

# Consultation Report

## Proposal to Erect Bilingual External Naming and Internal Directional Signage at Olympia Leisure Centre

October 2023

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## 1. Executive Summary

Belfast City Council agreed on 1 February 2022 to proceed with an Equality Impact Assessment on the erection of bilingual external naming and internal directional signage at Olympia Leisure Centre.

A consultation on the Draft Equality Impact Assessment was launched on the Council's consultation platform, YourSay Belfast, on 12 June 2023 and ran for 14 weeks until 17 September 2023. This report sets out the findings from the online consultation survey, the online and in person information and engagement sessions that were held during the consultation period and the various submissions that were received during the consultation period.

This report presents:

- the consultation background
- the process for developing and launching the consultation
- the consultation responses and an analysis of text responses

The aim of this report is to give Elected Members as clear a picture as possible of the stakeholder and the public response and issues raised in relation to the Draft EQIA. This will allow Elected Members to make an informed decision based on this evidence. This report is accompanied by an independently written Equality Impact Assessment Final Decision Report which will give more specific detail and recommendations.

It should be noted at the outset of this report that this consultation on the Draft EQIA generated considerable opinions and extensive discussion in the media and on social media. The final decision on signage at Olympia Leisure Centre is likely to generate debate both within the Council and in the media.

## 2. Background on the Council Decision to Carry Out an EQIA

Belfast City Council carried out a consultation into the proposed erection of bilingual or multilingual external naming and internal directional signage at its four city wide leisure centres (Andersonstown, Olympia, Lisnasharragh and Templemore) in 2019 / 20. On 24 January 2020 the Council's Strategic Planning and Resources Committee, agreed to erect bilingual external naming and internal directional signage in Andersonstown Leisure Centre.

At a subsequent meeting on 24th September 2021, the Committee considered agenda item 2(f) "consultation on signage – Andersonstown, Lisnasharragh, Olympia and Templemore Leisure Centres - Options Paper."

The City Solicitor submitted a report setting out options for languages to be used in signage in the named leisure centre facilities. The Committee agreed:

1. to erect bilingual external naming and internal directional signage at Olympia Leisure Centre, with a report on the detail and appearance of that signage to be submitted to a future meeting;
2. that a report on linguistic accessibility at Lisnasharragh and Templemore Leisure Centres be submitted to a future meeting; and
3. that a multi-lingual welcome sign be erected in the entrance/reception area of all leisure centres.

The decision of the Committee on 24 September 2021 was 'called in'. Under Section 41 (1) of the Local Government Act (NI) 2014 (the "Act") the Council is required to reconsider a Committee decision if 15% (nine Members) present a requisition on either or both of the following grounds:

- (a) That the decision was not arrived at after a proper consideration of the relevant facts and issues.
- (b) That the decision would disproportionately affect adversely any section of the inhabitants of the district.

Section 41 (2) of the Act requires the Council to obtain a legal opinion before reconsideration of a decision on a requisition made wholly or in part on the grounds set forth in 41 (1) (b) above.

A legal opinion was received in December 2021 which found merit to the call-in in respect of Ground 41(1) (b) of the Act: that the decision would disproportionately affect adversely any section of inhabitants of the district. The call-in requisition had stated the section of inhabitants of the district adversely affected by the decision to be: 1. "*the community of Blackstaff/ the Village*"; 2. The Protestant community; 3. The British Community. 4. The Northern Irish community.

The Committee's decision of 24 September 2021 was then included on the agenda for the next available meeting of the Council on 10th January 2022. At this meeting, the Council agreed to refer the decision back to the Strategic Policy and Resources Committee for further consideration.

On 22 January 2022, the Committee considered a report which included the recommendation that, in order to remain compliant with the Council's Equality Scheme, the Council would need to carry out a further screening which will likely screen in for an EQIA or proceed directly to an EQIA (which is permitted in ECNI guidance).

The Committee decided at that meeting to proceed with an Equality Impact Assessment on the erection of bilingual external naming and internal directional signage at Olympia Leisure Centre. As part of the EQIA process a consultation must be carried out and therefore a consultation on the Draft EQIA was launched on 12 June 2023.

### 3. The Context of the Consultation

#### 3.1 Belfast City Council Context

##### Language Strategy

The Council agreed a Language Strategy 2018-2023 which aspires to create a place where linguistic diversity is celebrated and respected. The Strategy includes five distinct language workstrands:

- Irish Language
- Ulster-Scot Language
- Sign Languages
- New Communities' Languages
- Languages and communications for disabled people

The vision of the Language Strategy is to create a city:

1. where linguistic diversity is celebrated and respected, and
2. where those who live, work and visit the city can expect to access what Belfast has to offer, using forms of language within which they are familiar and comfortable.

##### Good Relations Strategy

The Council's current Good Relations Strategy was adopted in 2019. Under Section 75 of the Northern Ireland Act 1998, all public bodies, including Belfast City Council must have regard to the desirability of promoting good relations between persons of different religious beliefs, political opinion or racial group.

The strategy sets out the Council's long-term vision, values and desired outcomes for good relations in Belfast. It aims to promote cultural diversity and respect for everyone's cultural identity, as well as promoting Belfast as a city for everyone.

The strategy states that it "aims to promote sharing over separation and the economic, social and environmental benefits of such. We need to continue to create

spaces for communities to interact and make connections with each other, moving from parallel living to meaningful relationships and casual interactions”.

### 3.2 Regional and International Context

The UK is a signatory to the European Charter for Regional or Minority Languages, which is a Council of Europe Treaty that came into force on 1 July 2001. The UK subscribed to commitments for Irish and Ulster Scots under Part II of the Charter, and a number of commitments for Irish under Part III of the Charter. The Charter is designed to protect and promote regional and minority languages and to enable speakers to use them both in private and public life.

In 2016 the Department for Communities (DfC) issued guidance on the European Charter for Regional or Minority Languages. DfC is the lead department for Charter implementation in Northern Ireland. The guidance notes that the Council of Europe has supported the use of minority language signage as a way of enhancing the visibility of a minority language.

The UK and Irish governments have made a commitment under the January 2020 New Decade New Approach agreement to adopt the key principles and practice of citizen and community engagement with regard to the co-design and co-production of the development and delivery of an Irish Language Strategy and an Ulster Scots Language, Heritage and Culture Strategy.

DfC has appointed two Expert Advisory Panels to advise on the direction and development of the Irish Language Strategy and the Ulster Scots Language, Heritage and Culture Strategy. The Expert Advisory Panel advising on the Irish Language Strategy has recommended that emphasis is placed on the need for English and Irish bilingual signage to be available throughout public buildings in Northern Ireland.<sup>1</sup>

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<sup>1</sup> See paragraph 2.29 of the Recommendations for an Irish Language Strategy, Report of the Expert Advisory Panel, February 2022

## 4. Consultation Design Process

Council officers from various services including the Equality and Diversity Unit, Good Relations, City and Neighbourhood Services, Strategic Policy and Planning and Governance and Compliance met with an independent consultant who was engaged to assist with the EQIA. Discussions took place on the approach to be agreed for consultation and engagement. Consideration was given to both the local context of Olympia Leisure Centre and the fact that it is designated as one of four citywide leisure centres (along with Lisnasharragh, Andersonstown and Templemore). Work was therefore undertaken to identify relevant stakeholders.

## 5. Methodology

The public consultation into this proposal was launched on 12 June 2023 and ran for 14 weeks, concluding on 17 September. The survey was available in both English and Irish Languages. A hard copy format of the survey, in both languages was also made available upon request.

### 5.1 Public information sessions

Council officers arranged online and in person information sessions to present the Draft EQIA to the public and allow them to give feedback. The public information sessions were highlighted on the Council's website and on social media with participants being encouraged to register their desire to attend in advance.

The public information sessions were chaired by the Council's Governance and Compliance manager and a presentation was given by the independent consultant who detailed the elements of the Draft EQIA. There was an opportunity at the end for questions and answers where feedback was noted. Attendees were encouraged to respond to online consultation.

### 5.2 Online meetings

There were three online public sessions that were fairly attended with a total of 32 attendees across the three sessions. A short summary of the meetings follows:

Online Session No. 1: 13 June 2023, 10:00 – 11:00 am (7 attendees)



Attendees at this session were in favour of bilingual signage at Olympia. They questioned the need for an EQIA, stating that the process was causing a delay. It was noted that the Council has a duty under the European Charter for Regional and Minority Languages to safeguard and promote minority languages and that Olympia is a shared space in a mixed area near an Irish language school. Attendees referred to the statement in the Draft EQIA that bilingual signage causes confusion and asked if there is research to evidence that point. There was a discussion around the meaning of the 'local' communities where it was noted that Olympia is used by lots of people in West Belfast and a question was raised as to whether those people are considered 'local'.

#### Online Session No.2: 23 August 2023, 12:00pm – 1:00pm (16 attendees)

This session was more mixed in attendees' views with some of those in favour of the signage and others opposed. Those in favour questioned how bilingual signs could have an adverse impact on someone's religion, race or ethnicity. It was also asked if the potential community impact of Irish signage not being included in Olympia has been considered. Those in opposition asked why local people should be alienated by using Irish language signage when all the community should be included.

#### Online Session No. 3: 23 August 2023, 7:00 – 8:00pm (9 attendees)

There were several questions at this session on a range of issues. These included a comment that it appears that the Council has made a decision on signage at its leisure centres on a sectarian basis. An attendee asked if there was any precedent for erecting bilingual signage for a minority of users. It was noted that acceptance of another's language is more indicative of good community relations than denial of the same and that refusal to erect signage has adverse impacts on Irish speakers. It was further noted that exclusion of Irish language signage from public life is deemed to be a political act.

### [5.3 In person public meetings](#)

There were two in person public meetings held at Olympia on 14 June 2023, which had a total attendance of 63 people. The opinions expressed at these meetings were for the most part either strongly in favour of or against bilingual signage at Olympia and are summarised below.

Olympia Meeting No. 1: 14 June 2023, 3:00 pm (23 attendees)

This meeting was attended both by those who were in favour of bilingual signage and those who were opposed to it.

Representatives from the Village area spoke passionately about how Olympia was built for people 'in this area' and how the Council had reassured the Blackstaff Residents' Association that it would benefit those living nearby. It was noted that although the area has changed dramatically, with an influx of nationalities who are now part of the community, there is still an Ulster Scots core. It was noted that the introduction of Irish signage will create division and that Unionists see the Irish language as a political weapon. A warning was given that putting up bilingual signage will cause problems and antisocial behaviour.

The counter argument presented was that one cannot be offended or threatened by the Irish language, since it belongs to everyone. It was noted that Olympia is used by children at the local Gaelscoil who are being raised through Irish, and that leisure centres are the epitome of shared spaces where language is not weaponised but rather seen by users who want to speak and see Irish. The visibility of Irish was noted as being important. There was a discussion of what 'local' meant and it was stated that local communities to Olympia extend to West Belfast. Attendees commented that the Draft EQIA lacked some data and were reassured by the independent consultant that this would be included in the Final Decision Report.

Olympia Meeting No. 2: 14 June 2023, 7:00pm (40 attendees)

This meeting was very heated with a palpably tense and angry mood from the outset. All attendees who spoke were in opposition to bilingual signage. There was a strong sense of ownership over the centre by the local PUL community and it was stated that Olympia was lobbied for and built for the people of the community i.e. the Village. It was noted that the people of West Belfast have their own leisure centres. A warning was given that if the signage is forced on this community, flags will be put up and the signage will be vandalised. There was a strong feeling in the room that the signage is being imposed on people who do not want it and that this is damaging reconciliation. There was a great sense of division between 'us' and 'them' and a sentiment that this exercise is not promoting good relations. The cost of the signage was also criticised by attendees who said that ratepayer money would be better

spent on other Council initiatives such as alleygating. An MLA in attendance commented that if the decision to erect the signage is brought forward, it will be legally challenged. Attendees noted that the centre is currently welcoming and tolerant to all and that this proposal is stirring up hatred.

#### 5.4 Engagement sessions with stakeholders in relation to the EQIA.

Council officers and the external consultant appointed to work on this consultation carried out a number of engagement sessions with relevant stakeholders. These engagement sessions elicited a range of opinions on the Draft EQIA and on the substantive issue of proposed bilingual signage at Olympia.

#### 5.5 Local Groups

Two meetings were held with members of the communities who live close to Olympia Leisure Centre. At both meetings, a presentation was given on the substance of the Draft EQIA and the independent consultant reviewed the survey questions relating to the various steps involved in the EQIA process: the data and research involved, the identification of impacts, whether those impacts are adverse and any mitigating steps that can be taken in the event that adverse impacts are identified. At each meeting, a large number of comments from attendees focused on the substantive issue at hand, i.e. the proposed erection of bilingual signage, rather than the technicalities of the EQIA process.

##### St. Simon's Community Centre, 14 June 2023

This was arranged through the South City Resource and Development Centre and was attended predominately by residents who live in the Village area in the immediate vicinity to Olympia. There were approximately 33 attendees at this meeting and the overwhelming opinion was in opposition to bilingual signage at Olympia. Reasons for this opposition included: the cost and it being a waste of money; the opinion that bilingual signage would make Olympia unwelcome for the local people; a feeling that the signage would be detrimental to good relations; and that the signage would be an imposition of culture on the community. There was also a feeling that the consultation was too complicated.

##### St. Mary's University College, 23 August 2023

This was arranged through the West Belfast Partnership Board and Council funded groups. There were approximately 33 attendees at this meeting and the

overwhelming opinion was in favour of bilingual signage at Olympia. Reasons for agreement included: the concept of 'inclusivity' in Olympia as a citywide centre in a diverse area; the fact that there is a framework in place for the Council to erect bilingual signage; this being a rights-based issue; that there is no detrimental effect to having bilingual signage; that this is an equality issue that cannot be mitigated; that Irish does not belong only to one side of the community and that visibility of the Irish language is important to normalise it.

#### 5.6 Irish Language Stakeholder Forum

On 26 June 2023 Council officers met with representatives from a range of Irish language groups including Fís an Phobail, Conradh na Gaeilge; Forbairt Feirste; Pobal Gaeilge Bhóthar Sheoighe, and An Droichead.

Attendees were in favour of the erection of bilingual signage at Olympia and cited the existing legislative framework around the issue of language rights, the fact that Olympia is a 'shared space' and the importance of the visibility of Irish language in increasing tolerance. Attendees also noted the revival of the Irish language and the shared heritage around it and how the onus is on public bodies to promote the language. Several attendees emphasised the importance of education and awareness.

#### 5.7 Ulster-Scots Stakeholder Forum

On 26 June 2023 Council officers met with representatives from the Ulster-Scots Community Network and the Ulster-Scots Association. Members of the Forum questioned the motivation of having Irish language signage at Olympia and expressed concern about the impact of this decision on the local community.

Members noted that some people might think that providing Ulster-Scots signage could be a mitigation however this would not be their view.

Members expressed disappointment that there was no 'Ulster Scots only option' in the online survey.

## 6. Consultation Responses

### 6.1 Collation of statistics from surveys

As stated above, Council officers felt it appropriate in this scenario to produce the online survey in both English and Irish formats. The questions asked in each version are the same and the response to the surveys show statistics from the Irish version, the English version and combined statistics from both surveys.

This breakdown will give as comprehensive a picture as possible of the responses. It should be noted, however, that no guarantee can be given that individual respondents have not filled in the survey multiple times.

Respondents were presented with questions based on various sections of the Draft EQIA (Section 4 – consideration of data and research, Section 5 – assessment of impacts and following on from that, the potential for adverse impacts, Section 6 – consideration of measures to mitigate) and were asked to state if they strongly agreed, agreed, neither agreed nor disagreed, disagreed or strongly disagreed. Respondents were also given the opportunity to leave a comment relating to the relevant section of the EQIA. These comments have been included in the qualitative analysis in this report. Respondents were also asked to choose an option about their preferred signage at Olympia Leisure Centre. Monitoring questions were also included in the survey. Percentages in relation to each question will be given in tabular format with a discussion with some of the commentary and themes in written answers following on from this.

### 6.2 Analysis and tagging

In addition to the statistical analysis of the responses to the survey, officers conducted a tagging of the written commentary left by some of the respondents to the survey. It became clear that comments were either broadly in favour of or opposed to the issue of the erection of bilingual signage and a large proportion of comments were focused on the issue of whether bilingual signage should be erected or not, rather than the substance of the Draft EQIA. Recurring themes have emerged from the comments and those are discussed in the analysis of the text comments for each question.

### 6.3 Written submissions

A number of written submissions were made during the period of the consultation. A substantial written response was submitted by the Committee for the Administration of Justice, which focused largely and critically on the Draft EQIA. Concern was expressed about how the Council was interpreting its statutory duties, specifically on the good relations duty set forth in Section 75 of the Northern Ireland Act 1998. A copy of this submission is included as **Appendix 1**.

Twelve groups (Cumann Cultúrtha Mhic Reachtain, Fís an Phobail, Conradh na Gaeilge, Ionad Uibh Eachach, Fóram na nÓg, Glór na Móna, Turas, Cultúrlann, Raidió Fáilte, Forbairt Feirste, An Droichead and Seachtain na Gaeilge) submitted an identical response.

This submission stated that language is a rights-based issue that should not require consultation. It was critical of the consultation approach and methodology and the substance of the Draft EQIA. The submission set forth a comprehensive background on international guidance on signage and provided recommendations to the Council for future consultations. It advocated strongly for bilingual signage in Olympia stating that it would not have a negative impact on either equality of opportunity or good relations. Each submission also included a set of identical answers to the consultation questions on the Draft EQIA. Those answers have been considered in the analysis of responses in this report. A translated example of one of the submissions is included in **Appendix 2**.

The Blackstaff Residents' Association submitted a petition (discussed in more detail on page 16) along with a written response, which summarised the history and development of Olympia Leisure Centre and its location. This response highlighted how the people living near Olympia lobbied for and helped to create a leisure centre and community hub for the benefit of the local community. The response also stated that there is a strong Ulster Scots tradition and culture within the local community, rather than a Celtic culture. It is stated in the response that the proposal to introduce Irish language is an unwelcome intrusion into a community that does not want it. A copy of this submission is included as **Appendix 3**.

A written submission was received from independent expert Janet Muller who questioned the need to carry out an EQIA on this issue, was critical of the Draft EQIA

in relation to a lack of evidence provided to substantiate any claim of adverse impact and opined that the issue of Irish signage in Olympia Leisure Centre should have been 'screened out' instead of being subjected to a full EQIA. A copy of this submission is included as **Appendix 4**.

#### 6.4 Petitions

An Dream Dearg submitted 726 signatures to the below petition:

'We the below listed fully support the erection of bilingual (Irish/English) signage in Olympia Leisure Centre. We strongly disagree proposed potential adverse impacts and strongly oppose any mitigations that would dilute or remove comprehensive bilingual signage.'

An Dream Dearg also submitted a total of 625 identical emails from respondents who stated that they were Belfast ratepayers and users of Olympia Leisure Centre who lived within a 20 minute walk of the centre. The emails (i) stated strong support for the erection of bilingual signage, (ii) stated strong disagreement with the claim that the erection of bilingual signage would have an adverse impact on equality of opportunity or good relations and (iii) stated strong disagreement with the requirement for any mitigations in relation to bilingual signage.

The Blackstaff Residents' Association submitted a written petition in opposition to dual language signage at Olympia:

'We the undersigned, object to the proposal to have dual language signage at Olympia Leisure Centre which includes Irish and excludes Ulster-Scots and many other languages spoken in the Blackstaff and Windsor area and throughout South Belfast. The proposal in our view, is discriminatory, divisive and even offensive. It fails to recognise the diverse nature of the local area with many languages being spoken.'

The petition had a total of 2,617 signature although it should be noted that 571 of these were in relation to the previous consultation on leisure centre signage in 2019 / 2020.

#### 6.5 Email responses

There was a total of nine emails received that commented on the consultation. Six of these emails were in opposition to the signage. Reasons for opposition included:

cost and the signage being a waste of money; the impact on community harmony; that the proposal for the signage is politically motivated by Sinn Fein; that Olympia should remain neutral; and that it is an attack on the community. Two emails were in favour, stating that the erection of signage would help an endangered language and that it is a language for everyone. The remaining email specifically discussed Section 6 of the EQIA and how the respondent did not believe that any mitigations are necessary because this would legitimise opposition to bilingual signage.

#### 6.6 Letter Response

One hard copy letter was received that expressed opposition for the signage, stating that it was too inflammatory for the area and that it could open floodgates for signage in other languages.

#### 6.7 Responses to the survey (hard copy submissions)

One hard copy survey response was received, which expressed opposition to bilingual signage at Olympia.



## 7. Breakdown of Responses

### 7.1 Overall responses to the online survey

There were 584 responses to the online survey, broken down into 426 responses to the English language version and 158 responses to the Irish language version.

Twelve responses were submitted on behalf of organisations, including an Irish language group, voluntary / community groups and a statutory or public body.

Throughout the analysis it was clear that there was considerable strength of feeling on this issue and the text analysis demonstrates that responses largely fell into one of two camps – in favour of the signage or opposed to it. There was very little middle ground.

It should be noted that there was no method of stopping individual respondents from filling in both the English and Irish language versions of the survey or filling in one or each multiple times.

The Equality Commission's Guide to the Statutory Duties makes it clear that consultation should focus on the actual impact of the existing policy and the likely impact of proposed and alternative policies. The Equality Commission has also made it clear that an EQIA should not be considered as a referendum or plebiscite whereby the views of consultees from a majority are counted as votes to decide the outcome.

### 7.2 Responses to the Consultation Questions on the Draft EQIA

The consultation on the Draft Equality Impact Assessment presented a number of questions to allow respondents to give their opinion on the material and data presented in the Draft EQIA report while also allowing them to indicate their preference for the type of signage they would like to see at Olympia Leisure Centre.

The consultation also collected monitoring data on respondents' age, gender, religious background (regardless of whether or not they practice), their national identity, whether or not they were impacted by a disability and their ethnic origin.

Respondents were also asked to answer a number of supplementary questions about their use of Olympia Leisure Centre, how close they live to Olympia, whether they live or pay rates in Belfast and what their primary interest in Belfast was as it was felt this information would contribute to the overall analysis.

Respondents could fill in the consultation questionnaire in either English or Irish. Respondents could fill in the questionnaire as many times as they wanted and could fill in both versions of the questionnaire. None of the questions in the questionnaire were mandatory. There is not, therefore, an equal number of responses for each question. The figures presented below are the aggregate figures for both the English and Irish versions of the survey.

**Q1. To what extent do you agree or disagree with the consideration of data and research as presented in Section 4 of the Draft EQIA?**

This question asked respondents whether or not they agreed with the data presented in the EQIA relating to the contextual evidence presented in relation to the possible erection of dual language signage at Olympia. This included the legal context, central government strategies, academic research on language issues and policies and decisions within Belfast City Council and other councils which may have been relevant here.

| <b>Q1: To what extent to you agree with the data presented in the EQIA?</b> | <b>% Total</b> |
|---|----------------|
| Strongly Agree  | 12.7           |
| Agree   | 7.2            |
| Neither Agree nor Disagree  | 16.5           |
| Disagree  | 4.2            |
| Strongly Disagree   | 59.4           |
| <b>Total</b>  | <b>100</b>     |

It is immediately apparent that the majority of respondents to this question (63.6%) either strongly disagreed or disagreed with the data presented in the draft EQIA document, with 19.9% strongly agreeing or agreeing with it. As will be shown in the discussion of themes in the qualitative responses, however, many of those who disagreed with the data were in fact in favour of the erection of bilingual signs in Olympia.

**Q2: Do you have any other comments on Section 4 of the Draft EQIA?**

There was a total of 78 text responses to this question. Of those 78 responses, 31 were tagged as a comment that directly related to the EQIA. The remainder of the comments were of a general nature citing support for or opposition to bilingual signage.

Respondents noted a lack of evidence or information in the Draft EQIA with some respondents saying that they would like to have seen evidence included as to the potential positive impacts of bilingual signage, particularly in the context of minority languages. Respondents commented that certain recommendations were not included in the Draft EQIA, such as the DfC (2022) Irish Language Strategy Expert Panel Report, ECNI guidance, the recent report into the UK's compliance with the Framework Convention for National Minorities, Council of Europe periodical monitoring rounds / best practice and the 2015 EQIA report on the DCAL Draft Irish language Act. It was suggested that recommendations from leading NGOs and statutory bodies such as Conradh na Gaelige, Foras na Gaelige or from CAJ, who either have a statutory duty or who regularly engage with the Council (and others) on the question of the Irish language, be included in this section of the Draft EQIA. It was also recommended that monitoring reports that discount the idea of bilingual signage being confusing should be included in Section 4 of the EQIA.

It was noted that some data presented was outdated, for example the 2014 – 2015 data on the school census for Irish language schools.

Respondents noted that the impact of not erecting dual language signage may be stronger on those who want it than the impact of erecting it have on the PUL community.

More general comments in favour of the signage included an observation that there is an official Irish translation of Olympia and that respect for other people's culture and language is an important part of moving forward. There were comments on the existing legislative framework, noting that it is important that the St. Andrew's Agreement and Good Friday Agreement are not set aside due to the wishes (and perceived threats) of pressure groups.

Sixteen responses in the English language survey were tagged as being 'opposed' to the bilingual signage and these for the most part did not comment directly on the substance of Section 4 of the Draft EQIA. One commenter did note that the data does not represent balanced and accurate samples of the local communities and that Olympia is home to Windsor Park and the National Football Stadium. It was also stated that bilingual signage will increase hostility in the area around Windsor stadium. Other responses not in favour of bilingual signage stated that it will cause

community tension and division, that will have an adverse impact and will discourage the local community from participating. It was stated that there is no public desire for it and it is being driven by the Council.

**Q3: To what extent do you agree or disagree with the potential impacts that have been identified in Section 5 of the Draft EQIA.**

This question asked respondents their opinion on the potential negative impacts which could occur should bilingual signage be erected at Olympia, as identified in Section 5 of the Draft EQIA.

| <b>Q3: To what extent do you agree or disagree with the potential impacts that have been identified in Section 5 of the Draft EQIA.</b> | <b>% Total</b> |
|---|----------------|
| Strongly Agree  | 9.5            |
| Agree   | 6.1            |
| Neither Agree nor Disagree  | 11.3           |
| Disagree  | 6.9            |
| Strongly Disagree   | 66.2           |
| <b>Total</b>  | <b>100</b>     |

It is again immediately apparent that the majority of respondents did not agree with the potential impacts presented in this section of the EQIA, with 73.1% of respondents either strongly disagreeing or disagreeing. 15.6% of respondents agreed with the potential impacts identified. It should be borne in mind again here that the majority of respondents who disagreed with the potential impacts identified were likely to be in favour of the erection of bilingual signs at Olympia.

**Q4: Do you have any other comments on Section 5 of the draft EQIA?**

There was a total of 80 text responses, 31 of which were tagged as relating directly to the Draft EQIA. Twenty-three of these responses were tagged ‘no adverse impact’.

Respondents who opined that there is no adverse impact stated that there is no demonstrated negative or adverse impact on equality of opportunity or good relations caused by seeing bilingual signage and referred to the 2015 Irish Language Bill (DCAL), which stated that bilingual signage would have a positive impact on good

relations. It was stated in the comments that bilingual signage would foster equality and inclusivity.

Respondents refuted the statement in the Draft EQIA that bilingual signage may be potentially confusing for those who may not have English as a first language and referred to the statement of The Advisory Committee on the Framework Convention for the Protection of Minorities that rejects this view.

There was a call for evidence to support the statement in the Draft EQIA that bilingual signage may adversely impact individuals from different ethnic origins who may want to visit Olympia.

The point was made that the Draft EQIA should have explored negative impacts for Irish speakers if bilingual signage is not erected and there was disappointment expressed that Section 5 does not address the negative impact and message sent to the Irish / Catholic community.

There were 18 responses in the English version of the survey that were tagged as 'opposed', i.e. opposed to bilingual signage at Olympia. These comments more often than not did not relate directly to the Draft EQIA but rather set out statements of general opposition, for example stating that bilingual signage would create a cold and uninviting environment for Protestants and Unionists. Concerns were expressed that bilingual signage would heighten tension, drive the local PUL community away, and cause division in the local community. Respondents stated that bilingual signage is not needed. A suggestion was made that the proposal would have been more inclusive if it had been for trilingual signage (i.e. including Ulster Scots).

**Q5. Do you feel that the proposed erection of English and Irish bilingual signs could have any adverse impact on people because of their...**

Question 5 asked respondents if they felt that the erection of the bilingual signs at Olympia could have any potential adverse impact on people because of their belonging to one of the nine Section 75 categories: religion; political belief; race; sexual orientation; age; marital status; disability; gender, or dependency status.

It should be noted immediately that the majority of responses to this question came from the English survey, with only one response to this question in the Irish version.

Only 141 of those who responded to the English version of the survey responded to this question.

| <b>Q5. Do you feel that the proposed erection of English and Irish bilingual signs could have any adverse impact on people because of their...</b> | <b>% Total</b> |
|--|----------------|
| Religion   | 29.1           |
| Political belief   | 36.2           |
| Race   | 10.6           |
| Sexual orientation   | 1.4            |
| Age  | 12.8           |
| Marital status   | 1.4            |
| Disability   | 6.4            |
| Gender   | 1.4            |
| Dependency status  | 0.7            |
| <b>Total</b>   | <b>100</b>     |

As can be seen in the table above, 36.2% of respondents felt that the erection of bilingual signs at Olympia could have an adverse impact on someone based on their political belief, with 29.1% of respondents to this question feeling there could be an adverse impact on people because of their religion. 12.8% of respondents felt that the erection of the signs could have an adverse impact because of age, with 10.6% of respondents feeling there could be a negative impact on people because of their race.

**Q6: If you feel there are adverse impacts, please explain.**

There was a total of 127 text responses to this question, which was the most for any question in the survey.

The majority of the responses that were tagged ‘adverse impact’ made reference to how community relations might be affected by bilingual signage. Respondents stated that that bilingual signage would cause alienation from Olympia, that the Irish language was being imposed on users of the centre, that Irish is not wanted in the area, and it will be divisive. There were also comments stating that the introduction of Irish will introduce an unnecessary political atmosphere, that Irish has become weaponised, and that it will create tension and unrest. It was stated that bilingual signage will marginalise the PUL community who may feel they are no longer welcome.

There were five comments tagged ‘adverse impact – religion’, where respondents had indicated that bilingual signage would negatively impact on Protestants, cause a divide along religious lines and would not serve the majority of Olympia users who are from a Protestant background.

There were five comments tagged ‘adverse impact – disability’. These comments raised concerns for how bilingual signage might be confusing for people with dyslexia or sight problems and how it might be difficult and stressful to have to interact with such signage.

The cost of the signs was raised in nine responses, all of which were in opposition to bilingual signage. Respondents stated that such signage would be a waste of money.

Fifty-five responses were tagged as ‘no adverse impact. These comments were in favour of bilingual signage. Respondents stated that it has not been demonstrated how an Irish language policy consistent with the ECRML framework could constitute an adverse impact or discrimination and that there is no realistic adverse impact of displaying dual language signage. Respondents were critical that the impact of not erecting bilingual signage had not been explored in the Draft EQIA and in fact commented that there should have been a question into the potential positive impact of bilingual signs. There were several comments that this question had been badly framed and there should have been a ‘none’ option to choose from when answering. Several respondents stated that only those with a sectarian view of the Irish language would experience adverse impact.

**Q7: To what extent do you agree or disagree with the potential mitigations that have been identified in Section 6 of the Draft EQIA?**

This question asked respondents to give their opinion on the potential mitigations that were identified in Section 6 of the Draft EQIA document. A total of 511 respondents answered this question across the two surveys.

| <b>Q7: To what extent do you agree or disagree with the potential mitigations that have been identified in Section 6 of the Draft EQIA?</b> | <b>% Total</b> |
|---|----------------|
| Strongly Agree  | 4.3            |
| Agree   | 5.9            |
| Neither Agree nor Disagree  | 16.4           |

|                   |            |
|-------------------|------------|
| Disagree          | 6.3        |
| Strongly Disagree | 67.1       |
| <b>Total</b>      | <b>100</b> |

73.4% of respondents strongly disagreed or disagreed with the proposed mitigations identified in this section, with many of the comments in the text section below voicing the opinion that there are not mitigations needed for bilingual signage. 16.4% of respondents neither agreed nor disagreed with the mitigations identified.

**Q8: Do you feel that there are any other mitigations that Belfast City Council could consider on the proposed erection of bilingual signage at Olympia Leisure Centre?**

There were 117 text responses to this question. Thirty responses were tagged 'no mitigations needed'. Those respondents stated that you cannot and should not mitigate against equality. It was also commented that mitigation would feed into a false assumption that bilingual signs have an adverse or negative impact when this has never been proven. Some respondents commented that the Council should consider how to mitigate any adverse impacts of not erecting bilingual signage. It was noted that mitigating against other minority rights issues eg LGBTQ would in itself be discriminating against those communities.

Conversely, there were several suggestions of potential mitigations. These included the theme of education and awareness, including a suggestion that the Council should undertake affirmative and pro-active steps to raise awareness of the need for visibility of Irish, which would mitigate against intolerance and negative attitudes to the promotion of Irish. There was also a suggestion of education campaign similar to Turas in East Belfast. A further suggestion was made that the Council should take positive actions to promote Irish as a language for all. It was also suggested that councils should take steps to foster a better understanding and acceptance of the Irish language among the PUL community.

Some respondents focused on the appearance of bilingual signage. There was a suggestion that Irish should be in a smaller typeface and beneath the English, which may ease some concerns for the unionist community. It was also suggested that it is reasonable to have signage in English slightly larger and more prominent. Trilingual signage, to include Ulster Scots, was suggested as a way of compromise.



**Q9: If you have any other comments on Section 6 of the Draft EQIA, please tell us here:**

There were 50 text responses to this question. The majority of comments did not relate back to Section 6, were varied in nature and were starkly divided in opinion as to bilingual signage. Comments in favour of the signage ranged from a discussion of how Olympia is a 'citywide' leisure centre and should therefore enjoy 'citywide' language protections and how important it is that Irish speakers see Irish in shared areas of the Council, whilst comments in opposition to the signage stated that if bilingual signage is erected, it will cause irreparable damage to community relations and that the cost is not good use of residents' money. The few comments that did relate specifically to Section 6 were critical of it, stating that there were few or no mitigations presented.

**Q10. Which of the following options would be your preference for signage at Olympia Leisure Centre?**

This question asked respondents to give their preference for signage at Olympia Leisure Centre, based on the options that were presented in the original consultation on leisure centre signage in 2019/2020: English Only; Irish and English; Irish, English and Ulster Scots; English and Ulster Scots; No preference. 579 respondents answered this question across the two surveys.

| <b>Q10. Which of the following options would be your preference for signage at Olympia Leisure Centre?</b> | <b>% Total</b> |
|--|----------------|
| English only   | 16.4           |
| Irish and English  | 79.1           |
| Irish, English and Ulster Scots  | 3.6            |
| English and Ulster Scots   | 0.4            |
| No preference  | 0.5            |
| <b>Total</b>   | <b>100</b>     |

There is clearly a strong preference amongst respondents for Irish and English on signage at Olympia Leisure Centre. This broadly mirrors the statistics for the consultation carried out on this issue in 2019/2020 where a majority of respondents were in favour of bilingual signage. The next most popular preference was for English Only (16.4%).

## **Q11: Do you have any other comments on the Draft Equality Impact Assessment?**

There was a total of 119 comments in response to this question. Again, very few of the comments directly related to the Draft EQIA but were rather general expressions either in favour of or against bilingual signage.

There were 71 comments that were tagged as being 'in favour' of the signage. These frequently referred to Olympia being a shared space, which is used by a broad range of people and should therefore reflect the diversity of the area. Respondents commented on the importance of visibility of Irish in public spaces. Respondents stated that Irish is an indigenous or national language, and that should be available to people who identify it as their language. Several respondents also referred to the importance of their children seeing Irish signage in Olympia and how the signage will serve families who speak Irish. There was criticism of the Draft EQIA in terms of a perceived Council bias against bilingual signage in how information in the Draft EQIA was presented.

Those not in favour of the signage focused on the cost of the signage and stated that it is a politically driven exercise that is not wanted in the community. Respondents stated that would be a waste of ratepayers' money in a Protestant / Loyalist area where there is no need for it.

7.3 Responses to Consultation Monitoring Questions: breakdown by type of respondent (individual or group), gender, community background, national identity, age, geographical location and relationship to Belfast

## **Q12. Are you responding as an individual (member of the public) or on behalf of a group or organisation?/ Q.14: How would you describe your organisation or group?**

97.9% of responses came in from individuals. Of those who answered on behalf of a group or organisation, 33.3% were answering on behalf of a voluntary or community group, with 41.8% of respondents selecting other. Residents' groups accounted for 8.3% of responses with the same amount, 8.3%, of responses coming from Irish language groups and statutory groups or public bodies.

## **Q15: How often does your group use Olympia?**

Of the 12 groups who responded to this question, 75% said they used Olympia Leisure Centre often, with the remaining 25% using it occasionally.

**Q17: In the past 12 months, how often have you used Olympia Leisure Centre?**

As shown in the statistics below, a large cohort of the respondents to the surveys stated that they use Olympia often or sometimes.

| <b>Q17: In the past 12 months, how often have you used Olympia Leisure Centre?</b> | <b>% Total</b> |
|--|----------------|
| Never  | 4.8            |
| Rarely   | 13.4           |
| Sometimes  | 40.7           |
| Often  | 41.1           |
| <b>Total</b>   | <b>100</b>     |

**Q18. Do you live or work within a 15-20 minute walk of Olympia Leisure Centre?**

81.6% of respondents answered that they live or work within a 15-20 minute walk of Olympia Leisure Centre.

**Q20 Postcode**

Respondents were asked to indicate what area of Belfast they lived in by postcode. A map of Belfast that shows areas by postcode is attached as **Appendix 5**. There is a breakdown by postcode below:

| <b>Q20. What is the first part of your postcode?</b> | <b>% Total</b> |
|--|----------------|
| BT1  | 0.4            |
| BT2  | 1              |
| BT3  | 0.4            |
| BT4  | 0.6            |
| BT5  | 2              |
| BT6  | 1.4            |
| BT7  | 3.9            |
| BT8  | 1.8            |
| BT9  | 26.3           |
| BT10   | 4.9            |
| BT11   | 14.2           |
| BT12   | 32.4           |
| BT13   | 2.2            |
| BT14   | 2.4            |
| BT15   | 1.2            |

|              |            |
|--------------|------------|
| BT16         | 0          |
| BT17         | 4.9        |
| <b>Total</b> | <b>100</b> |

While there appears to be some distribution of greater respondents across the Belfast area, the largest cohorts came from BT12 (32.4%) and BT9 (26.3%). It should be noted that BT12 covers the area immediately around Olympia Leisure Centre and the surrounding neighbourhoods, including the Village/Tates Avenue area, Broadway, Iveagh and St. James. A map of the postcode areas of Belfast is attached as Appendix 5.

### **Q19. Residency in and link to the Belfast City Council area**

Respondents were asked to indicate if they were residents or ratepayers in the Belfast City Council area and if they were not a resident or ratepayer, what specific link they had to Belfast.

The majority of respondents – 92% - were ratepayers or residents in the Belfast City Council area. Of those who indicated that they were not residents or ratepayers in Belfast, 46.7% were visitors to Belfast, 35% were workers, 8.3% were students with the remainder of respondents selecting other.

### **Q22. Age**

The single largest cohort of respondents were ages 25-39 (37%), with the majority of respondents (54.4%) being aged under 40. Only a small amount, 6.6% were aged 65 or more. The breakdown of ages of respondents across the two versions of the surveys is as follows:

| <b>Q22. What age are you?</b> | <b>Total %</b> |
|-------------------------------|----------------|
| Under 18                      | 4.2            |
| 18-24                         | 13.2           |
| 25-39                         | 37             |
| 40-54                         | 27.6           |
| 55-64                         | 11.4           |
| 65+                           | 6.6            |
| <b>Total</b>                  | <b>100</b>     |

### Q23. Gender

A total of 496 respondents answered this question. Male respondents outnumbered female respondents here (50.6% vs. 38.9%). No respondents indicated that they use any other term for their gender, such as intersex or non-binary, but 10.5% did opt to not declare their gender in the survey.

| <b>Q23: What is your gender?</b> | <b>% Total</b> |
|----------------------------------|----------------|
| Male                             | 50.6           |
| Female                           | 38.9           |
| Prefer not to say                | 10.5           |
| I use another term               | 0              |
| <b>Total</b>                     | <b>100</b>     |

### Q24. Community background of respondents

Respondents were asked to indicate what community background they came from regardless of whether or not they actively practiced a religion. They were asked to indicate a Catholic or Protestant community background as it is felt that these correspond to the two major community groups within Belfast and Northern Ireland as a whole. Respondents were also given the option to say that they belonged to neither the Catholic nor Protestant communities.

| <b>Q24: Regardless of whether you practice a particular religion, most people in Northern Ireland are perceived to be members of either the Protestant or Roman Catholic Communities. Please indicate your community background by ticking the appropriate box below.</b> | <b>% Total</b> |
|---|----------------|
| Catholic  | 37.9           |
| Protestant  | 21.1           |
| Neither   | 41             |
| <b>Total</b>  | <b>100</b>     |

The single largest cohort of respondents, 41%, indicated that they were from neither a Catholic or Protestant background. 37.9% of respondents were from a Catholic background and 21.1% coming from a Protestant background. This perhaps reflects a broader societal trend where people are less likely to identify with one of the two major communities here.

## Q25. National Identity

The survey asked for respondents to describe their national identity, giving them the options of British, Irish, Northern Irish, Other, English Scottish and Welsh.

| <b>Q25: How would you describe your national identity?</b> | <b>% Total</b> |
|--|----------------|
| British  | 16.6           |
| Irish  | 47.5           |
| Northern Irish   | 33.5           |
| Scottish   | 0.9            |
| English  | 0.9            |
| Welsh  | 0.2            |
| <b>Other</b>   | <b>100</b>     |

The single largest cohort of respondents here consider themselves to be Irish (47.5%), with Northern Irish being the second largest national identity here (33.5%) and 16.6% of respondents saying they were British. Only a small number of respondents reported being English, Scottish, Welsh or “other”.

## **Q26: Ethnic origin is not about nationality, place of birth or citizenship. It is about the group to which you perceive you belong. How would you describe your ethnic origin?**

The overwhelming majority of respondents here, 89.1%, were white, with 9% of respondents selecting the “prefer not to say” option. 1.5% of respondents indicated that they came from mixed or multiple ethnic groups with 0.4% selecting “other”.

## **Q30: Are your day-to-day activities limited because of a health problem or disability, which has lasted, or is expected to last, at least 12 months?**

The majority of respondents (78.2%) stated that their day-to day activities were not limited by a disability or illness, with 11.1% of respondents being limited a lot or somewhat, with 10.7% of respondents preferring not to say.

## 8. Summary and Comment on Responses

The examination of the data as presented above reveals a number of initially apparent trends:

- A disagreement with the data presented in the EQIA, the potential impacts identified in the EQIA and the potential mitigations identified in the EQIA.
- Majority support for Irish and English signage at Olympia Leisure Centre.
- Some respondents feeling that bilingual English and Irish signs at Olympia could have a negative impact on someone depending on their religious background or political belief.

### 8.1 Summary of Monitoring Data

The consultation monitoring data shows that the majority of respondents were men, of White ethnic origin who are residents or ratepayers in the Belfast City Council area. The majority declared that they came from neither a Catholic nor Protestant background, had an Irish or Northern Irish national identity and were under 40. The majority of respondents came from BT9 and BT12.

## 9. Conclusions

This was a wide-ranging consultation for a full 14-week period that included online and in person meetings, focused group sessions, public sessions and an online survey.

It became evident from the comments received through all these media that there is not a great deal of middle ground. The majority of responses were either in favour of or opposed to bilingual signage and the majority of comments focused on the question of signage, rather than the substance of the Draft EQIA.

Those who were in favour of bilingual signage tended to be critical of the content of the Draft EQIA both in terms of the data and the sections that analysed adverse impact (especially with regard to good relations) and mitigations. Those in favour cited international best practice and the duties of public authorities to promote and protect the Irish language. It was emphasised that Olympia Leisure Centre is a citywide leisure centre and a shared space in a diverse area of Belfast. Respondents

stated that the right to see the Irish language in public spaces does not cause any adverse impact. Following on from this, those in support of the signage stated that no mitigations are necessary.

Those opposed to bilingual signage stated that such signage in Olympia would be imposed or forced on the local community against its will and would therefore cause tension or division. There was a sense of ownership from the residents of the Village who regard it as 'their' centre, whilst they too acknowledge that it is a shared space. Cost was cited by those in opposition who state that it is a waste of money and that the money would be better spent on other Council initiative but this was not the overriding concern.



## **Appendix 1: Submission from the Committee on the Administration of Justice**

# Submission to Belfast City Council draft Equality Impact Assessment (EQIA) of proposed policy on Proposal to Erect Bilingual External Naming and Internal Directional Signage at Olympia Leisure Centre

**Consultation 12 June 2023 to 17 September 2023**

## About the Respondent

1. This is a response from the Committee on the Administration of Justice (CAJ) an independent human rights organisation with cross community membership, established in 1981, that works to ensure compliance with obligations under international human rights law. CAJ engages regularly with the Council of Europe and United Nations treaty bodies.
2. In 2019, in collaboration with the Ulster University and Conradh na Gaeilge, CAJ produced the report *Comhairlí Áitiúla, Dualgais agus an Ghaeilge: Creatlach Comhlíonta / Local Councils, Obligations and the Irish Language: A Framework for Compliance*.<sup>1</sup> This report assessed the extent to which NI Councils complied with treaty-based standards towards the Irish language. CAJ previously responded to a Belfast City Council draft EQIA on bilingual street signage.<sup>2</sup>
3. This submission is a response to the Belfast City Council public consultation on the draft Equality Impact Assessment (EQIA) of proposed policy on ‘Proposal to Erect Bilingual External Naming and Internal Directional Signage at Olympia Leisure Centre’.<sup>3</sup>
4. This CAJ response focuses largely on elements of the methodology followed by the draft EQIA. We are concerned that these elements depart from the framework provided by the legislation and Council’s Equality Scheme and instead construe the statutory duties as more of a political veto than an assessment as to impacts on equality of opportunity. We are concerned at the broader ripple effect of the adoption of this approach.
5. This response is divided into the following sections:
  - Executive Summary
  - The Purpose of an EQIA
  - The GFA and the shift from ‘English only’ policies to linguistic diversity
  - The background to the current Councils policy.
  - How the draft EQIA assesses impacts.
  - Conclusions

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<sup>1</sup> <https://pure.ulster.ac.uk/en/publications/local-councils-obligations-and-the-irish-language-a-framework-for>

<sup>2</sup> <https://caj.org.uk/publications/submissions-and-briefings/submission-on-belfast-city-councils-proposed-policy-on-dual-language-street-signs/>

<sup>3</sup> <https://www.belfastcity.gov.uk/Documents/Proposal-to-Erect-Bilingual-External-Naming-and-In>

## Summary

6. The following is a summary of the key issues in our response that are evidenced in the text of the full submission:
  - This is a CAJ response to the summer 2023 **Belfast City Council consultation** on a draft Equality Impact Assessment (**EQIA**) **into the proposed policy for bilingual (English-Irish) signage at Olympia Leisure Centre** (a council facility).
  - The **purpose of an EQIA** is to assess whether a proposed policy positively impacts on equality of opportunity or whether the policy would constitute a discriminatory detriment (adverse impact) on equality against one or more section 75 groups.

### *The process to date*

- The usual intended trigger for an EQIA is where an equality screening exercise concludes that there are potential major adverse impacts on equality of opportunity. In this instance the Council's equality screening (rightly) concluded that this was not the case with this policy. Yet an EQIA has proceeded on minor 'good relations' grounds.
- Further to the Councils' linguistic diversity and language strategies a consultation took place in 2019 on bilingual signage in four leisure centres (including Olympia). This evidenced support and demand for bilingual signage. In 2020 the DUP hosted a City Hall meeting advocating an 'English only' policy citing 'grave concerns' about the 'damage to good relations' should bilingual signage proceed against the wishes of 'local residents.'
- In September 2021 a Council Committee took a decision to proceed with bilingual signage at Olympia. The decision was however 'called in' by DUP representatives arguing such bilingual signage would meet the legal threshold of a decision that would 'disproportionately affect adversely' a section of the community (specifying the Protestant/British/Northern Irish community and Blackstaff/The Village residents). A legal determination subsequently determined this call in had 'merit'. This generated significant concern among the Irish speaking community and human rights NGOs about the reasoning behind the determination that a bilingual sign could meet a legal threshold of a disproportionate adverse impact. The Council declined to release the documentation evidencing the reasoning and the matter is currently before the First Tier Information Rights Tribunal further to an appeal taken by Conradh Na Gaelige with the support of CAJ and Public Interest Litigation Support NI (PILS).
- In January 2022 a decision was taken to proceed with the present EQIA. A screening was concluded in February 2022. The draft EQIA was released for consultation between June and September 2023.

### *Policy context: treaty-based commitments*

- The proposed bilingual signage policy is an opportunity to promote equality for and progress the rights of a linguistic minority, the Irish speaking community.
- From the establishment of Northern Ireland the Irish language continued to face active discrimination in law and policy with the imposition of 'English only' policies. The GFA was to mark a reset in this relationship with a framework for linguistic diversity and specific commitments to redress the past marginalisation of the Irish language signed up to by the UK in human rights treaties. Whilst there has been some positive action many

of these commitments remain unfulfilled. Despite significant progress Irish speakers also continue to face varying degrees of demonisation, hostility and intimidation.

*The previous consultation referenced in the draft EQIA*

- The Council's 2019 consultation records support and demand for bilingual signage at leisure centres. The consultation data is detailed in the draft EQIA.
- It can be derived from the data in the draft EQIA that the proposed bilingual signage will constitute a positive impact on a number of Section 75 groups that are particularly reflected in the demographic of the Irish Speaking community, including young Catholics. The policy can also benefit Protestants and unionists with an interest in the language.
- The consultation also records that the bilingual signage policy is strongly opposed by the DUP and 'local community representatives' who instead advocate an 'English-Only' policy. Opposition or hostility to a policy does not mean the policy is 'discriminatory' against the groups opposing it. The test to be applied in an EQIA is whether the policy constitutes an adverse impact (i.e. a form of discriminatory detriment).
- It would be incompatible with the legislation and Council's Equality scheme to substitute the framework of an EQIA for an alternative test, grounded as to whether a policy is politically contentious or opposed. This would risk turning the EQIA process into a subjective unionist and nationalist veto. Should there be a pattern of EQIAs doing this only on policies which concern the Irish language, or which are politically opposed by a particular constituency this would raise questions of a discriminatory approach.

*Draft EQIA: Assessment of positive impacts on Equality of Opportunity*

- As set out above the role of an EQIA is also to assess positive impacts on equality as well as any adverse impacts on equality.
- The present draft EQIA makes no attempt at all to assess potential positive impacts of the policy on equality of opportunity.
- Furthermore, one reading of the draft EQIA is that it suggests that consultation responses demonstrating support for bilingual signage is not to be given weight as it was 'disproportionately' filled in by young Catholics from West Belfast. There appears to have been no consideration that this demographic may broadly reflect the rights-holders with a specific interest in the policy – the Irish speaking community, and hence be an indicator of positive impacts.
- This prompts the question as to whether a differential approach has been taken to this policy because it concerns the Irish language. It is highly unlikely that, for example, any consultation data on the issue of older persons concessionary bus passes would be downgraded as unreliable on the ground that most of the people responding to the consultation were older persons. Clearly such a demographic has a specific interest in the policy.
- **We recommend the final EQIA should incorporate these revisions, including a section added assessing positive impacts on equality of opportunity of the policy.**

*Draft EQIA: Assessment of adverse impacts (discriminatory detriment)*

- The EQIA rightly finds that there is no evidence that the bilingual signage policy would constitute an adverse impact (less favourable treatment/discriminatory detriment) on equality of opportunity for any of the Section 75 Groups.
- This appears a fairly straightforward contention as, put simply, nobody experiences discrimination by having to look at Irish alongside English on a sign.
- By contrast it would be an odd contention to argue that a group who are advocating for continued exclusion of the Irish language are themselves victims of discrimination if 'English-only' policies do not prevail.
- The EQIA does raise the 'chill factor' question as to whether if those opposed or hostile to bilingual signage decided to essentially stop using the leisure centre in the future, this would mean they have faced an adverse impact on equality that should be remedied by a change in policy. Whilst understanding monitoring needs for uptake of services we would caution that parameters are placed on such an approach. *It would conflict with the purpose of the statutory duty if boycotts based on prejudice or intolerance of the rights of others were institutionalised into policy.* Such a prospect would be better addressed by positive good relations actions measures such as the Council engaging in measures to promote understanding of linguistic diversity as recommended in the Council's Screening exercise. Comparable situations would be unthinkable, for example if a particular group ceased to use a leisure centre as they objected to persons from an alternate community background or different ethnicity also using the facility, that this objection would be accommodated into policy by discouraging others from using the facility.

#### *Consideration of 'good relations'*

- The legislation and ECNI Practical Guidance on EQIAs provide that the duty to assess adverse impacts relates to the equality limb of the Section 75 duty only and not the 'good relations' limb.
- The draft EQIA departs from this statutory framework and contains a 'good relations impact assessment'. It is the predominant focus of the assessment in the draft EQIA.
- The definitions of good relations recommended by ECNI guidance and incorporated into the Council's Equality Scheme focus on good relations being about tackling prejudice, promoting understanding and 'embracing diversity in all its forms'.
- The draft EQIA departs from these definitions and instead appears to substitute them for a lay interpretation that there is an 'adverse impact' on good relations if there is opposition and hostility to a policy, risking turning the section 75 duties into a political veto.
- The draft EQIA goes on to conclude that the evidence to date does indicate that the policy of bilingual signage would have an 'adverse impact' on good relations for Protestants and unionists. This is largely grounded in the opposition to and anger about the policy from the DUP and representatives from 'local communities' recorded in an addendum process to the original consultation.
- This is the incorrect interpretation of the good relations duty.
- Should the good relations duty be misinterpreted in this way as a lay assessment of subjective impacts, its application is still inconsistent in the draft EQIA. The assessment

only focuses on the good relations ‘impacts’ on those opposed to the policy. There is no ‘good relations impact assessment’ in the same terms of the positive impacts on those supportive of the policy. This is despite such an assessment concluding positive impacts have been recorded in the Council’s Equality Screening exercise that preceded the EQIA. Furthermore, using the same methodology of ‘good relations impacts’ the Council would also have to conclude that not adopting the policy would equality constitute a ‘major adverse impact on good relations’ for the Section 75 groups making up the demographic of the Irish speaking community. None of this was the approach intended by the statutory duties.

- It would be of particular concern if the ‘good relations’ test in an EQIA was tilted in favour of a particular outcome due to anger and threats of the consequences if the policy was adopted. *Such an approach at worst would risk both incentivising and institutionalising intimidation into policy making.*
- An additional concern is that the way the draft EQIA is phrased, the views of a political party and ‘community leaders’ who are strongly opposed to the bilingualism policy and Irish language provision and wish to see an ‘English-Only’ policy risk stigmatising unionists and Protestants in general as holding such views, despite the growing visibility of Protestants and unionists learning and supporting the Irish language.
- None of this should be interpreted as precluding the EQIA from recording the views and reasoning of those strongly opposed to the policy. However, such opposition does not mean an alternative policy must be pursued because of the EQIA. The purpose of an EQIA is to assess whether a policy would constitute a discriminatory detriment against a Section 75 group, not whether a particular constituency is opposed or angry about a policy.
- The correct application of the good relations duty in the EQIA is to consider positive action measures to support the implementation of the policy *in a way that would promote good relations in line with the Council’s and ECNI’s definitions of good relations.* Measures to promote tolerance and understanding of linguistic diversity would be particularly relevant to this proposed policy. Such measures are already referenced in the Equality Screening as a potential action – but not in the draft EQIA.
- It should also be noted that the face of the Section 75 legislation expressly provides for the primacy of the equality duty over the good relations duty precisely to prevent the risk of policies that promote equality being blocked by lay interpretations of good relations.

***We recommend the final EQIA should remove the ‘good relations impact assessment’ and instead follow the intended statutory framework for an EQIA.***

*Duty to consider mitigating measures and alternative policies.*

- The legislation and Equality Scheme provide that there is a duty to consider mitigating measures or alternative policies *where there are adverse impacts on equality of opportunity.* This duty does not attach to the good relations limb of the statutory duty.
- It is undisputed that the bilingual signage policy does not constitute an adverse impact on equality of opportunity. The duty to consider alternative policies is not triggered.

- Given the inclusion of a ‘good relations impact assessment’ in the EQIA and the indication that the policy would entail an ‘adverse impact’ on good relations, it is foreseeable there is a risk that the EQIA will seek to promote ‘alternative policies’ on ‘good relations’ grounds. This would conflict with the legislation and equality scheme, including with the primacy of the equality duty for a policy given the positive impacts the policy will have on the Irish speaking community.
- To this end the draft EQIA states that it is imperative alternative options are made available for consideration as part of the present consultation process. The draft EQIA then suggests the alternative policy options include “monolingual naming and signage.”
- The legislation and Equality Scheme however qualify the types of alternative policies that can be considered as a result of an EQIA to those which would *better promote equality of opportunity*. The proposed alternative policy will not ‘better promote equality of opportunity’ rather it would be regressive in equality terms. It would also be incompatible with the Council’s own definition of good relations.

***We recommend the assessment section of the final EQIA is significantly revised to bring it in line with the legislation and ECNI Practical Guidance on EQIAs – as both are obligations under the Council’s Equality Scheme. This would include the inclusion of an assessment of positive impacts on the policy on equality; the removal of the ‘good relations impact assessment’ and its replacement with suggested positive actions to support the policy in line with the definition of good relations focusing on linguistic diversity measures; the proposed alternative policy section should also be revised accordingly.***

## **The purpose of an EQIA**

7. The Belfast or Good Friday Agreement (GFA) provided for the introduction of a statutory public sector equality duty. This was legislated for under Section 75 of the main GFA implementation legislation (the Northern Ireland Act 1998) and covers nine protected characteristics (in summary: *age, disability, sex, ethnicity, religious belief, political opinion, disability, dependents and sexual orientation*).
8. Schedule 9 of the Northern Ireland Act 1998 provides an implementation framework for the Section 75 statutory duty which requires public authorities such as the Council to adopt ‘Equality Schemes’ setting out how they will implement Section 75. Mandatory elements of Equality Schemes are arrangements for (emphasis added):
  - assessing and consulting on the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity.
  - for monitoring any adverse impact of policies adopted by the authority on the promotion of equality of opportunity.<sup>4</sup>
9. In order to do this, public authorities have adopted a two stage methodology recommended by the Equality Commission for Northern Ireland (ECNI) and set out in Equality Schemes. The first stage is an initial ‘Equality Screening’ of a proposed policy. Then if the screening identifies major adverse impacts, the screening decision is

<sup>4</sup> <https://www.legislation.gov.uk/ukpga/1998/47/schedule/9/paragraph/4>.

usually to proceed to a full Equality Impact Assessment (EQIA). The Council has adopted this approach.<sup>5</sup>

10. As set out ECNI Guidance on EQIAs:

The primary function of [an] EQIA is to determine the extent of differential impact of a policy upon the groups and in turn whether that impact is adverse, that is, whether it has a negative impact on one or more of the nine equality categories.<sup>6</sup> (emphasis added).

11. The Council's Equality Scheme commits to following this ECNI Guidance and reflects this specific provision, also emphasising that an EQIA "is also an opportunity to demonstrate the likely positive outcomes of a policy."<sup>7</sup>
12. The draft EQIA itself reiterates the ECNI Guidance, stating that "An EQIA is a thorough and systematic analysis of a policy to determine the extent of differential impact upon the groups within the nine equality categories and whether that impact is adverse."<sup>8</sup> (emphasis added).
13. It appears uncontested therefore that the purpose of the present EQIA is to impact assess *differential impacts* (i.e., including any positive impacts, as well as negative impacts) of a policy across the nine equality categories in the equality duty.
14. The concept of 'adverse impact' on equality of opportunity is similar to 'discriminatory detriment' on a protected characteristic and should not be misinterpreted as mere political opposition or contention over a policy. The Equality Commission has produced the following definition of adverse impact which the Council has incorporated into its Equality Scheme (emphasis added):
- Adverse impact:** Where a Section 75 category has been affected differently by a policy and the effect is less favourable, it is known as adverse impact. If a policy has an adverse impact on a Section 75 category, a public authority must consider whether or not the adverse impact is unlawfully discriminatory. In either case a public authority must take measures to redress the adverse impact, by considering mitigating measures and/or alternative ways of delivering the policy.<sup>9</sup>
15. It would conflict with the purposes of the statutory duty if objections grounded in prejudice or intolerance (including sectarianism) – in this case towards a minoritized language - were institutionalised into policy making as a result of the Section 75 process. These objections would not be indicative of 'less favourable' treatment.

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<sup>5</sup> <https://www.belfastcity.gov.uk/Documents/Equality-Scheme-for-Belfast-City-Council>

<sup>6</sup>

<https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/PracticalGuidanceonEQIA2005.pdf> page 4.

<sup>7</sup> <https://www.belfastcity.gov.uk/Documents/Equality-Scheme-for-Belfast-City-Council> paragraph 4.16.

<sup>8</sup> Draft EQIA Section 2 'purpose of an EQIA' [Proposal to Erect Bilingual External Naming and Internal Directional Signage at Olympia Leisure Centre \(belfastcity.gov.uk\)](https://www.belfastcity.gov.uk/Proposals/Proposals/Proposal-to-Erect-Bilingual-External-Naming-and-Internal-Directional-Signage-at-Olympia-Leisure-Centre)

<sup>9</sup> <https://www.belfastcity.gov.uk/Documents/Equality-Scheme-for-Belfast-City-Council#appendix5>



16. Where an adverse impact on equality of opportunity is properly identified within an EQIA the Council is then under a duty to consider mitigating measures and alternative policies that would better promote equality of opportunity.
17. Schedule 9 of the Northern Ireland Act 1998 provides that when a public authority publishes an EQIA they must give detail of any consideration given to:
  - (a) measures which might **mitigate** any adverse impact of that policy **on the promotion of equality of opportunity**; and
  - (b) **alternative policies** which might **better achieve the promotion of equality of opportunity**.<sup>10</sup>
18. This is reflected in the Council's Equality Scheme which commits to EQIA reports including consideration of 'measures which might mitigate any adverse impact' and 'alternative policies which might better achieve the promotion of equality of opportunity'.<sup>11</sup> The Council's Equality Scheme also commits to ongoing monitoring any adverse impact *on equality of opportunity* of an adopted policy.<sup>12</sup>
19. In summary, therefore, the purpose of an EQIA properly conducted in accordance with the legislative framework, ECNI Practical Guidance, and Council's Equality Scheme is to systemically assess both positive and adverse impacts on equality of opportunity, and only where adverse impacts on equality of opportunity are identified to consider mitigating measures and alternative policies *that might better achieve the promotion of equality*.

*The application of the Good Relations limb of the Section 75 duty*

20. Whilst there was no reference to 'good relations' in the GFA, a second limb was added to the Section 75 duty that a NI public authority shall 'have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group'.<sup>13</sup>
21. Following concerns by CAJ and others a safeguard was placed on the face of the Section 75 legislation that the 'good relations' limb of the duty must be discharged in *without prejudice* to obligations under the equality duty. This was to prevent the scenario whereby a policy that promotes equality is blocked by a *lay interpretation* of the 'good relations' duty that a policy offends 'good relations' (i.e., as it is politically contested) which would defeat the purpose of the equality duty.
22. Despite this safeguard such problematic interpretations of the good relations duty have been prevalent in a number of areas engaging economic, social and cultural (ESC) rights, including provision for the Irish language.<sup>14</sup>
23. Regarding an authoritative interpretation of the concept of 'good relations' in international standards, the Council of Europe has set out that that:

<sup>10</sup> Schedule 9, paragraph 9: <https://www.legislation.gov.uk/ukpga/1998/47/schedule/9>

<sup>11</sup> Belfast City Council Equality Scheme, paragraph 4.22.

<sup>12</sup> As above, paragraph 4.28.

<sup>13</sup> <https://www.legislation.gov.uk/ukpga/1998/47/section/75>

<sup>14</sup> See CAJ 'Unequal Relations' report – including the case study on Irish language policy: <https://caj.org.uk/wp-content/uploads/2017/03/No.-64-Unequal-Relations-%E2%80%93-Policy-the-Section-75-duties-and-Equality-Commission-advice-etc-May-2013.pdf>

Promoting good relations between different groups in society entails fostering mutual respect, understanding and integration while continuing to combat discrimination and intolerance.<sup>15</sup>

24. The equivalent concept in legislation Great Britain, in the Equality Act 2010, explicitly frames the focus of the good relations duty as “*tackling prejudice and promoting understanding*”.<sup>16</sup> Whilst there remains no definition of ‘good relations’ on the face of the Section 75 duty in Northern Ireland it is clearly not intended to be an entirely different concept.
25. There has been significant criticism from Council of Europe treaty-bodies about the interpretation *in practice* of the good relations duty in NI, where the lack of proper definition has been a contributory factor. The Advisory Committee on the Framework Convention for National Minorities has referred to interlocutor reports of the ‘good relations’ duty appearing “*on several occasions to take priority over wider equality and minority rights initiatives, which were blocked on grounds that they would lead to ‘community tensions’*” and elaborated that:

This would be due to the fact that, unlike the rest of the country, Northern Ireland does not interpret the ‘good relations’ duty as including a duty to tackle racism, including sectarianism. Instead, the lack of proper definition allows this notion to be used rather as a ‘tool’ to set aside politically contentious issues, such as legislating on the Irish language, and to justify a “do-nothing” attitude, eventually based on ‘perceptions’ rather than objective criteria. The Advisory Committee reiterates its opinion that the concept of ‘good relations’ apparently continues to be substituted for the concept of intercultural dialogue and integration of society, which would include other national and ethnic minorities present in the region, and regrets that this is used to prevent access to rights by persons belonging to these minorities. [85]<sup>17</sup>

The Committee recommended that:

The authorities should begin to implement the ‘good relations’ duty as provided for under the Northern Ireland Act 1998 in a manner that does not run counter to the equality duty and that does not prevent access to rights by persons belonging to all national and ethnic minorities. [89].<sup>18</sup>

26. Following a CAJ report raising concerns on the issue in 2013 the Equality Commission for Northern Ireland, which has a statutory function to advise on the Section 75 duties, has also promoted the ‘*tackling prejudice, promoting understanding*’ definition in the Equality Act 2010. In addition, also drawing on legislation in Britain in guidance to NI Councils, the Equality Commission elaborates that:

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<sup>15</sup> [ECRI General Recommendation no 2 \(revised\), explanatory memorandum](#), para graph 21

<sup>16</sup> s149 of the Equality Act 2010.

<sup>17</sup> <https://www.coe.int/en/web/minorities/-/united-kingdom-publication-of-the-4th-advisory-committee-opinion>

<sup>18</sup> <https://www.coe.int/en/web/minorities/-/united-kingdom-publication-of-the-4th-advisory-committee-opinion>

Good relations can be said to exist where there is a high level of dignity, respect and mutual understanding; an absence of prejudice, hatred, hostility or harassment; a fair level of participation in society.<sup>19</sup>

27. The Commission on Flags, Identity Culture and Tradition (FICT) report (2021) raises the lack of definition of ‘good relations’ in NI law, drawing on the definition in Great Britain, and the representations of the Equality Commission on the utility of this definition. The FICT commission consequently recommends that “the legal duty of Good Relations should be clearly defined in law.” and that “the delivery of Good Relations interventions, has reductions of sectarian and race hate incidents as key outcomes.”<sup>20</sup>
28. Notably the Councils’ own equality scheme defines good relations as *inter alia* seeking to promote respect and ‘embrace diversity in all its forms’.<sup>21</sup>
29. These definitions provide a sound basis of how ‘good relations’ at least *should be* interpreted by public authorities in NI.
30. It should be noted that there is no obligation to conduct ‘good relations impact assessments’ in the Section 75 legislation. The impact assessment provisions of the Section 75 duties, cited above, expressly relate to the ‘equality of opportunity’ limb of the duty only. The duties to consequently consider mitigating measures and alternative policies also likewise only relate to the equality of opportunity duty.
31. There was a proposal under the Executives T:BUC strategy to amend the legislation and provide for ‘good relations impact assessments’ with EQIAs becoming Equality and Good Relations Impact Assessments. This was opposed by the Equality Coalition and was never legislated for.
32. The ECNI Practical guidance on conducting EQIAs makes no reference at all to ‘good relations’ or ‘good relations’ impact assessments, rather EQIAs are entirely focused on the equality limb of the duty only.<sup>22</sup> The Councils Equality Scheme expressly commits to following this ECNI Guidance.<sup>23</sup>
33. The 2010 ECNI general guide on the Section 75 duties issued by the ECNI does confuse matters in recommending good relations ‘impacts’ be measured in Equality Screening, although the guidance on EQIAs remains largely focused on the equality

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<sup>19</sup> Equality Commission advice on Good Relations in local Councils’ 2015

<sup>20</sup> [Commission on Flags, Identity, Culture and Tradition - Final report | The Executive Office \(executiveoffice-ni.gov.uk\)](https://www.executiveoffice-ni.gov.uk)

<sup>21</sup> The Councils Equality Scheme references a previous ECNI ‘working definition’ of Good relations as follows: Although not defined in the legislation, the Commission has agreed the following working definition of good relations: ‘the growth of relations and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms’. (<https://www.belfastcity.gov.uk/Documents/Equality-Scheme-for-Belfast-City-Council#appendix5>)

<sup>22</sup> ECNI ‘[Section 75 of the Northern Ireland Act 1998: Practical Guidance on Equality Impact Assessment](#) February 2005. Notably this document setting out the methodology for EQIA’s does not mention good relations at all, rather the focus is on the equality limb of the duty in line with the legislation. The only use of the term is where the document reproduces the whole text of Section 75.

<sup>23</sup> Paragraph 4.17 of the Councils Equality Scheme contains the following commitment “we will carry out the EQIA in accordance with Equality Commission guidance.”

limb of the duty.<sup>24</sup> A more recent ECNI Short Guide on Screening and EQIAs from 2017 indicates that ‘good relations’ assessments are not mandatory for Screening or EQIAs.<sup>25</sup>

34. Whilst some Councils have wisely removed the notion that equality screening should also measure ‘good relations impacts’ Belfast City Council continues to incorporate the notion of ‘good relations impacts’ into its equality *screening* methodology.<sup>26</sup> In terms of EQIAs however the relevant section of the Equality Scheme does not reference good relations impacts being part of an EQIA, rather it commits to following the ECNI EQIA Guidance that only relates to the equality limb of the duty.<sup>27</sup>
35. The Equality Scheme references the EQIA being an opportunity to demonstrate the likely positive outcomes of a policy and to seek ways to more effectively promote equality and good relations.<sup>28</sup> This is very different to the notion of a ‘good relations impact assessment.’ Rather it is to focus on how the policy could effectively promote good relations. Such measures could include the Council taking steps to promote linguistic diversity and tolerance, and measures to tackle prejudice and promote understanding, given as they are particularly relevant to this consultation.
36. In summary we highlight that:
  - There is no basis for *the EQIA* to contain a ‘good relations impact assessment’ regarding the proposed policy. It is not provided for by the Section 75 legislation, ECNI Guidance on EQIAs, or the Council’s Equality Scheme.
  - A lay subjective interpretation of ‘good relations’ impacts (essentially an interpretation that a policy is politically opposed) is a misapplication of the duty and, particularly, on a policy where rights and equality are engaged, risks conflict with the purpose of the duty and Equality Scheme.
  - Any good relations measures that would obstruct policies which would have a positive impact on equality of opportunity will also conflict with the legislation and Equality Scheme.
  - Any good relations promotional measures should be in line with the authoritative definitions of ‘good relations’ set out in international standards, by the ECNI, and in the Councils Equality scheme. These focus on good relations being about tackling prejudice, promoting understanding, and embracing diversity in all its forms. Any good relations measures that conflict with these objectives will not be in conformity with the Council’s obligations.

## **The GFA and the shift from ‘English only’ policies to linguistic diversity**

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<sup>24</sup> ECNI Section 75 of the [Northern Ireland Act 1998: A Guide for Public Authorities](#): April 2010. See pages 40-41. The section on screening makes reference to its purpose being to identify policies that are likely to have an impact on either equality or good relations. Whilst the section on EQIAs, states that an EQIA can be triggered by good relations considerations the focus on the EQIA itself is only in reference to equality, in line with the legislation.

<sup>25</sup> ECNI [‘Effective Section 75 Equality Assessments: Screening and Equality Assessments’](#) (2017) See footnotes 4 & 7 in particular.

<sup>26</sup> Belfast City Council, Equality Scheme, paragraphs 4.4-4.14.

<sup>27</sup> As above, paragraphs 4.16-17.

<sup>28</sup> As above, paragraph 4.16.

37. The policy of monolingual ‘English-only’ signage introduced first as part of the colonial process was continued under the old Stormont administration from 1922-1972 which legislated, for example, to ensure Irish was banned from street signage. At an early stage of the peace process the UK Government repealed this legislation and replaced it in 1995 with the current statutory basis for bilingual street signage.<sup>29</sup>
38. After this the UK entered into treaty-based obligations towards the Irish language under the provisions of the Belfast/Good Friday Agreement 1998 (GFA) that were to ‘reset’ the relationship between the state and the Irish speaking community and mark a departure from ‘English-only’ approaches to one that embraced linguistic diversity.
39. The GFA affirmed the *“importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster Scots and the languages of the various ethnic communities [sic], all of which are part of the cultural wealth of the island of Ireland.”*
40. The GFA also contained specific commitments upon public authorities towards the Irish language including to ‘take resolute action’ to promote the Irish language, to ‘facilitate and encourage’ the use of written Irish in public life where there is demand, and to *‘seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of the language’*.
41. The GFA led to the UK entering further specific treaty-based obligations under the European Charter for Regional and Minority Languages (ECRML - Council of Europe Treaty no. 148).
42. GFA duties (including that of taking ‘resolute action’ to promote Irish) are also reflected in the Charter. The duty to remove restrictions (i.e., to end the unjustified exclusion and discrimination against Irish in provision) is found under Article 7(2) whereby there are undertakings to eliminate *“any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it.”*
43. Article 7(4) of the Charter provides a framework whereby public authorities are to *“take into consideration the needs and wishes expressed”* by the groups representing Irish *speakers* in determining policy with regards to Irish language provision.
44. The Council of Europe at its highest level has extolled the use of bilingual official signage as a key measure to promote minority languages.<sup>30</sup> The Committee of

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<sup>29</sup> Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995, Section 11 of which provided for Councils to erect bilingual street signage with subsection 11(12) repealing a series of previous provisions, including the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949, which bound Councils to an ‘English only’ street signage policy.

<sup>30</sup> *“...Council of Europe reiterates that the use of minority languages in official signage is a promotional measure with a considerable positive effect for the prestige and public awareness of a minority language. This position is supported by the Committee of Ministers of the Council of Europe, which in recent years adopted several recommendations calling on states to use minority languages on public signs”* in ‘Council of Europe supports use of minority languages in official signage’ Press Release <http://www.coe.int/en/web/portal/-/council-of-europe-supports-use-of-minority-languages-in-public-signs> also citing: CM/RecChI2013(1) concerning the Czech Republic, CM/RecChI2013(3) concerning Serbia, CM/RecChI2013(6) concerning Bosnia and Herzegovina, CM/RecChI2014(1) concerning Ukraine.

Ministers has linked signage with duties to promote awareness and tolerance in relation to minority languages.<sup>31</sup> The Council of Europe has expressed concerns when municipal authorities take regressive steps in relation to bilingual signage.<sup>32</sup> The Committee of Experts has also urged authorities to remove legal and practical obstacles to bilingual signage, including in contexts where there is hostility to such signage in some local government areas.<sup>33</sup> This framework provides that hostility or ‘tensions’ should not be regarded as a sufficient rationale for not providing signs, indeed there are other provisions under the Charter and Framework Convention whereby public authorities are duty bound to proactively promote tolerance. The international framework therefore implies that when a Council decides to provide bilingual signs, it should not simply seek to ‘balance’ a demand for signage with opposition to minority language promotion, as such a position may not be consistent with the concepts of minority rights or pluralism in a democratic society. Unless there

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<sup>31</sup> For example, in April 2015 the Committee of Ministers recommended:

*“that the Croatian authorities continue their efforts to promote awareness and tolerance vis-à-vis the minority languages, in all aspects, including usage of signs and traditional local names with inscriptions in Cyrillic script, based on the conclusions of the Committee of Experts [...], and the cultures they represent as an integral part of the cultural heritage of Croatia”* Recommendation CM/RecChL(2015)2 on the Committee of Ministers on the application of the European Charter for Regional or Minority Languages by Croatia (adopted by the Committee of Ministers on 15 April 2015 at the 1225<sup>th</sup> meeting of the Ministers’ Deputies).

<sup>32</sup> See concerns regarding a City Council (Vukovar / Вуковар) who had amended its policy and would no longer provide bilingual signs at Council buildings, institutions, city squares and streets. The Council of Europe stated that it ‘strongly regrets’ the removal of such minority language signs, whether through vandalism or official policy, instead calling on “all relevant public authorities” to fully implement the Charter ‘Council of Europe supports use of minority languages in official signage’ Press Release <http://www.coe.int/en/web/portal/-/council-of-europe-supports-use-of-minority-languages-in-public-signs>

<sup>33</sup> “185. The Committee of Experts has been informed by the representatives of the Polish speakers that there are still problems with respect to the bilingual signs and these often create tensions. The situation differs in each municipality and in some cases no steps have been taken to set up bilingual signs. Furthermore, bilingual signs are often destroyed and are not always replaced, partly due to funding problems. Moreover, funds from the state budget are provided with delays, causing problems in the municipal budget and further hesitation from the authorities in approving the bilingual signs. As to the railway stations, no further bilingual signs have been installed on the new corridor, in stations such as Třinec-Konska and Ropice. Where Polish signboards have been installed, these remain switched off. Problems have been indicated as well at the railway stations in Třinec and Vendryně. 186. The authorities are aware that bilingual signs have been destroyed and the former Minister for Human Rights and Government Commissioner for Human Rights has publicly protested against such actions. Furthermore, the authorities explain that bilingual signs are a sensitive issue and the majority population is reserved in this respect. 187. As to the legislation, the authorities have informed the Committee of Experts that an amendment to the relevant legislation has been prepared, which is expected to enter into force in the near future. The amendment maintains the 10% threshold and foresees that an application for bilingual signs can also be submitted by a civic association which represents the interests of the minority in question and has been present on the territory of the municipality for at least five years. The authorities explain that the request of the representatives of the national minorities through the committee for national minorities would remain the main method, while the application submitted by an association would be an exceptional solution in cases where the committee does not properly fulfil its role. The amendment has been prepared by the Committee for Co-operation with Local Authorities of the Government Council for National Minorities, the Secretariat of this Council and the Ministry of the Interior. **The Committee of Experts urges the Czech authorities to remove the legal and practical obstacles to the use of Polish place names and topographical signs in accordance with the Charter.**” (Application of the Charter in the Czech Republic 2nd monitoring cycle, paragraphs 185-7 [ECRML (2013) 2], emphasis in original).

is some rationale and objective basis for opposing bilingual signage, a ‘balancing’ approach risks institutionalising prejudice and intolerance into decision-making.

45. Despite this framework, as set out in our 2019 report, compliance by Councils with these obligations has been mixed.<sup>34</sup> In general our experience of Councils is that where there is no political will in the elected body to discharge obligations towards the Irish language, the framework is largely ignored and the equality impact tools are rarely harnessed to compel compliance. By contrast our experience of Councils where there is political will to embrace the new reality of GFA and treaty-based obligations, is that the equality tools can be paradoxically stretched beyond credible interpretation to impede implementation of minorized language rights.

### **The background to the current Council policy**

46. The following is a summary of the background to the present draft EQIA consultation based on information in the draft EQIA itself and the ‘call in’ process:
- The Council adopted a Language Strategy in 2018, superseding a previous linguistic diversity strategy. Based on ‘principles of equality and linguistic diversity’ part of the strategy was the initiation of consultations on linguistic diversity in the naming and signage used in Council leisure centres.
  - In 2019 a decision was taken to consult on the installation of bilingual and multilingual signage in four leisure centres (including Olympia). There were just under 4,000 responses to this with a majority supporting / demonstrating demand for bilingual English-Irish signage.
  - After the consultation in early 2020 a DUP member of council hosted a City Hall meeting with other DUP councillors and representatives of the Blackstaff and Windsor areas who objected to Irish being included in signage in Olympia and advocated an ‘English Only’ policy citing ‘grave concerns’ about the ‘damage to good relations’ should bilingual signage proceed against the wishes of ‘local residents.’ A petition with 571 signatures was also received.
  - In light of this an addendum was added to the Consultation report. While the addendum refers to linguistic diversity among the service users of Olympia, including Irish medium schools and the increasingly ethnic (and hence linguistic) diversity in the local area, the conclusions of the addendum only reference and reflect the concerns of those attending the DUP meeting. The addendum records that
    - “Those representatives present at the meeting unanimously agreed that naming and signage in Olympia should be in English only, and expressed grave concerns as to the potential damage to good relations, locally and city-wide, should bilingual signage be imposed against what were described as the wishes of local residents.”
  - Citing the potential for ‘major adverse impact on good relations’ the addendum suggests the Council reflect on its Section 75 obligations. It should be noted this conclusion, grounded in a lay interpretation of the concept of

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<sup>34</sup> <https://pure.ulster.ac.uk/en/publications/local-councils-obligations-and-the-irish-language-a-framework-for>

good relations, was not reached on the basis of a screening exercise in accordance with the Council's Equality Scheme.

- On the 24 September 2021 a decision was taken by the Council Strategic Policy and Resources (SP&R) Committee to erect bilingual signage at Olympia leisure centre.<sup>35</sup>
- This decision was however 'called in' by DUP representatives arguing that the bilingual signage at Olympia would meet the legal threshold for call in namely that the "*decision would disproportionately affect adversely any section of the inhabitants of the district*". The call in referenced the "1. The community of Blackstaff/The Village; 2. The Protestant Community; 3. The British Community; and the 4. Northern Irish Community" as the section of the district and argued that the 'disproportionate' adverse affect was grounded in the opposition of these groups to bilingual signage. The call in also argues that the Council should have reviewed a previous screening decision and conducted an EQIA, citing the addendum report.<sup>36</sup>
- A legal determination subsequently found this call in had 'merit', holding that bilingual signage would meet the legal threshold of disproportionately adversely affecting a section of the population. The Council declined to release this legal determination publicly citing legal professional privilege. This generated significant concern among the Irish speaking community and human rights NGOs relating to both the secrecy among 'call in' and in the reasoning as to how in essence having to look at Irish alongside English on a sign could meet a legal threshold of a disproportionate adverse impact. The matter is currently before the First Tier Information Rights Tribunal further to an appeal taken by Conradh Na Gaelige with the support of CAJ and PILS.<sup>37</sup> (A further ground for 'call in' – that the correct procedure had not been followed was not successful.)
- The matter having been tabled at full Council in early January 2022 was then referred back to the SP&R Committee of the 21 January 2022. At this committee meeting it was resolved by members to proceed with the present EQIA.<sup>38</sup>
- In February 2022 an Equality Screening was completed. This concluded some minor-positive impacts on equality and no adverse impacts on equality. The Screening assessed 'good relations impacts' finding both positive and negative minor impacts. In relation to positive impacts the screening cites promoting linguistic and cultural diversity, challenging stereotypes, and inclusion. In relation to adverse impacts on good relations the screening, with reference to

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<sup>35</sup> <https://minutes3.belfastcity.gov.uk/ieListDocuments.aspx?CId=163&MId=10232&Ver=4>

<sup>36</sup> Belfast City Council Call in Requisition form, 21 September 2021, released under Fol.

<sup>37</sup> <https://www.belfasttelegraph.co.uk/news/courts/legal-advice-which-stalled-erection-of-irish-signs-at-belfast-leisure-centre-should-be-disclosed-in-public-tribunal-hears/a1051840661.html>

<sup>38</sup> <https://minutes3.belfastcity.gov.uk/ieListDocuments.aspx?CId=163&MID=10735>



the consultation, states “only a minority indicat[ed] the potential for adverse impact if community relations are harmed.”<sup>39</sup>

- The trigger usually necessary for an EQIA is an Equality Screening finding a ‘major adverse’ impact. In this instance, an EQIA has proceeded without this threshold being met. It appears from the date on the Equality Screening the Committee’s decision to undertake an EQIA was taken *before* the screening was conducted. This may of course have influenced the screening assessment decision to proceed to an EQIA without the threshold being met.
- The draft EQIA was opened for public consultation *some 18 months later*, in June 2023, and runs until September 2023.

## The analysis of data and research

47. The analysis of data and research section of the draft EIQA contains evidence under the following headings:
- Legal position
  - Central government strategies
  - Advice from language agencies
  - Policies of other councils in Northern Ireland
  - Language legislation in the UK and Republic of Ireland
  - Demand for minority languages
  - Other Council policies and decisions
  - Advice from Equality Commission NI
  - Academic research
  - Feedback from pre-consultation on Language Strategy
  - Feedback from consultation on City-wide leisure centre naming and signage
  - Census data by DEA and ward (religion, ethnicity, national identity, language)
48. The advice from the ECNI, helpfully includes the following submission from the ECNI to the Committee of Experts on the European Charter for Regional and Minority Languages which states:
- Our response had made the point that the notion that providing equality or protection for one group limits their availability for another is both unfounded in itself and acts to the detriment of all who seek to live in a society that is fair and equitable and should be avoided in the drafting of public policy.
49. This is an important point which directly aligns with a provision in the languages Charter that:
- The adoption of special measures in favour of Irish aimed at promoting

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<sup>39</sup> Equality Screening Report for the Council decision to erect dual language signage at Olympia Leisure Centre, February 2022.

equality between the users of Irish and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.<sup>40</sup>

50. It has been long established as a principle of legal policy that, where possible, legislation should be interpreted compatibly with international treaty-based obligations. This is directly relevant to an interpretation of Section 75 that is compatible with treaty-based obligations to the Irish language. This principle is elaborated on in an ECNI commissioned paper which sets out that:

... the courts apply a standard presumption in interpreting legislation that the legislature will be deemed to intend to adhere to its international legal obligations. Therefore, according to well-established precedent ...where an ambiguity exists in the interpretation of legislation, the courts will prefer to adopt the interpretation that does not create inconsistency with the treaty commitment in question.<sup>41</sup>

### **How the draft EQIA assesses impacts**

51. As set out above the role of an EQIA is to use the evidence gathered to assess whether a policy has a differential impact on equality of opportunity. This is both in the sense of positive impacts – but also negative (adverse) impacts (i.e. a discriminatory detriment) on equality of opportunity.
52. Neither the legislation, nor ECNI guidance on EQIAs, nor the Council's Equality Scheme, requires a 'good relations impact assessment'.
53. In short, Equality Impact Assessments, as their name suggests, are about assessing equality impacts of a policy– both positive and negative.
54. The assessment of impacts section of the draft EQIA is divided into three sections:
- The first section is introductory but cites a conclusion of potential 'adverse impact' tied to neither limb of the duty, but with apparent reference to good relations.
  - There is no section assessing or consideration at all of positive impacts on equality.
  - There is a section focussing on adverse equality impacts, which (rightly) concludes there is no evidence of any adverse impacts.
  - There is a 'good relations impacts section' on focusing on adverse impacts on persons of a Protestant, unionist or loyalist (PUL) community background.
  - There is then a brief conclusion citing the good relations impacts.

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<sup>40</sup> Article 7(2) European Charter for Regional and Minority Languages.

<sup>41</sup> O'Conneide, Colm 'Equivalence in Promoting Equality: The Implications of the Multi-Party Agreement for the Further Development of Equality Measures for Northern Ireland and Ireland (Dublin, Equality Authority and Equality Commission for Northern Ireland 2005, page 11. See also *R v Lyons* [2002] UKHL 44 §27 (Lord Hoffman) See also: *A v Secretary of State for the Home Department (No.2)* [2005]; UKHL 71, [2006] 2 AC 221 at §27 (Lord Bingham); *R v Secretary of State for the Home Department, Ex p Brind* [1991] 1 AC 696, 747.

### Introductory section

55. The introductory section makes reference to the evidence gathered in the previous public consultations in 2019 and 2020. The introduction states that whilst they remain ‘valid to some degree’ they are dated and ‘political times have undoubtedly changed in the meanwhile.’ Reference is also made to the ‘changing political circumstances in the city.’ The draft does not spell out what the intended meaning of this is.
56. In terms of interpreting this statement – which appears to influence the assessment, we would offer the following observations, that in recent years:
- There continues to be significant support and growth in the usage and learning of the Irish language.<sup>42</sup> There has also been significant progress in supportive attitudes and actions towards the language across the community, including growth in interest and learning in the language across the community. There has been increased visibility of persons from a Protestant / unionist background learning and using Irish. Some progress has also been made in the belated adoption of Irish language legislation.
  - However, the Irish speaking community remains disadvantaged and marginalised. Many treaty-based commitments remain unfulfilled. A number of public authorities have retained or reintroduced pre-GFA ‘English-Only’ policies. There continues to be obstruction at a political level of the delivery of key previously agreed commitments to the Irish language. This political barrier is reflected in the recent 2022 High Court holding which found that the NI Executive had acted unlawfully for a second time in not adopting an Irish language strategy. The Court found that a paper to progress an Irish language strategy had been obstructed from inclusion on the Executive agenda at over 30 meetings from December 2020 to June 2021, and concluded that the “*issue was being blocked from substantive consideration*”.<sup>43</sup>
  - In a further positive development, the political centre has increasingly been visibly supportive of measures to promote the Irish language. This has been evident in Alliance and Green support for the Council to adopt a progressive policy grounded in international standards and best practice in relation to street signage.<sup>44</sup>
  - A climate of hostility and intimidation persists for speakers and supporters of the Irish language, at times with a paramilitary dimension. This is seen in the defacement of Irish on hundreds of bilingual signs erected by different Councils, some of which have been recorded as sectarian incidents.<sup>45</sup> The first Irish-medium nursery in the mainly unionist East Belfast received strong

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<sup>42</sup> For further details and statistical indicators, including language profiles by municipality, see part II <https://caj.org.uk/2021/04/30/submission-2021-independent-review-of-local-government-boundaries-and-names/>

<sup>43</sup> *Conradh na Gaeilge’s Application (no 2)* [2022] NIQB 56 (Aug 2022)

<sup>44</sup> <https://www.belfastcity.gov.uk/streetnaming>

<sup>45</sup> See ‘Bilingual signs vandalised 300 times in five years costing councils almost £40,000’

<https://www.belfastlive.co.uk/news/northern-ireland/bilingual-signs-vandalised-300-times-22666841>

support from a local Primary School and others in the area, with the primary school agreeing to host the facility. However, the nursery, Naischol na Seolta, was forced to relocate, stating that *“Due to an ongoing social media hate campaign against some individuals and the integrated Naiscoil na Seolta, it is with great sadness that it is choosing to relocate to an alternative location.”*<sup>46</sup>

57. The introductory section also mentions that the previous consultations concerned broader practice in Leisure centres rather than Olympia specifically, indicating the previous consultations may be given less weight in the impact assessment.
58. This section also makes reference to the addendum to the consultation concerning Olympia (in reference to the DUP meeting, petition etc), stating this evidenced:

...strong local support was forthcoming for English only signage, with concerns raised that bilingual signage could heighten local community tensions and may serve to provoke a hostile response from certain elements within these communities.
59. None of the above elements are indicators *of an adverse impact on equality of opportunity – the question to be addressed by an EQIA*. Whilst it is important that this perspective is recorded, alongside others, the question to be addressed by an EQIA is the extent to which there are positive or adverse impacts on equality of opportunity.
60. It would be particularly concerning if the latter (‘a hostile response from certain elements’) is accommodated in policy making. This would risk incentivising threats and intimidation as a method to prevail in Council policy making. The role of an EQIA is to objectively assess impacts on equality of opportunity.
61. This section of the draft EQIA acknowledges *“the installation of bilingual external naming and internal directional signage would continue to fall comfortably within the scope of the Council’s Language Strategy, as well as relevant local, national and international minority language charters and guidance...”*
62. However, this is followed with the contention that *“there are those, predominantly from Protestant, Unionist and Loyalist communities, who would argue that the Irish language has been overtly politicised within the context of Northern Ireland.”* This is then described as is *‘an important dimension good relations’* and appears to be the evidence base for the initial conclusion that the policy may constitute an adverse impact (‘on good relations’).
63. Whilst this view (that some persons think Irish has been ‘politicised’) is rightly recorded in the EQIA, this itself is not an indicator of an adverse impact on equality of opportunity – the question to be addressed by an EQIA.
64. Nevertheless, considering the weight that the view is given, it is worth unpacking this contention. The assertion that Irish has been ‘politicised’ tends to be a cliché which is routinely alleged as a justification to block Irish language provision. In addition, it would be an untenable contention to argue that the Irish language has been ‘politicised’ by those promoting it in line with international standards, but not ‘politicised’ by those blocking the delivery of Irish language commitments in conflict

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<sup>46</sup> <https://www.irishnews.com/news/northernirelandnews/2021/07/28/news/first-irish-language-school-in-east-belfast-to-relocate-after-hate-campaign--2402397/>

with such standards and the broader statutory framework. Yet this section of the draft EQIA seems to accept that those opposing Irish language provision suffer an 'adverse impact' based on the assertion that the Irish language has been 'politicised.' This appears to accept the contention that the language is only 'politicised' by those promoting it.

65. In essence, the logic of the draft EQIA is that a matter which is politically contested or controversial or is the subject of political debate is 'politicised' and therefore bad for good relations.
66. If this is the threshold for 'adverse impact' that the Council is now adopting for EQIAs it would have widespread implications. The Council would have to screen in every single policy decision that is politically contested (by unionism or nationalism) as a major impact on good relations, conduct an EQIA that would also have to determine an adverse impact on good relations and then – if the methodology in the draft EQIA was consistently followed - consider an alternative policy instead of implementing the policy. *This would turn an EQIA into a political veto and is outside the statutory framework for EQIA.* If the Council *just* took this approach about policies concerning the Irish language or others opposed by unionist parties but not nationalists this would clearly be a discriminatory approach.
67. None of this is the intended role of an EQIA, the purpose of which is to measure positive and adverse impacts on equality of opportunity. The above approach

***The assessment of positive impacts on equality of opportunity***

68. It is undisputed that an EQIA is to consider the potential for a policy to have positive impacts on equality of opportunity.
69. The assessments section of the draft EQIA however makes no attempt at all to assess positive impacts on Equality of Opportunity of the policy.
70. Therefore, there is no consideration of the positive equality impacts, which in itself would trump any attempt to roll back the policy on 'good relations' grounds. Given the primacy of the equality duty in Section 75.
71. The policy in question will have positive impacts on promoting equality of opportunity on the Irish speaking community and those with an interest in the Irish language. Indeed, bilingual signage and visibility of the language has been extolled by international experts as a key mechanism to promote equality between users of Irish and the broader population.
72. There is evidence within the data gathered and contained within the consultation report reproduced within the EQIA that there is significant crossover in the demographics of rights-holders within the Irish speaking community who will be the primary beneficiaries of the policy and a number of Section 75 groups. This includes the demographic of the Irish-speaking community being predominantly young persons, Catholics and of Irish national identity.
73. Although a minority within the demographic of the Irish speaking-community, those from a Protestant or unionist background with an interest in and knowledge of Irish would also be beneficiaries of the policy.

74. However, rather than provide this assessment, the summary of the consultation within the draft EQIA instead suggests that consultation responses, which demonstrated majority support for bilingual signage, were not to be given weight as the survey was ‘disproportionately’ filled in by young Catholics from West Belfast.<sup>47</sup>
75. There appears to have been no consideration that this demographic may broadly reflect the rights-holders with a specific interest in the policy – the Irish speaking community, and hence be an indicator of positive impacts.
76. This prompts the question as to whether a differential approach has been taken because the policy concerns the Irish language. It is highly unlikely that, for example, any consultation data on the issue of older persons concessionary bus passes, would be downgraded as unreliable on the grounds that most of the people responding to the consultation were older persons, as clearly such a demographic has a specific interest in the policy.
77. The cited consultation data also first highlights that a slight majority of those supporting bilingual signage, were male. Yet no data is provided at all on gender in relation to those opposing the policy. It is unclear why if the former is to be highlighted, the latter is omitted.
78. Rather than assessing a correlation between beneficiaries of the policy and Section 75 groups (to ascertain positive impacts on equality) the draft EQIA in summarising the evidence from the consultation places significant emphasis on opinion being ‘divided’.
79. The draft EQIA sets out that a majority (61.4%) of overall respondents expressing an opinion advocated for bilingual (English-Irish) signage. It then goes on to stress *“However, this headline figure does not take into account the deep divisions of opinion across the sample and in particular in terms of preferences by national identity and community background.”* Statistics are then provided that indicate about 80% of Catholic respondents preferred bilingual signage with around 80% of Protestant respondents preferring ‘English-only’ provision.
80. The purpose of an equality impact assessment is not to determine a head count of views based on community background. The purpose of an EQIA is to ascertain if a policy will constitute a positive impact or discriminatory detriment (adverse impact) on one or more Section 75 groups.
81. Furthermore, as set out above the higher levels of demand among Catholics (and young persons) for bilingual signage provision may be reflective of the demographic of rights-holders within the Irish-speaking community. It is notable also that in fact a those who identify as Irish and Catholic are still minorities (i.e. under 50%) of a sample the majority of which were supportive of bilingual signage.

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<sup>47</sup> “The profile of questionnaire respondents (n = 3393) tended to be characterised by an over-representation of men (56.3 per cent), those from the west of the city (35.5 per cent), those whose national identity was Irish (47.9 per cent) and those who self-identified as Catholic (48.9 per cent), in comparison with 21.4 per cent who identified as British and 28.8 per cent Protestant. It was also noteworthy that of those aged under 18 years who completed the survey (n = 320), 90.3 per cent were self-identified as Catholic.”

82. The draft EQIA emphasises that persons opposing bilingual signage were quite angry about the policy. The document records:

The atmosphere at larger meetings was far more confrontational. There was a considerable level of emotion at these meetings, and a deep suspicion among participants as to the true purpose of the exercise, and the Council's long-term objectives. During these events it was often difficult to maintain order or follow an agenda, as many participants' contributions were fuelled by considerable levels of anger and frustration at the Council, and this was seen as an opportunity to vent that anger. In particular, the consultation exercise was characterised as a conspiracy to impose language forms on local facilities against the will of that community.

83. The purpose of an EQIA is not to measure who is angrier or has stronger feelings about a policy. The purpose of an EQIA is to ascertain if a policy will constitute a positive impact or discriminatory detriment (adverse impact) on equality of opportunity of one or more Section 75 groups.

84. Sections in the draft EQIA appear to imply that the majority support for bilingual signage should be set aside as those opposed feel more strongly about it:

In any consultation, the number of people expressing a preference for a particular option cannot be ignored but must also be considered in the context of all other relevant concerns, including the strength and depth of feeling expressed by all respondents.

85. The draft EQIA goes on to (rightly) state that an EQIA is not a referendum where the views of the majority prevail. Equally, however, it is not a competition for who is angrier or feels more strongly about a policy. Any such approach would incentivise opponents or advocates of a policy alike to demonstrate the most anger and strong opinions to prevail. This is not the purpose of an EQIA. The purpose of an EQIA is to ascertain if a policy will constitute a positive impact and/or discriminatory detriment (adverse impact) on equality of opportunity for one or more Section 75 groups.

86. There is considerable focus in the draft EQIA on the 'local residents' in two of the areas in the vicinity of the leisure centre strongly opposing bilingual signage and advocating English-only policy. The view that bilingual signage should not be 'imposed' against the wishes of local residents is highlighted. Whilst it is important that such views are recorded in the EQIA they appear to have been given considerably more weight and consideration than those of the broader service users of the leisure centre. As alluded to above there is no assessment of the potential positive impacts on equality of opportunity for particular groups who use the leisure centre from other areas in the vicinity or school groups, despite reference to the proximity of Irish-medium schools. In taking this approach the draft EQIA risks tacitly endorsing the notion that one section of the community both has greater ownership of the leisure centre than others, and that that section of the community alone is more entitled to have solely its identity and ethos reflected in the leisure centre.

87. This issue arises also in the conclusions in the Olympia addendum report reproduced in the draft EQIA. The only point of view in the conclusions report refers to the "strong local support for *English only* signage, along with concern that good

community relations could potentially be damaged if bilingual signage was to be installed.” No positive equality impacts are referenced, rather this is the sole basis for the conclusion that the policy has “potential for major adverse impact on good relations, and possibly also equality of opportunity grounds” and that this “cannot be ignored.”

88. There is no question that opposition to the policy be ‘ignored’. However, a subjective assessment based on perception is not the role of an EQIA. An EQIA is to test if there are actual positive or adverse impact on equality of opportunity.

### **Equality of Opportunity adverse impacts**

89. A section of the report then deals specifically with the question of potential adverse impacts on equality of opportunity.
90. It concludes that there presently is no evidence of any adverse impacts of the policy on equality of opportunity. It considers two specific areas.
91. The first is whether those opposed or hostile to bilingual signage would experience a ‘chill factor’ if they were installed and become discouraged from using the leisure centre in the future. The draft EQIA finds there is ‘no hard evidence to substantiate this assertion.’
92. Whilst understanding monitoring needs for uptake of services and lower participation rate we would caution that parameters are placed on such an approach. It would conflict with the purpose of the statutory duty if boycotts based on prejudice or intolerance of the rights of others were institutionalised into policy. Such a prospect would be better addressed by positive good relations actions measures such as the Council engaging in measures to promote understanding of linguistic diversity as recommended in the Council’s Screening exercise.
93. It would be unthinkable for example that if a particular group ceased to use a leisure centre as they objected to persons from an alternate community background or different ethnicity also using the facility, that this would be accommodated into policy by, for example, discouraging others from using the facility.
94. The second area raised is the contention that persons whose first language is not English, or who have literacy issues, could be ‘confused’ or left ‘uncertain’ by the presence of bilingual signage.
95. Whilst we recognise this issue may have been raised in consultation we consider it unfounded. Bilingual or multilingual signage is commonplace in many parts of the world including our neighbouring jurisdictions (the south of Ireland and Wales in particular) without evidence it disorients sections of the population. Indeed, those who are speakers of other languages are more likely to ‘get’ linguistic diversity than monolingual persons. The draft EQIA concurs that there is no indication that this issue raises significant concerns.

### **Good Relations**

96. As set out in detail above, the legislation and ECNI Guidance that the Council has committed to following states that EQIAs are to solely focus on the equality of opportunity limb of the Section 75 duties. There are no obligations to conduct ‘good relations impact assessments.’



97. The draft EQIA however departs from the statutory framework and includes a 'good relations impact assessment.
98. The definitions of good relations adopted by the Council and recommended by the ECNI lend themselves to positive action measures but not lay assessment as to whether a policy is good or bad for good relations. Such definitions focus on good relations being about tackling prejudice, promoting understanding and 'embracing diversity in all its forms'.
99. The Screening Exercise which preceded the draft EQIA identified both positive and negative minor good relations 'impacts.' The draft EQIA, however, only considers 'adverse impacts' on good relations if the policy is implemented.
100. The draft EQIA states that the policy 'may have an adverse impact on residents, visitors and employees' of a Protestant, unionist and loyalist (PUL) community background adding 'as well as those of different ethnic origins'. The justification for this assessment is that these groups will have an *'expectation that the Council will have regard to the desirability of promoting good relations through its policies'*.
101. This implies that in proceeding with bilingual signage the Council *would not be having regard to good relations*. This assertion departs from the Council's own definition of good relations, which is to focus on 'embracing diversity in all its forms'.
102. Instead, this contention appears to rely on a lay definition of good relations that it the policy would be bad for good relations as it is facing opposition.
103. This would be a zero-sum approach, as by using the same methodology of 'good relations impacts', the Council would also have to conclude that not adopting the policy would equally constitute a 'major adverse impact on good relations' for the Section 75 groups making up the demographic of the Irish speaking community. None of this was not an approach intended by the statutory duties.
104. In the alternative, to avoid taking a discriminatory approach, the 'good relations impact assessment' would have to objectively distinguish why one policy decision over another would be 'worse' for 'good relations.' If such an approach was adopted it must surely involve some interrogation of the validity and reasonableness of the arguments being made, but also crucially some linkage to the actual concept of good relations in law.
105. The draft EQIA states that the 'evidence that is available to date' does indicate that the policy will potentially adversely impact on good relations. The evidence base being relied upon for this assessment is largely grounded in the evidence gathered in the previous round of consultation. The assessment states that:

Previous consultations on related matters, and including the introduction of dual language signage in leisure centres, have suggested that there may be the potential for those who do not support languages other than English to see dual language signage as potentially challenging to their sense of identity. These concerns appear to be most notable, and emotive, when decisions are seen to impact on local areas or facilities and against the perceived wishes of those communities.

106. This appears to refer to 'good relations' 'adverse impacts' on PUL communities. No evidence is provided to substantiate the suggestion that persons 'of different ethnic origins' will also face adverse 'good relations impacts' due to bilingual signage.
107. The above assessment summarised information gathered in the consultation regarding the views of opponents of bilingual signage. The consultation elaborates on the factors influencing these views as follows:

...those who may not have objected to the Irish language per se but who felt that, at the present time, the use of the language had been politicised and in their view now posed a threat to their culture and heritage. It was argued that this feeling had grown as the relative sizes of the two communities had shifted over recent times within Belfast. English was often described as sufficient, as it was seen to represent the main language of the UK. A smaller number voiced a concern that the imposition of Irish in areas where it may not be welcome had the potential to damage community relations and would be resisted by local communities.

108. In relation to further probing these arguments:

- A view is expressed that opposition to the Irish language is only occurring at the present time due it being 'politicised'. However, this clearly is not the case - opposition to Irish language provision from the same political constituency has been a consistent long-term approach.
- A view is expressed that respondents consider the Irish language now poses 'a threat to their culture and heritage.' This appears to involve a conceptualisation of cultural ethos grounded in excluding the cultures of others. Endorsing such an approach (by way of institutionalising it into policy through the EQIA), as well as interfering with the rights of others, would be inconsistent with the definition of 'good relations' which is framed around embracing diversity in all its forms, not providing for only one cultural ethos to the exclusion of others.
- A view is recorded that the 'threat' of the Irish language has grown as there are now more Catholics/nationalists in Belfast. Whilst ambiguous, at worst this could be read as suggesting that provision should only be made for the Irish language if the number of Catholics in Belfast is kept below a particular level. If this is the case acting on this would risk institutionalising sectarianism in the decision-making process.
- It is put forward that English is the main language of the UK. This is of course correct. However, the proposed signage policy provides that all signage will include English. Linguistic diversity with other indigenous languages is also commonplace in Wales and parts of Scotland.
- The draft EQIA states that there is a view from a small number that bilingual signage 'would be resisted by local communities.' It would be of particular concern if the 'good relations' test in an EQIA was tilted in favour of a particular outcome due to anger and threats of the (potentially violent) consequences if the policy was adopted. Such an approach would risk both incentivising and institutionalising threats and intimidation into policy making.

109. None of this should not be interpreted as precluding the EQIA from recording the views and reasoning of those strongly opposed to the policy. Such opposition does not however mean an alternative policy must be pursued as a result of the EQIA. The purpose of an EQIA is to assess whether a policy would constitute a discriminatory detriment against a Section 75 group on grounds of equality of opportunity.
110. The correct application of the good relations duty in the EQIA is to consider positive action measures to support the implementation of the policy *in a way that would promote good relations in line with the Councils and ECNIs own definitions of good relations*. Measures to promote tolerance and understanding of linguistic diversity would be particularly relevant to this proposed policy. Such measures and are already referenced in the Equality Screening as a potential action – but not in the draft EQIA.
111. It should also be recalled that the face of the Section 75 legislation expressly provides for the primacy of the equality duty over the good relations duty precisely to prevent the risk of policies that promote equality being blocked by lay interpretations of good relations.
112. An additional concern is that the way that the views of a political party and ‘community leaders’ who are strongly opposed to the bilingualism policy and Irish language provision and wish to see an ‘English-Only’ policy have been presented in the draft EQIA risk being read as indicating unionists and Protestants in general hold such views. This risks generalisation and stigmatisation of a whole group. It is also despite the growing visibility of Protestants and unionists learning and supporting the Irish language. This context is not presented in the draft EQIA which hence risks presenting views as binary.
113. The Council of Europe in its most recent report on compliance with the Framework Convention for National Minorities, makes reference to Irish and Ulster Scots being spoken by both Protestants and Catholics, holding that “the fact that both languages are spoken across communities in Northern Ireland offers the possibility for these languages to be tools of integration, rather than division.”<sup>48</sup> The current draft EQIA takes an entirely different approach by only focusing on opposition rather than the broader context for the language.
114. The draft EQIA also summarises the following from the consultation:

While the consultation did not provoke many responses in relation to Section 75 considerations and including the draft equality screening report the adverse impacts that may attach to any decision on naming and signage cannot be ignored. These adverse impacts were alluded to by a number of respondents who suggested either that good relations generally may be damaged by the imposition of a Council decision on a local facility or that a centre may be less welcoming to members of certain communities depending on the languages on display. At this time these concerns are only conjecture and have yet to be tested but should be borne in mind nevertheless.

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<sup>48</sup> ACFC/OP/V(2022)003 Advisory Committee on the Framework Convention for the Protection of National Minorities, Fifth Report on the UK, May 2023, para 158.

With this in mind, the decision must also be married with the Council's Good Relations Strategy, and including a commitment to the development of shared spaces across the city.

115. For the avoidance of doubt there is no suggestion from us that the opposition to the policy 'be ignored.' These views are, however, not indicative of a discriminatory detriment which is the question to be tested in an EQIA. As emphasised above, good relations measures to promote linguistic diversity and tolerance would be the correct complimentary 'good relations' response emerging from the process. It is not clear however, what is intended by the marrying of the policy with a 'shared spaces' approach is intended to mean here. By definition an 'English only' policy would not be a shared space.

*Duty to consider mitigating measures and alternative policies.*

116. The legislation and Equality Scheme provide that there is a duty to consider mitigating measures or alternative policies *where there are adverse impacts on equality of opportunity*. This duty does not attach to the good relations limb of the statutory duty.
117. It is undisputed at present that the bilingual signage policy does not constitute an adverse impact on equality of opportunity. The duty to consider alternative policies is not triggered.
118. Given the inclusion of a 'good relations impact assessment' in the EQIA and the indication that the policy would entail an 'adverse impact' on good relations, it is foreseeable there is a risk that the EQIA will seek to promote 'alternative policies' on 'good relations' grounds. This would conflict with the legislation and equality scheme, including with the primacy of the equality duty for a policy given the positive impacts the policy will have on the Irish speaking community.
119. The draft EQIA states that it is imperative alternative options are made available for consideration as part of the present consultation process. The draft EQIA then suggests the alternative policy options include "monolingual naming and signage."
120. The legislation and Equality Scheme expressly qualify the types of alternative policies that can be considered as a result of an EQIA to those which would "*better promote equality of opportunity*".
121. The proposed alternative policy, an 'English-Only policy' will not 'better promote equality of opportunity', rather it would be regressive in equality terms.
122. The proposed alternative 'English-only' policy would also be incompatible with the Council's own definition of good relations in its Equality Scheme as well as the dimensions of good relations advised by the ECNI. The Council's own definition refers to structures that acknowledge the political context of this society, rather than one section of it, and that 'embrace diversity in all its forms'. The proposal for monolingual signage would only reflect the preferred identity and ethos of one political constituency to the exclusion of other forms.
123. A second alternative policy option is put forward of 'alternative types of signage'. It is not clear however what is being suggested here and if this signage is inclusive or exclusive of the Irish language.

124. An assessment that alternative policies/mitigating measures should be considered on 'good relations' grounds would be incompatible with the Section 75 duties and Equality Scheme. The suggested 'alternative policy' of English only signage would not better promote equality of opportunity and would therefore not be a valid mitigation option.

**Overall assessment**

125. **Overall, we contend that elements of the methodology followed by the draft EQIA are incompatible with the letter and spirit of the Section 75 legislation, ECNI Guidance and the Councils' Equality Scheme.**
126. **The assessment of adverse impacts in the draft EQIA departs entirely from the definition of this concept in the legislation, guidance, and Equality Scheme to instead construe a novel definition whereby policies that are politically opposed constitute discrimination.**
127. **At worst the methodology adopted risks institutionalising prejudice, intolerance and sectarianism in the Council's policy making process.**
128. **The draft EQIA should be revised for its final version and be brought in line with the legislative framework, ECNI Guidance and Council Equality Scheme.**

**CAJ September 2023**

## Appendix 2: Example of submission from Irish language groups



### Comharthaíocht Olympia: Comhairliúchán ar an Dréacht Measúnú Tionchair Chomhionannais

Seoltar an aighneacht seo mar chuid de chomhairliúchán Chomhairle Chathair Bhéal Feirste maidir le comharthaíocht dhátheangach (Gaeilge/Béarla) i sólann uile-chathrach Olympia. Iarrtar ar Chomhairle Chathair Bhéal Feirste glacadh leis an cháipéis seo ina hiomláine mar aighneacht oifigiúil.

This submission has been submitted as part of Belfast City Council's consultation into the proposal to erect bilingual (Irish/English) signage in the city-wide Olympia Leisure Centre. We request that this document is accepted in full as an official submission to this consultation process.

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### Faoi na freagróirí | About the respondents

Is féile Ghaeilge idirnáisiúnta í Seachtain na Gaeilge le Energia, atá ar an gceiliúradh is mó dár dteanga agus dár gcultúr dúchais a bhíonn ar siúl in Éirinn agus fud fad an domhain gach bliain. Tugtar deis do gach éinne sult a bhaint as an nGaeilge tríd a bheith páirteach san fhéile, idir chainteoirí dúchasacha, fhoghlaimoirí agus lucht an chúpla focal ar aon, trí fhéilire imeachtaí siamsúla agus spraiúla a chur ar fáil do gach cineál suime agus gach aoisghrúpa. Is grúpaí deonacha agus pobail, comhairlí áitiúla, scoileanna, leabharlanna, agus eagrais cheoil, spóirt, ealaíne agus chultúrtha a eagraíonn imeachtaí ina gceantar féin do Sheachtain na Gaeilge.

Bíonn an fhéile ar siúl ón 1 – 17 Márta gach bliain.

Seachtain na Gaeilge le Energia is an international Irish language festival and one of the biggest celebrations of our native language and culture that takes place each year in Ireland and in many other countries. The festival gives an opportunity to everyone to enjoy Irish, whether you are a fluent speaker, learner or have a cúpla focal, with a calendar of entertaining and fun events for every type of interest and every age group. Voluntary and community groups, local authorities, schools,

libraries, and music, sports, arts and culture organisations organise events for Seachtain na Gaeilge le Energia in their local area.

The festival runs from 1 – 17 March every year.

## Background

Between October 2019 and January 2020, Belfast City Council conducted a rigorous consultation regarding external naming and internal directional signage at four citywide leisure centres (Andersonstown, Lisnasharragh, Olympia and Templemore) as part of the Council's £105m Leisure Transformation Programme. Responses to the consultation indicated an overwhelming majority of support for a uniform approach of bilingual (Irish/English)/multilingual signage across all 4 city-wide leisure centres. According to Belfast City Council, city wide leisure centres were 'carefully crafted to provide the right mix of facilities in the right location so that in combination with other con-current and future leisure schemes the residents of Belfast had the widest possible range of facilities'. Whilst the findings of this consultation were never fully published, some were partially published as evidential data when Belfast City Council were updating their dual language street signage policy in 2019/2020. These findings indicated that 86% of the entire sample of respondents were in favour of a uniform approach, with the majority in favour of a bilingual approach across all 4 city-wide centres.

Despite these findings, international standards which recommend bilingualism and Council's own languages strategy which seeks to 'increase the profile of additional languages', it was subsequently decided to proceed with only a multilingual welcome signage at the reception areas of Templemore and Lisnasharragh leisure centres with English-only internal directional signage, along with a recommendation to undertake a report on linguistic accessibility for submission to a future meeting. A motion was passed by Belfast City Council's Strategic Policy & Resources Committee (SP&R) on 24th January 2020 which granted approval to erect bilingual external and internal directional signage at Andersonstown Leisure Centre. Andersonstown Leisure Centre officially opened in July 2020, with the new signage being warmly welcomed in particular by the local Irish language community and hailed as a beacon of best practice and a template for future schemes across the city.

On the 24th September 2021, Belfast City Council's SP&R Committee, having considered the findings of Council's consultation report, passed a motion to proceed with the erection of dual language external and internal directional signage at Olympia Leisure Centre, as had been done in Andersonstown. This decision was subsequently subjected to a 'call-in' by the DUP, citing 'community impact', more specifically, suggesting that the erection of bilingual signage at this city-wide facility would disproportionately adversely affect a section of the inhabitants of the surrounding district.

We strongly challenged this decision at that time, outlining that 'adverse impact' would suggest that bilingual signs, which would see Irish placed alongside and in no way replacing English on signage, at Olympia leisure centre will immediately lead to a discriminatory detriment to one or more groups of people. This clearly isn't the case; the erection of bilingual signage is in keeping with the guidance outlined in the European Charter for Regional or Minority Languages, as well as Belfast City Council's own Languages Strategy which, among other aims, seeks to increase the visibility of the Irish language. Despite this, the legal opinion sought by the council found that this call-in had merit and following the next available slot at full council in January 2022, it was referred back to the SP&R committee again for further consideration. The SP&R committee agreed to proceed with the current



EQIA and this was ratified by full council in February 2022. More than one year later, this was confirmed by the city solicitor on 24th of March 2023 and thus, the current 14 week consultation runs from the 12th June 2023-17th September 2023. In the meantime, monolingual English-only signage has been erected in the Olympia Leisure Centre, pending the findings of the consultation and subsequent report. Whilst some arguments opposing the erection of bilingual signage have alluded to the cost associated with the installation of more signage at the Olympia Leisure Centre, as was the case with Belfast City Cemetery in 2022, we would argue that had a bilingual approach been taken from the outset (as was supported in the initial 2019/2020 consultation) it would have been much more cost-effective.

## Summary of main points

It is a source of frustration and dismay that this consultation is being conducted and the manner in which it has been handled. As an Irish speaking community, we feel that our rights to see and hear our language, which are protected under international law, are once again subject to significant delay and public consultation. Much of this has, unfortunately if not predictably, resulted in some very narrow and bigoted views being expressed in public forums which only helps foster a hostile environment for Irish speaking families. Findings from the previous consultation conducted on this issue between 2019/2020 (which Belfast City Council now claim may be outdated, yet which forms much of the data and basis for the current consultation being conducted in the first place) has raised significant concerns which will be expanded upon in the latter section of this submission.

At a glance, however, it would appear throughout the consultation report that equal, if not more, weight is given to baseless and intolerant arguments and responses that oppose the erection of bilingual signage, as is given to clear, evidence-based, well-supported arguments in favour which are often grounded in international law and in keeping with the intent and aspirations of BCC's own Language's Strategy. This is nowhere more apparent than in the blatant disregard shown to the 60% of respondents who indicated their support for bilingual signage at Olympia Leisure Centre within the time parameters of the consultation, in comparison with the weight and significance given to an online petition, signed by 571 local individuals, opposing bilingual signage which was received **after** the consultation period had closed yet still accepted by Council. To our knowledge, this petition has been recycled and is being reused for this current consultation<sup>2</sup>, with the same date and some of the same signatures from the initial 2019/2020 consultation. We would expect that BCC would disregard any outdated petitions, especially those which are received outside of the time parameters of the consultation.

The approach taken by Belfast City Council during this most recent consultation has been, in our view, hugely flawed and has raised a number of concerns as to the methodology employed and the validity and legitimacy of the findings specifically, as well as to the Council's commitment to the Irish language more generally. Firstly, the citation of 'local opposition' as a primary reason for the

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<sup>2</sup> <https://www.change.org/p/the-equality-diversity-unit-belfast-city-council-objections-to-dual-signage-at-olympia-leisure-centre>

decision being taken not to proceed with bilingual signage at Lisnasharragh and Templemore leisure centres in the previous consultation results, despite their overall majority of support and their specific designation as ‘city-wide’ facilities, is hugely concerning. How was it determined that there was ‘local opposition’ and what form did this take? It should not need to be stated but the threat of local opposition should in no way override Belfast City Council’s obligations under various international treaties, charters or indeed, the rights of Irish speakers (as citizens and ratepayers) across the city, to see their language in a shared, city-wide, public space. It too is worth noting that ‘local opinion’ (in whatever undescribed form that took) should not outweigh the other responses received in the proper manner, given the centres’ status as city-wide facilities, which is used by people from right across the city.

This is a sentiment which has been echoed in this most recent consultation, given the seeming priority given to responses from residents who live within a 15-20 minute walking distance from the Olympia Leisure Centre. It is unclear whether this consultation is looking into Olympia Leisure Centre’s capacity as a local or city-wide facility; whilst there is no specific definition given by Belfast City Council as to what exactly is meant by ‘local’, the mere fact that the first in-person consultation event was held in St. Simon’s Community Hub, at the request of a DUP councillor and was not publicised on the consultation page, raised concerns. During this consultation event, it was suggested that acts of vandalism on the centre would be committed should BCC proceed with bilingual signage.

Equality Commission guidance stipulates that consultations must be carried out with relevant interest groups, groups with a legitimate interest in the matter and those who are directly affected by the policy<sup>3</sup>. This is a recommendation which is echoed in the European Charter for Regional or Minority Languages, which states that the opinions of those who will be directly impacted by incoming or changes to existing policies (in this case, Irish speakers) are to be prioritised. This, along with the fact that the consultation is open to absolutely anyone, regardless of whether or not they live in Belfast, raises serious questions as to the relevance of these ‘local’ results and how they will be measured and considered.

The tone of a number of the statements within the EQIA document, and questions within the questionnaire itself, are problematic and loaded. There are several baseless assertions about the perceived adverse impact of bilingual signage throughout the EQIA document which, despite a lack of supporting evidence, are given immense significance throughout the document. Not only this, but question 5 in particular on the consultation seemingly legitimises these baseless assertions, actively asking respondents to opt out of selecting the section of the community they feel will be adversely impacted by the erection of bilingual signage. This is an extremely concerning approach, it contradicts BCC’s officially stated commitment to promote and protect the Irish language and fits an extremely one-sided narrative; rather than gathering feedback and responses on the potential

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[https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Public%20Authorities/EQIA-PracticalGuidance\(2005\).pdf](https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Public%20Authorities/EQIA-PracticalGuidance(2005).pdf) (page 34)

positive impact of bilingual signage, the Council have opted to present bilingual signage as something which is potentially and more likely problematic.

Finally, we would strongly disagree with the inclusion of recommendations to mitigate against, or alternatives to bilingual signage; bilingual signage is a means by which we can demonstrate that a place is shared. The mere suggestion of mitigations indicates that somehow communities are discriminated against due to bilingual signage, a claim which has never been proven or supported by evidence and has no basis in international or domestic law; nor has it ever been demonstrated that bilingual signage, which would see Irish placed alongside English, is not inclusive. Olympia is a shared space. It is located on Boucher Road, also a well recognised shared space. The leisure centre is designated as a "city-wide" resource. It is used by a broad range of people (including, for example, Irish-medium schools) and as such, should enjoy "city-wide" language protections through bilingual signage.

## **Section 75 & Assessment of Impacts**

The EQIA document denotes that as part of their Section 75 duties, they must assess the impact this decision will have on groups within one or more of the Section 75 categories; it is surprising, therefore, that this document is not accompanied by the relevant equality screening document. ECNI guidance on EQIAs states, *"it is expected that a public authority will have screened policies, written or unwritten, before embarking on an equality impact assessment"*<sup>4</sup>. This would have given an indication as to how the impacts were determined and how the decision to progress to an EQIA was made. As well as this, the assessment of impacts does not distinguish the perceived/potential impact by Section 75 category, thus providing no indication as to exactly what section of the community would be impacted and the level of impact.

It too is worth noting that there is a degree of conflict in the 'assessment of impacts' section of the draft EQIA document itself which brings into question the very basis on which this consultation is being conducted. The findings from the previous consultation, despite their overwhelming support for bilingual signage across all 4 city-wide leisure facilities, are deemed effectively irrelevant given that they were gathered, according to the document, *"over three years ago, and political times have undoubtedly changed in the meanwhile."* Again no evidence was provided to support this and indeed in the three years mentioned, the biggest change regarding the Irish language has been the ascent of the Language and Identity Act (2022) through Westminster with overwhelming support. In addition, the council elections of May 2023 returned 43 out of 60 councillors who publicly supported legislation and Conradh na Gaeilge's pre-election commitments which included progressive measures on signage and a comprehensive Irish language policy. If anything, therefore, 'political

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[https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Public%20Authorities/EQIA-PracticalGuidance\(2005\).pdf](https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Public%20Authorities/EQIA-PracticalGuidance(2005).pdf) (page 2)

times have undoubtedly changed' to a position where we have much *more* community support for progressive measures in relation to the language.

Despite this, it is these very findings, partnered with fresh data, that forms much of the basis for the current consultation; it is unclear to us how in one scenario, data is deemed to be outdated and not reflective of the reality of the situation and requiring a second bespoke consultation, but that the basis of that second consultation being rooted in the findings of the initial consultation. This raises a number of questions as to the need and motive behind this most recent consultation, not to mention the methodology employed to conduct the consultation.

More worryingly, despite an admission within the EQIA document itself that proceeding with the erection of bilingual signage would be in keeping with the Council's Language Strategy, as well as national and international minority language guidance, the assessment of impacts continues to make a number of baseless assertions as to the potential adverse impact of bilingual signage both on those who work in Olympia Leisure Centre and those from a Protestant, Unionist and Loyalist background, despite a clear lack of evidence to support these claims.

*"...the proposal also has the potential to raise concerns with regard to the promotion of a good and harmonious environment for those who work in the Centre (that is, GLL staff) as well as those who visit or use the Centre."*

What BCC is stating here in essence is that they may have to jettison their commitment to their own language strategy and their adherence to various national and international guidance because of some vague, ill-defined perception that some people may find the Irish language problematic.

Not only is it extremely concerning that the EQIA document fails to falsify and challenge such negative attitudes, but claims like these are in direct conflict with the opinions and guidance of international experts as to the potential positive impact on good relations; indeed, the Council of Europe specifically allude to the positive impact of bilingual signage in fostering a harmonious environment for all occupants of a shared space, as is clearly the case with Olympia Leisure Centre;

*"On the contrary, bilingualism in signposts should be promoted as it conveys the message that a given territory is shared in harmony by various population groups."<sup>5</sup>*

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<sup>5</sup> Council of Europe, Advisory Committee on the Framework Convention for the Protection of National Minorities: Opinion on Denmark, adopted on 22 September 2000, available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168008bd3f> (page 21)

The EQIA document too makes a concerning generalisation as to the supposed adverse impact of bilingual signage on those from a PUL background, “... *who would argue that the Irish language has been overtly politicised within the context of Northern Ireland.*” Whilst we appreciate that the Irish language has been at the centre of political controversy, the Council’s good relations duty should not be misinterpreted as a veto to halt progress on issues which are deemed to be politically controversial, nor should it be used to block equality and rights measures. Political opposition to the Irish language in the city has existed through decades of zero visibility and very limited support from Belfast City Council and this has done nothing to challenge or change negative attitudes or any ‘political controversy’ surrounding the Irish language; taking proactive measures to promote the language is not the issue here. The denial of international human rights frameworks and minority language protections are, in our view, the contentious issue here, not the pursuit of those same rights. BCC have presided over a culture of very limited progress and obstruction, in the hope that with the passing of time, opposition to the language would lessen or that calls for proactive measures to support the language would dwindle. However, it has had the very opposite effect. Inaction over decades hasn’t fostered increased tolerance of the language from those opposed to it. It is time for a new approach.

This is echoed by the 2017 ECRI Policy Recommendation No.2, which sets out that;

*“Promoting good relations between different groups in society entails fostering mutual respect, understanding and integration while continuing to combat discrimination and intolerance.”<sup>6</sup>*

Arguments in opposition to the visibility of Irish are often grounded in sectarianism, but this is rarely, if at all, alluded to in equality assessments of the relevant policies. What is more, it is clear, in consideration of the above definition, that the council are failing in their duty to promote good relations, as effectively no steps have been taken in this document to combat intolerant views towards the Irish language; rather they are given considerable weight and significance.

The supervisory body for the Council of Europe’s Framework Convention for National Minorities (FCNM) directly addressed the use of the ‘good relations’ duty in preventing positive action and initiatives on the Irish language, singling out bilingual signage. In 2011, the Advisory Committee on the Framework Convention for National Minorities:

*“The Advisory Committee has been informed that, in some instances, the need for keeping good relations has been used as justification for not implementing provisions in favour of persons belonging to minorities, such as the erection of bilingual signs... Additionally, it finds it problematic that the official policy is to limit the erection of such signs to certain areas*

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<sup>6</sup> European Commission against Racism and Intolerance (ECRI) General Policy Recommendation No. 2: Equality bodies to combat racism and intolerance at national level, Adopted on 7 December 2017, Explanatory Memorandum, paragraph 21.

*where the issue would not raise controversies. The Advisory Committee is concerned that this approach is not in line with the spirit of the Framework Convention... the aim of which is to value the use of minority languages... with a view to promoting more tolerance and intercultural dialogue in society.”*

Therefore, rather than eradicating signage because it is deemed to be ‘controversial’, or a source of ‘local opposition’, as a leading public institution, Belfast City Council should take proactive steps to break down pre-existing barriers and tackle such discrimination and intolerance. Rather than presenting inclusive, bilingual signage in a shared, public space as something which is problematic, the Council should look to and promote the proven benefits of bilingual signage in a minoritised language context for everyone in society who share a common heritage and ownership of the language.

We also note in this section of the EQIA document that the term ‘new communities’ is used to describe people who don’t speak English or Irish as a first language;

*“Aside from this important dimension of good relations, previous consultation has identified that the Centre is used by members of new communities who reside in the locality, and their needs and experiences should also not be ignored in any future determination. For example, bilingual signage may be potentially confusing for those who may not have English as a first language.”*

The assertion is consistently made throughout the EQIA document that bilingual signs could be confusing for those who do not have English as a first language and as such, could have a potential negative impact on good relations. The inclusion of such a statement, without any supporting data or evidence, is hugely problematic and demonstrates the equal, and arguably more, weight given to statements and opinions which are oppositional and ignorant in nature. This is a clear dereliction of Belfast City Council’s duty to promote good relations and equality. Such claims have been indeed been falsified by the Council of Europe before;

*“The Advisory Committee is dismayed by and rejects the view expressed by the Danish Government in its Report (p37): “that signs are less clear and less readable if bilingual.”<sup>7</sup>*

There is zero evidence to support this spurious claim and in substantiating such claims, BCC are feeding into the very narrative which they claim to be working to eradicate.

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<sup>7</sup> Council of Europe, Advisory Committee on the Framework Convention for the Protection of National Minorities: Opinion on Denmark, adopted on 22 September 2000, available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168008bd3f> (page 8)

## Equality of opportunity

We are not ignoring the fact that there are statistically higher numbers of Irish language users among people from a Catholic or nationalist background or among younger people and as such, taking progressive measures towards the Irish language through increasing visibility in a shared space is likely to have a clearer positive impact on equality of opportunity for these groups. This is echoed in the data of the draft EQIA itself, whereby the erection of bilingual signage at Olympia is shown to constitute a positive impact on Section 75 categories, particularly the demographic of the Irish language community, whose make-up is majority Catholic. However, what is seldom alluded to in equality impact assessments like this one is the potential for such provisions to have positive impacts on equality of opportunity for those from a Protestant, Unionists, or Loyalist background, older persons and ethnic minorities; Irish being provided for in politically neutral and shared environments like the Olympia Leisure Centre will assist in this process by normalising attitudes towards the language and reinforcing the belief that it is a language which belongs to everyone in every part of our city and not just certain people living in certain areas. As such, this decision can also benefit those from a Protestant, Unionist or Loyalist background who have an interest in the language.

Whilst the EQIA document does acknowledge that there is no hard evidence to substantiate claims of adverse impact on those from a PUL background or indeed those from different ethnic backgrounds, it fails to outrightly or definitively say that there is no existing impact from this decision on equality of opportunity for these groups. Rather, the document recommends that the council monitor the possibility of such an impact arising in the future, effectively substantiating the false narrative that having to look at Irish alongside English on signage in public, shared spaces constitutes discrimination against those who do not speak Irish. Furthermore, ECNI guidance states,

*“a policy intended specifically to address the needs of a particular community may well be justifiable, indeed necessary, in order to promote equality of opportunity for that group”<sup>8</sup>*

As such, the EQIA should have engaged with how that applies to bilingual signage; no consideration has been given to the impact on equality of opportunity (barriers to participation or failings in service provision) should the Council rescind the initial 2021 decision to proceed with the erection bilingual signage; not only does it have the potential to detrimentally impact the relationship between the Council and the Irish language community in the council area, but it too would effectively create an "English-only" and "no-go" zone for Irish speakers in one of Belfast City Council's shared resources. As a result, Irish speaking users and families, along with all Irish-medium

schools that currently use the facility, are likely to be discouraged from using the centre and may seek alternative provision in somewhere like Andersonstown or be denied the opportunity to seek leisure facilities entirely. Given the significant progress that has been made in recent years in demonstrating that the Irish language is vibrant and exists beyond the west of the city, this would undoubtedly be an extremely regressive step.

Furthermore, denial of bilingual signage would send a much darker signal to Irish speakers. If it is not okay to see Irish in Olympia, is it okay to speak it? If BCC refuse to proceed with the erection of bilingual signage, they must consider the narrative that they are inadvertently encouraging by creating and validating a de-facto anti-Irish environment.

### **Good Relations**

The assessment of good relations is concerning. Under analysis of available data and research, the following was stated (as having come from the prior consultation on Olympia leisure centre):

*“On the other hand there were those who may not have objected to the Irish language per se but who felt that, at the present time, the use of the language had been politicised and in their view now posed a threat to their culture and heritage. It was argued that this feeling had grown as the relative sizes of the two communities had shifted over recent times within Belfast. English was often described as sufficient, as it was seen to represent the main language of the UK. A smaller number voiced a concern that the imposition of Irish in areas where it may not be welcome had the potential to damage community relations and would be resisted by local communities.”*

The assessment of impacts states:

*“The previous public consultation in 2019/20 generated little interest in Olympia per se during the consultation period itself. However, further to an additional agreed period of consultation, strong local support was forthcoming for English only signage, with concerns raised that bilingual signage could heighten local community tensions and may serve to provoke a hostile response from certain elements within these communities. The present EQIA will afford a contemporary opportunity to gauge local and city-wide opinion, and to test the potential of the proposal to adversely impact on the promotion of good relations and/or equality of opportunity at this time and mindful of changing political circumstances in the city.”*



The EQIA states that because of this prior consultation, *“there may be the potential for those who do not support languages other than English to see dual language signage as potentially challenging to their sense of identity.”* This interpretation of good relations does not challenge prejudice and promote understanding, but instead validates and enshrines

discrimination against the Irish language through good relations. A particular concern is that ‘hostile’ community response is considered a reason to mitigate bilingual signage as it is determined to have a valid impact on good relations. Another point of concern is the logic that bilingual signage has a valid impact on good relations because Protestants feel threatened by more Catholic people living in Belfast. This appears to endorse sectarian attitudes.

Affording rights to a minority does not infringe or indeed impact upon the rights of the majority. Indeed, the supervisory body for the Council of Europe’s Framework Convention for National Minorities (FCNM) reaffirmed this when evaluating made observations as to how Good Relations has been previously misconstrued to prevent measures being taken to protect Irish. In 2011, their Third Opinion on the UK stated that:

*“The Advisory Committee was disconcerted to hear that some representatives of the authorities consider that promoting the use of the Irish language is discriminating against persons belonging to the majority population. Such statements are not in line with the principles of the Framework Convention... It also reiterates that... implementation of minority rights protected under the Framework Convention [is] not be considered as discriminating against other persons.”* (Paragraph 28)

An ‘adverse impact’ essentially refers to something which immediately has or will lead to a discriminatory detriment to one or more groups of people. It has never been demonstrated how an Irish language policy consistent with the ECRML framework could constitute an adverse impact on equality of opportunity or indeed, good relations. Indeed, DCAL’s report on the consultation for a draft Irish language act (2015) assessed that the introduction of an Irish language act would have no discriminatory or adverse impacts on equality of opportunity and also noted its potential to improve good relations, given its potential to increase accessibility to the language across all communities<sup>9</sup>.

We have been concerned that during the consultation process, particularly the public events, those facilitating the consultation process, whilst clearly well-informed on equality issues and legislation generally, have little to no knowledge of international frameworks concerning minority language protection. Given the issue being consulted upon, we feel that this has done a great disservice to the process and has called into question their ability to conduct this consultation process effectively.

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<sup>9</sup> DCAL (2015), Proposal for an Irish Language Bill: Consultation Report, sections 4.4-4.6  
<https://www.communities-ni.gov.uk/sites/default/files/publications/dcal/report-of-the-consultation-on-proposals-for-an-irish-language-bill.PDF>

## **Clear evidence from previous consultation**

It is first important to state that in analysing the results of the previous consultation conducted between 2019-2020, we are fully aware that the Equality Commission have made it abundantly clear that decisions taken which are based on the findings of EQIAs will not be solely reliant on the viewpoint of the majority. We have consistently made the point in these consultation processes and indeed, in their resulting policies that majoritarian quotas should never be applied to minority rights issues, given the clear imbalance between them. We welcome that this approach has now been adapted in Belfast City Council's dual language street signage policy, in keeping with international best practice after previously requiring a significant majority of support. The significance of a minority language gaining majority support, for signage or any other policy decision however, should be noted and considered when carrying out and analysing the results of public consultations.

The previous consultation report does note that no strict protocols exist in relation to how consultations can be used to inform decision-making by public authorities, but this should not be used as an excuse to ignore or disregard them; in terms of raw figures, support and demand for bilingual signage across all 4 city-wide facilities, and indeed, within Olympia itself is undeniable; of the 3,393 completed forms, 62% of respondents indicated a preference for bilingual (English/Irish) external signage, 61.4% of respondents expressed their preference for bilingual (English/Irish) signage across all council leisure centres.

### **Breakdown by Leisure Centre**

#### Andersonstown Leisure Centre

- 2270 people (66.9%) indicated a preference for English and Irish signage whilst only 778 (22.9%) indicated a preference for English only signage.

#### Lisnasharragh Leisure Centre

- 2023 people (59.8%) indicated their preference for English and Irish signage, with 901 (26.6%) preferring English only signage.

#### Templemore Leisure Centre

- 2001 people (59%) indicated support for bilingual English and Irish signage, with 907 people (26.7%) indicating preference for English only signage.

#### Olympia Leisure Centre

- 2035 people (60%) of respondents indicated their support for bilingual English/Irish signage, with 877 (25.8%) preferring English only signage.

It is clear from the above that there was clear, significant and sufficient demand for bilingual signage across all 4 city-wide facilities and this is something which appears to be omitted from the write-up of the report itself, seemingly because the majority of those respondents were from a Catholic background and/or of Irish nationality. In the former section of this submission, we raised concerns as to the weight and significance given to 'local opposition' at Templemore and Lisnasharragh Leisure Centres, as well as the manner in which BCC enabled this opposition to dictate their decisions.

What is interesting, however, is that the report also notes that the consultation at Olympia Leisure Centre had not provoked the same reaction at that time until "...he [the equality consultant] and Council officers had met subsequently with local community representatives who had expressed strong views against bilingual signage in English and Irish."<sup>10</sup> Not only is it worth noting once more that the Olympia Leisure Centre is a city-wide facility and that 'local' views should in no way be favoured more than responses obtained from anywhere else in the city, but despite an admission that opposition was not particularly prevalent at Olympia Leisure Centre, it was only after **private**, 'subsequent' consultation with local residents that concerns were flagged. Rather than alleviating these concerns and reminding residents of Olympia's city-wide status, as well as the proven benefits of bilingual signage in minoritised language contexts, the Council opted to allow such concerns to instruct their approach.

The consultation report notes that these figures do not take into account the preferences of respondents per their 'national identity and community background', but classifying responses solely by these categories is extremely divisive and presumptuous, effectively reducing the Irish language to a Catholic/Nationalist vs. Protestant/Unionist issue. It too is hugely problematic that the council are overlooking the fact that perhaps the high response rate from this group is down to the fact that (as is outlined above) the erection of bilingual signage in each of these city-wide facilities is likely to have a clearer positive impact on equality of opportunity for them;

*The consultation revealed considerable support for only one form of bilingual signage, English and Irish, most especially among members of the Catholic community who identify as Irish. This enthusiasm is not matched by those from the Protestant community who identify as British and the contrast in views could not be more stark.*

What this analysis has led to is the inaccurate viewpoint that opposition to bilingual signage from respondents of a Protestant background equates to adverse impact, when this clearly isn't the case. The consultation report also notes that;

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<sup>10</sup> <https://minutes.belfastcity.gov.uk/mgAi.aspx?ID=62783>

*“In any consultation, the number of people expressing a preference for a particular option cannot be ignored but must also be considered in the context of all other relevant concerns, including the strength and depth of feeling expressed by all respondents.*

The point must be reiterated that BCC did not adhere to their own framework, as not only did they effectively ignore the number of people expressing their preference for bilingual signage, but they accepted and indeed, prioritised an oppositional petition which was obtained after the consultation had closed. In consideration of the above, it would appear that this petition must have contained relevant concerns, and/or that there must have been strong, deep feelings expressed. We would first query how exactly BCC measures the responses; what constitutes a ‘strong’ or ‘deep’ response? What is more, the above abstract would suggest that this petition was considered because it raised relevant concerns, but in assessing the petition itself, it denotes that the proposal to erect bilingual signage is *“discriminatory, divisive and even offensive.”*

There is nothing discriminatory about Irish being placed alongside English on signage in a public, city-wide and shared space and it is worth stressing again that people being offended by seeing Irish does not constitute adverse impact. It would appear that some local residents are attempting to claim ownership of a shared, city-wide facility and will continue to refute anything that is not in line with their ethos; what is worse is the fact that BCC are legitimising these baseless concerns and have allowed them, up until now, to dictate their policy.

## **International Standards and Signage**

### **1.1 The European Charter for Regional and Minority Languages**

The European Charter for Regional or Minority Languages (ECRML) is an international convention which aims to protect and promote traditional, historical, regional or minority languages of Europe. The British Government ratified the European Charter in March of 2001 and as such, recognised their obligations regarding Irish, which are outlined under part II and III of the Charter. The British Government signed up to thirty six undertakings for Irish to ensure, as far as is reasonably possible, that Irish is used in education, in the media, in administrative authorities, in economic and social life and in cultural activities.

Among other undertakings, signatories of the charter recognise and commit to;

- *the use or adoption, if necessary in conjunction with the name in the official language(s), of traditional and correct forms of place-names in regional or minority languages.*
- *the need for resolute action to promote regional or minority languages in order to safeguard them;*
- *the facilitation and/or encouragement of the use of regional or minority languages, in speech*

- and writing, in public and private life;*
- *to ensure that the administrative authorities use the regional or minority languages;*
  - *to ensure that such of their officers as are in contact with the public use the regional or minority languages in their relations with persons applying to them in these languages.*

The European Charter is based on a concept of non-discrimination, that is, the majority language group is not discriminated against by the implementation of actions designed to promote and protect the minority indigenous languages.

*“The Parties undertake to eliminate, if they have not yet done so, any unjustified distinction, exclusion, restriction or preference relating to the use of a regional or minority language and intended to discourage or endanger the maintenance or development of it. The adoption of special measures in favour of regional or minority languages aimed at promoting equality between the users of these languages and the rest of the population or which take due account of their specific conditions is not considered to be an act of discrimination against the users of more widely-used languages.”*

In order to fully comply with the above undertakings, local councils are obliged to actively incorporate and promote the Irish language within council services, policies and practices. These are obligations which are on the cusp of being overlooked by Belfast City Council should they remove Irish language from the final provision.

## **1.2 Framework Convention for the Protection of National Minorities**

Unlike the European Charter (which focuses on languages) the Council of Europe’s Framework Convention for the Protection of National Minorities focuses on linguistic minority groups. Whilst there are no directly enforceable obligations on local councils under the Framework, there are a number of provisions in relation to minority languages which are particularly relevant in this consultation.

The Framework Convention, to which the UK is a signatory, makes particular reference to the rights of minorities in terms of the use of minority languages. The relevant provisions are set out below:

### Article 10

*“The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.”*

### Article 11

*The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.*

*In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavour, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public.*

The Advisory Committee on the Framework Convention for the Protection of National Minorities monitors the compliance of signatory nations with the Framework. One of the themes commented on throughout their reporting is how the use of the minority language in publicly visible signage can add to a sense of belonging for the minority language community.

*“Multilingual cultural and touristic signage offers considerable potential for the use of topographical names in minority languages as it uses these languages and toponyms in a field (heritage preservation) that is appreciated in all parts of society, raises awareness of the cultural contributions made by national minorities and has a practical function.”*

-Bulgaria, 4th, 2020, para 141

*“The display of bilingual signposts as a demonstration of the diverse character of the region, traditionally and at present.”*

-Croatia, 4th, 2015, para 66

*“Such bilingualism carries for persons belonging to national minorities as an affirmation of its presence as an appreciated and welcome part of society.”*

-Latvia, 3rd, 2018, para 130

*“The Advisory Committee recalls the important symbolic value of bilingual topographical indications as affirmation that the presence of linguistic diversity is appreciated and that a given territory is shared in harmony by various linguistic groups.”*

-Netherlands, 3rd, 2019, para 116

*“...significant symbolic value for integration that bilingual or trilingual signposts, or the re-introduction of historical place names, carry for the population as an affirmation of the long-standing presence of national minorities as an appreciated and welcome part of society.”*

-Georgia, 2nd, 2015, para 85

The commentary above shows the positive impact of the use of minority languages in signage and how this can improve community relations and respect for said language. This is hugely significant and relevant in the context of Olympia Leisure Centre.

### **1.3 European Convention on Human Rights**

The European Convention on Human Rights (ECHR) contains the following provision:

- 1. The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.*
- 2. No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.*

The ECHR clearly demonstrates that public authorities should not discriminate against or exclude individuals, nor should they interfere with the enjoyment of a right based on the grounds of language. It is not argued that the right to bilingual signs can be derived from the Convention, but the potential exclusion of Irish from the final provision at Olympia Leisure Centre has immense potential to interfere with the enjoyment of language rights for the Irish language community. As a result, not only will members of the Irish language community be at a significant disadvantage, but they may be discouraged from using a facility in which their language is not welcome.

#### **1.4 Belfast/Good Friday Agreement**

Strand three of the Agreement contains a series of commitments in respect of economic, cultural and social issues, including a general provision relating to minority languages.

*“All participants recognise the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster-Scots and the languages of the various ethnic communities, all of which are part of the cultural wealth of the island of Ireland.”*

The Agreement commits the British Government to take resolute action to promote the language, to facilitate and encourage the use of the language in speech and writing in public and private life and to seek to remove restrictions which would work against the maintenance and development of the language. There too is a commitment to liaise with the Irish language community, representing their views to public authorities. These are principles which have been largely ignored, given the seeming irrelevance of the findings from the previous consultation on this issue in 2019/2020 which indicated clear support and significant demand for bilingual signage across all 4 council city-wide leisure centres.

#### **1.5 The St. Andrew’s Agreement 2006**

An 8 year delay in the fulfilment of the obligations outlined in the Good Friday Agreement preceded The St. Andrew’s Agreement of 2006. This Agreement gave rise to a new commitment to legal provision for Irish; the British government promised to,

*“...introduce an Irish Language Act reflecting on the experience of Wales and Ireland and work with the incoming Executive to enhance and protect the development of the Irish language.”*

The introduction of the Irish Language Act has been, and remains, significantly delayed, however the 2020 New Decade New Approach agreement contained a commitment to legislate for the Irish language. This has now been realised by the passing of the Identity and Language Act (2022) through Westminster last year.

#### **1.6 Foras na Gaeilge Guidance Document - Irish languages services in the new councils**

In light of the review of public administration, in 2014 Foras na Gaeilge published a guidance document for the new local councils relating to best-practice in Irish language provision and protection. The document suggests a number of areas of action in order for councils to be in line with international best practice. Amongst their recommendations, Foras na Gaeilge recommend that bilingual signage be installed at council facilities when there is an IM nursery school, an IM school or centre. This is certainly a recommendation which is applicable, and indeed, imperative in the case of the Olympia Leisure centre given its close proximity to Gaelscoil na bhFál, Coláiste Feirste and the high proportion of Irish language organisations and centres in an Cheathrú Ghaeltachta.

Foras na Gaeilge also recommends that bilingual signage be available, providing there is demand from the public. They also note the importance of this signage being in line with international best practice. It is clear that there is significant demand and support for bilingual signage at Olympia Leisure Centre, not only from the findings of the initial consultation on this issue, but also through our faithful and consistent engagement with the Irish language community throughout the duration of this current consultation. The reference to international best practice in signage is too noteworthy; this dictates that the minoritised language (in this case Irish) should precede the majority language (English) on signage. This is something which the City Solicitor herself recognised upon questioning from a DUP councillor as to the precedence of Irish in a tweet congratulating Conradh na Gaeilge on their 130th anniversary.<sup>11</sup> This is something which should be considered not only in the specific circumstances of this proposal, but for all subsequent proposals and policies which make provision for bilingual signage.

### **1.7 New Decade New Approach (2020) & The Identity and Language Act (2022)**

The New Decade New Approach agreement was reached in January 2020 in an attempt to re-establish the institutions at Stormont. New Decade New Approach was the first agreement which officially recognised the Irish language in the north. The agreement stipulated that this would be done through;

*“Legislation to create a Commissioner to recognise, support, protect and enhance the development of the Irish language in Northern Ireland and to provide official recognition of the status of the Irish Language in NI...”*

The agreement set out that an Irish language Commissioner would be appointed, and that they would be responsible for the drafting of standards, and to prescribe these standards on public authorities, as per their level of engagement with the community. This is a practice which is already in place in Wales, and in drawing on their experience, we note that local councils are in the highest possible category (i.e they have the highest level of interaction with the community).

At the time of writing, the Identity and Language Act has passed through all stages at Westminster and in early June of this year received its commencement orders. It is therefore worth noting what

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<sup>11</sup> <https://www.belfasttelegraph.co.uk/news/northern-ireland/belfast-city-council-dispute-over-whether-to-share-irish-language-tweet-resolved/a693621863.html>



language standards should look like, by drawing on the Welsh language model. Below are some examples of language standards which have been placed on Welsh local councils:

*Any material that you display in public must be displayed in Welsh, and you must not treat any Welsh language version of the material less favourably than the English language version.*

*When you erect a new sign or renew a sign (including temporary signs), any text displayed on the sign must be displayed in Welsh (whether on the same sign as you display corresponding English language text or on a separate sign); and if the same text is displayed in Welsh and in English, you must not treat the Welsh language text less favourably than the English language text.*

*When you erect a new sign or renew a sign (including temporary signs) which conveys the same information in Welsh and in English, the Welsh-language text must be positioned so that it is likely to be read first.*

*When you publish a consultation document which relates to a policy decision, the document must consider, and seek views on, the effects (whether positive or adverse) that the policy decision under consideration would have on - (a) opportunities for persons to use the Welsh language, and (b) treating the Welsh language no less favourably than the English language.*

Whilst we appreciate that Belfast City Council are currently working on an Irish language policy, they too have an opportunity to pre-empt the enactment of the Irish language legislation and to take progressive measures in promoting the language by giving it its rightful place.

### **1.8 Recommendations for an Irish Language Strategy - Report of the Expert Advisory Panel**

The New Decade New Approach Agreement committed to the development of an Irish language strategy, separate from an Irish language act. This was not the first time that a strategy had been promised; the 2007 St. Andrew's Agreement Act placed a statutory duty on the NI Executive to "adopt a Strategy setting out how it proposes to enhance and protect the development of the Irish language." On the 10th March 2016, despite the aforementioned commitment as well as other commitments set out in the Executive's Programme for Government 2011, the Executive voted against the Minister for Culture, Arts and Leisure's proposal to adopt the Irish language strategy.

On the 3rd March 2017, in a judicial review taken by Conradh na Gaeilge against the Executive, the High Court ruled that the Executive had failed to fulfil their statutory duty to adopt an Irish language strategy. An Irish language strategy was also contained within the Programme for Government 2021, but was never adopted. August 2022 saw a second declaration that the Executive remained "in breach" of Section 28D of NI Act, and were thus acting "unlawfully" by not adopting an Irish language strategy.

The Department for Communities commissioned an Expert Advisory Panel Report (EAPR) on an Irish language strategy as the first stage in a policy development process. The EAPR makes a range of recommendations about the Irish language and public services, the including:

- That the name of the body and any information provided on any signage used on the exterior of buildings used by the public body is in Irish and English, with letters of equal size

used except in the case of those public bodies whose services are primarily focused on the needs of Irish speakers and that decide to use external signage which gives priority or exclusivity to the Irish language;

- To the maximum extent possible, that any sign used by the public body inside the building is in both Irish and English, with letters of equal size in both languages used;
- That clear bilingual branding facilitating greater visibility for the Irish language appears on their corporate identity, as well as on internal and external signage and at Council venues and facilities.
- That local councils increase the visibility of the Irish language and actively publicise the Irish language services that they offer;
- That regressive or discriminatory decisions or differentiation having a negative impact on the Irish language shall not be accepted and that, where such arises, the local authority has a duty to take active measures to combat this oppression or discrimination;
- That the name of the body and any information provided on any signage used on the exterior of buildings used by the public body is in Irish and English and;
- That any sign used by a public body inside the building is in both Irish and English, with letters of equal size in both languages used.

In consideration of the above, Belfast City Council have a real opportunity here to align themselves with the recommendations of the panel of experts and to ensure service provision at Olympia Leisure centre caters to the ever-growing Irish language community in the city.

### **General recommendations for Belfast City Council in carrying out future consultations**

This consultation process has illuminated for us the need for Belfast City Council and other public authorities to consider the specific needs of target audiences when undertaking consultation processes. Below, we have made a series of general recommendations for all future consultations and also some specific recommendations relating to this process.

1. We recommend that Council provide facilitators with expertise of language rights and international language frameworks and best practice when conducting consultations on the minority language issues. We assume this approach is adapted when consulting on other minority issues however during this process and other similar consultations organised by BCC it appears that those facilitating the consultation have little to no knowledge of either international or domestic legislation and best practice concerning minority language issues.
2. Fóram na Gaeilge was established by BCC earlier this year. The stated purpose of the stakeholder forum 'is for the Irish language community to effectively engage with the Council'. To this end, Fóram na Gaeilge should be identified as key stakeholders when it comes to issues relating to the Irish language, particularly when those issues are subject to public consultation. As stated above, international best practice and Equality Commission guidance would recommend that priority is given to those directly affected by any decision, in this case, Irish speakers.

3. The public consultation events that we attended demonstrated that many of the views in opposition to bilingual signage were rooted in bigotry. Whilst we accept that BCC has little control over how people express themselves in events such as these, we would strongly recommend that any view/opinion expressed that is rooted in sectarianism is discounted from the consultation process and not considered relevant when any decisions are made. BCC are within their right to record such responses, however they should be of no significance in the final decision-making process.
4. Members of the Irish language community expressed frustration at the approach and methodology employed by BCC during this consultation process. It wasn't stated exactly how consultation responses would be categorised and the acceptance of specific submissions after the deadline has called the validity of the entire process into question. Terms of reference for consultations should be shared beforehand and adhered to. During the EQIA, suggestions were consistently made that problems might arise for bilingual signage due to 'local opposition' but it wasn't determined how this opposition was expressed and measured. It was also suggested that 'emotive responses' indicated the strength of feeling on the issue but no explanation was given as to how relevant this is or even how it is measured. What this means is that there is an ambiguity among respondents as to how their responses will be recorded, classified and quantified. This has a huge potential to discourage their participation in further BCC consultations.
5. Parameters for consultation must be set out. If BCC has a legal duty to deliver rights/services, that should be outrightly defined and thus, should not be the subject of a public consultation. BCC cannot opt out of their legal duties because of 'local opposition' or 'emotive language'.
6. As expressed during the consultation meetings, the online questionnaire asks us to outline which groups will be 'adversely affected' by the erection of bilingual signage. There is no option to opt out of this, nor is there an opportunity to outline how progressive measures to support the language will bring benefits to everyone in society. This should be rectified in any future consultations, as it forces respondents to identify reasons why bilingual signage might adversely affect sections of our community, even if they don't believe that to be the case.
7. All public consultation events should be publicised on the Council consultation website and should also be open to all. We are aware of one event that was not made public but organised at the behest of the DUP, nor was the session that was organised in St. Mary's University College. People cannot take part in these consultation events if they do not know that they are happening. In addition, where consultations concern issues of minority languages they should be conducted bilingually. We suggest following the example set out by the Equality Commission in Wales:

*“When organising events for stakeholders in Wales, we send bilingual invitations. Prior to the event we ask delegates to inform us whether they wish to communicate in Welsh. We provide simultaneous translation at our events when at least 10% of the people who have registered to attend state that they wish to use the Welsh language.”<sup>12</sup>*

## **Consultation Questionnaire Recommendations**

**Question 1: To what extent do you agree or disagree with the consideration of data and research as presented in Section 4 of the Draft EQIA?**

**Answer:** Strongly Disagree

**2. Do you have any other comments on Section 4 of the Draft EQIA?**

The data in Section 4 appears very one-sided and doesn't actually contain any information as to the benefits of having bilingual signs in public spaces. International research and best practice has consistently demonstrated that when people are exposed to a lesser-used language through signage that it helps foster more positive attitudes towards that language and those who speak it. In our own situation with a divided society, the language can act as a tool for reconciliation, something that isn't confined to your particular area but that belongs to us all - as evidenced by our place-names among other things. There remains significant gaps in Section 4 including the following:

Reference to recommendations and guidance from Council of Europe periodical monitoring rounds from Advisory Committee, Committee of Ministers and Committee of Experts, regarding UK implementation of both the ECRML and the Framework Convention for the Protection of National Minorities. This is a significant gap in international guidance relating directly to this issue, among which direct recommendations have been made as to the progressive measures which should be taken regarding the Irish language.

Finally, regarding the ECNI guidance, the following part of the 2009 guidance has been omitted. I find this a strange omission given it's direct relevance to displaying languages in the workplace:

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<sup>12</sup> <https://www.equalityhumanrights.com/en/corporate-reporting/equality-and-diversity/welsh-language-standards>

*“The use of languages other than English, for example in corporate logos and communications, will not, in general, constitute an infringement of a good and harmonious working environment.” [pg 9]<sup>13</sup>.*

Section 4 of the draft EQIA also includes none of the recommendations made in submissions on the previous 2019/2020 consultation on all 4 “city-wide” leisure centres; we therefore propose that recommendations from leading NGOs and statutory bodies such as Conradh na Gaeilge, Foras na Gaeilge or from CAJ, who either have a statutory duty or who regularly engage with this Council (and others) on the question of the Irish language, be included in this section of the draft EQIA.

We too wish to draw Council’s attention and advocate for the inclusion of the 2015 EQIA report on the DCAL Draft Irish Language Act<sup>14</sup>, which included progressive provision for bilingual signage in Section 4 of the draft EQIA, given the relevance of the points being outlined.

#### ASSESSMENT OF IMPACT ON EQUALITY

4.4 *The available evidence suggests that those speaking and possessing some knowledge of Irish are more likely to be Catholic, nationalist, young, without a disability, with dependants and single. There were no differences in relation to gender and racial group. No data is available in relation to sexual orientation.*

4.5 *It’s DCAL’s view that establishing Irish language legislation will have a positive impact on Irish speakers and therefore*

*indirectly on Catholics, nationalists, single people, younger people, people without a disability and people with dependants. In DCALs view there are no discriminatory or adverse impacts.*

#### ASSESSMENT OF IMPACT ON GOOD RELATIONS

4.6 *DCAL considered that the introduction of an Irish Language Bill has the potential to improve good relations, as it will give the Irish language more equality and an accessibility platform for all sections of the community.*

As well as this, Belfast City Council’s own languages strategy is referenced in Section 1 of the draft EQIA, but is omitted from the available data and research. Given the strategy’s aim to “increase the

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[https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Good andHarmoniousWorkplace.pdf](https://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/Good%20and%20Harmonious%20Workplace.pdf)

<sup>14</sup><https://www.communities-ni.gov.uk/sites/default/files/publications/dcal/report-of-the-consultation-on-proposals-for-an-irish-language-bill.PDF>

visibility and use of the Irish language in Belfast as appropriate through council services, facilities and events,”<sup>15</sup> it is imperative that the Council demonstrate that they are considering this when assessing the data available.

Under Part 4 of the draft EQIA, the following assertion is made several times:

*“In this regard, bilingual signage was seen by some as potentially confusing.”*

As we have stated in the previous sections of this submission, the Advisory Committee on the Framework Convention for the Protection of Minorities refutes this claim regarding “bilingual signage” being “confusing” for single language users; stating:

*“The Advisory Committee is dismayed by and rejects the view expressed by the Danish Government in its Report (p37): “that signs are less clear and less readable if bilingual.”<sup>16</sup>*

They also reiterate the fact that potential safety concerns should not be used or indeed, legitimised, as arguments against bilingual signage. Given that similar concerns have been made in relation to the erection of bilingual signage in Olympia, we strongly recommend that these monitoring reports are included in Section 4 of the draft EQIA.

**Question 3: To what extent do you agree or disagree with the potential impacts that have been identified in Section 5 of the Draft EQIA?**

**Answer:** Strongly Disagree

**Question 4: Do you have any other comments on Section 5 of the Draft EQIA?**

**Answer:** We do not believe Irish language signage, side by side with English language signage, (known as shared, bilingual signage) would have a negative impact on good relations or on equality of opportunity. It is too worth noting that the draft EQIA itself does not find an adverse impact on equality of opportunity and the potential for adverse impact on good relations is fundamentally flawed. Someone being offended by or not wanting to see Irish alongside English on bilingual signage

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<sup>15</sup> <https://www.belfastcity.gov.uk/documents/language-strategy-action-plan>

<sup>16</sup> AC 1st Opinion on Denmark:  
<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168008bd3f> page 8, article 34)

does not equate to an adverse impact; throughout the process of this consultation, it has become increasingly clear that much of the arguments in opposition to the erection of bilingual signage at Olympia are rooted in blatant intolerance and sectarianism and whilst this is hugely concerning, what is worse is that Belfast City Council are actively enabling these views to dictate and shape policy development, but are doing nothing to tackle or challenge negative views towards the Irish language.

The EQIA into the 2015 Irish Language Bill (DCAL) confirmed that bilingual (English/Irish) signage would not have any impact on any of the EQIA themes, on the contrary, would have a POSITIVE impact on good relations. This 2015 consultation result should be specifically included into the EQIA assessment report. Bilingual signs, as informed by international treaty bodies, creates increased tolerance through normalising the use of Irish alongside English, whilst affirming that bilingual signage is a positive step by affirming territory is indeed "shared." Olympia, on the Boucher Road, a 'city-wide' leisure centre, must be defined and recognised by BCC as a prime example of a shared space in a shared location. Proceeding with the erection of bilingual signage, as reaffirmed by DCAL above, will have a positive impact on good relations as it counters the notion that Irish belongs to one section of our community and as such should be confined to those areas. As a shared space, Olympia must be welcoming for everyone. Hearing and seeing Irish will lead to more positive attitudes towards the language and foster stable relationships and community cohesion. Shared spaces are not shared if they exclude the Irish language.

It is significant also that Section 5 notes there was limited local opposition against the erection of bilingual signage at the Olympia Leisure Centre during the previous consultation in 2019/2020. What did pose problems, however, was the subsequent,

*"...strong local support [...] for English only signage, with concerns that bilingual signage could heighten local community tensions and may serve to provoke a hostile response from certain elements within these communities."*

There are a number of issues to be unpacked here; firstly, we would query and raise concerns as to the definition of 'local'; given the 60% of respondents who were in favour of bilingual signage at Olympia Leisure Centre, not only is there an onus on the Council to outrightly define who they constitute as the 'local' community, but they too need to be absolutely clear as to how they quantify and categorise responses. As a designated city-wide facility, it is unclear and concerning the amount of weight given to 'local' views (in whatever undefined manner this may mean). Strength of response is difficult to quantify; is the view of someone who is visibly angry or who uses emotive language to be given more significance than other views? Furthermore, the weight given to the apparent threat of a potential 'hostile response' to the erection of bilingual signage is hugely problematic and has no place in this consultation; it does not and should not override Council's responsibilities under numerous agreements, charters and treaties. Bilingual signage is not the problem; rather, it is those individuals who threaten a hostile response in an attempt to provoke fear.

**Question 5: Do you feel that the proposed erection of English and Irish bilingual signage could have any potential adverse impact on people because of their (please tick any that apply):**

**Answer:** NONE

We raised concerns throughout this consultation period that this question in particular was very leading and had the potential to make people feel inclined to select a section of the community that they feel will be adversely impacted by the erection of bilingual signage, even if they do not believe there to be any. It was extremely disappointing that despite apparent agreement from Council officials at the Irish language community forum when a suggestion was made that this question be altered to include an option for NONE, the Council decided to uphold this leading question. In future questions like these, we recommend that the question itself be accompanied by a simple 'Yes' or 'No' format, with a follow up question of 'If yes, please give details'. This would remove the leading element of the question.

**Question 6 If you feel there are adverse impacts, please explain the reason for your answer:**

**Answer:** The display of bilingual signage would not have a negative impact on a "harmonious environment" either for staff or users. Staff and users come from all communities. This facility is shared and the signage must reflect that as per the Framework Convention and CoE Charters recommend.

The supervisory body for the Council of Europe's Framework Convention for National Minorities (FCNM) made observations expressing concern at how Good Relations has been previously misconstrued to prevent measures being taken to protect Irish. In 2011, their Third Opinion on the UK stated that:

*"The Advisory Committee was disconcerted to hear that some representatives of the authorities consider that promoting the use of the Irish language is discriminating against persons belonging to the majority population. Such statements are not in line with the principles of the Framework Convention... It also reiterates that... implementation of minority rights protected under the Framework Convention [is] not be considered as discriminating against other persons." (Paragraph 28)*

An "adverse impact" on equality of opportunity essentially refers to something which immediately has or will lead to a discriminatory detriment to one or more groups of people. It has never been demonstrated how an Irish language policy consistent with the ECRML framework (including signage) could constitute an adverse impact on equality of opportunity.



The focus of this consultation has been the potential adverse impact of putting up bilingual signs in this shared space. We too would urge the Council not only to consider the potential positive impacts, but also the potential adverse impact of refusing and rescinding the initial decision to erect bilingual signage on the thousands of Irish speakers across this city. Coláiste Feirste, the largest Irish medium secondary school in Ireland, and Gaelscoil na bhFál are no more than a 10 minute walk from Olympia. Scoil an Droichid use the swimming pool on a weekly basis. Should Belfast City Council refuse to erect bilingual signage, it would send a very clear message to these groups, and indeed, to the wider Irish language community that they and their language are not welcome.

**Question 7: To what extent do you agree or disagree with the potential mitigations that have been identified in Section 6 of the Draft EQIA?**

**Answer:** Strongly Disagree

**Question 8: Do you feel that there are any other mitigations that Belfast City Council could consider on the proposed erection of bilingual signage at Olympia Leisure Centre?**

**Answer:** As mentioned above, the EQIA does not find an adverse impact on equality of opportunity, and the identified potential for an adverse impact on good relations is fundamentally flawed, so the EQIA should not have considered measures to mitigate it, or alternative policies. To "mitigate" against misunderstanding of minority language protections, and potential confusion around why Irish is being erected here, we recommend Belfast City Council takes affirmative and proactive steps to raising awareness of the need for visibility of Irish here. This should be done via an awareness raising campaign on social media and in print form, including short videos, leaflets and other marketing techniques to ensure communities are afforded an opportunity to access the rationale behind bilingual signage and promotion of the Irish language in general. This would mitigate intolerance and negative attitudes to language promotion. We therefore strongly disagree "mitigating" against equality by removing Irish or diluting the amount of Irish seen in the building. By applying this "mitigation" rationale to any other minority rights issue, for example, symbols displaying solidarity with LGBTQ rights, "mitigating" against those displays would in itself be discriminating against those communities.

**Question 9: If you have any other comments on Section 6 of the Draft EQIA, please tell us here**

**Answer:** To "mitigate" against Irish language signage would be to legitimise that communities are somehow discriminated against due to bilingual signage. We refute and disagree with that assumption and on that basis we do not believe any mitigations or change to signage is needed. We also note the 2020/21 consultation results displayed no appetite for Ulster Scots signage in any meaningful way and should not be considered as a "mitigation" not viewed as a reasonable "political countermeasure to Irish." Signage should be erected as per community demand and previous EQIA displayed that demand very conclusively.

**Question 10: Which of the following options would be your preference for signage at Olympia Leisure Centre?**

**Answer:** Irish and English

We have, on record, the City Solicitor of Belfast City Council recognising that international best practice dictates that the minoritised language always precedes the majority language; the Council subsequently employed this approach when sending out a congratulatory tweet to Conradh na Gaeilge on their 130th anniversary. We therefore recommend that this same principle be applied when erecting bilingual signage across council facilities like Olympia; that the minoritised language appears above or to the left of the majority language.

**11. Do you have any other comments on the Draft Equality Impact Assessment?**

**Answer:** Olympia is a shared space. It is located on Boucher Road, also a well recognised shared space. The leisure centre is designated as a "city-wide" resource. It is used by a broad range of people. This resource must not be viewed through the prism of one section of local users, as "local" users also come from the Lisburn Road, Falls Road, West Belfast, Malone Road, Stockmans Lane, and is used by many who work on many of the Boucher Road shops. That is why it is a "city-wide" resource and should enjoy "city-wide" language protections through bilingual signage. As identified in the EQIA, Coláiste Feirste is the largest Irish Medium post-primary on the island of Ireland. Gaelscoil na bhFál, An Chultúrlann, Ionad Uíbh Eachach, Gaelchúrsaí and Áras na bhFál are only some of many Irish schools, early years centres, vocational centres situated in the Iveagh and Broadway areas of the Falls road, with many users attending Olympia on a weekly / monthly basis.

Indeed the table "Religious Belief Council Area" in the EQIA confirms this is a shared space. The Section 75 analysis on Political Opinion (via Results for the two District Electoral Areas adjoining Olympia (Balmoral and Botanic), shows a majority of parties / councillors in both Districts supportive of Irish language signage and policies.

Belfast City Council must take into account the message removing Irish language signage, that was democratically agreed in 2021, from the final provision, would send to Irish language rate-payers and users of Olympia. It would create an "English-only" and "no Irish" zone in one of BCC's shared resources and would create an environment where Irish speakers would not, by extension of BCC decision, feel comfortable attending Olympia with their friends, families and children and using Irish in public. It would make Olympia and BCC a cold house for Irish speakers and a "no-go-zone" for Irish speakers. In 2023, 25 years on from the GFA promised "resolute action" for the Irish language community, that would be a complete dereliction of duty from BCC. That would be incredibly detrimental to BCC's reputation and indeed ability to promote Irish in shared spaces in the future.



### **Appendix 3: Submission from the Blackstaff Residents' Association**

## BLACKSTAFF RESIDENTS' ASSOCIATION



177 Tates Avenue, Belfast, BT12 6NA

**To: Equality & Diversity Unit, Belfast City Council, Room 117, City Hall, Belfast, BT1 5GS.**  
**From: William Dickson, Chairperson of Blackstaff Residents' Association.**  
**Subject: Blackstaff's response to the proposal to have dual language signage at Olympia Leisure Centre.**  
**Date: 15<sup>th</sup> September 2023**

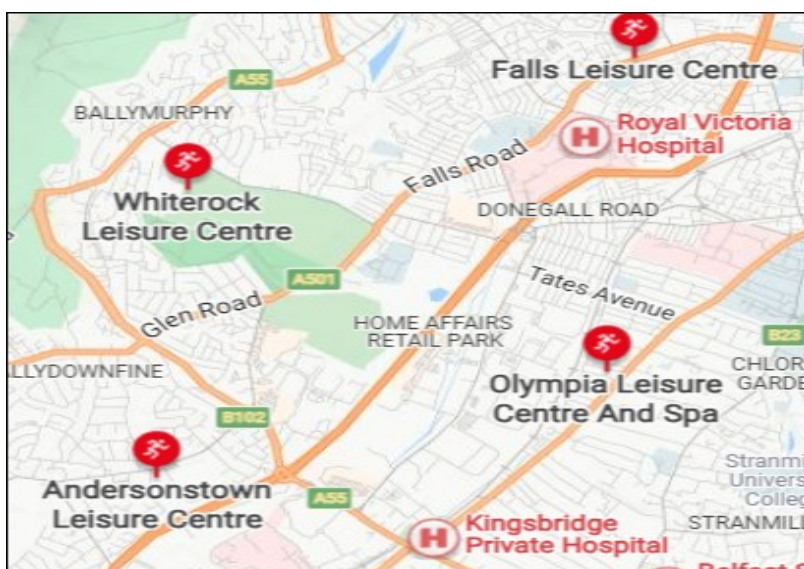
The Olympia Leisure Centre lies within the Blackstaff DEA. The name and boundary was decided by the Office of the Local Government Boundaries Commissioner following written and oral submissions by the Blackstaff Residents' Association during 2007. The Association was formed on Tuesday, 3rd May 1978 and a constitution adopted on 13th February 1980.

One of the objects contained in the constitution is that the Association will assist Government Departments, Local Authorities and other bodies, by discussing and giving the possible reaction to schemes proposed; to initiate discussions on schemes which, in the opinion of the Association, would contribute to the development of the community.

From the formation of the Association, it has made its voice heard in every major proposal concerning the area.

**It is in line with our constitution that we submit the following response**

Our online petition, which at the time of writing this response, contains **2,617 signatures**. It demonstrates the strong opposition to dual language signage at Olympia Leisure Centre. Although a localised issue, it nevertheless resulted in a large number responding. We believe the number of signatures would have been even higher, but for a technical problem with the link, that could not be resolved. **In addition to the petition we believe it would be helpful to point out a little of the background behind why the Olympia site is of significant importance to the local community.**



During the afternoon consultation meeting held in the Olympia Leisure Centre, on 14<sup>th</sup> June, it was estimated that approximately 40 persons were present. Of those, only a few came from the local area. The numbers attending the afternoon meeting could be seen as being orchestrated by Irish language activists to maximise their views and put pressure on the Belfast City Council to introduce dual signage.

One even threatened that they would take legal action, if the Council decided against dual language signage. Some who attended the afternoon meeting admitted they were from **West Belfast on the other side of the M1 which has 3 leisure centres.**

On the south side, there is only Olympia Leisure Centre which can be seen on the map. We understand that Andersonstown Leisure Centre has dual language signs, but the other two, Whiterock and Falls have English only, even though the population is mostly Republican/Nationalist; yet there is a demand from those who attended the afternoon meeting to force dual language signs on a mostly Unionist community by having them in Olympia Leisure Centre.

The majority of Local residents decided to attend the evening meeting where opposition to dual language was clearly expressed. It was indeed the combined voice of the local community.

At the afternoon meeting, some implied that the Leisure Centre location was separated from the local residential community. As chairperson of the Blackstaff Residents' Association, I would refute this claim by giving a brief history of the area and especially the site on which the leisure centre is on.

The presence of humans in the area goes back to the 3,500 – 2,500 BC. In 1935, two 'neolithic' – new Stone Age – axes were found during the building of the houses in Olympia Drive, beside Windsor Football Stadium. The axes are among the earliest evidence to prehistoric man in Belfast and date to around 3,500 – 2,500 BC. The Celts are relative newcomers who did not arrive until the Iron Age, 1200 BC AND 600 BC. We would not claim to have any expertise in even guessing what language that these early people spoke, but we do know, it was not the language of the Celts, who as already stated, are relatively recent arrivals.

What is almost certain is that the first arrivals in Ireland, arrived first in the north. The north east coast of Ireland is only about 12 miles from the southern tip of the Mull of Kintyre in the south west of Scotland. Most archaeological evidence of these early settlers is found in the north of Ireland – most notably at a place called Moundsandel, near to what is now the town of Coleraine. Some of those people made their way to the Lagan Valley. We don't know how many came as far as the Bog Meadows, but they, as already stated, left evidence that they were here. It is believed that they made trackways through the bogland, that became known as the Bog Meadows. The Ulster Scots Ancestry involves the movement of people within the Isles (the British Isles). The Celts on the other hand were a collection of tribes with origins in central Europe.



'Tracks of Time'  
Artist – Michael Dunn  
Concept – Billy Dickson, Blackstaff  
Residents' Association

The mural in Donegall Avenue depicts the history of the Blackstaff area from the Early Bronze Age. Trackways of oak and ash timbers were used to help people move across wetlands, like the Bog Meadows.

The area is also associated with our railway heritage. In 1911, there was the construction of an eleven-road locomotive shed on the Bog Meadows at Adelaide. By 1920, Adelaide was arguably the most important train depot in Ireland. The mural includes Richview House from the 1800s, a corncrake bird representing the Bog Meadows and Belfast City Hospital Tower Block. In modern times the trackways of the Ulster Railway and the Great Northern Railway linked the past wooden trackways of the early Bronze Age and Neolithic period. Adelaide Railway Station has and will continue to play an important role in arrangements to shuttle football fans to and from Windsor Park for International football matches.

The Ulster Scots tradition and culture has a strong influence within the local community. Along with Uster Scots surnames there are many with links to England and others who have anglicised French surnames, possibly as a result of many people from the Lisnagarvey area, which became Lisburn, moving to Belfast in the 1800s to find work in the local linen mills. There are also Welsh surnames. In addition, the community recently has seen the influx of many from different countries throughout the world. The local Fane Street Primary School has a school population, made up of newcomer children with **40 different native languages** being spoken. This gives a clear indication of the growing diversity of people and languages within the greater Olympia area.

**The above points that we have made, although brief, demonstrate that there has never been a Celtic Culture within the local community and its roots are with those of a predominantly Ulster Scots and English lineage.**



This 1932 photo is taken of flooding by the Blackstaff River in Olympia Drive. On the opposite side to the houses is where the John Bell pedestrian entrance to Olympia Leisure Centre is today. However despite the environmental difficulties, **the local people created on top of bogland, leisure and sporting opportunities that developed into a major sporting and community hub that exists today.**

Before the development of the Bog Meadows as an industrial area, local people created a sand pitch or pitches for football. We understand it involved a tremendous amount of physical labour getting the sand onto the bogland to create them. It also required regular maintenance. A lad called Ian Hislop from Olympia Parade was one of the locals who helped build the football pitches.

Desmond O'Reilly in his paper on the Bog Meadows 1989, mentions a cinder covered soccer pitch on the Tates Avenue side. The site was used considerably by the local community for football and other forms of entertainment. These included Lambeg Drumming contests and gambling schools; one form being 'pitch and toss' which attracted hundreds of local men who would gather on a Saturday. It was a major event that seen the regular attendance of well known 'hard men', Silver McKee and Stormey Weatherall. The police came regularly to break it up. **Ice skating was very popular on the frozen pond where. Windsor Park is located now, then known as 'Skelton's Fields'. Windsor Park was first opened in 1905, with a match between Linfield and Glentoran.**

The future of the 'community sand pitch' slowly came to an end with the commercial development of the area. The Bog Meadows £1,200,000 Scheme made no provision for the local community. The scheme was to end flooding and allow new development. It started in 1959 and was finished in late 1961. It made land available for development. The Bog Meadows was up until then, the 'playground and recreational ground' for local people, who seen no benefit for them by the scheme, as far as community facilities were concerned. However, the same determination that was shown by local people to create a 'sand pitch' was again repeated in their determination to have a community centre. **They arranged for street collections that resulted in them being able to purchase and erect a portable building on the site where the leisure centre is today.** Among the local residents closely associated with the efforts to see that the community had community facilities, were Mrs Elizabeth (Isobel) Johnston (left in photo) and Mrs Nan Lambe (right in photo). Their community work lasted for many years. The community centre which they helped to establish became the launching pad for other community ventures.





Blackstaff Residents' Association recognised the need to provide facilities for the local community. During a camping holiday to Corwen in Wales for local children. The idea of having a swimming pool on the Bog Meadows came to mind after visiting a swimming pool in Corwen, Wales.

Our Association began to lobby for a swimming pool and other facilities. On one occasion we organised a parade, starting from Frenchpark Street. The Belfast Telegraph reported on the event. Below is a photo taken on the day.

A major breakthrough came after we met Lord Peter Melchett, Minister of State for Northern Ireland. He asked for issues that concerned the community, of course top of the list was the need for a swimming pool on the Bog Meadows..

I met Lord Melchett along with the Headmaster of Kelvin Secondary School at a meeting in the school. After the meeting we went on a walkabout, pointing out the needs of the area and one being a leisure centre on the Bog Meadows. Lord Melchett enjoyed a lunch, made by some of the pupils, including Jean McManus.



Two 10-year-old placard-carrying protesters, Edward Kelly of Lecale Street, and Lesley McSorley of Tavanagh Street, Belfast, who took part in the demonstration.



Lord Melchett (above photo) said the Government will be making a special effort in Belfast itself because of the appalling social conditions in some areas. Blackstaff was classified as an 'Area of Need'. The case for a leisure centre on the Olympia site was to help the local community, as indeed were the other leisure centres throughout Belfast. **They were also seen as one way of getting young people away from activities involving paramilitaries.**

Shortly after his visit to the area, Lord Melchett announced that funding would be made available for a leisure centre on the Bog Meadows. The Lord Mayor, Councillor Tommy Patton preformed the opening ceremony on 25<sup>th</sup> May 1983. The 2m building included a community centre. Maureen Cusdin, the first manager of the centre was reported by the Belfast Telegraph as saying:

**“We want all local residents to come into our centre...This is a centre for the community.”**

As an acknowledgement of the work carried out by our Association, Maureen invited me to take the first swim, which I was delighted to do.



There is no doubt that many who work locally, find it convenient to use the centre, **however it was built in the first instance for the benefit of the local community, and this must remain the case.**

In 1981, residents expressed the view that other names should be considered for the leisure centre rather than ‘Bog Meadows’. There followed a community consultation and a number of names were considered. The following is from a report in the Belfast Telegraph, Wednesday 8<sup>th</sup> April 1981:

‘The Donegall Ward Community Development Association is asking schools, churches, community groups and residents in the district to suggest suitable names for the centre. it Mr. Dickson said three alternatives already mentioned were Richview, after an old name for the district; Olympia, after neighbouring streets, or the Earl of Ulster, who has connections with the area. "Even the Meadows leisure centre would be a better name," said Mr. Dickson. "Bog Meadows may be an appropriate name for something else but not a leisure centre." Mr. Dickson himself favours Olympia for the name of the centre. He has asked for a meeting with Belfast City Council's leisure services department which is building the centre and Mr. Dickson hopes the Council can be persuaded to chose one of three alternative names from the list the development association is preparing.’ (The name of the Council Ward was later changed to Blackstaff)

In the end it was agreed on the name ‘Olympia leisure centre’ **linking it to the residential area, known as Olympia, with a pedestrian entrance from Olympia Drive.** Blackstaff Residents’ Association proposed that this entrance be named after John Stewart Bell, a famous scientist, born at Tates avenue. This was agreed by the Belfast City Council. The leisure centre and the attached community centre was used by the local community for meetings and special events including the ‘Blackstaff Community Week’.

The association’s web site provides the following information: “Despite the horrendous weather conditions on Wednesday, 12th February 2014, an encouraging number of local residents made their way to the public meeting in Olympia Community Centre. We are pleased to say that the meeting agreed to support the campaign to have an Olympia Residents' Working Group in partnership with the Belfast City Council, Irish Football Association, Linfield Football Club and the Department of Culture, Arts and Leisure. The meeting agreed that this would help give the local community a 'real say' in decisions regarding community services, the Community Centre, Windsor Park stadium and Leisure Centre developments.”

However, there was considerable disappointment from the community when the Belfast City Council decided to close the Community Centre. This caused the late Christopher Stalford MLA to say: "You (Local residents) have my support. There's something very ugly about the way this is being steam rolled through. Who benefits from this?" 30/1/14. The Belfast City Council, however **made provision for community based groups, such as the Blackstaff Residents’**

**Association, to use the Multi-purpose room within the leisure centre free of charge. This agreement was reached on 1<sup>st</sup> July 2015. It also provided for an Olympia Community Space Steering/Advisory Group.**

25th November 2016 seen the closure of our Community Centre against the clear opposition by the local people. A proposed Working Group to consider closure was refused by a majority vote at a Council meeting. Residents were supported by the Democratic Unionist Party-DUP- and Progressive Unionist Party -PUP- councillors, but it was not enough to possibly save the Olympia Community Centre.



**Great importance was placed on getting the residents to agree to the proposals, or the national stadium might go to the Maze site. The local community united behind the proposals with not one objection. The result was that the planning application went through in record time and saving possibly £millions on delays. Photo: The Lord Mayor and local residents.**

**2017, the Lord Mayor, Alderman Brian Kingston officially opened the new Olympia on the Boucher Road on Tuesday and unveiled a ceremonial plaque inside the building.**

**Olympia Leisure Centre was ‘sold’ to the local community as a joint venture project with the Belfast City Council as part of a major investment in its Leisure Transformation Programme, to develop and enhance the facilities around the new stadium at Windsor Park, transforming the area into a major sporting and community hub. It seen the development of Midgley Park, the completion of a new 100 x 60 metre floodlit 3G pitch, 200-seated stand and a pavilion, ‘state of the art’ Olympia Leisure Centre, a new Olympia 3G pitch, a children’s park, access roads with dedicated parking for the leisure centre and a separate 80 space car park at the Midgley site. The new boulevard style access created a ‘Windsor Way’ vista linking these facilities.**

Two Public meetings were held in the community centre to inform residents about the proposed developments for a new Leisure Centre building and National Stadium at Windsor Park. The residents expressed local concerns that needed to be dealt with. They were given an assurance that after planning permission was given, that they would be back. Belfast City Council stated:

**“We’re also working with our partners, the Irish Football Association, Department for Culture, Arts and Leisure and Linfield FC, To make sure the wider development benefits those living nearby.”**



Miss Linfield 1948 – Miss Doreen McNab, Soudan Street, Belfast – receiving the “Blue” sash from last year’s winner, Miss Lillian McKibben, at the annual dance of the Roden Blue Supporters’ Club. Some of the Linfield players acted as judges.



Linfield Football Club which is an integral part of the sporting and community hub, has long associations with the local community. One local resident, Doreen McNally, who attends the weekly pensioners group in Olympia was ‘MISS LINFIELD’ in 1948. The photo is of Doreen being given her ‘Winners Blue Sash’ and to the right, she proudly wore it at the special party, held in the Leisure Centre, to commemorate the Platinum Jubilee of

Queen Elizabeth II. The party was very generously supported by Lidl and The Community Foundation. Local residents continued to have a direct involvement in the new leisure centre's development. One example was the art works at the John Stewart Bell pedestrian Entrance. The artist, Ralf Sander, met the residents at a special meeting when he outlined the artworks he had in mind. He also requested that the residents provide him with questions to put on a wall at the entrance. The questions were to be thought provoking and that answers might prove difficult or even impossible to find.. **The art works have proved very successful and the contribution made by the residents are acknowledged by the artist by a plaque on the 'Questions Wall'.**



In the centre of the photo is the artist Ralf Sander who worked closely with the local community on the art projects. To the right is James Armstrong from Olympia Drive, an active member of the Residents' Association.

It has to be acknowledged that during the early development stage, Rose Crozier, Director of Parks and Leisure did everything possible to involve the local community in the plans. Rose was supported by Shuna Murtagh who worked with the community, especially on the location and design of the new children's park.

The cultural and traditional identity of the community was further demonstrated during a public consultation to name the new boulevard style road, linking all the facilities on the Olympia site. The total number of votes cast was 2,392, with an overwhelming majority in favour of **'Windsor WAY'**.

The total number of votes cast was 2,392, with the breakdown of votes being as follows:

| Name of road           | Email     | Text     | Phone    | Online      | Hardcopy  | Total       |
|------------------------|-----------|----------|----------|-------------|-----------|-------------|
| Boucher Boulevard      | 1         | 0        | 0        | 32          | 0         | 33          |
| Elisha Scott Boulevard | 5         | 0        | 1        | 525         | 0         | 531         |
| Grace Bannister Way    | 0         | 0        | 0        | 13          | 0         | 13          |
| Legends Way            | 0         | 0        | 0        | 39          | 3         | 42          |
| Olympia Boulevard      | 0         | 0        | 0        | 67          | 2         | 69          |
| Windsor Way            | 39        | 1        | 0        | 1640        | 24        | 1704        |
| <b>Total</b>           | <b>45</b> | <b>1</b> | <b>1</b> | <b>2316</b> | <b>29</b> | <b>2392</b> |

On Wednesday 3<sup>rd</sup> May 2022, Blackstaff Residents' Association celebrated the 45<sup>th</sup> Anniversary of the Association. We combined it with the Coronation of King Charles III. Food was supplied by the Irish Football Association (IFA) and prizes and vouchers were provided by Marks and Spencer. The help was very much appreciated. Andrew Hardy, the IFA's Community Relations Officer came along to help out. Below are some photographs taken at the party.



The Blackstaff Residents' Association, along with other community based groups have used the leisure centre with the cooperation of the centre's management. **We have all endeavoured to make everyone who attends our meetings and activities, to feel welcome and valued.**

The proposal to have dual language signs at Olympia Leisure Centre has caused serious disruption to the start of our activities. At the September meeting when we should have been discussing proposals for our community week, the time was taken up with the proposal to introduce dual language signage at Olympia. **It must be made clear, that the proposal has not come from the local residents.**



**The Blackstaff Residents' Association meeting on 6<sup>th</sup> September proved to be the most disturbing meeting ever held by the Association.** We hope we will never experience another meeting like it again. Many of the residents at the meeting used the strongest possible language to express their opposition to the proposal to have dual language in the leisure centre. Public representatives who were present, did their best to control their anger, but with little success. It was almost impossible to chair the meeting, due to the anger felt and expressed by local residents. The photo was taken before the start of the meeting.

## NATIONAL FOOTBALL STADIUM COMMUNITY FORUM

Representatives of all the combined facilities on the Olympia site are brought together under the National Football Stadium Community Forum. The Forum was a condition for granting planning permission for the new stadium. **It gives the local community a key role on the Community Forum.** It involves the Planning Authority, Roads Service, Belfast City Council, PSNI, Translink, Linfield Football Club and others. A meeting of the Community Forum was held as recently as Tuesday 12<sup>th</sup> September and was chaired by Graham Fitzgerald, Chief Operating Officer for the IFA.

The Olympia and Windsor area has been transformed into a major sporting and community hub, where all should feel welcome. I do hope that our response will give a clear understanding of the area's history and culture, especially the major role played by the local community in creating on top of bogland, leisure and sporting opportunities that developed into the major sporting and community hub that exists today.

The proposal to induce dual language signage is an unwelcome intrusion into a community that does not want it. It has already created a lot of anger and left many wondering why it is being proposed within an area that clearly would be opposed to the dual language signage.



We would fully support a sign at the entrance 'OLYMPIA 4 ALL' and the word 'welcome' in different languages.

Yours sincerely,

William Dickson BEM  
Chairperson



## **Appendix 4: Submission from Janet Muller**

**Submission to Belfast City Council on the Equality Impact Assessment  
(EQIA) on Bilingual Signage at Olympia Leisure Centre  
September 2023**

I welcome the opportunity to make this submission on my own behalf to the above EQIA. I have been a member of the Belfast City Council Leisure centres for some 12 years and continued my membership when GLC Better took over their running. I attend the gym and a range of classes on average 5 times a week and am a regular attendee therefore at most of the leisure centres in Belfast. This includes Olympia, Andersonstown and Lisnasharragh as well as others. From 1998 to 2019, I was Chief Executive of POBAL, the independent Irish language advocacy organisation in the north of Ireland. In this capacity, I devised and developed numerous research projects on legislation, language rights and best practice for public bodies, local councils, government departments and others. I contributed to many public consultations, made presentations to a wide range of bodies at the level of Westminster and Stormont as well as to local government agencies, to Trade Unions, and the business and voluntary/community sectors. I have on three separate occasions been invited as an expert by the Council of Europe to contribute to international conferences of the European Charter for Regional or Minority Languages and have met with field delegations from the advisory committees in all monitoring cycles of both the Charter and the Framework Convention for the Protection of National Minorities to discuss the implementation of these international instruments in respect of Irish. In 2021-2 I was one of five individuals appointed by the Department for Communities as a member of the Expert Panel on the Irish Language Strategy.

In relation to the background of this EQIA, I understand that the decision was initially taken to erect Irish language signage in four city-wide leisure centres, Andersonstown, Olympia, Lisnasharragh and Templemore. It is a matter of concern that this decision was not implemented, except in the case of Andersonstown and that signage at Olympia is now subject of an EQIA. This is especially worrying as I understand that during the consultation on signage, Olympia attracted the lowest level of interest. This appears to show that undue political pressure was exerted after the end of the consultation and that this has resulted in Belfast City Council acquiescing to an organised campaign against the visibility of the Irish language.

The decision to erect Irish language signage in the 4 leisure centres, including Olympia was, and is, in line with Belfast City Council's Language strategy which directs that linguistic diversity must be celebrated and respected, and that the users of Irish can expect to access facilities.



The aims of the strategy are consistent with obligations under the European Charter for Regional and Minority Languages (ECRML, the Framework Convention for the Protection of National Minorities and in line with recent Westminster legislation for the Irish language). The consultation, and hence this response, concerns the EQIA and not the draft Irish language policy per se. In summary, I find it difficult to accept some of the ways in which the EQIA's conceptualises and interprets the statutory equality duty (as set out in Section 75 and schedule 9 of the Northern Ireland Act 1998 and the Council's Equality Scheme). These matters are set out in further detail throughout this submission.

As noted above, the rationale behind the Council decision to conduct a full EQIA on this Irish language signage is highly questionable. During a consultation on the signage, least interest was shown in relation to Olympia. Decisions were taken after the conclusion of the consultation in response to what appears to be a political pressure campaign. This is a clear violation of best practice. Normally, a council will normally subject a policy to a full EQIA when a 'major' adverse impact has been identified in a screening exercise. I am not party to the screening exercise undertaken but cannot see how the proposed policy could fall into this category. In general, it is difficult to foresee circumstances through which a policy consistent with the provisions of the ECRML (an instrument which itself has been careful to provide for the rights of speakers of minority languages in a manner consistent with the rights of others) could constitute an adverse impact on equality of opportunity for a section 75 category. There may be circumstances where provision for Irish or any other minoritised language might be deemed objectively to adversely affect the rights of others, and extending from that, to impact on equality of opportunity for particular groups. For example if a Council decided to provide all its services or produce its documents ONLY through Irish. The ECRML is intentionally framed to avoid such a scenario by ensuring there is provision for dominant languages as well as minoritised languages. Equally, however if a Council decides to provide all its services or produce its documents (or indeed its signage) ONLY through English it is also impacting adversely on equality of opportunity. It should be noted that there is no 'right' not to hear Irish, not to have to look at Irish in a sign or logo or to be 'offended' by Irish. None of these matters affect the rights of others nor should be considered objectively as 'adverse impacts'.

In itself, therefore, it is a matter of concern that the EQIA states that it has already been decided that there may be potential 'adverse impacts' in relation to Irish language signage. However, it is not clear if these are deemed to be potential major or minor impacts. It is therefore not clear what is the actual policy basis for the Council's decision to commission a full EQIA.

Through measures set out in their Equality Schemes, designated public authorities are required under the statutory equality duty legislation to () impact assess proposed policies *on the promotion of equality of opportunity across the nine section 75 grounds* (gender, age, religious belief, political opinion, racial group, disability,

dependents, marital status and sexual orientation) and where there are identified adverse impacts on equality of opportunity consequently engage in equality monitoring and consideration of alternative policies or mitigating measures. There is no equivalent obligation or intention in the legislation that 'adverse impacts' on 'good relations' be assessed in the same manner. A number of Irish language and Human Rights organisations have cautioned against such an approach as it is likely to be highly subjective and potentially to conflict with the equality duty and related obligations. It is also explicitly stated in the Section 75 legislation that compliance with the good relations duty must be exercised without prejudice to promoting equality of opportunity.

The EQIA report assumes potential adverse impacts on the grounds of religion, political belief and race/ethnic origins. However it offers no concrete evidence to substantiate adverse impacts on any of these grounds. The EQIA also proposes a number of measures to 'mitigate adverse affects' even though it has not shown these adverse effects to exist. In the absence of evidence of any real adverse impacts on equality of opportunity an alternative approach which would be in line with equality scheme commitments would have been to reference such 'mitigating' measures as positive action measures designed to better promote the statutory duties. The Council should then have screened out the issue of Irish language signage in the leisure centres for EQIA.

The EQIA report is problematic due to the way the document has broadly conceptualised the scope of 'adverse impacts'. An adverse impact on equality of opportunity cannot be defined as a group of people failing to suppress the visibility of a language protected under international and domestic legislation. There is now a risk ironically that an action in line with Council's Language Strategy, which is essentially about promoting equality of opportunity for Irish speakers and complying with international standards to safeguard a minority language, could be put under threat through a misapplication of the Equality Scheme and misinterpretation of key section 75 concepts.

Over a period of years, I have noted a pattern in the manner in which some EQIAs into language policy have wrongly categorised political or attitudinal opposition to the Irish language as constituting an 'adverse impact'. I have previously communicated this to the Committee of Experts on the ECRML and the Advisory Group on the FCPNM as this incorrect definition of 'adverse impact' has then been used as a basis to limit policies which would implement duties under ECRML and FCPNM.

An 'adverse impact' on equality of opportunity is defined in legal certainty. It is not a matter for subjective decision-making. The concept (whilst not requiring a threshold of unlawfulness) is similar to that of discriminatory detriment on one of the equality grounds. The duty was never intended to be exercised as a political veto. However, in this case it appears to be just that. To categorise Irish language signage in Olympia (or indeed anywhere else) as an 'adverse impact' on equality of opportunity

merely because it is politically contentious, or merely because there is hostility to it is a misapplication of the duty. An attitude per se is not an adverse impact on equality of opportunity. It is important to stress that there is a legally recognised human right to freedom of expression without discrimination on grounds of language.

There appears to be a confusion also when the EQIA by implication attaches the concept of 'adverse impact' to the notion of good relations. In fact, 'adverse impact' relates to the equality section of the Section 75 duty. The 'good relations' duty is defined in legislation in Great Britain as being about 'tackling prejudice and promoting understanding'. Whilst the Northern Ireland legislation does not define 'good relations' it is the same idea and Council cannot believe that it is intended to mean something completely different here. The Equality Commission has a 'working definition' of good relations which references structures which promote respect and 'embrace diversity in all its forms'. It defines this as, 'The growth of relationships and structures for Northern Ireland that acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms.' The good relations duty is therefore to be interpreted as one which involves 'embracing diversity in all its forms'. It is difficult to see how complying with the 'good relations' duty can be interpreted as obliging the Council to end or limit its promotion of Irish. This is especially so given the Council's adoption of the Language Strategy with its aim of celebrating and respecting linguistic diversity.

The EQIA does not include information on the experiences of Irish speakers and therefore the positive impacts of the signage have not been quantified. Such information should include looking at the benefits provision in Irish has for speakers. In addition it may be there are still places in the city where Irish speaking families fear using their language in, and are less likely to access services as a result. Data on this matter could evidence the positive benefits that Irish language signage may have to reduce intolerance, assist in the accessing of services and increase respect for diversity.

In conclusion, I must question the approach of Belfast City Council in changing the decision to erect Irish language signage in four city-wide centres in the first instance. I believe this to have been the result of the application of the 'call-in' procedure by politicians from the unionist community. Whilst this procedure may have beneficial uses, in this case it appears to operate as a form of veto. In addition, for Council to decide reduce the original decision from signage in four centres, to focus on signage in only one is inefficient and unfortunate. Then it appears to have allowed what seems to have been a localised campaign undertaken after the end of a public consultation to effectively overturn the results of that consultation. This is a matter of great concern. The issue of Irish language signage in Olympia should have been screened out instead of being subjected to full EQIA. The EQIA is in itself incorrect in identifying 'adverse impacts' to Irish language signage. Therefore, there is no need

Janet Muller

for mitigation. The Irish language signage should be erected asap in Olympia and then in Lisnasharragh and Templemore as originally planned.

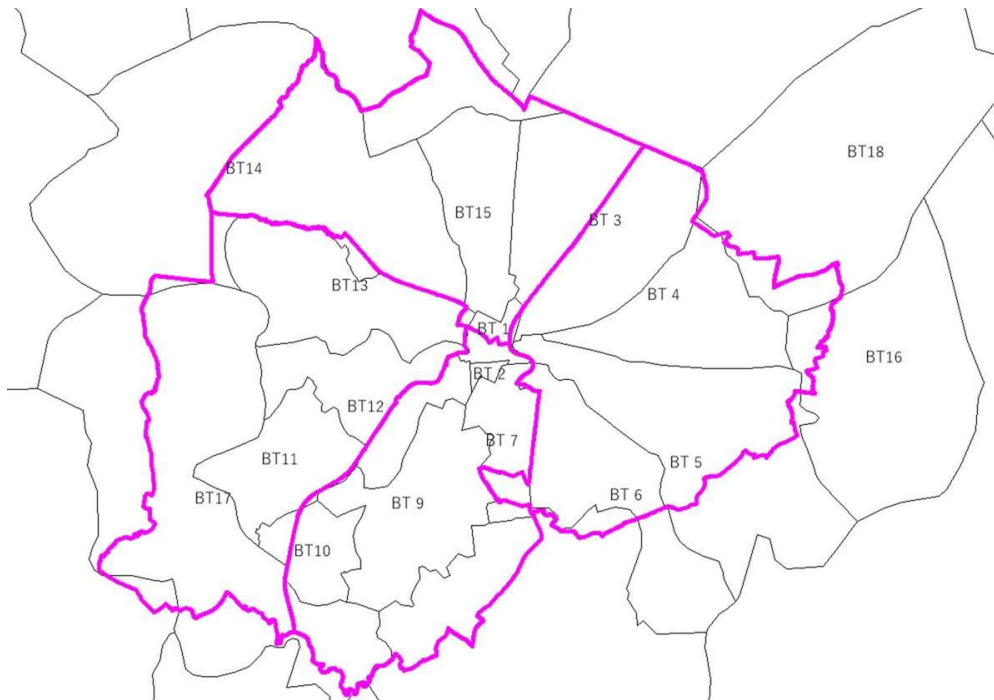
The Irish language belongs to everyone and should be visible in all parts of the Belfast City Council area. This breaks down on the stereotyping of who and what Irish speakers are, and reduces the ghettoisation of the language in to certain, limited geographic areas. All of these positive impacts are in line with Belfast City Council's Language Strategy, as well as its Equality and Good Relations duties.

This submission is by Janet Muller

My contact details are supplied by email with this submission but are not for publication.

## Appendix 5: Belfast Postcode Map

### Postcodes and NSEW proxy



Link to an online interactive map for NI postcodes. [Northern Ireland postcode geographies](#)

| YSB Tags: | Main Classification* | Secondary tagging                   |
|-----------|----------------------|-------------------------------------|
| BT1       | City centre          | N&S inner                           |
| BT2       | S                    | City centre                         |
| BT3       | E                    |                                     |
| BT4       | E                    |                                     |
| BT5       | E                    |                                     |
| BT6       | E                    |                                     |
| BT7       | S                    |                                     |
| BT8       | S                    | Mostly Lisburn & Castlereagh        |
| BT9       | S                    |                                     |
| BT10      | S                    |                                     |
| BT11      | W                    |                                     |
| BT12      | W                    | SW (S – Village area and Sandy Row) |

|      |   |                              |
|------|---|------------------------------|
| BT13 | W |                              |
| BT14 | N |                              |
| BT15 | N |                              |
| BT16 | E | Mostly Lisburn & Castlereagh |
| BT17 | W | SW (S - lower Dunmurry area) |

\*main classification based on where majority of BT sits.