

CAJ's submission no. 274

CAJ's response to the
Department of Education's consultation on
Community Relations, Equality and Diversity in
Education

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Promoting Justice /
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What is the CAJ?

The Committee on the Administration of Justice (CAJ) was established in 1981 and is an independent non-governmental organisation affiliated to the International Federation of Human Rights. CAJ takes no position on the constitutional status of Northern Ireland and is firmly opposed to the use of violence for political ends. Its membership is drawn from across the community.

The Committee seeks to ensure the highest standards in the administration of justice in Northern Ireland by ensuring that the government complies with its responsibilities in international human rights law. The CAJ works closely with other domestic and international human rights groups such as Amnesty International, Human Rights First (formerly the Lawyers Committee for Human Rights) and Human Rights Watch and makes regular submissions to a number of United Nations and European bodies established to protect human rights.

CAJ's activities include - publishing reports, conducting research, holding conferences, campaigning locally and internationally, individual casework and providing legal advice. Its areas of work are extensive and include policing, emergency laws and the criminal justice system, equality and advocacy for a Bill of Rights.

CAJ however would not be in a position to do any of this work, without the financial help of its funders, individual donors and charitable trusts (since CAJ does not take government funding). We would like to take this opportunity to thank Atlantic Philanthropies, Barrow Cadbury Trust, Hilda Mullen Foundation, Joseph Rowntree Charitable Trust, Oak Foundation and UNISON.

The organisation has been awarded several international human rights prizes, including the Reebok Human Rights Award and the Council of Europe Human Rights Prize.

**Submission to the Department of Education's Consultation on
Community Relations, Equality and Diversity in Education**

Committee on the Administration of Justice

1. Introduction

The Committee on the Administration of Justice ('CAJ') is an independent human rights organisation with cross community membership in Northern Ireland and beyond. It was established in 1981 and lobbies and campaigns on a broad range of human rights issues. CAJ seeks to secure the highest standards in the administration of justice in Northern Ireland by ensuring that the government complies with its obligations in international human rights law. CAJ is co-convenor of the Equality Coalition. We welcome the opportunity to comment on the Department of Education's ('DE') consultation on Community Relations, Equality and Diversity in Education ('CRED').

CAJ welcomes the overall concept of CRED. In particular, we welcome DE's approach of mainstreaming CRED in the delivery and environment of education. We support the moving *'away from the dependency on external organisations in helping to deliver community relations, equality and diversity by seeking to embed this work firmly within educational settings'* (para 5.4). We also acknowledge DE's consideration of linkages with other policies and the wider community, and we welcome DE's efforts to embed responsibility for and evaluation of CRED within the proposals.

However, a few aspects of the CRED proposals cause us concern and are addressed in this submission. First, we are concerned that CRED does not cover many equality, diversity and community relations issues that are pertinent to Northern Ireland. Secondly, we seek clarification of operation of CRED in relation to language and cultural barriers and minimum funding requirements.

2. Extent of the policy

CAJ is concerned that CRED does not envelop the entire range of inequalities existent in Northern Ireland. The consultation document is entitled 'Community Relations, Equality and Diversity in Education' but the detail of CRED does not include any specific actions outside of ethnic minority or

traditional community divisions. Although CRED does make reference to supporting ‘a wider definition of what constitutes the promotion of better community relations, equality and diversity’ (at para 5.7), it does not clarify what this wider definition will include. It is likely that the definition remains limited, as CRED does not even acknowledge the issues arising for most of the equality categories listed in section 75 Northern Ireland Act 1998.

We believe that this restrictive approach to equality, diversity and community relations is short-sighted. It does not address the need for community cohesion based on gender, sexual orientation, disability or other strands, which need to be addressed to ‘actively promote the advancement of human rights, equality and mutual respect’, as outlined in the St Andrews Agreement. Indeed, the consultation document states that CRED must reflect commitments made as part of the St Andrew’s Agreement and be premised on equality, human rights and the United Nations Convention on the Rights of the Child (para 4.1). However, CRED does not address the need to facilitate a disabled child’s active participation in the community, as required by Article 23 UNCRC.

Therefore, in order to achieve a deeper understanding and true reflection of the concepts of equality, diversity and community relations, it is recommended that CRED addresses issues beyond racism and traditional Northern Ireland sectarianism. It should also recognise the importance of multiple identities and the relationship between equality and good community relations. In this regard, as noted in our response to the recent consultation on Cohesion, Sharing and Integration (attached), right relationships can only effectively develop within the context of a society that treats people with equality.

3. Operational Aspects

CAJ is concerned that three operational aspects of CRED have not been fully considered in the consultation document. These relate to access, teacher training and funding.

First, CAJ believes that further clarification is required in relation to access to CRED for those with language and/or cultural barriers. As it stands, CRED lacks the instruments to ensure its implementation, particularly in relation to resources for children with a disability or English as a second language. While we appreciate that these issues may be addressed through the guidance (see

page 22), there is no reference to this in the consultation document. We would like to underline the need for their inclusion as the CRED policies are developed.

Secondly, particularly should DE choose to expand on the reach of CRED to include additional equality and diversity groups present in Northern Ireland, we would also recommend that due regard be given to the implications that this may raise for teacher training. Although CRED does address the need for effective teacher training and also recognises that a number student teachers train in religious maintained colleges, it does not anticipate challenges that may arise when religious ethos does not coincide with some equality issues.

Finally, CAJ is concerned that, as DE has '*phased out existing CR schemes at the end of May 2010*' (see para 7.3), there is currently no community relations, equality or diversity programme in place. Furthermore, this vacuum could continue, as fixed funding for the implementation of CRED is not yet in place. We would grateful if DE could please inform us of any alternatives it has considered if funding is not forthcoming for CRED.

4. Conclusion

CAJ is largely supportive of the CRED proposals. We welcome the main concept of mainstreaming equality, diversity and community relations within education and teacher training. We acknowledge DE's consideration of linkages with other policies and the wider community. We also welcome DE's efforts to embed responsibility for and evaluation of the CRED proposals within the policy.

However, we are concerned that promoting equality and diversity is not fully included within CRED's specific policy and action measures. We do not believe that good community relations can be achieved without addressing the diverse, fluid and multiple identities within our society. We also recommend that further consideration be given to access to CRED for those with cultural, communication or religious barriers. Finally, we underline the need for funding to be secured or alternatives considered, in order to fill the current gap in community relations, equality and diversity training in education.