

# Equality Bodies Typology & Trends

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# TYOLOGY

- Predominantly Tribunal Type Bodies:
  - Hear, Investigate and decide cases
- Predominantly Promotional Type Bodies:
  - Support good practice, raise awareness, conduct research, and provide legal advice and assistance
- Combined Promotion/ Tribunal Type Bodies:
  - Implement both functions
- The need for both promotion and tribunal type functions
- The need for separate bodies?

# TRENDS

- Role of equality bodies
- Institutional structures
- Context for equality bodies

# ROLE: Multi-ground

- Move from a mandate that covered a single ground to one that covered multiple grounds
  - Inclusive approach
  - Integrated approach
- Address:
  - Three levels of work @ joined-up actions @ single ground actions @ intersectional actions
  - No hierarchy of grounds
  - A visibility for and a relevance to all grounds
  - Stakeholder fragmentation

# ROLE: Promotion Work

- Developing supports for good practice and broadening communication goals alongside enforcement role
  - Move from reactive to include proactive interventions
  - Wider ambition for change at individual, institutional and societal levels
- Implications
  - The range of skills and experience of staff
  - Complex relationships with policy-makers, employers and service providers
  - Emphasis on strategic litigation rather than a culture of compliance

# ROLE: Planning

- A concern for effectiveness alongside independence
- Planning cycle: Strategic planning & Management of progress & Evaluation
- Change and a theory of change
- Indicators: input, output and impact

# POTENTIAL

- Contributing to change at the individual level:
  - The situation and experience of individuals across the grounds
- Contributing to change at an institutional level:
  - Employers & service providers implementing equality and diversity systems
  - Policy makers taking account of equality, diversity and non-discrimination issues.
  - A broader set of institutions involved in promoting equality and combating discrimination.
- Contributing to change at a societal level:
  - Public attitudes to equality, diversity and non-discrimination
  - Employer and service provider attitudes to compliance
  - People's attitudes to reporting experiences of discrimination

# STRUCTURE: Merged Mandates

- Equality bodies + Human Rights Institutions + Ombudsperson Offices
  - Enhanced standing: Strengthened legal interventions: Wider scope of intervention: Greater accessibility
  - Contest between mandates: Different traditions: Different legal underpinning
- Integrate behind shared change goals and values and on the basis of a coherence of powers



# STRUCTURE: Wider Infrastructure

- Pathways for access to justice
  - Offer a first step: Enable a navigation: Ensure accessibility
- Wider infrastructure to promote equality
  - Give leadership: Offer support: Act as a hub; Powers and resources to participate in relevant policy fora

# CONTEXT: Economic Crisis

- Resources
  - Reduction in resources, at times disproportionate
- Demand
  - Increased demand on equality bodies
  - Broader mandate for equality bodies
- Status
  - Equality and non-discrimination not a policy priority
  - Equality and diversity an awkward element

# CONTEXT: Under-reporting

- High levels undermine the potential of equality legislation and equality bodies
- Cultural causes:
  - *Discrimination is the norm*
  - *Nothing will change*
  - *My experience is not important enough*
- Alongside fear of victimisation and lack of knowledge
- Action to better understand the barriers; to better communicate the knowledge; to secure a change in values

# CONCLUSION

- Two further trends:
  - European networking and the emergence, importance, and impact of Equinet
  - Standards, the need to move beyond minimum standards in a context of pressures, the importance of standards that address the particular role of equality bodies