**NIPSA LGBT GROUP LAUNCH**

**BELFAST CITY HALL THIURSDAY 14 NOVEMBER 2012**

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**30TH ANNIVERSARY OF DECRIMINALISATION**

My thanks go to Geraldine Alexander for organising this important launch event and inviting me to address you and to Brian Campfield, NIPSA General Secretary, for his welcome.

This is my third speech in recent weeks on the 30th anniversary of decriminalisation, and the emancipation, in Northern Ireland, of our community. One was made at a NIGRA celebratory dinner, another was a sermon at a special Evensong service at St George’s, and this one is to mark the launch of my old trade union NIPSA’s inaugural LGBT group. I hope you get a speech not the sermon.

The House of Commons vote for law reform, at midnight on 25 October 1982, was 168 to 21, with no Northern Ireland MP voting in favour. I was present. Some of those who cheered the result were taken to the Tower and kept there until the intervention of Robin Cook who had effected Scottish gay law reform in 1979.

It seems odd to me, and presumably odder to most of you who would be younger, that we can go from the threat of life imprisonment in 1982 to high-powered employment protection in 2012, in less than two generations.

In my case I went from arrest in 1976 to an award from Her Majesty for services to the LGBT community in the New Year’s honours list.

But it happened, and in Northern Ireland, with little or no help from civil society, outside of a number of female journalists including Sandra Chapman now of the News Letter, the late Mary Holland, Fionnuala O’Connor of the Irish News, also John Hewitt the poet and the Rev Sidney Callaghan of the Samaritans and Kevin Boyle my Strasbourg barrister.

And with no help from any political party. We did it ourselves

I think, but am not sure, that NIPSA conference passed a motion favouring law reform. I hope it did, but I recall very few out gays at the time, even amongst the Broad Left.

However NIPSA did something more courageous around that time. And here I must pay tribute to an Assistant General Secretary of the union who died prematurely in 1989 – Laurence Pimley – for saying what he said, and doing what he did, in difficult times and territory.

What he did, in the wake of the Kincora Boys Home scandal of 1980-85, is especially apposite given the current crisis at the BBC following Newsnight’s false accusation of paedophilia, levelled against Lord McAlpine. A witch hunt, one identified as a possibility by the Prime Minister, which could engulf innocent gay people, died in its tracks.

Because of the incessant news stories about homosexual rings – the word paedophilia had not then been coined – at Kincora, after the conviction in 1981 of three wardens, one a Unionist political figure influential amongst the young, the Eastern Health and Social Services Board agreed a policy, with one notable dissenter, the recently deceased James Ford Smith of the Ulster Museum, of barring homosexuals from all caring jobs.

The effect of this policy was going to be catastrophic to very many gay staff, not just in children’s homes, as happened, but throughout the Board and beyond. It would have generated a purge had it not been resisted in public by NIPSA and Laurence Pimley who had responsibility for social services staff. He even addressed an intra-insular, gay conference in Belfast, organised by NIGRA, on the matter utilising his brisk, common sense approach.

In the end, the DHSS, presumably with some trepidation, obliged the Board to drop the policy saying it would lead to unfair dismissal claims. However the chill factor of the Eastern Board decision remained and, I would presume, many gay people missed out on jobs and promotion in the following years. This is a little known episode out of which NIPSA comes well, one worthy of more research.

Another result however was that staff in homes became so nervous and vigilant that they reported sexual activity between boys to the police, with frightening criminal consequences. In one case of two consenting boys, the charge was only withdrawn on the steps of the court. I recall this, having obtained the services of Norman Shannon, a radical solicitor, who is still willing to help in such legal cases.

It should be remembered that Northern Ireland cleaned up its care homes long before the rest of the UK or the south. Young people were better protected here, and listened to.

Trade unions are about many things, mostly economic, and sometimes societal but, to my mind, partly because I am more of a fiscal conservative than I was, their most important current function is to protect their members when they hit trouble. And I believe NIPSA does that well although this group has been a long time coming.

Much has been achieved in the fields of human rights and equality in the thirty years since decriminalisation. My Strasbourg case paved the way for a wide range of human rights successes. Once sexual orientation was on the European agenda, the EU legislated with a directive in 2000 prohibiting discrimination and harassment on such grounds in employment and training.

Now Northern Ireland has employment equality regulations from 2003, and goods and services regulations since 2006, even if important harassment provisions, in areas like education and housing, were struck out by the High Court in 2008, at the behest of the Christian Institute.

We are hearing later from the Equality Commission and it is important that LGB&T people who want to go to tribunal can seek its assistance. However trade unionists should be able to turn first to their union for assistance. They should recruit LGB&T members only if confident that they will be supported when their rights need protected.

I appreciate that very few LGB&T workers take tribunal cases. Figures in the last three years indicate 17, 19 and 22 LGBT cases being heard respectively, that is 0.4% of total industrial tribunal claims, compared to 2.5% where race is the key factor. These figures may suggest things are reasonable out there, particularly in the public sector, or they mask a reservoir of unfair employment practices, discrimination and harassment as Matthew McDermott of Rainbow has identified in his recent report.

NIPSA and other unions must be there in the workplace to protect their LGB&T members when issues arise. More importantly, they must make sure that there are equality audits on all such grounds, particularly on sexual orientation, to ensure that measures are taken to prevent issues arising in the first place.

This launch of NIPSA’s LGBT group will encourage members to be open about their sexual orientation and gender identity, at least within the union. But many other members may not wish to be ‘out’ even in the workplace, let alone in their communities and with their families. It is therefore vital for NIPSA to see that harassment and equal opportunities procedures in the workplace work in practice for LGB&T workers, whether ‘out’ or not.

I have to say at this point that I was not impressed by so many at the time of the 2010 Equality Act when the chance, particularly on disability discrimination, to enhance gay and other rights by including Northern Ireland, was spurned, and worse, ignored, even by the head of the Equality Commission.

This has happened so many times before, on all but one of the further gay law reforms since 1982, that I am well used to it, if still angered.

We had to mount campaigns for Northern Ireland to be included immediately on equalising the age of consent assisted by Kate Hoey, and on civil partnership - despite the force of the Strasbourg judgment saying we were not so different as to merit the maintenance of draconian anti-gay laws or be left out of reforms.

People put devolution in front of their members’ best interests and their clients’ rights. I know this will not be appreciated by some here, or ever acted upon, but it is true and should be said.

NIPSA can also work with other unions in NIC-ICTU to ensure that our equality laws are at least as good as GB’s on LGB&T rights, for example on harassment.

I take this moment to praise and thank the late Lord Blease, Billy Blease of USDAW, the former NIC-ICTU full-time officer who was a lone Northern Ireland voice at Westminster in October 1982 speaking in favour of law reform.

Even the gay MPs from Ulster voted against it. While my own MP who also voted against, the Rev Martin Smyth of South Belfast, remarked, “I should put it on the record that if the hon. Member for Hammersmith (Clive Soley) has heard of names being used against Mr. Dudgeon, I can only say that Mr. Dudgeon is a constituent of mine and at no time have I heard any names so used, but that may be because we move in different circles.”

That last point was true but I received breeze blocks and bricks more than name calling.

Finally, I urge NIPSA to affiliate to ILGA-Europe whose annual conference last month was in Dublin. Next year it is in Croatia. It is a fine organisation much assisted by your sisters and brothers in UNISON.

At Dublin, there was an important meeting addressed by Barry Fitzpatrick of Cara-Friend and Gavin Boyd of Rainbow on the out working of EU employment law, in both parts of Ireland, particularly relating to teachers. This is an aspect that will become more and more significant for trade unions and their LGBT groups in the near future.

This is an excellent initiative by NIPSA, providing real, practical support and representation to its LGB&T members and I commend it heartily.