

## Equality Commission: Response to draft Delivery plan for Indicator 39: (Reduce Reoffending)

- 1.1 In January 2016, the Equality Commission ('the Commission') published<sup>1</sup> priority issues and recommendations to be advanced through the Programme for Government (PfG) and Budget.
- 1.2 The following considers the delivery plan content (version downloaded on 17 January 2017) for Indicator 39 (Reduce Reoffending) against the key inequalities and policy priorities highlighted by the Commission in January 2016.
- 1.3 We hope that this information, in tandem with our response<sup>2</sup> to the consultation on the draft PfG, will be of assistance in the further development of the delivery plan.

### **We recommend greater clarification of specific actions aimed at reducing reoffending amongst particular Section 75 categories.**

- 1.4 The draft delivery plan highlights that the rate of reoffending varies according to gender and age, as well as the type of sentences that people receive. It notes, for example, the higher rates of reoffending of men compared to women. We *recommend* that a revised delivery plan highlights what specific steps are to be taken to address the higher reoffending rates of men.
- 1.5 We welcome the recognition in the draft delivery plan of the need to provide further support to particular groups, such as children and women, in order to address their offending behaviour, and the need to adopt child specific and gender specific approaches accordingly. We *recommend* that a revised delivery plan provides clarity on the proposed gender specific approaches to be taken.
- 1.6 Further, we note the reference in the draft delivery plan to taking forward actions in furtherance of '*adopting a welfare based approach to children engaged in offending behaviour*', including by '*taking forward proposals in the Scoping Study on children in the justice system*'. We *recommend* that the Department makes clear which specific actions it proposes to take forward following the recommendations flowing from the Scoping Study on children in the justice system.
- 1.7 We welcome proposals in the draft delivery plan to "*explore methods of addressing offending rooted in mental health*". In our role, along with NIHRC, as Independent Mechanism in Northern Ireland under the UNCRPD, we have highlighted the need for improved monitoring/recording of disability amongst prisoners, as well as the need for increased support for prisoners with mental health problems<sup>3</sup>. We also note that a report by the House of Commons Justice Committee (2013) has highlighted that young offenders with speech, language and communication needs are at greater risk of reoffending<sup>4</sup>. We *recommend* that a revised delivery plan makes clear that the proposed actions will include measures

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<sup>1</sup> [ECNI \(2016\), Equality Commission recommendations for the 2016-19 Programme for Government \(PfG\) and Budget \(first published January 2016, refined May 2016\)](#) .

<sup>2</sup> ECNI (2016), [Response to the Executive's consultation on a draft Programme for Government 2016-21](#)

<sup>3</sup> ECNI (2014) [NI 'Parallel' Jurisdictional Report](#), Working Paper. published with NIHRC in our joint role as 'Independent Mechanism for Northern Ireland' under the UNCRPD.

<sup>4</sup> House of Commons Justice Committee (2013): [Youth Justice](#), 7<sup>th</sup> report of session 2012-13.

to improve support for prisoners with a disability. Our recommendations in relation to addressing gaps in equality data are highlighted below.

- 1.8 We had also highlighted that the National Preventative Mechanism (NPM) in 2012 had raised specific concerns with respect to women prisoners, and in particular, that women prisoners should no longer be co-located with male prisoners at Hydebank Wood<sup>5</sup>. We *recommend* that a revised delivery plan clarifies what steps are proposed to address these concerns.
- 1.9 We note the inclusion in the draft action plan of measures to ‘improve access to, and opportunities for, education and employment’ of offenders and the commitment to work to address the economic inactivity and income levels of those within the justice system. The Department has also made it clear that educational under-achievement is one factor that can pre-dispose vulnerable individuals to offending behaviour<sup>6</sup>.
- 1.10 We have highlighted in our response to the draft PfG the need for a clearer commitment to address the educational inequalities experienced across a range of Section 75 categories<sup>7</sup>. We highlighted that whilst there are a range of measures set out within the PfG and delivery plans which have the potential to address educational inequalities, in the main, we noted that they are not targeted at particular equality groups<sup>8</sup>. We have also recommended a clearer commitment in the PfG to address employment inequalities, including through supporting women’s economic participation and supporting people with disabilities to access and remain in the workplace.
- 1.11 We note that the draft delivery plan does not indicate the specific actions proposed to improve access to, and opportunities for, education and employment but refers to ‘action TBC following discussions with relevant Departments’. We *recommend* that there is clarity in a revised delivery plan on key proposed actions to improve educational and employment inequalities of those within the justice system, and, in particular, how they will targeted at particular equality groups.

**We recommend all relevant PfG indicators are tracked for the impact across all Section 75 categories and gaps in equality data are addressed.**

- 1.12 We continue to recommend that all relevant PfG indicators are not only tracked in aggregate but also for the impact on individuals from across all of the Section 75 categories. Where robust data for any given indicator is not currently available across all Section 75 grounds, we recommend that further work should be progressed at the earliest possible opportunity to address these issues, including through a timetabled data development agenda.
- 1.13 We note that from the measurement annex for the proposed Indicator 39 that data is only collected on the grounds of age and gender; and that no data is collected across the other Section 75 categories, including on religion, race, disability or sexual orientation<sup>9</sup>. We therefore *recommend* the inclusion of a commitment in a

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<sup>5</sup> Ibid

<sup>6</sup> DOJ (2016) [PfG Outcome 7 consultation document](#).

<sup>7</sup> ECNI (2016), [Response to the Executive’s consultation on a draft Programme for Government 2016-21](#)

<sup>8</sup> See also ECNI (2015) draft [Statement on Key Inequalities in Education in Northern Ireland](#)

<sup>9</sup> See NISRA PfG Framework Measurement Annexes

revised delivery plan to address gaps in equality data, including through a timetabled data development agenda.

**26 January 2017**