

Consultation Responses - general information (by date received)

This table presents information from responses that was additional to the specific questions in the Commission’s consultation.

	Organisation/ Individual	<i>Summary of information that does not fall under any of the set questions of the consultation</i>
#1	Individual	You have already demonstrated more balance, decency, and respect for legal complexity than has been shown by other UK bodies. I am proud that Northern Ireland’s Commission has taken a different course — one rooted in law, not fear. Thank you for hearing voices like mine.
#2	Individual	I trust that the ECNI will review present procedures and proposals to particularly URGENTLY start to consider Intersex and trans people directly, together with representative bodies and medical oversight bodies.
#4	Individual	<p>Women and girls must retain robust and enforceable sex-based protections in law and practice. Where services are described as single-sex, they must exclude males in order to be lawful. Otherwise, spaces become mixed-sex by default, undermining women’s rights and fairness to other men who are excluded on the same basis. This is lawful and proportionate sex-based discrimination, comparable to male-only services which lawfully exclude women to preserve dignity and privacy.</p> <p>At the same time, trans people must be protected from discrimination too but it isn’t discriminatory to simply be treated as your birth sex, and trans people have a complex and unique medical journey that isn’t shared by non trans people. It creates difficulties in providing trans healthcare whilst disregarding the struggles of that transition from living as one sex to the opposite one. The solution is not to weaken women’s rights but to strengthen overall provision: maintain sex-based services, expand unisex and gender-neutral facilities, and improve dedicated support for trans and gender non-conforming people.</p> <p>Reducing women’s safeguards would also contradict the Government’s VAWG strategy, breach the Good Friday Agreement’s parity commitments, and leave NI women with weaker rights than women in GB, the Republic of Ireland or the EU. The Commission has an opportunity to provide clarity, consistency, and fairness by affirming sex as biological sex for women’s protections while promoting and strengthening protections for trans people.</p>

<p>#9</p>	<p>Individual</p>	<p>Legislation Points for consideration That could and should be implemented into the Equality Act to improve Job protection for women when they are on Maternity leave.</p> <p>Women are specifically discriminated on the grounds of sex if their job is affected when they are on Maternity leave. It is a mandatory requirement that employers should be working to protect women at one of the most vulnerable times.</p> <p>To many employers defy policy and legislation when it comes to maternity leave protection and it goes unanswered due to lack of accountability.</p> <p>General laws are proficient yes but specific laws are needed for maternity leave protection.</p> <p>I feel it would vastly improve work environments across Northern Ireland as well as promote good relations between employees and managers. This can only be viewed as a positive implementation as it would enhance the incentive for woman returning to work following maternity leave.</p> <p>Considering the UK has now reached a record breaking "lowest birth rate" across a century we have to ask why?</p> <p>Women are discriminated either by needing maternity leave, needing flexible working hours on return, needing affordable childcare. The provision just isn't up to standard. We need to start somewhere, and I believe the Equality Commission would be the best place to start.</p>
<p>#12</p>	<p>Response on behalf of each of the health trusts, ambulance service and BSO.</p>	<ul style="list-style-type: none"> • Stakeholders may have benefitted from simplified language or an Easy Read option. Legal language and terminology used is too complex and often confusing. • Use of too many abbreviations. • More of a joined-up approach with the NI Human Rights Commission would have been beneficial • Will the Commission be providing any related training or sample policies? These would be beneficial. • Public authorities need clarity – too much potential fluidity.

#13	CAJ	<p>CAJ Submission to Equality Commission Legal Paper, focusing on interpretation of the characteristic of ‘men and women generally’ in the Section 75 equality duty</p> <ol style="list-style-type: none"> 1. This paper is by way of follow up to an inquiry to the Equality Commission (ECNI) as to whether it has interpreted the protected characteristic of ‘men and women generally’ with in the Section 75 equality duty as also encompassing gender identity as well as sex. 2. In April 2025 following the UK Supreme Court ruling in For Women Scotland Ltd v The Scottish Ministers (hereafter ‘FWS’) (<i>see endnote 1</i>) CAJ wrote to the ECNI to seek clarification of its position in relation to the interpretation of the scope of the protected characteristic of ‘men and women generally’ within Section 75 (s75). This followed FWS holding that the protected characteristic of ‘sex’ in the Equality Act 2010 in Great Britain means biological sex. The question on the ECNI position related as to whether the ECNI interpreted ‘men and women’ in s75 as relating to biological sex only or to also encompass gender identity. 3. The context of seeking clarification related to the likelihood of NI public authorities revising their policies in light of FWS and consequently undertaking s75 equality screening as to the impacts of revised policies including sex but also potentially gender identity. If so, this would be particularly relevant in the context of a read over of the FWS ruling in Northern Ireland in a ‘permissive’ manner in areas of provision prompting rights-balancing and proportionality assessments by public authorities, with in the s75 process. A ‘prohibitive’ reading in other areas of provision of FWS would also prompt consideration of mitigating measures and alternative policies. 4. The question was asked in the context of CAJ not being able to locate reference in written ECNI guidance on s75 that set out an ECNI position on the protected characteristic extending to gender identity, but Trans and LGBT groups informing CAJ that the ECNI had articulated this position verbally. An ECNI representative at a subsequent meeting in June appeared to confirm that the ECNI has previously advised that Trans persons had been included previously under the ambit of s75. (<i>see end note 2</i>) 5. The ECNI were therefore not able to respond to the CAJ query in April but on the 30 June wrote to CAJ to draw attention to the matter being dealt with in sections of the ECNI Legal Paper on FWS (<i>see endnote 3</i>). The ECNI drew attention to the consultation on the same and suggested input.
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#18	Individual	<p>I am disappointed that you are unable to provide clear information to all following the incredibly clear and straightforward judgement in the FWS Supreme Court case.</p> <p>This current exercise by you seems little more than an expensive and time-wasting fudge.</p> <p>For time immemorial people have known what a man and a woman is. We shouldn't need pointless clarification of this. In any event the Supreme Court provided a clear explanation for anyone who has, for reasons that are ridiculous, been confused about this over the past few insane years.</p> <p>Please get on with implementing the FWS judgement and stop wasting further public money. Especially cease eroding and distorting women's rights.</p> <p>The FWS case applies fully to NI as it does in England, Scotland and Wales.</p>

		Thank you for giving this your attention.
#23	Women's Policy Group	<p>The WPG remains deeply concerned about the implications of the FWS judgment in Northern Ireland. At a time when legal interpretations risk narrowing rights and entitlements, it is vital that public bodies and service providers actively safeguard the dignity, safety, and inclusion of trans individuals. Ensuring access to gender-affirming spaces and services is not only a matter of compliance with equality obligations but also a fundamental issue of protecting lives and reducing the disproportionate risks of harm and exclusion faced by trans communities.</p> <p><i>[The text cites the following articles in support:</i></p> <ul style="list-style-type: none"> • <i>Waterside Clinic (2025) 'What can we do about the growing anti-trans sentiment in the UK?'. Available at: https://waterside.clinic/what-can-we-do-about-the-growing-anti-trans-sentiment-in-the-uk/</i> • <i>Connolly, D., Meads, C., Wurm, A., Brown, C., Bayliss, J., Oakes-Monger, T.C. & Berner, A. (2025) 'Transphobia in the United Kingdom: a public health crisis' International Journal for Equity in Health. Vol: 24 (155), p. 2. 11 FWS, (n 5) p. 2.]</i>
#28	Sinn Fein	<p>Equality Commission Consultation RE: British Supreme Court ruling on For Women Scotland (FWS) and it's implications in the north of Ireland</p> <p>Sinn Féin is committed to an inclusive and diverse society based on equal rights and equal opportunities for all citizens. We, therefore, welcome the Equality Commission's efforts to address potential legal uncertainties here, following the British Supreme Court ruling, and set out in their 6-stage approach with this consultation as part of that process. It is important that the Commission is given the time and space to complete this important work.</p> <p>....</p> <p>In response to the Supreme Court ruling some organisations have changed its policies with regards to Trans people. This was the case with the Minister for Education's decision to withdraw the Education Authority's Transgender Guidance in place since 2019. Departments should await the conclusions of the Equality Commission process which can inform best practice and ensure that any decision taken is underpinned by legal clarity.</p>

		<p>Sinn Féin understands this is a very complex and sensitive issue. It is necessary to consider what, if any, legal implications there are of the British Supreme Court ruling here in the North due to the different legal underpinning arising from the GFA and the Protocol/Windsor Framework.</p> <p>It is essential that this complex and sensitive matter is addressed with both legal clarity and compassion. We will await the outcome of the Equality Commission's process.</p>
#29	Individual	<p>With regard to ECNI legal paper I believe this causes more confusion by using ideological ideas and language rather than biological sex. Upholding the rights and dignity of women (females) is of utmost importance. Making a clear and unequivocal declaration of the lawful meaning of women, man and sex is paramount to the NI Law. The FWS ruling strengthened women's rights in the UK and to say that the same does not or should not apply in NI is absurd. Any legislation which removes or dilutes the rights of women should not be considered. Amending language that is used to define and protect, women, biological females, is in my opinion setting women's rights back generations.</p> <p>I also believe that extending the legislation to cover gender reassignment is beyond the remit of ECNI in this instance. The task is to respond to a very specific SCR on the terms woman man and sex and the ECNI should not be making recommendations beyond this.</p> <p>Furthermore, the ECNI should not delay any further and should publish guidance immediately, rather than wasting time and money trying to twist a very clear ruling into something it is not.</p>
#32	Unison NI	<p>UNISON is the leading trade union in Northern Ireland, representing over 53,000 members, and is the largest trade union in the UK with over 1.3 million members, over 1 million of whom are women. Our membership includes public service workers in health and social care; the education and higher education services; library services; local government; youth justice; private companies providing public services; and the community and voluntary sector.</p> <p>We make this submission against a backdrop of general regression in equality laws in Northern Ireland and delayed or absent equality strategies, an issue of which we have made strong representations to government.</p> <p>With over 1 million women members the issue of women's rights has long been a focus of our campaigns, policy recommendations to government and in collective bargaining with employers and at the core of many of our campaigns.</p>

		<p>The elimination of discrimination against women at home, in work and in society has formed the very basis of our strong policies and action plans on equality and human rights.</p> <p>Our work on challenging discrimination and seeking to achieve equality and human rights, particularly in our divided society has led to our strong positive action support for other groups vulnerable to discrimination and exploitation, such as our programmes of action supporting our black members, our LGBT+ members, our members with disabilities, our young and older members and our members with caring responsibilities. Our work on challenging discrimination based on religious belief and political opinion and on tackling sectarianism continues to be core.</p> <p>We are a lead organisation promoting the rights of transgender people. We pioneered work in the NI health service and education sector many years ago and introduced some of the first awareness raising work with parents of transgender children in Northern Ireland. We made our L&G groups inclusive to transgender and bisexual members in 2005 (becoming LGBT+ in 2019) and have led on model workplace policies and trans ally training.</p> <p>We have brought the challenge of protecting all these groups (and others) to the table with government, the public sector, and employers on a continuous basis, directly as UNISON, in partnership with our civil society allies and through the Irish Congress of Trade Unions.</p> <p>UNISON's work on securing women's rights is multi-faceted and intersectional and recognises that patriarchy is the root cause. The issue of safe or protected space for women has long been contested. For example, on the protection of women and girls from violence, domestic abuse, femicide, and exploitation, the need for 'safe space' has been a key issue. The work we have done over decades with allies in the women's movement and civil society organisations is reflected in CEDAW's recognition of the value of women-only spaces for upholding women's rights to foster empowerment, confidence, and safety, particularly for trauma survivors.</p> <p>The issue of 'safe space' is not a settled matter and has become one of the biggest points of contention in the world of work requiring us to engage with employers and workers alike to seek solutions.</p>
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#34	Individual	<p>As you may understand the dangers faced by those of us who hold gender critical views I am submitting this anonymously but I am happy to confirm that I live in the constituency of Belfast South and Mid Down, Balmoral DEA and am a woman of Catholic background. I declare my background to highlight the fact that this is not a green and orange issue, this is primarily about the rights of women, rights that you are not protecting and women who you are not listening to.</p>

		<p>I wish to express my extreme disappointment that ECNI has chosen to ignore their responsibilities for the protected characteristics of sex and sexual orientation within their statutory duties and will further explain my thoughts and the following responses you your consultation questions.</p>
#37	Mid & East Antrim	<p>Mid and East Antrim Borough Council look forward to engaging with the forthcoming stages of the Commission’s roadmap and contributing constructively to the appropriate and practical implementation of the FWS ruling in Northern Ireland. The Council remains committed to supporting a balanced approach that upholds legal obligations while ensuring inclusive, respectful, and workable solutions across its services and facilities.</p>
#39	NICCY	<p>NICCY has considered this Paper published by ECNI and the proposed six step Roadmap outlined. We recognise the importance of the objective of ensuring the final guidance is credible, workable and based on a shared understanding of the law across regulators,</p> <p>Government Departments and other key bodies. We await the outcome of step 5 of the proposed Roadmap.</p> <p>NICCY’s consistent view is that domestic duties in NI must be interpreted in a manner that recognises and is in line with children’s rights under the UNCRC. The UNCRC was ratified by the UK (including NI) in 1991 and is embedded in various legislative and policy frameworks in NI, including the Children’s Services Co-Operation Act (NI) 2015 and the development of any interim and final guidance that will impact upon children and young people should be considered in this context. The UNCRC contains a number of key Articles that are relevant to the proposed Roadmap and as follows:-</p> <ul style="list-style-type: none"> • Article 2: Non-discrimination; • Article 3: Best interest of the child; • Article 5: Parental guidance and a child’s evolving capacities; • Article 6: Life, survival and development; • Article 8: Protection and preservation of identity; • Article 12: Respect for the views of the child; • Article 13: Freedom of expression; • Article 14: Freedom of thought, belief and religion; • Article 16: Right to privacy;

		<ul style="list-style-type: none"> • Article 19: Protection from violence, abuse and neglect; • Article 24: Health and services; • Articles 28 and 29: Education and goals of education; • Article 30: Rights of children from minority or indigenous groups; and • Article 42: Knowledge of rights <p>The UN Committee also published the 2023 Concluding Observations on the UK State Party, including NI, a number of which we consider relevant to this matter. A copy of the recommendations is available at this link.</p> <p>https://www.niccy.org/wp-content/uploads/2023/08/UNCRC-Concluding-Observations.pdf</p> <p>We note that ECNI has issued interim information at Annex 2 of the Paper but the Paper confirms that this does not include specialist advice for specialist settings like schools. Other than the identification of schools, other specialist settings or sectors have not been named which we query. The Paper sets out that ECNI intends to contact these providers separately. The proposed content of such contact is not included and the extent to which this contact will ensure such settings understand the ongoing domestic, Section 75 (NI) Act 1998 and human rights obligations to children and young people is unclear.</p> <p>NICCY recommends that in light of the Roadmap and the interim uncertainty as set out in the Paper, that it would be beneficial for consideration to be given to making this information publicly available in order for children and young people themselves, their parents, carers or guardians and those providing services for children and young people to be in a position to participate meaningfully in this and any related consultation process. NICCY would welcome information on the development of any child-specific consultation process to ensure that it is meaningful and rights-complaint.</p> <p>NICCY also consider that a Child Rights Impact Assessment (CRIA) should be undertaken on interim and final guidelines. NICCY have developed guidance on CRIAs, including a template form, alongside two online training modules to support learning on children and young people’s rights. These modules are for people who work with children and young people or whose work impacts children and young people and we would be happy to advise and support on this process.</p>
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ECNI Consultation - General Information

		NICCY welcomes the opportunity to provide a short response to this Paper. Should you require any additional information, please do not hesitate to contact us.
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