participation in public life

In 2009, McIlwan et al³³⁸ were commissioned by ECNI to evaluate the effectiveness of the Disability Discrimination (NI) Order 2006 Duties. These duties require public authorities in Northern Ireland to promote positive attitudes towards disabled people and to encourage the participation of disabled people in public life. The duties also require public authorities to produce disability action plans and to report annually on progress towards disability equality. The report provides a framework for evaluation of progress and applies this to provide an assessment of the implementation of these duties up to 2009 and makes recommendations to improve the effectiveness and implementation of the duties.

Within the report the authors identify and discuss a number of areas where barriers could either be reduced or removed and actions could be taken to promote positive attitudes towards disabled people or to encourage disabled people’s participation in public life. The first of these is related to Government Public Appointments. The report shows that despite the government’s wishes to appoint people from a wide range of backgrounds on to public bodies, only four disabled people were appointed onto Executive Non-Departmental Public Bodies (NDPB’s) and NHS bodies in Northern Ireland in 2007-2008. A similar number was noted in terms of appointments to other bodies over the same period. To overcome these problems, the authors suggested that the New Code for Government Public Appointments, being drawn up with input of the Equality Commission, should take account of and build on the recommendations of the Short Term Working Group on Diversity in Government Public Appointments, which reported in July 2005³³⁹. In doing so the New Code would reflect ‘the need for diversity to be rigorously addressed’ and ensure that ‘personal qualities, commitment and potential are also tested’ and make the Government Public Appointment system more accessible to a great number of disabled people.

http://www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/RES1314-05_UNCRPD_Final-Report-v1_-130614.pdf

³³⁷ ECNI (2014): ‘UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD Final Report’ P148 -149.

³³⁸ ECNI (2009) Evaluating the Effectiveness of the Disability Discrimination (NI) Order 2006 Duties: Research Report – Developing a Framework (available at <http://www.equalityni.org/ECNI/media/ECNI/Publications/Delivering%20Equality/EvaluatingDisabilitydutiesDevelopingaframeworkReport2010.pdf?ext=.pdf>)

³³⁹ Commissioner for Public Appointments (2005) *Short Term Working Group on Diversity in Government Public Appointments*. Commissioner for Public Appointments: Belfast

The second area identified by the authors where barriers could either be removed or reduced relates to the political process. In this section a number of initiatives that have the potential to enhance the participation of disabled people at local government level, both here and in England and Wales and in Westminster are discussed. These include reserving places for disabled people on local decision making bodies to give them the necessary skills and experience; an 'access to public life' fund to provide financial support to approved candidates; and, initiatives to increase disabled people's awareness of the democratic process as well as their participation in the decision making process. Finally, the authors note that 'meaningful' consultation can help identify the barriers to participation in public life. Reference is made to the Commission's Section 75 guidance which outlines good practice and approaches that public bodies can draw on to help engage with disabled people.

In 2012, the Government Equalities Office published 'Political Life: Disabled People's Stories' as part of the UK Government strategy to increase access to political office for disabled people³⁴⁰. These stories provide specific insights into some of the barriers disabled people have faced in terms of gaining access to elected office, whether at local government or parliamentary level, and also the strategies adopted to enable access to political office. This publication highlighted that the barriers faced by disabled people are many and varied reflecting the range of different disabilities which are grouped together in this Section 75 ground. Barriers range from the physical barriers encountered by the blind or those in a wheelchair trying to access buildings to the difficulties those with autism encounter when trying to engage in political debate that has become heated and is often characterised as 'schoolboy politics'. Despite the range of barriers encountered many of the contributors emphasised the importance of self-confidence and to just 'go for it'. In a more practical vein a number of the contributors discussed the importance of mentors and changing working practices, such as allowing guide dogs on to the floor of the House of Commons, to facilitate the inclusion of disabled people. While some of the barriers and challenges described in this publication are perhaps specific to persons with a disability, some of the solutions for enabling access to political office, such as funding and mentoring, could be applied to enable those from underrepresented Section 75 grounds greater access to participation in public life.

In 2012, Harper et al on behalf of Disability Action compiled a report on 'Monitoring Implementation (public policy and programmes) of the United Nations Convention on the Rights of Persons with Disabilities ("UNCRPD") in Northern Ireland'³⁴¹. The authors adopted a mixed methods approach involving a literature review, questionnaire, workshops and focus groups to identify policy and programmes within Northern Ireland aimed at increasing participation in public life among persons with a disability. The report identifies, through each research approach adopted, that participation of people with disabilities in political and public life was consistently an area of concern raised by disabled people and their representatives in the ECNI conference questionnaire results and the focus groups. It

³⁴⁰ Government Equality Office (2012) *Political Life: Disabled People's Stories*. London.

³⁴¹ Colin Harper, Simon McClenahan, Dr Bronagh Byrne and Hannah Russell (2012) *Disability programmes and policies: how does Northern Ireland measure up? Monitoring implementation (public policy and programmes) of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in Northern Ireland: research summary*. ECNI: Belfast

is considered an important cross cutting measure which has significant impact on the majority of people with a disability in influencing the services and choices they have.

In addition, the report notes that there is good practical guidance offered by the Northern Ireland Executive to help public bodies engage with persons with a disability. Further, guidance issued by the ECNI in relation to the disability duties and other government guidelines would, if fully implemented, negate many of the concerns expressed by people with disabilities and their representatives, however, the lack of substantive enforcement powers reduces its effectiveness and the positive practical impact of the lives of disabled people. This report suggests this is compounded by a narrow focus by public bodies on promoting access to Government Public Appointments as the sole way in which persons with a disability can participate in public life.

Despite this narrow focus among public bodies, the report goes on to identify issues faced by persons with a disability when trying to participate in public life in other ways. Issues that are identified include difficulties accessing information, costs and resources for making adequate provision, lack of outreach, lack of care assistants, adequate transportation, medical appointments, and a lack of training and capacity building. Many of the issues identified in this report reflect similar concerns expressed at UK and International level, and also by other underrepresented groups. Unfortunately, there are limited policy recommendations as this is a monitoring report covering the full range of articles to the UN Convention on the Rights of Persons with Disabilities.

A recent report by the European Union Agency for Fundamental Rights examined the right to political participation of persons with a disability across the 28 EU member states³⁴². The report began on a positive note acknowledging that, given an accessible and enabling environment, persons with disabilities are active citizens keen to be engaged in the political life of their communities. This occurred across voting in elections, membership of political parties, attending political meetings, and contacting elected officials. Nevertheless, the report notes that there remain significant challenges to the realisation of the right to political participation for persons with disabilities. These include restrictions on the right to vote for some persons with disabilities and gaps between the promise of law and policy and their actual implementation – for example in the form of inaccessible polling stations or websites. In addition, the report recognises that barriers to political participation do not affect all persons with disabilities equally. Those with more severe impairments, as well as people with particular types of impairment – for example, persons with intellectual disabilities – disproportionately face barriers to their participation in political life. This report, as with other reports which examine the participation of persons with a disability, identifies the variability, as well as specific, barriers to participation experienced by persons with a disability. While there are a number of recommendations which could enable greater participation in public life that apply to persons with a disability specifically there are also many recommendations identified elsewhere in the literature which could also be applied to persons with a disability.

³⁴² EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS (2014) *The right to political participation of persons with a disability*. Vienna.

In 2014, a report published by the Commissioner for Public Appointments in Northern Ireland (CAPNI) noted that previous diversity initiatives had made no impact on the number of disabled peoples serving on public boards³⁴³. In an effort to rectify the faults of previous initiatives the Commissioner set up a Diversity Working Group (DWG) and highlighted the need for an examination of previous outreach strategies designed to encourage groups and individuals to apply for Government Public Appointments and the actual processes used by Departments to recruit and select public appointees.

The report draws attention to national and international research, which demonstrates that the issue of board diversity is becoming increasingly important and that many governments recognise the value of board diversity and are doing something about it. The report lists a number of recommendations based on the literature review and the work of the DWG and that is intended to change the culture of the Government Public Appointment process with the aim of improving diversity and eradicating under-representation on public boards. The recommendations are loosely grouped in categories such as ‘Strategic recommendations’, ‘Awareness-raising’, Recruitment-process, and Outreach.

Also in 2014, the Life Opportunities Survey³⁴⁴ investigated the experience of persons with a disability in terms of participation in a range of activities including social activities like participation in public life. The survey identified that key barriers to the participation of disabled people include health issues, family responsibility, lack of opportunities, and a lack of qualifications. The survey also found that factors such as cost or financial resources, and transport, were likely to affect the participation of disabled people in a range of activities. There was also some expectation among survey respondents that the barriers they were likely to encounter would change over time affecting their participation in different ways. Overall, health, family responsibilities and a lack of opportunities were felt to be the main barriers to participation.

The barriers to participation in public life identified in the literature include:

- Inaccessible polling stations
- Inaccessible websites
- Physical barriers encountered by the blind or those in a wheelchair trying to access buildings
- Health issues
- Family responsibilities
- Lack of opportunities

The enablers participation in public life identified in the literature are as follows:

- Mentors
- Allowing guide dogs access to buildings
- Promote positive attitudes towards disabled people

³⁴³ Commissioner for Public Appointments (2014) *UNDER-REPRESENTATION and LACK OF DIVERSITY in GOVERNMENT PUBLIC APPOINTMENTS in NORTHERN IRELAND*.

Commissioner for Public Appointments: Belfast

³⁴⁴ Office of National Statistics (2014) Life Opportunities Survey, London.

- Encourage the participation of disabled people
- Reserving places for disabled people on local decision making bodies
- Having ‘access to public life’ fund to provide financial support to approved candidates

The items listed above represent the barriers to, and enablers of, participation in public life that it is possible to identify in those reports which focus on disability and participation in public life.

8.3 Meta-analysis of secondary quantitative data

Areas of data absence

An extensive search of online and offline sources was conducted in relation to all the areas covered by the definition of participation of public life contained within the introduction. It became apparent during these search efforts that data was absent in terms of disability for many of the bodies contained within the definition, including:

- Local Strategic Partnerships
- Citizens Panels
- Public Bodies Focus and or Working Groups
- School Councils
- Youth Councils
- User Groups for a service provided by a Public Authority
- Members of Political Fora
- Access to Voting System
- Litigants – Access to Law and Courts
- Jurors
- Recruitment and Selection Panels
- Elected Representatives,
- Members of a Voluntary Group and
- Community Police Liaison Committees
- Neighbourhood Watch Committees
- Community Associations or Fora
- School Boards of Governors

Data Availability

However, there was centralised data relating to men and women in public life available in terms of:

- Government Public Appointments,
- The Judiciary

The data³⁴⁵ available for the above mentioned areas provides some indication of the level of participation of persons with a disability in these areas of participation in public life. These will now be discussed.

Understanding and benchmarking available data

In order to adequately assess the level of participation of persons with a disability, it was considered appropriate to display the current Census figures for the composition of persons who are limited by a long term health problem or disability in Northern Ireland. These are detailed in the Table 8.1 below.

Table 8.1 – Northern Ireland Census 2011 Long Term Health Problem or Disability Statistics

	% Limited by a Long Term Health Problem or Disability		Not Limited by a Long Term Health Problem or Disability		Total
	N (Thousands)	%	N (Thousands)	%	
2011	375	21%	1,436	79%	1.811

Source: NISRA, Northern Ireland 2011 Census Population Tables, Table KS301NI: Health and Provision of Unpaid Care

The 2011 Census includes a self-assessment of whether a person has a health problem or disability which limits their daily activities and which has lasted, or expected to last, at least 12 months. This includes problems that are due to old age³⁴⁶. The 2011 Census categorises a person as having a long term health problem or disability if their day-to-day activities are either limited a lot or limited a little because of a health problem or disability which has lasted, or is expected to last, at least 12 months.³⁴⁷ This definition is similar to the definition of a persons with a disability as stated in the Disability Discrimination Act 1995 which is the definition included in equality monitoring forms in Northern Ireland which is used for public and Judicial appointments. The Disability Discrimination Act 1995 defines persons with a disability as someone with a physical or mental impairment that has substantial and long-term adverse effect on his or her ability to carry out normal day to day activities.

The disability figures presented below in the OFMDFM Government Public Appointments Annual Reports, the Judiciary in Northern Ireland Equity Monitoring reports and the Northern Ireland Judicial Appointments Commission Annual Reports and Accounts have been collated using the equality monitoring form and therefore use the definition as provided by the Disability Discrimination Act. For the purposes of this meta-analysis, the Census data will be used as a baseline

³⁴⁵ Please note that all percentages in this meta-analysis have been rounded up to whole numbers except where the percentage is below 1% and for the 2011 Census. Also where numbers are provided during the 2007-2014 time period, an additional aggregate figure has been inserted in order to analyse the overall level of representation during the reporting period.

³⁴⁶ NISRA (2014) 2011 Census Definitions and Output Classifications, p20 (available at http://www.nisra.gov.uk/Census/pop_def_2011.pdf)

³⁴⁷ NISRA (2011) Census 2011 Household Questionnaire Northern Ireland, P9,Q22 (available at <http://www.nisra.gov.uk/archive/Census/2011/forms/household.pdf>)

comparator against the level of representation of disabled people in public and judicial appointments.

Government Public Appointments

OFMDFM's annual publication³⁴⁸ on the composition of Government Public Appointments does offer some indication of the level of participation among persons with a disability. The equality monitoring form is used to collect this data and an applicant must declare that they have a disability in accordance with the definition provided for within the Disability Discrimination Act. The OFMDFM Government Public Appointments Annual Reports only provide data on the overall number of appointments and those applicants in who declared a disability on the equality monitoring form. However, the reports do not provide data on chairpersons or board member appointments or applicants. Please also note that Government Public Appointments are generally held for a three year period, therefore in any given year, there are only around a third of appointments made subject to the recruitment and selection process. Therefore this meta-analysis is unable to examine the success rates of applicants for Government Public Appointments. This data is summarised in Table 8.2 below.

Table 8.2 – Declared Disability Composition of Government Public Appointments and Applicants for Government Public Appointment

	Annual Government Public Appointments Overall		Annual Government Public Appointment's Applicants Overall	
	Disability Declared		Disability Declared	
	N	%	N	%
2006/2007	7	2%	31	3%
2007/2008	8	2%	45	5%
2008/2009	5	2%	39	4%

³⁴⁸ OFMDFM Government Public Appointments Annual Report.

2009/2010	8	3%	31	3%
2010/2011	9	2%	42	4%
2011/2012	10	2%	36	3%
2012/2013	4	1%	25	2%
2013/2014	5	2%	23	3%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012).

Base Annual Appointments: 451 (2007), 450 (2008), 320 (2009), 256 (2010), 416 (2011), 433 (2012), 291 (2013), and 290 (2014).

Base Annual Government Public Appointment's Applicants: 1111 (2007), 917 (2008), 916 (2009), 1116 (2010), 1009 (2011), 1280 (2012), 1050 (2013) and 904 (2014).

Table 8.2 indicates that the percentage of Government Public Appointments of persons with a disability has been historically very low and considerably less than the figure of 21% provided by the Census 2011. The overall percentage of Government Public Appointments who declared a disability has remained reasonably consistent over the period 2006/2007-2013/2014. This would suggest that there has been consistent trend of underrepresentation of persons who declared disability in terms of participation in public life as a public appointee. This is therefore a key inequality in participation in public life.

In terms of applicants for Government Public Appointments, Table 8.2 demonstrates that persons who have declared a disability are marginally more represented in terms of Government Public Appointment applicants than Government Public Appointments. However, the percentage differences are not substantial enough to draw any definitive conclusions. When compared against the 2011 Census data, it is clear that the percentage of Government Public Appointment applications by persons who declared a disability has been historically very low and considerably less than the proportion of the population who have disability. In addition, Table 8.2 demonstrates a trend of decreasing numbers of applicant for Government Public Appointments of persons who have declared a disability between 2008/2009 and 2013/2014. This would suggest that there has been continuing trend of underrepresentation of persons who declared disability in terms of participation in public life as a public applicant. This is therefore a key inequality in participation in public life.

Judiciary

There are two publications in particular; The Equity Monitoring Reports collated by NISRA and the Northern Ireland Judicial Appointments Commission (NIJAC) Annual Reports that provide an overview of the composition of the Northern Ireland Judiciary with respect to persons with a disability (further detail on these reports is provided in Appendix 2).

The data contained within these publications covers the same area of participation in public life (Section 1: Glossary provides a definition of the various elements of the Northern Ireland judiciary) with the NISRA reports providing greater detail and sub analysis of the data provided in the NIJAC reports. As the data in both reports

covers the same area of participation in public life, it is felt appropriate to present a combined analysis where appropriate.

The rationale for presenting the data in this way is to provide:

- An overview of the composition of the Judiciary
- An analysis of applicants to the Judiciary
- An analysis of appointments to the Judiciary – including renewals and recommendations
- An analysis of success rates for applicants to the Judiciary

The above areas of analysis depend upon availability of data. The data is disaggregated by:

- Judicial Office
- Court and Tribunal (Legal)
- Court and Tribunal (Non-Legal)
- Lay Magistrates

Presenting the data in this manner provides a broad picture of the composition of the Judiciary and then particular types of Judicial Office with respect to persons with a disability.

Composition

Table 8.3 details the level of representation of persons with a disability in Judicial Office during the reporting period 2007-2014 as provided for by the NISRA Equity Monitoring Reports. As mentioned in previous chapters, for the purposes of the meta-analysis of data covering the judiciary comparator data is used from 2011 onwards reflecting the results of the 2011 Census for the proportion of the economically active population of persons with a disability.

Table 8.3 displays the composition of the Northern Ireland Judiciary during the period 2007-2014 for persons with a disability.

Table 8.3 – Declared Disability Composition of Judicial Office Holders in Northern Ireland 2007-2014

	Courts	Tribunals	Lay Magistrates	Comparator
2007	4%	7%	2%	N / A
2008	5%	5%	2%	N / A
2009	5%	5%	3%	N / A
2010	5%	5%	3%	N / A
2011	5%	5%	3%	7%
2012	6%	5%	3%	7%
2013	4%	5%	2%	7%
2014	4%	5%	2%	7%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 – 2014

Base: Numbers unavailable for Courts and Tribunals and Lay Magistrates (2007)
 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014)
 176

Table 8.3 shows that those persons that declared a disability were notably underrepresented in judicial posts for every year during the reporting period when compared to the 2011 Census. This is also true for the economically active comparator figure for judicial posts for every year where comparator data is available. The level of representation of persons who declared a disability has been relatively consistent on an annual basis, although there has been a marginal decrease in this representation since 2012 in terms of Judicial Office Court positions and Lay Magistrate positions. In particular, persons who declared a disability have lower representation in Lay Magistrate positions than any other type of Judicial Office position. The low level and consistent underrepresentation of persons who declared a disability in Judicial Office indicates that there has been a persistent trend of underrepresentation of persons with a disability in these roles. The underrepresentation of persons who declared a disability may therefore be considered a key inequality in participation in public life.

Table 8.4 presents the figures for the representation of those who declared a disability in the Judiciary by the eight Judicial groupings, which are explained in more detail in Section 1: Glossary, during the period 2007 – 2014.

Table 8.4 – Overall Disabled Composition of the Judiciary by the Eight Judicial Groupings

Year	Group 1		Group 2		Group 3		Group 4		Group 5		Group 6		Group 7		Group 8		Total	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
2007	0	0	3	6%	2	6%	1	5%	1	3%	13	6%	5	8%	6	2%	31	5%
2008	0	0	3	6%	2	5%	1	5%	1	3%	11	6%	8	4%	6	2%	32	4%
2009	0	0	3	6%	2	5%	1	5%	1	3%	11	6%	8	4%	6	3%	32	4%
2010	0	0	3	6%	2	5%	3	11%	1	3%	15	8%	6	6%	6	3%	36	5%
2011	0	0	4	8%	2	5%	1	4%	0	0	10	6%	6	4%	6	3%	29	4%
2012	0	0	5	8%	2	5%	1	4%	0	0	10	6%	6	5%	6	3%	30	4%
2013	0	0	3	5%	2	5%	1	4%	0	0	9	5%	7	5%	4	2%	26	4%
2014	0	0	3	5%	2	4%	1	4%	0	0	10	5%	7	5%	4	2%	27	4%
2007 - 2014	0	0	27	6%	16	5%	10	5%	4	2%	89	6%	53	5%	44	3%	243	4%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 – 2014
 Base: (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 675 (2012) 673 (2013) 661 (2014) 690
 Group 1 (2007) 16 (2008) 16 (2009) 15 (2010) 14 (2011) 13 (2012) 12 (2013) 14 (2014) 15
 Group 2 (2007) 52 (2008) 53 (2009) 47 (2010) 47 (2011) 49 (2012) 60 (2013) 57 (2014) 56
 Group 3 (2007) 34 (2008) 40 (2009) 40 (2010) 39 (2011) 41 (2012) 41 (2013) 40 (2014) 45
 Group 4 (2007) 20 (2008) 20 (2009) 21 (2010) 27 (2011) 27 (2012) 25 (2013) 25 (2014) 26
 Group 5 (2007) 34 (2008) 32 (2009) 31 (2010) 29 (2011) 28 (2012) 27 (2013) 24 (2014) 23
 Group 6 (2007) 205 (2008) 193 (2009) 183 (2010) 183 (2011) 178 (2012) 180 (2013) 183 (2014) 218
 Group 7 (2007) 62 (2008) 195 (2009) 196 (2010) 109 (2011) 136 (2012) 133 (2013) 135 (2014) 131
 Group 8 (2007) 252 (2008) 245 (2009) 229 (2010) 223 (2011) 203 (2012) 195 (2013) 183 (2014) 176

This section details the composition of the Judiciary by the eight judicial groupings by disability. However, given the small numbers involved caution needs to be exercised as this limits any conclusions which can be drawn.

Group 1

Group 1 contains the most senior positions in the Northern Ireland Judiciary as well as containing the smallest number of Judicial Office holders out of the 8 different categories. There were no positions held by persons who declared a disability in this Judicial category during the period 2007-2014. Therefore it is clear that persons who declared a disability are significantly underrepresented in the most senior positions in the Judiciary in proportion to the figure presented in the 2011 Census.

Group 2/ Group 3/ Group 4/ Group 5/ Group 6/ Group 7/ Group 8

The overall figures for the reporting period in Table 8.4 shows that those who declared a disability are considerably underrepresented in all the remaining Judicial categories in proportion with the disabled population stated in the 2011 Census. Table 8.4 also shows that those who declared a disability were also underrepresented in all the Judicial categories in proportion to the 2011 Census figures on an annual basis throughout the reporting period. In fact representation levels for those who declared a disability for the remaining Judicial groups is lower in 2014 than in 2007 for all the groups with the exception of Lay Magistrates which has remained at the same level. With the exception of 2010 for Group 4, all groups' annual representation levels remained within a range of 3% during the years of the reporting period. Although, it should be noted that for Group 5 since 2011 there has been zero representation from those declaring a disability.

It must also be acknowledged that overall representation levels of persons who declared a disability, Group 5 and Group 8 demonstrated the lowest of all the Judicial groupings with the exception of Group 1 during the period 2007-2014.

Overall Judicial

The overall representation level in Table 8.13 shows that those who declared a disability are significantly underrepresented in the overall Judiciary in proportion with the disabled population stated in the 2011 Census. Table 8.13 also shows that those who declared a disability were also underrepresented in proportion to the 2011 Census figures on an annual basis during the reporting period. Table 8.13 also shows that representation levels in 2014 for those who declared a disability in the Judiciary are 1% lower than 2007, and that for all the years since 2007 with the exception of 2010, representation levels have remained at 4%.

The analysis above demonstrates that those persons who declared a disability are underrepresented in all the eight categories of Judicial Office and in fact have no representation in terms of the positions in Group 1. However, it is notable that with the exception of Group 1, representation levels are generally between 3-8% across the remaining categories of Judicial Office and the seniority of the office does not precipitate a increase or decrease in representation for persons with a disability.

Therefore the analysis from Table 8.4 indicates that there is prevailing trend of underrepresentation of persons with a disability in the Judiciary. The

underrepresentation of persons with a disability in the Judiciary may therefore be considered a key inequality in participation in public life.

Applicants

Tables 8.5, 8.6 and 8.7 below provide figures for those persons that declared a disability that applied for a Judicial Court and Tribunal appointment between 2006/2007 and 2013/2014. Due to the absence of separate figures displaying the declared disability of those recommended for a Judicial Court or Tribunal appointment, it is not possible to compare Judicial Court applicants or Judicial Tribunal applicants separately against those who were recommended for appointment. It also must be noted that the 2014 NIJAC annual report only provides figures for the total applicants for Judicial appointments and does not include separate figures for the applicants to Judicial Court appointments or Judicial Tribunal appointments.

Table 8.5 – Disabled Composition of Annual Recommendations for Appointment and Applicants for Judicial Appointments Combined (Courts/Tribunals)

	Applicants	
	Declared Disability	
	N	%
2006/ 2007	7	3%
2007/2008	1	2%
2008/2009	8	5%
2009/2010	0	0%
2010/2011	10	4%
2011/2012	5	2%
2012/2013	4	3%
2013/2014	5	1%

2006/2007-2013/2014	40	3%
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Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Applicants for Judicial Appointments: (2007), 245 (2008), 66 (2009), 167 (2010), 122 (2011), 265 (2012), 209 (2013), 154 and (2014), 351.

The figures in Table 8.5 show that overall 3% of those people who applied for Judicial Court or Tribunal appointment in the period 2006/2007-2013/2014 declared a disability. However, when compared against the 2011 Census figure it is clear that that the percentage of Judicial Appointments Combined (Courts/Tribunals) applicants that have declared a disability has been historically very low and considerably less than the proportion of the population with a disability. The percentage of Judicial Tribunal applicants that have declared a disability has remained reasonably consistent over the period 2006/2007-2013/2014, although has decreased in more recent years since a peak of 5% in 2008/2009. This would suggest that there has been a prevailing trend of underrepresentation of persons with a disability in terms of combined Judicial Court and Tribunal applicants. This may therefore be considered a key inequality in participation in public life. Although due the low numbers of combined Judicial Court and Tribunal applicants on an annual basis, it is difficult to draw any definitive conclusions from the figures in Table 8.5.

Table 8.6 – Disabled Composition of Annual Applicants for Judicial Appointment (Court)

	Disabled	
	N	%
2006/2007	2	5%
2007/2008	1	2%
2008/2009	2	4%
2009/2010	0	0%
2010/2011	6	4%
2011/2012	3	3%
2012/2013	1	1%
2007-2013	15	3%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial Appointments (Courts): (2007), 42 (2008), 53 (2009), 49 (2010), 71 (2011), 148 (2012), 95 (2013), 97.

The overall figure in Table 8.6 shows that 3% of those people who applied for Judicial Court appointment between 2006/2007-2012/2013 declared a disability. When compared against the 2011 Census figures it is clear that that both the overall percentage and annual percentages of applicants for Judicial Court appointments

during the reporting period that have declared a disability has been historically very low and considerably less than the proportion of the population with a disability. This would suggest that there has been persistent trend of underrepresentation of persons with a disability in terms of Judicial Court applicants. This may therefore be considered a key inequality in participation in public life. Although due to the low numbers of Judicial Court applicants on an annual basis, it is difficult to draw any definitive conclusions from the figures in Table 8.6 due to the small numbers.

Table 8.7 – Disabled Composition of Annual Applicants for Judicial Appointments (Tribunals)

	Disabled	
	N	%
2006/2007	5	2%
2007/2008	0	0%
2008/2009	6	5%
2009/2010	0	0%
2010/2011	4	3%
2011/2012	2	2%
2012/2013	3	5%
2007-2013	20	3%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013).

Base Annual Applicants for Judicial Appointments (Tribunals): (2007), 203 (2008), 13 (2009), 126 (2010), 51 (2011), 117 (2012), 114 and (2013), 57.

The overall figure in Table 8.7 shows that 4% of those people who applied for a Judicial Tribunal appointment in the period 2006/2007-2012/2013 declared a disability. They also demonstrate that representation of persons that declared a disability are overall generally similar to the representation levels for Judicial Court applicants as shown in Table 8.6. However, when compared against the 2011 Census data it is clear that that the percentage of applicants for Judicial Tribunal appointments that have declared a disability has been historically very low and considerably less than the proportion of the population with a disability. This may therefore be considered a key inequality in participation in public life with respect to

applicants for Judicial Appointments. Again, given the small numbers involved caution needs to be exercised as this limits the conclusion which can be drawn

The NISRA Equity Monitoring reports also provided figures on the percentage of applicants to Court, Tribunals (Legal) and Tribunals (Non-Legal). However, they did not provide figures on those persons who declared a disability who were appointed to either Judicial Office Tribunal (Legal) or Tribunal (Non-Legal) positions and therefore we are unable to compare those persons with those who declared a disability who applied for Judicial Office Tribunal (Legal) or (Non-Legal) positions. The figures for those applicants for Judicial Office Court positions are provided in Table 8.8.

Table 8.8 – Declared Disability Composition of Annual Applicants for Judicial Appointments Office Court Positions

Court	Declared Disability Applicants	Comparator
2007	4%	N / A
2008	2%	N / A
2009	0%	N / A
2010	2%	N / A
2011	4%	7%
2012	4%	7%
2013	1%	7%
2014 ³⁴⁹	1%	7%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

The figures in Table 8.8 clearly demonstrate that persons with a disability are underrepresented in the applicant pool for Judicial Office Court positions in each year of the reporting period. This indicates that there is a key inequality in terms of annual applicants for Judicial Office Court position for persons with a disability.

The figures for those applicants for Judicial Office Tribunal (Legal) positions who declared a disability are included in the Table 8.9 below.

Table 8.9 – Declared Disability Composition of Annual Applicants for Judicial Appointments Office Tribunal (Legal) Positions

Tribunals (Legal)	Declared Disability Applicants	Comparator
2007	4%	N / A
2008	0%	N / A
2009	3%	N / A
2010	5%	N / A
2011	1%	7%
2012	0%	7%
2013	5%	7%
2014 ³⁵⁰	N/A	7%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 - 2014

Again, it is quite clear from the figures in Table 8.9 that there is a persistent trend of underrepresentation of persons with a disability in annual applications for Judicial Office Tribunal (Legal) positions. As with applicants for Court positions this may be considered a key inequality in participation in public life.

³⁴⁹ Applicant figures in relation to Tribunals (Legal) were not provided in the 2014 report

³⁵⁰ Applicant figures in relation to Tribunals (Legal) were not provided in the 2014 report

The figures for the declared disability for applicants to the Judicial Office Tribunal (Non-Legal) positions are included in the Table 8.10 below.

Table 8.10 – Declared Disability Composition of Annual Applicants for Judicial Office Tribunal (Non-Legal) Positions

Tribunals (Non-Legal)	Declared Disability Applicants		Comparator
2007	1%		N / A
2008	0%		N / A
2009	9%		N / A
2010	2%		N / A
2011	6%		7%
2012	2%		7%
2013	4%		7%
2014	2%		7%

Source: NISRA, “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2010 - 2014

Like Tables 8.8 and 8.9, there is a clear and persistent trend of underrepresentation of persons who declared a disability in Judicial Office Tribunal (Non-Legal) applications. This was true for each year in the reporting period, although there was a spike in 2011 which was only 1 percentage point below the economically active comparator figure provided by NISRA. As with applicants for other Judicial Office positions, applicants for Tribunal (Non-Legal) may be considered a key inequality in participation in public life.

Appointments

Note that there is no data provided by NISRA on the composition of annual appointments for Judicial Courts, Tribunals Legal and Non-Legal for persons with a disability.

Table 8.11 below provides combined figures for the disabled composition of those individuals who have been recommended for and recommended for renewal for Judicial appointment between 2006/2007 and 2013/2014.

Table 8.11 – Disabled Composition of Annual Recommendations for Judicial Appointment and Renewal of Judicial Appointments Combined

	Disabled	
	N	%
2006/2007	4	2%
2007/2008	2	4%
2008/2009	4	7%

2009/2010	15	4%
2010/2011	1	3%
2011/2012	5	6%
2012/2013	3	4%
2013/2014	3	3%
2007-2014	37	4%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment and Renewal of Appointment: (2006/2007), 182 (2007/2008), 49 (2008/2009), 57 (2009/2010), 400 (2010/2011), 35 (2011/2012), 86 (2012/2013), 79 and (2013/2014), 92.

The figures in Table 8.11 show that overall 4% of those people who were recommended for a Judicial Appointment or a Renewal of Judicial Appointment since 2006/2007 declared a disability. The overall figure and the figures for each individual year are considerably less than the proportion of the population with a disability as stated in the 2011 Census. The overall percentage of those persons who declared a disability that have been recommended for Renewal of Judicial appointment or recommended for renewal has remained reasonably consistent over the period 2006/2007-2013/2014 with the exception of the small increases in 2008/2009 and 2011/2012. Overall then, this would indicate that there is a key inequality in participation in public life for persons with a disability in respect of recommendations for Judicial Appointment or a Renewal of Judicial Appointment.

Table 8.12 provides the profile of those persons with a disability who have been recommended for Judicial appointment between 2006/2007 and 2013/2014. The NIJAC annual reports do not provide separate figures for recommendations for Judicial court appointments or Judicial tribunal appointments and therefore they are not included in this meta-analysis.

Table 8.12 – Disability Composition of Annual Recommendations for Judicial Appointment

	Disability	
	N	%
2006/2007	4	3%
2007/2008	0	0%
2008/2009	0	0%
2009/2010	0	0%
2010/2011	0	0%
2011/2012	2	6%
2012/2013	0	0%
2013/2014	2	3%

2006/2007-2013/2014	8	3%
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Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Appointment: (2006/2007), 151 (2008), 11 (2009), 25 (2010), 25 (2011), 16 (2012), 32 (2013), 23 and (2013/2014), 60.

The figures in Table 8.12 show that overall 3% of those people who were recommended for Judicial appointment since 2006/2007 declared a disability. This overall figure demonstrates that the percentage of those who declared a disability who were recommended for Judicial appointment has been historically very low and considerably less than the proportion of the population with a disability as stated in the 2011 Census.. When considering individual years, there was only representation for those who declared a disability for three years of the reporting period, with the remaining years having zero representation. The highest year for representation was 2011/2012 in which 6% of those recommended declared a disability while the figure for 2006/2007 and 2013/2014 was 3%. Therefore Table 8.4 demonstrates that those who declared a disability are notably underrepresented in recommendations for Judicial appointment in all years of the reporting period in proportion to the 2011 Census figure, thus this can be considered a key inequality for persons with a disability.

Although due the low numbers of recommendations for Judicial appointment on an annual basis, it is difficult to draw any definitive conclusions from the figures in Table 8.12.

Table 8.13 provides figures for those persons who declared a disability who have been recommended for renewal of a Judicial appointment between 2007 and 2014.

Table 8.13 – Disability Composition of Annual Recommendations for Renewal of Judicial Appointment

	Disability	
	N	%
2006/2007	0	0%
2007/2008	2	5%
2008/2009	4	13%
2009/2010	15	4%
2010/2011	1	5%
2011/2012	3	6%
2012/2013	3	5%
2013/2014	1	3%
2007-2014	29	5%

Source: NIJAC Annual Report and Accounts (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Recommendations for Renewal of Appointment: (2006/2007), 31 (2007/2008), 38 (2008/2009), 32 (2009/2010), 375 (2010/2011), 19 (2011/2012), 54 (2012/2013), 56 and (2013/2014), 32.

The overall figure in Table 8.13 shows that 5% of those people who were recommended for Renewal of Judicial Appointment since 2006/2007 declared a disability. The figures also indicate that those persons who declare a disability are represented in higher numbers in terms of those who are recommended for renewal of re-appointment than in relation to those recommended for appointment in Table 8.12. However, although the figure in relation to the number of persons who declared a disability who were recommended for renewal of appointment is higher than those who have been recommended for appointment, it is still considerably less than the proportion of the population with a disability as stated in the 2011 Census. The overall percentage of those persons who declared a disability that have been recommended for Renewal of Judicial Appointment has remained reasonably consistent over the period 2006/2007-2013/2014, with the exception of 2008/2009. This can therefore be considered a key inequality for persons with a disability.

Although due the low numbers of recommendations for Renewal of Judicial appointment on an annual basis, it is difficult to draw any definitive conclusions from the figures in Table 8.13.

Success Rates

The success rate of applicants with a disability for Judicial appointment is detailed in Table 8.14. The success rate is a calculation of the likelihood of any one applicant belonging to a specific group being appointed. Where these proportions are broadly similar this would indicate that applicants stand a relatively equal chance of being appointed regardless of whether they are a disabled person or not. Where these proportion are dissimilar then that would indicate that applicants with or without a disability stand an unequal chance of being appointed, favouring candidates from those groups where there is a higher ratio.

Table 8.14 – Success Rate of Disabled Composition of Applicants for Judicial Appointments

	Success Rate of Applicants with no declared disability	Success Rate of Applicants with a declared disability
2006/2007	0.61	0.57
2007/2008	0.17	0
2008/2009	0.15	0
2009/2010	0.20	0
2010/2011	0.06	0
2011/2012	0.15	0.4
2012/2013	0.15	0
2013/2014	0.17	0
2006/2007-2013/2014	0.22	0.15

Source: NIJAC Annual Report and Accounts (2006/2007; 2007/2008; 2008/2009; 2009/2010; 2010/2011; 2011/2012; 2012/2013; 2013/2014).

Base Annual Recommendations for Appointment: (2006/2007), 151 (2007/2008), 11 (2008/2009), 25 (2009/2010), 25 (2010/2011), 16 (2011/2012), 32 (2012/2013),

23 and (2013/2014), 60.

Base Annual Applicants for Judicial Appointments: (2006/2007), 245 (2007/2008), 66 (2008/2009), 167(2009/2010), 122 (2010/2011), 265 (2011/2012), 209 (2012/2013), 154 and (2013/2014), 351.

The figures detailed in Table 8.14 demonstrate that in the period 2006/2007-2013/2014, applicants for Judicial appointments who declared a disability had around 1 in 7 (represented as 0.15) chance of being recommended for a Judicial appointment while persons who did not declare a disability had a 1 in 5 chance (represented as 0.22). In addition, with the exception of 2011/2012 in which those who declared a disability had a higher success rate than those who did not, applicants for other years had a lower success rate. In particular during the years 2007/2008, 2010/2011, 2012/2013 and 2013/2014 applicants who declared a disability registered a zero success rate. Although similarly to the previous tables in this section, due to the low numbers of recommendations for Judicial appointments and Judicial applications on an annual basis, it is difficult to draw any definitive conclusions from the figures in Table 8.14.

8.4 Depth Interviews

For those persons with a disability represented in the interview participants, there was definitely a feeling that they personally did not view their identity as being specifically “a persons with a disability”; this is perhaps unsurprising for those with a non-visible disability. In fact, interview participants that could be categorised as having a disability or long term health problem did not identify themselves as members of an underrepresented group. For the interview participants with a visible disability in particular there was a feeling that others around them in public life identified them exclusively as a persons’ with a disability. This was most exemplified on occasions in which they felt that having a physical disability sometimes gave rise to situations in which others in public life would display illogical perceptions of lower expectations of the respective interviewee’s intellectual ability. However, they acknowledged that these attitudes were in no way limited to public life and were actually reflective of general society. In contrast to the views they encountered they felt that although their disability was a barrier that they had to overcome in everyday life, it did not define them as persons and bore no relation to the skills or experience that they felt were required or they personally had to offer. This was generally true for those participants with a non-visible disability or long term health problem.

This view that those with a disability felt that others identified them solely as a persons with a disability was a key issue prominent in discussions with interviewees. Interviewees felt that this not only could be off-putting for persons with a disability but could restrict them in displaying their skills and experience due to the negative atmosphere then encountered.

“A few years’ ago I suffered a [problem with the brain] which meant I had difficulty speaking. It took a long time to recover and it still plagues me from time to time. It’s not very good for someone [in my role].” (Interviewee P)

While this was an important issue for those with a physical disability, it was particularly important for those with a non-visible disability. During interview

discussion it became clear that those with a non-visible disability did not wish to declare their non-visible disability for fear of encouraging negative views and behaviours in others.

In terms of physical barriers, interview participants with a physical disability acknowledged that the physical impediments that they possessed affected their everyday life and therefore inevitably affected the physical aspects of participating in public life. For example they felt that canvassing for elections was particularly onerous considering the structural limitations in terms of disability access of many dwellings in Northern Ireland. They also felt that transport could act as a barrier to their participation considering the extensive travelling that is required for many public roles. They felt that their physical disability presented obstacles when travelling from a to b, particularly when disabled car parking facilities were limited or due to the limitations of disabled access on public transport. Therefore they felt that this could discourage those with disabilities from participating in public life. However, they acknowledged that in the 21st century many public authority facilities were disability accessible and removed many of the physical barriers that they found elsewhere in society.

Those who were interviewed already participated in public life and therefore felt that they could overcome physical barriers in public life as they had encountered similar barriers during their life and had overcome them. However, it was clear that they still viewed these as barriers to participation and potentially discouraged others with a disability from participating. This issue was a little different for those with a non-visible disability who viewed this issue much more as an internal fear of being discovered and the potential resulting change in others behaviours. In other words, interview participants with a non-visible disability were much more concerned with overcoming their own fears in order to participate in public life.

In terms of attitudes of other people acting as barriers, they felt as mentioned previously that on some occasions people displayed negative attitudes toward disabled people, particularly the assumption that a physical disability would impact their intellectual ability. They felt in some situations this could actually make them more determined to participate to dispel these perceptions as well as prove the individuals who displayed them as wrong. However, they felt that these attitudes could be demoralising and were suspected that these negative attitudes could impact application and selection processes in public life. They also encountered incorrect judgements by others that they were only in a public position due to some form of unofficial positive discrimination.

In terms of enablers for those persons with a disability, a general view that was put forward that due to their experiences they felt more determined to participate successfully in public life. Therefore they felt that this motivated them to become more involved and provided them with a “can do” attitude.

“When people tell you that you can’t do something, it just makes you more determined to find a way to do make things happen.”

(Interviewee L)

Interview participants also felt that appropriate role models provided great encouragement for persons with a disability to become involved in public life and

therefore felt that if more disabled people participated in public life this would encourage others to do so. This was particularly the case for those with a visible disability. One participant also stated that encouragement from family and peers who saw the participant's potential, possibly in ways that others would initially judge the participant on their disability, provided the confidence and encouragement that was needed to participate in public life. They also felt that a high level approach in terms of changing societal perceptions of disabled people and the skills they had to offer would provide the platform for more disabled people to become involved in public life

Overall those interviewed although they were reluctant to categorise themselves as disabled, did acknowledge that disabled people are significantly underrepresented in public life. This was attributed mainly to physical barriers specific to individual disabilities, negative perceptions of disabled people, attitudes and behaviours they might encounter, and in the case of some participants had encountered. However, the view was put forward that having a disability made them more determined to participate in public life, although it was acknowledged that there were more barriers for disabled people than there were for persons without a disability.

8.5 Summary and conclusions

Inequalities can occur in a variety of different ways for persons with disabilities and is very much related to the individual. The term disability covers a wide variety of physical and mental health areas making some disabilities much more visible and others invisible to all intents and purposes. This makes the experience of participating in public life very different for persons with different types of disabilities. Nevertheless, it is clear from the literature review and meta-analysis that persons with disabilities face inequalities in participating in public life.

The literature review identified that the most frequently cited barriers for persons with disabilities include accessible and enabling environments, legal "gaps" between legal promise and policy implementation, inaccessible services, physical barriers, social expectation, lack of confidence, and a lack of transportation. These are key issues which need to be addressed to encourage the broader participation of persons with disabilities in public life. In saying that, the literature review also noted a number of issues which can enable participation such as mentoring and changing work practices, training and capacity building, and provisions for care assistants and medical appointments. These can act as enablers of participation and help facilitate the participation in public life of persons with disabilities.

The meta-analysis of secondary quantitative data found very limited centralised collection and publication of data for the participation of persons with a disability in most areas of participation in public life. In fact, data could only be found for Government Public Appointments, applications for Government Public Appointments and Judicial Office Holders, Judicial appointments and applications for Judicial appointments.

Where data is available it was clear from the meta-analysis of secondary data that there has been a persistent trend of underrepresentation of persons with disabilities. This is true for Government Public Appointment positions, applications for Government Public Appointments and Judicial Office positions and Appointments

and Applications for Judicial Appointments. Indeed, it was clear from the data that little has changed in the level of underrepresentation of persons with disabilities in Government Public Appointments and Judicial Appointments since 2007. However, due to the small numbers involved particularly within the Judiciary analysis, it is difficult to draw robust conclusions from the data.

Sexual orientation

9 Sexual orientation

9.1 Summary of key findings

This chapter investigated inequalities on the ground of sexual orientation. The key findings of the meta-analysis of secondary data are as follows:

- There is no publicly available data covering sexual orientation across all areas of participation in public life.
- It is not possible to identify any inequalities on the basis of sexual orientation due to lack of data.

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of sexual orientation are presented below.

Key Barriers

Barriers to participation in public life on the ground of sexual orientation, for those who identified as Lesbian, Gay or Bisexual (LGB) that it was possible to identify in the literature include:

- Fear of being ‘outed’
- Fear of abuse, threats and vandalism
- Role of the media and portrayal of Lesbian, Gay and Bisexual (LGB) people

Key Enablers

Enablers of participation in public life identified in the literature review include:

- Challenge stereotypes and alter the current perceptions of those from these communities
- Local and national awareness campaigns
- Outreach programmes to normalise, guide and support members of the LGB community

The remainder of this section sets out firstly; the literature review of both academic and professional reports which explore the underrepresentation of persons of different sexual orientations, and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons of different sexual orientations. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the level of representation of sexual orientations across a range of areas of participation in public life.

9.2 Literature review

Chapter 2 provided a contextual overview of the legal and policy framework which sets out the right to equal participation in public life for all regardless of race, colour, creed, gender, age, sexual orientation or disability through the UN

Declaration of Human Rights (1948)³⁵¹, the International Covenant on Civil and Political Rights (1976)³⁵², International Covenant on Economic, Social and Cultural Rights (1976)³⁵³, and the Northern Ireland Act (1998) Section 75³⁵⁴. However, there is a specific legal and policy framework dedicated to the promotion of equality in participation in public life on the basis of sexual orientation.

Legal and Policy Framework

Yogyakarta Principles

The Yogyakarta Principles³⁵⁵ are a set of principles regarding the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity. The principles were developed to apply universal human rights law standards to address the abuse of rights experienced by LGBT people and are intended to identify the obligations of states to respect, protect and fulfil these rights. Principle 25 directly addresses rights regarding participation in public life. Principle 25 outlines the right of every citizen to take part in the conduct of public affairs, including the right to have equal access to all levels of public service and employment in public functions, without discrimination on the basis of sexual orientation or gender identity. The principle recommends that states review, amend and enact legislation to take account of this, employ measures to eliminate stereotypes and prejudices that prevent or restrict participation in public life and also to ensure the inclusion of each person to participate in the formulation of policies affecting them without discrimination and with respect for their sexual orientation and gender identity.

OFMDFM Sexual Orientation Strategy

OFMDFM has undertaken to publish a Sexual Orientation Strategy and Action Plan³⁵⁶ with the proposed objectives to promote:

- An environment free from harassment and bullying and to tackle homophobia in all forms including violence and abuse.
- Equality of opportunity for Lesbian, Gay and Bisexual (LGB) people.

³⁵¹ United Nations General Assembly (1948) "Universal Declaration of Human Rights" (available at http://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf)

³⁵² United Nations General Assembly (1976) "The International Covenant On Civil and Political Rights" (available at <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>)

³⁵³ United Nations General Assembly (1976) "The International Covenant on Economic, Social and Cultural Rights" (available at <http://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>)

³⁵⁴ Northern Ireland Act (1998) (available at <http://www.legislation.gov.uk/ukpga/1998/47/contents>)

³⁵⁵ The Yogyakarta Principles (2007), "Principles on the application of International Human Rights Law in relation to Sexual Orientation and Gender Identity" (available at http://www.yogyakartaprinciples.org/principles_en.pdf)

³⁵⁶ OFMDFM (2014) *Development of a Sexual Orientation Strategy and Action Plan: Consultation Document*. OFMDFM; Belfast.

The development of a Sexual Orientation Strategy and Action Plan is geared towards providing an overarching policy framework within which departments, their agencies and other relevant statutory authorities can develop actions that promote equality of opportunity for LGB people across government's major policy areas, tackle the specific inequalities they face and counter prejudice, intolerance and hatred. This strategy is currently in the consultation process and will in due course set out the actions that public authorities designated under section 75 will take to promote equality of opportunity for LGB people including in relation to participation in public life.

Barriers to, and enablers of, participation in public life

The literature review revealed that while the participation of LGB people in a range of daily activities has been investigated there has been very little examination of the participation in public life by LGB people since the publication of the ECNI's last Statement on Key Inequalities. It was not possible to identify any Northern Ireland based studies, but Ryrie *et al* (2010) on behalf of the Government Equalities Office investigated the experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people³⁵⁷. This report highlights several trends between these communities, the most apparent of which is the lack of any significant variation in the areas in which these groups participate. This has been attributed by participants as a fear held by these communities of the phobic nature of the general population directed at each group. Particularly the fear of being 'outed' and the subsequent scrutiny the media would place upon them. Whilst those who participate within public life from these communities tend to see this as a barrier of perception rather than reality it continues to act as a barrier to participation. Furthermore whilst fear was the most common cited personal barrier items such as location, profession and workplace were also highlighted.

Non-institutional factors identified by participants within Ryrie *et al* (2010)³⁵⁸ primarily focus upon the role of the media and its portrayal of people from these communities. Participants often voiced a concern about the negative portrayal the media provides their community regarding lifestyle, relationships and even targeted individuals. This concern over participation was also shown to extend to the partners of interviewees, and the public scrutiny it could carry.

An additional societal factor which directly and indirectly affects the ability of LGB people and their ability to participate is that of traditionalism within Northern Ireland. A specific facet of this can be seen through the role of religious beliefs and those within office who identify with those beliefs. This was presented as a potential matter which has the potential to impact upon the decision of LGB people to participate.

³⁵⁷ Iain Ryrie, Sarah McDonnell, Kate Allman, Robert Pralat (2010) *Experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people*. London: Government Equalities Office.

³⁵⁸ Iain Ryrie, Sarah McDonnell, Kate Allman, Robert Pralat (2010) *Experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people*. London: Government Equalities Office.

The experiences of those who participate in public life from these communities were shown to be quite diverse³⁵⁹. Some participants did report positive experiences, whilst others reported instances of abuse, vandalism and increasing levels of perceived threat from individuals within the wider community³⁶⁰. Additionally many interviewees do believe that LGBT people are underrepresented, and need a presence in the public sphere as well as visible LGBT elected representatives to increase their representation and act as role models for the community as well as alter external perceptions.

Ryrie *et al* (2010)³⁶¹ conclude their report by outlining several ways in which LGBT people could be encouraged to participate. First and foremost the report identified the need to challenge stereotypes and alter the current perceptions of those from these communities. This could potentially be achieved through the application of local and national awareness campaigns and outreach programmes to normalise, guide and support members of these communities. This broad recommendation would require specific action points targeted towards the appropriate areas in order to be successful, but has the potential to increase participation of LGB persons.

9.3 Meta-analysis of secondary quantitative data

An extensive search of online and offline sources was conducted in relation to all the areas covered by the definition of participation of public life contained within the glossary. It became apparent during these search efforts that data was absent across all areas of participation in public life covered in the definition. A meta-analysis of secondary quantitative data covering sexual orientation as a distinct Section 75 ground is therefore not possible. The key finding of the meta-analysis is therefore that there is no centralised collection and publication of sexual orientation data for participation in public life.

9.4 Depth Interviews

A series of 13 depth interviews were conducted with a range of participants across the nine Section 75 grounds. Of the thirteen interview participants nine identified as straight/heterosexual and four identified themselves as lesbian, gay, bisexual or 'other'.

There was recognition that being an openly gay/homosexual or bisexual person participating in public life was difficult in Northern Ireland due to the lack of tolerance of others and the likelihood of having to face derogatory comments and behaviour. However, interview participants who identified themselves as gay/homosexual and bisexual indicated that they did not feel underrepresented in

³⁵⁹ Iain Ryrie, Sarah McDonnell, Kate Allman, Robert Pralat (2010) *Experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people*. London: Government Equalities Office.

³⁶⁰ Iain Ryrie, Sarah McDonnell, Kate Allman, Robert Pralat (2010) *Experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people*. London: Government Equalities Office.

³⁶¹ Iain Ryrie, Sarah McDonnell, Kate Allman, Robert Pralat (2010) *Experiences of and barriers to participation in public and political life for lesbian, gay, bisexual and transgender people*. London: Government Equalities Office.

public life. In fact, one interviewee suggested that if anything gay/homosexual people were now overrepresented in public life.

“At the recent local elections there were three openly gay candidates returned to Belfast City Council which is around 5% of councillors. Now if you look at a recent ONS publication you will see that only 1% of the population are openly gay or lesbian.” (Interviewee R)

Despite a feeling among participants that they did not necessarily face barriers themselves to participating in public life, there was a general sense that gay, lesbian and bisexual persons did face barriers to their participation in public life. One participant did express some concern about whether they would be treated differently if their sexual orientation was more widely known.

In terms of enablers of participation in public life, most interview participants who identified themselves as gay/homosexual, bisexual or ‘other’ did acknowledge the support and encouragement they had received. In particular, one interview indicated that it had been the encouragement from their friends and colleagues which had resulted in their increasing participation in public life.

“...were looking for someone to play a leading role [in my group] and no-one really wanted to step forward. A couple of my friends on the group said that as I was good at organising and public speaking etc... that I should take on the [role].” (Interviewee I)

In addition, when prompted each interview participant that identified as gay/homosexual, bisexual or ‘other’ did acknowledge the importance of their educational background with most completing University or having attended a grammar school and achieving good results at the end of their secondary education.

With respect to future directions, no participants really discussed the need for quotas for the range of different sexual orientations. Most participants felt that the merit principle³⁶², while not perfect was probably the best alternative. Some participants did suggest that it would be useful for organisations to reach out to people from traditionally underrepresented groups at an individual level.

One participant indicated that they felt Section 75 should be extended to schools to ensure that school pupils were able to participate fully in school life in a supportive and protected environment. This was felt by that participant to be critical to developing the sort of culture of equality in the future where everyone regardless of how they may be categorised in Section 75 would feel confident that they would be able to participate fully in public life.

9.5 Summary and conclusions

The literature review identified that there has been very little investigation of gay, lesbian and bisexual persons’ participation in public life in Northern Ireland. In saying that a UK study did include some focus on Northern Ireland and identified a specific issue with respect to the difficulties faced by gay, lesbian and bisexual

³⁶² Merit Principle: where the candidate that performs best in the selection process is selected

people when it came to participating in public life. Specifically, the prevalence of ‘traditional’ religious beliefs in Northern Ireland society and those within office who identify with those beliefs which directly and indirectly affects the ability of LGB people to participate in public life. Within the literature review it was noted that visible LGB elected representatives would help act as role models. This would also help to challenge stereotypes and alter the current perceptions of those from these communities, which could also be achieved through awareness campaigns and outreach programmes to normalise, guide and support members of these communities. These were felt to be the main ways in which to encourage broader participation from LGB people.

Unfortunately, however, it is difficult to be certain of the level of participation in public life in Northern Ireland of LGB people. The meta-analysis of quantitative secondary data found no consistent or systematic collection or publication of data on the participation of LGB people in elected office, Government Public Appointments or any role in the many other areas of participation in public life included in the definition. It is therefore not possible to identify sexual orientation as a Section 75 where there is a key inequality in participation in public life. In order to determine whether or not there is a key inequality in participation in public life in respect to sexual orientation more consistent and systematic data collection and publication is required by public authorities.

Marital status

10 Marital status

10.1 Summary of key findings

This chapter investigated inequalities on the ground of marital status. The key findings of the meta-analysis of secondary data are as follows:

- There is no publicly available data covering marital status across all areas of participation in public life.
- It is not possible to identify any inequalities on the basis of marital status due to lack of data.

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of marital status are as follows:

Key Barriers

The literature review indicated most barriers encountered with respect to marital status occurred at the intersection of other Section 75 grounds such as gender, dependent status and race. These included:

- Lack of childcare
- Poverty
- Low levels of skills, experience and confidence
- Lack of flexibility
- Lack of travel and transport
- Perceived culture of public bodies
- Time commitments required
- Lack of knowledge
- Lack of confidence or self-esteem

Key Enablers

The literature on factors which enable participation in public life in respect to marital status focuses at the intersection with other Section 75 grounds. These enablers include:

- Access to affordable childcare
- Appropriate remuneration
- Reaching out to underrepresented groups
- Building capacity to participate in public life

The remainder of this section sets out firstly; the literature review of both academic and professional reports which explore the underrepresentation of persons of different marital status, and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons of different marital status. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the level of representation of persons of different marital status across a range of areas of participation in public life.

10.2 Literature review

Chapter 2 provided an overview of the legal and policy framework which sets out the right to equal participation in public life for all regardless of race, colour, creed, gender, age, sexual orientation or disability through the UN Declaration of Human Rights (1948)³⁶³, the International Covenant on Civil and Political Rights (1976)³⁶⁴, International Covenant on Economic, Social and Cultural Rights (1976)³⁶⁵, and the Northern Ireland Act (1998) Section 75³⁶⁶.

Barriers to, and enablers of, participation in public life

The literature search could not identify any prior academic or practitioner literature which specifically examined marital status as an equality ground in its own right. Instead, where prior research does discuss marital status this is in conjunction with gender or dependent status or both and generally focuses on the experiences of single women with children. For example, McLaughlin (2009) undertook an investigation into the barriers to participation faced by women from disadvantaged communities in 2009 which indicated that single woman with children are much more likely to experience disadvantages than married women with children³⁶⁷. The report identifies that single woman with children are more likely to experience barriers such as lack of childcare, poverty, low levels of skills, experience and confidence, lack of flexibility, and lack of travel and transport compared to married women with children. Although only touching on the issue of marital status, the report does indicate that for woman in particular the support of a husband/partner can enable participation.

A recent study by the Institute for Volunteering Research³⁶⁸ examined barriers to participation for underrepresented groups in school governance. The report began by identifying the historical underrepresentation in school governance among a range of underrepresented groups including lone parents. Again the issue of marital status was touched upon at the intersection of dependent status. The report goes on to identify some of the barriers to participation in school governance including time commitments required; lack of targeted recruitment materials and practices; access to meetings and the costs involved; a lack of knowledge about school governance; stereotyped perceptions of who school governors are (white, middle class, well educated, prominent figures of the community); and, lack of confidence or self-esteem, and alienation from the education system. These represent the key difficulties to participation in school governance. The issue of barriers faced in relation to marital status would appear to effect single woman with caring responsibilities more than most other groups.

³⁶³ United Nations General Assembly (1948) "Universal Declaration of Human Rights" (available at http://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf)

³⁶⁴ United Nations General Assembly (1976) "The International Covenant On Civil and Political Rights" (available at <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>)

³⁶⁵ United Nations General Assembly (1976) "The International Covenant on Economic, Social and Cultural Rights" (available at <http://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>)

³⁶⁶ Northern Ireland Act (1998) (available at <http://www.legislation.gov.uk/ukpga/1998/47/contents>)

³⁶⁷ McLaughlin, H. (2009) *Women living in disadvantaged communities: barriers to participation*. Belfast.

³⁶⁸ Ellis, A. (n.d.) *Barriers to Participation for Under-Represented Groups in School Governance*, Institute for Volunteering Research; Nottingham.

It is possible to synthesise a number of barriers and enablers to participation in public life discussed in the reports above. Due to the lack of investigation of the role of marital status on its own these tend to focus on barriers and enablers at the intersection of marital status, gender and dependent status. With that in mind the barriers to participation in public life that it has been possible to identify in the literature include;

- Lack of childcare
- Poverty
- Low levels of skills, experience and confidence,
- Lack of flexibility
- Lack of travel and transport
- Perceived culture of public bodies
- time commitments required
- Lack of knowledge
- Lack of confidence or self-esteem

Enablers of participation in public life identified in the literature review include;

- Access to affordable childcare
- Appropriate remuneration
- Reaching out to underrepresented groups
- Building capacity to participate in public life

The items listed above represent the barriers to, and enablers of, participation in public life that it is possible to identify on those reports discussed in the literature review.

10.3 Meta-analysis of secondary quantitative data

An extensive search of online and offline sources was conducted in relation to all the areas covered by the definition of participation of public life contained within the glossary. It became apparent during these search efforts that data was absent across all areas of participation in public life covered in the definition. A meta-analysis of secondary quantitative data covering marital status as a distinct Section 75 ground is therefore not possible. The key finding of the meta-analysis is therefore that there is no centralised collection and publication of marital status data for participation in public life.

10.4 Depth Interviews

A series of 13 depth interviews were conducted with a range of participants across the nine Section 75 grounds. In terms of the marital status of interview participants, 7 are married, 2 are single, 1 divorced, 1 civil partnership and 2 defined as other / prefer not to say. Across the thirteen interviews it was clear that those participants who were either married, living as married, or in a civil partnership viewed their relationship as important and a key facilitator for their participation in public life.

“I am currently engaged and making preparations to get married very soon. I find that my partner is very supportive and encourages me to be involved.” (Interviewee L)

Nevertheless, there were a number of participants that are either single or are divorced who indicated that they felt that not having a partner did not act as a barrier to their participation in public life.

“I have been divorced for a number of years and while I still have all the domestic responsibilities I had before I have more time to do the things I want to do and be on [the groups that the participant is a member of].” (Interviewee Z)

There was mixed views expressed across the 13 interviews with respect to marital status and its effect on participation in public life. In fact, most participants viewed their marital status, whatever it was, as a positive in terms of their own participation in public life. Marital status itself was seen as an issue in itself for some participants who are gay/lesbian but not in relation to participation in public life.

Overall, it could be argued that marital status in itself does not necessarily effect participation in public life. Certainly none of the interviewees indicated they really felt that an individuals’ marital status would necessarily put them at an advantage or disadvantage in terms of participation in public life. In saying that, there was a general impression that an individuals’ marital status could have an influence on their participation in public life when it intersects with other Section 75 grounds such as gender and dependent status. For example, there was an impression that single women with children were less likely to participate than married women with children.

10.5 Summary and conclusions

The literature review indicated that most barriers encountered with respect to marital status occurred at the intersection with other Section 75 grounds such as gender, dependent status, race and/or faith. In these situations, common barriers experienced include lack of childcare; low levels of skills, experience and confidence; lack of flexibility and the perceived culture of public bodies; and a lack of targeted recruitment. Again, given that the literature on marital status itself is scant the factors which enable participation in public life were also focussed at the intersection of marital status with other Section 75 grounds like those mentioned previously. These tended to be around access to affordable childcare, having a supportive partner and building capacity to participate in public life.

While the literature review touched upon the issue of marital status when exploring inequality at the intersection of marital status with gender, dependent status, race and faith, there was no data for marital status with respect to participation in public life across the range of different marital statuses. It is therefore not possible to identify any key inequalities on the basis of marital status. The key finding from the meta-analysis is the consistent lack of centralised collection and publication of data on marital status across any of the areas of participation in public life included in the definition.

Dependency status

11 Dependency status

11.1 Summary of key findings

This chapter investigated inequalities on the ground of dependent status. The key findings of the meta-analysis of secondary data are as follows:

- There is no data available for dependent status across the full range of areas of participation in public life investigated in this study. It is therefore not possible to identify any inequalities on the basis of dependent status.

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of dependent status are as follows:

Key Barriers

The literature highlighted a strong intersection with marital status and gender. The barriers to participation in public life on the ground of dependent status included:

- Childcare responsibilities
- Lack of affordable childcare
- Lack of flexibility

Key Enablers

Enablers of participation in public life identified in the literature review include:

- A supportive spouse/partner

The remainder of this section sets out firstly; the literature review of both academic and professional reports which explore the underrepresentation of persons of different dependent status, and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons of different dependent status. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the level of representation dependent status across a range of areas of participation in public life.

11.2 Literature review

Dependent status as a Section 75 ground is often overlooked and discussed mainly in conjunction with other Section 75 grounds such as gender and marital status as both are inextricably linked to traditional child caring roles. As a result, there is very limited literature which explores the potential barriers and enablers of participation in public life faced by those with different dependent status. While dependent status is a commonly collected piece of demographic information, the meta-analysis of secondary data identified no sources of centralised collection and publication of this data with respect to participation in public life. The remainder of this section sets out firstly; the literature review of both academic and professional reports, and secondly; the meta-analysis of quantitative secondary datasets. Finally, this section closes with

a summary of the main issues identified from the literature and the key trends in the data.

The context section (Chapter 2) provided an overview of the legal and policy framework which sets out the right to equal participation in public life for all regardless of race, colour, creed, gender, age, sexual orientation or disability through the UN Declaration of Human Rights (1948)³⁶⁹, the International Covenant On Civil and Political Rights (1976)³⁷⁰, International Covenant on Economic, Social and Cultural Rights (1976)³⁷¹, the UK Single Quality Act (2010) Section 149³⁷², and the Northern Ireland Act (1998) Section 75³⁷³.

Barriers to, and enablers of, participation in public life

As mentioned briefly above, dependent status is often considered in conjunction with gender or marital status when considering barriers or enablers of participation in public life. Consequently, there is very limited literature which looks specifically at dependent status as an equality ground on its own. In saying that, McLaughlin undertook an investigation into the barriers to participation faced by women from disadvantaged communities in 2009 which did consider dependent status.³⁷⁴ The report identifies that the barriers faced by woman with children, particularly single women with children, include lack of childcare, poverty, low levels of skills, experience and confidence, lack of flexibility, and lack of travel and transport are all significant barriers to participation.

The report by McLaughlin goes on to argue that programmes to increase female representation mostly engage middle class married white women as a result of their access to support and resources.³⁷⁵ Although only touching on the issue of dependent status, the report does indicate that for woman with children who have the support of a husband/partner are more able to participate in public life. In saying that, the report also acknowledges that even in those situations that even some married women with children bear the majority of childcare responsibilities, thus acting as a barrier to participation in public life.

In 2013, the Northern Ireland Committee for Ethnic Minorities (NICEM) response to the UN Committee on the elimination of discrimination against women³⁷⁶ considered dependent status faced by women in the BME community. In their submission NICEM focus on the multiple identities of women from an ethnic minority. NICEM report that while some BME women are active in their local communities, many have expressed concerns about the under-developed and

³⁶⁹ United Nations General Assembly (1948) "Universal Declaration of Human Rights" (available at http://www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf)

³⁷⁰ United Nations General Assembly (1976) "The International Covenant On Civil and Political Rights" (available at <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>)

³⁷¹ United Nations General Assembly (1976) "The International Covenant on Economic, Social and Cultural Rights" (available at <http://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>)

³⁷² Equality Act (2010) (available at <http://www.legislation.gov.uk/ukpga/2010/15/contents>)

³⁷³ Northern Ireland Act (1998) (available at <http://www.legislation.gov.uk/ukpga/1998/47/contents>)

³⁷⁴ McLaughlin, H. (2009) *Women living in disadvantaged communities: barriers to participation*. Belfast.

³⁷⁵ *Ibid.*

³⁷⁶ NICEM (2013) *Submission to United Nations Committee on the Elimination of All Forms of Discrimination Against Women in response to the UK's seventh Periodic Report*. Belfast.

resourced nature of the BME women's sector in NI. This, as well as economic dependence and childcare responsibilities (due to lack of affordable care subsidised by the state), act as key barriers to the full participation of BME women. While at the intersection of race, gender and dependent status the paper by NICEM does identify the potential for a BME woman's dependent status to act as a barrier to their participation in public life.

Around the same time, Dersnah (2013) produced a global report on women in public and political life.³⁷⁷ This report focussed on the on-going discrimination against women in law and in practice drawing on evidence from across international boundaries. The report covers a broad range of areas but importantly it identifies that discrimination against women in public and political life is related to the discrimination that women face in other aspects of their lives, as human rights are indivisible. Structural and systemic barriers in society, such as deeply entrenched gender roles and negative gender stereotyping, limit women. This is linked to the disproportionate burden that women face in care giving responsibilities, which can limit their ability to access public and political life. Again, this report looks at the intersection of gender and dependent status, but it is clear that dependent status, whether for children or others, can act as a barrier to women's participation in public life.

Again a report by Buckley *et al* (2013) which looked at the on-going underrepresentation of women in 21st century Irish politics was linked to barriers that can be described as universal in nature and can equally be applied to other jurisdictions.³⁷⁸ The report found that women are still presumed to bear the primary responsibility for the care of children and moreover that traditional political systems have not made enough of an allowance for this reality through how they are constructed to facilitate those with responsibilities for caring. The report went onto to suggest that Childcare support should also be provided and those elected members who give birth during their tenure should be entitled to automatic pairing arrangement. The use of video conferencing should also be used to accommodate those with caring responsibilities.

It was possible to identify some barriers and enablers of participation in public life discussed in the report above. Barriers to participation include:

- Childcare responsibilities
- Lack of affordable childcare
- Lack of flexibility

Enablers of participation identified in the literature include:

- The support of a husband/partner

These represent the barriers and enablers of participation in public life that it has been possible to identify in the literature.

³⁷⁷ Dersnah, M.A. (2013) *Women in public and political life: Global Report for the Working Group on the issue of discrimination against women in law and in practice*.

³⁷⁸ Fiona Buckley Yvonne Galligan Claire F. McGing (2013) "Someday, girls, someday": Legislating for candidate gender quotas in Ireland.

11.3 Meta-analysis of secondary quantitative data

An extensive search of online and offline sources was conducted in relation to all the areas covered by the definition of participation of public life contained within the glossary. It became apparent during these search efforts that data was absent across all areas of participation in public life covered in the definition. A meta-analysis of secondary quantitative data covering dependent status as a distinct Section 75 ground is therefore not possible. The key finding of the meta-analysis is therefore that there is no centralised collection and publication of dependent data for participation in public life.

11.4 Depth Interviews

Of the 13 interview participants 6 had at some point had dependent status for children with only 1 interviewee currently with dependent status for children. In addition, 3 interview participants had at some point been the registered carer for an elderly parent with 1 interview participant currently in this situation. Consequently, much of the discussion on this area with participants was quite retrospective as they no longer had dependent status.

Nevertheless, current or previous dependent status for children was viewed as an important part of an individuals' identity with many interview participants identifying themselves as a 'mother' or 'father'. Dependent status was not particularly viewed as something which contributed to someone being underrepresented or otherwise, although a number of respondents did suggest that it could act as a barrier to participation in public life.

"I have been involved in [a group] for the last three years ... I have grown up children and I don't think if I would have been able to be involved when they were younger. I worked while the children were young, but I don't think I would have been able to [participate in public life] when they were younger." (Interviewee P)

While this was common for female interview participants who had children, it was a sentiment also expressed in a different way by a male participant who currently has young children.

"It is hard [participating in public life]. I mean I come home from work and I want to spend time with my family and my children. If my wife wasn't there to look after the children in the evening when I go to meetings I wouldn't be able [to participate in public life]."
(Interviewee X).

This also provides some insight into the enablers of participation in public life for those who have dependents i.e. a supportive partner who will look after any dependents. The issue of access to affordable childcare which is discussed at length in the literature was not identified to the same extent among interview participants. This was put down to the fact that when many public bodies, institutions, and organisations meet it is not possible to gain access to childcare.

"It is difficult for women to [participate in public life]. Women often carry the burden of responsibility for childcare but our [public

bodies] meets in the evening and nursery care is not available then so how are woman supposed to [participate in public life]?"

(Interviewee K)

There was a general feeling that persons with dependents could potentially face greater barriers to their participation in public life when compared to those who do not have dependents. In fact, a number of interview participants indicated that they now found it easier to participate in public life because they no longer had dependent status for children. Nevertheless, there was not a perception among interview participants that those with dependent status were underrepresented in public life; rather those at the intersection of dependent status, gender and marital status (i.e. female lone parents) were more likely to experience barriers to their participation in public life.

11.5 Summary and conclusions

The literature review indicated that most barriers encountered with respect to dependent status occurred at the intersection with other Section 75 grounds such as gender and marital status. In these situations, common barriers experienced include issues such as a lack of childcare; lack of flexibility and the perceived culture of public bodies; and a lack of targeted recruitment. Again, as the literature on dependent status itself is so little the factors which enable participation in public life were also focussed at the intersection of dependent status with other Section 75 grounds like those mentioned previously. These tended to be around access to affordable childcare and having a supportive partner.

While the literature review touched upon the issue of dependent status when exploring inequality at the intersection of dependent status with gender and marital status, there was no data for dependent status with respect to participation in public life. It is therefore not possible to identify any key inequalities on the basis of dependent status. The key finding from the meta-analysis is the consistent lack of centralised collection and publication of data on dependent status across any of the areas of participation in public life included in the definition.

Multiple inequalities

12 Multiple inequalities

12.1 Summary of key findings

This chapter investigated inequalities on the ground of multiple inequalities. The key findings of the meta-analysis of secondary data are as follows:

- There was a lack of available data which disaggregated levels of participation across two or more Section 75 grounds
- Where data was available it was possible to identify key inequalities at the intersection of disability and gender with disabled women less likely than disabled men to apply for a Government Public Appointment
- It was also possible to identify a key inequality at the intersection of gender and age with older women (age 60+) less likely than older men (age 60+) to apply for a Government Public Appointment

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of multiple inequalities are noted below.

Key Barriers

Barriers to participation in public life on the ground of multiple inequalities that it was possible to identify in the literature included:

- Prejudicial and discriminatory attitudes and behaviours
- Cultural factors (e.g. mixed gender groups for Muslim women)
- Lack of confidence
- Excessive bureaucracy
- Poor communication
- A lack of community confidence and trust in political institutions and public bodies
- Male dominated environment
- The difficulties experienced of being taken seriously
- Feeling that you have to work twice as hard and be twice as good just to get on par recognition
- High personal and financial costs of participation in public life
- Family and caring responsibilities
- Accessibility of transport and accessibility of facilities
- Lack of help or assistance is a barrier for those with impairments.

Key Enablers

Enablers of participation in public life identified in the literature review included:

- Effective, visible and connected leadership, which:
 - Is empowered, trained and equipped for maximising partnership potential
 - has a commitment to the highest ethical standards
- Practical measures such as mentoring programmes
- Positive role models
- Capacity building and training support
- Creating a more positive environment and establishes a ‘listening, can-do’ culture
- Communication that is timely and appropriate

The remainder of this section sets out firstly; the literature review of both academic and professional reports which explore the underrepresentation of persons of multiple inequalities, and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons of multiple inequalities. Finally, this section closes with a summary of the main issues identified from the literature and the key trends in the level of representation of persons of multiple inequalities across a range of areas of participation in public life.

12.2 Literature review

The issue of multiple inequalities is complex involving the potential multiple identities that can cross several Section 75 grounds. It is possible for an individual to face intersectional discrimination based on their ‘multiple identities’, for example discrimination based on perhaps gender and disability, or their race and religious belief, or their age and sexual orientation. In fact, intersectional discrimination can cross more than two Section 75 grounds and could potentially cover all nine Section 75 grounds. This is precisely how multiple inequalities is defined and explored in a study for the Joseph Rowntree Foundation which examines the potential to experience multiple inequalities on the basis of gender, race and religious belief in a study of participation in public life among Muslim women in England³⁷⁹.

The two impacts of intersectional forms of discrimination are much more likely to seriously impact an individual’s ability to participate in public life when compared to the impact of examining one Section 75 ground only. It is therefore important to identify intersecting areas of discrimination which have the potential to increase the barriers to participation in public life.

The remainder of this section sets out firstly the literature review of both academic and professional reports which explore the underrepresentation of persons who possess multiple identities and secondly; the meta-analysis of quantitative secondary datasets that provide trend information on the underrepresentation of persons who possess multiple identities. Finally, this section closes with a summary of the main

³⁷⁹ Rai (2008) *Routes and barriers to citizen governance*. York: Joseph Rowntree Foundation.

issues identified from the literature and the key trends in the level of representation of religious belief across a range of areas of participation in public life.

Key barriers and enablers emerging from literature

In 2008, the Joseph Rowntree Foundation (JRF) commissioned a study to look at the barriers to citizen governance at the intersection of faith, gender, and race³⁸⁰. The research sought to identify the reasons for engagement and barriers to participation for women with multiple identities across underrepresented groups. The research identified that there was a number of common themes which contributed to the initial engagement in public life. These include a focus on a specific issue, the desire to make a difference for their community, or through a sense of religious duty. Nevertheless, participants felt the encountered barriers to their participation in public life. This was mainly felt through the prejudice and discrimination evident in the attitudes of those already in the governance structures participants wished to participate in.

The research also identified cultural factors impacted the ability of some women to participate within public life. Female participation among Indian, Pakistani and Bangladeshi communities was sometimes perceived as being contrary to cultural norms, leading to negative and in some cases hostile responses from their communities. For example, some Muslim women pointed out that mixed-gender settings would be an obvious barrier for some women from their faith community. More generally, across all ethnic groups, it was the lack of confidence that was perceived to be the major challenge requiring targeted support to encourage and equip increased female in participation in public life. In addition, it was noted that excessive bureaucracy hindered rather than facilitated participation. This was compounded by poor communication conflicts of interests between community needs and personal and organisational agendas, and restrictive ‘top-down’ approaches. Furthermore, others pointed to a distinct lack of community confidence and trust in political institutions and public bodies and views that participation was largely a futile exercise. In the view of some, ideological conflicts limited the scope for faith groups to take a more active part within local governance.

In order to overcome these barriers, the report identifies the importance of effective, visible and connected leadership. This includes the following:

- that it is empowered, trained and equipped is essential for maximising partnership potential;
- has a commitment to the highest ethical standards strong public accountability structures;
- practical measures such as mentoring programmes, and the use of positive role models, capacity building and training support;
- creates a more positive environment and establishes a ‘listening, can-do’ culture; and,
- communication that is timely and appropriate.

³⁸⁰ Rai (2008) *Routes and barriers to citizen governance*. York: Joseph Rowntree Foundation.

While many of the barriers identified in the JRF report may be specific to Muslim women from an ethnic minority, the recommendations mentioned above could equally apply to other underrepresented groups.

A more recent study commissioned by the Equality and Human Rights Commission (EHRC)³⁸¹ looking at pathways into politics and the underrepresentation of groups protected by the Equality Act (2010) also considered the impact of intersectional discrimination across England, Scotland and Wales. The study examined discrimination experienced at the intersection of age, gender, and dependent status; age, gender and race; and gender and sexual orientation. With respect to the discrimination experienced at the intersection of age, gender and dependent status on participation in public life, a key finding for this groups is that young women involved in politics often felt they 'didn't fit' in an environment dominated by older men and that they did not look like a 'stereotypical politician'. In addition, the report noted the difficulties experienced of being taken seriously and being mistaken for the secretary of a male colleague, and also being questioned about their experience and ability. Furthermore, the report identified that women with young children seemed to face the most significant barriers in balancing politics with family life and a primary caring role.

The EHRC study (2011) also identified that young women with an ethnic minority background are also likely to experience significant difficulties when trying to participate in public life which is evident in their notable underrepresentation in the UK parliament.³⁸² The report noted the views of one former young female black MP who felt that she to work twice as hard and be twice as good just to get on par recognition and that in general people did not believe that she was an MP.

The study by the EHRC (2011) also looked at the discrimination faced at the intersection of gender and sexual orientation.³⁸³ The report noted that lesbians are particularly under-represented in politics and face multiple levels of discrimination based on both their gender and sexual orientation. In particular the report identified that lesbian women were seen to be disconnected from the archetypal candidate in terms of both gender and sexuality. This was felt to be further compounded by party training and selection, which was seen to reinforce this disconnection in questions about marital status and advice on image and dress.

Overall, the EHRC report (2011) identified that gender, disability, ethnicity, religion or belief, sexual orientation, gender identity along with age and social background can intersect to create multi-dimensional identities. This inter-sectionality presented greater barriers to people's involvement in national politics, for example, for younger women and mothers and for ethnic minority women.³⁸⁴ The key barriers to participation across these groups include the high personal and financial costs of being in national politics; the informal and unwritten rules and conventions governing politics; the archetypal candidate (white, middle class, professional, male); and, the role of political parties and through their desire to get their candidate elected the consequent pressure to select an archetypal candidate.

³⁸¹ Equality and Human Rights Commission (2011) *Pathways to politics*. Manchester.

³⁸² *Ibid.*

³⁸³ Equality and Human Rights Commission (2011) *Pathways to politics*. Manchester.

³⁸⁴ *Ibid.*

More recently, Dersnah (2013) produced a global report on women in public and political life.³⁸⁵ This report focussed on the on-going discrimination against women in law and in practice drawing on evidence from across international boundaries. Dersnah (2013) suggests that intersectionality is a key theme when considering discrimination against women, as women may encounter overlapping forms of discrimination that reinforce their marginalization and unequal access to public and political space. These intersectional forms of discrimination may include their status as indigenous or minority women, migrant women or women with precarious citizenship status, women from the lesbian, bisexual, trans and queer community, and rural women. The report identified a lack of data on intersectional discrimination but suggested that where data is available, women who experience multiple forms of discrimination tend to fare worse in terms of participation in public and political life in the forms of racism, homophobia and transphobia.

In 2014, the Life Opportunities Survey (LOS)³⁸⁶ examined the social barriers to participation that persons' with a disability experience, rather than only measuring disability in terms of impairments or health conditions. This survey also looked at the barriers faced at the intersection of disability and gender, and disability and age. The survey identified that females with impairments were more likely to experience a number of challenges and obstacles included below:

- Family and caring responsibilities
- Accessibility of transport and accessibility of facilities
- Lack of help or assistance as a barrier to participation than males with impairments

The survey also identified that persons' with a disability experiencing barriers to participation such as:

- Cost
- Lack of opportunities/availability
- Family and caring responsibilities
- Lack of help or assistance
- Accessibility of information or communications
- Attitudes of others decreased with age

While the report does not draw any conclusions, it is clear that females with a disability and younger people with a disability are more likely to experience barriers to participation in public life than on average.

It was possible to identify a number of barriers to, and enablers of, participation in public life which occur at the intersection of multiple Section 75 grounds. The barriers are listed below:

- Prejudicial and discriminatory attitudes and behaviours
- Cultural factors (e.g. mixed gender groups for Muslim women)

³⁸⁵ Dersnah, M.A. (2013) *Women in public and political life: Global Report for the Working Group on the issue of discrimination against women in law and in practice*.

³⁸⁶ Office for National Statistics (2014) *Life opportunities survey 2014*. Office for National Statistics: London

- Lack of confidence
- Excessive bureaucracy
- Poor communication
- A lack of community confidence and trust in political institutions and public bodies
- Male dominated environment
- The difficulties experienced of being taken seriously
- Feeling that you have to work twice as hard and be twice as good just to get on par recognition
- High personal and financial costs of participation in public life
- Family and caring responsibilities,
- Accessibility of transport and accessibility of facilities
- Lack of help or assistance is a barrier for those with impairments

It was also possible to identify some enablers from the literature discussed above. These included:

- Effective, visible and connected leadership, which:
 - Is empowered, trained and equipped for maximising partnership potential
 - has a commitment to the highest ethical standards
- Practical measures such as mentoring programmes
- Positive role models
- Capacity building and training support
- Creating a more positive environment and establishes a ‘listening, can-do’ culture
- Communication that is timely and appropriate

These represent the barriers and enablers with respect to multiple identities that it has been possible to identify from the literature.

12.3 Meta-analysis of secondary quantitative data

The concept of multiple inequalities is not specifically covered by the current legal and policy framework which is instead focussed on individual areas of inequality that in turn may provide some form of legal protection. Although multiple inequalities is not a specific ground covered under Section 75, the literature review above highlighted the impact of discrimination at the intersection of two or more grounds (e.g. race and gender) making it increasingly difficult for individuals who can be categorised as belonging to two or more underrepresented groups covered by Section 75 to participate in public life. In addition, the ECNI’s model screening template makes provision for public authorities to consider multiple inequalities, or multiple identities, when conducting equality screening of policies.

There is potentially a very broad definition of multiple identities covering all nine Section 75 grounds or any permutation of two or more grounds. This is often described as intersectionality where an individual can experience discrimination on

two or more grounds³⁸⁷. For example, an individual may not experience discrimination because they are a women, nor because they are of a different religious belief, but may experience discrimination as a consequence of their identity as a women and as a member of a minority religious belief. A study by the Joseph Rowntree Foundation³⁸⁸ highlighted this issue in that Muslim women may potentially find it difficult to participate in public life as a consequence of the cultural norm that expects that Muslim women to participate separately from men. The inequality exists not because the individual is a women, as women can participate in public life, nor because the individual is Muslim, as Muslims can participate in public life, but rather the inequality exists because the individual is both a women and a Muslim. Thus multiple inequalities occur at the intersection of two or more grounds.

The search of secondary quantitative datasets found very little information which seeks to disaggregate data by two or more Section 75 grounds and there is little data that is collected and reported by multiple inequalities in participation in public life across the range of areas covered by the definition provided in Section 1.

In fact, the search of secondary datasets only found information on disability by gender, ethnicity by gender, and age by gender for Government Public Appointments. The data available for Government Public Appointments, although in places limited provides some indication of participation in public life among those potentially experiencing multiple inequalities. These will now be discussed.

In order to adequately assess the level of participation at the intersection of these grounds, it was considered appropriate to display the current Census figures for Northern Ireland. These are detailed in the Tables below:

Table 12.1 – Census 2011 Northern Ireland Data: Persons with a disability disaggregated by gender

	Male		Female		Total	
	N	%	N	%	N	%
Persons with a Long Term Health Problem or Disability ³⁸⁹	167,356	46%	192,600	54%	359,956	100%

Source: Northern Ireland Census 2011 Population Tables LC3106 (Northern Ireland Statistics and Research Agency)

³⁸⁷ Crenshaw, Kimberle. 'Intersectionality: The Double Bind of Race and Gender. Perspectives Magazine, 2004, p.2

³⁸⁸ Rai (2008) *Routes and barriers to citizen governance*. York: Joseph Rowntree Foundation.

³⁸⁹ This includes those who are affected both a little and a lot by their long term health problem or disability which impacts a person's daily activities.

Table 12.2 – Census 2011 Northern Ireland Data: Ethnicity disaggregated by gender

	Male		Female		Total	
	N	%	N	%	N	%
White	870,527	98.1	907,922	98.3	1,778,449	98.2
Irish Traveller	668	0.08	633	0.07	1,301	0.07
Chinese	3,266	0.37	3,037	0.33	6,303	0.35
Indian	3,326	0.37	2,872	0.31	6,198	0.34
Pakistani	626	0.07	465	0.05	1,091	0.06
Bangladeshi	318	0.04	222	0.02	540	0.03
Other Asian	2,218	0.25	2,780	0.30	4,998	0.28
Caribbean	218	0.02	154	0.02	372	0.02
African	1,279	0.14	1,066	0.12	2,345	0.13
Other Black	539	0.06	360	0.04	899	0.05
Mixed	2,919	0.33	3,095	0.34	6,014	0.33
Other	1,419	0.16	934	0.10	2,353	0.13
Total	887,323	100	923,540	100	1,810,863	100

Source: Northern Ireland Census 2011 Population Tables (Northern Ireland Statistics and Research Agency)

Table DC2101NI: Ethnic Group by Age By Sex

Table 12.3 – Census 2011 Northern Ireland Data: Age group by gender

	Male		Female		Total	
	N	%	N	%	N	%
Under 30	149,971	50%	148,884	50%	298,885	100%
30 - 39	114,970	49%	120,183	51%	235,153	100%
40 – 49	125,774	49%	131,110	51%	256,884	100%
50 - 59	104,446	50%	106,098	50%	210,554	100%
60+	157,524	45%	194,964	55%	352,448	100%

Source: 2011 Census: Population Estimates by single year of age and sex for Local Authorities in the United Kingdom (Office for National Statistics)

Table PP02UK: Male usual resident population by single year of age, unrounded estimates, local authorities in the United Kingdom

Table PP03UK: Female usual resident population by single year of age, unrounded estimates, local authorities in the United Kingdom

The 2011 Census provides a wealth of demographic information across most of the nine Section 75 grounds disaggregated across two or more of the grounds. While this information is available from the Census results service offered by NISRA, the data shown here has been restricted to that for which information is available for multiple identities in participation in public life from the OFMDFM annual publications on Government Public Appointments.

It should also be noted that the definition of a persons with a disability is as stated in the Disability Discrimination Act 1995 which is the definition included in equality monitoring forms in Northern Ireland which is used for public and Judicial

appointments. The Disability Discrimination Act 1995 defines a persons with a disability as:

“someone with a physical or mental impairment that has substantial and long-term adverse effect on his or her ability to carry out normal day to day activities”.

It should be further noted that the Northern Ireland Census in 2011 categorised minority ethnic background as any person who was not “white”. For the purposes of this meta-analysis we have excluded individuals from minority religious and cultural groups from the definition of ethnicity. It is on this basis we provide the available Census 2011 data for comparative purposes.

Government Public Appointments

OFMDFM’s annual publication on the composition of Government Public Appointments does offer some indication of the level of participation among those with multiple identities. The data presented below displays the Government Public Appointments composition across multiple grounds, where information is available. The first area for which data is available is disability disaggregated by gender.

Table 12.4 – Government Public Appointments and Applications for Government Public Appointments (Persons with a disability by Gender)

Year	Total No. Persons with a Disability									
	Total Applicants N	Total Appointments N	Male				Female			
			Applicants		Appointments		Applicants		Appointments	
N	%	N	%	N	%	N	%	N	%	
2006/2007	31	7	23	74%	6	86%	8	26%	1	14%
2007/2008	45	8	31	69%	4	50%	14	31%	4	50%
2008/2009	39	5	30	77%	1	20%	9	23%	4	80%
2009/2010	31	8	19	61%	5	63%	12	39%	3	37%
2010/2011	42	9	26	62%	4	44%	16	38%	5	56%
2011/2012	36	10	23	64%	7	70%	13	36%	3	30%
2012/2013	25	4	18	72%	1	25%	7	28%	3	75%
2013/2014	23	5	14	61%	3	60%	9	39%	2	40%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Appointments: 451 (2007), 450 (2008), 320 (2009), 256 (2010), 416 (2011), and 433 (2012).

Base Annual Government Public Appointment’s Applicants: 1111 (2007), 917 (2008), 916 (2009), 1116 (2010), 1009 (2011), 1280 (2012).

Table 12.4 indicates that the total number of appointments and applicants of persons with a disability has been very low. When compared with the proportion of the population with a disability, the number of applicants and appointments of persons with a disability is well below this proportion. When this is disaggregated by gender we find that between 2006/2007 and 2013/2014 disabled women are less likely to apply when compared to the proportion of the population of persons with a disability who are women. Nevertheless, between 2006/2007 and 2013/ 2014 disabled women

have attained Government Public Appointments at a similar rate when compared to disabled men.

As noted in Chapter 8, the overall percentage of Government Public Appointments and applications by persons with a disability has remained reasonably consistent over the period 2006/2007 – 2013/2014. This would suggest that there has been an persistent and on-going trend of underrepresentation of persons with a disability in terms of participation in public life in the area of Government Public Appointments as appointments and as applicants.

It is apparent from the figures presented in Table 12.4 that disabled men are more likely to apply for a Government Public Appointment than disabled women. This therefore could be said to represent a key inequality at the intersection of disability and gender for applications for Government Public Appointments. However, given the very low overall number of applicants and appointments of persons with a disability it is difficult to draw any conclusion from Table 12.4.

The second area for which data is available for Government Public Appointments is at the intersection of race and gender. This data is displayed in Table 12.5.

Table 12.5 – Government Public Appointments and Applications for Government Public Appointments (Persons from an Ethnic Minority Background by Gender)

Year	Total No. Persons from an Ethnic Minority Background									
	Total Applicants N	Total Appointments N	Male				Female			
			Applicants		Appointments		Applicants		Appointments	
			N	%	N	%	N	%	N	%
2006/07	9	2	8	89%	1	50%	1	11%	1	50%
2007/08	15	1	6	40%	0	0%	9	60%	1	100%
2008/09	6	2	5	83%	2	100%	1	17%	0	0%
2009/10	6	2	2	33%	0	0%	4	67%	2	100%
2010/11	12	4	6	50%	4	100%	6	50%	0	0%
2011/12	14	4	13	93%	2	50%	1	7%	2	50%
2012/2013	15	4	10	67%	0	0%	5	33%	4	100%
2013/2014	16	2	11	69%	1	50%	5	31%	1	50%

Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012; 2013; 2014).

Base Annual Appointments: 451 (2007), 450 (2008), 320 (2009), 256 (2010), 416 (2011), and 433 (2012).

Base Annual Government Public Appointment's Applicants: 1111 (2007), 917 (2008), 916 (2009), 1116 (2010), 1009 (2011), 1280 (2012).

Table 12.5 highlights that historically there is a very low level of representation of ethnic minorities in terms of Government Public Appointments and Government Public Appointment's applicants in Northern Ireland. To some extent this reflects the low proportion of the Northern Ireland population from an ethnic minority which was discussed in Chapter 7. Given the low numbers of applicants and appointments of persons from an ethnic minority background, it is not possible to identify a discernible pattern when this data is disaggregated by gender. Therefore, it is not possible to identify that there is a key inequality at the intersection of ethnicity and gender in Government Public Appointments or applications for Government Public Appointments.

Data was also available for Government Public Appointments at the intersection of age and gender in terms of applicants for Government Public Appointments. This data is displayed in Table 12.6.

Table 12.6 – Applicants for Government Public Appointment (Age group by gender³⁹⁰)

			Under 30	30 – 39	40 – 49	50 – 59	60+	Not Known	Total Applicants
2006/2007	Male	N	4	39	108	246	269	109	775
		%	1%	5%	14%	32%	35%	14%	100%
	Female	N	8	40	67	89	66	66	336
		%	2%	12%	20%	27%	20%	20%	100%
2007/2008	Male	N	3	28	107	178	238	69	623
		%	1%	5%	17%	29%	38%	11%	100%
	Female	N	8	38	76	87	59	26	294
		%	3%	13%	26%	30%	20%	9%	100%
2008/2009	Male	N	3	22	93	200	234	133	685
		%	<1%	3%	14%	29%	34%	19%	100%
	Female	N	2	24	53	61	61	30	231
		%	1%	10%	23%	26%	26%	13%	100%
2009/2010	Male	N	12	26	81	196	299	103	717
		%	2%	4%	11%	27%	42%	14%	100%
	Female	N	7	47	80	130	114	21	399
		%	2%	12%	20%	33%	29%	5%	100%
2010/2011	Male	N	5	32	110	224	312	66	749
		%	1%	4%	15%	30%	41%	9%	100%
	Female	N	5	29	67	85	56	18	260
		%	2%	11%	26%	33%	22%	7%	100%
2011/2012	Male	N	11	57	143	324	326	69	930
		%	1%	6%	15%	35%	35%	7%	100%
	Female	N	10	39	110	97	68	26	350
		%	3%	11%	31%	28%	19%	7%	100%
2012/2013	Male	N	10	32	86	222	264	119	733
		%	1%	4%	12%	30%	36%	16%	100%
	Female	N	5	39	64	114	60	35	317
		%	2%	12%	20%	36%	19%	11%	100%
2013/2014	Male	N	8	39	68	190	220	100	625
		%	1%	6%	11%	30%	35%	16%	100%
	Female	N	7	20	71	101	58	22	279
		%	3%	7%	25%	36%	21%	8%	100%

Source: Source: OFMDFM Government Public Appointments Annual Report (2007; 2008; 2009; 2010; 2011; 2012). Base Annual Government Public Appointment's Applicants: 1111 (2007), 917 (2008), 916 (2009), 1116 (2010), 1009 (2011), 1280 (2012).

Table 12.6 indicates that the percentage of applicants for Government Public Appointments of persons aged under 40 is considerably below that for the proportion of the population from each of those age groups. This indicates a key inequality for applicants for Government Public Appointments, with younger people less likely to apply for a Government Public Appointment.

³⁹⁰ Please note that due to rounding in some instances the percentage total is not 100%

Interestingly, there are two discernible trends in the data which are persistent across the reporting period. First, the proportion of female applicants from younger age groups is above the proportion of male applicants (with the exception of 2009/2010). This would suggest that despite men being more likely to apply for a Government Public Appointment overall, young men are less likely than young women to apply for a Government Public Appointment. Secondly, women aged 50-59 and in particular women aged 60+ are much less likely than men aged 50-59 and aged 60+ to apply for a Government Public Appointment.

Generally however, due to the low numbers involved it is not possible to conclusively infer that young men or young women face increased barriers to participation in public life and consequently that this is a key inequality to participation in public life. In fact, it is clear from the earlier chapters on gender and age that both women and young people are groups who face key inequalities in participation in public life on an individual basis but due to the limitations of the data it is not possible to definitively state that there is an inequality at the intersection of these grounds as indicated in Table 12.6.

12.4 Depth Interviews

A series of 13 depth interviews were conducted with a range of participants across the nine Section 75 grounds, each of whom participated in different areas of public life, and each of whom could also be classified as having multiple identities and potentially experiencing multiple inequalities as a result. In addition, two roundtable discussions with young people were also conducted. The thirteen interview participants comprised 6 males and 7 females, 3 aged below 30 and 4 aged over 60, range of political views, three different ethnic minorities were represented, both the mainstream religious groupings were represented as well as a number of religious minorities, persons with a disability were also interviewed, persons with different marital and dependent status were represented, and persons with a range of sexual orientations were interviewed. In a group of 13 participants it is therefore perhaps unsurprising that each person could be included in two or more Section 75 grounds.

Identity

Interestingly, when first asked how they identify themselves virtually all participants did not view their identity as necessarily informed by the Section 75 ground into which they may be grouped as underrepresented. It was only when prompted that participants would begin to discuss issues such as gender identity, age, religious belief, political opinion, and/or marital status. In fact interview participants discussed their interests, generally outside of their participation in public life, as the basis of their identity. For example, Interviewee I discussed at length their interest in cycling and support for the pro-choice campaign in Northern Ireland.

“My interests... well you can see from my pin that I am a keen cyclist and from my t-shirt that I am pro-choice. I've actually just come from a pro-choice event.” (Interviewee I)

Interview participants viewed their identity as defined by their interests and not their demographic information in relation to Section 75. Instead when prompted, interviewees discussed their family, community and sometimes their education as

important to their identity. In addition, interviewees would sometimes discuss the groups they belonged to in relation to participation in public life. These ranged from school governor positions; participation in political fora and community associations; to Government Public Appointments and elected office. While participating in a range of different ways in public life was viewed as contributing to participants' identity it was not always viewed as important to their identity as a participants' interest.

My [role] is important to me and is part of who I am, but it's not essential to my identity. (Interviewee R)

Although several of the interview participants did state that participation in public life was not very important in contributing to their identity, most participants did view their participation in public life as important and they felt that they wanted to give something back.

"I have been very successful and my education has meant that my skills are sought after and I feel it is important to give something back. It also benefits me in that I get to practice skills I might otherwise lose." (Participant C)

This sentiment was expressed quite strongly by almost all interview participants. Those holding political office all talked about this issue as a motivating factor in terms of their participation in public life.

Despite being categorised across multiple Section 75 grounds as potentially underrepresented, most participants did not identify themselves as a member of an underrepresented group or particularly being underrepresented in public life. When asked, some participants would identify themselves as being a member of an underrepresented group.

"Sometimes I am the only women at a meeting, although I wouldn't feel that I was treated differently because I am a woman." (Interviewee K)

Despite potentially identifying themselves when prompted, this would rarely go beyond an individual Section 75 ground such as gender. There were very few instances of an interviewee identifying themselves as being a member of an underrepresented group across multiple Section 75 grounds.

"I would go to meetings where I might be the only women, or there may be just two, but that wouldn't be as big an obstacle as coming from a different country." (Interviewee U)

In saying that, one interviewee did point out the confusion between Section 75 grounds when their religious belief was often confused with ethnicity. The interviewee did feel that they faced barriers to participation in public life because of both their ethnicity and religious belief, but did not think that these were necessarily treated, or viewed, differently by others.

Again, most interviewees felt that others did not necessarily identified them as a member of an underrepresented group at the intersection of two or more Section 75

grounds such as a young woman or a gay person from an ethnic minority background. Where some interviewees did feel that they may be identified as a member of an underrepresented group were in instances of visible differences such as gender, race, disability, and to some extent age but this was generally as member of an underrepresented group categorised at only one Section 75 ground.

“I wouldn’t necessarily see myself as part of an underrepresented group, even though I may be. It would be others, and they would then treat me differently because of that. To me it’s not a big deal.”

(Interviewee M)

Not all interviewees who could be categorised to an underrepresented group as a result of a visible difference felt that this was necessarily important to how they identify themselves. Where this did happen it was rarely at the intersection of potentially underrepresented groups that could be categorised at two or more Section 75 grounds. This really reflects the view expressed earlier that interviewees did not really identify themselves as necessarily underrepresented.

Overall, interview participants did not identify themselves as members of underrepresented groups and where this did happen it was only at one Section 75 ground. In other words, interview participants did not view themselves as underrepresented at the intersection of two or more Section 75 grounds and consequently facing the potential of multiple inequalities.

Experiences of participating in public life

Most interview participants have been participating in two or more ways in public life and this was across a range of different areas of participating in public life. In general, interview participants were encouraged to participate in public life by family, friends or members of their community. Most participants could not put their participation down to one single event, but rather a desire to give something back to the community. Most participants felt that their participation in public life had increased over time and in the main this was put down to increasing experience of participation.

Again, while interview participants could be categorised in two or more underrepresented groups across multiple Section 75 grounds most indicated that they felt that they had never experienced any discouragement from participating in public life or had encountered significant barriers to their participation.

In saying that, participants that came from minority ethnic backgrounds and had a minority religious belief felt that they were excluded from politics as a consequence of this and subsequently found it difficult to identify places to engage in public life.

“...members of my community who have settled in Northern Ireland would like to be involved in public life, but we don’t know where to start. We don’t naturally support any particular party and without that type of knowledge and support we wouldn’t know where to begin to participate in public life...” (Interview X)

This contrasted with other participants who despite similarly having a minority religious belief had not encountered the same issues which when probed further was attributed to the fact they did not have an ethnic minority background.

Another issue in relation to barriers faced by potentially underrepresented groups at the intersection of two Section 75 grounds which interview participants often mentioned, although did not always experience, was access to affordable childcare. Although few of the female participants had encountered this issue, most did discuss how having support or affordable childcare would help facilitate participation in public life.

“...although I don’t have young kids anymore, I don’t think that it would be possible for women to [participate in public life] without having a supportive partner to look after the children while you’re out at meetings.” (Interviewee Z)

It should be noted however, it was not only women who mentioned the issue of childcare one male interview participant felt that this also represented a key issue in terms of facilitating their participation in public life.

Another issue which was felt to be more prevalent for those of an ethnic minority background and minority religious belief was the lack of outreach on behalf of public authorities and political parties also.

“I remember being told once that as I wasn’t a protestant or catholic and that because I wasn’t from here that I shouldn’t be [on a particular body]. How are we supposed to teach children about tolerance and equality if they don’t reach out to people who are different...” (Interviewee O)

This was perhaps felt to be the most important issue among all interview participants, and particularly for those participants who have an ethnic minority background and also a minority religious belief.

At a general level, most participants did not feel like they had encountered a great deal of obstacles to their participation in public life. They did not necessarily attribute their experience to the fact that these barriers may not exist but rather that they had experienced much encouragement and due to a variety of factors they felt that they more than had the capacity to participate in public life.

The key issues which were discussed with regards to enabling participation in public life were interview participants’ drive and determination and the desire to give something back to the community. This was mentioned by almost all participants. While this was the most common unprompted response, when questioned about education most interview participants indicated that they had either been to University or achieved good qualifications at a secondary or further education level. This was taken for granted by participants.

“Yes I have been to University, although a long time ago. If you hadn’t mentioned it I would not have thought about it.” (Interviewee S)

Although education may not have been viewed as important, it was something common to almost all participants. As the literature review in many of the preceding chapters on individual Section 75 grounds indicates, education is an important enabler for participation in public life and is not peculiar to those who can be categorised in two or more underrepresented groups across multiple Section 75 grounds.

Another important enabler of participating in public life was having a support network of family and friends. In many instances interview participants viewed this as important to facilitating their participation and enabling participation to increase over time. Again, this is not something that is necessarily peculiar to those who can be categorised in two or more underrepresented groups across multiple Section 75 grounds but is nevertheless important.

“My husband is very supportive of my [participation in public life]. He has taken on more of the domestic responsibilities which means I don't have to worry about those sorts of things when I'm out in the evenings at meetings or something.” (Interviewee P)

A somewhat related issue for many participants was encouragement to participate in public life by friends and colleagues. A number of interview participants discussed at length the encouragement they received. Some of those participants' also discussed how organisations reached out to them to encourage their participation in public life.

“I have been participating in a range of groups in [my local area] for a number of years and I suppose I was reasonably well known as a result. I guess that was one of the reasons that I was approached by [the organisation I know participate in public life with].” (Interviewee F)

Most participants had their own version of a similar story with respect to the fact they were viewed as well known, or had a particular skill set, that would be useful to public bodies and organisations and they were thus encouraged to participate in public life in some way. This is probably not peculiar to those who can be categorised in two or more underrepresented groups across multiple Section 75 grounds. In saying that, it was noticeable during the interview process just how much emphasis was put on this issue by those who were most visibly belonging to traditionally underrepresented groups across two or more Section 75 grounds.

A further issue which came up in a number of interviews was awareness of the opportunities to participate in public life as a result of communication from public bodies and organisations. Again this is unlikely to be specific to those who can be categorised in two or more underrepresented groups across multiple Section 75 grounds. One participant who is a school governor mentioned the importance of knowing that a school is looking for a parent governor.

“Many members of my community would like to participate in public life and give something back to the community. In many ways this can be difficult because we are unsure of what is going on or what is involved. Although I am not a parent governor at my children's

school, the schools are good at letting you know what is happening and when they are looking for parents to be involved. This makes it easier for people in my community to become involved.” (Interviewee X)

Overall, interview participants did not believe that the barriers they faced were particular to individuals who can be categorised in two or more underrepresented groups across multiple Section 75 grounds. Invariably they felt that the barriers they faced could be faced by anyone, particularly those that are viewed as ‘outsiders’. In many instances, interview participants did not view themselves as having faced a great deal of barriers to participation in public life. Similarly, interview participants acknowledged the role education plays in enabling participation in public life and also issues such as having a supportive network of friends and family as well as organisations reaching out to them for their participation. Again, these may not be viewed as peculiar to those who can be categorised in two or more underrepresented groups across multiple Section 75 grounds, but they are nevertheless important to facilitating participation in public life.

Thoughts for future directions

Most of the discussion on thoughts for future directions revolved around what public bodies and organisations can do to reach out to traditionally underrepresented groups as well as the arguments for and against quotas for increasing the representation of traditionally underrepresented groups. Again in most interviews the discussion was around the underrepresentation of various groups in a single Section 75 ground, there was very little discussion of the underrepresentation of those who can be categorised across belonging to two or more underrepresented groups across multiple Section 75 grounds. Nevertheless, the key issue here was again reaching out to underrepresented groups by public bodies and organisations.

“Most public bodies or organisations don’t do enough to reach out to underrepresented groups to get them involved. More could be done to get [underrepresented groups] involved. They don’t necessarily have to have an appointment for three years, but they could sit on the board for maybe a one year appointment or shadow board members until they become more comfortable.” (Interviewee C)

With respect to quotas a variety of opinions were expressed both for and against the concept as a principle. In the main, interview participants were not in favour of quotas and preferred that people were appointed to boards or were elected to positions on the basis of the merit principle. However, there was recognition that this has meant not a lot has changed to increase the representation of traditionally underrepresented groups in recent years,

“Instinctively I would not be in favour of quotas for [underrepresented groups] as it really should be the best person for the job. However, things aren’t changing and maybe we need to consider having quotas to ensure that there is broader representation. Having broader participation makes for better decision-making.” (Interviewee S)

These were the main two issues discussed by interview participants' with respect to their thoughts on the future direction for increasing participation in public life. However, there were one or two other issues that were mentioned by individual participants. The first of these was the need to change the selection process for participation in most areas of public life. The participant that discussed this issue felt that familiarity with the selection process resulted in the archetypal candidate most frequently being selected. Another participant indicated that they felt Section 75 should be extended to schools to ensure that school pupils were able to participate fully in school life in a supportive and protected environment. This was felt by that participant to be critical to developing the sort of culture of equality in the future where everyone regardless of how they may be categorised in Section 75 would feel confident that they would be able to participate fully in public life.

Conclusion

In the main, interview participants did not particularly give the impression that they faced significant barriers to their participation in public life. This is most likely attributed to the fact that they are already successfully participating in public life. This is potentially a limitation of the study and more research could be undertaken with people from traditionally underrepresented groups who have tried to participate in public life but have had more limited success. Nevertheless, interview participants with multiple identities which are more visible did describe more clear barriers to their participation in public life. These were generally around a lack of awareness about how to become involved and the discriminatory remarks because they do not come from the two main communities in Northern Ireland. In saying that, the same participants' do successfully participate in public life in a number of different ways. Like most participants' this was attributed to their drive and determination to give something back to the wider community, the enabling role that their educational background plays, and the fact they have been encouraged to participate in public life by friends and family.

12.5 Summary and conclusions

The literature review indicated that individuals who could be categorised in two or more traditionally underrepresented groups across multiple Section 75 grounds, such as at the intersection of gender, race and faith, could potentially face greater barriers to participation in public life. In particular the barriers to participation in public life that were most frequently cited include bureaucracy associated with participation in public life; lack of outreach; negative perceptions and stereotypes about those from underrepresented groups; and, the perceived culture of political institutions and public bodies. These barriers mainly occurred at an organisational / systemic level as people facing potential multiple inequalities did not view factors which operate at an individual level to act as a barrier to their participation in public life. There was limited discussion in the literature of the enablers of participation in public life acting to enable those at the intersection of multiple underrepresented groups across two or more Section 75 grounds. In saying that, there was recognition within the literature of the importance of the willingness of individuals from underrepresented groups to come forward and participate in public life, but it is commonly argued that organisations and institutions have to support and encourage this engagement in order to achieve the benefits of more diverse policy and decision-making.

Although the issue of multiple identities and the potential for multiple inequalities in participation in public life was discussed in the literature, the search for data at the intersection of two or more Section 75 grounds for the meta-analysis of secondary data revealed that there is very little disaggregated data collected and published. There was some data available in the OFMDFM annual publications on the composition of Government Public Appointments and applicants for Government Public Appointment. The data that was available is at the intersection of race and gender, disability and gender, and age and gender. The data that is available supported the contention that there is a key inequality in terms of the underrepresentation of individuals from an ethnic minority background, persons with a disability and young people. However, due to the low numbers for ethnic minority background and persons with a disability it is not possible to conclude that there is a key inequality at the intersection of race and gender or disability and gender in Government Public Appointments.

In relation to age and gender, the data would support the contention that there is a key inequality with respect to the underrepresentation of those aged under 40. The data indicated that the proportion of female applicants from younger age groups is above the proportion of male applicants, which suggests that despite men being more likely to apply for a Government Public Appointment, young men are less likely than young women to apply for a Government Public Appointment. Furthermore, the data indicated that women aged 50-59 and in particular women aged 60+ are much less likely than men aged 50-59 and men aged 60+ to apply for a Government Public Appointment. Generally however, due to the numbers involved it is not possible to say that young men or young women face increased barriers to participation in public life and consequently it is not possible to say that this is a key inequality to participation in public life.

Summary and Conclusions

13 Summary and Conclusions

13.1 General conclusions

This research has identified a considerable lack of publicly available data on participation in public life across each Section 75 ground for the nineteen areas of public life included within the study. The Equality Commission for Northern Ireland defines ‘Public life’ as a very broad term and provides examples of areas which may be considered public life, including: Government Public Appointments; the House of Lords; Local Strategic Partnerships; community associations or fora; community police liaison committees; neighbourhood watch committees; citizens panels; public bodies’ focus or working groups; school Boards of Governors, school councils; youth councils; user groups for a service provided by a public authority³⁹¹. However, it should be noted that this is not an exhaustive list but merely illustrates the extent of public life.

There is limited centralised collection and publication of data beyond Government Public Appointments, judicial appointments, elected representatives, access to the voting system and school governors. Even in those areas where data is available, there is a lack of data for participation in public life for specific Section 75 grounds (i.e. marital status, dependent status and sexual orientation). In addition, there is very limited disaggregated data which would examine the issue of potential multiple inequalities encountered as a result of multiple identities (e.g. barriers faced by young, single mothers). This represents a significant challenge to identifying key inequalities in participation in public life and examining the progress towards ensuring equality of opportunity to participate in public life across the nine Section 75 grounds.

Where data is available, the meta-analysis of secondary quantitative data identified key inequalities in relation to groups included within their respective Section 75 designation³⁹². With respect to Government Public Appointments in terms of annual applications, annual appointments and positions held, it was possible to identify key inequalities in the underrepresentation of women, young people (aged under 40), persons of a Minority Ethnic Background, and persons with a disability. It was also possible to identify a key inequality in the underrepresentation of women over 60 in terms of annual applications for Government Public Appointments.

There was some data available for Community Associations / Fora. While there was only one year’s data for Community Associations and / or Fora, it was possible to identify that men are underrepresented as Volunteers and Governors. However, due to the limitations of the data is not possible to identify if this is an underlying trend and therefore a key inequality.

³⁹¹ ECNI (2007) ‘A Guide for Public Authorities- Promoting positive attitudes towards disabled people and encouraging the participation of disabled people in public life’ P10 2.3 Participation in Public Life. (available at <http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/DisabilitydutiesGuideforPAs2007.pdf?ext=.pdf>)

³⁹² S.75 (1998): between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; between men and women generally; between persons with a disability and persons without; and between persons with dependants and persons without.

Similarly, there was only one year's data available for School Governors (taken from a survey of a sample of 751 in 2010) which means that it is not possible to identify if there are any underlying trends or key inequalities. Nevertheless, this data does reveal that women and young people (aged 16 – 35) are underrepresented across the range of different types of School Governors.

There was a greater body of data with regards to Elected Representatives that made it possible to track changes over time, although this was only available for the Section 75 grounds gender and age. The meta-analysis of secondary data revealed that women are underrepresented as MP's, MLA's, Government Ministers, Local Councillors, Candidates for Local Council election and Council Mayor/Chairpersons. In addition, the meta-analysis also indicates that young people (under 40) are underrepresented as MLA's.

In addition, there was also some data available on access to the voting system which provided a comparison between 2007 and 2012. The data revealed that young people (aged 18 – 44) and those of a Nationalist political opinion are underrepresented in terms of electoral registration. This highlights two inequalities in terms of access to the voting system on the basis of age and political opinion. However due to the limitations of the data in respect to political opinion it is not possible to identify if this is an underlying trend and therefore a key inequality.

Finally, there was a good deal of data on the Northern Ireland judiciary across most Section 75 grounds. The meta-analyses of this data indicated that there are key inequalities in terms of Judicial Office positions (applicants and appointments) for women, young people (aged 18 – 40), persons of a Minority Ethnic Background, and persons with disabilities.

There are also key inequalities in Judicial Office Court positions (applicants and appointments) for women, young people (aged 18 – 40), persons of a Catholic community background, and persons with disabilities. It was also possible to identify that there is a key inequality for persons of a Minority Ethnic Background in terms of Judicial Office Court positions (appointments).

In addition, there are key inequalities for women, young people (aged 18 – 40), persons of a Protestant community background and persons with disabilities in terms of annual applicants for Judicial Office tribunal (Legal) positions and for women, young people (aged 18 – 40), and persons with disabilities in terms of annual appointments to Judicial Office tribunal (Legal) positions.

Further, there are also key inequalities for women, young people (aged 18 -40), persons of a Catholic community background and persons with disabilities in terms of annual applicants for Judicial Office Tribunal (Non-Legal) positions and for women, young people (aged 18 -40), and persons with disabilities in terms of annual appointments to Judicial Office Tribunal (Non-Legal) positions. There were also key inequalities for women, persons of a Catholic community background and persons with disabilities in terms of recommendations for renewal of Judicial Appointments. Lastly, in terms of recommendations for Judicial Appointments it was possible to identify key inequalities for women, and persons with disabilities.

Overall, it has been possible to identify a number of key inequalities for women, young people, persons' of a Protestant community background, persons' of a Catholic community background, persons with a nationalist political opinion, persons of a Minority Ethnic Background, and persons with a disability across a number of areas of participation in public life. However, perhaps the clearest finding from the meta-analysis of secondary data is the lack of data for most grounds and in most areas of participation in public life.

Barriers to, and enablers of, participation in public life

A number of barriers and enablers were identified across a range of Section 75 grounds in the reports discussed throughout the literature review for each Section 75 ground as well as the literature review on multiple identities and multiple inequalities. These barriers appeared consistently across reports at a Northern Ireland, UK, and EU/International level. It was therefore possible to synthesise the key barriers to participation across the nine Section 75 grounds, these are listed below:

- Lack of outreach
- Concerns about prejudice or discrimination against an underrepresented group
- Lack of education/training/capacity building
- Lack of skills
- Time commitments required
- Costs or resources required
- Bureaucracy associated with participating in public life (i.e. Government Public Appointments)
- Lack of childcare
- Poverty
- Lack of experience
- Lack of confidence or low self-esteem / anticipated fear or anxiety many people have of the participation process
- Lack of flexibility
- Lack of travel or transport
- Physical barriers (e.g. access to buildings, lack of a sound loop system)
- Perceived culture of public bodies
- Lack of knowledge about what is required/lack of accessible information
- Problems associated with remuneration and the application process
- Lack of care assistance (for persons with a disability) or personal assistance
- Lack of support/development of sector for underrepresented groups
- Lack of social capital
- Domination of recruitment/selection panels by white middle aged males
- Negative perceptions about the skills, abilities and experience of people from underrepresented groups
- Being undermined because of stereotypes
- The 'glass ceiling' phenomenon
- Lack of community confidence and trust in political institutions and public bodies

The barriers to participation in public life that were most frequently cited include lack of training, education and skills; lack of experience; lack of confidence or low self-esteem; lack of knowledge or access to information; and, the time and costs of participation. Throughout the reports discussed in each of the literature reviews there was a sense that many of the barriers to participation in public life act at an individual level, reflecting many of the barriers just mentioned. However, on further exploration of the reports discussed throughout this research there is also a common thread running through those reports with respect to organisational / systemic barriers over which individuals from underrepresented groups have little influence. These barriers include the bureaucracy associated with participation in public life; lack of outreach; lack of flexibility; physical barriers (e.g. inaccessible buildings); negative perceptions and stereotypes about those from underrepresented groups; and, the perceived culture of political institutions and public bodies. Overall, it would appear that there are two types of barriers to participation in public life, those that act at an individual level and those at an organisational / systemic level. In order to address these barriers it is therefore important to have solutions tailored to individuals from underrepresented groups as well as change at an organisational / systemic level.

As with the barriers to participation in public life, it was also possible to synthesise a number of enablers to participation in public life that could be applied across the range of Section 75 groups. These are listed here:

- Strengthening the code of practice for Government Public Appointments to increase the diversity of appointments
- Clear guidance for public bodies on identifying and removing barriers
- Positive action measures/Special measures
- Specific quotas for representation of underrepresented groups
- Support for public bodies to put in place time-bound, measurable plans for increasing diversity in participation
- Review working practices and identify areas where flexibility can be introduced
- Raising awareness
- Changing the recruitment process / targeted recruitment materials and practices
- Monitoring, analysing and evaluating the level of diversity
- Reaching out to underrepresented groups
- Effective, visible and connected leadership
- A commitment to the highest ethical standards and strong public accountability structures
- Mentoring programmes / positive role models
- Creating a more positive environment / culture change
- Communication that is timely and appropriate / national and local awareness campaigns
- Encourage employers to release people for meetings and to view public work as a positive contribution to their business

While the barriers to participation in public life can act at either an individual or organisational / systemic level, the recommendations and solutions to underrepresentation across the Section 75 grounds indicated in the reports covered

in the literature reviews indicate that action is required at policy and organisational levels. A number of the reports recognise the importance of the willingness of individuals from underrepresented groups to come forward and participate in public life, but it is frequently argued that organisations and institutions have to support and encourage this engagement in order to achieve the benefits of more diverse policy and decision-making. In fact, there are a small number of reports that suggest everyone will benefit generally from greater diversity in policy and decision-making with more representative and considered policies and decisions implemented. Furthermore, some reports suggest that it is only at an organisational / systemic level that effective action can be taken to overcome barriers to participation in public life. Overall, the literature reviews provide a sense that existing structures and practices around participation in public life require top-down led change to overcome existing barriers.

13.2 Summary and conclusions

This research has identified a considerable lack of available data on participation in public life across each Section 75 ground for the nineteen areas of public life included within the study. Even in those areas where data is available, there is a complete lack of data for participation in public life for specific Section 75 grounds of marital status, dependent status and sexual orientation. In addition, there is very limited disaggregated data which would examine the issue of potential multiple inequalities encountered as a result of multiple identities (e.g. barriers faced by young, single mothers).

This presents a real challenge to identifying inequalities in participation in public life. It also presents an ongoing challenge for the work of the ECNI, in respect to its oversight of the implementation of the statutory duties by public authorities as required under Section 75 of the Northern Ireland Act and the Disability Discrimination (Northern Ireland) Order 2006.

There is a firm commitment in Section 75 of the Northern Ireland Act (1998), which places a statutory duty on all designated public authorities in Northern Ireland to have due regard to the need to promote equality of opportunity across nine equality grounds.

Additionally, the Disability Discrimination (Northern Ireland) Order 2006 provides more comprehensive duties in respect to participation in public life for persons with disabilities by inserting Section 49A and 49B into the Disability Discrimination Act 1995. These sections created specific disability duties for public authorities³⁹³. In particular Section 49A³⁹⁴ placed a statutory duty on public authorities when carrying out their functions to have due regard to the need to encourage the participation of persons with a disability in public life..

In addition to the Section 75 duty for public authorities to promote equality of opportunity, there are a range of strategies and action plans that focus specific

³⁹³ McIlwhan, R.; Rogers, S. and Bridge, S. (2009), EVALUATING THE EFFECTIVENESS OF THE DISABILITY DISCRIMINATION (NI) ORDER 2006 DUTIES: RESEARCH REPORT – FINDINGS. P.4 (available at http://oro.open.ac.uk/40551/1/EvaluatingDisabilityDutiesResearchFindings2010.pdf_ext%3D.pdf)

³⁹⁴ Section 49A Disability Discrimination (Northern Ireland) Order 2006

attention on underrepresented groups such as the ‘Gender Equality Strategy 2006-2012’, the ‘Strategy to improve the lives of people with disabilities 2012-2015’, and the ‘Ten year strategy for children and young people in Northern Ireland 2006-2016’. At present the Northern Ireland Executive is undertaking strategy development work to focus attention on increasing equality among lesbian, gay, and bisexual communities and following the review has incorporated issues for the transgender community into the Gender Equality Strategy. Overall, the statutory duty set out as a result of Section 75, and the associated policy actions of the Northern Ireland Executive have been in place longer in Northern Ireland than the rest of the UK and would therefore have had the opportunity to have a greater impact on the equality agenda.

Despite these duties, unfortunately, there has been slow progress to change the level of participation in public life among historically underrepresented groups. This is evidenced by the meta-analysis where data is available. Additionally, during the period 2007-2014, there is still limited available data across a range of areas of public life, with Government Public Appointments and the Judiciary being the only areas to routinely collect and publish data across most of the nine equality grounds.

Section 75 recognises the need for robust monitoring by public authorities i.e. consistent assessment of intended or unintended impacts of policies in terms of equality of opportunity. However, the Commission’s effectiveness review³⁹⁵ identified poor practice in monitoring by public authorities. Robust monitoring of policies will assist public authorities to identify any inequalities in participation in public life across the Section 75 grounds. This will require public authorities to develop systems in order to assess how a policy has been implemented, if it has had the intended effect and if changes are required to the policy to better promote equality of opportunity or to mitigate adverse impacts.

Consequently, public authorities across Northern Ireland will need to address the challenge of being able to sufficiently identify and evaluate the inequalities that may be experienced by all groups within the nine Section 75 grounds in terms of their participation across a range of areas of public life.

A contributory factor to the slow rate of progress to increasing the level of participation in public life among historically underrepresented groups are the range of barriers experienced by different underrepresented groups. While many of the barriers are specific to underrepresented groups within their respective grounds, it was possible to synthesise a list of commonly experienced barriers to participation in public life across a number of Section 75 grounds. These could be divided into personal barriers (e.g. lack of education/training, lack of experience, lack of confidence or low self-esteem, and a lack of knowledge) or organisational / systemic barriers (e.g. lack of flexibility, physical barriers, negative perceptions and stereotypes about those from underrepresented groups, and the perceived culture of political institutions and public bodies). The ESRC ‘Active Citizenship and Community Relations in Northern Ireland’ report³⁹⁶ discussed previously indicates

³⁹⁵ Section 75, Keeping it effective, **Reviewing the Effectiveness of Section 75 of the Northern Ireland Act 1998**, ECNI Nov 2008

³⁹⁶ Acheson, N.; Andersson, E.; Hardill, I.; Herbert, D.; Howlett, S. and Hughes, J. (2009) *Active Citizenship and Community Relations in Northern Ireland*. Economic and Social Research Council: Swindon.

that these types of issues will become more prominent as the legacy of previous issues around participation in public life reduces. Therefore, the recommendations to address barriers to participation from across a Northern Ireland, UK, and International studies can inform the Northern Ireland context and policy framework going forward.

In the main, the recommendations to reduce or remove barriers to participation in public life are made at an organisational / systemic level. Many of the reports discussed in the previous sections identify that organisations and institutions have to support and encourage participation in public life from underrepresented groups in order to achieve the benefits of more diverse policy and decision-making. Some of the key recommendations to increase participation in public life among historically underrepresented groups include quotas; changing the recruitment process / targeted recruitment materials and practices; raising awareness / outreach programmes; and, support for public bodies to put in place time-bound, measurable plans for increasing diversity in participation. It is those measures which perhaps have the potential to increase levels of participation among historically underrepresented groups.

In terms of barriers the studies discussed throughout this report identify individual factors such as lack of education and/or training, lack of skills, lack of knowledge about the processes involved, lack of confidence/self-esteem, alienation, time; costs and resources that prevent engagement in public life. Academic researchers also identified structural and societal factors such as stereotyped perceptions, domination of recruitment panels by a white middle aged male elite, lack of targeted recruitment materials and practices and the informal and unwritten rules and conventions that guide participation in public life that all act as deterrents to meaningful engagement by underrepresented groups.

In terms of enablers the studies primarily indicate that a culture change is needed both in terms of the processes involved in terms of making access to participation in public life easier for underrepresented groups as well as an updated view of what an appropriate applicant or candidate resembles for the purposes of Government Public Appointments or political parties selection processes. Some of the initiatives recommended in order to act as enablers include greater diversity monitoring and measures to increase diversity, raising awareness, targeted recruitment, capacity building; clarity around time and cost commitments and training and development of board members.

Gender

Overall, there has been more investigation of participation in public life for the ground of gender than on other grounds, both in terms of reports investigating barriers and enablers of participation and also in reporting on the levels of participation across a number of areas of public life. However, there has to date been a very limited investigation of the experiences of transgender people with no data being available on levels of participation in public life.

The research found that data was publicly available for only five of the nineteen areas of public life investigated for this study for the examination of gender, namely:

Government Public Appointments, Community Associations or Fora, School Board of Governors, Elected Representatives and the Judiciary.

The analysis of the data for the areas of public life cited above indicated that there are persistent key inequalities for women. This is demonstrated by their underrepresentation in their participation in respect to :

- Government Public Appointments (applicants, appointments and chairpersonships)
- Elected Representatives (MP's, MLA's, Government Ministers, Local Councillors, Candidates for Local Council elections, and Council Mayor/Chairpersons)
- The Northern Ireland Judiciary
 - Judicial Office positions across the more senior groupings (Applicants and Appointments)
 - Judicial Office Court positions (Applicants and Appointments)
 - Judicial Office Tribunal (Legal) positions (Applicants and Appointments)
 - Judicial Office Tribunal (Non-Legal) positions (Applicants and Appointments)
 - Judicial Tribunal (Applicants and Appointments)
 - Recommendations for Judicial Appointments
 - Recommendations for Renewal of Judicial Appointments

Further, to the inequalities identified above, there have been notable increases in the underrepresentation (decreases in the representation) of women in respect to Chairpersonships of Government Public Appointments and Judicial Tribunal Appointments during the reporting period 2007-2014.

In respect to the participation of women in Community Associations or Fora; and School Board of Governors, the data is only available on a limited basis and therefore this research was unable to draw reliable conclusions for these areas of public life.

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of gender are as follows:

Key Barriers

Barriers to participation in public life on the ground of gender that it was possible to identify in the literature include:

- Lack of affordable childcare
- Long hours culture of participating in politics
- Lack of flexibility in meeting times and locations
- Domestic and caring responsibilities (including children and/or elderly, sick or infirm relatives)
- A masculine or macho culture (e.g. the culture and behaviour, informally accepted norms of language and views and expressions associated with participating in public life which tend to be male orientated)
- Low levels of skills, experience and confidence

- A lack of knowledge about what is required
- Remuneration
- The application, recruitment and selection processes
- Gender stereotyping (i.e. assumptions about what women can contribute)

Key Enablers

Enablers of participation in public life identified in the literature review include:

- Quotas for the representation of women (e.g. elected positions)
- Access to resources (e.g. financial support)
- Access to affordable childcare
- Clear guidance for public bodies on identifying barriers and implementing positive action measures
- Support for public bodies to put in place time-bound, measurable plans for increasing the participation of women
- Flexible structures and working practices
- Education and training
- Raising awareness of participating in public life and what's involved
- Holding meeting by video-conference and ensure they end by 5 p.m.
- Encourage employers to release people for meetings and to view such public work as a positive contribution to their business
- Recruitment drives aimed at women

Age

The research found that data was publicly available for only five of the nineteen areas of public life investigated for this study with regards to age, namely: Government Public Appointments, Access to Voting System, School Board of Governors, Elected Representatives and the Judiciary.

The key findings of the analysis of data for the areas of public life cited above show there are persistent inequalities in terms of the underrepresentation of younger people, particularly for those under the age of 40 within:

- There is limited publicly available data covering age across the range of areas of participation in public life:
- There is an historic and on-going key inequality in terms of the underrepresentation of younger people, particularly those under the age of 40 across:
 - Government Public Appointments (Applicants and Appointments)
 - Elected Representatives (MLAs)
 - The Northern Ireland Judiciary
 - Judicial Office positions across the eight groups
 - Judicial Office Court positions (Applicants)
 - Judicial Office Tribunal Appointments Applicants
 - Judicial Office Tribunal (Legal) positions (Applicants)
 - Judicial Office Tribunal (Non-Legal) positions (Applicants and Appointments)

- Lay Magistrate positions
- Judicial Office Court and Tribunal (Legal) Appointments
- Annual Recommendations for Judicial appointment
- Annual Recommendations for Renewal of Judicial appointments

In relation to those aged over 40, a key inequality was the underrepresentation of those aged 41-50 within:

- Judicial Office Tribunal (Non-Legal) Applicants

There were no identified inequalities for those aged 51 and over within the areas of public life covered by the available data.

In respect to the participation of those aged 18 to 65+ years in the areas of Access to the Voting System and School Board of Governors, the data is only available on a limited basis. Therefore, this research was unable to draw reliable conclusions regarding participation for these areas of public life.

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of age are as follows:

Barriers to participation in public life on the ground of age that it was possible to identify in the literature include:

- Lack of outreach to both younger and older people
- Time and cost commitments required, particularly for younger people
- Bureaucracy associated with participating in public life (i.e. Government Public Appointments) for younger and older people
- Lack of experience, particularly for younger people
- Lack of confidence or low self-esteem / anticipated fear or anxiety many younger and older people have of the participation process
- Lack of travel or transport for younger and older people
- Physical barriers (e.g. access to buildings, lack of a sound loop system), particularly for older people who may have age related health issues
- Domination of recruitment/selection panels by white middle aged males, which is particularly an issue for younger people
- Negative perceptions about the skills, abilities and experience of both younger and older people

Enablers of participation in public life identified in the literature review include:

- Reaching out to younger and older people
- Mentoring programmes / positive role models which encourage younger people to participate
- Creating a more positive environment / culture change that is accepting of both younger and older people
- Communication that is timely and appropriate / national and local awareness campaigns which encourage both younger and older people to participate

Religious belief

Public authorities tend to collect and publish data on community background and do not generally collect and publish data on participation in public life on the basis of religious belief. Consequently, a key finding of the meta-analysis of secondary data was that there is limited publicly available data covering religious belief across most of the nineteen areas of participation in public life investigated in this study.

Where there is data available, namely Government Public Appointments, School Board of Governors and the Judiciary, it is presented by community background, and as such, has been analysed for the purposes of this study.

The key findings of the analysis of secondary data are as follows:

- There is limited publicly available data covering religious belief across the range of areas of participation in public life.
- There are fluctuating levels of participation across different community backgrounds in terms of Government Public Appointments. It is difficult to identify any key inequalities due to the proportion of Government Public Appointments where the community background is not known
- It was possible to identify key inequalities in terms of community background with respect to the Northern Ireland Judiciary:
 - Those of a Catholic community background are found to be underrepresented in:
 - Judicial Office Court, Tribunals (Non-Legal) and Lay Magistrates Positions
 - Judicial Office Tribunal (Non-Legal) Applicants and Appointments
 - Annual Recommendations for Judicial Appointments
 - Annual Recommendations for Renewal of Judicial Appointments
 - In contrast those from a Protestant community background are found to be underrepresented in:
 - Judicial Office Tribunals (Legal) positions
 - Annual applicants for Judicial Appointments Court
 - Annual applicants for Judicial Appointments Tribunal
 - Annual applicants for Judicial Office Tribunal (Legal) positions

In respect to the participation by religious belief in School Board of Governors, data is only available on a limited basis. Consequently, this research was unable to draw reliable conclusions for this area of public life.

While the meta-analysis focussed on Community Background, it was possible to investigate Religious Belief more widely in the literature review. The key findings of the literature review covering barriers and enablers of participation in public life are as follows:

Barriers to participation in public life mainly affect non-Christian denominations and include:

- Concerns about prejudice
- Navigating the bureaucracy associated with participating in public life
- The perceived culture of public bodies
- A lack of community confidence and trust in public bodies

Enablers of participation in public life identified in the literature review include:

- Support from public bodies to increase diversity in participation, reaching out to underrepresented groups
- Raising awareness and communicating appropriately
- Targeted recruitment to encourage participation among persons with a range of religious beliefs

Political opinion

A key finding of the meta-analysis of secondary data is that there is limited publicly available data covering political opinion across most areas of participation in public life.

When considering the data that is available, namely for Government Public Appointments and Elected Representatives, it is not possible to identify any emerging or persistent inequalities in participation in public life for persons with different political opinions.

In respect to the participation within School Boards of Governors and Access to Voting System, data is only available on a limited basis and therefore this research was unable to draw reliable conclusions for these areas of public life.

The key findings of the literature review covering barriers and enablers of participation in public life are as follows:

Barriers to participation in public life on the ground of political opinion that it was possible to identify in the literature include:

- Lack of outreach on behalf of political parties
- Lack of influence for individuals to influence politics
- Lack of trust and dissatisfaction with politicians
- Disengagement from politics
- Fear of political violence

Enablers of participation in public life identified in the literature review include:

- Grassroots peace building
- Reaching out to underrepresented groups
- Capacity building and training support
- Committed leadership

Race

A key finding of the meta-analysis of secondary data is the limited publicly available data covering race across most of the nineteen areas of public life. Furthermore, the review uncovered that data is only available for participation in public life on the ground of race on the basis of a limited categorisation. In other words, the data collected and published by public authorities on participation in public life on the ground of race is on the basis of two categorisations; namely, those who are 'White' and those who are of a 'Minority Ethnic Background'. While the 2011 Census does provide data on individual ethnic groups, it can also provide data

on the basis of the two categorisations cited above which enables a comparison with the available data to assess levels of participation in public life for persons of a Minority Ethnic Background.

Where the data is available it is limited to Government Public Appointments, Access to Voting System and the Judiciary. An examination of the data shows that Minority Ethnic groups experience persistent key inequalities in terms of their underrepresentation in participation in public life within:

- There is limited publicly available data covering race across most areas of participation in public life
- There is a key on-going inequality in terms of Government Public Appointments held and applicants for Government Public Appointment from persons of an ethnic minority background
- There is also a key on-going inequality in terms of the Northern Ireland Judiciary
 - Judicial Office positions across the eight groupings
 - Lay Magistrate positions
 - Judicial Office Court positions (Applicants)
 - Judicial Office Tribunal (Legal) Applicants
 - Recommendations for Judicial Appointments
 - Recommendations for Renewal of Judicial Appointments

Due to the low numbers it is not possible to identify if these inequalities are specific to a particular ethnic minority background. This is a consequence of how data is aggregated and reported.

Furthermore, although data was available for race in the area of Access to the Voting System, the data is only available on a limited basis. This research was therefore unable to draw reliable conclusions for this area of public life.

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of race are as follows:

Barriers to participation in public life on the ground of political opinion that it was possible to identify in the literature include:

- Lack of training, education and skills
- Concerns about prejudice or discrimination against an underrepresented group; lack of experience
- Lack of confidence or low self-esteem
- Lack of knowledge or access to information
- The time and costs of participation

Enablers of participation in public life identified in the literature review include:

- Raising awareness
- Reaching out to underrepresented groups
- Creating a more positive environment

Disability

Disability represents a challenging ground to investigate due to the wide ranging definition of disability to include both physical and non-physical disabilities or long-term health problems which impact a person's ability (either a lot or a little) to undertake normal daily activities. Furthermore, during the stakeholder interviews it was possible to identify a perception among individuals with a disability, or long term health problem, of a reluctance to declare their disability due to perceived negative stereotypes. Consequently, there may be an issue of underreporting.

A key finding of the analysis of secondary data is that there is limited publicly available data covering disability across the nineteen areas of public life identified within this study.

Where there is data available, it is limited to only two of the nineteen areas of public life, namely Government Public Appointments and the Judiciary. An analysis of this data indicates that there are persistent key inequalities for persons with disabilities in terms of their underrepresentation in participation in public life within:

- There is limited publicly available data covering disability across most areas of participation in public life
- There is a key inequality in terms of the participation in public life of persons with a disability in terms of applications for Government Public Appointments and in holding a Government Public Appointment
- There is a key inequality in relation to the participation of persons with a disability in the Northern Ireland Judiciary, including:
 - Judicial Office positions across the eight categories
 - Judicial Office Court positions (Applicants)
 - Judicial Office Tribunal positions (Applicants)
 - Lay Magistrate positions
 - Judicial Office Tribunal (Legal) positions Applicants
 - Judicial Office Tribunal (Non-Legal) Applicants
 - Judicial Office Tribunal (Non-Legal) Applicants
 - Recommendations for Judicial appointment
 - Recommendations for Renewal of Judicial appointments

Due to low numbers and how data is aggregated and reported, it is not possible to identify if these inequalities are specific to a particular disability.

Further, to the inequalities identified above, there have been notable increases in the underrepresentation of persons with disabilities in respect to Applicants for Judicial Office Court Appointments during the reporting period 2007-2014. This is somewhat worrying given the duties to promote participation in public life under the Disability Discrimination (Northern Ireland) Order 2006 and the United Nations Convention of the Rights of Persons with Disabilities (UNCRPD).

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of disability are as follows:

Barriers to participation in public life on the ground of disability that it was possible to identify in the literature include:

- Inaccessible polling stations
- Inaccessible websites
- Physical barriers encountered by the blind or those in a wheelchair trying to access buildings
- Health issues
- Family responsibilities
- Lack of opportunities

Enablers of participation in public life identified in the literature review include:

- Mentors
- Allowing guide dogs access to buildings
- Promote positive attitudes towards disabled people
- Encourage the participation of disabled people
- Reserving places for disabled people on local decision making bodies
- Having 'access to public life' fund to provide financial support to approved candidates

Sexual orientation

The key findings of the meta-analysis of secondary data on sexual are as follows:

- There is no publicly available data covering sexual orientation across all areas of participation in public life
- It is not possible to identify any inequalities on the basis of marital status due to lack of data

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of sexual orientation are as follows:

Barriers to participation in public life on the ground of sexual orientation that it was possible to identify in the literature include:

- Fear of being 'outed'
- Fear of abuse, threats and vandalism
- Role of the media and portrayal of Lesbian, Gay and Bisexual (LGB) people

Enablers of participation in public life identified in the literature review include;

- Challenge stereotypes and alter the current perceptions of those from these communities
- Local and national awareness campaigns and
- Outreach programmes to normalise, guide and support members of the LGB community

Marital status

The key findings of the meta-analysis of secondary data on marital status are as follows:

- There is no publicly available data covering marital status across all areas of participation in public life
- It is not possible to identify any inequalities on the basis of marital status due to lack of data

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of marital status are as follows:

Barriers to participation in public life on the ground of marital status that it was possible to identify in the literature include:

- Lack of childcare
- Poverty
- Low levels of skills, experience and confidence
- Lack of flexibility
- Lack of travel and transport
- Perceived culture of public bodies
- Time commitments required
- Lack of knowledge
- Lack of confidence or self-esteem

Enablers of participation in public life identified in the literature review include:

- Access to affordable childcare
- Appropriate remuneration
- Reaching out to underrepresented groups
- Building capacity to participate in public life

Dependent status

The key findings of the meta-analysis of secondary data on dependent status are as follows:

- There is no data available for dependent status across the full range of areas of participation in public life investigated in this study. It is therefore not possible to identify any inequalities on the basis of dependent status

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of dependent status are as follows:

Barriers to participation in public life on the ground of dependent status that it was possible to identify in the literature include:

- Childcare responsibilities
- Lack of affordable childcare
- Lack of flexibility

Enablers of participation in public life identified in the literature review include:

- A supportive spouse/partner

Multiple inequalities

The key findings of the meta-analysis of secondary data are as follows:

- There is a lack of available data which disaggregates levels of participation across two or more Section 75 grounds
- Where data was available it was possible to identify key inequalities at the intersection of disability and gender with disabled women less likely than disabled men to apply for a Government Public Appointment
- It was also possible to identify a key inequality at the intersection of gender and age with older women (age 60+) less likely than older men (age 60+) to apply for a Government Public Appointment.

The key findings of the literature review covering barriers and enablers of participation in public life on the ground of multiple inequalities are as follows:

Barriers to participation in public life on the ground of multiple inequalities that it was possible to identify in the literature include:

- Prejudicial and discriminatory attitudes and behaviours
- Cultural factors (e.g. mixed gender groups for Muslim women)
- Lack of confidence
- Excessive bureaucracy
- Poor communication
- A lack of community confidence and trust in political institutions and public bodies
- Male dominated environment
- The difficulties experienced of being taken seriously
- Feeling that you have to work twice as hard and be twice as good just to get on par recognition
- High personal and financial costs of participation in public life
- Family and caring responsibilities,
- Accessibility of transport and accessibility of facilities
- Lack of help or assistance is a barrier for those with impairments.

Enablers of participation in public life identified in the literature review include:

- Effective, visible and connected leadership, which:
 - Is empowered, trained and equipped for maximising partnership potential
 - Has a commitment to the highest ethical standards
- Practical measures such as mentoring programmes
- Positive role models
- Capacity building and training support
- Creating a more positive environment and establishes a ‘listening, can-do’ culture
- Communication that is timely and appropriate

13.3 Comparison to 2007 ECNI Statement of Key Inequalities

The ECNI 2007 Statement on Key Inequalities³⁹⁷ for participation in public life found that there was a persistent under-representation of women in public and political life, including political representation at both national and local level, Government Public Appointments and judicial appointments. The ECNI Statement also noted that the equal participation of women and men in decision making processes is a key element in achieving equality in a democratic society

Further, the ECNI statement³⁹⁸ looked at the participation and profile of disabled people; and found that although almost one in five persons (18%) of working-age are disabled in NI³⁹⁹, in many areas of public, political and civic life, disabled people were underrepresented.

While it is unclear from the ECNI 2007 Statement on Key Inequalities⁴⁰⁰ the extent to which there was difficulty locating data for the nine Section 75 grounds to identify key inequalities what is clear is that there is limited reporting of inequalities across the Section 75 grounds in the 2007 statement. Although it is difficult to draw any definitive conclusions it would appear that there was a lack of available data in 2007 and that this has persisted since that time.

Where data was available in 2007, there continues to be available data for those areas of participation in public life and for the same grounds. Table 13.1 below offers a direct comparison of key inequalities identified in the 2007 statement against the available data presented in this report.

Table 13.1 – Comparison of key inequalities between available figures for 2007 and 2014

	ECNI 2007 Statement on Key Inequalities	2014 Meta-analysis of secondary data
Percentage Government Public Appointments held by women	32%	37% ⁴⁰¹
Percentage of women MLA's	17%	20% ⁴⁰²
Percentage of women councillors	21%	25% ⁴⁰³
NI Judiciary	47%	43% ⁴⁰⁴
NI Judiciary (excluding lay magistrates)	39%	38% ⁴⁰⁵
Percentage of Government Public Appointments held by a person with a disability	3%	2% ⁴⁰⁶

³⁹⁷ ECNI (2007) *Statement of Key Inequalities*. Available at: www.equalityni.org

³⁹⁸ Ibid.

³⁹⁹ DETINI (2007) *Labour Force Survey* (April-June 2007)

⁴⁰⁰ ECNI (2007) *Statement of Key Inequalities*. Available at: www.equalityni.org

⁴⁰¹ DETINI (2014) *Women in Northern Ireland 2014*. Available at:

http://www.detini.gov.uk/women_in_northern_ireland_2014.pdf?rev=0

⁴⁰² Ibid.

⁴⁰³ Ibid.

⁴⁰⁴ NISRA (2014) *The Judiciary in Northern Ireland 2014*, *Equity Monitoring Report 2014*

⁴⁰⁵ Ibid.

⁴⁰⁶ OFMDFM (2014) *The Public Bodies and Public Appointments Annual Report 2014*

The comparison of available figures from the ECNI 2007 Statement on Key Inequalities⁴⁰⁷ to those used in the 2014 meta-analysis of secondary data reveals limited change. In terms of gender as a Section 75 ground, between 2007 and 2014 there has been an overall increase of 1% in the proportion of Government Public Appointments held by woman, a 2% increase in women MLAs, a 4% increase in women councillors in local government. In terms of judicial appointments, there has actually been a decrease in all judicial appointments held by women and slight decrease when excluding lay magistrates. Finally, there has also been a 1% reduction in the number of Government Public Appointments held by persons' with a declared disability. Overall, the comparison between 2007 and 2014 reveals little change in the intervening period and consequently there are on-going and persistent key inequalities which are experienced by women and persons with a disability in terms of their participation in public life.

13.4 Other observations

A considerable amount of time and effort during this research was given to the meta-analysis to search and locate centrally collected and published statistics for each area of participating included in the definition across the nine Section 75 grounds. During the search for secondary data-sets it became increasingly clear that little was published and as a result most of the public authorities listed as subject to Section 75 were contacted and a request was made for those public authorities to share any data they may collect and hold. While many public authorities did respond to this request it was to inform the research team that either the data could not be shared due to its sensitivity or more frequent response that data was simply not collected. The key observation from this study is therefore the distinct lack of centralised collection and publication of data for participation in public life across the nine Section 75 grounds.

Without monitoring and evaluation of the levels of participation in public life across the nine Section 75 grounds it is very difficult to identify whether public authorities are meeting their duty under Section 75 of the Northern Ireland Act (1998) to promote equality of opportunity. This is emphasised by the statutory duty placed on public authorities to produce an equality scheme that states the authority's arrangements for monitoring any adverse impact of policies adopted by the authority on the promotion of equality of opportunity and the publishing of results of this monitoring⁴⁰⁸. The lack of data makes it incredibly difficult to assess the true extent of inequality in participation in public life. Without accurate and contemporary data it is not possible to identify whether the key inequalities faced by underrepresented groups such as women, ethnic minorities, religious minorities, young people and persons with a disability are more or less widespread in areas of participation included in the definition for which no data is available. In fact, for some grounds (i.e. sexual orientation, marital status, and dependent status) it was not possible to identify any data whatsoever. This was quite surprising given the importance of collecting this data in other areas such as employment.

It should also be noted that during the literature review for each of the chapters there was limited studies conducted at a Northern Ireland level which examined

⁴⁰⁷ ECNI (2007) *Statement of Key Inequalities*. Available at: www.equalityni.org

⁴⁰⁸ Schedule 9 Equality: Enforcement of Duties – Equality Schemes – Section 4 (2c) and (2d). (available at <http://www.legislation.gov.uk/ukpga/1998/47/schedule/9>)

participation in public life by one or more traditionally underrepresented groups in one or more Section 75 grounds. Where studies have been conducted within a Northern Ireland context they tend to be studies focussed on the participation of women in public life. Despite this, similar issues were identified in studies at a UK level. While it was possible to identify some of the barriers to participation in public life from the studies which were available, it would be useful to be able to draw on a wider number of studies conducted within the policy context of Northern Ireland or at the very least at the UK level in order to draw appropriate lessons on which to develop the Northern Ireland policy context.

The depth interviews proved very interesting and a particularly common theme that emerged from the interviews was the sense that interview participants did not feel particularly underrepresented in public life. This was often despite the recognition that they may belong to a traditionally underrepresented group. Participants often reported that despite being the only person from their underrepresented group at a meeting that they would not feel that they could not participate. Generally, interview participants reported experiencing few barriers and those that were encountered tended to be around awareness, the culture and/or the environment of the public body, or accessibility issues. As these barriers had been overcome for those individuals who participated in the depth interviews, a culture of participation had been established for them and it is perhaps unsurprising then that they did not feel particularly underrepresented.

It should also be noted that most interview participants indicated that they had received encouragement to participate in public life and this was often the catalyst for their involvement. Further, most participants also indicated that they had good support networks of family / friends / colleagues which helped to facilitate and encourage their participation. Additionally, another common theme was the high level of education of almost all participants. Most interview participants had a university education and those that did not had achieved good 'A' levels and professional qualifications. This may have been a more subtle factor enabling participation as it was not something that was particularly front of mind for participants. Overall, there was a feeling that it was important for public bodies / political institutions to reach out to underrepresented groups in order to broaden participation. In particular, there was a sense that it was important to reach out to underrepresented groups where educational attainment may be preventing them from participating in public life.

The 'expert seminar' provided good support for the emergent findings from the meta-analysis of secondary quantitative data and the depth interviews. The findings of the meta-analysis were generally supported, although some attendees were concerned at the lack of available data with respect to participation in public life. This was commented upon during the 'expert seminar' with particular reference to the lack of available data for persons with a disability. While the lack of data may have been somewhat of a surprise to attendees, there was nevertheless a sense of agreement from attendees that women, young people, ethnic minorities, religious minorities, and persons with a disability are underrepresented in public life. In fact, attendees at the 'expert seminar' gave the impression that the underrepresentation of women, young people, ethnic minorities, religious minorities, and persons with a disability is potentially more widespread although it is difficult to identify to what extent given the lack of data.

Attendees at the ‘expert seminar’ also largely agreed with the emergent findings with respect to the barriers and enablers of participation in public life. Indeed, many participants agreed in particular with the barriers to participation identified in the literature review such as access to affordable childcare; lack of outreach; lack of flexibility; negative perceptions and stereotypes about those from underrepresented groups; and, the perceived culture of political institutions and public bodies. These were felt to be particular barriers to participating in public life even where a culture of participation had been established.

Finally, attendees at the ‘expert seminar’ acknowledged the importance of individual willingness to participate in public life and the role of a supportive family and having a good support network in place to facilitating participation in public life. Also, there was a clear recognition among attendees at the ‘expert seminar’ that having public bodies reach out to traditionally underrepresented groups was perhaps the key issue in broadening participation in public life across the nine Section 75 grounds within the range of areas of participation included within the definition.

Appendices

Methodology

Methodology

In order to meet the research objectives a four stage approach to the research is adopted comprising a full systematic literature review, a meta-analysis of quantitative secondary data, an expert seminar and a series of depth interviews with representatives of underrepresented equality grounds.

The study considered available literature and secondary data for the period 2007-2014. Overall, the findings present inequalities that have remained persistent from 2007 to 2014. Although progress will have occurred for some of the equality groups within the nine equality grounds in respect to some of the areas of public life, underrepresentation is still observed when considered against the expected levels of participation in public life for the equality groups within each of the nine grounds.

Full systematic literature review

A full systematic review of existing literature, both published and ‘grey literature’, was designed to address research objectives a, b and c directly and inform more broadly research objectives d and e (see Section 1.2).

The first step in the literature review was the agreement of a clear set of selection criteria for literature to be included. These criteria are as follows:

- The study relates to at least one of the nine equality grounds
- The study is in English
- The study is of sufficient quality to provide valid and reliable findings
- The study relates to the Northern Ireland context
- The study considers relevant UK materials

Ipsos MORI used these criteria as the basis to search for relevant literature to be included. The conduct of the search includes an extensive examination of prior research using electronic and print sources and grey literature (unpublished/work in progress) where it is available, as well as hand searching available journals and textbooks, searching specialist websites, and using personal contacts across the professional and academic research domains.

These search parameters of the full systematic literature review were as follows:

Search terms included:

- Representation, participation, diversity, equality, Section 75, public office, Government Public Appointments, barriers, enablers, elected representatives, Local Strategic Partnerships; community associations or fora; community police liaison committees; neighbourhood watch committees; citizens panels; public bodies’ focus or working groups; school Boards of Governors, school councils; youth councils; user groups for a service provided by a public authority; litigants; magistrates; jurors; political fora.
- Quantitative studies were prioritised, with qualitative studies included where there is limited data for any equality ground on participation in public life.
- Northern Ireland based studies were prioritised, followed by UK/EU/International studies which contain data/findings that relate to Northern Ireland.

- Other contextual literature demonstrating best practice.
- Northern Ireland Government department equality schemes and associated action plans and audits of inequalities, along with those from key public authorities, such as the NIHE and ELBs.
- Key statements from appropriate UN/International Conventions (e.g. Articles 4.3 & 29 of the (UNCPRD); (UNCRC); (CEDAW), (CERD)).

The literature search parameters created a challenge for the research team, particularly with respect to search terms. A focus on too broad a range of search terms returned insufficient numbers of documents against which the selection criteria could be applied. In contrast, utilising only one, or two terms in combination, returned a significant amount of literature. Consequently, the research team applied a methodical approach to combining search terms in order to produce a more manageable amount of literature to be examined. As a result, the literature review for each Section 75 ground draws on studies of the barriers and enablers to participation in public life conducted in a Northern Ireland context where available, and where no literature is available studies are drawn from a UK, European or International context. The literature on each ground is reported in the appropriate chapter covering that ground. Additionally, where literature covers a variety of Section 75 grounds it is included under multiple inequalities.

Meta-analysis of secondary quantitative data

The meta-analysis of secondary quantitative data has been designed to address research objectives a, and c (see Section 1.2), and inform the development of the research instruments to investigate research objectives d and e (see Section 1.2).

In terms of the progress of the meta-analysis of secondary quantitative data, this began with identifying those datasets made publicly available. Primarily the datasets available cover elected representatives, Government Public Appointments, the electorate, and the Judiciary. Unfortunately, these datasets came from a small number of sources. The results of searching online and academic sources revealed that there is very limited availability of data covering the range of ways that an individual can participate in public life (see Table 1.1).

Those datasets which are available cover a limited number of equality grounds (e.g. gender, age). For Section 75 grounds such as race, religious belief, political opinion and disability there is some limited availability of data. However, with respect to sexual orientation, marital status and dependent status there is very little in the way of publicly available data on participation in public life across these grounds. Table 14.1 provides an overview of data availability.

Table 14.1 – Data availability: Ground v. Area of participation in public life

	Government Public Appointments	House of Lords Appointments	Local Strategic Partnerships	Community associations or fora	Community police liaison committees	Neighbourhood watch committees	Citizens panels	Public bodies focus or working groups	School Boards of Governors	School Councils	Youth councils	User groups for a service provided by a public authority	Elected representatives	Members of political fora	Access to voting system	Litigants - access to law and Courts	Judges (e.g. magistrates)	Jurors
Gender	P	N	N	N	P	N	N	N	N	N	N	N	P	N	N	P	P	P
Age	Y	N	N	N	P	N	N	N	N	N	N	N	Y	N	Y	Y	Y	Y
Religious belief	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Political opinion	Y	N	N	N	N	N	N	N	N	N	N	N	Y	N	P	N	N	N
Race	Y	N	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N
Disability	Y	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Sexual orientation	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Marital status	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Dependent status	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

Y = YES DATA IS AVAILABLE, N = NO DATA AVAILABLE, P = PARTIAL DATA AVAILABLE

Source: Ipsos MORI.

Table 14.1 indicates that there is some routinely published data, covering all of Northern Ireland, across Section 75 grounds for Government Public Appointments, elected representatives, access to voting system (i.e. the electorate), and the Judiciary. In instances where there is limited or no data made publicly available, Ipsos MORI has taken steps to use organisational and personal contacts to try and obtain datasets for those methods of participation in public life.

While some organisations indicated that they collect some Section 75 data on some methods of participating in public life, this data is not routinely collated, monitored and evaluated. In such instances, Ipsos MORI asked those organisations if they would be willing to share some of that data in order to provide some sense of at least a base line level of participation in public life across different Section 75 grounds. Unfortunately, this process was not particularly successful with very little usable data having been shared. In fact, this process revealed that in many instances data is not collected and therefore is unavailable. Overall, the meta-analysis of secondary quantitative data was completed despite the limited availability of published information.

‘Expert’ Seminar

A key objective of the research was to involve stakeholders in exploring and refining emerging findings of the research with a view to informing the final report and any policy recommendations. This is a critical element of the research project as it facilitated some consensus around the key issues for participation in public life across the nine Section 75 grounds.

Ipsos MORI worked with ECNI to identify key stakeholders that could contribute to this project and inform the emergent findings from the meta-analysis of secondary data and depth interviews. An initial list was agreed during May and a ‘date for you diary’ invite was issued the same month 2014. The list of invitees included academics and equalities practitioners, as well as MPs, MLAs, Government Public Appointments, as well as the Rainbow Project, Youth Council, Disability Action, Women’s Forum for NI and cross-community groups (see Appendix 5). A further reminder was sent in early August and a final reminder was distributed in early September. A total of 41 invitees registered for the seminar (see Appendix 5).

The expert seminar took place on Thursday 25th September 2014 from 10:00am to 4:00pm at Belfast Central Mission. The schedule of events for the day reflected the emergent findings from the literature review, meta-analysis of secondary data and depth interviews as well as including a keynote address from Nisha Tandon who holds a Government Public Appointment with the Arts Council for Northern Ireland⁴⁰⁹.

The emergent findings from the meta-analysis of secondary quantitative data were widely accepted by the expert seminar identifying key on-going inequalities with respect to the underrepresentation of women, ethnic minorities, young people and person’s with a disability in public life. This was particularly evident in the Government Public Appointments data. Perhaps the most significant finding discussed at the expert seminar was the lack of data that is centrally collected and

⁴⁰⁹ www.artscouncil-ni.org/

published with regards the level of participation in public life across the nine Section 75 grounds. There was some surprise to the degree of the lack of data, but attendees at the expert seminar could not point to any other sources of data which may provide information on the level of participation in public life across the nine Section 75 grounds across the variety of ways to participate in public life identified in the definition (see Section 1.1).

Depth Interviews

The depth interview process was designed to address research objectives b, c and e, as well as complement the research addressing objective d (see Section 1.2). The interview protocol was designed in collaboration between Ipsos MORI and ECNI (see Appendix 4) and enabled the research to examine the barriers and enablers to participating in public life for across multiple Section 75 grounds. A list of target interviewees was agreed between Ipsos MORI and ECNI and interviewing took place between early September and late October 2014.

A series of 13 depth interviews were conducted with a range of participants across the nine Section 75 grounds, each of whom participated in different areas of public life, and each of whom could also be classified as having multiple identities and belonging to more than one underrepresented group across two or more Section 75 grounds. In addition, two round table discussions with young people were also conducted. The thirteen interview participants comprised 6 males and 7 females, 3 aged below 30 and 4 aged over 60, range of political views, three different ethnic minorities were represented, both the mainstream religious groupings were represented as well as a number of religious minorities, persons with a disability were also interviewed, persons with different marital and dependent status were represented, and persons with a range of sexual orientations were interviewed.

The views of the 13 depth interview participants are reported throughout the chapters covering the individual Section 75 grounds, the chapter which explores multiple identities and multiple inequality and some common themes are reported in the summary and conclusions chapter. With respect to reporting the views from this number of participants across such a broad ranging project, it was important to properly anonymise the responses to ensure the confidentiality of the relationship with participants is respected. As a result, all verbatim quotations from depth interviews are edited to protect the anonymity of participants and the confidentiality of the interview discussion. For the purposes of reporting, each participant has been randomly assigned a letter to denote the participant making each of the edited verbatim responses. This is in line with the Market Research Society Code of Conduct for the protection of the anonymity of research participants.

Data sources

Data sources

OFMDFM - Government Public Appointment Annual Reports

OFMDFM publish an annual report entitled, “the Public Bodies and Government Public Appointments Annual Report.” This document is the Public Bodies and Government Public Appointments Annual Report and shows the position as at 31 March each year. The Report is prepared by the Central Appointments Unit in OFMDFM using information supplied by the twelve Government Departments. It should be noted that this report only covers bodies sponsored by the Northern Ireland Executive and does not include bodies sponsored by the Northern Ireland Office (e.g. Parades Commission) Copies of the Report are available on the Internet at www.ofmdfmi.gov.uk/public-appointments

NISRA – Women in Northern Ireland

NISRA, on behalf of the Northern Ireland Executive, publish an annual report which provides some data on Government Public Appointments, elected representatives, and judicial appointments for women.

NISRA - Equity Monitoring Reports

NISRA publishes an annual report entitled “The Judiciary in Northern Ireland” Equity Monitoring Report⁴¹⁰. These reports provide a broad range of information relating to Judicial appointments for a given year, including:

- Equity monitoring information on the Judiciary provided by a database managed by staff in the NI Judicial appointments Commission (NIJAC).
- Information on the applicant pools for the Judicial appointment schemes that were provided by the NIJAC.
- Composition figures on four different categories of Judicial Office holders that include the Courts, Tribunal members (both Legal and Non-Legal) and Lay Magistrates⁴¹¹.

It should be noted that this report only provides percentages and does not give actual counts or base numbers.

NIJAC - ANNUAL REPORTS

The Northern Ireland Judicial Appointments Commission (NIJAC) also provides figures on the community background of the Judiciary. The NIJAC was established in order to improve the independent process for the appointment of Judicial Office holders to courts and tribunals. It is responsible for conducting the appointments process and making recommendations to the Lord Chancellor in respect of all listed Judicial Offices up to and including high court judge. It is also responsible for

⁴¹⁰ NISRA (2014) “The Judiciary in Northern Ireland 2014”, Equity Monitoring Reports 2007 – 2014 (available at <http://www.nijac.gov.uk/index/what-we-do/publications/research.htm>)

⁴¹¹ Figures that provide the breakdown for Tribunal (Legal) and Non-Tribunal (Non-Legal) are only available from 2011 onwards

recommending to the Lord Chancellor that person's in Judicial Office in deputy posts or those appointed to fee paid posts whether they should have their appointment renewed. The current renewal policy states that those appointed to deputy or fee paid posts should be provided with security of tenure through being automatically re-appointed subject to number of criteria being met⁴¹².

NIJAC has also published an annual report every year since 2006/07 that includes demographic figures for those individuals that have been recommended for Judicial appointments, those recommended for renewal of appointment and figures for the number of applicants for Judicial appointments. The reports provide information on the community background of these persons.

It should be noted that in relation to appointments to a Judicial Office in the Courts or Tribunals, there is a statutory requirement that appointees should have a specified number of year's professional standing. The typical requirement in this context is usually at least five years professional standing as well as the relevant professional qualifications.

NICVA - State of the Sector Report

NICVA publish an ad-hoc report undertaken every few years which provides an overview of the community and voluntary sector in Northern Ireland. Within this report, some data is provided on the participation of men and women in the community and voluntary sector in Northern Ireland.

PwC - Survey of School Governors

PriceWaterhouse Coopers were commissioned by the Department for Education to undertake a survey of school governors. The survey was undertaken in 2010 and achieved a sample of 751 responses. The survey is broadly representative of School Governors and provides at least some data on the demography of School Governors in Northern Ireland.

Centre for the Advancement of Women in Politics Website, UK Elections

The Centre for the Advancement of Women in Politics is based at Queen's University Belfast and has been monitoring electoral politics in Northern Ireland for some time. The data collected by the Centre for the Advancement of Women in Politics is used as a basis for academic investigation of the relationship between gender and participation in politics on the Island of Ireland.

Northern Ireland Research and Information Service, Northern Ireland Assembly

The Northern Ireland Research and Information Service provides some data on the participation of underrepresented groups in a range of activities, but particularly in electoral politics. The Northern Ireland Research and Information Service also

⁴¹² Northern Ireland Judicial s Commission (2014), Annual Report and Accounts for the year ended 31 March 2014. Available at http://www.nijac.gov.uk/index/what-we-do/publications/nijac_annual_report_2013_2014.pdf.

publish a range of research on the Northern Ireland Assembly Election Website from which this report draws data.

Northern Ireland Life & Times (NILT) Survey, Ulster University & Queen's University Belfast

The Northern Ireland Life and Times (NILT) Survey was launched in the autumn of 1998. Its mission is to monitor the attitudes and behaviour of people in Northern Ireland annually to provide a time-series and a public record of how our attitudes and behaviour develop on a wide range of social policy issues. The survey is run on a modular format and while two modules are repeated every year (Political Attitudes and Community Relations) the rest of the survey varies annually, with all the modules designed to be repeated.

The Northern Ireland Life and Times Survey involved 1200 face-to-face interviews with adults aged 18 years or over. The number of respondents has been reduced from 1800 due to problems in securing funding for the survey. The main interview is carried out using computer assisted personal interviewing (CAPI) and the respondent is asked to complete a self-completion questionnaire.

The self-completion questionnaire was completed using the following three methods:

- CASI method – the respondent completed the self-completion on the iPad.
- CAPI method – the interviewer completed the self-completion on the iPad.
- Traditional pen and paper method – the respondent completed the self-completion on paper booklet.

List of Stakeholders

List of stakeholders

African and Caribbean Community Support Organisation Northern Ireland

Agri Food and Bio Sciences Institute

Alliance Party

Antrim Borough Council

Antrim District Policing Partnership

Apex Housing Association

Ards Borough Council

Ards District Policing Partnership

Ark Housing Association

Armagh City and District Council

Armagh City and District Policing Partnership

Arts Council for Northern Ireland

Ballymena Borough Council

Ballymena District Policing Partnership

Ballymoney Borough Council

Ballymoney District Policing Partnership

Banbridge District Council

Banbridge District Policing Partnership

Bangladeshi Welfare Association

Belfast City Council

Belfast District Policing Partnership

Belfast Education & Library Board

Belfast Harbour Commissioners

Belfast Health & Social Care Trust

Belfast Islamic Centre

Belfast Jewish Community

Belfast Metropolitan College

Belfast Migrant Centre

British Council Northern Ireland

British Wool Marketing Board

Cara-Friend

Carrickfergus Borough Council

Carrickfergus District Policing Partnership

Castlereagh Borough Council

Castlereagh District Policing Partnership

Charity Commission for Northern Ireland

Chinese Welfare Association

Clanmil Housing Association

Coleraine Borough Council

Coleraine District Policing Partnership

Coleraine Harbour Commissioners

Commissioner for Public Appointments Northern Ireland

Community Relations Council

Connswater Homes Ltd

Construction Industry Training Board

Cookstown District Council

Cookstown District Policing Partnership

Council for Catholic Maintained Schools

Craigavon Borough Council

Craigavon District Policing Partnership

Criminal Justice Inspectorate for Northern Ireland

Department of Culture, Arts and Leisure

Department for Employment and Learning

Department for Regional Development

Department for Social Development

Department of Agriculture and Rural Development

Department of Education

Department of Enterprise, Trade and Investment
Department of Finance and Personnel
Department of Health Social Services and Public Safety
Department of the Environment
Department of Justice
Democratic Unionist Party
Derry City Council
Derry District Policing Partnership
Disability Action NI
Down District Council
Down District Policing Partnership
Dungannon & South Tyrone Borough Council
Dungannon and South Tyrone District Policing Partnership
East Belfast Ethnic Minority Support Network
Electoral Commission for Northern Ireland
Electoral Office - Chief Electoral Officer
Fermanagh District Council
Fermanagh District Policing Partnership
Filor Housing Association
Flax Housing Association
Fold Housing Association
Gay and Lesbian Youth Northern Ireland
General Consumer Council for Northern Ireland
Green Party
Grove Housing Association
Health & Safety Executive for Northern Ireland
Health & Social Care Board
Helm Housing Association
Her Majesty's Revenue & Customs
Indian Community Centre Belfast
Ilex Urban Regeneration Company Limited
Intertrade Ireland
Invest Northern Ireland
Irish Congress of Trades Unions
Labour Relations Agency
Larne Borough Council
Larne District Policing Partnership
Limavady Borough Council
Limavady District Policing Partnership
Lisburn City Council
Lisburn District Policing Partnership
Local Government Staff Commission for Northern Ireland
Londonderry Port & Harbour Commissioners
Loughs Agency
Magherafelt District Council
Magherafelt District Policing Partnership
Mencap
Men's Action Network NI
Moyle District Council
Moyle District Policing Partnership
Newry & Mourne District Council
Newry and Mourne District Policing Partnership
Newtownabbey Borough Council
Newtownabbey District Policing Partnership
NI21
North Down Borough Council
North Down District Policing Partnership
North Eastern Education & Library Board
North West Regional College

North/South Language Body - Ulster Scots Agency & Foras na Gaeilge
Northern Health & Social Care Trust
Northern Ireland African Cultural Centre
Northern Ireland Ambulance Service HSS Trust
Northern Ireland Assembly Commission
Northern Ireland Association for Mental Health
Northern Ireland Audit Office
Northern Ireland Authority for Utility Regulation
Northern Ireland Blood Transfusion Service
Northern Ireland Council for Ethnic Minorities
Northern Ireland Fire & Rescue Service
Northern Ireland Fishery Harbour Authority
Northern Ireland Guardian Ad Litem Agency
Northern Ireland Housing Executive
Northern Ireland Human Rights Commission
Northern Ireland Judicial Appointments Commission
Northern Ireland Law Commission
Northern Ireland Library Authority
Northern Ireland Museums Council
Northern Ireland Muslim Family Association
Northern Ireland Pakistani Cultural Association
Northern Ireland Police Fund
Northern Ireland Policing Board
Northern Ireland Practice and Education Council for Nursing and Midwifery
Northern Ireland Screen
Northern Ireland Social Care Council
Northern Ireland Tourist Board
Northern Ireland Transport Holding Company
Northern Regional College
Office of the Certification Officer Northern Ireland
Office of the Civil Service Commissioners for Northern Ireland
Office of the Commissioner for Children and Young People for Northern Ireland
Office of the Minister and deputy First Minister
Office of the Qualifications and Examinations Regulator
Omagh District Council
Omagh District Policing Partnership
Patient and Client Council
Playboard
Police Ombudsman for Northern Ireland
Police Service of Northern Ireland
Polish Welfare Association Northern Ireland
Probation Board for Northern Ireland
Public Health Agency
Public Prosecution Service for Northern Ireland
Queen's University of Belfast
Rainbow Project
Regulation and Quality Improvement Authority
Royal Ulster Constabulary George Cross Foundation
Rural Development Council for Northern Ireland
Rural Housing Association
SafeFood-Food Safety Promotion Board
SAIL (Support, Assistance, Information & Learning)
Shac Housing Association
Sikh Cultural Centre
Sinn Fein
Social Democratic & Labour Party
South Eastern Education & Library Board

South Eastern Health & Social Care Trust
South Eastern Regional College
South Ulster Housing Association
South West Regional College
Southern Education & Library Board
Southern Health & Social Care Trust
Southern Regional College
Special EU Programmes Body
Sport NI
St Mary's University College
St Matthew's Housing Association
Staff Commission for Education & Library Boards
Stepping Stones
Strabane District Council
Strabane District Policing Partnership
Stranmillis University College
Strategic Investment Board
Strategy Planning & Partnerships - Open University
The British Library
The Commission for Victims and Survivors
The Commissioner for Older People
The Northern Ireland Legal Services Commission
The Office of Communications
The Social Fund Commissioner
The Independent Financial Review Panel
Traditional Unionist Voice
Trans* Forum
Triangle Housing Association
Trinity Housing (NI) Limited
Trustees of the National Heritage Memorial Fund
Trustees of the National Heritage Memorial Fund
Ulster Supported Employment Limited
University of Ulster
Warrenpoint Harbour Authority
Waterways Ireland
Wesley Housing Association
Western Education & Library Board
Western Health & Social Care Trust
Women's Forum
Youth Action Northern Ireland
Youth Council for NI
Youthnet

Interview Guide

Interview Guide

The depth interview process was designed to address research objectives b, c and e, as well as complement the research addressing objective d (see Section 1.2). The interview protocol was designed in collaboration between Ipsos MORI and ECNI and enabled the research to examine the barriers and enablers to participating in public life for across multiple Section 75 grounds. The interview guide is set out below.

The overall aim of the research is to provide an up-to-date evidence base leading to the robust identification of new and/or persistent key inequalities in participation in public life in Northern Ireland as a whole, and individually for each of the nine equality grounds.

Introduction

- Introduce self/Ipsos MORI – stress role as an independent research organisation and that we are here to listen to opinions.
- Outline background and objectives of the research

Aim (Overall the project will achieve:)
To provide an up-to-date evidence base leading to the robust identification of new and/or persistent key inequalities in participation in public life in Northern Ireland as a whole, and individually for each of the nine ⁴¹³ equality grounds.
Objectives (Completion of this project will result in:)
<ul style="list-style-type: none"> a) For each equality ground identified by Section 75 of the Northern Ireland Act 1998, a comprehensive and updated picture (data permitting) of any key inequalities evident in patterns and trends in participation in public life in Northern Ireland, b) For each equality ground, an overview of potential barriers and enablers to participation in public life including an assessment of any changing dynamics. c) A distillation, from the above ground by ground consideration, of the most substantive overarching key inequalities to participation in public life in Northern Ireland. d) Involvement of relevant stakeholders via an expert seminar to explore and refine emerging findings of the research, with a view to informing the final report and associated recommendations. e) A summary of any relevant wider observations noted during the project - including any views regarding data quality/availability; analysis or policy relevant issues that emerge through the course of the research.

Definition of Participation in Public Life

The Commission's 2007 'Guide for Public Authorities – Promoting Positive Attitudes Towards Disabled People and Encouraging the Participation of Disabled People in Public Life' defines 'public life' as: "...a very broad term, which includes Government Public Appointments; the House of Lords; Local Strategic Partnerships; community associations or fora; community police liaison committees;

⁴¹³ As defined by Section 75 of the Northern Ireland Act 1998 – gender, disability, age, dependant status, sexual orientation, racial group, marital status, religious belief and political opinion.

neighbourhood watch committees; citizens panels; public bodies' focus or working groups; school Boards of Governors, school councils; youth councils; user groups for a service provided by a public authority. This is not an exhaustive list.”

The Guide goes on to note that ‘Participation’ in public life can: “...include the way in which people contribute to or are involved in public policy decision making or decisions relating to the way in which public authorities deliver their services or carry out their functions. This involvement can be at various levels including community, regional and national. It can also include the way in which people can participate in political life; for example, as elected representatives, members of political fora, in terms of their access to the voting system. It can in addition, include their participation as litigants (in terms of access to the law and Courts), judges (for example, magistrates) and jurors”.

Alongside this, the Commission’s 2008 ‘Guidance for public authorities on consulting and involving children and young people’ provided an explanation of ‘active participation’ which builds upon the definition cited above. “‘Active participation’ means not only engaging with people when developing policies, but also giving them the opportunity to take part in decision-making when developing and planning policies”.

Furthermore, public authorities should: “...be willing to invite people to engage with you at a more formal level. This may include involving people in decision-making structures and activities if appropriate (for example, recruitment and selection panels, committees and boards)”.

And:

“should look to encourage participation, as far as possible, from the groups affected by [their] policies”.

- Assurances on confidentiality/anonymity
- Explanation of interview process and how we operate within MRS code of conduct
- Mention recording/viewing/filming of proceedings and obtain permission to record/film. Reinforce anonymity/confidentiality
- If applicable, explain note takers/client presence
- Consent forms to be provided/signed?

First of all, can I record a few demographic details?

Gender: Male 1
 Female 2

Age: _____

How many children under the age of 16 are there in your household?

0 1 2 3 4 5 6 7+

What is your community background? (i.e. the community in which the respondent was predominantly brought up)

Protestant	1
Catholic	2
Other (specify)	3 _____
None	4
Refused	5

Which ethnic group you consider yourself to come from:

White – UK or Ireland	1
White – Other	2
Indian	3
Pakistani	4
Bangladeshi	5
Chinese	6
Black African	7
Black – Caribbean	8
Black – Other	9
Irish Traveller	10
OTHER (Please specify)	11 _____
Refused	12

Which political party are you inclined to support? SINGLE CODE ONLY

Democratic Unionist Party (DUP)	1
Sinn Fein	2
Ulster Unionist Party (UUP)	3
SDLP	4
Alliance Party	5
Conservative Party	6
Progressive Unionist Party (PUP)	7
Traditional Unionist Voice (TUV)	8
Green Party	9
NI21	10
Other (specify)	11 _____
None	12
Refused	13
Undecided	14

What is your current marital status?

Single (never married)	1
Married	2
Co-habiting/living as married	3
Divorced	4
Separated	5
Widow/widower	6
Civil partnership	7
Civil partnership dissolved	8
Other	9 _____
Refused	10

Can you tell me which of these best describes you?

Heterosexual/ Straight	1
Gay/ Lesbian	2
Bisexual	3
Other	4
(No answer/Refusal)	5

Do you have any physical or mental health conditions or illnesses lasting or expected to last for 12 months or more?

Yes	1
No	2
Other	3 _____
Refused	4

Now, can I ask you to tell me a little bit about yourself and your background?

Probe for: education, where participant grew up, where they live and for how long, interests, groups they are a member of, etcetera.

Identity

I would like to talk to you about how you identify yourself and the various things that contribute to your identity. Can I begin by asking you how you would identify yourself?

Probe for:

- Section 75 ground
- Interests (in relation to participation in public life)
- Education (measured in relation to the levels reported in the Census, and as an enabler or barrier)
- Family background
- Community (e.g. urban/rural and location where participant grew up/now lives)

- Groups belonged to (i.e. for the purposes of participating in public life)

What are the most important factors that contribute to making up your identity?

Probe for items mentioned in previous question.

Do you identify yourself as a member of an underrepresented group?

- Which underrepresented group or groups would you say you identify most with?
- Is being a member of an underrepresented group (or groups) important to your identity?
- (if participant believes they are a member of an underrepresented group) – How does being a member of an underrepresented group make you feel?

Do you feel that others identify you as a member of an underrepresented group?

- (If others do identify you as a member of an underrepresented group – Do they treat you differently to other people? Or modify their behaviour in a way which you believe is appropriate/inappropriate?
- How does this make you feel?

In what way, if any, is your identify informed in relation to other groups?

- How are your relationships with others influenced by your identity (as informed by membership of underrepresented groups)?
Probe for: Age, gender, race, religion, disability, dependant status, sexual orientation, marital status, and political opinion.

Experiences of participating in public life

I would now like to talk to you about your experiences of participating in public life.

Can I begin by asking you to tell me about your involvement in public life?

Probe for:

- Areas of public life you currently participate in?
- Areas of public life participated in, which you no longer participate in?

How you were first interested, or became involved, in public life?

Probe for:

- What stimulated interest? Was this a particular event or incident?
- What stimulated action? Was this a particular event or incident? If so, was this the same event or incident that stimulated initial interest?
- How did you become involved in public life? Was this something you pursued yourself or did others encourage your participation in public life?

How has your participation in public life changed over time, if at all?

If any changes probe for:

- What influenced these changes?

- Is there anything which has encouraged greater participation? If so, what?
- Has there been anything which has discouraged your participation? If so, what?

In terms of your experiences of participating in public life, would you say you have encountered any barriers? What have those been?

Probe for:

- Have those barriers been around issues such as:
 - Lack of resources
 - Lack of skills, training or education
 - Time commitments
 - Lack of childcare (where appropriate)
 - Lack of confidence/low self-esteem
 - Lack of care assistance (for persons with a disability) or personal assistance
 - Lack of knowledge about what is required
 - Concerns about prejudice or discrimination against an underrepresented group
 - Where you live? (i.e. urban/rural differences)
- Or have the barriers you have experienced been more around things like:
 - Lack of outreach on the part of mainstream organisations
 - Bureaucracy associated with participating in public life (i.e. Government Public Appointments)
 - Lack of flexibility on behalf of the organisations and institutions where individuals participate in public life
 - Physical barriers (e.g. access to buildings, lack of a sound loop system)
 - Culture of public bodies, institutions and organisations
 - Problems associated with remuneration and the application process
 - Lack of support/development of sector for underrepresented groups
 - Domination of recruitment/selection panels by white middle aged males
 - Negative perceptions about the skills, abilities and experience of people from underrepresented groups
 - Being undermined because of stereotypes
- Have you experienced a combination of barriers?

- What have been the key, or most significant, barriers that you have experienced? And how were you able to overcome those barriers, if at all?
- Has it been your experience that it is left up to individuals from underrepresented groups to confront and tackle these barriers?
- Do you believe that the barriers you experienced still exist for others who may be considering, or are just beginning, to participate in public life?
- If so, what do you think can be done to minimise or remove those barriers to participating in public life?

In terms of your experience of participating in public life, what has help enable your participation?

Probe for:

- Have those things which help enable your participation in public life been around issues such as:
 - Personal attributes (e.g. determination, perseverance)
 - Level of education/educational background
 - Access to mentoring programmes
 - Positive role models
 - Access to personal assistance (or care assistance)
 - Access to affordable childcare (where appropriate)
 - Having a support network (i.e. friends, family, colleagues)
- Or have those things which have helped enable your participation in public life included issues such as:
 - Positive action measures (e.g. encouragement for underrepresented groups to apply for Government Public Appointments)
 - Reaching out to underrepresented groups by public bodies, institutions and organisations
 - Creating a more positive environment / culture change
 - Communication that is timely and appropriate
 - Having a supportive employer enabling your release to participate in public life
 - Effective, visible and connected leadership in the public bodies, institutions and organisations in which you participate
 - Flexible work arrangements in the public bodies, institutions and organisations in which you participate
- What have been the key things which enable your participation in public life?

- What support or encouragement, if any, have you received from individuals from underrepresented groups within (and out with) the area of public life in which you participate?
- What support or encouragement, if any, have you received from others not from an underrepresented group (or other underrepresented group) within (and out with) the area of public life in which you participate?
- What support or encouragement, if any, have you received from the public bodies, institutions, or organisations in which you participate which has helped enable your participation in public life?
- Have you received support from public bodies, institutions, and organisations to confront and tackle the barriers you experienced?
- Has it been your experience that public bodies, institutions, and organisations will tackle and confront any barriers that are identified to them?
- Do you believe that the support offered by public bodies, institutions, or organisations is available to anyone from an underrepresented group or has it been targeted at specific underrepresented groups?
- Do you feel that more could be done by public bodies, institutions, or organisations to encourage and support the participation in public life by underrepresented groups? What form would this support take?
- Are there other groups, public agencies or non-governmental organisations that should be brought into support the participation in public life of those from underrepresented groups?

Thoughts on future directions

I would now like to talk to you briefly about what you think should happen in the future, can I start by asking what you would be the most important thing that you would like to see the public body, institution or organisation that you participate in do to encourage participation by underrepresented groups?

What do you believe are the key practical steps that can be taken by public bodies, institutions and organisations to encourage participation in public life among those from underrepresented groups?

Probe for:

- Reaching out to underrepresented groups
- Promoting participation, and the benefits of participation for the underrepresented groups and the public body, institution or organisation itself
- Quotas in level of representation

- Strengthening the code of practice for Government Public Appointments to increase the diversity of appointments
- Clear guidance for public bodies on identifying and removing barriers
- Support for public bodies to put in place time-bound, measurable plans for increasing diversity in participation
- Changing the recruitment process / targeted recruitment materials and practices
- A commitment to the highest ethical standards and strong public accountability structures

Do you believe that the legal and policy framework within Northern Ireland requires amendment / change / improvement to encourage and support the wider participation in public life across underrepresented groups?

Probe for:

- quotas (e.g. reserving Government Public Appointments for underrepresented groups),
- affirmative/positive action measures

Close

Thinking about everything we have discussed today:

- What do you think is the most important thing that this piece of research can learn from your experiences of participating in public life?
- Is there anything else that you would like to add?

Thank and close.

Expert seminar 25 September 2014

Expert Seminar 25th September 2014

Stakeholder Groups in Attendance

- Artsekta
- Ballymena Borough Council
- Chinese Welfare Association
- Disability Action
- Equality Commission for Northern Ireland
- Irish Congress of Trade Unions
- Mencap
- Mindwise
- Northern Ireland Council for Integrated Education
- Northern Ireland Human Rights Commission
- Northern Ireland Women's European Platform
- Northern Ireland Women's Forum
- Office of the Commissioner for Public Appointments Northern Ireland
- Office of the First Minister and Deputy First Minister
- Playboard
- Queen's University Belfast
- Transitional Justice Institute
- University of Ulster
- Youth Action NI
- Youth Council

Expert Seminar: Schedule of Events

10.00 am – 10.15 am

Welcome and refreshments

Introduce Ipsos MORI and ECNI (Fiona Rooney)

Assurances on confidentiality/anonymity

Explain the purpose and role of the 'expert seminar' in testing the emerging findings of the research and helping to identify ways forward.

Mention recording/viewing/filming of proceedings and obtain permission to record/film. Reinforce anonymity/confidentiality

If applicable, explain note takers/client presence

Outline background and objectives of the research (Simon Hookham)

10.15 am – 10.45 am

Opening plenary (Presentation by Graeme Banks)

Provide feedback on the results of the research including the literature review, analysis of secondary data, and depth interviews

Give a summary of the experiences of participating in public life

Identify specific barriers for different Section 75 grounds

Identify barriers faced by individuals with multiple identities

Summarise the emergent findings and explain that insights are sought on the findings as well as the development of recommendations

am – 11.00 am

Keynote speaker - Nisha Tandon

Overview of interest to participate in public life, how it started, what barriers were experienced and what support has been received.

Re-iterate that the purpose of the expert seminar is to test the emerging findings of the research based upon experts and individuals' knowledge, understanding and experiences of the barriers and enablers to participating in public life in Northern Ireland.

11.00 am – 11.15 am

Break

11.15 am – 12.45 pm

Breakout discussion groups – Ensure that break out groups are briefed that the purpose is to test the emerging research findings based upon experts and individuals' knowledge, understanding and experiences of the barriers and enablers to participating in public life in Northern Ireland.

Introductions

Can we begin by asking everyone to let the group know who they are and how they participate in public life?

Having heard about the nine Section 75 grounds this morning can I ask everyone which Section 75 grounds they identify with or represent?

We heard earlier that some of the participants in the depth interviews did not consider themselves to be from an underrepresented group – is this a view that you share? Or do you have a different view?

We also heard this morning that a key motivating factor for interviewees participating in public life has been to give something back to the community and to make improvement in public services. Is this a view that you share? Or can you tell us a little about what motivated you to participate in public life?

Barriers to participation

***Note to moderators – remind participants that some of the key barriers identified in**

Ipsos MORI's research have been (provide hand out and highlight some examples):

Off-putting application/selection process

Lack of outreach to underrepresented groups

Time commitments required

Costs or resources required

Bureaucracy associated with participating in public life (i.e. Government Public Appointments)

Lack of childcare

Lack of confidence or low self-esteem / anticipated fear or anxiety many people have of the participation process

Lack of flexibility

Lack of travel or transport

Physical barriers (e.g. access to buildings, lack of a sound loop system)

Perceived culture of public bodies

Lack of knowledge about what is required/lack of accessible information

Problems associated with remuneration and the application process

Lack of care assistance (for persons with a disability) or personal assistance

Lack of support/development of sector for underrepresented groups

The Ipsos MORI research indicated that these were the barriers experienced by people in Northern Ireland when participating in public life. Do you agree that these are the barriers to participating in public life in Northern Ireland?

Are there any of the barriers that we have spoken about today which you do not agree are barriers to participating in public life? If any, which ones? And why?

Our interviews indicated that the selection process is a key barrier to participation in public life. Is this something that you would agree or disagree with?

What barriers to participating in public life do you believe are most commonly experienced?

What have been the key, or most significant, barriers that you have experienced?

How were you able to overcome those barriers?

Do you feel that the barriers you experienced still exist for others who may be considering, or are just beginning, to participate in public life?

The literature review indicated that some people experience multiple barriers. Is this something that you experienced?

Enablers of participation

*Note to moderators – remind participants that some of the key enablers identified in Ipsos MORI’s research have been (provide hand out and highlight some examples):

Education and work experience

Self-confidence and interpersonal skills

A supportive partner, family and friends

Clear guidance for public bodies on identifying and removing barriers

Positive action measures/special measures

Specific quotas for representation of underrepresented groups

Support for public bodies to put in place time-bound, measurable plans for increasing diversity in participation

Review working practices and identify areas where flexibility can be introduced

Raising awareness

Changing the recruitment process / targeted recruitment materials and practices

Monitoring, analysing and evaluating the level of diversity

Reaching out to underrepresented groups

Effective, visible and connected leadership

A commitment to the highest ethical standards and strong public accountability structures

Mentoring programmes / positive role models

Creating a more positive environment / culture change

Communication that is timely and appropriate / national and local awareness campaigns

Encourage employers to release people for meetings and to view public work as a positive contribution to their business

The Ipsos MORI research indicated that these were the enablers experienced by people in Northern Ireland when participating in public life. Do you agree that these are the enablers to participating in public life in Northern Ireland?

Are there any of the enablers that we have spoken about today which you do not agree are enablers to participating in public life? If any, which ones? And why?

The research indicated that education, work experience, self-confidence, supportive partners/family/friends have enabled participation in public life. Have you had similar experiences or is there anything else at an individual level that you feel has helped enable your participation in public life?

The research has also found that organisational support, such as; reaching out to people, providing role models, having flexible working practices, raising awareness has encouraged participation in public life. In terms of your experience of participating in public life, have you found these things helpful? Has there been anything else that has helped enable your participation in public life?

Identifying good practice

*Note to moderators – remind participants that some good practice identified in Ipsos MORI’s research has been (provide hand out and highlight some examples):

DARD 50-50 aspirational target for male-female representation on all boards

Reaching out to underrepresented groups through consultation and targeted recruitment materials

Women in Council’s initiative

Flexible meeting times

Disabled accessible meeting venues

Provision of childcare support

Accessible language in communications and organisational documents for discussion

Research causes of underrepresentation and take action to widen participation

Reach out to specific underrepresented groups

Provision of sign language or other language interpreter

Organise specific engagement events for young people through the Participation Network

Provision of disabled accessible transport to attend meetings

The Ipsos MORI research indicated that these are some of the practices organisations have put in place to try and broaden participation in public life across the nine Section 75 grounds. Are these practices something that you are aware of?

Are there other things that public bodies/political institutions are doing that you are aware of?

What support or encouragement, if any, have you received from the public bodies, institutions, or organisations in which you participate which has helped enable your participation in public life?

The Ipsos MORI research indicates that some of these actions are targeted towards specific groups while others are designed to more broadly widen participation in public life. Have you found that public bodies/political institutions tend to have a mix of actions to broaden participation or has it been your experience that specific underrepresented groups are targeted?

Our research has indicated that a range of organisations from the public, private and voluntary sector have provided support to widen participation in public life. Has this been your experience or have you found that it is left up to the public bodies/political institutions themselves? Or has it been your experience that it is left up to individuals themselves?

Finally, what do public bodies, institutions, or organisations do well, or not so well, when trying to encourage people from underrepresented groups to participate in public life?

12.45 pm – 13.15 pm

Feedback

Nisha Tandon invites feedback from each of the breakout groups

Discussion of key issues (barriers, enablers, specific areas of underrepresentation, good practice)

Additional thoughts and considerations from the floor

13.15 pm – 14.00pm

Closing remarks and lunch

14.00 pm – 16.00pm

Networking

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About Ipsos MORI Northern Ireland

Ipsos MORI Northern Ireland provides extensive local knowledge with the vast experience of the wider Ipsos Group. We provide the full range of research services specialising in social research, financial services, customer satisfaction and employee surveys.