

Draft Equality Impact Assessment on the Regeneration of Crumlin Road Gaol & Girdwood Barracks

Submission from the Residents' Jury on the Regeneration of Girdwood Barracks & Crumlin Road Gaol

I. Introduction and Background

The Residents' Jury on the Regeneration of Girdwood Barracks & Crumlin Road Gaol was set up through the Participation and the Practice of Rights Project in early 2008. It was convened to ensure the rights of residents in North Belfast were realised through the 'one-off' opportunity of the £231 million regeneration of Girdwood Barracks and Crumlin Road Gaol.

Having collected evidence from international experts on urban regeneration and human rights, the Residents' Jury produced a set of human rights indicators to ensure that their rights were being made real. These indicators highlighted steps government must take to ensure international and local human rights standards were met during different stages of the regeneration process: 'Gathering Information', 'Developing Proposals', 'Final Masterplan', 'Budget' and 'Implementation Body'.

This submission, in response to the Draft Equality Impact Assessment (EQIA) on the Draft Masterplan for the Regeneration of Crumlin Road Gaol & Girdwood Barracks, is based on an analysis that the Residents' Jury completed of the Draft EQIA.

II. Structure of the Residents' Jury's Submission

*"The purpose of an EQIA is to promote equality of opportunity."*¹

Our submission looks at three stages of the EQIA process that the recently published Draft EQIA has gone through. We look at whether specific parts of those sections are enough to meet statutory guidance or if they are enough to make sure public monies and resources are spent in the most effective way.

The three main sections of our submission are:

- **Statistical information gathered and analysed in the Draft EQIA;**
- **Analysis of impact of proposals and their relation to equality of opportunity in the draft EQIA; and**
- **Consideration of alternative proposals and mitigating measures which might better promote equality of opportunity.**

¹ *Section 75 of the Northern Ireland Act, Statutory Guidance on Equality Impact Assessment, 2005, p. 26.*

III. Statistical Information Gathered and Analysed in the Draft EQIA

Statutory guidance for Equality Impact Assessments states:

*“the purpose of data collection in relation to the EQIA is to identify the impact of a policy and to promote equality of opportunity”.*²

In other words, the data gathered in the EQIA should allow government and the community to see how specific proposals relate to inequalities. For example, if there is a proposal aimed at improving employment in a community, the data gathered should make clear the section 75 groups that need to be targeted to promote equality of opportunity. This also helps determine what impact a proposal will have.

Having analysed the Draft EQIA for the Regeneration of Crumlin Road Gaol & Girdwood Barracks, the Residents’ Jury found statistical information in relation to these inequalities was not systematically gathered.

Based on comments we have heard from NBCAU, we wish to make clear before we begin our analysis: Focus groups should not be used as a way to fill in gaps in your quantitative data. They should be used to spell out what your quantitative data means. In other words, if you find that Protestant men aged 18-25 are more heavily represented on unemployment or economically inactive registers, focus groups can be used to find out why that is the case. They can help you design proposals that help solve these problems. To quote Ron Shiffman, an expert on urban regeneration from the United States, whose evidence was submitted to you as part of your EQIA information gathering:

“But participation becomes crucial because what that data means is different to different people. How you interpret that data and what it really means comes out of a dialogue that engages people in the long run.”

Below you will find our analysis of the statistical information in the Draft EQIA. It looks at data for employment, health, education and housing and checks whether there is data relating to different section 75 groups.

To give a brief summary, we found:

- For employment and health, there was only data for inequalities in 1 of the 9 section 75 categories (gender).
- For education, there was no data that directly related to any of the section 75 categories.
- For housing, data was analysed for 4 out of 9 section 75 categories.
- The data that was provided was either not directly useful for targeting proposals towards promoting equality (e.g., GP registration, life expectancy, etc.) or – when it was useful – it was not used for this purpose.

² Section 75 of the Northern Ireland Act, Statutory Guidance on Equality Impact Assessment, 2005, p. 20.

- The data provided is inadequate to ensure that the purpose of the EQIA – promotion of equality of opportunity – is fulfilled, but it also makes difficult the future steps in the Draft EQIA (assessment of impact, development of alternative proposals and mitigating measures, etc.).

Statistical evidence provided by category and section 75 group in the Draft EQIA:

	EMPLOYMENT	HEALTH	EDUCATION	HOUSING
Age	NO DATA	NO DATA	NO DATA	p38-40
Gender	p.16 , 17, 25	p.25	NO DATA	NO DATA
Religious Belief	NO DATA	NO DATA	NO DATA	p.38-40
Dependent Status	NO DATA	NO DATA	NO DATA	p.38-40
Marital Status	NO DATA	NO DATA	NO DATA	p.38-40
Political Opinion	NO DATA	NO DATA	NO DATA	NO DATA
Sexuality	NO DATA	NO DATA	NO DATA	NO DATA
With / without disability	NO DATA	NO DATA	NO DATA	NO DATA
Race	NO DATA	NO DATA	NO DATA	NO DATA

As we tried to make clear at the beginning, without robust statistical data collected, it is hard to complete the EQIA correctly. For example, if the Draft EQIA had systematically looked at data, it would be able to say something like:

“Males aged 18-25 from the Shankill and New Lodge Wards experience inequality by being overrepresented on the long-term unemployed or economically inactive registers. This tells us that any proposals for employment – be it through outreach work, training schemes, apprenticeships, jobs – should be targeted in any subsequent proposals.”

Being able to make statements like this allows you to target proposals, focus groups, mitigating measures and alternative proposals at affected groups to make sure equality is promoted and public resources are spent effectively. Unfortunately, given the data gathered, these sorts of statements cannot and have not been made.

IV. Assessing the Impact of Proposals and Equality of Opportunity in the Draft EQIA

*“Assessment of impact [of proposals] concerns not only the policy under consideration but also any mitigating measures or alternative policies that could better achieve the promotion of equality of opportunity”.*³

Having gone through the Draft EQIA, the Residents' Jury has found that it offers little to no analysis of how current proposals could achieve the goal of promoting equality of opportunity. More than that, because the data gathered was not

³ Section 75 of the Northern Ireland Act, Statutory Guidance on Equality Impact Assessment, p. 29.

sufficient for identifying inequalities, the Draft EQIA also makes it difficult to tell whether it has actually identified the “adverse impact” of the different proposals.

Finally, in most cases, the Draft EQIA does not identify mitigating measures or alternative proposals to better promote equality of opportunity. And when it does, it does not assess the impact of those proposals. Below is our analysis of the section on assessment of impact.

Draft Masterplan Proposal	Adverse Impact Identified	Mitigating Measures or Alternative Proposals	Notes
Economic Development (Museum and Boutique Hall)	NONE	NONE	States that DSD “will consider incorporating employment targets” and that economic development “likely to result in employment opportunities for any person over the age of 16”
Leisure (Leisure Facility)	NONE	NONE	States that DSD “will consider incorporating employment targets” to ensure that there is not “perceived ownership” of the facility.
Mixed Use Development (local retail, housing, training facilities, community services, etc.)	NONE	NONE	Draft EQIA acknowledges inequality in statistics but does not develop or consider altern. proposals or assess the impact of them.
Health (Mater Hospital)	NONE	NONE	States that there are problems with mental health and alcohol/drug abuse, but does not offer statistics to reveal inequalities, etc.
Education (St. Malachy’s)	NONE	Youth noted the “desirability of giving wider access to the schools’ facilities” and “after school clubs and services.”	States that the alternative proposals considered “may not be appropriate to address...through the redevelopment of the Gaol/Girdwood”
Public Realm	NONE	NONE	
Accessibility	Potential impact on religious belief and political opinion in relation to the arc routes.	NONE	Relates some mitigating measures from focus groups. Does not assess impact or specify what will be considered.
Development Sites	NONE	NONE	

The jury is concerned with the results of their analysis for these reasons:

- 1) The Draft EQIA has not included robust statistical information (see section III) and as a result, it can neither show how different proposals actively promote equality of opportunity nor can it identify all potential adverse impacts that might result from "lower participation rates", "lower success rates", etc.⁴
- 2) There is no evidence that the Draft EQIA has used evidence from the focus groups to clarify and interpret statistics related to deprivation and inequality. If proposals are to be able to actively promote equality of opportunity, it needs to identify the barriers that need to be overcome to achieve that goal. There seems to be little analysis of what that will be.
- 3) The conclusions drawn in the Draft EQIA from the analysis (e.g., the DSD "will consider incorporating employment targets) are extremely vague. If the government plans to target proposals towards certain vulnerable and disadvantaged groups, they should do so now. By including these plans in the EQIA, the government can both make sure proposals are implemented and implemented well.

V. Analysis of How Current Proposals Should Be Changed or Removed to Better Promote Equality in the Draft EQIA

"The consideration of mitigating measures and alternative policies is at the heart of the EQIA process...Ways of delivering policy aims which have a less adverse effect on the relevant equality categories, or which better promote equality of opportunity for the relevant equality category, must in particular be considered".⁵

Statutory guidance for EQIAs offers specific questions in relation to mitigating measures and alternative proposals that must be considered during the EQIA process.

The Residents' Jury's analysis of the Draft EQIA found that 16 proposals were offered in the "Consideration of Mitigating Measures/Alternative policies".

However, it should be noted that:

- 1) These proposals were vague and undefined, making it relatively impossible to determine the impact on equality of opportunity or on the potential to better promote equality of opportunity – the goal of the Draft EQIA.

⁴ Section 75 of the Northern Ireland Act, Statutory Guidance on Equality Impact Assessment, 2005, p. 23.

⁵ Section 75 of the Northern Ireland Act, Statutory Guidance on Equality Impact Assessment, 2005, p. 30.

- 2) The proposals in this section were not aimed at better promoting equality of opportunity as required by guidance but were proposed "in order to achieve the objective of developing the site as shared space".
- 3) There was no analysis of the potential impact of these proposals on equality of opportunity, nor was there an analysis of any adverse impact from these proposals on particular groups. Relatedly, there was also no use of previous information gathered in the Draft EQIA to provide context for these proposals and to help identify the potential impact of these proposals on equality of opportunity.