

Together Building A United Community

OFMDFM Inquiry

A response from the Participation and Practice of Rights (PPR) organisation.

committee.ofmdfm@niassembly.gov.uk

1. Introduction

1.1 The Participation and the Practice of Rights (PPR) organisation was established in 2006 by internationally renowned trade unionist and human rights activist Inez McCormack. PPR supports disadvantaged groups in Northern Ireland (NI) to make their socio-economic rights real and assert their right to participate in government decisions which affect their lives. PPR enables groups to challenge and change current government decision making practices which exclude them, and which lead to poor service delivery, entrenched inequalities and ineffective use of public money.

1.2 PPR's experience of working on issues relating to economic and social deprivation, with communities impacted by the conflict in Northern Ireland has run in parallel with increasing recognition at the international level of the importance of addressing socio-economic rights abuses and violations in post conflict societies. It is now accepted that the meaningful delivery of transitional justice must include economic and social rights as core to building sustainable peace. A recent publication from the United Nations Office of the High Commissioner for Human Rights, which examines the relationship between transitional justice and socio-economic rights, notes the growing acceptance of this core relationship and recommends that;

"Awareness should be raised among stakeholders about the importance of including relevant violations of economic, social and cultural rights in transitional justice as well as about the latter's potential to deal with such violations¹"

1.3 Socio-economic rights violations and structural inequality were key factors in both the origins of the conflict, and the current unfinished peace. It is with this in mind that PPR wish to contribute to the OFMDFM Committee Inquiry into the Together Building a United Community strategy. It is PPR's intention to base this contribution on our experience of engaging with communities living around interfaces to use a human rights based approach to campaign on issues that mean the most to them, including housing, mental health services, unemployment, welfare and regeneration.

1.4 With specific reference to the Terms of Reference set by the Committee, PPR wish to make the following points.

2. Good Relations & Equality

2.1 The Terms of Reference for this Inquiry specifically make reference to the "examination of theory and practice with regard to good relations, shared space and shared services" as well as a "consideration of best practice, both locally and internationally, in bringing divided communities together" to develop same. PPR's experience can shed valuable insight on both of these aspects.

¹ (2014) UNOHCHR, *Transitional Justice and Economic, Social and Cultural Rights*, p.57

From the outset it is vital to note that the Together Building a United Community strategy acknowledges OFMDFM's vision as one of a united community as one which is based upon equality of opportunity;

“Our vision is a united community, based on equality of opportunity, the desirability of good relations and reconciliation - one which is strengthened by its diversity, where cultural expression is celebrated and embraced and where everyone can live, learn, work and socialise together, free from prejudice, hate and intolerance.”²

2.2 Furthermore, the strategy recognises that the statutory duty contained in Section 75 (1) of the Northern Ireland Act 1998 to have due regard to the promotion of equality of opportunity is a higher legal duty than the duty to have regard to the promotion of good relations and that the latter should be done “without prejudice” to the former. The strategy states;

“Therefore, in our decision making and policy implementation, we regard the promotion of equality of opportunity as an essential element in the building of good community relations and consider that good relations cannot and should not be built on a foundation of inequality.”³

2.3 However PPR's work supporting disadvantaged communities who experience inequalities across a range of indices highlights that despite the above commitments, the government approach to creating what is defined as ‘a shared future’ has been pursued at the expense of tackling these inequalities.

3. Case Study: Belfast City Centre Waiting List

3.1 Twice in the last five year, the United Nations has called for housing inequality impacting Catholics in North Belfast to be tackled. However, despite the Section 75 (1) statutory obligations opportunities to do so have been lost. One example was the pursuit of a ‘shared space’ agenda in relation to housing in the city centre, which further disadvantaged those impacted by housing inequality in North Belfast.

3.2 PPR's response to a 2011 Northern Ireland Housing Executive (NIHE) consultation regarding the creation of a Belfast City Centre Waiting List highlighted deep concerns with the approach taken by the NIHE in terms of both the failure to promote equality of opportunity and the failure to target objective need. The NIHE's proposals regarded the creation of a new Common Landlord Area which would be used to manage a waiting list of applicants specifically seeking housing in a new and defined Belfast City Centre area.⁴

3.3 The approach taken by the NIHE in this consultation inappropriately placed the policy objective of creating ‘a shared future’ over the legal requirement to have due regard to the promotion of equality of opportunity which would include tackling religious inequality. The NIHE decided not to draw from the existing waiting list and not to allocate on the basis of objective need, for no other reason than this would involve the allocation of more homes to Catholics, on the basis that they were disproportionately represented as being in housing stress (63 offers would go to Catholics, 4 to Protestants and 25 going to undisclosed in the

²(2013) OFMDFM, *Together Building a United Community* <http://www.ofmdfmi.gov.uk/together-building-a-united-community-strategy.pdf> p.3

³ (2013) OFMDFM, *Together Building a United Community* <http://www.ofmdfmi.gov.uk/together-building-a-united-community-strategy.pdf> p.15

⁴ For further please see (2013) PPR, *Equality Can't Wait*, Chapter 4 http://issuu.com/ppr-org/docs/equality_can_t_wait

event of 100 units becoming available). This option, was rejected as it would not result in the desired 'shared city centre living space'.

3.4 Despite PPR (and others) identifying over fifteen misapplications of the statutory obligations in our response to this consultation and pointing to the clear need for a full Equality Impact Assessment, the policy was passed un-amended by the NIHE Board in January 2012.

3.5 PPR would encourage the Committee to ensure that the legal priority given to the promotion of equality of opportunity is reflected by the Inquiry in all considerations on the promotion of good relations and the creation of shared spaces.

3.6 PPR would seek to underline the necessity of tackling socio-economic inequalities and deprivation as a prerequisite to building good relations. A truly shared future for those who suffer some of the most chronic deprivation in Northern Ireland, including those living at interfaces, must be based on effectively tackling the inequalities that they experience – across housing, health, education, employment, etc. That segregation and division is a feature of life in certain areas of Northern Ireland, particularly interface areas is hardly surprising considering the history, and the continued presence, of conflict in these areas. Government figures released in 2010 by the Northern Ireland Statistics and Research Agency (NISRA) demonstrated that the top 20 most deprived Super Output Areas in Northern Ireland are still concentrated in North Belfast, West Belfast and Derry. The same measurement taken in 2005 showed the same profile, and highlighted government failure to address objective need in these areas.

Table 1

	Top 20 Most Deprived Areas 2005 (MDM)		Top 20 Most Deprived Areas 2010 (MDM)	
1	Whiterock_2	Belfast	Whiterock_2	Belfast
2	Shankill_2	Belfast	Whiterock_3	Belfast
3	Falls_2	Belfast	Falls_2	Belfast
4	Crumlin_2_Belfast	Belfast	Falls_3	Belfast
5	Whiterock_3	Belfast	New Lodge_1	Belfast
6	Falls_3	Belfast	Shankill_2	Belfast
7	Shankill_1	Belfast	Crumlin_2_Belfast	Belfast
8	New Lodge_2	Belfast	Falls_1	Belfast
9	New Lodge_1	Belfast	Ardoyne_3	Belfast
10	Ballymacarrett_3	Belfast	Creggan Central_1	Derry
11	Creggan Central_1	Derry	Upper Springfield_3	Belfast
12	Upper Springfield_3	Belfast	East	Strabane
13	Ardoyne_3	Belfast	Clonard_1	Belfast
14	Falls_1	Belfast	New Lodge_2	Belfast
15	New Lodge_3	Belfast	New Lodge_3	Belfast
16	Brandywell	Derry	Collin Glen_3	Lisburn
17	Duncairn_1	Belfast	Twinbrook_2	Lisburn
18	Woodvale_3	Belfast	Shankill_1	Belfast
19	Crumlin_1_Belfast	Belfast	Duncairn_1	Belfast
20	Ardoyne_2	Belfast	Upper Springfield_1	Belfast

3.7 Working with communities, even those traditionally viewed as “divided”, to design proposals which would effectively address such deprivation has been a key element of PPR’s work. The most significant example of this is the cross community Girdwood Residents Jury, the learning from which is detailed in the following case study, and is offered as a best practice example of bringing communities together.

4. Case Study: Girdwood Residents Jury

4.1 In 2008, PPR organised and convened the Girdwood Residents’ Jury to consider the planned regeneration of Girdwood Barracks and Crumlin Road Gaol in North Belfast (estimated cost £231 million). The Jury was composed of residents from the five wards immediately surrounding the 27 acre site (Ardoyne, Crumlin, New Lodge, Shankill and Waterworks), and were of diverse gender, religion, political opinion, marital and dependent status, and disability status. PPR carried out a development programme with them which involved considering both the potential of the Girdwood site and the human rights and equality obligations on government (both domestic and international) to ensure deprived communities felt the benefit of the public investment the regeneration would entail.

4.2 The group developed a set of human rights indicators capable of monitoring progress, or otherwise, in relation to the Equality Impact Assessment, development of proposals, budget and monitoring stages of the regeneration process. The aim was to monitor whether the responsible government departments, DSD (Department for Social Development) and OFMDFM (Office of the First Minister and Deputy First Minister) were discharging their equality commitments in a way that fulfilled their legal obligations, promoted a targeted and effective use of public money, and produced tangible and measurable outcomes for the chronically deprived communities which surrounded the site.

4.3 The Girdwood Residents Jury achieved what many outsiders would consider impossible – agreement how money and land situated at a North Belfast interface should be used. Using international and domestic standards on equality and human rights, the diverse cross community group set down a framework for delivering the regeneration that would ensure that the deprivation and inequalities impacting all the areas would be tackled. They also developed progressive proposals (contained in the paper ‘The Girdwood Gamble’) aimed at creating ring fenced jobs and apprenticeships for those furthest from the labour market, including plans for skills development, and monitoring and evaluation. The powers to deliver these proposals lay in the equality provisions of s75 (1) of the Northern Ireland Act (1998), and had been based on a Department of Finance and Personnel Pilot Project carried out in 2005 on the provision of ring fenced jobs for the long-term unemployed in government contracts. The Pilot Project was evaluated by the University of Ulster which concluded that it was effective, economical, effective, efficient, and did not breach any European legislation. Furthermore, the University noted that adopting such an approach to projects such as the new campus, “could make a significant impact to reducing unemployment and social welfare payments.”

4.4 These proposals were presented to officials in the DSD and OFMDFM with responsibility for the regeneration but were not accepted. The group in turn wrote to the First and Deputy First Minister with their proposals several times, who are ultimately accountable for human rights obligations. Finally, they received a response by the First and Deputy First Minister asking them not to continue writing to either the FM/DFM on this issue, and instead to engage with the civil servants.

4.5 Six years on, refined versions of these proposals have been adopted as a best practice model, including by Belfast City Council through its cross-community ratification of the REAL JOBS NOW motion and through the Department of Culture, Arts and Leisure’s

inclusion of equality based social clauses in procurement contracts for the redevelopment of Ravenhill, Windsor and Casement stadia. Outcomes have yet to be seen, and the people directly affected by unemployment who are working hard for their proper implementation continue their campaign. However the Girdwood Residents Jury is a practical example domestically of how human rights and equality can be a powerful tool to unite communities and encourage meaningful participation from across the political spectrum.

6. The Role of Communities

6.1 PPR would like to respond to the OFMDFM Committee's request for information on the issues to be addressed and the role of communities in policy and decision making in relation to community integration and particularly, the removal of interface barriers.

6.2 PPR's experience working in the most deprived areas of North Belfast over the last 8 years has been that the issues such as housing, jobs, and places for children to play are not simply ancillary to issues of division and segregation; rather they are priorities which are considered central to the delivery of the Good Friday Agreement. .

6.3 In 2010, in a project commissioned by Belfast City Council, PPR worked with a broad range of community organisations from interfaces in North and West Belfast to produce a toolkit entitled "Building Sustainable Communities: Urban Regeneration and Interface Communities". The toolkit outlines an evidenced based approach which maximises outcomes through the efficient and effective use of public monies. It was developed with the interface workers who identified a methodology for urban regeneration at interface areas based on equality standards. Most importantly, the toolkit promotes an approach which is based on the capacity and commitment of those who live within these communities, which was key to it attracting support. This document is available from Belfast City Council or on request from PPR.

7. Conclusion

7.1 Through active participation and a rights framework our groups have disproved the notion that communities cannot find solutions to so-called 'contentious' issues. However, we would caution against a model that attempts to engage communities in decision-making, which has a pre-determined end point – in this case the removal of interface barriers. As no doubt many other contributions will highlight – the people affected must decide when this is appropriate, and the top-down imposition of this as a priority to meet a government target will not aid this process.

7.2 A copy of Girdwood Gamble and a Factsheet on the REAL JOBS NOW motion is enclosed with this submission.

7.3 For more information, please contact Kate Ward, Policy and Research Support Officer at kate@pprproject.org.

October 2014