

UNLOCKING THE POTENTIAL

Human Rights, Equality and the
Draft Masterplan for Crumlin Road Gaol & Girdwood Barracks



All statistics included in this profile were sourced from the Neighbourhood Statistics (NISRA) Website: www.ninis.nisra.gov.uk

Government statistics have given a ranking to each electoral ward in Northern Ireland according to its level of deprivation.

There are 582 electoral wards in Northern Ireland. Rankings are available for a number of themes, including health, education, employment and living environment, with 1 = most deprived and 582 = least deprived.

In this report we find that across the themes of income, employment, health, education and living environment deprivation, at least two of the electoral wards bordering Girdwood are among the top five most deprived wards in Northern Ireland.

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INTRODUCTION

“...the crucial thing is ensuring community ownership of this process and ensuring that nobody comes in and does [negative] things to this community, or to these communities, but that people actively participate and ensure that we get what the communities actually want.” – *community member*

What is the Draft Masterplan for Crumlin Road Gaol and Girdwood Barracks?

Crumlin Road Gaol and Girdwood Barracks are adjoining sites comprising a total of 27 acres in north Belfast. In 2005 Direct Rule Minister, David Hanson, announced that the regeneration of the site would be taken forward using a Masterplanning process. The site is publicly owned by OFM/DFM and the Department for Social Development and is seen as fitting in with the wider Belfast Metropolitan Area Plan (BMAP). According to the Draft Masterplan and subsequent announcements in public consultations, there is to be a total of £231 million worth of investment to go into a site in a process that will take ten to fifteen years to complete.

The Draft Masterplan for Crumlin Road Gaol and Girdwood Barracks was produced by consultants, Building Design Partnership (BDP) London Ltd., with a foreword by the Ministerial appointed Girdwood Advisory Panel. This Draft Masterplan was published in July 2007 and is currently out for public consultation ending on 22nd January 2008.

What is this report for?

“an equality impact assessment needs to affect the decision making, so it needs to happen at an earlier stage before decisions are made” – *community member*

This report provides a profile of the electoral wards in North Belfast which immediately border the Girdwood site, namely Ardoyne, Crumlin, New Lodge, Shankill and Water Works. It looks at official government statistics on deprivation – which is defined as ‘unmet need’. The results are stark –the wards situated next to the Girdwood site experience some of the worst deprivation in Belfast, and indeed Northern Ireland.

As the Draft Masterplan acknowledges, North Belfast is an area characterised by long-standing deprivation across all communities. As the biggest regeneration project ever to

take place in North Belfast, Girdwood offers a unique opportunity to address the chronic economic and social need existing in this part of the city.

The report indicates that the current proposals contained in the Girdwood Masterplan fail to address the economic and social realities in the surrounding communities despite promises contained in the Draft Programme for Government to:

“develop new and innovative measures that will address existing patterns of socio-economic disadvantage and target resources and efforts towards those in greatest objective need”¹

The tackling of deprivation and inequality is one of two cross cutting themes in the Draft Programme for Government which government has stated will underpin all their work. **The failure of the DSD to fulfil its obligation to consider local inequalities and deprivation in the Draft Masterplan represents a missed opportunity.**

What does the regeneration of the Girdwood site have to do with equality?

The law requires public authorities such as the DSD and OFM/DFM who own the Girdwood site to take positive action to ensure that they address existing inequalities, such as those highlighted in this report. In order that surrounding communities derive the maximum benefit from the massive changes planned on their doorstep, it is essential that this obligation is met. To date, the signs have not been promising. Despite its legal obligations, the Draft Masterplan commissioned by the DSD has not undergone an equality impact assessment (EQIA) on the excuse that the draft Masterplan is ‘conceptual’. **An EQIA is an essential tool which would serve to highlight existing inequalities between groups and set out a plan to address them, by drawing up proposals for inclusion in the Girdwood plan to target groups most in need.**

The position that the Draft Masterplan is ‘conceptual’ does not stand up to scrutiny. We fail to see how a development with terms of reference, projected budgets, zoned lands, specific proposals around housing, education, health and employment provisions can be considered ‘conceptual’. **It is clear from the proposals in the Draft Masterplan that concrete decisions have been taken, and in light of the inequalities existing in the area, should have been subject to an EQIA to ascertain how successful the proposals would be at targeting inequalities and deprivation in the area.**

In December 2006 the Equality Commission published ‘Draft Guidance on equality and sustainable development considerations in public sector procurement’. This document

¹ Building a Better Future; Draft Programme for Government 2008-2011, 4

repeatedly makes it clear that equality considerations must be considered from the very outset:

“Equality and sustainability need to be considered from the beginning of the procurement process and at all stages thereafter... To ensure the appropriate outcomes of the procurement are identified and achieved, and objectives set accordingly, screening and any EQIA should be done at more than one point where details are decided at different points.”²

In this context it is clear that an equality impact assessment (EQIA) is required and to fail to do so is a clear breach of the Department’s legal obligations.

Is Girdwood a human rights issue?

In addition to providing a unique opportunity to government to address socio-economic inequalities in the area, the Girdwood regeneration is ideally placed to provide government with a process through which they can live up to their obligations under international human rights law. These include the obligation to ‘give due priority to those social groups living in unfavourable conditions by giving them particular consideration. Policies and legislation should correspondingly not be designed to benefit already advantaged social groups at the expense of others’.³

The deprivation and inequality faced by communities bordering Girdwood is long standing and well known. The human rights framework allows individuals to fulfil their potential and affirm their inherent dignity and worth, and government must provide the means for this to happen through their policies and processes. Government bodies must ensure the full participation of the communities affected by the proposals in the Girdwood Masterplan in order that the realisation of right and dignity can be made a reality.

² Equality Commission for NI/Central Procurement Directorate, Guidance on Equality and sustainable development consideration in public sector procurement (with particular reference to PPP/PFI), Consultation Draft, 4 December 2006, pg26.

³ CESCR General Comment 4, the right to adequate housing, Sixth session, 1991, E/1992/23

Income and Employment Deprivation

What are our rights?

1. ...the right to work includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts...

2. The steps to be taken include technical and vocational guidance and training programmes, and policies and techniques to achieve steady economic, social and cultural development and full and productive employment.

Article 6. International Covenant on Economic, Social and Cultural Rights, Ratified by British Government 1976

How are our rights currently being met?

Ward Name	Rank of Income Deprivation (out of 582)	- All wards surrounding Girdwood are in the top 5% most deprived in Northern Ireland 2 of the wards are in the top 1% most deprived in Northern Ireland New Lodge is second most deprived ward in Northern Ireland on Income Deprivation
New Lodge	2	
Shankill	5	
Ardoyne	9	
Crumlin	15	
Water Works	21	

Ward Name	Rank of Employment Deprivation (out of 582)	- All wards surrounding Girdwood are in the top 5% most deprived in Northern Ireland on the Employment measure 2 of the wards are in the top 1% most deprived in Northern Ireland Crumlin and Shankill are the second and third most deprived in Northern Ireland on the Employment Measure
Crumlin	2	
Shankill	3	
New Lodge	8	
Ardoyne	16	
Water Works	21	

How does the Draft Masterplan propose to address income and employment deprivation?

- Construction on-site training – “ensure that a legacy of skills and enterprise growth is secured for local communities” (p.47 and appendices)
- Retail and service provision on the site
- Provision of office spaces
- Social economy enterprises (p.47 and appendices)
- Recommendation of a ‘Sustainability Standard paper’, to be “embedded in the procurement processes with the private sector as its audience...articulat[ing] the desired social, economic and environmental outcomes in a clear and consistent manner” (p.47 and appendices)

Some questions unanswered in the Draft Masterplan:

- How will these proposals target and change existing patterns of deprivation?
- *‘Guidance on equality and sustainable development considerations in public sector procurement’* prepared by the Equality Commission and Central Procurement Directorate – Why is this crucially important paper which addresses the tackling of existing inequalities and addressing objective need through procurement not even mentioned in the Sustainability Standard section?
- Why is there no mention of policy and legal requirements regarding promotion of equality and addressing objective need in the Sustainability Standard section? Why are ‘shared future’ principles included in this section in the absence of equality and objective need requirements, thereby seeming to counterpose them?
- How will contractor and sub-contractor compliance with social procurement requirements be effectively regulated and monitored – and who will do this?
- How will recruitment for construction learning hubs be properly resourced and targeted towards disadvantaged groups in accordance with government’s longstanding policy to target resources to address the greatest objective need?
- How will the contractors and sub-contractors be required to provide apprenticeships and skills development to address unemployment? How will this be monitored and enforced?
- The provision of exclusively minimum wage jobs will be insufficient to address the chronic income and employment deprivation existing in the communities bordering the Girdwood site. What provisions are being made to ensure, post-construction period, that employment on the site does not only mitigate poverty but produces tomorrow’s skills base?
- Even if jobs become available in the local communities, they will still face barriers in taking up these opportunities. Will there be provisions for funding and services to facilitate access to employment and training, – e.g., childcare, which in themselves provide employment?
- Will revenue generating enterprises on the site, e.g., car parking, be used to change existing patterns of deprivation? Or will they be privately run benefiting only private companies?

Education Deprivation

What are our rights?

1. Education is both a human right in itself and an indispensable means of realizing other human rights. As an empowerment right, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities... Increasingly, education is recognized as one of the best financial investments States can make.

General Comment 1, Article 13, International Covenant on Economic, Social and Cultural Rights, Ratified by British Government 1976

How are our rights currently being met?

Ward Name	Rank of Education Deprivation (out of 582)	
Shankill	1	- Four wards are in the top 5% most deprived in Northern Ireland for Education 2 wards in the top 1% most deprived in Northern Ireland Shankill and Crumlin wards are the first and second most deprived wards in Northern Ireland for Education
Crumlin	2	
Ardoyne	7	
New Lodge	10	
Water Works	76	

How does the Draft Masterplan propose to address education deprivation?

- Construction Learning Hub (p.50)
- Extension of St Malachy's School (p.36)
- "Creative Knowledge Zone" (p.30)
- "Children's Learning Hub" – a "cross between a Children's Library and a three dimensional play-station" (p.24)

Some questions unanswered in the Masterplan:

- How will these proposals target and change existing patterns of deprivation?
- Shankill and Crumlin have the unhappy distinction of being the two most deprived wards in Northern Ireland regarding education. Government is being presented with a unique opportunity to address existing inequalities and fulfil their human rights obligations by using the Girdwood regeneration to tackle this failing. In light of this, how will the construction learning hub be part of a strategy to tackle skills deficit among targeted marginalised groups? How will the strategy be resourced?

- How will proposals for a “Creative Knowledge Zone” be specifically used to tackle educational disadvantage in the local areas?
- How will proposals for a “Children’s Learning Hub” be specifically used to tackle educational disadvantage in the local areas?

Housing and Living Environment Deprivation

What are our rights?

The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate ... housing, and to the continuous improvement of living conditions

(General Comment 8, Article 13, International Covenant on Economic, Social and Cultural Rights, Ratified by British Government 1976)

How are our rights currently being met?

Ward Name	Rank of Living Environment Deprivation (out of 582)	
Ardoyne	1	- Four of the wards are in the top 5% most deprived in Northern Ireland for Living Environment - Two wards are in the top 1% most deprived in Northern Ireland Ardoyne is the most deprived ward in Northern Ireland for Living Environment
Crumlin	5	
New Lodge	16	
Water Works	20	
Shankill	32	

How does the Draft Masterplan propose to address housing and living environment deprivation?

- 60% of designated 'mixed-use zone' to be private housing built in first phase of development (p.87)
- Social housing (p.87)
- Housing along Cliftonpark Avenue (p.30)
- Four – seven storey “city-blocks” with “family housing” being included on the ground, first and top floors with garden access (p.30)
- Apartments or maisonettes provided above shops and workspaces (p.31)

Some questions unanswered in the Masterplan:

- How will these proposals target and change existing patterns of deprivation?
- Has the NIHE been approached regarding potential 'landswap' in relation to land surrounding the site which could free up land on the site for social housing to address need? The need for this is referenced on p.44? If 'no', why not? If 'Yes', what was the outcome?

- Why is housing being proposed on Cliftonpark Avenue when it was the clear wishes of the community not to construct housing along the interface?
- Why is private housing, student housing, special worker housing, being proposed without clear commitment to build social housing to tackle the chronic housing need as evidenced on the common housing waiting list as required to meet Section 75 equality obligations?
- How will the 'mixed-tenure' and 'mixed-type' housing be designed to meet local need, including adequate social housing for families?
- Land availability has been cited as the primary reason for NIHE and DSD failing to address waiting list in North Belfast. Given that land availability is not an issue as Girdwood is public, why is the traditional method of social housing provision through Housing Association new build not being used?
- There are significant implications for tenants' rights when social housing is not provided by the Housing Executive. How will social housing be built and managed on the site and what are the implications of this for social housing tenants?

Health Deprivation

What are our rights?

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Article 12, *International Covenant on Economic, Social and Cultural Rights, Ratified by British Government 1976*

How are our rights currently being met?

Ward Name	Rank of Health Deprivation (out of 582)	- All wards are in the top 5% most deprived in Northern Ireland for Health deprivation - Three wards are top 1% most deprived in Northern Ireland Shankill and Crumlin are the first and third most deprived wards in Northern Ireland for Health
Shankill	1	
Crumlin	3	
New Lodge	5	
Water Works	6	
Ardoyne	12	

How does the Draft Masterplan propose to address health deprivation?

- Extension of the Mater Hospital to include new ambulatory and extension of other facilities (p.34)
- Wellbeing Zone including “organic food shops, restaurants and cafes, small practices offering aromatherapy, yoga etc.” (p.34)
- New leisure centre and sports pitches (p.28)
- Broader social determinants of health – employment, air quality, housing, etc.

Some questions unanswered in the Masterplan:

- How will these proposals target and change existing patterns of deprivation?
- Has there been an audit taken of the particularly disadvantaged groups in north Belfast around health issues – *i.e., males under 34 at risk from suicide, etc.* How will the design and facilities provided on the Girdwood site aim to improve their health status?
- How are the detrimental health implications of existing models of high density housing, in north Belfast and elsewhere, being examined?

- How will the expansion of the Mater Hospital result in additional services to surrounding communities in accordance with local identified need?

Multiple Deprivation

Combines statistics in the following areas to achieve a broad picture of deprivation: income, employment, health, education, proximity to services, crime/disorder and environment.

“Equality schemes, and equality impact assessments, are intended to increase participation and inclusion, to change the culture of public decision making, and to place a more proactive approach to the promotion of equality at the heart of public policy”

- *Practical Guidance on Equality Impact Assessment, Equality Commission February 2005, p.3*

Ward Name	Rank of Multiple Deprivation (out of 582)	• All wards in the top 5% most deprived in Northern Ireland • 3 wards in the top 1% most deprived in Northern Ireland. • Shankill is most deprived ward in Northern Ireland on Multiple Deprivation Measure
Shankill	1	
Crumlin	4	
New Lodge	5	
Ardoyne	7	
Water Works	16	

“DSD has considered the draft Masterplan for Crumlin Road Gaol/Girdwood Park to determine if it has an impact or is likely to have a significant impact on equality of opportunity for any of the nine equality categories under Section 75. Given the conceptual nature of the draft Masterplan, DSD is satisfied, at this stage, that there are no significant implications for equality of opportunity, and therefore that an Equality Impact Assessment is not required.”

- *‘Crumlin Road Gaol & Girdwood Barracks: We Want Your Views: Equality Statement’, Department for Social Development*

Some questions unanswered in the Masterplan:

- How will proposals be measured and monitored to ensure patterns of deprivation are addressed?
- Why is the Masterplan not being subjected to an Equality Impact Assessment to ensure the planned reduction in inequalities is a cornerstone of the regeneration?
- Why are the two Masterplans immediately bordering Girdwood – Lower Shankill and Lower Oldpark – not being co-ordinated with the regeneration of Girdwood? In order to ensure maximum social and economic effect by reducing inequalities and meeting need, shouldn’t co-ordination be required for efficient planning?
- Why is legislation and policy regarding the promotion of equality and addressing objective need given scant attention in the Draft Masterplan? Why is the Shared Future policy given prominence in the absence of these, and therefore giving the mistaken impression, and contrary to existing legislation, that a shared future can be promoted without tackling inequality and addressing objective need?

WARD PROFILES

Ardoyne

- 96% of people in Ardoyne ward are from a Catholic community background, and 3% are from a Protestant and other Christian community background.
- 32% of the population is under 16 years old, compared with 22% in Belfast.
- Population density is 113 persons per hectare, compared with the Belfast figure of 24 persons per hectare.
- 57% of people in Ardoyne are economically inactive, compared with 43% in Belfast.
- 39% of people aged 18-59 claim Income Support, more than twice the Belfast level of 17%.
- 30% of Ardoyne residents live with a limiting long-term illness, compared with 24% in Belfast.
- 24% of households are lone parent with dependent children, more than double the Belfast figure of 11%.

Crumlin

- 94% of people in Crumlin are from a Protestant and other Christian community background, and 4% are from a Catholic community background.
- 31% of residents are aged 60 and over, compared with the Belfast figure of 20%.
- Population density is 53 persons per hectare, more than twice the Belfast figure of 24 persons per hectare.
- 63% of residents in Crumlin are economically inactive, compared with 43% in Belfast.
- 34% of persons aged 18-59 in Crumlin claim Income Support, just under twice the Belfast level of 17%.
- 42% of Crumlin residents have a limiting long-term illness, which is more than twice the Northern Ireland figure of 20%.
- 27% of households are lone pensioner, compared with 16% in Belfast overall.

New Lodge

- 97% of people in New Lodge are from a Catholic community background, and 3% from a Protestant and other Christian community background.
- Population density is 73 persons per hectare, almost three times the Belfast figure of 24 persons per hectare.
- 44% of persons 18-59 claim income support, compared with 17% in Belfast.
- 10% of residents in New Lodge are unemployed, almost twice the Northern Ireland level of 5.4%.
- More than 21% of households are lone parent with dependent children, compared with 11% in Belfast.
- 32% of people in New Lodge have a limiting long term illness, compared with 24% in Belfast.

Shankill

- 94% of people in Shankill ward are from a Protestant and other Christian community background, and 3% from a Catholic Community background.
- 3% of residents have degree level or higher qualifications, compared with 20% in Belfast.
- 9% of residents are unemployed, almost twice the Belfast figure of 5%.
- 5% of school leavers continued into higher education, compared with the Belfast figure of 32%.
- 42% of residents aged 18-59 claim Income Support, more than twice the Belfast figure 17%.
- 25% of households are lone pensioner households, compared with 16% in Belfast overall.
- 18% of households are lone parent with dependent children, compared with 11% in Belfast.

Water Works

- 91% of people in Water Works come from a Catholic Community background, and 7% from Protestant and other Christian background.
- 28% of residents are under 16 years of age, compared with the Belfast figure of 22%.
- Population density 50 persons per hectare, more than twice the Belfast figure of 24 persons per hectare.

- 20% of households are lone parent with dependent children, almost double the Belfast figure of 11%.
- 8% of Water Works residents are unemployed, twice the Northern Ireland figure of 4%.
- 35% of persons ages 18-59 in Water Works claim Income Support, more than double the Belfast figure of 17% and almost three times the Northern Ireland average of 11%.

CONCLUSION

Social and economic deprivation and inequality, as displayed in the preceding statistics, are endemic to north Belfast. To adequately tackle these problems a strategic and determined approach is required.

The law exists to do this. The policies exist to do this. The resources exist to do this. And the Draft Programme for Government states that this will be done. Not doing so breaches legislation which was a cornerstone of the peace process. Not doing so breaches policy commitments made in the St. Andrew's agreement. Not doing so will result in an inefficient waste of public resources. And not doing so contravenes the commitments made in the Draft Programme for Government to 'address existing patterns of socio-economic disadvantage and target resources and efforts towards those in greatest objective need'.

The reluctance by the DSD, in contradiction to guidance provided by the Equality Commission, to fulfil their statutory equality duties by carrying out an equality impact assessment at the beginning of the process – where we know the most important decisions are made and the agendas set - is worrying. How can a Government Department act in violation of the law and the agreement the political parties made to tackle inequality and address objective need?

The regeneration of Crumlin Road Gaol and Girdwood Barracks provides a unique opportunity to significantly contribute to addressing inequality and tackling objective need in north Belfast. The communities in north Belfast cannot afford the wasting of resources and the missed opportunities which will result from the DSD's decision. Unless the proposals are planned, monitored and measured to change the reality of the figures presented in this report then communities in north Belfast face more of the same.