

EQUALITY COMMISSION FOR NORTHERN IRELAND**The Housing Executive's Community Cohesion Strategy 2015-2020**

We welcome the opportunity to respond to this consultation, and thank you for the extension provided to do so. As the Commission was not made aware of the consultation will you please add our details to your database to ensure we are copied into all future consultations.

We provide some general commentary, as well as some high level points aligned to your themes. We trust that you will find the content useful, and we are happy to discuss it further.

Relationship between the equality duty and the good relations duty

At the outset we remind you of our advice regarding the relationship between the equality duty and the good relations duty.

The Guide to Statutory Duties (2.15, page 19) states: 'In the Parliamentary debates on the Northern Ireland Bill, the then Secretary of State Dr Marjorie Mowlam said: *'[W]e regard equality of opportunity and good relations as complementary. There should be no conflict between the two objectives. Good relations cannot be based on inequality between different religions or ethnic groups. Social cohesion requires equality to be reinforced by good community relations. I repeat that we see no conflict between these two objectives.'*

House of Commons, Official Report, 27 July 1998 col 109. Furthermore, paragraph 2.17 (page 18) of the Guide states that: *'to the extent that public authorities perceive, in particular circumstances, a tension between the two duties, the primary duty of a public authority is its equality duty. The good relations duty cannot be invoked to justify a failure or refusal to comply with the equality duty.'*¹

General comments

The Commission welcomes the focus of the strategy and that it confirms the importance placed on the promotion of good relations by the Housing Executive. We also welcome the clear references to the Commission's guidance on promoting good relations and that the Housing Executive has agreed its operational understanding and definition of good relations.

The document sets out a clear context for the Executive and the development of its role and operating context. However, the introduction section could be reorganised to follow this through. For example, the clear organisational imperatives, policy objectives on good relations and Housing Executive mission that are all set out on page 8 might be better presented at the start of page 7, alongside the Housing Executive's role in addressing housing need. It would also be helpful at the outset to provide clarity about the relationship between this strategy and the objectives of its Race Relations policy which is referred to in theme 2.

¹[ECNI \(2009\) Response to Crumlin Road Gaol Girdwood Park Masterplan](#)

The document clearly sets out that the statutory equality and good relations duties, from Section 75 of the Northern Ireland Act 1998, have provided a strong driver for this strategy, and the Commission welcomes this (although the current information on page 7 does not relate to Section 75(2) alone). If the Housing Executive accepts the recommendation above to reorganise the introduction, it will also help clarify that the fulfilment of the statutory equality and good relations duties is a distinct responsibility; one that the Housing Executive will fulfil on a continuing basis when it carries out all its functions and implements its objectives and strategies.

We suggest that the inclusion of specific and SMART measures so there is clarity on specific goals and policy objectives. They would add to the strategy, particularly at the Performance Key Area Impacts section, by providing clarity as to what you seek to achieve. In this regard, our response to OFMDFM's Good Relations Indicator Review 2013/14 may be of assistance.

'There are merits in considering good relations indicators along two broad spectrums:

- a continuum of indicators from attitudes to behaviours where attitudes can be considered as lead indicators for subsequent positive or negative behaviours.
- indicators which span aspects of good relations to be achieved, as well as aspects of bad relations to be overcome.'²

We suggest that consideration is given as to how the actions within the strategy will be reported on as a whole.

We note that neither a budget nor indicative budget is allocated to the strategy, nor is there any undertaking regarding the availability of funding and staffing to deliver the strategy, and suggest resourcing is considered and explicitly clarified.

Screening

The Commission was advised by The Northern Ireland Housing Executive that the Community Cohesion Strategy had been screened for equality impact and that a decision was taken that an Equality Impact Assessment was not required, on the basis that the strategy would have a positive effect on promoting equality and good relations. The purpose of an EQIA is not only to identify whether there are adverse impacts in relation to a proposed policy, but also to actively seek opportunities to promote equality of opportunity and good relations. The Northern Ireland Housing Executive should satisfy itself that it has given due regard to the need to promote equality of opportunity in relation to the nine equality categories and to have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group.

Theme 1 Residential Segregation / Integration

The Commission emphasises its recommendation that housing strategies should be firmly focused on meeting assessed housing need, having due regard to the need to promote equality of opportunity and having due regard to the desirability of promoting good relations.

²[ECNI \(2014\) Response to OFMDFM Good Relations Indicator Review](#)

We support shared housing, noting previously that: *'segregation in housing and communities reduces choice, represents inefficient housing allocations and a waste of public resources as it reduces the resources available for affordable housing and, ultimately, it adds to polarisation between communities.'*³ We view socially, ethnically, politically and religiously integrated housing as the preferred option and long term goal.

We encourage public authorities to be proactive in addressing their good relations duty and encourage the exploration of different and imaginative ways to promote mixed housing developments and encourage households to move into mixed housing schemes.

We welcome the Housing Executive's commitment to update its Mapping Segregation report, as part of its undertaking to support research into segregated / shared housing.

We note the commitment at page 34 to *'facilitate and encourage mixed housing schemes in the social and affordable sector (so far as this is practicable, desirable and safe).'* We feel further explanation of the term 'desirable' as used in this context would be helpful for clarity of message.

Theme 2 Race Relations

We reiterate our comments at page 1 above which suggest providing greater clarity on the relationship between this strategy and the objectives of the race relations policy in terms of advancing community cohesion.

Theme 4 Interface Areas

We welcome action to bring communities together, and that recognition is given to the need for people to feel safe where they live. We note the recognition given to the role of communities. Planning public service delivery must take the needs of everyone into account, and therefore engagement requires building confidence and cooperation, not only with and between stakeholders, but also their confidence in a process to ensure their contribution is respected, valued and taken into account. Effective engagement processes can result in communities having a greater ownership of decisions, alongside improving their capacity to ensure they are able to provide meaningful contributions.

Theme 5 Flags, Emblems and Sectional Symbols

We welcome the outcomes as set out in this section of the document. We suggest the inclusion of specific measures and SMART objectives so there is clarity on specific goals and policy objectives.

We draw your attention to our submission to the Panel of Parties on the display of flags and emblems by private individuals or groups in public spaces on or public property⁴ which begins:

³ [ECNI \(2007\) Statement on Key Inequalities in Northern Ireland](#), at page 22

⁴ [ECNI \(2013\) Submission to Panel of Parties](#)

'Issues surrounding displays of flags, emblems and memorabilia have always generated heated debate and controversy in Northern Ireland. The Commission recognises that the display or non display of the Union Flag and other flags and emblems are associated with issues of constitutionality, national identity, culture, commemoration and celebration within communities, as well as a perceived need to 'mark out territory'. Such issues are inevitably complex and sensitive.'⁵

Our further views are set out in the document.

ENDS

⁵ Ibid at paragraph 3