



Company Registration No: NI. 36868
Inland Revenue Charity No: XR 11970

FAO: Mr. Trevor Lunn MLA (Chairperson)
Mr. Robin Swann MLA (Deputy Chairperson)
Equality Commission for Northern Ireland,
Equality House,
7 - 9 Shaftesbury Square,
Belfast,
BT2 7DP.

14 December 2012

RE: NICEM evidence session, 4 December 2012

Dear Mr. Lunn and Mr. Swan,

I am writing to you both as chairperson and deputy chairperson of the Ad Hoc Committee on Equality Requirements, Welfare Reform Bill (hereafter 'the Committee') to formally lodge a complaint with you in relation to NICEM's evidence session on 4 December 2012.

NICEM received a request from the Committee for a briefing in relation to the Welfare Reform Bill's Conformity with equality requirements, which was communicated by Mark O'Hare (NI Assembly staff) on 28 November 2012. Further to this request NICEM accepted the invitation to appear before the Committee as witnesses on 4 December 2012 and submitted both a written briefing and expert legal evidence in advance to the Committee.

When NICEM appeared before the Committee, the Chair did not mention that the session would be recorded by Hansard and/or request all persons to turn off their mobile phones and explain the formal procedures. However, having appeared before Assembly Committee's before, NICEM staff did not have their mobile phones switched on, knowing this would interfere with audio recordings. Indeed, when we received the draft Hansard we saw that on nine occasions it was not possible to hear witnesses or Mr. Mickey Brady MLA and Ms. Bronwyn McGahan MLA. Since members had been asked to turn off their phones before NICEM came in and had been warned about a previous complaint, we would like to ask the Chair to investigate why members did not turn off their phones? In addition, we were surprised that the Chair did not outline the scrutiny powers of the Committee members, given the fact that this is the first time in the Assembly's history that such a Committee has been set up in accordance with the Standing Orders.

Our main concern however, is the conduct of some Committee members. After NICEM's prepared presentations, we were asked questions by all but two Committee members. While NICEM welcomes robust engagement between Committee members and did indeed, answer all questions in full on this occasion, we feel that the conduct of some Committee members towards us as witnesses was totally inappropriate. At one point some Committee members were arguing across the table and arguing directly with the witnesses rather than proceeding through the Chair and we found that to be inappropriate.



As well as being very skeptical towards the witnesses, members also laughed at the witnesses on two occasions. This was also observed by members of the public gallery, who have indicated to NICEM that they felt the NICEM witnesses were not treated with respect during the questioning process.

Lastly, and importantly, NICEM has been going through the Hansard transcript alongside the audio and has noticed some key inaccuracies in the transcript. In particular, in response to a statement made by Lord Morrow MLA, it is stated in the transcript that NICEM agreed with the statement when in fact it is clear on the audio that NICEM did not agree. We are going to address these issues with the Hansard team but in the meantime we would ask you as Chair to wait until this has been corrected or else please use the audio.

NICEM has a strong tradition of giving evidence to Assembly Committees and welcomes every opportunity to represent the views and interests of black and minority ethnic communities in Northern Ireland. However, we are concerned about the treatment of witnesses on this occasion and would like to ask the Chair to formally take action on this point.

We look forward to your response.

Best wishes,

Patrick Yu
Executive Director NICEM

working together against racism