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Investment Strategy for Northern Ireland 2008-2018 (ISNI) Equality Survey

Dear Johann Gallagher,

Thank you for sending us the above document, unfortunately given the short time frame for consultation (just under four weeks) and the fact that this was over the summer holiday period, we have not been able to give the document the detailed consideration we would have wished. We would however like to take up the offer of a meeting to discuss the survey with you in order to more fully explore our views on this issue.

We will however make a number of points in order to outline our position generally on the issues raised in the survey. CAJ is interested in the application of Section 75 across all nine grounds and has worked for some years to ensure that the application of the legislation is in line with the approach intended by parliament.

In relation to the “most significant barriers to achieving equality of opportunity”, we believe that we have outlined a number of key issues on this point in our submission to the consultation on the first ISNI (see attached). Moreover, our original submission referred to the importance of the application of Section 75 to all areas of infrastructure. In this context, we would be of the view that question 2.2 is in fact incorrectly framed. The question relates to the most significant barriers to achieving equality of opportunity for the Section 75 groups and asks:

“In which areas of infrastructure (e.g. the Pillars or specific Measures) should investment be targeted in order to reduce or remove these barriers?”

CAJ is of the view that it represents a serious misunderstanding of the law to ask consultees to put forward arguments as to why for example schools, or hospitals or housing might be necessary for removing barriers to equality of opportunity, while libraries, roads or public transport might be less important – or indeed vice versa.

CAJ believes that the correct approach is to examine each area of infrastructure investment in turn and determine how each one can work towards removing barriers to equality of opportunity. This avoids the approach of the current document which could be seen as pitting some areas of investment (eg health or education) against others (eg roads or regeneration).

This is an important point which is crucial to understanding the concept of mainstreaming equality of opportunity – which is what Section 75 seeks to achieve. The purpose of ISNI should not be to look for the “one or two” areas of investment that might have an impact on equality of opportunity, but rather to recognise that every area of infrastructure investment will have a role in removing barriers to equality of opportunity. This same principle applies equally in addressing the needs of those living in socially deprived and/or rural areas. The objective of ISNI must be to apply principles of equality and targeting social need to every area of investment – which is what the legislation requires. Moreover, it is also unhelpful to present the issue in a survey format which lends itself to the accusation that the application of Section 75 is literally a “tick-box” exercise.

Given the importance of the issues here, CAJ would welcome an opportunity to meet with you to discuss these matters as soon as possible.

Yours sincerely,

Tim Cunningham
Equality Project Officer