



Equality Hub

Kemi Badenoch MP
Minister for Levelling Up Communities and Equalities
Government Equality Hub
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Caroline Nokes
Chair of the Women and Equalities Select Committee

19th November 2021

Dear Caroline

You wrote to Rt.Hon. Elizabeth Truss, Minister for Women and Equalities in November last year, noting that your Committee had been informed through the Commons Brexit Liaison Manager that GEO was no longer planning to develop an equalities framework with the Northern Ireland Executive (NIE). She replied on 18 December to say that no final decisions had been taken on this.

The Minister undertook to keep you and the Committee informed of developments, so I am writing to let you know that the next Cabinet Office Frameworks Analysis document, which has just been published, will show such a framework as not being required. This reflects the opinion of the Government but does not indicate that any formal agreement with the NIE has been reached.

The Government has assessed that a UK Common Framework for Equal Treatment Legislation with Northern Ireland is not currently required, due to the shared international obligations that Great Britain and Northern Ireland are subject to in this area and the consequential limit that this places on any scope for significant divergence. This assessment can of course be revisited at any time, if needed, the NIE will continue to assess this policy area.

In your letter, you asked about our assessment of the implications of the lack of a Framework Agreement for the coherence of equality law across the UK. The first point to make is that this Government is fully committed to robust anti-discrimination law in Great Britain and as noted above, our international commitments – for example our UN and ILO memberships - mean that clear standards must in any case be maintained by both GB and Northern Ireland. Differences already exist between GB and NI equality law, and have done so for many years; to take one example, Northern Ireland continues to rely on the UK Disability Discrimination Act for protection from disability discrimination, while for GB, that Act was repealed in 2010 when it was subsumed into the Equality Act.

The Government Equalities Office will continue to co-operate closely with Northern Ireland Civil Service counterparts on policy issues of common interest. We will keep the broad position of the comparative legislative position under review with colleagues in the NIE as necessary. I shall of course write again if there are further developments.

Yours sincerely

Kemi Badenoch MP
Minister for Levelling Up Communities and Equalities