



Equality Commission Response to the Draft Community Safety Strategy: Building Safer, shared and confident Communities.

Introduction

1. 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 (Section 75) and the disability duties under the Disability Discrimination Act 1995.
2. 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.
3. 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. The Commission welcomes the opportunity to comment on this draft strategy, following on from our engagements with the previous iteration and the meeting held with the Department on 14/09/10. Much of the substance of the draft strategy is out with the statutory remit of the Commission and we will confine our comments to areas where particular proposals have a possible or clear impact on Equality and /or Good Relations issues.

General Comments

- 5 The Commission wrote to the Permanent secretary at the DoJ in March of this year, emphasising the legal requirement to assess the impacts of public expenditure plans across the range of equality grounds set out in Section 75 of the Northern Ireland Act 1998. The current economic circumstances make equality considerations particularly relevant, as there is a risk that existing inequalities may be aggravated or that decisions may have a disproportionate impact on some groups.
- 6 This is particularly the case when funds are restricted or diminished. The economic downturn has placed an even sharper focus on public spending. The Commission recognises that the Department of Justice must make difficult decisions on prioritising spend, however the Section 75 requirements are clear. Departments have responsibilities to fulfil the commitments set out in their equality schemes to show due regard to the need to promote equality of opportunity and regard to the need to promote good relations. This will require Departments to mainstream equality and good relations considerations throughout their business, including budget setting processes.
- 7 In our previous response to *Together Stronger Safer*, the Commission highlighted the particular areas of hate crime, the proposals to ensure the safety of Older People and the three stated priority areas of:
 - creating safer neighbourhoods
 - Focus on families and young people and

- Building strong confident communities.

- 8 The Commission was particularly interested in how the proposals in the document would impact on the most vulnerable members of society. We note that the current draft strategy has placed a greater emphasis on hate crime than was the case previously, and we welcome the commitment to produce a strategy to address all aspects of hate crime. As a general observation however, a commitment to timescale would address an overall concern about the monitoring and evaluation of the current draft strategy.
- 9 The Commission endorses the commitment to early intervention and diversion in dealing with young peoples issues as a means of addressing low intensity crime and anti social behaviour. Bearing in mind the recent reduction in funding for good relations focussed youth work by the Department of Education, resourcing is likely to be critical in ensuring the success of this approach.
- 10 We are concerned that the target set for reduction of recorded anti social behaviour (ASB) incidents given in the strategy does not appear to link to specific actions. The strategy recognises that ASB can mean different things to different people and context will be as significant as any activity. The three pronged approach advocated will need to have a flexible focus to ensure that resources can shift between prevention, intervention and enforcement as required.
- 11 Urban and rural regeneration provides an opportunity to contribute to the transformation of society and is an opportunity to deliver the objectives of the Programme for Government in creating a peaceful, fair and prosperous society The Department of Justice strategic priorities and actions, set through this strategy, will need to achieve coherence and consistency with the priorities of other Government Departments to ensure the efficient use of resources in making Northern Ireland a safer more inclusive place for all our citizens.
- 12 We note that the three core areas of the revised strategy will be safer, shared and confident communities. The Commission recognises the essential nature of these goals in transforming Northern Ireland , and we have referred to these in our response to

the Draft programme for Cohesion Sharing and Integration. The draft strategy recognises the need to coherent inter-departmental approaches, and we believe that this is essential to ensuring that progress is made. The document refers to Local Councils, the Police and NIHE, in relation to the ASB forums. However, without inputs and actions from the education sector, youth and community sectors, along with economic investment and regeneration of the most deprived areas, there cannot be a more attractive vision for the future for people living in areas that suffer most from ASB and crime. The Community safety strategy cannot be a panacea for all our social ills, but it can act as an anchor to allow for the development of strategies and action plans that all pull in the same direction.

- 13 On a final point, at s9.2.1, we note that the text reads, 'In addition to this, the Department has met with ECNI and has agreed an approach to ensure that it is complying with its duties as a public authority for this consultation process.' I can confirm that colleagues from the statutory duty unit did meet with officials from the Department on Sept 14th 2010, and provided relevant advice on compliance with the requirement of s75. We did not however 'agree an approach' as stated.
- 14 This response is made without prejudice to any consideration or determination which the Commission might make in performance of its statutory function to investigate individual complaints under Schedule 9 of the Northern Ireland Act 1998 or conduct any other investigation under that Schedule.

Equality Commission for Northern Ireland

Legal, Policy and Research Division
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