



Response to the draft Programme for Cohesion, Sharing and Integration

Introduction

1. The Commission welcomes the publication of this Consultation Document on the Programme for Cohesion, Sharing and Integration (CSI), and the opportunity to engage with shaping this key Strategy. CSI needs to outline clear and concrete actions to address the relationships between the people living in Northern Ireland, actions which have tangible and measurable outcomes.
2. Northern Ireland remains largely a divided society. We live, to a considerable extent, apart from one another.¹ People often have difficulty in coming to terms with those who are different from themselves.² Their differences can be seen as a threat, rather than a cherished source of diversity and richness.
3. This separateness has been exacerbated by decades of violence and reinforced by enduring mistrust. Sectarianism remains a stark fact of life for very many people in Northern Ireland. It is not an experience felt by one particular community. There are, unfortunately, parts of Northern Ireland, within our cities, towns and individual communities, where people from one or other of the two main communities feel unsafe and cannot or will not enter.³
4. This sense of threat is not restricted to sectarian division. There are also public places where people who are new residents of Northern

¹ In terms of community background and particularly in terms of housing and education, see <http://www.cih.org/northernireland/housingcommission/Report.pdf> and http://eprints.ulster.ac.uk/15407/1/SEP_policy_briefing_1.doc

² Equality Commission, Equality Awareness Survey 2008, available at http://www.equalityni.org/archive/pdf/EC_Summary.pdf

³ Neil Jarman, *Towards Sustainable Security, Interface Barriers and the Legacy of Separation in Belfast*, CRC, available at <http://www.conflictresearch.org.uk/cms/images/stories/daniel/pdfs/iwg%20publication2.pdf>

Ireland or who are from minority ethnic backgrounds, feel unsafe or at risk.⁴ There are places where lesbian and gay people feel insecure or under threat.⁵ The fear of crime also affects women more.⁶

5. Despite legal protections against hate crime, PSNI statistics⁷ indicate clearly the frequency with which they take place. The lives of many are affected by the restrictions that are, in effect, imposed on them or they impose on themselves, out of fear.
6. Addressing the issue of the relationships between the people who live and work in Northern Ireland, and between their children who will shape our future, is one of the most pressing policy issues facing us.

The Equality Commission and its role in relation to CSI

7. The Equality Commission for Northern Ireland ('the Commission') is an independent public body established under the Northern Ireland Act 1998. The Commission is responsible for implementing the legislation on fair employment, sex discrimination and equal pay, race relations, sexual orientation, disability and age. The Commission's remit also includes overseeing the statutory duties on public authorities to promote equality of opportunity and good relations under Section 75 of the Northern Ireland Act 1998 and the disability duties under the Disability Discrimination Act 1995.
8. The Commission, along with the Northern Ireland Human Rights Commission, has been designated under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), as the independent mechanism tasked with promoting, protecting and monitoring implementation of the UNCRPD in Northern Ireland.

⁴ http://news.bbc.co.uk/1/hi/northern_ireland/8104978.stm,
http://www.nicem.org.uk/publications_view/item/the-next-stephen-lawrence

⁵ John O'Doherty, (June 2009) *Through our eyes, Perceptions and experiences of Lesbian, Gay, and Bisexual people towards homophobic hate crime and policing in Northern Ireland*, available at http://www.nipolicingboard.org.uk/lgb_through_our_eyes_report.pdf.pdf. In that report, 39% of LGB people were worried about being a victim of crime, 39% of LGB people altered their behaviour to avoid others knowing that they are not heterosexual, 39% of LGB people had been the victim of some sort of crime in the last three years, 21% of LGB people had been the victim of a homophobic hate crime in the last three years

⁶ OFMdfM, (May 2008), *Gender Equality Strategy: A Baseline Picture*, page 14, available at http://www.ofmdfmi.gov.uk/gender_equality_strategy_a_baseline_picture-3.pdf

⁷ PSNI Annual Statistical Report, Report No. 3, *Hate Incidents and Crimes, 1st April 2009 – 31st March 2010*, available at http://www.psni.police.uk/3_08_09_hate_incidents_and_crimes.pdf

House of Commons, Northern Ireland Affairs Committee, *The Challenge of Diversity: Hate Crime in Northern Ireland, Ninth Report of Session 2004–05*, available at <http://www.parliament.the-stationery-office.co.uk/pa/cm200405/cmselect/cmniaf/548/548i.pdf>

9. The Commission's general duties include:
 - working towards the elimination of discrimination;
 - promoting equality of opportunity and encouraging good practice;
 - promoting positive / affirmative action;
 - promoting good relations between people of different racial groups;
 - overseeing the implementation and effectiveness of the statutory duty on relevant public authorities;
 - keeping the legislation under review;
 - promoting good relations between people of different religious belief and/or political opinion .

10. Under Article 42 of the Race Relations (Northern Ireland) Order 1997 (as amended) the Equality Commission has three additional duties:
 - to work towards the elimination of discrimination;
 - to promote equality of opportunity and good relations between people of different racial groups and;
 - to keep the legislation under review.

11. The Commission additionally provides training and advice for employers, Trades Unions, Community and Voluntary sector organisations and employees on creating good and harmonious working environments.

12. The Commission has clear responsibilities with respect to advising public authorities on the statutory equality of opportunity and good relations duties, alongside other relevant duties, outlined in the paragraphs above. Part of this role is to ensure that the designated public bodies genuinely embed the principles and practices of equality of opportunity and good relations into their core business and that they constantly strive towards improving equality of opportunity and good relations outcomes.

13. This is the essence of what mainstreaming equality of opportunity and good relations means in practice. It involves making equality of opportunity and good relations central to the culture and business of each public authority and the public sector as a whole. This presents a series of challenges and opportunities for the Commission, the Government, and designated public bodies. The CSI Strategy is a potentially important contribution to the discharge of their Section 75

duties by public authorities as well as being a policy initiative that itself needs to be subject to the discipline of Section 75.

14. Equality of opportunity and good relations are inseparably linked. The one cannot be effectively pursued without the other and neither will find its full expression in the absence of the other. They are sometimes spoken of as if they were in competition, as if there were a contest between them. But there is no need for such an apprehension. They require each other and they complement each other. The introductory statements for the Strategy outlining the statutory equality of opportunity and good relations duties (paragraph 1.4) should be more clearly tied to the text of the Northern Ireland Act 1998.
15. The Commission has a core duty to keep anti-discrimination legislation under review and to recommend change. We have made a series of recommendations for urgent legislative reform of anti-discrimination law to OFMdFM. We believe that ensuring a strong legislative framework for the anti-discrimination legislation and statutory equality duties contributes to creating the right circumstances for delivering the CSI Strategy.
16. The Commission's comments on the draft Strategy cover a range of areas and issues. Our recommendations are made in the following areas in order to:
 - improve the overall structure of the Strategy, with an emphasis on ensuring there is a clear vision statement which then sets the framework for action (paragraphs 17 to 23);
 - ensure that the scope of the document is clear and consistent (paragraphs 27 to 32);
 - highlight the key substantive issues that the Strategy needs to consider fully and address (paragraphs 33 to 70);
 - ensure that the resultant Strategy is supported by effective systems, particularly those associated the statutory equality duties, and delivery mechanisms to ensure that it can be implemented and monitored (paragraphs 71 to 76).

General comments on the structure of the document

Need for a clear vision statement and unambiguous policies

17. The production of the draft CSI Strategy for public consultation has been much anticipated. CSI should not merely be a statement of intent; it should be a key transformational strategy that will set out the foundations on which much of the future of Northern Ireland will be built.
18. The Commission expects to see a willingness by OFMdFM to respond positively to suggested changes to the current draft, together with an openness to adapt, strengthen, and clarify CSI's goals, to set out specific objectives, measure achievements and to evaluate their effects.
19. CSI needs to outline clearly a vision for our future society, to make Northern Ireland a safe, secure, welcoming and open place for all who live here. It should be about enabling everyone to live together in comfort and in confidence, where they feel safe and secure, both respecting others and being respected. The Commission's vision for Northern Ireland is as a shared, integrated and inclusive place, a society where difference is respected and valued, based on equality of opportunity and fairness for the entire community.⁸ We consider that all people must be valued equally and believe that everyone should be allowed the opportunity to develop to their full potential. Both equality of opportunity and good relations are essential to creating a just and fair society.
20. This CSI vision should be coupled with an unambiguous set of policies and a framework with associated action plans that will help to achieve this vision. The CSI Strategy must be ambitious for Northern Ireland. It is not enough to attract the judgement that 'it is a start.' What is of central importance is that the CSI Strategy and its implementation be capable of making the Northern Ireland of tomorrow a better place than it is today. There need to be specific and measurable targets and a commitment by Government to make the Strategy work, to evaluate its progress regularly and to adjust it as necessary.

⁸ Equality Commission Vision Statement, <http://www.equalityni.org/sections/default.asp?secid=0>

Political leadership is key

21. The Political process in Northern Ireland has moved on considerably since the Belfast agreement in 1998. All Parties have shown a willingness to compromise and agree a way forward through the St Andrews agreement and the day to day work of the Assembly. In February this year at Hillsborough, the two largest parties reached across the political divide, by showing political leadership to agree a way forward to secure a better future for all. The CSI Strategy must build on the momentum of this goodwill, and on the commitments to a shared and better future of the Belfast Agreement, the St Andrews Agreement and the present Programme for Government.⁹ It should be the key strategic document or roadmap for making progress on good relations and for guiding future Programmes for Government.
22. The Commission is encouraged by and welcomes the statement made in the Foreword to the consultation document, that Government must take greater steps to lead our society, by ‘stepping up to the challenge of leadership’ in this area. What is needed is the courage to take that next step – through transformational leadership at both a political and organisational level. The progress secured at Hillsborough towards a shared and collaborative future has to be followed in concrete terms, and particularly with clearly defined deliverables in the short, medium and long terms.
23. In the spirit of the Hillsborough Agreement, a CSI Strategy should challenge the public sector and the entire Northern Ireland community to take a new look at how we all can reach out across the community divide to make good relations a reality: to collaborate more, to share resources, and to embed good relations into our culture. The way ahead will be challenging, but, for the sake of future generations our society must move forward in a spirit of partnership and mutual support and respect. Leadership from our politicians will remain a key driver for change in helping to achieve these stated goals.

Recognising the role of regulation and incentives to achieve change

24. CSI aims to address prejudice and hate. While the law cannot control people’s thoughts and attitudes, it can work to moderate their

⁹ <http://www.pfgbudgetni.gov.uk/finalpfg.pdf>

- behaviour. Challenging behaviours, such as sectarianism and racism, when they are so clearly wrong and damaging, is vital in our society.
25. Part of the wider context for CSI is the framework of the anti-discrimination legislation and also the statutory equality duties, as referenced in the document. However, there should be a greater reflection within the document of where this framework has been a significant contributor to creating the circumstances for change and a focus on how this experience can be applied to the objectives of the strategy.
 26. A useful example for illustration is the effect that the FETO¹⁰ legislation has had on the behaviour of employers, and whether any of this experience could, for example, be applied to shared public spaces. The fair employment legislation which has operated in Northern Ireland for 34 years has helped to change behaviour in the workplace. As a result, we no longer see workplaces bedecked with emblems associated with either community and the emblems we do see tend to be of a more subtle nature. Employers and employees behaviour is regulated by equal opportunities and anti-harassment policies and procedures and it is fair to say that in general, workplaces have become more integrated. Employers and employees are clearly aware of the behaviour expected of them, and in most cases act accordingly.

Clarifying the scope of the Strategy

27. The Commission considers that the scope of the final CSI Strategy needs to be carefully clarified, as we have identified a number of inconsistencies within the draft document, between stated aims and actual content. For instance, at paragraph 1.8, it is stated that CSI will be one of a family of policies seeking to tackle prejudice and hate, and at paragraph 1.9, the focus is confirmed as being on promoting cohesion, sharing and integration for all sections of the community. However, for much of the draft Strategy, the focus remains on “traditional” areas of Northern Ireland community relations policy, namely religious belief and political opinion. A separate sexual orientation strategy is promised for some time in the future, without clarifying what issues this latter strategy will address. Would it, for

¹⁰ Fair Employment and Treatment (Northern Ireland) Order 1998, available at <http://www.legislation.gov.uk/nisi/1998/3162/contents/made>

instance, encompass a wider or different remit from the CSI Strategy? Further, no mention is made of any plans to progress strategies relating to other areas where discrimination or hate often occurs, such as on grounds of disability or gender.

28. Indeed, despite legislative,¹¹ national¹² and international¹³ commitments, the draft Strategy makes little reference to the role of women or the promotion of equality of opportunity between women and men. The link between the role of women in peace building has not so far, been fully recognised in this field of public policy. It is imperative in creating a lasting peace and a fair and just society that all aspects of peace building recognise the different roles of men and women, and that action is taken accordingly rather than assuming gender neutrality. The Commission recommends that effective engagement with women must be a driver of policies and practice to achieve the goals of the CSI Strategy. Any new structures must provide opportunities and encourage women's roles in leadership and decision-making.
29. Despite international commitments,¹⁴ the draft Strategy makes little reference to involving young people in formulating the final Strategy, and does not fully reflect their role in achieving the vision. The Commission recommends that effective engagement with children and young people must also be a driver of policies and practice to achieve the goals of the CSI Strategy.
30. Given the stated aims and purpose of the CSI Strategy, the Commission believes the final Strategy should cover the same grounds as the existing hate crime legislation, given the evidence at the time of its introduction that there needed to be action on such crimes where a victim is identified because of their community background, sexual orientation or disability. Additionally, CSI needs to fully reflect gender issues in this context and address these.
31. The draft Strategy states it is for all sections of society.¹⁵ The Commission advises that the effective application of the Section 75

¹¹ Section 75 of the Northern Ireland Act 1998, available at http://www.ofmdfmi.gov.uk/section_75

¹² The Belfast (Good Friday) Agreement, available at <http://www.nio.gov.uk/agreement.pdf>

¹³ Convention on the Elimination of all forms of Discrimination Against Women, <http://www.un.org/womenwatch/daw/cedaw/>. United Nations Security Council Resolution 1325 called for the adoption of a gender perspective that included the special needs of women and girls during repatriation and resettlement, rehabilitation, reintegration and post-conflict reconstruction

¹⁴ UN Convention on the Rights of the Child, Article 12, available at

<http://www2.ohchr.org/english/law/crc.htm#art12>

¹⁵ Paragraph 1.9

duties to the strategic priorities will be helpful, in providing clarity of purpose and identification of actions and resulting outcomes relating to the most relevant groups. This will ensure that due regard is paid to the need to promote equality of opportunity and regard is paid to the desirability of promoting good relations for all the relevant groups in determining the decisions within the CSI Strategy.

32. It is not a dilution of CSI to recognise that it must go beyond issues of sectarianism and racism. On the contrary, it is a strength. We live in a complex society, with a changing and dynamic set of identities. This needs to be reflected in the final Strategy, to promote a better future for all.

Substantive issues the Strategy needs to clearly recognise and address

33. The Commission believes, as stated in the opening paragraphs, that there are omissions in the draft Strategy and that there is not a coherent sense of what sort of society is to be achieved through public policy interventions. We are particularly concerned about omissions in a number of key areas as set out below.

The legacy of the past

34. If there are to be significant strides forward in terms of normalising our society and achieving the vision outlined above, CSI has to find ways of addressing the legacy of the past, particularly in terms of tackling sectarianism, prejudice and hate. The focus for CSI has to be on tackling the persistent and systemic separateness and lack of interconnection between the two main traditions. The complex web of separateness that exists in our society is not the way of, or to, the future.
35. The Commission recommends that greater emphasis must be given in the final CSI Strategy to efforts to guide reconciliation, healing and civic engagement with all, and particularly between the two main communities. We believe that one of the key strategic outcomes for CSI should be to reduce the ongoing and real sense of fear that exists in Northern Ireland. These fears are reinforced by a sense of threat that has been shaped by the conflict, and indicated through:

- hate crime statistics, and particularly rates of sectarian, homophobic and racist attacks¹⁶;
 - levels of offensive graffiti¹⁷;
 - displays marking territory¹⁸.
36. Failing to do so not only puts us at risk of perpetuating sectarian attitudes into future generations, but also risks developing newer fault lines, such as racism and homophobia, as the Programme for Government identifies¹⁹ and which are highlighted by PSNI hate crime statistics.
37. Addressing the legacy of the past and building a shared and better future must involve and engage everyone, and not just those who have suffered or inflicted that suffering. There needs to be engagement at every level of government, of public and private life, in families, schools, churches, and in voluntary and community organisations.
38. This process of reconciliation must be based on equality principles. Recent evidence suggests that there “there is mounting econometric support for the view that [horizontal inequalities or inequalities among groups] are related to the incidence of conflict.”²⁰ Policies to reduce inequalities must be an important element in post-conflict programmes. At the same time equality must be underpinned by relationships built on trust, co-operation and an understanding of each other’s needs.
39. A possible measure of success of CSI will be around changes to the attitudes of young people to difference, with measurably greater understanding and respect for diversity.

Moving forward beyond mere tolerance

40. Not only does Northern Ireland remain divided, but many entrenched prejudicial attitudes remain. In a survey undertaken for the

¹⁶ PSNI Annual Statistical Report, Report No. 3, Hate Incidents and Crimes, 1st April 2009 – 31st March 2010, available at http://www.psni.police.uk/3_08_09_hate_incidents_and_crimes.pdf

House of Commons, Northern Ireland Affairs Committee, “The Challenge of Diversity: Hate Crime in Northern Ireland, Ninth Report of Session 2004–05”, available at

<http://www.parliament.the-stationery-office.co.uk/pa/cm200405/cmselect/cmniaf/548/548i.pdf>

¹⁷ OFMdfM, *A Racial Equality Strategy for Northern Ireland 2005-2010*, <http://www.ofmdfmi.gov.uk/race-equality-strategy.pdf>

¹⁸ Dominic Bryan, (May 2010) *Public displays of flags and emblems in Northern Ireland*,

http://www.ofmdfmi.gov.uk/qub_flags_report_may_2010_final_report_.pdf

¹⁹ <http://www.pfgbudgetni.gov.uk/finalpfg.pdf>

²⁰ Francis Stewart, Graham Brown and Annim Langer (UNDP) – *Inequalities, Conflict and Economic Recovery*, available at http://www.undp.org/cpr/content/economic_recovery/Background_6.pdf

Commission and published last year,²¹ social attitudes were explored in an attempt to establish people's perceptions of those they considered most unfairly treated in Northern Ireland and also to explore respondents' own attitudes to specific groups. Of those felt to be treated most unfairly, racial or ethnic groups (24%) were at the top of the list followed by Travellers (16%), then older people (15%), gay/lesbian/bisexual people (12%) and disabled people (10%). When it came to their own feelings, negative feelings were most frequently expressed against Travellers (28%), then lesbian women or gay men (21%). These were followed by eastern European migrants (20%).

41. Both the Programme for Government and the Belfast Agreement included the concept of 'tolerance'. We note that the draft Strategy for the most part does not use such language itself, and we welcome this. The Commission believes that the use of concepts such as respect for diversity and social cohesion are more positive, proactive and inclusive. Tolerating difference may convey the message that one does not ever need to embrace or understand it; tolerance could be interpreted as merely putting up with difference.
42. The Commission recommends that if society is to be truly transformed, the key focus for the CSI Strategy has to be to encourage a greater openness to embrace and accept 'otherness'. While acknowledging the past, the challenge for our future will be to see diversity as enriching, to recognise difference as an essential element in human society and to work for a society in which those realities can find expression.
43. Although we can have our political differences, we have to focus on embracing the core values that we have in common and which bind us together. At the same time, we need to acknowledge that all of us can have different identities.²² To achieve the society envisaged by the Commission, the focus has to change from a sense of independence from those who are different, to one of interdependence and integration: where the wellbeing and success of society is contingent on a cohesive community that celebrates and respects diversity, amongst all the peoples that make up society. This may take a

²¹ Equality Commission, Equality Awareness Survey 2008, available at http://www.equalityni.org/archive/pdf/EC_Summary.pdf

²² E.g. parent, regional affiliation, neighbourhood, career, culture

transitioning stage, where we move to greater openness to difference, then acceptance and finally to embracing diversity.

The economy

44. The presence of a peaceful, open, and shared Northern Ireland, at ease with itself, is a sure basis on which to build future economic prosperity.²³ In current recessionary time, equality of opportunity and good relations remain fundamental to securing sustainable economic prosperity. This should be a major driver for change within CSI.
45. Poor social conditions lead to inequalities in health, placing avoidable demands on health and social care provision. People from ethnic minorities also find it harder to obtain access to healthcare. The under-representation of people with disabilities in the workforce means skills are lost, contribution to the economy is reduced and some people are compelled to claim state benefits.²⁴ Barriers to involvement in public life limit women's participation in politics and decision-making.
46. Government policies and programmes aimed at reducing poverty and social exclusion make a significant contribution to the promotion of equality of opportunity and have focussed on improving economic circumstances. The Commission has for a long time been promoting the use of public expenditure to mainstream equality of opportunity and good relations by public authorities. We believe that embedding equality of opportunity and good relations in all spending decisions is essential to creating a just and fair society where everyone can participate equally.
47. The continued development of Northern Ireland's economy will depend in considerable measure on the willingness of others to invest here: to see Northern Ireland as a commercially and socially attractive place where business people will want to do business, now and in the future. Ongoing social conflict provides a telling chill factor to sustained investment, and the recent unrest in the summer of 2010 continues to tarnish our reputation internationally and locally. The final CSI Strategy should inform the development of the next Programme for Government, in establishing priorities and enabling Northern Ireland to

²³ Bob Collins, View from the Chair, September 2009,

http://www.equalityni.org/sections/default.asp?secid=1_1&cms=News_Articles&cmsid=1_66&id=198

²⁴ Equality Commission, Statement on Key Inequalities for Northern Ireland (October 2007), available at [http://www.equalityni.org/archive/pdf/Keyinequalities\(F\)1107.pdf](http://www.equalityni.org/archive/pdf/Keyinequalities(F)1107.pdf)

be a more cohesive and stable place, and continuing to attract investment.

Economic cost of perpetuating the separation between the two main communities

48. CSI needs to recognise the considerable cost of perpetuating separation between the two main communities, but measures to address this need to recognise that simply removing duplicate services in an environment of reduced public expenditure will not of itself address the aims of this Strategy.²⁵ The duplication and under-utilisation of services is an obvious consequence of past and present Government policies, and many Government policies and practices that were designed to keep the communities apart endure. This social segregation is costly: scarce human and financial resources are duplicated, contact between communities is hampered, and misunderstanding between them is potentially engendered. Government policies need to work towards greater integration in an active way.

Education

49. Much of our society remains separated along largely religious or sectarian lines. In terms of education, only 7% of schools are designated as formally integrated²⁶ (accounting for 6.3 % of the school population)²⁷, and the great majority of children go to schools which are attended mainly by children from their own community background. This separation is also reflected in where many people live.
50. One of the key tasks of CSI should therefore be to ensure that our children and young people grow up learning how to live, play and work together in a diverse society. Young people need the skills and strategies to recognise and reject discriminatory, negative attitudes and influences, such as sectarianism, homophobia and racism, and ensure that the school environment tackles these issues appropriately. For example, the Department of Education should require schools to monitor the type and level of bullying that is attributable to difference on

²⁵ Deloitte 2007 *Research into the financial cost of the Northern Ireland divide*, available at <http://www.allianceparty.org/resources/sites/82.165.40.25-42fa41bb0bef84.24243647/External/Research+into+the+financial+cost+of+the+Northern+Ireland+divide.pdf>

²⁶ http://eprints.ulster.ac.uk/15407/1/SEP_policy_briefing_1.doc

²⁷ http://www.deni.gov.uk/enrolment_by_school_management_type_updated_0910.xls

the grounds of identity, such as race, disability, community background, religion, political opinion or sexual orientation,²⁸ and take appropriate actions to address the underlying issues.

51. It is recognised that schools have a limited role in addressing social problems and divisions. Approximately 20-30% of an individual's academic performance is shaped by school and related factors.²⁹ Factors outside the school have a huge impact on a child's educational development. These include economic deprivation, family support, and housing. CSI needs to recognise the influences of home, family and community on attitudes to prejudice and division,³⁰ and to frame public policy interventions accordingly.
52. There is a welcome reference at paragraph 5.6 in the consultation document, regarding taking action to respect Traveller and Roma. However, it should be noted that this is a role for all educational stakeholders and not just the responsibility of the Department of Education and the integrated schools movement.
53. The Commission would also welcome consideration in the final Strategy on the issue of disabled children and the policy aim of integrating them into mainstream schools, where this is an appropriate option.
54. The draft CSI document seems to focus largely on curriculum-based approaches to equality of opportunity and good relations in education. However, the Commission believes that a whole school ethos approach is most effective on delivering on this aim.³¹

²⁸ Schools in England and Wales have a statutory duty to monitor and report racist bullying to their local authority, under the Race Relations (Amendment) Act 2000. See <http://www.nasuwat.org.uk/InformationandAdvice/Equalities/PrejudiceRelatedBullying/index.htm>

²⁹ Observations by participants at ETI Conference, Newcastle 2007

³⁰ Paul Connolly, Alan Smith and Berni Kelly, 'Too Young to Notice? The Cultural and Political Awareness of 3-6 Year Olds in Northern Ireland'. Available at

http://www.paulconnolly.net/publications/pdf_files/too_young_to_notice.pdf. This research counteracts the widely-held belief that young children have no sense of cultural differences and showed for the first time the significant affect that cultural and political influence has on the awareness and behaviour of 3-6 year-olds in Northern Ireland. The report also revealed the increased likelihood of children to identify with a particular community as they grow older and significantly, to make sectarian statements or take actions accordingly

³¹ Equality Commission, *Every Child an Equal Child, An Equality Commission Statement on Key Inequalities in Education and a Strategy for Intervention* (2008), available at

<http://www.equalityni.org/archive/pdf/ECkeyinequalities.pdf>, paragraph 1.3

Curriculum

55. We recommend that Citizenship programmes (both at primary and post-primary levels) have central elements that promote reconciliation, understanding and respect for diversity between all communities. Negative attitudes to identity should be addressed, particularly hate crimes due to sectarianism, racism and homophobia.

Schools' estate

56. The Department of Education is presently embarking upon a process of rationalising the schools estate throughout Northern Ireland, with a strategic priority of providing fewer and larger schools to make them educationally more sustainable. While conscious of the role of schools in the lives of communities, the Commission is encouraged by the statement in the draft Strategy that a key aim will be to reduce or eliminate unnecessary duplication of services.³²

Encourage greater education of children and young people together

57. We also note that the draft Strategy identifies a clear preference by a majority of parents for children to be educated together.³³ We are therefore surprised that the draft Strategy does not provide greater direction in the short and medium term to encourage the education of children and young people together, whatever their identity.
58. The Commission recommends that the final Strategy sets out a clear pathway that allows for action to promote the education of young people together, whether through sharing or the formal integrated sector. We recommend that the Department of Education adds good relations conditions to all schools' budgetary allocations criteria, particularly in relation to capital builds and development plans that focus on cross-community relationship building.³⁴

Greater efforts to make schools attractive to all

59. Schools need to consider how they can be more accessible and attractive to children and young people from different faiths and none, particularly where they do not presently attract many pupils from outside their traditional catchment. The Commission recommends that

³² Paragraph 3.43. This point is reiterated in the Consultation Document for the Department of Education's CRED policy

³³ Paragraph 3.6, 3.7

³⁴ Good Relations Forum, Education Challenge Paper (April 2010), available in <http://www.equalityni.org/archive/pdf/EnsuringGoodRelationsWorkinourSchoolsCounts.pdf>

all schools offer an alternative educational programme for those children and young people wishing to opt out of their school religious education programme. The scope for joint-faith schools should also be examined.

60. The Commission recommends that the Department of Education identifies any chill factors discouraging parents from sending their children to particular schools, and that the Department works with schools to overcome them and to reach across the perceived community barriers.

Shared spaces and shared housing

61. Less than 10% of social housing in Northern Ireland is mixed and more than 70% of social housing tenants live in an area that is more than 90% Protestant or Roman Catholic.³⁵ This statistic may indicate a chill factor – a reluctance or fear of individuals from one community background to enter an area where members of the other community predominate, and can influence where an individual chooses to live and whether they choose to use local public services. Consideration needs to be given in the final Strategy to how this can be addressed in issues other than new housing developments. Accompanying the sectarian divisions in housing, much of the urban development in the 1970s tended to locate segregated schools within segregated housing areas. As noted in the report of the Independent Commission on the future of Housing in Northern Ireland, *‘The housing system has affected, and has itself been affected, by segregation. Segregation of housing directly affects the mechanics of the strategic spatial planning framework.’*³⁶ Leisure and community facilities were developed that became de facto the preserve of one community.
62. In one segregated area of Belfast, 86% of people surveyed would not enter an area dominated by the other group and 79% would not travel through that area at night, even by car.³⁷ Territorialism makes it difficult to allocate space in a rational way and individuals can feel discouraged by chill factors from using public services, such as

³⁵ <http://www.cih.org/northernireland/housingcommission/Report.pdf>

³⁶ Ibid p30

³⁷ *‘Segregated Lives: Social Division, Sectarianism and Everyday Life in Northern Ireland’* ICR, Belfast 2008 p 19

libraries, schools, doctors' surgeries, leisure centres, hospitals etc. which may be located within the territory of the other group. This can lead to underused services or to duplicated provision.

63. The Commission recognises that people need to feel safe where they live. However, we have concerns that the draft Strategy does not put forward suggestions for expanding shared housing schemes in the short to medium terms, particularly given the high level of desire for this.³⁸ As indicated above, if society is to be transformed, bold steps need to be taken to integrate communities. Social housing is a key area where this can take place.³⁹

Expressions of culture

64. Northern Ireland society continues to cope with the effects of many years of violence. We live in a society where, for some, the expression of one's culture is in many ways interpreted as a statement not of inclusion, but of exclusion from the other; a threat and something to fear. This issue needs to be clearly addressed within the final Strategy.
65. No expression of culture by one group gives an absolute right over another. The cultures we inherit need to be examined in light of current standards, and people need to think about their own motives for how they express their culture. Cultures are dynamic and maintain their relevance in a changing society through adaptation rather than entrenchment.
66. If society is to be truly transformed, the celebration of our different cultures and how this celebration is perceived by all communities has to fundamentally change. This does not imply that we should overlook tradition or difference, or to discourage people from expressing their culture, in an attempt to avoid offence. It does mean that people should be encouraged to celebrate the positive aspects of their culture,

³⁸ In paragraph 3.25, 80% of those surveyed favoured living in a mixed religion neighbourhood.

³⁹The Commission on the future of Housing in Northern Ireland recommends *'that the system of allocations in Northern Ireland should be reviewed to consider ways in which the risk of polarisation can be reduced, to use the allocations scheme as a way to enable other policy goals, such as income, tenure and religious mix, without undermining fair access, principles of equality of opportunity, and a needs-based system;'* This would require due consideration to be given to the need to require an amendment to FETO that would allow in certain circumstances the use of religious belief, political opinion or community background in determining housing allocation.

focusing on being welcoming and inclusive and reaching out to all, so that differing members of our society are not alienated.

67. The Commission believes it is essential for all people to respect religious, political and racial differences and to build a cohesive interdependent society that embraces diversity. Fairness of treatment, respect for difference and promotion of social cohesion are important components of delivering good relations.

Role of the private sector in promoting good and harmonious workplaces

68. We note at paragraph 3.12 the role that private sector employers take to promote shared workplaces. We recommend including a statement in the final Strategy that shared workplaces is about promoting good relations between all people, whatever their identity. For some years now, the Commission has been running initiatives to promote good race relations in the workplace. These include Anti-Racist Workplace Weeks (now expanded as Race Equality Month), Traveller Focus Weeks, and the campaigns “Equality For All” and “What Colours Your Judgement?”⁴⁰

Focus on those people and communities most in need

69. Our society remains deeply divided: more peace barriers exist now than at the height of the conflict and numerous housing estates and schools are still predominantly identified with a single community. Even today, despite 12 years of the peace process, many people, and particularly children and young people, continue to experience and manifest racism and sectarianism at first hand.⁴¹
70. Neighbourhood areas with high levels of poverty suffered disproportionately during the conflict,⁴² and even with the peace

⁴⁰ http://www.equalityni.org/sections/default.asp?cms=News_Campaigns&cmsid=1_21&id=21&secid=1

⁴¹ Paul Connolly, Alan Smith and Berni Kelly, ‘Too Young to Notice? The Cultural and Political Awareness of 3-6 Year Olds in Northern Ireland’. Available at

http://www.paulconnolly.net/publications/pdf_files/too_young_to_notice.pdf. This research counteracts the widely-held belief that young children have no sense of cultural differences and showed for the first time the significant affect that cultural and political influence has on the awareness and behaviour of 3-6 year-olds in Northern Ireland. The report also revealed the increased likelihood of children to identify with a particular community as they grow older and significantly, to make sectarian statements or take actions accordingly

⁴² According to NISRA, 17 of the top 20 most deprived areas in Northern Ireland are located in North or West Belfast. North and West Belfast alone accounted for 1240 (or over one third) of the 3636 fatalities in total that took place over the course of the conflict (CAJ Submission to Eames/Bradley, Legacy of the Past),

process, seasonal urban riots in these areas continue to blight our society and our international reputation. In preparing the Commission's strategy *Every Child an Equal Child*,⁴³ our research indicated that children and young people in areas of poverty were also at risk of educational under-attainment. The recent civil disturbances in July 2010 in Ardoyne, Bogside, and Lurgan largely involved children and young people⁴⁴ and the impact of these disturbances goes far beyond its immediate impact on the local communities and the cost of repairing the physical damage to property and infrastructure, which was substantial.⁴⁵ It will be important that CSI focuses on those communities most in need.

Importance of clear and specific actions and targets

71. While CSI is intended as a high-level strategic document, the Commission is surprised that there is little detail outlined in the draft Strategy that describes clear actions and those responsible for delivery. Actions should be flexible enough to evolve with different generations and accommodate identity shifts within society.
72. We recommend that the final Strategy picks up on the outcomes that are referenced in this response and that it:
 - outlines clear objectives that describe the kind of Northern Ireland that we want in the future;
 - sets clear and specific goals in pursuit of those objectives and measures for success, with a timetable for action with short, medium and long-term aspects;
 - sets in train the development of an associated action plan, with clear targets and measures, that is focused on outcomes;

available at

http://www.nisra.gov.uk/deprivation/archive/ConsultationResponses2009/Community_Relations_Council.pdf

⁴³ Equality Commission, *Every Child an Equal Child, An Equality Commission Statement on Key Inequalities in Education and a Strategy for Intervention* (2008), available at

<http://www.equalityni.org/archive/pdf/ECkeyinequalities.pdf>

⁴⁴ <http://www.guardian.co.uk/uk/2010/jul/14/children-rioting-ardoyne-belfast-clashes>

⁴⁵ The cost of policing parades across Northern Ireland (April-July 2010) was £3.67m, of which the rioting for 4 days in Ardoyne alone cost £1.1m. The total cost of policing bonfires over the 12 July period was £154,000, while the cost of policing interfaces was £246,000. NIPB figures, reported at

<http://www.bbc.co.uk/news/uk-northern-ireland-11339718>

- allocates clearly the responsibilities for which organisations will take action;
- ensures a joined-up approach and engagement across all relevant stakeholders;
- provides guidance on suitable accountability by OFMdFM, via a suitably robust monitoring framework.

Implementation and delivery mechanisms

73. The Commission has a statutory duty to provide advice to public authorities on good relations issues under Section 75 of the Northern Ireland Act 1998 and specific responsibilities to promote equality of opportunity and good relations.⁴⁶ The Commission recognises the invaluable role that the Community Relations Council has made over the past 20 years, in facilitating community relations programmes. Any change to the existing delivery mechanisms must be supported by a robust review of the existing arrangements, building on the successes of the CRC.
74. There is a clear role for providing independent advice to Government on these matters. There is the need to ensure that the allocation of money and grant awards is situated at the right level. The architecture to oversee delivery needs to ensure that there are routes through to those in communities who have experienced the prejudice and hate the Strategy seeks to address, to know whether meaningful changes are taking place. However, as CSI is insufficiently clear on a range of issues, we recommend that the proposals and decisions on the architecture for delivery should follow greater clarity of purpose; that form should follow function.
75. The Commission recommends that three overarching principles should apply to any model that is proposed and/or adopted. These are: efficiency, effectiveness and clarity of roles. Particularly with the present economic situation, any duplication of roles should be avoided, and establishing a new non-departmental public body to carry out good relations functions is not an effective or efficient way forward.

⁴⁶ Particularly, see the Race Relations (Northern Ireland) Order 1997, Article 42. See <http://www.legislation.gov.uk/nisi/1997/869/contents/made>

76. The draft Strategy puts great emphasis on the role of the voluntary and community sectors.⁴⁷ However, no attempt is made to map out the capacity of the voluntary and community sectors to take on any widened role. While funding is not strictly a matter for the Commission, we recommend detailed consideration to assess the capacity of the voluntary and community sector to expand its roles and functions in this area, as envisaged by the draft Strategy.

Equality statement

77. The Equality Commission welcomes the statements that the CSI Strategy is being developed within the compass of the Section 75 duties. The policy that the strategy represents, and the various actions that flow from it, will have a direct engagement with promoting equality of opportunity and good relations. In that context the requirement to assess the likely impact of proposed policies has a particular relevance.
78. It is hoped that, when complete, the Strategy will set out a clear vision for the future character of society in Northern Ireland; will offer a framework for future action; will set out a range of public policy interventions in respect of the elimination of hatred and prejudice; and will outline the objectives that these policies are intended to realise. Such an approach will mean that the CSI strategy will have a decisive impact and will shape a broad range of policy development. The law is quite clear that equality and good relations must be central in all decision making on public policy. It is of paramount importance that the Strategy is subject to comprehensive equality impact assessment both to reflect the intent of the legislation and to avail of the contribution to decision-making that effective impact assessment provides.

Conclusion

79. The Commission considers that the main purpose of a strategy on cohesion, sharing and integration must be to find ways of dealing with the inheritance of history, in terms of the separateness and lack of interconnection between the two main traditions. This is both highly

⁴⁷ Paragraph 12.3

commendable and absolutely essential. The complex web of separateness that exists is not the way of or to the future.

80. If the inheritance of the past is to be addressed, the reality of the present must be looked at. New fault lines, such as racism and homophobia are evident and are evidenced by the hate crime data from the PSNI.
81. CSI should fundamentally be about enabling people to live together in comfort, with confidence, safety, and security, both respecting and being respected. Those patterns that strike at that, and those who are struck in the process, must be part of the Government's approach.
82. There can be no illusions or promises that there will be immediate change. However, the final Strategy must:
 - set clear objectives, outlining the kind of Northern Ireland that we want;
 - be clear in setting out what will characterise our future and how it will be different;
 - set a clear route map to that destination;
 - clearly allocate responsibilities for which organisations will take action;
 - ensure Government engages – all government departments and all public authorities, embracing both the private and the public sectors;
 - be ready to take risks;
 - reduce the cost of division;
 - set measures for success.

Equality Commission for Northern Ireland
October 2010