

Written Evidence submitted by Humanists UK (BNI0003)

At Humanists UK, we want a tolerant world where rational thinking and kindness prevail. We work to support lasting change for a better society, championing ideas for the one life we have. Our work helps people be happier and more fulfilled, and by bringing non-religious people together we help them develop their own views and an understanding of the world around them. Founded in 1896, we are trusted by over 65,000 members and supporters to promote humanism. Through our ceremonies, pastoral support, education services, and campaigning work, we advance free thinking and freedom of choice so everyone can live in a fair and equal society.

1. What areas do you think will be most affected by Brexit?

One of the most pressing areas where Northern Ireland will be affected by Brexit is the impact upon women, specifically on gender equality protection and access to abortion for women normally resident in Northern Ireland (or, for that matter, elsewhere in the EU, like the Republic of Ireland, Poland, and Malta) who are forced to travel to Great Britain for these medical services. In both of these areas there is significant danger that the ability of women to exercise their rights will be diminished by the UK's exit from the European Union.

Additionally, we think that Brexit offers the opportunity to address religious discrimination in the employment of teaching staff in Northern Ireland's denominational schools.

2. Why do you think Brexit poses a particular challenge or opportunity in this area?

Equality is a devolved matter in Northern Ireland, and in the absence of the a single equality act, mirroring the Equality Act 2010, equality protections in Northern Ireland have not kept pace with those in England, Scotland, and Wales, and some provisions are not fully compliant with EU equality directives. In practice, this means that Northern Ireland is much more reliant on EU law than the rest of the UK. Therefore, the process of withdrawal from the EU exposes equality provision much more starkly than in the rest of the UK. The Northern Ireland Affairs Committee must consider in great depth how it can be ensured that all EU equality provisions are transposed into law in Northern Ireland. This is most problematic for women's rights, such as pay equality, pregnancy discrimination, and sex discrimination, which have traditionally been sidelined by a political narrative defined by sectarianism, and looks to be, once again, sidelined in the context of Brexit in which discussion will centre on economic, trade, and border issues.

In 2016, 724 women resident in Northern Ireland travelled to England and Wales to access abortion services, due to the severe restrictions on such services in Northern Ireland. Until recently, women making this journey experienced significant financial and emotional barriers to accessing these services, including NHS charges, as well as the cost of travel and accommodation. In 2015, the Northern Ireland Human Rights Commission brought a case to the High Court arguing that in the cases of fatal foetal abnormality and sexual crime, the restrictions on abortion in Northern Ireland breach Article 8 of the European Convention on Human Rights. The case is now pending a decision by the Supreme Court.

We are concerned that the impact of Brexit will impede the ability of women to make this journey should arrangements for customs and border checks after Brexit mean that the Common Travel Area is discontinued. This will mean that access to abortion services, even for those who are currently able to afford the journey, will be further restricted. Women must be permitted to travel without being hindered or delayed by an 'Irish sea border'.

We are also concerned about the impact of Brexit on religious discrimination in the employment of teachers in denominational schools. Currently, the European Employment Directive does not apply to denominational schools in Northern Ireland out of regard to the legacy of sectarian divisions in the

region. This means that such schools can require all teaching staff, including for subjects unrelated to religious instruction, to share the religious character of the school. This provision goes beyond what could be legitimately argued to be a genuine occupational requirement for the role, and significantly disadvantages non-religious and minority religious teachers. As the UK leaves the European Union, the Directive (and hence its exemption for Northern Ireland schools) will cease to apply. This is an opportunity for such discrimination to be addressed and for fairer employment regulations to be applied to Northern Ireland schools. Doing so would not only give teachers the same protection under the law as other employees, it would contribute to a more open and inclusive atmosphere in schools that are currently segregated along religious lines.

3. What could the Committee focus on in its inquiry and who do you think we could speak to?

The Committee should focus on measures to ensure that there is no further restriction on the ability of women resident in Northern Ireland to access abortion services as a result of Brexit. We recommend that the Committee asks for evidence from abortion providers, both in Northern Ireland and Great Britain, and organisations such as Alliance for Choice and the Abortion Support Network, who provide assistance to women making this journey.

The Committee should also focus on how equality legislation can in the light of Brexit not only be formally incorporated in Northern Ireland law but improved to provide parity with the rest of the United Kingdom. For too long Northern Ireland citizens have endured less protection than their compatriots in Great Britain. In this way, perhaps, Brexit offers a fresh opportunity to review and improve the county's substandard protections. This would include a single equality act covering Northern Ireland.

On the issue of denominational school employment, further evidence as to the situation in Britain can be found in our submission to the Women and Equalities Select Committee inquiry on Brexit:

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/women-and-equalities-committee/ensuring-strong-equalities-legislation-after-the-eu-exit/written/42657.pdf>

7 February 2018