



NORTHERN  
IRELAND  
HUMAN  
RIGHTS  
COMMISSION

**Views on a Bill of Rights for Northern Ireland**

**Results from a 2004 Opinion Survey**

In February 2004 a random sample of 1,000 people in Northern Ireland aged 18 years and over were asked how important a Bill of Rights was to them and what some of the rights protected by a Bill of Rights for Northern Ireland should be. This was the third face-to-face survey commissioned by the Human Rights Commission to ascertain public opinion. The two previous surveys took place in 1999 and 2001.

**The need for a Bill of Rights**

The results of the 2004 opinion survey have continued to bear out the importance attached to a Bill of Rights for Northern Ireland which clearly emerged from the two earlier surveys. As Table 1 indicates, almost 70% of those expressing an opinion said that a Bill of Rights reflecting the particular circumstances of Northern Ireland was either essential or desirable. Strong support for a Bill of Rights was indicated by both main communities (65% of Protestants and 73% of Catholics) and this too has been a consistent feature throughout all three surveys. Just 2% of those who were asked for an opinion in 2004 felt that the idea of a Bill of Rights was unacceptable.

**Table 1: The need for a Bill of Rights**

*The Commission's proposals for a Bill of Rights must reflect the particular circumstances of Northern Ireland, including the principles of mutual respect for the identity and ethos of both communities and parity of esteem. Do you think that such a Bill of Rights is:*

	<b>Essential</b>	<b>Desirable</b>	<b>Acceptable</b>	<b>Tolerable</b>	<b>Unacceptable</b>	<b>Don't Know</b>
<b>Protestant</b>	44%	21%	18%	4%	2%	10%
<b>Catholic</b>	59%	14%	10%	2%	2%	13%
<b>All</b>	50%	19%	15%	3%	2%	12%

## Views on specific rights

The survey asked more detailed questions on a number of specific rights that could be protected by a Bill of Rights for Northern Ireland. The responses are contained in summary form in Table 2 below.

As with the surveys of 1999 and 2001, marked support for social and economic rights has continued to be displayed in 2004. These rights include the right to a reliable health service, good education, social security, decent jobs and proper housing. Of all those questioned as many as 76% said that specific protections for social and economic rights were essential or desirable in a Bill of Rights for Northern Ireland. Support was stronger among Catholic respondents (83%) than among Protestant respondents (72%). Further, 79% of Catholics and 66% of Protestants wished to see a duty imposed on the Government and public bodies to guarantee social and economic rights.

73% of those questioned saw the inclusion in a Bill of Rights of pro-active measures to address inequality (79% of Catholics and 67% of Protestants) as essential or desirable. This indicates a 10% increase in support among Protestant respondents since 2001 while the support among Catholic respondents has neither increased or decreased.

A right for women to fair, full and equal participation in decision-making was seen as essential or desirable by 73% of all respondents (69% of Protestants and 80% of Catholics). These figures illustrate an increase in support from 2001.

Respondents were asked to say how important it was to create specific protections for the rights of two main communities in Northern Ireland. 71% (68% of Protestants and 74% of Catholics) viewed this as essential or desirable. When asked for their views on whether a Bill of Rights should protect the rights of *other* communities, 78% (equal numbers of Protestants and Catholics) replied in the affirmative. Finally, 61% of Catholics and 50% of Protestants viewed the right *not* to be treated as a member of a particular community as essential or desirable.

**Table 2: Views on specific rights**

<i>How important do you think it would be for the Bill to include:</i>	<i>Essential or desirable</i>			<i>Unacceptable</i>		
	<b>Protestant</b>	<b>Catholic</b>	<b>All</b>	<b>Protestant</b>	<b>Catholic</b>	<b>All</b>
Specific protections for the rights of the two main communities	68%	74%	71%	2%	3%	2%
A right <i>not</i> to be treated as a member of a particular community	50%	61%	56%	6%	5%	5%
Specific protections for economic and social rights	72%	83%	76%	2%	2%	2%

A duty on government and public bodies to guarantee economic and social rights	66%	79%	72%	3%	2%	2%
Proactive measures to address inequality	67%	79%	73%	2%	2%	2%
A right to communicate with public bodies through an interpreter to gain access to essential services	53%	72%	63%	6%	3%	5%
A right of elected representatives to fair, full and equal participation in governance of Northern Ireland	55%	70%	62%	5%	3%	4%
A right for women to fair, full and equal participation in decision-making and power	69%	80%	73%	2%	3%	2%
Continued application of the Bill if there were a united Ireland	59%	62%	61%	7%	10%	7%

### How a Bill of Rights should work in practice

A new question was asked in the 2004 survey to ascertain views on how a Bill of Rights might be made to work in practice (*i.e.* enforced) in Northern Ireland. All those questioned were asked to provide views on three possible options – using the existing courts, using a new constitutional court or using a new human rights court. As can be seen from Table 3 below, opinion was fairly equally supportive of the options of using the existing courts (46% of all those questioned) and using a new human rights court (44%). Making a Bill of Rights work effectively in practice is a complex debate and the Commission will therefore continue to give careful consideration as to how best a Bill of Rights could be enforced.

**Table 3: How a Bill of Rights should work in practice**

*Do you think a Bill of Rights should be enforced, that is, made to work in practice, through:*

	<i>The existing courts in Northern Ireland</i>			<i>A new Constitutional Court in Northern Ireland</i>			<i>A new Human Rights Court in Northern Ireland</i>		
	<b>Protestant</b>	<b>Catholic</b>	<b>All</b>	<b>Protestant</b>	<b>Catholic</b>	<b>All</b>	<b>Protestant</b>	<b>Catholic</b>	<b>All</b>
<b>Yes</b>	49%	43%	46%	33%	31%	33%	39%	47%	44%
<b>No</b>	16%	27%	21%	28%	38%	31%	22%	27%	23%
<b>Don't Know</b>	35%	30%	33%	39%	31%	36%	39%	27%	34%

### **Advising government without agreement of political parties**

The Commission was tasked by the Belfast (Good Friday) Agreement 1998 to provide advice to government on the scope for defining rights in a Bill of Rights for Northern Ireland. The Commission would prefer if the political parties in Northern Ireland could agree with its advice before it is handed to government. However, the Commission recognises that this may not be possible given the political uncertainties in Northern Ireland. Of all those who questioned in the 2004 survey, the overwhelming majority of respondents (67%) thought that the Commission should provide advice to government even if the political parties have not been able to agree it (see Table 4, below). Stronger support for this view came from Catholics (73%) than from Protestants (63%).

**Table 4: Advising government without agreement of political parties**

*The Northern Ireland Human Rights Commission must give its advice on a Bill of Rights for Northern Ireland to the UK government. Should the Commission give its advice even if the political parties in Northern Ireland have not all been able to agree it?*

	<b>Protestant</b>	<b>Catholic</b>	<b>All</b>
<b>Yes</b>	63%	73%	67%
<b>No</b>	9%	9%	9%
<b>Don't Know</b>	28%	18%	25%

Source: NIHRC Opinion Survey, Market Research Northern Ireland, March 2004  
First published in *Progressing a Bill of Rights for Northern Ireland: An Update*, NIHRC, 2004