

**VOICE FOR ALL  
ANALYSIS OF GOOD PRACTICES:  
NORTHERN IRELAND**

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## **1. Introduction**

This section of our report will assess the impact of the good practices documented in the previous section and seek to establish whether or not the variety of initiatives in each of the sectors has had a positive impact upon the promotion of equality and tackling of discrimination. The section will use both qualitative and quantitative data (specifically from section one of the report) as indicators of what has been achieved to date as well as provide some recommendations for how each of the good practices could be improved. The practices will be addressed in the same order that they have been listed in the previous section.

## 2. Northern Ireland Council for Integrated Education: Anti-bias

The anti-bias approach to teaching in integrated schools has only been in existence since 1998, and it is more so in recent years that the approach has been developed and extended to include all integrated schools. It is therefore difficult to quantify the impact that the approach has had on the attitudinal change to date, a more detailed analysis through public attitude surveys and research will in all likelihood take a few more years to filter into the public domain. That said, other research suggests that a pupil's very attendance at an integrated school has a positive impact on attitudes towards members of the other main community/religious group in Northern Ireland. This is particularly significant as it has been suggested that sectarianism, racism and negative attitudes towards minority groups in society are interlinked and derive from a fear of the 'other':<sup>1</sup>

*We should also note that increasingly small clusters of migrants are being established in previously predominately Protestant or Catholic areas, and this may have implications for issues of hostility or racism within the wider local community, particularly in areas with no previous experience of engaging with minorities (Martynowicz and Jarman 2008: 16).*

It would appear that attendance at a religiously integrated school has positive long-term benefits in promoting a less sectarian stance on national identity and constitutional preferences (Hayes et al 2007). For example, 80% of Protestants who attended a fairly mixed or segregated school favoured the union with Britain, compared with 65% who attended integrated education. Similarly, 51% of Catholics who attended a segregated school supported Irish re-unification compared to 35% of those who had attended an integrated school (Hayes et al. 2006).<sup>2</sup> Previous research in 2005 had examined the long-term impact of integrated education on the political identities and attitudes of adults and found that:

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<sup>1</sup> Part of this derives from 'contact theory', which suggests that division in education, place of residence and so on has exacerbated the conflict. See, <http://www.ark.ac.uk/publications/updates/update42.pdf>

<sup>2</sup> See, <http://www.ark.ac.uk/publications/updates/update42.pdf>

*[...] attendance at an informally or formally religiously integrated school has some positive long-term benefits in promoting a more integrationist and less sectarian stance in relation to national identity and constitutional preferences (Hayes et al 2005).*

However, the authors have also noted that because they do not have access to the attitudes of individuals prior to their attendance at an integrated school, it is difficult to infer that more positive attitudes towards the ‘other’ and less polarised political identities come solely from attendance. In fact, one possibility remains that more liberally minded parents are in fact more likely to send their children to an integrated school, and therefore these children are likely to be more positive in attitude towards other minority groups as a result. Nevertheless they suggest that integrated education remains important in shaping identity patterns (Hayes et al. 2006).<sup>3</sup>

At present the anti-bias approach is only used in integrated schools, which account for less than 6% of the Northern Ireland school population, and therefore the impact of the practice is somewhat limited. Although another welcome development has been in place since September 2007 (and again therefore it is too soon to effectively assess its impact), in the remaining school sectors with the implementation of the Personal Development and Mutual Understanding aspects of the revised curriculum, the advantages of the anti-bias approach are that it seeks to challenge prejudice whatever its form, while PDMU tends to focus on religion and race/ethnic diversity. The anti-bias approach, which includes the categories of gender, ethnicity, sexual orientation, religion, social background or disability, would appear to be more widespread than the PDMU approach adopted within other educational sectors, and it could be argued that sexual orientation is an important inclusion given some recent public attitude surveys in Northern Ireland.

According to an international survey conducted in 1998/1999 and involving 34,557 individuals across 29 countries, Northern Ireland was the sixth least tolerant of the 29 nations with regards to homosexuality (Sikora 2001). Additional research into the needs of young people in Northern Ireland who identified as lesbian, gay, bisexual

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<sup>3</sup> See, <http://www.ark.ac.uk/publications/updates/update42.pdf>

and/or transgender (LGBT) found that 44% of young people were bullied at school because of their sexuality; and 48% of lesbian and gay students had been violently attacked, with nearly half of these attacks occurring in schools (Youthnet 2003). The NICIE approach of peer mediation training for pupils to equip them with the skills to deal with conflict situations dovetails appropriately with the anti-bias approach, particularly in this instance when looking at the difficult situation which can face LGBT pupils within the school environment. In a similar context, perhaps initiatives which aim to increase recognition of a multitude of identities and backgrounds may enable the young people themselves to feel more comfortable within the school setting. Research has found that racist bullying was one of a number of factors impacting upon the educational attainment of Traveller children in schools (Hamilton et al. 2007), while a more recent study of minority ethnic students in the further and higher education sector found that 36% of the minority ethnic students felt it necessary to conceal parts of their ethnic background to fit in (DEL 2008: 113). The anti-bias approach aims to challenge these adverse impacts facing particular minority groups within the classroom.

## Issues

It is important that the approach within the anti-bias curriculum includes race and ethnicity, as the growing ethnic diversity in Northern Ireland is highlighted by statistics for the 2006 School Census (DENI 2006) which indicates that during the year over 2,400 primary school children had a language other than English as their first language, with over 1,000 children having Polish and Lithuanian as their first language (45% of the total). However, there are a number of issues which may hinder the development of the anti-bias approach within schools, given that the approach notes the importance of reflecting the cultural heritage and diversity of *all* the children in displays and visual materials around the school. One wonders what then happens if a school has *no* children from a minority ethnic background, or with a disability for example? Does this then mean that there is no need for such an approach and that the extent of the anti-bias approach should be limited to whatever bias may be present in the particular school at that particular time? It is important that the approach covers all of the relevant categories, regardless of their presence in the school environment; otherwise the traditional focus will be to look mainly at religion and race with less

emphasis on other minority groups, a tendency that would appear to be occurring within other sectors in Northern Ireland.

There is potentially another issue which may impact upon the practical implementation of the anti-bias approach to education, and this relates to parental choice. A parent who for some reason or another may not agree with the anti-bias approach to education in relation to any one of the categories, including sexual orientation, may decide to send their child to a different educational sector altogether. For this reason it is important that organisations such as NICIE continue to work closely with school governors and parents, and should continue to do so at every step of the way, to share information and highlight the benefits to a child's development in adopting the anti-bias approach.

Pressure on resources would appear to be one potential difficulty facing the full implementation of this approach, as it relies heavily on providing the requisite training for teachers and other school staff in equality issues and pedagogical approaches. This can prove difficult for some schools in terms of the time and money required to ensure that their staff are sufficiently versed in all facets of the anti-bias approach. Adequate financial support is required from the relevant educational authorities to allow schools the funds to hire support staff when teachers are at courses such as the recent anti-homophobic training.<sup>4</sup> It is important that teachers themselves are competently trained and confident in their knowledge of the issues they are teaching in the classroom. While the anti-bias approach values tackling issues which traditionally other schools in different educational sectors may try and avoid, it is crucial that discussion of these issues relating to gender, ethnicity, sexual orientation, religion, social background or disability are knowledgeable and appropriate for the pupils.

There is also a sense that for all its merits, the anti-bias approach does not address difficulties facing some minority groups in terms of achieving equality of outcomes in education (or indeed it may be too soon to tell). For example, Traveller children remain amongst the most educationally disadvantaged children in society. At GCSE

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<sup>4</sup> It should also be noted that in recent years, NICIE have lost funding for a number of posts relating to promoting equality, diversity and good relations.

level 92% of the Irish Traveller community achieved no qualifications at all. The research identified the impact that the bullying of Irish Traveller children had on their high levels of non-attendance and the high drop-out rate for those over 14 years old, which in turn impacted upon their academic attainment levels (ECNI 2007a). In this sense the long-term attitudinal change which the anti-bias approach focuses on will in all likelihood, in the short-term at least, not significantly improve the educational attainment of this group of children and young people.

## **Potential for Development**

As previously referred to earlier in the report, one feature of the teacher training system in Northern Ireland involves the *de facto* segregation of teachers into the two teacher training colleges, St. Mary's (primarily Catholic) and Stranmillis (primarily Protestant).<sup>5</sup>

*As with the primary and post-primary education systems, the teacher-training colleges are religiously segregated, with Stranmillis College taking mainly Protestant students and St. Mary's College taking mainly Catholic students (Gallagher 1989).*

Both St. Mary's and Stranmillis<sup>6</sup> have developed the Inter-College Programme for Diversity and Mutual Understanding (DMU) guide which focuses on preparing teachers to manage diversity in a school setting.<sup>7</sup> NICIE have to date done some work on their anti-bias curriculum within the two teacher training colleges, and it would appear that with adequate support and resources there may be scope to work further within the colleges with such programmes as the DMU which adopt a similar approach to that within the anti-bias curriculum. It would be a shame (and a somewhat waste of resources) if a number of teachers were to be trained within a segregated education system within a particular religious 'ethos' only to have to be 'retrained' within the integrated school setting in diversity issues. Programmes such as DMU may be a good link to build on, expand upon and tie in with the anti-bias approach.

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<sup>5</sup> As previously noted teachers, under Article 71 of the Fair Employment and Treatment (NI) Order 1998 (FETO) are exempt from the provisions of the Order.

<sup>6</sup> It should also be noted that Stranmillis College has an Equality Scheme dating from 2002.

<sup>7</sup> The programme is funded by DENI and DEL.

## Summary

There would appear to be an increasing focus within Northern Ireland on using tools within the education sector to address issues relating to equality and anti-discrimination. These developments have moved from attempting to address the traditional sectarian divide in Northern Ireland through Education for Mutual Understanding, to including a number of attempts to widen the parameters of this and broaden the definition of diversity, however, this has tended to focus on diversity in terms of race/ethnicity more so than some of the other forms of discrimination which have been noted by the Amsterdam Treaty.

The anti-bias approach to education goes beyond this traditional focus on diversity in the Northern Irish context, although at present its wider impact is somewhat limited given that only approximately 6% of Northern Ireland's pupils are taught under the curriculum. This importance in addressing the "hidden curriculum" and the potential for the transmission of stereotypes, bias and potentially discriminatory attitudes has been noted as an important tool in challenging discriminatory attitudes from an early age in children and young people (ENAR 2007). Teacher training is crucial to this approach and financial assistance a prerequisite for the long-term success of the anti-bias approach.

There are a number of other initiatives in education which aim to promote diversity, such as the DMU programme within the teacher training colleges, which NICIE have worked with and developing further links to the anti-bias approach would hopefully reduce the duplication of services.

### **3. Castlereagh Employers Forum: An example of Positive Action**

Previous research has highlighted a number of barriers to employment in Northern Ireland. Location of a job in a predominantly Protestant or Catholic area, for example, may deter an applicant from the 'other' community from applying for the job, for fear of working in an environment dominated by the 'other' (Hamilton et al 2008). Hargie et al. further (2006) highlighted that 50% of young people surveyed in interface areas of working-class parts of Belfast:

*[...] would be reluctant to enter a workplace perceived to be the domain of the religious outgroup* (Hargie et al 2006: xvii).

The Castlereagh Employers Forum located in predominantly Protestant East Belfast recognised that they had a distinct lack of employees from a Catholic community, and particularly those Catholics who lived in the Short Strand area of East Belfast. In an attempt to become 'employers of choice' rather than by circumstance, the forum were able to work with the local community association in the Short Strand area and provide basic training and job skills, which included CV writing skills and interview techniques. The initiative also involved the distribution of flyers within the area to appeal to local residents to apply for jobs within Castlereagh and included taking a group of young people from the area into East Belfast to discuss what issues they felt made them less likely to apply for a job in Castlereagh than their Protestant neighbours.

It became apparent however that despite these attempts, the Forum met with little success in encouraging significant numbers of Catholics to seek employment with their businesses. There are a number of reasons for this, one of remaining factors being political symbolism, and the flying of flags within the area, and indeed on the premises of a local employer. This 'chill factor' appeared to discourage local Catholics to apply for jobs and remains an obstacle given some elements of opposition amongst employees to having the flags removed. This practice, although sound in theory, highlights the need for management to take the lead and encourage the 'business case' for promoting a more diverse workplace and indicates that

employers with the vision to broaden their appeal to diverse groups within society will usually reap the benefits. It is important that managers and indeed staff have sufficient training in equality and diversity related issues which will provide senior management with the confidence to lead the change of work practices. One significant issue facing the private sector in this respect again relates to resources; staff and managers have to be given time out of work to train, and obviously training courses cost money. The fact that 94% of businesses in Northern Ireland employ less than ten employees (ICTU 2008) means that there is a lack of resources to fully address training requirements, and adequate financial support from government or other relevant bodies is required to encourage progress on issues such as these, particularly at a time when small employers are ‘feeling the squeeze’ of the higher overheads and lower profits linked to the current global credit crunch.

Despite these difficulties, there have been a number of successful examples of local businesses adapting their practices to promote inclusion and tackling issues which may face some of their employees. For example, the first section of the report highlighted a number of barriers facing women in employment, particularly within the private sector in relation to the gender pay gap and the disproportionate impact of caring responsibilities. In an attempt to address a gender imbalance within their workforce, Northbrook technology undertook a gender equality and diversity programme which actively targeted women as potential employees and the results have been considerable. The company managed to reduce the average annual number of sickness days from nine to three, more flexible working opportunities were offered and an increasing focus on finding the right ‘work-life’ balance encouraged more women to apply for posts. It should also be noted that the company subsequently has a 100% return to work rate following maternity leave.<sup>8</sup>

Despite examples of good practices such as these women tend to remain at a disadvantage in the labour market with respect to pay, position and the adverse impact of caring responsibilities:

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<sup>8</sup> Northbrook won a Morgan Stanley Diversity Award for this programme in 2006 (Jarman and Byrne 2006: 33).

*The female working age employment rate here (65.1%) is 4.6 percentage points lower than that in Great Britain (DETINI 2007b).*

This is in part linked to the caring responsibility which disproportionately impacts upon women, with respect of looking after a child or a family member. Similarly, the Equality Commission in their recent submission to the UN CEDAW Committee (2008) note that the part-time pay gap between men and women remains significantly higher:

*This reflects complex factors such as occupational segregation, under-representation of women in management and the higher proportion of women working part-time (almost two in five (39%) female employees work part-time compared with 6% of male employees) (ECNI 2008b: 23).*

The lack of adequate provision of childcare in Northern Ireland contributes to the high numbers of female part-time employees (Hillyard et al. 2006: 46). One attempt to address the impact of caring responsibilities on their female staff in particular was that of Botanic Inns Ltd, who were able to provide financial assistance with childcare and more flexible working hours which successfully reduced short-term absenteeism to 1.9% and enabled the company to retain a number of female employees in senior posts.

In spite of some of these good practices, the Equality Commission have noted that gender related matters form the highest proportion of queries to their legal help-line. Between 1<sup>st</sup> April 2001 and 31<sup>st</sup> March 2007 the Commission recorded 13,917 legal enquiries with 35% of these relating to gender (ECNI 2006a: 24). According to the Equality Commission:

*A generation on from the Sex Discrimination (Northern Ireland) Order, it is noteworthy that gender issues still comprise the largest single category of complaint – almost 40% of the total number of legal enquiries received by the Commission since 2001 (ECNI 2006a: 37).*

## Summary

The Castlereagh Employers Forum was a proactive attempt by a group of employers within the private sector to address the under-representation of certain groups within their workforce. The initiative managed to, at the very least, increase awareness of attempts to ‘reach out’ to the local Catholic community, provided some basic training for local residents, and did result in a small number of Catholics deciding to apply for jobs in an area and for businesses they otherwise would not have done. However, the impact of this initiative has been limited by a number of factors which would indicate the need for strong leadership from a senior management level. Another important issue relates to the provision of resources, particularly for smaller businesses to fund training for staff and management in equality and diversity issues which is important for the success of similar approaches. It should be noted that of the good practices listed above, all of the businesses are relatively large and on a financially sound footing, the same cannot be said for smaller firms with less than ten employees.

Some approaches have been much more successful than others in encouraging members of minority or under-represented groups to apply or remain in employment, but there remain a number of barriers relating to employment in Northern Ireland, and more than thirty years after the introduction of legislation to ensure equality between males and females, it remains the case that women are under-represented at senior management levels, tend to be paid less, and are disadvantaged by caring responsibilities. The ‘business case’ for promoting diversity would appear to be the best way to ‘sell’ the approach to employers, and if an employer or business has the foresight to remove barriers to the employment of minority and under-represented groups, these can, as we have seen, pay significant dividends.

#### **4. Stepping into Diversity: Awareness Raising Training**

The Stepping into Diversity Training aimed to challenge prejudice towards migrant workers and ethnic minorities within the context of an increasingly diverse Northern Irish society, and one in which racist attacks had increased in recent years. Perhaps the need for such awareness raising training is indicated by contemporary surveys of public opinion. The NILT survey in 2006 indicated that only two out of five people would accept an Eastern European or other minority ethnic person as a resident in their local area (ARK 2006) while more recent results from the Omnibus Survey published in January 2007 showed high levels of perceived prejudice towards migrant workers. The study indicated that 24% of respondents thought that people were very prejudiced towards migrant workers, with a further 60% stating that people in Northern Ireland are 'fairly prejudiced' towards migrant workers (NISRA 2007).

The training, which aimed to challenge some of these attitudes and perceptions which at times are used as 'excuses' for attacks on minority ethnic groups, was received by over 1200 local and minority ethnic participants and attempted to build more positive relationships between a diverse range of communities through a number of awareness raising workshops and accredited training programmes. An evaluation of the programme in 2008 found that it had a significant impact on participants, with 77% of local participants believing the awareness-raising sessions had increased their understanding of the impact of racism on society, 93% believing the sessions made them more aware of the impact of stereotyping of other groups/individuals, and a further 95% of minority ethnic participants indicating that they had learnt about Northern Irish history and culture as a result of the training (Bell 2008).

Perhaps one reason why the programme was so well received by both local and minority ethnic participants was that both groups were involved in learning together. The training did not focus solely on the prejudices of locals towards minority ethnic groups, indeed if it had, in all likelihood its impact would have been much less. This approach can tend to make people defensive and less likely to critically engage with the subject matter. The acknowledgement that *any* individual has the capacity to stereotype others moved the debate beyond that which is normally prescribed in

training, that those receiving the training are the ‘only ones who have the problem’. Therefore, the inclusion of awareness raising training for members of minority groups who were able to reflect upon their own prejudices towards other minority groups, and indeed to some within the local community encouraged wider participation from within the local community. In particular, the training was able to impact upon a number of local groups in certain geographic areas in which there had been a number of racist attacks in recent years to challenge myths around migration and build relationships between locals and minority ethnic individuals who may live in the same area but have little opportunity for contact with one another in day to day life.

The fact that the learning was conducted in a relaxed manner, involving quizzes and enjoyable exercises to encourage reflection on one’s own attitudes to difference moved the training away from the traditional teacher/pupil dichotomy, to an individual actively participating in the training. The project also appeared to allow some local and minority ethnic groups to begin an inter-cultural discussion by allowing them to make contact with one another while at the same time, and particularly for minority ethnic groups, allowing them to improve the skills and capacity of their own members and resulted in several groups reporting increased knowledge of and links with statutory agencies.

There were a number of difficulties which impacted upon the training, which in general related to the difficulties scheduling a timetable to suit such a diverse array of individuals and groups, the costs of delivering such training in a variety of locations, and the need for adequate provision of interpretation and translation services, although the programme appeared to be most effective when discussions between individuals took place in English and therefore more direct engagement was possible.

## **Summary**

As with a number of the good practices discussed thus far, one determining factor in the future success of similar training programmes will be the provision of funding from public bodies and other sources to deliver the training. More resources would mean the training could be delivered to an even larger group of participants. The mediative space that the training opened up allowed both minority ethnic and local

participants to learn about one another *together* and for some was the establishment of a new set of relationships. This focus on engagement *between* local and minority ethnic participants was an important factor in the success of this approach, and one that marks it out somewhat from other training services.

## **5. South Belfast Roundtable: Challenging Racism**

Two of the most important findings from an analysis of the South Belfast Roundtable may prove useful when attempting to establish similar initiatives in other areas. Firstly, the Roundtable was an example of an organisation at first being set up as an informal, ad hoc approach to essentially ‘fire-fight’ and deal with increasing numbers of racist attacks in South Belfast. However, the group were able to develop this approach and take a more proactive stance with a coherent strategy which aimed to challenge racism at all levels, at not simply physical violence, which was the manifestation of racist attitudes. Secondly, the Roundtable is one of the best examples to indicate that a joined up partnership approach between the different sectors within society, and particularly, the public, private, community and voluntary sectors and local communities (general public) works in terms of sharing information and best practice to largest audiences, and also serves to reduce the duplication of services. There are currently a significant number of initiatives in Northern Ireland located within one particular sector or another, the cooperation between sectors in the Roundtable is important in providing access to public bodies for local communities, who as we have seen in the previous section in relation to a number of individual initiatives attempting to promote equality, feel they are working in isolation and lacking support.

Again, the work of the Roundtable highlights the importance of providing adequate training in promoting equality and diversity related issues. The group deliver cultural awareness sessions to schools and community and voluntary groups on issues including migrant workers rights, language lessons for those for whom English is an additional language and tackling stereotyping and prejudice through a variety of ‘myth-busting’ activities, while NCCRI’s *Training for Trainers* has also been provided to members which has increased their skills and capacity on issues linked to equality and promoting diversity. This training has therefore not only sought to tackle perceptions relating to racism, but to also increase the skills of members of the Roundtable to go back into their associate organisations and deliver their own training, and in this sense the approach lends itself to a more sustainable approach in the long-term when in all likelihood funding for such initiatives may dry up. To date the initiative has tended to rely on small pots of money from a number of different

organisations which has not been ideal for the long-term strategic development of their work, but the support given by public bodies in terms of funding and membership has been a key part of the group's success.<sup>9</sup>

## Summary

The Roundtable has faced a number of challenges in their work and despite best intentions, racist incidents in South Belfast actually increased by 18.3% between 2006/2007 and 2007/2008 (PSNI 2008), although conversely it may be caused by an increased awareness of and willingness to report such incidents to the Police. It should also perhaps be noted that an approach that works in South Belfast may not be appropriate for another part of Belfast, local area specific knowledge is important for the running of any similar initiatives. It remains the case that the partnership aspect of this approach is one of its key successes as it ties in key stakeholders in the various sectors, allows for the sharing of ideas and information in challenging racism and promoting diversity and reduces the duplication of services. The constant search for funding remains an issue affecting such projects, as does the fact that its geographical impact is confined to the limits of South Belfast, and therefore minority ethnic communities in other parts of the city do not have the same access to the resources provided by the initiative. There is no doubt, however, that lessons learnt can be shared with organisations working in other areas with the provision that any of these projects contain a degree of local knowledge rather than simply transposing this model.

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<sup>9</sup> In the Village area of South Belfast a *Policing in Diversity* award has been awarded for the work of the Roundtable in the area.

## **6. Minority Ethnic Employability Support Project**

The increase in the last number of years of migrant workers coming to live in Northern Ireland has diversified the composition of the workforce, and incoming workers are often at a high risk of exploitation by unscrupulous employers and face a number of barriers to their full and equal participation in the labour market.

McVeigh (2006) suggested that there was widespread exploitation and abuse of migrant workers across Northern Ireland with the distinct possibility that the situation may get even worse, and that “*there was ample evidence of unlawful discriminatory practice by some companies in the recruitment agency sector*”. There is increasing recognition that migrant workers are often employed in jobs well below the level of their skills and experience. Problems regarding recognition of relevant overseas qualifications and reluctance of employers to count relevant experience into the requirements of a particular position largely contribute to this situation (Holder et al 2006; Martynowicz and Jarman 2008: 13).

Partly as a response to this, Belfast GEMS designed their Minority Ethnic Employability Support Project (MEESP) in South and East Belfast. Some of the main successes of this approach which provided one-on-one support for minority ethnic individuals to assist them in their entry or re-entry into the labour market, included increased levels of motivation and client self-confidence, the development of new relationships which will assist in the search for employment and an increased awareness of what employers were looking for in a CV, application form and interview (LOCUS 2008). Therefore, this approach can be seen in a very different light to that used for example by a recruitment agency, which tend to lack a personal touch, may appear somewhat daunting to someone with little grasp of English, and in which previous qualifications from a home country may not be fully recognised.

The support in building confidence, signposting clients to English language classes and improving employability skills and training led to 155 of 203 clients who participated in the 2008 project evaluation progressing into employment, a significant success rate of 76% (LOCUS 2008).

The main difficulty facing the full implementation of this project related to resources in terms of budgetary constraints and staffing numbers. Indeed, the project was unable to progress with the same degree of success in East Belfast due to a lack of time for staff to process enquiries, in short demand exceeded capacity. Increased budgets for projects of a similar type would allow organisations such as GEMS to provide more staff to deal with the resource intense nature of the one to one enquiries, although it should be remembered that one sacrifice which is made by delivering such a personal service at an individual level is that the programme will necessarily reach a smaller audience than other less resource intensive initiatives.

## **Summary**

The MEESP project has clearly had visible benefits for the significant majority of its minority ethnic clients. That this service faces difficulties in relation to time and financial pressures is not in doubt, and such factors necessitate that the geographical impact of such projects are limited. Nevertheless, given the barriers facing a number of minority ethnic individuals in entering the labour market the success of the project to date in helping clients into employment or further education is unquestionable.

## 7. Equality of Opportunity in Employment: The role of advertising

Historically, workforces in Northern Ireland have been predominantly perceived, and indeed in a number of cases been, predominantly Catholic or Protestant. This resulted in organisations such as the Equality Commission producing a series of good practice guidelines for employers to advertise positions in such a way as to *actively encourage* members of under-represented groups to apply for employment. More recently this approach has expanded to include other minority groups such as individuals with a disability, older members of society and members of the LGBT community. The most recent example of positive action in this area is the increasing practice of encouraging persons with a disability to apply for posts by guaranteeing them an interview providing that they meet the essential criteria for the job.

It is difficult to prove statistically the success of this approach in encouraging individuals to apply for jobs they otherwise would not feel comfortable applying for. This can be due to a number of factors, some of which are specific to the Northern Ireland situation. In particular the relative division in terms of the readership of local newspapers by community background/religion means that individuals may not be aware of a particular vacancy because their community tend not to read the particular paper in which the advertisement has been placed, and although the ECNI have advised employers to advertise as widely as possible it remains the case that there are still a number of groups who appear to be at a disadvantage. It remains the case that despite attempts to advertise more widely and encourage applications from individuals with a disability by an number of employers in Northern Ireland, the employment rate for those individuals without disabilities (79%) is more than twice the rate for those living with disabilities (32%) (DETINI 2007a).

The approach has appeared to be particularly successful in challenging the presence of direct and indirect discriminatory phrasing in advertising, and particularly effective in removing gender stereotypes in advertisements,<sup>10</sup> but a number of issues remain which may impact upon the effectiveness of this approach. One concern would be that by drawing to attention the fact that one group is particularly under-represented within

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<sup>10</sup> Examples would include, 'Waiter required', *implying* the job is to be filled by a male.

the workforce currently, it actually may discourage (the opposite of the intended effect) an individual for applying for a post, as they may fear being in a workforce in which they are *clearly* a member of a minority group. Perhaps they may have applied for a post had they not been aware of this. It is an area in which further research should be conducted to assess the impact of this approach on the nine group categories as referred to under the terms of Section 75 of the Northern Ireland Act of 1998.

That said, research would seem to indicate that for all intents and purposes, in applying for a job in a company with an under-representation of employees from their community background, individuals would be *more likely* to apply for a job if the company's advertisements said that they particularly welcomed applications from members of their community (53%) (ECNI 2006b: 3).

## **Summary**

It remains the case in Northern Ireland that in general, certain sections of the population tend to read particular newspapers more so than others, and the only way for employers to advertise themselves as 'employers of choice' is to advertise as widely as possible, and in as many ways as they can. It is difficult at present to accurately quantify the success of this approach in 'enticing' under represented groups into employment and particular minority groups, such as those individuals with a disability remain at a disadvantage in their access to the labour market, despite numerous appeals by employers that they "*particularly welcome applications from person with a disability*". The statistics would indicate that the general public would at the very least welcome such a proactive approach in advertising but there remains the issue of whether or not drawing attention to the fact that the employer is under-represented by particular minority groups is creating a problem rather than solving one.

## 8. Fair Employment legislation (FETO)

The introduction of the Fair Employment legislation in 1976 was a direct response to the historical and political context within Northern Ireland, and as such should be viewed as a practice which is very specific to Northern Ireland and which may not be applicable or transferable to other jurisdictions. It is worth pointing out that Fair Employment legislation relates only to religion/community background. The fact that employers are required by law to adhere to Fair Employment guidelines has forced employers to act to remedy the under-representation of Catholics in a number of workforces. The subsequent strengthening of the FETO legislation in 1989 and 1998 has undoubtedly increased the impact of the legislation in increasing the numbers of Catholics in employment in Northern Ireland:

*The period 1990 – 2006 witnessed a sharp improvement in the labour market participation rates of women in general and Roman Catholic women in particular. Although a direct casual link cannot be established, as there were a myriad number of factors involved, it is noteworthy that the observed changes coincided with the implementation of fair employment legislation in Northern Ireland: namely, the Fair Employment (Northern Ireland) Act 1989 and its successor, the Fair Employment and Treatment (Northern Ireland) Order 1998 (ECNI 2008: 25).*

Between 1971 and 1985, Catholic men were more than two and a half times as likely to be unemployed as Protestant males (Smith and Chambers 1987). Unemployment has significantly reduced among Catholics standing at 36% between 1985 and 1987 (CHS 1987), and falling to 8.7% in 2001 (NISRA 2001). Indeed, the overall composition for 2007 of the monitored Northern Ireland workforce was 56.3% Protestant and 43.7% Catholic (ECNI 2007b) a significant ‘closing of the employment gap’ on previous years.

It would appear that the legislation has proved reasonably successful in improving the number of Catholics in senior management levels and according to the classification by the Standard Occupational Classification (SOC) in 2006,<sup>11</sup> Catholic female employment was highest in professional occupations (51%). In 2001 only a slightly

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<sup>11</sup> The Standard Occupational Classification was first published in 1990 to codify the kind of work performed and the skills required for the job.

higher proportion of Protestants (28.3%) than Catholics (25.8%) were working in ‘managerial and professional occupations’ (ECNI 2006a).

There have been a number of difficulties associated with the implementation of Fair Employment legislation. The first is that some organisations tend to have an imbalance in their monitoring figures they return to the ECNI, despite numerous attempts to encourage under-represented groups to work for them. The ECNI who are tasked with overseeing the implementation and compliance of Fair Employment legislation themselves currently have an under-representation of Protestants (and males).<sup>12</sup> Secondly, it remains the case that employers with ten employees or less are not required by law to complete monitoring returns to the ECNI, and this accounts for 73.2% of all employee jobs in Northern Ireland (DETINI 2007).<sup>13</sup>

Thirdly, the adoption of Fair Employment legislation has been perceived by some members of the Protestant community as discriminating against them in seeking employment. A 2006 survey of attitudes by the Commission revealed that almost a third of respondents (32%) believed that “*equality laws protect one group of people at the expense of another*”, with Protestants more likely to agree with this statement (36%) than Catholics (27%) (ECNI 2006a: 24). This would highlight the need for an education campaign which aims to inform people for the reasoning behind legislative measures such as this.

## Summary

Despite Catholics remaining slightly more likely than Protestants to be unemployed, the Fair Employment legislation has undoubtedly been a success in increasing the Catholic share of the labour market. The Equality Commission actually are now suggesting that the differences which exist between Protestant and Catholic women in the monitored workforce are relatively minor compared to the actual gender differences between men and women (ECNI 2007b: 26) and despite the fact that both sex discrimination legislation and Fair Employment legislation have been in place for

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<sup>12</sup> As previously noted in the report, the ECNI have appealed for applications directly from Protestant males in advertisements.

<sup>13</sup> This remains a difficult area, as a number of smaller employees would argue they do not have the resources to comply with such strict policies.

more than 30 years, it is clear that the former has failed to have a significant impact while the latter has tended to serve its purpose. It should be noted that despite the success of Fair Employment legislation in closing the overall gap in employment in Northern Ireland, there remain a number of issues in which individual employers still employ predominantly one community or the other (CAJ 2006: 3).

## 9. Section 75: Mainstreaming Equality

The Agreement of 1998 provided the framework under which all the relevant parties committed themselves to the promotion of equality as central to the role of government. The adoption of Section 75 and Schedule 9 of the Northern Ireland Act in 1998 was a development unique to Northern Ireland,<sup>14</sup> and puts a requirement on public bodies to have due regard to the need to promote equality of opportunity for the nine different groups categorised within the legislation, in other words the legislation requires public bodies to be *proactive* rather than reactive. According to the ECNI:

*The Section 75 provision was introduced to ensure that equality of opportunity and good relations were placed at the core of public policy-making. Its intention was, and remains, that every public policy action by designated public authorities would, in its development, take account of its impact on equality of opportunity and good relations (ECNI 2007b: 4).*

According to the Equality Commission, the legislation has led to a positive approach to the promotion of equality of opportunity (through a positive duty incumbent upon public bodies) and increased awareness *within the public sector* of equality of opportunity in the development of public policy, as well as leading to a more evidence based approach to policy making (ECNI 2007b). The review of the effectiveness of Section 75 in 2007 suggested that this impact of the legislation had tended to be restricted to the development of public policy, although it was noted that the legislation had, for the first time, ensured that public policies were assessed for any adverse equality impacts they may have on carers. Similarly, with regards to disability the ECNI found that Section 75 has encouraged public authorities to anticipate the needs of disabled people and involve service users and has been important in a number of public authorities (including several of the education and library boards), in putting a system in place which should result in an increase in the recruitment of individuals with a disability (ECNI 2007b: 29). The ECNI also found that Section 75 significantly increased the involvement of individuals from minority groups in the policy making process. Despite these developments:

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<sup>14</sup> Section 75 is only in Northern Ireland, it does not apply to anywhere else in the UK.

*There is less evidence that the legislation has had the intended impact and outcomes for individuals (ECNI 2007a: 7)*

Part of this lack of impact at an individual level may be related to a distinct lack of public awareness around Section 75. Only 28% of respondents in a 2006 survey were aware of the legislation, and even an awareness of the existence of the ECNI and its role would appear to be reasonably low. Even of those respondents who were aware of Section 75, 50% were unable to name any of the activities which public bodies are required to carry out under their statutory requirements. The report noted that these findings indicated:

*[...] a need to promote a greater level of understanding of which groups are covered by this legislation, as well as the public bodies under the legislation (ECNI 2006a: 53).*

The fact that television was found to be the most common source of awareness for anti-discrimination laws (59%) followed by newspapers (32%), and radio (13%) would suggest that there is perhaps scope for an improved educational drive by the ECNI, particularly since it has been ten years since the legislation has been in place and public awareness remains relatively low (ECNI 2006a: 30).

Other issues which have impacted upon the implementation of Section 75 to varying degrees of success depending on the public authority has involved the time and resources required to carry out screening of policies and Equality Impact Assessment's (EQIAs) which can be labour intensive. CAJ (2007) focused on what they perceive to be the failure of Section 75 to address the socio-economic inequalities of individuals within minority groups who tend to suffer from multiple forms of discrimination.<sup>15</sup>

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<sup>15</sup> This is perhaps something which the enactment of a single equality bill could perhaps seek to address further.

## Summary

Section 75 has been described by McLaughlin and Faris (2004: 31) as emphasising the process rather than the actual achievement of mainstreaming equality within public bodies. In this sense, the authors believe that this allows some individuals within public bodies the opportunity to view Section 75 adherence as an overly bureaucratic and ‘tick-box’ approach which reduces the effectiveness of the legislation in mainstreaming equality. They argue that in part this approach has developed as a defence mechanism amongst some public bodies in response to what they believe is a new legislative ‘weapon’ which they can be attacked with by the voluntary and community sector. In this sense the authors note that in certain circumstances guidance for public bodies in implementing Section 75 has been vague, and the quality of the screening of various policies has been poor on a number of occasions.

In spite of these difficulties, Section 75 has been an innovative and unique piece of legislation which has required public bodies to promote equality of opportunity for a number of different groups, and which has effectively ‘forced’ public authorities to be proactive in this approach. One of the main difficulties facing the future bedding in of Section 75 legislation would appear to be the general lack of awareness among the vast majority of the general public of its existence, a matter which should be a pressing concern for the Equality Commission.

## 10. Conclusions

Given the historical context within Northern Ireland in which equality and anti-discrimination measures have tended to have developed in relation to the two main communities, the terms ‘equality’ and ‘discrimination’ have traditionally focused on addressing religious discrimination and have therefore in some senses become politicised. In the increasingly ethnically diverse society of today there is an indication that the focus of the debate on equality and tackling discrimination is shifting to encompass other groups. There is a danger though that diversity will be equated with ‘racial diversity’, leaving open the possibility that the other categories of discrimination as identified by the Amsterdam Treaty will be ignored. Indeed the majority of the general public are not even aware of the Equality Commission, never mind what they are doing to promote equality. This development is highlighted by the overwhelming number of initiatives at present which focus on race as an issue, but tend to put many of the other potential grounds for discrimination to the background.

Legislative developments have made a significant impact in terms of promoting equality, and Fair Employment legislation has, by and large, been very successful in addressing historic imbalances and increasing the Catholic share of the labour market, while the positive action required of public bodies to promote equality of opportunity under Section 75 has encouraged a number of bodies to develop proactive responses to increasing the inclusion of minority and under-represented groups, who otherwise (in all likelihood) would not have done so to such a degree.

There is also the issue of *multiple forms of discrimination* which continues to face a number of individuals, which is something that the proposed single equality bill may address in more depth, although this legislative development would appear to be in a hiatus for the time being. The history and development of Northern Ireland politically, socially, culturally and economically over the last 30 years has indicated that there are a number of valuable lessons which can be shared with other countries, but any lessons which attempt to simply transpose policies which worked in Northern Ireland, may not be an appropriate response, and approaches need to be tailored to the dynamics of the specific situation and context they find themselves trying to address.

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