

Consultation Response submitted by

Associate for Real Change, Northern Ireland (ARC NI)

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Equality Commission N.I. Draft Corporate Plan 2025-2028

Since 1999, the Association for Real Change in Northern Ireland have been bringing people together. We change thinking, change practice, and change the lives of people with a learning disability, autism, and other support needs. We work with Experts by Experience and the people, organisations and communities that share our vision in order to put real change into action. We do this through, research, networking, collective advocacy, policy, and training.

Q1: Are the draft strategic priorities likely to help us make a difference in the coming period?

ARC NI has supported the learning disability community for 25 years in Northern Ireland. We have championed the rights of people with a learning disability, autism and other support needs and supported systemic change in services and supports. We therefore welcome this draft corporate plan and its proposed priorities. We feel the draft strategic priorities do have the potential to make a difference in the coming period.

Firstly, by strengthening equality laws, the Equality Commission will be improving legal protections for the most vulnerable in our society. Stronger equality laws will address key structural issues, whilst also enabling members of our society to have a stronger legal basis to challenge discrimination. This is particularly important for the learning disability community who for many years have not enjoyed the same legal protections and human rights as the rest of our society. ARC NI welcomed the passing of the motion to adopt the United Nations Convention on the Rights of Disabled People (UNCRPD) into NI domestic Law, in November 2024. Thus, the Equality Commission's ambition to strengthen equality laws, in addition to the adoption of the UNCRPD, should likely help to make a long-lasting difference to the lives of people with a learning disability, autism and other support needs in Northern Ireland.

Secondly, the strategic priority to drive positive change for people facing inequalities also has the potential to make a difference in the coming period. We are pleased at the inclusion of "increased awareness of 'cradle to grave' inequalities" in this aim, as this was lacking in previous plans. Furthermore, increased awareness of cradle to grave inequalities highlights an understanding of the systemic nature of inequality. Additionally, aiming to align with international standards, including the Windsor

Framework ensure that NI is not only locally aware but globally. This increases the likelihood of a fairer society which fosters opportunities for all.

Thirdly, the Equality Commission's priority to make a difference with their powers will have an impact depending on the extent and effectiveness of the Commission's enforcement and scrutinising role. By demonstrating the positive effects of statutory equality duties, the Commission will also show that these powers are actively creating a more inclusive and just environment for everyone.

Lastly, we agree that building a resilient, accountable, and accessible Equality Commission is of key importance when it comes to making a sustainable and systemic difference to discrimination and exclusion. The ambition to build a more agile, responsive organization is crucial for maintaining the relevance and effectiveness of the Equality Commission. Moreover, highlighting the importance of accessibility and improving processes so that they are more "user-friendly" will remove information barriers. This will make it easier for people with a learning disability, autism and other support needs to read and understand any content published by the Equality Commission. Consequently, making a difference and facilitating their right to knowledge.

Q2: Is there anything missing that you would like to see us working on?

The Draft Corporate Plan includes a lot of positive and ambitious content, aims and strategies, however we would suggest there are gaps.

Firstly, in relation to the current equality context of Northern Ireland and childcare, the Department of Education's research focuses on the lack of access to formal childcare. ARC NI would seek clarity as to whether the Equality Commission views this as the sole reason for more women working part-time than men or whether this will be further developed in a final draft. We bring this to your attention because we believe that the issue of affordable childcare is something that many families in NI struggle with. More importantly, the issue of affordable childcare is arguably part of the reason why formal childcare cannot be accessed. Within our response to PfG we also welcomed the prioritisation of affordable childcare and the emphasis on early intervention, which is crucial for long-term positive outcomes, especially for disadvantaged children, including those with a learning disability, autism, and additional needs. We also support the commitment to early support for children with additional needs. In planning for this priority, we urged the NI Executive to ensure strategies include support for:

*Improving the quality of childcare for all; affordability alone is not enough.

*Providing targeted assistance to children with complex needs and their families, who often face significant barriers in accessing suitable childcare and support.

*Addressing the unique needs of children and families facing multiple challenges, such as complex medical or mental health issues, behavioural concerns, geographic

isolation (e.g., in rural Northern Ireland), limited support, and impacts from the cost-of-living crisis.

Fundamentally, clarification on this would be beneficial.

It is also worth noting that mothers with a learning disability continue to face considerable discrimination and, in many instances, have their children removed from their care. Rather than offering the necessary support to these vulnerable women, often the assumption, by virtue of their learning disability, is that they are incapable of bringing up their child. This results in significant long-term trauma for both mother and baby.

Similarly on the topic of the current equality context of NI, we also feel that mention of gender is missing from this page. Further into the draft, gender is mentioned, but only in relation to the gender wage gap. ARC NI would argue that the increased violence against women in NI and the Republic of Ireland has significantly moved this up the agenda. According to Women's Aid (2024), fifty-eight women on the island of Ireland have been murdered since 2020. Sonya McMullen, the regional services manager of Women's Aid Northern Ireland, said: "If you look at all the femicides in Ireland, 40% of those have been murdered in the north. We have a population of just 1.9 million compared to 5.15 million in the republic. So that is staggering to us" (The Guardian, 2024). Moreover, this topic is of greater concern for women and girls with a learning disability, who are disproportionately at risk of gender-based violence (McCarthy, 2018). This stresses the importance of including an intersectional lens when looking at the equality context of NI, so that everyone can be safeguarded.

Additionally, under the first ambition, it is stated that part of this aim is improved protection from hate crimes for everyone. A [report](#) by PSNI and NISRA showed that Disability motivated incidents and crimes has been rising since 2017/18 and 2021/22 recorded the highest level since data was recorded in 2004. Also, outcomes rate particularly poorly as the PSNI find it challenging in gathering witnesses and evidence to achieve criminal justice outcomes. Most incidents occur at home and victims are often left feeling isolated. This is especially the case for people with communication or cognitive issues. This stresses the importance of improved protection for people with a learning disability, autism, and other support needs.

Whilst hate crime is a sincere concern for people with a learning disability, autism and other support needs, mate crime is a significant risk. In 2013 [ARC](#) developed guidance for providers. 'Mate crime' "is when someone says they are your friend, but they do things to take advantage of you, like ask you for money a lot." Unfortunately, people with a learning disability are at particular risk of this crime. The abuse and eventual murder of Stephen Hoskin in 2006, highlights the cruelty and life-threatening nature that mate crime can result in. Therefore, we would strongly suggest that mate crime needs to be included within this aim.

Furthermore, children and adults with a learning disability, autism, and other support needs, receive little if any support, in understanding relationships and access to information on good sexual health. In the absence of this education and capacity building opportunities to promote rights, responsibilities, and healthy relationships, they are at an increased risk of potential abuse, including violence, exploitation, and crime. We would advocate that within this priority there is an acknowledgement that further work and in particular, reasonable adjustments are made, to ensure ending violence for all women and girls can become a reality.

Too many of our children with a learning disability, autism and additional support needs face significant challenges and barriers that exclude them from reaching their full potential, so we welcome your focus on improving access to education. ARC NI would advocate for the need to address:

- *Better engagement with the learning disability community in decision-making.

- *The development of robust data & intelligence

But as they transition throughout life there are additional barriers that need to be addressed including:

- *Social Reforms to redress the combined impact of social security and tax changes on disabled people.

- *The social care shortage, harming the rights of people with a learning disability, autism, and other support needs.

For children with disabilities, the risk of experiencing poverty is higher, and this gap has widened since 2010.

Northern Ireland still lacks a comprehensive Disability Strategy to tackle social inclusion, and this policy gap has stalled progress on disability rights. We would therefore argue that intervention, services and supports lent to the learning disability population, and their family carers should be a cradle to grave cross-departmental priority. This would enable better planning and provision for early years support, respite and short breaks for carers, educational placements with individual attainments leading to employability offers, homes in the community and social connections and relationships.

In relation to “Our Role and Remit” you discuss a range of equality grounds including sexual orientation and political opinion. Yet these two equality grounds are not discussed any further in the document. Will this be amplified in the final draft? If so, ARC NI would suggest that again an intersectional lens is taken when discussing these two areas. People with a learning disability often face barriers when it comes to engagement in community activities. For instance, one way of expressing your political opinion can be going to vote. This is one of the most important ways for an individual to get involved in society. However, people with a learning disability, autism and other support needs can find the polling station an exceedingly difficult place for numerous

reasons; the noise, the business, not knowing what to do when going for the first time. Whilst there have been programmes in recent years aimed at helping and supporting people with a learning disability express their political opinions, this needs to continue. Thus, we are suggesting that the ECNI could work with the public to find ways to overcome these barriers. Additionally, people within the LGBTQ+ community are already considered a marginalised community, but within that community there are individuals with a learning disability, autism, and other support needs. Unfortunately, for many of these individuals they are doubly disadvantaged, hence at a greater risk of discrimination. Sadly, people with a learning disability and additional needs are often infantilised and not given the same opportunities to be informed in this area, hence their understanding about their own identity and orientation is inhibited.

Finally, on page one it is stated that:

“Central to all of this is our commitment to tackle inequality and build a Northern Ireland where everyone – no matter their background, ethnicity, or colour – feels safe, respected and truly at home.”

We would strongly recommend that ‘ability/disability’ is included. The term ‘disability’ has been used throughout the document, and the failure to include these terms excludes a whole section of our society in NI.

Q3: What areas of our work do we do well and need to continue working on?

There is a strong focus on people with a disability in the document, especially in relation to employment and the workplace but there are differences in meeting the varying needs of the population with disabilities. For those adults with a learning disability, autism and other support needs Supported Employment services have long been recognised as a vehicle to encourage a person with these specific needs, a step closer to employment. But this sector has recently been affected by the change in funding available, as the people they support are the furthest from the labour market. We would encourage this be recognised and better understood.

We are pleased to see that learning disability is specifically referenced to when discussing improved access to education, particularly for children with SEN and disabilities. However, ARC NI feels, an extension of this work, on the part of Equality Commission, should include consideration of the equality issues faced by these young people after they leave school and transition into adulthood (another topic of significant importance).

Furthermore, we feel that the document has done a good job at focussing on inequalities faced by people with a disability. But in our experience, many of the achievements do not extend to people with a learning disability, autism, and other support needs. We would advocate that opportunities to recognise needs of individuals and that people with disabilities are not a homogenous group.

Q4: What areas do we need to improve on?

As previously mentioned, the term 'disability' is used throughout the draft. We would argue that differentiation between physical and learning disability is extremely important. Especially given that a learning disability is a life-long condition, and the needs of this group is not significantly prioritised in documents such as these. Furthermore, ARC NI would advocate the comparative data between the attainment of SEN children and those without, needs further explanation in the final draft.

As previously mentioned, we are pleased at the inclusion of "Increased awareness of 'cradle to grave' inequalities" under ambition two. ARC NI would advocate for the Equality Commission's support in challenging the need for better data across the Government functions and for our specific community.

Within our response to PfG we acknowledged the Wellbeing dashboard as an excellent tool that provides a summary of metrics based on the general population, which offers the Executive data to analyse in line with the Programme for Government priorities. However, data relating to children and adults with a learning disability, autism or other support needs has and continues to be lacking. At best this is captured within 'pan-disability' statistics. This is at risk of masking the reality of the nuanced barriers faced, and specific inequality experienced, by children and adults with a learning disability and or autism.

We have been calling for this to improve and change for a considerable number of years and whilst the recent change to the Census data helps, it will not fully meet the needs of this wellbeing framework. Nor will the Equality Commission's role in monitoring their activity, as outlined in the Corporate Plan, demonstrate the true impact of inequalities experienced by a person with a learning disability from 'cradle to grave.' We therefore will assume that the imminent cross-departmental Disability Strategy which will soon be issued for consultation, will attempt to address this and counterbalance the risk of inaccurate reporting.

Finally, we believe aim four could be improved upon. The ambition is to create:

"An accessible, agile and continuously improving organisation that is responsive to the needs of its stakeholders...particularly those representing the most vulnerable and harder to reach groups."

This is a laudable ambition, and one which we champion regularly. However, we have our reservations about how it is to be implemented in practice. The draft refers to "Improved digitisation of processes" that will "create a more efficient, user-friendly, and accessible organisation. We would advocate the need for the final draft to be explicit as to whether the digitalisation of content is the only way to make things more accessible/user-friendly. Certainly, many people with a learning disability find digital processes much more complex to understand or may not have access to a digital device in the first place. Thus, exploration of other options would ensure better access

to information for everyone. In line with being an 'accessible organisation' we would encourage that an accessible Easy Read version of this draft be developed as soon as possible.