



# Northern Ireland Peace Monitoring Report

Number Five

October 2018

Ann Marie Gray, Jennifer Hamilton,  
Gráinne Kelly, Brendan Lynn,  
Martin Melaugh and Gillian Robinson



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Ulster University

## SOURCES AND ACKNOWLEDGEMENTS

This report draws mainly on statistics which are in the public domain. Datasets from various government departments and public bodies in Northern Ireland have been used and comparisons made with figures produced by similar organisations in England, Scotland, Wales and the Republic of Ireland. Using this variety of sources means that no standard model applies across the different departments and jurisdictions. In some cases there have been changes in how or what data has been collected which affects our ability to provide historical perspective. For some indicators we are reliant on survey-based data. Where relevant and possible we include comparative international data. The report also draws on qualitative data and research reports.

The contents of the report are the responsibility of the authors, generously assisted by the Advisory Group, and do not necessarily reflect the views of the Community Relations Council, the commissioning body.

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Published by the Community Relations Council, Equality House, 7-9 Shaftesbury Square, Belfast BT2 7DP ([www.nicrc.org.uk](http://www.nicrc.org.uk)). CRC gratefully acknowledges the support of the Joseph Rowntree Charitable Trust for this publication.

All enquiries to: Dr Martin Melaugh ([m.melaugh@ulster.ac.uk](mailto:m.melaugh@ulster.ac.uk))

ISBN: 978 1 898276 72 2

Community Relations Council



# FOREWORD

A forward flow to the peace process in Northern Ireland is not inevitable. While there were two steps forward and only one step back a sense of hope and ambition defined the process, and confidence empowered fruitful actions.

In recent times, however, there is a sense and reality of stasis – a society standing still, a political process paused, and civil society frustrated at what might have been while praying it will not become another lost opportunity.

This peace monitor report, the fifth in a series of monitors, highlights the challenges facing our peace and political processes in the honest and comprehensive way that is needed for all people who can influence for the better going forward. The challenges are significant, and overcoming them will be more exhausting still because they exist in a political vacuum.

Out of such situations come clear choices; another cross roads moment is upon us. Indifference to the peace process is as damaging as lack of understanding. Silence affords ignorance a respectability and acceptance. We must all ask ourselves will we be bystanders or participants?

Our thanks are due to the team that researched and wrote this peace monitor report at Ulster University independent of the Community Relations Council. That team of authors led by Gillian Robinson included Ann Marie Gray, Jennifer Hamilton, Gráinne Kelly, Brendan Lynn and Martin Melaugh. Their colleagues from Ulster University Economic Policy Centre, Richard Johnston and Jordan Buchanan, contributed the section on the economy. They have provided us with a peace monitor report that highlights the challenges so succinctly yet comprehensively as a tool for now and as a record for historians in the future.

I would also like to thank the advisory group which contributed so much to the report and its final flavour. I'd particularly highlight the good humour and incisive mind of the advisory group chair, Adrian Guelke, and all of the other members who made this such an enjoyable and thought-provoking process: James Anderson, Frank Gaffikin, Neil Gibson, Paddy Hillyard, Tony McCusker, Jennifer Todd and Sophie Long, who represented the Joseph Rowntree Charitable Trust.

The Community Relations Council would like to thank the Joseph Rowntree Charitable Trust (JRCT) for funding the NI Peace Monitoring Report.

**Peter Osborne,**  
Chair

**Community Relations Council**



# PEACE MONITORING REPORT

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## TEN KEY POINTS

**1. The absence of a functioning devolved government in Northern Ireland (NI) since January 2017 has resulted in legislative and political paralysis. Decisions requiring ministerial accountability have ground to a halt in the absence of willingness on the part of central government to impose direct rule, despite the persistent failure of talks to revive the devolved government.**

The NI Executive ceased to function at 5.00 pm on Monday 9 January 2017. Elected ministers ceased to hold their offices on 2 March 2017, the date of the NI Assembly election. Since that date there has been no devolved government in the region. Instead, civil servants have taken decisions based on previous policy and budgets, and two Secretaries of State have acted at Westminster to ensure that a new budget was put in place in 2017 and 2018. In a legal challenge, the High Court ruled that a civil servant did not have the power to give the go-ahead to a major infrastructure project and thus called into question a range of significant decisions taken since March 2017. The backlog of issues requiring ministerial decisions continues to grow as the British government has continued to show itself reluctant to impose direct rule.

**2. The implications of the impact of Brexit on the Northern Ireland peace process remain uncertain but are likely to prove far-reaching.**

While the Brexit negotiations between the United Kingdom (UK) and the European Union (EU) have progressed in 2018, many issues remained unresolved and it is clear that the UK's decision to leave the EU will have significant and far-reaching implications for Ireland, north and south. Even before the final agreement is known, Brexit has already placed additional strains on the relationship between the Democratic Unionist Party (DUP) and Sinn Féin (SF), and soured that between the British and Irish governments. This in turn has made the task of restoring Stormont more difficult and placed further stress on the Belfast / Good Friday Agreement. There is some evidence that Brexit has increased the support among the nationalist community for a united Ireland. The potential date of a future referendum on Irish re-unification may be sooner than might otherwise have been anticipated. All parties, both inside and outside the Brexit negotiations, have indicated that there is no appetite for the return of a hard border on the island of Ireland. The implications of any new border infrastructure on the NI economy and trade relations with the EU remain uncertain.

**3. Inter-governmental relations, which have been crucial to the peace process, are weakening.**

It has proven difficult for the three-stranded approach of the 1998 Agreement – based on the importance of relations within NI, between North and South as well as East and West – to operate in the prevailing political conditions. Relationships between the British and Irish governments have become strained by the Brexit referendum result, which has damaged their roles as joint upholders of the Belfast / Good Friday Agreement. In addition, Brexiteers and elements of the British media have criticised the

attitude and response of the Irish government to the Brexit negotiations. Similarly, cross-border relationships have been tested as the DUP and the authorities in Dublin have traded verbal blows over Brexit. The 'confidence and supply' arrangement between the DUP and the Conservative Party has called in to question the neutrality of the British government in the ongoing attempts to restore devolved government in NI. The reversal of previous US administrations' active engagement in the NI peace process by the Trump administration has left a noticeable gap in terms of external support and leverage to encourage the political parties back to the negotiating table.

#### **4. The lack of progress on everyday social policy issues is permeating every aspect of life and is disproportionately affecting the most vulnerable people in the society.**

There are persistent, and in some cases, growing inequalities in relation to socio-economic conditions, educational attainment and health status in NI. There has been little change in poverty rates over the past decade and economic projections indicate that the welfare reforms currently being rolled out will have a negative impact on the most vulnerable households and will result in increasing child poverty and destitution rates. Despite general improvements in the health of the population, across a wide range of indicators stark differences in health outcomes between the least and most deprived areas remain. Housing costs in NI compare favourably to many other regions of the UK but housing tenure has changed dramatically in recent years. Of particular note is the substantial increase in private renting, particularly among those in lower age groups. Just over 50 per cent of 18-34 year olds are renting from private landlords, almost double the number doing so a decade ago. Such changes have implications for social policy, particularly in light of evidence that housing costs are impacting significantly on the living standards of low-income households in the private rented sector. Successive governments have failed to address some substantive areas of social policy over the long term and so lack of progress cannot wholly be attributed to the collapse of the Executive in January 2017.

#### **5. The Economy: stronger performance but significant challenges persist.**

Current conditions in the NI economy remain largely positive. Unemployment is at an historic low and compares favourably to UK, Ireland and EU averages. Employment rates are at a record high. The tourism sector has significantly benefited from peace with the number of trips to NI increasing by 80 per cent over the past two decades and contributing over £2.0Bn of output and 52,000 jobs in the local economy. However, significant economic challenges persist including high and increasing levels of economic inactivity (compared to a decline in the rest of the UK), lower average wages and levels of productivity compared to UK and Ireland and a high long term unemployment rate (more than double the UK average). Economic growth has slowed in recent months, attributed, at least in part, to the uncertainty generated by the Brexit referendum. Brexit may also have implications for NI's labour market as the migrant workforce has been a major factor in supporting the increase in employment levels in recent years. Sectors such as manufacturing and hospitality may face recruitment challenges as labour shortages are beginning to emerge.

It is also within this challenging economic context that welfare reforms imposing greater conditionality and stronger sanctions are being introduced.

## **6. Northern Ireland is increasingly out of step with other parts of the islands on key equality issues.**

Since the 2016 Peace Monitoring Report there has been increased attention focused on equality issues, particularly around reform of abortion law and equal marriage. The absence of policy and legislative change by the NI devolved Assembly means that NI is increasingly out of step with other parts of these islands and has come under criticism from international human rights bodies. Evidence from the Northern Ireland Life and Times survey and opinion polls show that the majority of the population in NI support liberalising the law on these issues. It also suggests that the stances of some political parties are at odds with those of voters. In both these areas it is now being argued that change is being further hindered by the lack of a functioning Assembly and pressure has been mounting on the Westminster government to take action. On both subjects it is clear that while under the devolution settlement the UK government could intervene and legislate, it is reluctant to move, arguing that both issues are devolved matters for the NI Assembly- a contestable point given that responsibility for human rights and the implementation of international conventions rests with the Westminster government.

## **7. The culture war continues as the issues of contention evolve and mutate, and are exploited for political purposes.**

While there has been a noticeable lack of direct confrontation around parading issues in recent years, there still remains considerable unease, particularly within the unionist/loyalist community, as to how the issue has been dealt with. Elsewhere problems remain around the public display of official flags and those of proscribed organisations, and their more recent appearance in the vicinity of explicitly mixed housing estates. Similarly, issues surrounding paramilitary control of bonfires, their location, and what is being burned on them, continues to create intra- and inter-communal tensions. In turn, this has posed a challenge for public agencies tasked with dealing with bonfires and flag-flying, with uncertainty over their roles and responsibilities. The debate around the recognition and status of the Irish language in NI has become central to the ongoing political stalemate between Sinn Féin and the DUP. Across this whole spectrum the search for solutions has not been helped by the delays to the work of the Commission on Flags, Identity, Culture and Tradition.

## **8. The patterns of educational under-achievement within specific sections of the society remain unchanged.**

The *unchanging* patterns of educational under-achievement, with marked inequalities in education attainment persisting or getting worse, is worthy of particular note. The greatest inequality in educational attainment is the difference between the achievement levels of children who attend grammar schools and those who do not. While there is under-achievement among

working class pupils generally - and this is worse among boys - working class Protestant boys continue to have lower educational attainment than Catholic boys. Traveller children have exceptionally poor educational outcomes. Data on educational outcomes discussed in this report are not new and their persistence is an outcome of the failure of the NI government to tackle fundamental problems regarding the structure of education in NI, including the inability to agree a system for post-primary transfer and to tackle the underlying issue of poverty.

**9. Catholic recruitment to the Police Service of Northern Ireland (PSNI) has levelled out following the ending of the 50:50 recruitment process. Catholic police officers currently represent 32 per cent of the total.**

A stated aim of the PSNI is to have a workforce that is representative of the community it serves. This means representative in terms of religion, gender, ethnicity and sexual orientation. In the context of NI's recent conflict, the most politically-sensitive marker has been that of Catholic representation in the police service. In the years prior to the Patten reforms, Catholics made up eight per cent of PSNI police officers. The policy of 50:50 (Catholic : Protestant) recruitment saw this figure increase to 30 per cent. Following the ending of equal recruitment in March 2011 the figure has marginally increased to 32 per cent in 2018. There have been slight improvements in the composition of the service in terms of gender and ethnic minorities. However, at current rates of change it could be decades before the PSNI truly reflects the society it polices.

**10. Twenty years on from the Belfast / Good Friday Agreement, Northern Ireland appears no closer to finding an acceptable way of dealing with the past.**

The failure to address the legacy of the past continues to manifest itself in many areas. The campaign to secure a pension for those survivors injured as a direct result of the conflict continues to be held up by an on-going debate over the statutory definition of a 'victim' and thereby included in any scheme. Further problems have arisen over the need to implement a fully-funded programme to complete many of the legacy-related inquests that are still waiting to be dealt with. Alongside this has been the discussion as to whether the time has come for some form of amnesty to be granted to halt the prosecution of individuals suspected of being involved in conflict-related incidents. One aspect of these has been the call for the British government to introduce a statute of limitations for those members of the security forces who served in Northern Ireland. That question largely dominated the headlines in June 2018 when the British government finally established a consultation process on the legacy proposals first set out in the Stormont House Agreement (2014) and Fresh Start Agreement (2015).

# INTRODUCTION

This is the fifth iteration of the Northern Ireland Peace Monitoring Report and covers the period October 2016 to September 2018.

The first three reports were authored by Paul Nolan and published in 2012, 2013, and 2014. The fourth report covered a period of two years, was authored by Robin Wilson and published in 2016. The current report also covers a period of two years. This report has been compiled and written by members of the ARK team who are based at Ulster University. The economy section has been compiled by Richard Johnston and Jordan Buchanan at Ulster University's Economic Policy Centre.

The first Peace Monitoring Report (Nolan, 2012) contained the following which we feel is worth repeating here:

## 1. Why a Peace Monitoring Report?

The NI Peace Monitoring Report will provide independent monitoring of Northern Ireland's journey out of violence, and of the efforts to create a society in which all can live free from fear, and in relationships of trust and safety with their fellow citizens. An indicator framework will be created to allow the measurement of change towards the goals of equality, social cohesion, sharing, and the ability to deal with political difference through open dialogue and accommodation. The findings will be made available to all through the publication of an annual report.

Each of the Peace Monitoring Reports presents a wide range of information on a variety of topics related to Northern Ireland (NI). In the case of some of the information, for example, that on the activities of paramilitary groups, it will be immediately apparent to readers that there is a relationship between this information and the peace in the region. However, the relationship may not be so clear with regard to information on other topics, for example, abortion, the arts, the gender gap, or at first sight Brexit. Without delving into the theoretical explanations for conflict in NI, it is possible to say that any factor which adds stress to society in NI could have an impact on the prospects for a lasting peace in the region. If any such factor has a differential effect on one section of the community then its influence may also be more obvious. However, even when the stress is evenly applied across the community, the additional stress might trigger inter-communal conflict.

## 1.1 The indicator framework

As in previous reports it is important to remind the reader how this project has decided to monitor peace.<sup>1</sup> When the project commenced in 2010 there were no obvious models available and it was decided to use a four domain indicator framework. This structure is also followed in this report. The four domains are:

### Political progress

This can be measured in how (or if) the political institutions set up under the Belfast / Good Friday Agreement are working. It can include attitudes towards different constitutional preferences. In this report the changing macro situation with Brexit is an important consideration as is the fact that for 19 of the 23 months covered the NI Assembly was not sitting. Because of these major developments political progress is presented first in this report rather than last as in previous reports.

### The sense of safety

Perhaps the simplest measure of how peaceful a society is comes from the sense of security experienced by citizens. This includes safety in different contexts: the home; the neighbourhood; the workplace and public space. The report includes crime statistics, attitudinal data and academic reports and papers which provide a measure of how safe people in NI feel. It also reports on policing and the prison service in NI. Key indicators include crime rates, hate crime, domestic violence and sexual crime, paramilitary activity and peace walls.

### Equality

It is well documented not least in previous Peace Monitoring Reports that the 'troubles' developed against a background of structural inequality in housing, employment and life-chances between the two main communities, Catholic and Protestant. The years leading up to the Belfast / Good Friday Agreement saw the implementation of many policies designed to promote greater equality, for example the Fair Employment (Northern Ireland) Act 1989. The Agreement emphasised equality as a key aspect of the settlement and an Equality Commission was established. The report includes wealth, poverty and inequality statistics. It also examines equality and inequality in education and health. This report also includes a new section focusing on the NI Assembly and social policy making.

<sup>1</sup> A fuller explanation of the indicator framework and how it was devised can be found in the first Peace Monitoring Report, which can be accessed on the Community Relations Council website. An article on the same subject can be found in Shared Space journal, Issue 16, November 2012, also available on CRC website.



## Cohesion and sharing

Earlier reports have defined a cohesive society as one where citizens feel themselves to belong to a community and they recognise others as their fellow citizens. This balances celebration of diversity and tolerance of others' cultural practices with sharing and solidarity. Given the fact that NI is now a multi-ethnic society it is important not just to consider the 'two traditional communities' but the broader cultural diversity. This dimension examines well-being, sharing and separation in housing, schools and public space. It also looks at arts and sport and participation in public life.

## 1.2 The limitations of research

Previous reports have noted that the Peace Monitoring Report aims to present an evidence-based approach to peace and conflict in NI drawing on publicly available data. Much of this data is based on surveys which are open to sampling error and official statistics, for example, on crime are based on what is reported which is not a full representation of what crime is happening. Nonetheless the figures provide an important look at the current situation in NI and how that has changed (or not). The report uses a wide range of data and supports this with as many additional sources as possible.

## BACKGROUND AND CONTEXT

### 1. The economy: record performance but challenges persist

Richard Johnston and Jordan Buchanan, Ulster University  
Economic Policy Centre

2018 marked the 20th anniversary of the signing of the Belfast / Good Friday Agreement and the evidence confirms significant improvements in economic life and wellbeing. At the time of writing, unemployment is at record lows, employment at an all-time high and the economy is undergoing the process of rebalancing to be more private sector led. These improvements have continued while the Northern Ireland (NI) Executive has been absent and in the looming shadow of Brexit. It could be argued that Brexit has resulted in a short-term boost for the economy as it weakened the exchange rate and boosted tourism and helped exporters and Foreign Direct Investors, although it has also resulted in inflation and some uncertainty for business.

Furthermore, two sectors that benefit directly from the peace in NI as well as other factors - tourism and FDI - are creating jobs and opportunities across the skills spectrum and many areas in NI. Surveys suggest that citizens are amongst the happiest in the UK. Two decades on from signing the Agreement, there is much to be positive about in NI.

Whilst the NI economy has posted a relatively strong performance in some regards, there are several key indicators where NI's performance is relatively weaker than counterparts and competitors. These economic challenges have been a persistent feature of the NI economy and include relatively lower income levels per capita and employment rates, higher levels of economic inactivity, weaker productivity and as a result, a sizeable annual fiscal transfer from Westminster.

These are persistent issues for NI and are the focus of a range of policies and programmes to boost growth. More recently, economic growth has slowed and this has been attributed, at least in part, to the uncertainty generated by the Brexit referendum. However, it remains unclear whether the slowdown is a Brexit induced effect, or the result of NI's legacy of structural economic weaknesses.

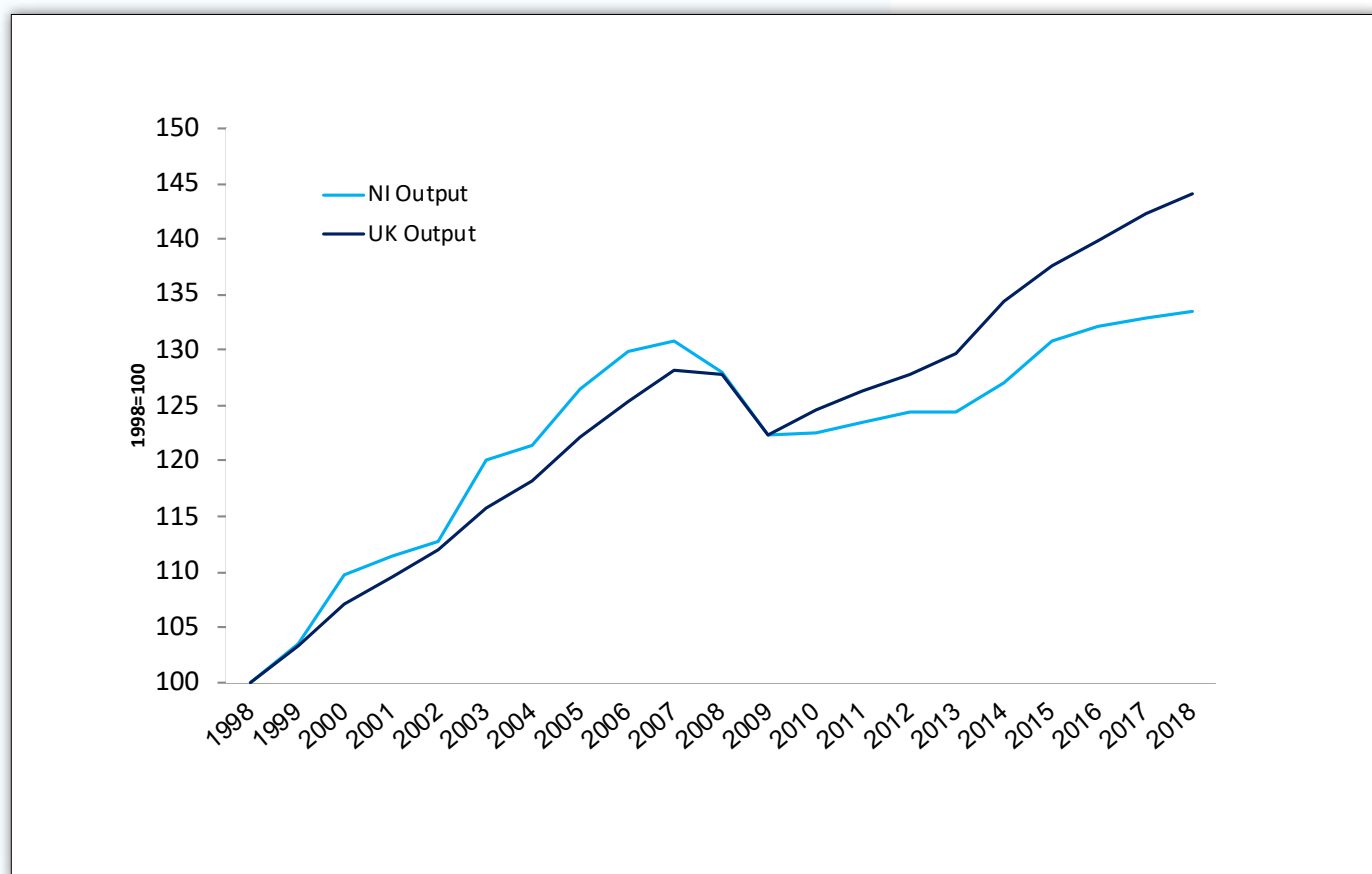
The NI economy has grown and changed structurally since 1998. This is due to a range of factors including increased consumer and government spending, business investment, recent exchange rate depreciations and a stronger export base – and of course – a more peaceful and normalised society. Whilst the improvement across key metrics over the past two decades is encouraging, there is further progress required if NI is to achieve its economic aspirations.

## 1.1 Economic growth

The NI economy grew<sup>2</sup> rapidly from 1998 up to the recession, ahead of the UK rate. This growth can be attributed to several factors including; the spill-over effects of the rapid growth of the Celtic tiger as real estate, construction and finance benefitted in both parts of the island; increased government spending in the UK which resulted in growth in NI Departmental expenditure; increased consumer spending; business investment, exports and tourism as well as peace in NI.

NI's recovery from the 2008 recession was more modest than the rest of the UK. Employment recovered, but productivity growth lagged behind the UK rate and economic inactivity remained persistently high, which resulted in NI growing on a lower trajectory after the recession. Indeed, economic growth has been sluggish over the past few years.

**Figure 1: Economic growth, UK & NI, 1998 - 2018**



Source: ONS, UUEPC analysis

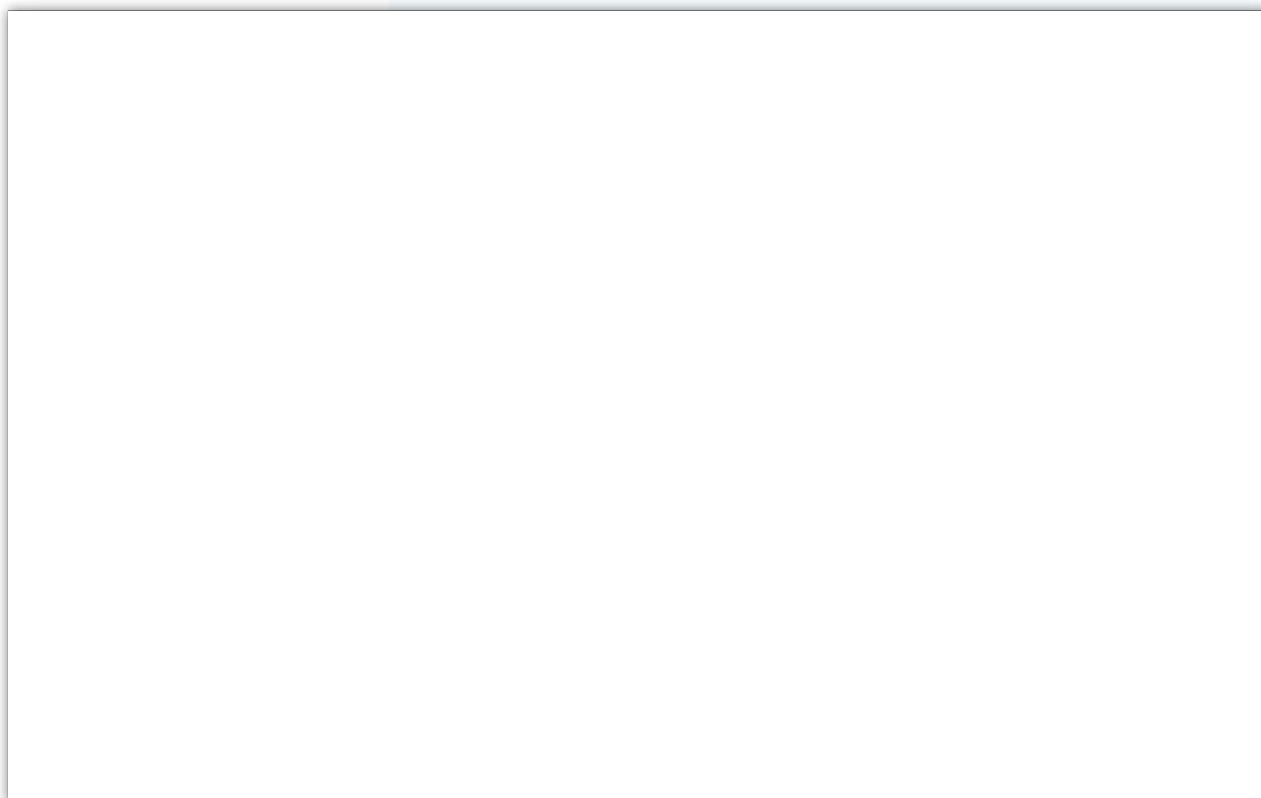
Note: Output refers to real GVA in 2015 prices

<sup>2</sup> Economic growth is measured by real Gross Value Added (GVA) growth, which removes the effects of inflation.

## 1.2 Income

GVA per capita measures the level of income per person in an economy and is a commonly used method of comparing standards of living across different economies. NI has the third lowest GVA per capita of the UK regions, ahead of Wales and North East of England. On this indicator, NI is 25 per cent below the UK average and almost 55 per cent lower than London and Ireland. Analysis<sup>3</sup> shows that output per person is lower in NI predominantly due to lower employment rates (relatively fewer people in employment) and lower productivity (those people in employment producing relatively less than their UK counterparts). Increasing employment and productivity to boost economic growth and in turn living standards are the two main anchor points within economic strategies published by the NI Executive, including the Economic Strategy (2012)<sup>4</sup> and the current draft Industrial Strategy<sup>5</sup> and the Programme for Government<sup>6</sup>.

**Figure 2: Economic output per capita, UK Regions & Republic of Ireland, 2016-17**



Source: ONS, UUEPC analysis

<sup>3</sup> [https://www.ulster.ac.uk/\\_data/assets/pdf\\_file/0008/118385/Understanding\\_productivity\\_in\\_Northern\\_Ireland\\_27\\_September\\_2016.pdf](https://www.ulster.ac.uk/_data/assets/pdf_file/0008/118385/Understanding_productivity_in_Northern_Ireland_27_September_2016.pdf)

<sup>4</sup> [https://www.northernireland.gov.uk/sites/default/files/publications/nigov/ni-economic-strategy-revised-130312\\_0.pdf](https://www.northernireland.gov.uk/sites/default/files/publications/nigov/ni-economic-strategy-revised-130312_0.pdf)

<sup>5</sup> <https://www.economy-ni.gov.uk/consultations/industrial-strategy>

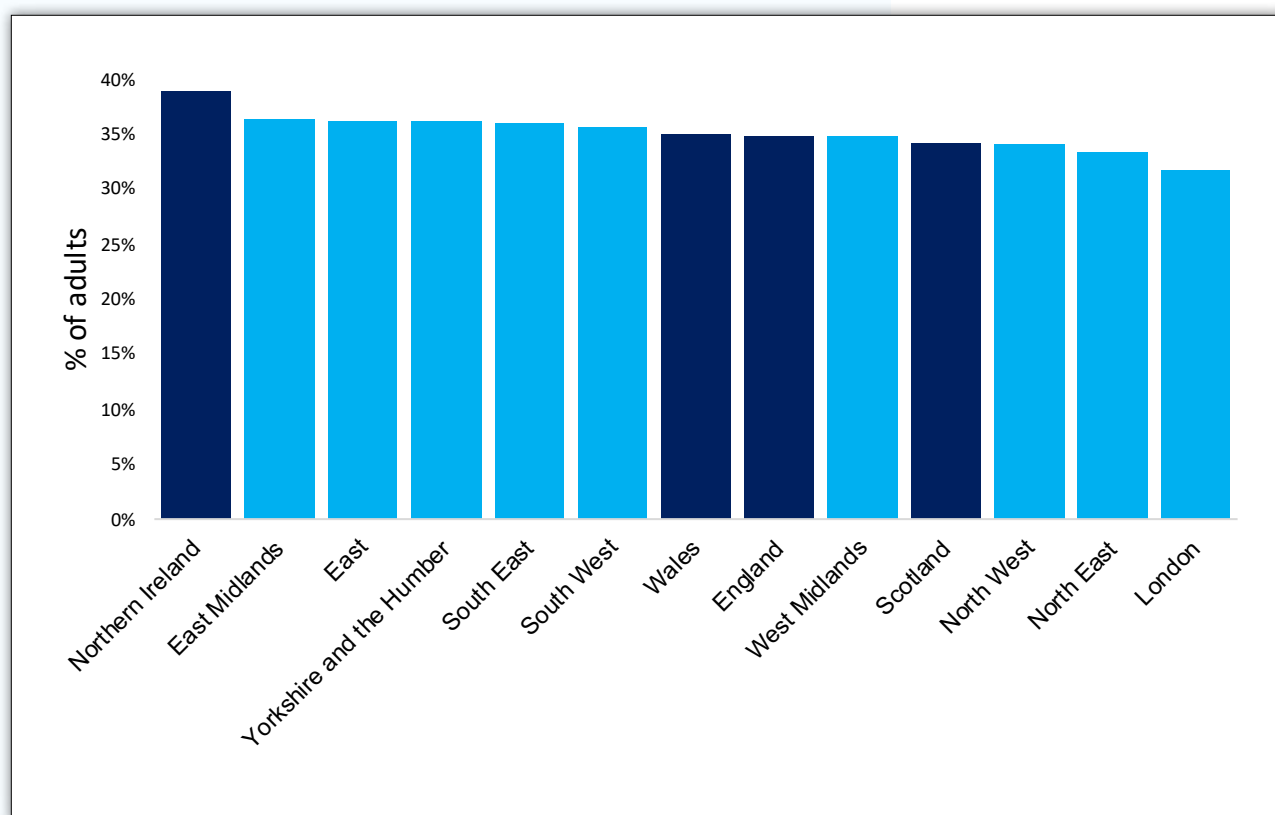
<sup>6</sup> <https://www.northernireland.gov.uk/programme-government>

### 1.3 Wellbeing

In recent years, wellbeing has become an important measure to economists, government and policy makers as efforts are made to measure societal progress beyond the financial or 'hard' economic indicators to take account of qualitative factors that impact upon quality of life for citizens.

NI's performance is exceptional in terms of wellbeing, especially when considered relative to other economic indicators and health statistics. The region is ranked as one of the top in the UK in terms of having low levels of anxiety or stress and high levels of life satisfaction happiness. Whilst incomes, employment, productivity, mental health indicators from Health Trusts and other indicators may suggest that living standards are lower and incidences of poor mental health are higher, the wellbeing indicators counter this perspective. It has been suggested that relatively strong community and family bonds, shorter commutes to work, relatively higher levels of government expenditure and living in a peaceful society all play a part in terms of how people in NI feel and respond to these surveys. More research may be required to fully understand the driving factors, but NI has performed well in these indicators across many years and geographies and as such, can be regarded as one of the better points about living in NI. Wellbeing is discussed further in dimension four of the report.

**Figure 3: Adults who rate their happiness as very high, UK regions, 2016-17**



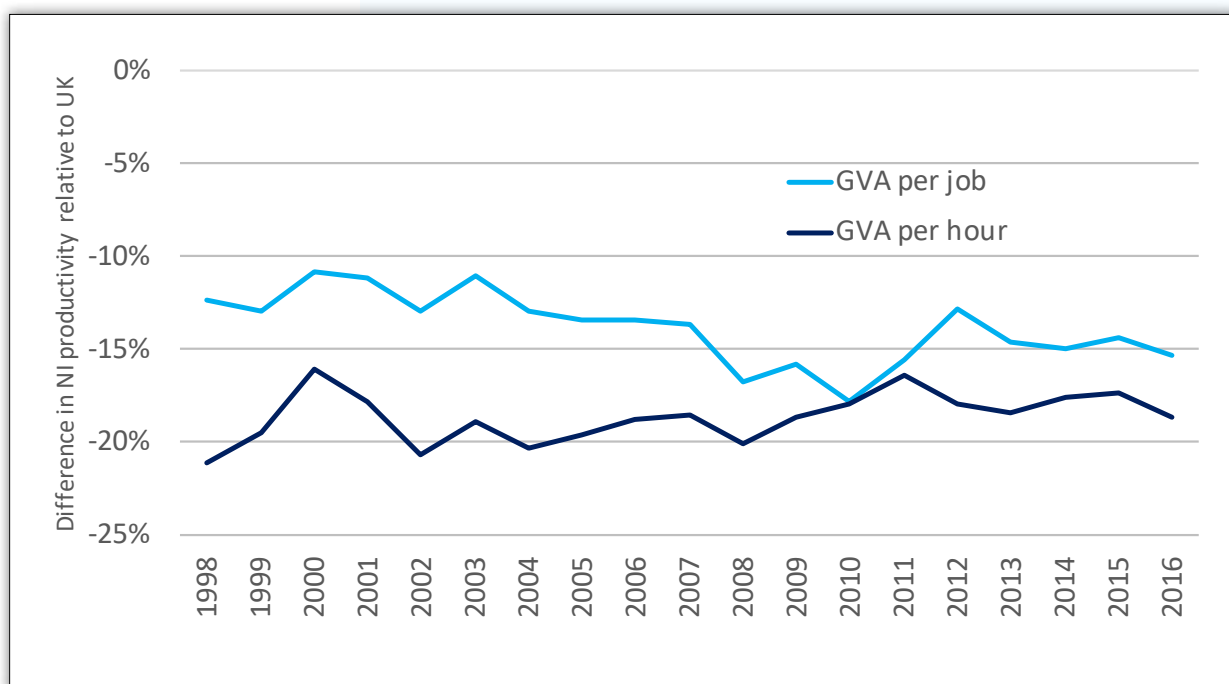
Source: ONS, UUEPC analysis

## 1.4 Productivity

NI's productivity<sup>7</sup> levels have typically lagged the UK average by 15 per cent to 20 per cent over the last two decades. Boosting productivity to improve average living standards is a key economic challenge for NI. However, the productivity challenge is not unique to NI. The UK has also experienced a slowdown in productivity growth relative to its G7 peer group and the gap is now 15 per cent. This implies that on average a G7 country can produce in 3 days what takes a UK worker 4 days and an NI worker 5 days to produce. Understanding the reasons for weak productivity performance has been a key challenge for economists and policy makers in recent years.

The productivity gap can be divided into two component parts. Firstly, the sectoral composition of the NI labour market (what we do) and, secondly; efficiency (how well we do it). In general, NI has a higher concentration of employment in lower productivity sectors and workers within those sectors also produce lower levels of output than their UK counterparts. This can in part, be explained by headquarter effects, such as attribution of profits or higher wages in London HQ's, but there are opportunities for NI to catch up to UK and international standards, which would increase the rate of economic growth and standards of living.

Figure 4: Productivity gap, UK & NI, 1998 - 2016



Source: ONS, UUEPC analysis

Note: Jobs based on total workforce jobs

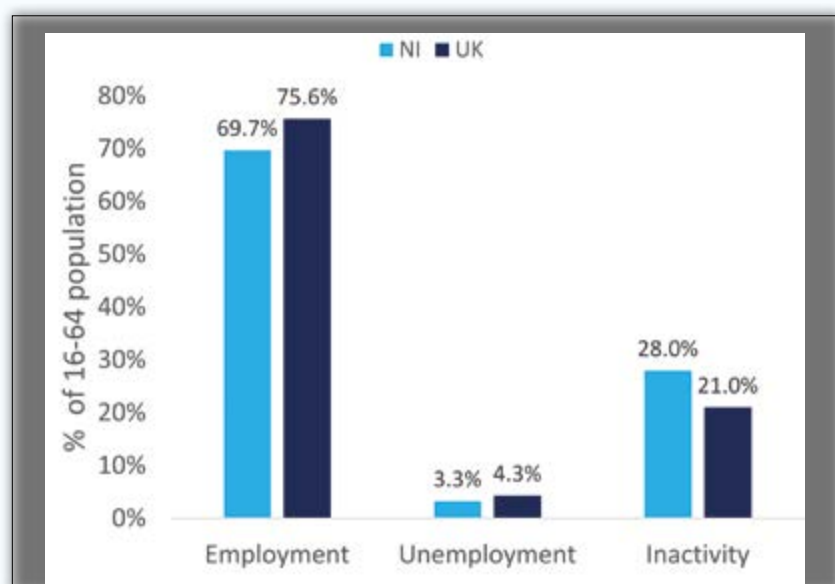
<sup>7</sup> Productivity reflects an economy's ability to produce outputs (such as goods and services) taking into consideration the amount of inputs (such as raw materials, capital and labour).

## 1.5 Labour Market

Employment is at its highest level on record and unemployment at a historic low in NI, which are both very encouraging from an NI perspective. Taking a broader view, NI still has the lowest employment rate of the UK regions; 69.7 per cent, which is significantly below the UK average of 75.6 per cent and almost four percentage points lower than Wales, the second lowest region. NI has benefitted from an employment-based recovery, but worryingly, the rate of improvement has been the slowest of the UK regions from the lowest base.

Reducing unemployment has been a real success story for NI, declining markedly over the past year. The rate is now a full percentage point below the UK average and at historically low levels. However, despite higher employment and lower unemployment, economic inactivity rates are persistently high – seven percentage points above the UK. Whilst rates have declined nationally, the opposite has been the case in recent years in NI.

**Figure 5: Labour market profile: UK & NI, Q1 2018**

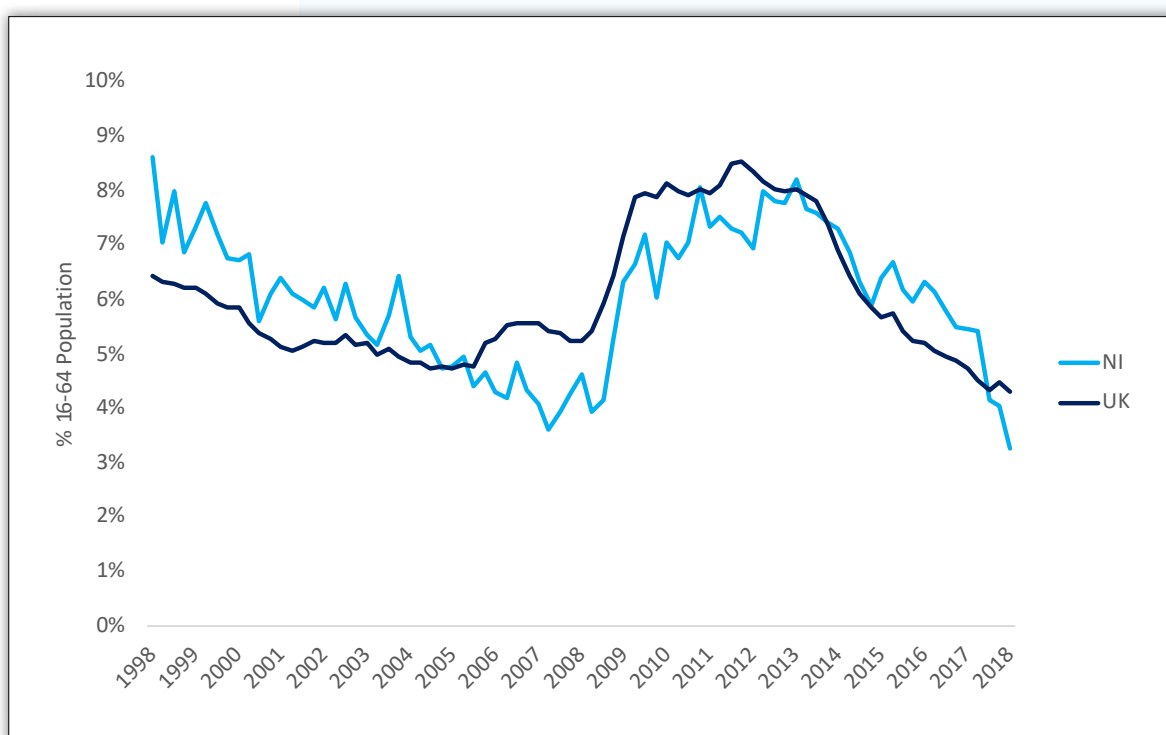


Source: ONS and NISRA, Labour Force Survey, UUEPC analysis

Following the recession in 2008, there was a spike in unemployment in both the UK and NI economies. Unemployment rates are at record lows prompting some economic commentators to suggest that both economies may be approaching full employment. However, the relatively low employment rate and high inactivity rate, combined with limited wage growth and increases in part-time and relatively insecure forms of employment (such as zero hours contracts) suggests that there is some available capacity in the labour market. Companies, business representatives and support organisations report that the market is challenging in terms of securing employees at the more highly skilled and experienced end of the spectrum, which is where demand appears to be most robust. However, the demand for level one and two skills is lower, perhaps due to the automation of some tasks and increasingly global production chains.

Welfare reform (including the introduction of Universal Credit, Personal Independence Payments and changes to Housing Benefit and Employment Support Allowances) is likely to incentivise people to move from unemployment to employment if opportunities permit but may also have resulted in the unintended consequence of some individuals moving from unemployment into economic inactivity. Benefits top-ups that are allocated in NI will undoubtedly go some way to ameliorate the impact of the reforms and will be welcomed by the most marginalised in society. "What are the overall impacts of welfare reform in NI" is a good question and further research could be carried out to conclude on the economic and social impacts and set these against the cost to the NI Executive, which is broader than the economic perspective considered here.

**Figure 6: Unemployment rate (16-64 population) UK & NI, 1998 - 2018**

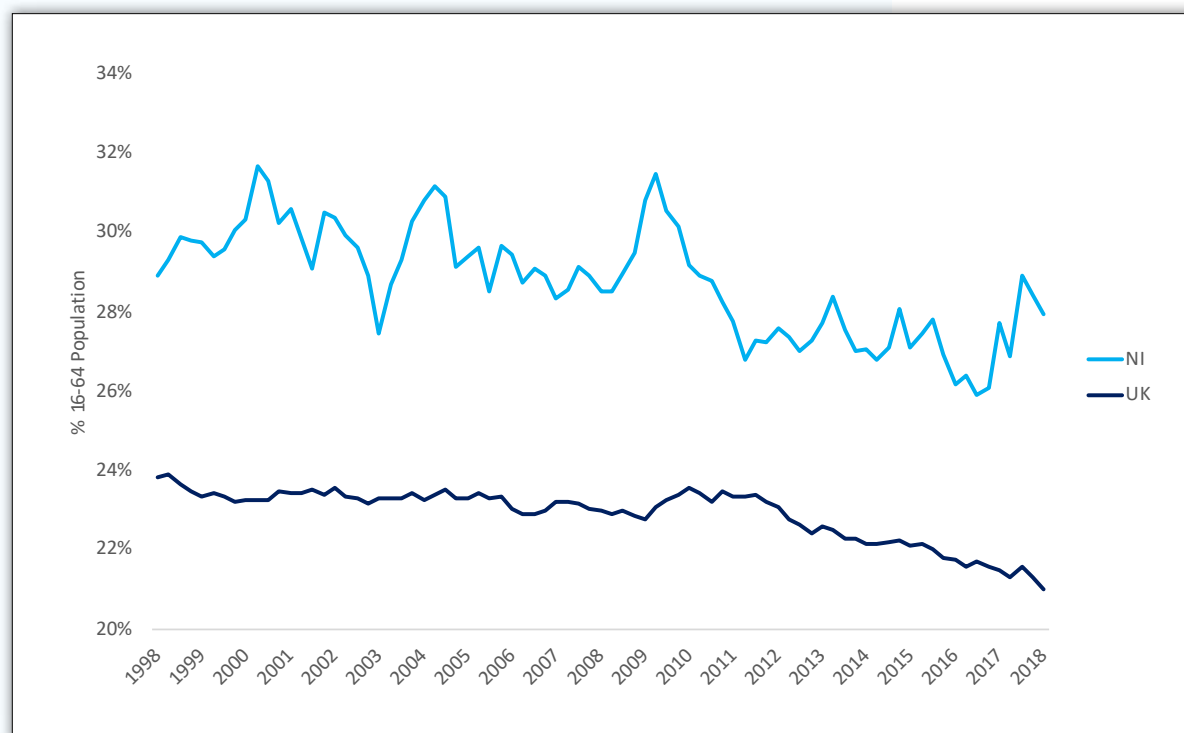


Source: ONS, UUEPC analysis

Relatively high rates of economic inactivity remain one of NI's most persistent and challenging economic issues. To provide perspective, NI has had the highest working age economic inactivity rate of the UK regions in 94 of the last 104 quarters. In addition, over the last decade, while the UK inactivity rate has declined annually, the rate has been persistently high in NI and has increased over the last two years. The diverging trend is concerning and creating a more significant economic issue for future generations to deal with in NI. Further information on the trends and composition of economic inactivity in NI can be found in an EPC *Working Paper* (EPC, Working Paper, November 2016).



Figure 7: Economic inactivity rates: UK &amp; NI, 1998 - 2018



Source: ONS, UUEPC analysis

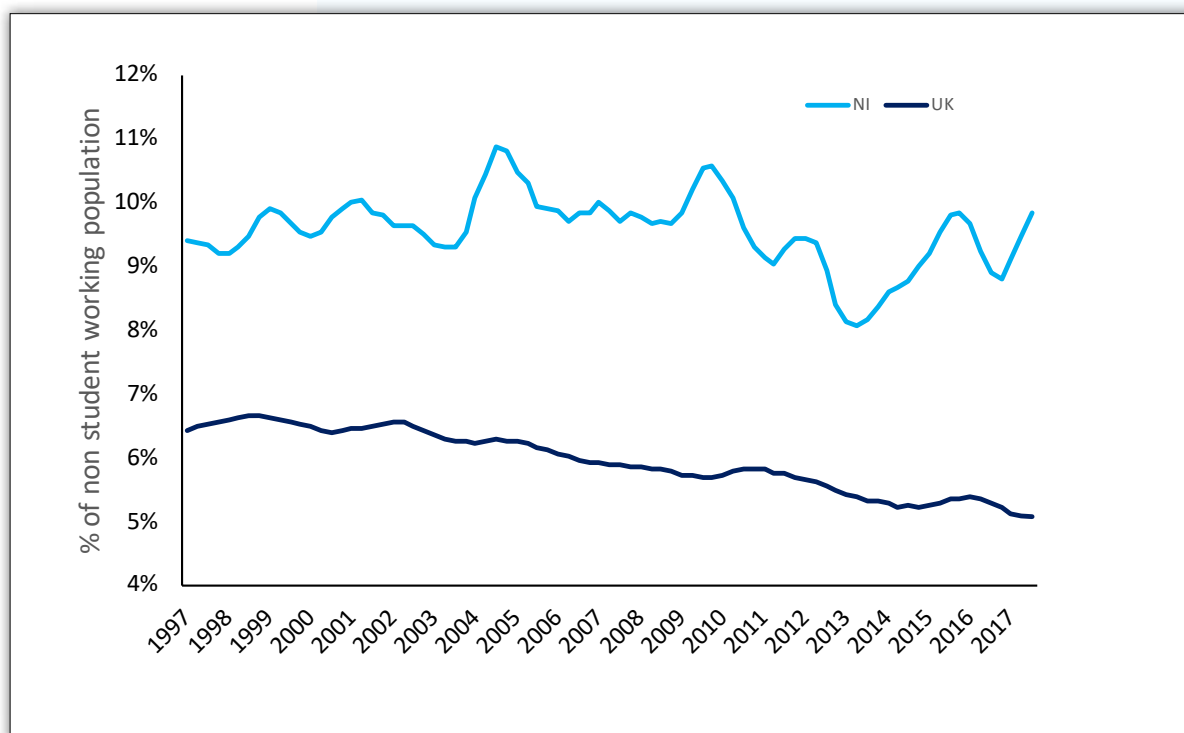
The number of economically inactive (excluding students) in 1997 was 233,000 and the figure in 2017 was 235,000.

Within the economic inactivity group, people are classified as; long term sick, looking after family/home, retired, a full-time student or other. Full time students represent approximately one quarter of the total economically inactive population in NI and can be viewed as a positive for society, as the investment in human capital and skills development should help to generate future economic activity.

NI has the largest proportion classified as long-term sick or disabled of the UK regions, equivalent to 10 per cent and almost double the UK rate of 5.1 per cent. Two decades after the Belfast / Good Friday Agreement, mental health issues such as post-traumatic stress disorders and intergenerational mental health issues persist and are above GB rates. Research by O'Reilly and Stevenson, 2003<sup>8</sup> suggests that "it is probable that the mental health of the population of NI has been significantly affected by the Troubles". It therefore follows that at least part of the explanation for the proportion of the population reporting mental health issues is higher in NI than other parts of the UK and could take several generations to dissipate. It is concerning to note however that since 2013, the overall trend has been upwards.

<sup>8</sup> [https://pure.qub.ac.uk/ws/files/515947/Mental\\_health\\_in\\_Northern\\_Ireland\\_-\\_have\\_The\\_Troubles\\_made\\_it\\_worse\\_-\\_J\\_Epidemiol\\_Community\\_Health\\_2003\\_-\\_O\\_'Reilly\\_D,\\_Stevenson\\_-\\_MR..pdf](https://pure.qub.ac.uk/ws/files/515947/Mental_health_in_Northern_Ireland_-_have_The_Troubles_made_it_worse_-_J_Epidemiol_Community_Health_2003_-_O_'Reilly_D,_Stevenson_-_MR..pdf)

Figure 8: Long term sick rates: UK &amp; NI, 1997-2017



Source: Department for the Economy, UUEPC analysis.

Note: Based on a 4 quarter moving average, and excludes students.

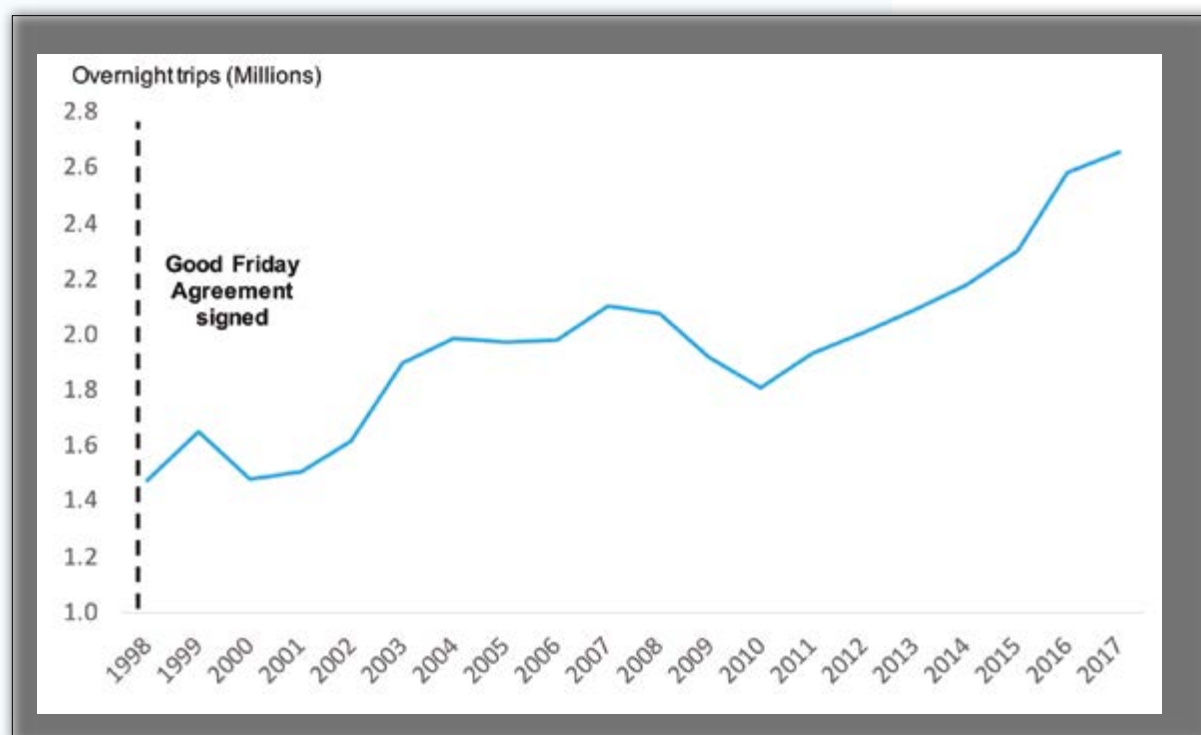
## 1.6 Tourism

The development of the tourism sector and promotion of NI as a place to visit has been assisted by two decades of peace in NI. When combined with the depreciation of Sterling following the 2008 recession and then again following the Brexit referendum, the impact has been a significant boost to tourism visitors and expenditure.

Tourism visits to NI increased during the 1990's and in 1998 there were almost 1.5M overnight trips to the region. By 2017 that number had increased by 80 per cent to 2.7M. In 2013, Deloitte estimated the tourism sector in NI contributed £2.0Bn of output and 52,000 jobs, equivalent to almost 7 per cent of the economy<sup>9</sup>. Over two decades, tourism sector has grown markedly in NI, with 80 per cent more overnight trips to NI in 2017 than in 1998.

<sup>9</sup> Deloitte, *Economic Impact- Deloitte- Tourism- Jobs & Growth*, November 2013

Figure 9: Overnight trips to NI, 1998-2017



Source: 1998-2010 Northern Ireland Tourist Board; 2010 onwards Northern Ireland Statistics and Research Agency

## 1.7 Foreign Direct Investment (FDI)

Two decades of peace will also have helped to attract FDI, making NI a more attractive place to do business when considered alongside NI's internationally competitive offering in terms of highly skilled workers, a competitive cost base (including the depreciation of Sterling, wages and office rents) and Government support for inward investment projects.

During 1998, the Industrial Development Board reported to Parliament that the organisation had promoted 1,422 jobs during 1997/8<sup>10</sup>. Over the most recent five years for which data are available, FDI intelligence reports that on average 3,000 jobs per annum were created by FDI companies in NI<sup>11</sup>. Clearly, NI's FDI performance has improved markedly since the signing of the Agreement as job creation levels have more than doubled over the past two decades.

<sup>10</sup> <https://publications.parliament.uk/pa/cm199900/cmselect/cmniaf/198/19803.htm>

<sup>11</sup> Note that IDB reports on jobs promoted, i.e. the intention to create jobs as a project is approved and FDI intelligence reports on a jobs created basis.

## 1.8 Brexit

Brexit negotiations continue, although uncertainty prevails regarding whether a deal can be struck and if it can, what it may bring for trade, market access, regulation and movement of people. Uncertainty has impacted on confidence locally. Many companies have chosen to 'wait and see', some others have taken steps to open a base across the border and indeed, some Irish companies have considered opening an NI base as a route that may help them export into GB. The longer-term economic impacts of Brexit are challenging to model and will be until the terms of a deal are agreed, or the UK exits the EU without one.

Short term impacts are already apparent, as one of the immediate effects of the Brexit referendum in June 2016 was the depreciation in the value of Sterling which has had both positive and negative implications. On the upside, Sterling's depreciation has acted as a boon for the UK and NI tourism industry, FDI investors and exporters as their international competitiveness has improved.

On the downside, the Sterling depreciation led to rising levels of inflation as imports became more expensive. Consumer Price Inflation (CPI) was 0.5 per cent at the time of the referendum, then increased to 3.1 per cent 18 months later. In recent months inflation has moderated to 2.5 per cent as import cost pressures have passed through. Rising inflation has squeezed consumers and households as wage growth has not kept pace. This means that consumers cannot buy as many goods and services and with consumption driving c70 per cent of the NI economy, imported inflation has acted as a brake.

## 1.9 Conclusions

On the 20th anniversary of the signing of the Belfast / Good Friday Agreement there are clear signs of economic progress. Employment is at a record high; unemployment rates are at historical lows and citizens are amongst the happiest in the UK according to some surveys. Peace is an important element of this success and when combined with increased consumer and government spending, business investment, recent exchange rate depreciations and a stronger export base, these factors coalesce to create a stronger economy in 2018.

Tourism visits have increased by 80 per cent and FDI job creation has more than doubled since 1998 providing a gauge of the improvement so far. Other sectors have benefitted from the downstream effects as tourists and FDI companies purchase from their local supply chains and employees spend their wages. These include agri-food, entertainment, retail and wholesale, construction, logistics and manufacturing, amongst others.

Whilst the NI economy has posted a strong performance in a historical context, there are several key indicators where NI's performance is relatively weaker than counterparts and competitors. These economic challenges have been a persistent feature of the NI economy and include relatively lower income levels per capita and employment rates, higher levels of economic inactivity, weaker productivity and as a result, a sizeable annual transfer from Westminster.

Economic inactivity rates are concerning as they are relatively high and rising at a time when they are falling across the UK. NI has a relatively higher incidence of sickness, and within that group, individuals reporting incidences of mental health illnesses. Research by O'Reilly and Stevenson (2003) suggests that the Troubles have impacted on the levels of mental health issues in the local population providing part of the explanation. Logic suggests that these issues could persist for several generations as families continue to deal with the effects of historical events.

More recently, economic growth has slowed, and this has been attributed, at least in part, to the uncertainty generated by the Brexit referendum. Locally, the absence of an Executive has impacted on economic policy making. One example of this is the devolution of Corporation Tax setting powers, which could be used to try to generate additional FDI. Whether an advocate of the policy or not, it is an example of the impact at this point in time.

In conclusion, the economy has grown and changed structurally since 1998 when the Agreement was signed. This is due to a range of factors including consumer and government spending, business investment, recent exchange rate depreciations and a stronger export base – and of course – a more peaceful and normalised society. Whilst there are many issues to tackle in NI and much more potential to fulfil, society is in a better place.

## 2. Society

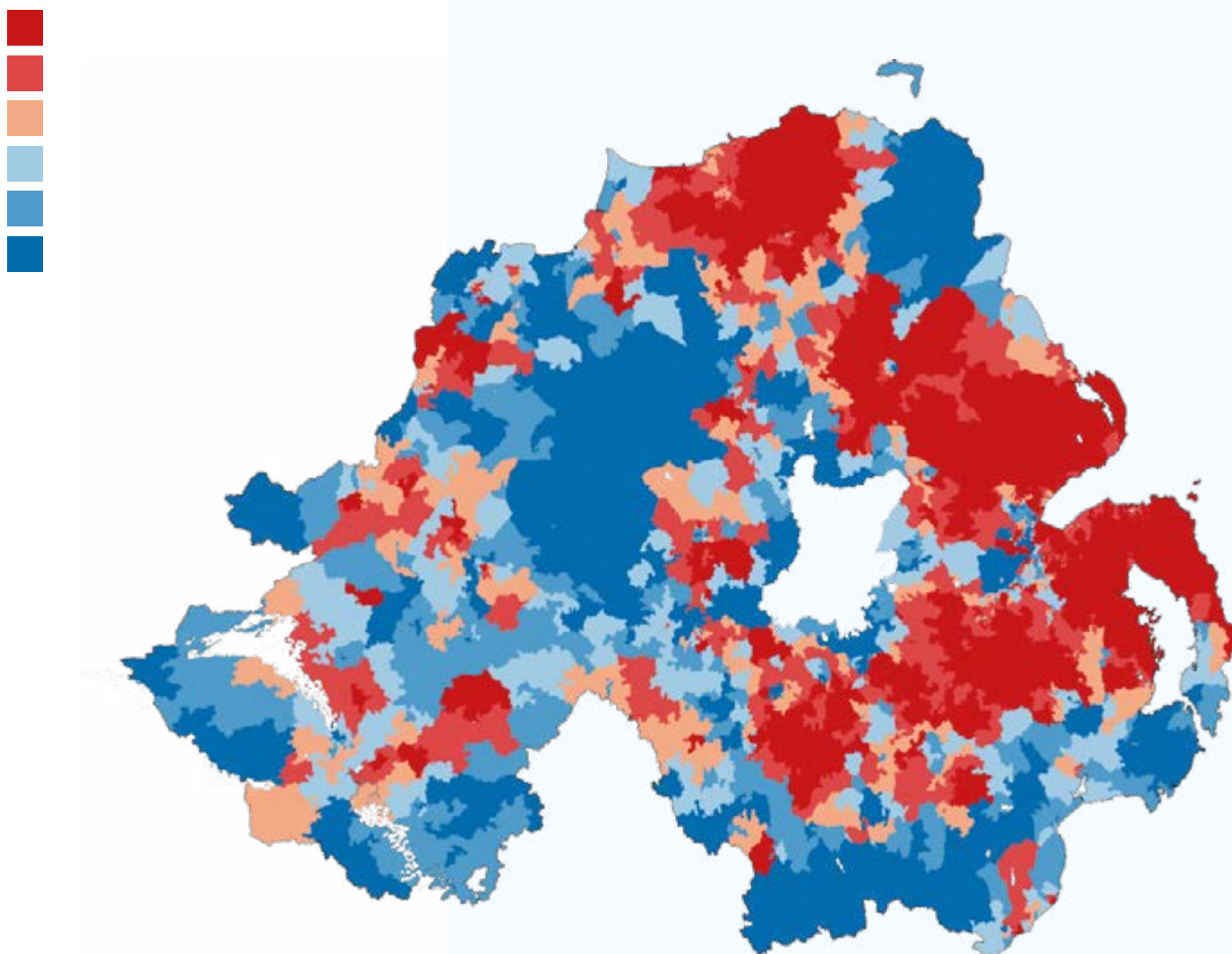
The first Peace Monitoring Report (Nolan, 2012) gave a history and background to the conflict. Previous reports have also given detailed analyses of the demography of NI including the religious balance and the migration into NI that has given rise to an increasingly diverse society. The last census was held in 2011 and estimates of key variables are released annually.

The NI population at 30 June 2017 was estimated to be 1.871 million, an increase of 8,700 people (0.5 per cent) since mid-2016 (NISRA). The increase can mainly be attributed to natural growth of 7,700 people (i.e. 23,600 births minus 15,900 deaths) and net inward migration of 1,200 people (i.e. 22,100 people moving here to live and 20,900 people leaving to live elsewhere). The level of emigration (i.e. people leaving NI to live elsewhere) and immigration (i.e. people coming here to live) both decreased in the year ending mid-2017, by 6.5 per cent and 7.3 per cent respectively. (NISRA, *2017 Population Estimates*, 28 June 2018).

The third Peace Monitoring Report (Nolan, 2014) examined the findings from the 2011 census of population. The key statistic was the narrowing of the gap between Catholics (45.1 per cent) and Protestants (48.4 per cent). This was the first time the Protestant population was not the majority in the history of the region.

Other significant points that are important to remember are first that the spatial distribution of the population shows a very clear divide with the East and South of NI more Protestant while the West and North is more Catholic.

Figure 10: Spatial distribution of Protestants and Catholics in Northern Ireland, 2011

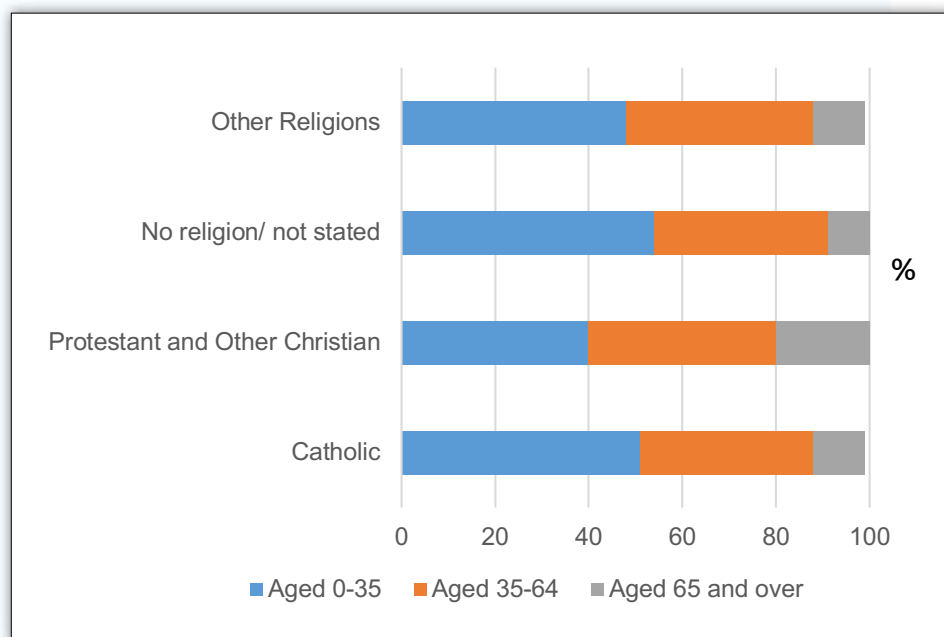


Source: Based on 2011 Census (<http://i.imgur.com/KwnE1Ep.png>)

The second point is that the age structure is different for the two communities with Protestants dominating in the older age cohorts and Catholics in the younger age cohorts.

An important element in the change over time in the religious make-up of the population of NI has been the fact that Catholics, those belonging to Other religions, those with no religion and those who have not stated a religion have younger age distributions than those who are Protestants and other Christians. In 2011, 54 per cent of usual residents with No religion / Religion not stated, 51 per cent of Catholics and 48 per cent of those belonging to Other religions were aged under 35, compared with 40 per cent of those who belonged to Protestant and Other Christian denominations. In contrast, one in five (20 per cent) of Protestants and Other Christians were aged 65 and over, compared with 11 per cent of Catholics, 11 per cent belonging to Other religions and 8.7 per cent with No religion/Religion not stated (NISRA, *Religion in NI*).

Figure 11: Age and Religion in Northern Ireland 2011 Census



Source: NI Assembly, Research Matters: *Demographic Profile*, 29 April 2016.

Figure 12 presents a number of key demographic comparisons between NI and the other UK countries. The table reveals that NI:

- Had the *second fastest growing population* in the UK (0.7 per cent annual increase) between 2004 – 2014;
- Has the *youngest population in the UK* (average age, 38.0 years in 2014);
- Has the highest fertility rate in the UK (1.97 births per woman in 2014). By 2024, the rate is projected to rise to 2.00, still higher than any other UK country; and
- Has the lowest death rate (8.0 per thousand population in 2014) of any UK jurisdiction.

Figure 12: Population of Northern Ireland: comparisons with other UK Jurisdictions

	United Kingdom	England	Wales	Scotland	Northern Ireland
<b>POPULATION</b> (millions, rounded)					
2011 (Census)	63.2	53.0	3.1	5.3	1.8
2014 (Estimate)	64.6	54.3	3.1	5.3	1.8
2024 (projection)	69.0	58.4	3.2	5.5	1.9
Annual average % growth rate, 2004-14	0.7	0.8	0.4	0.5	0.7
<b>MEDIAN AGE</b> (years)					
2014	40.0	39.7	42.1	41.9	38.0
2024	40.9	40.6	42.8	42.9	40.1
<b>TOTAL FERTILITY RATES</b> (children per women)					
2014	1.82	1.83	1.78	1.62	1.97
2024 (projected)	1.87	1.89	1.88	1.63	2.00
<b>DEATHS</b> (crude rate per thousand population)					
1984	11.4	11.3	12.0	12.1	10.1
2014	8.8	8.6	10.2	10.1	8.0

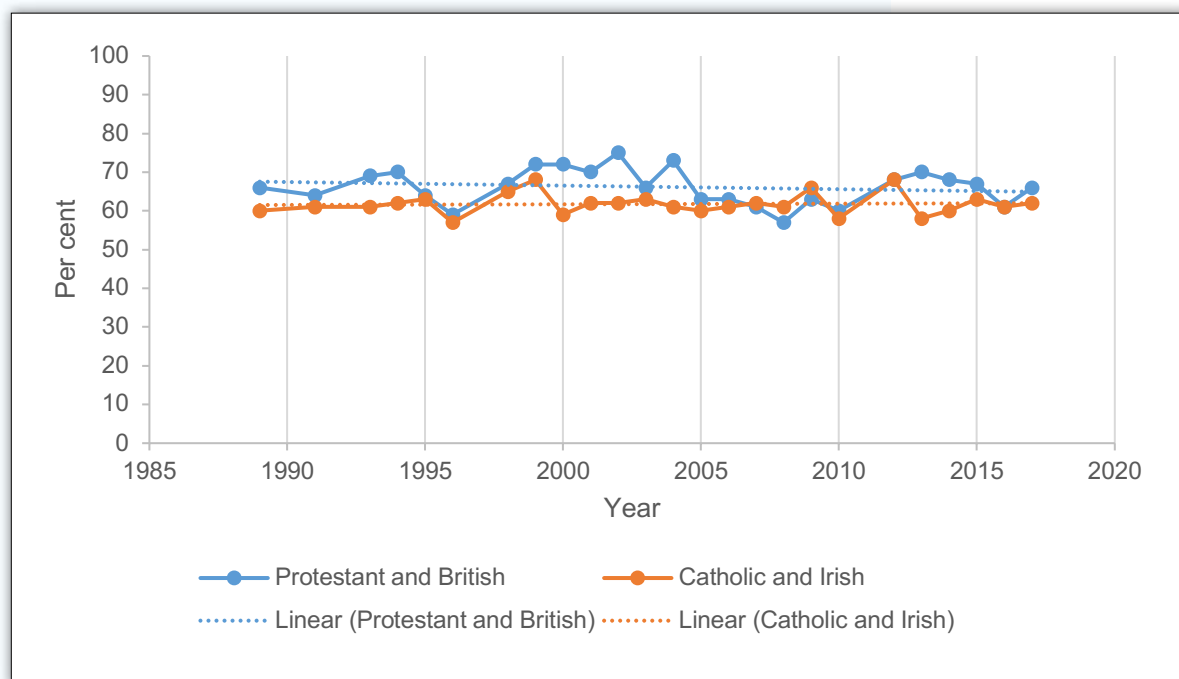
Source: NISRA, ONS

The next Census is in 2021, however, using other statistics including the School Census and Labour Force Religion survey, Nolan reports (*The Irish Times*, 19 June 2018) that the Catholic population will continue to grow and by 2021 may outnumber the Protestant population. He goes on to speculate that given the different age cohorts the next stage will be that the Catholic electorate will outnumber the Protestant electorate.

Traditionally the Catholic population in NI have largely identified as Irish while the Protestant population have largely identified as British. The Life and Times survey (and previously the NI Social Attitudes survey) has monitored this since 1989 and the data show little change over this almost 30 year period.

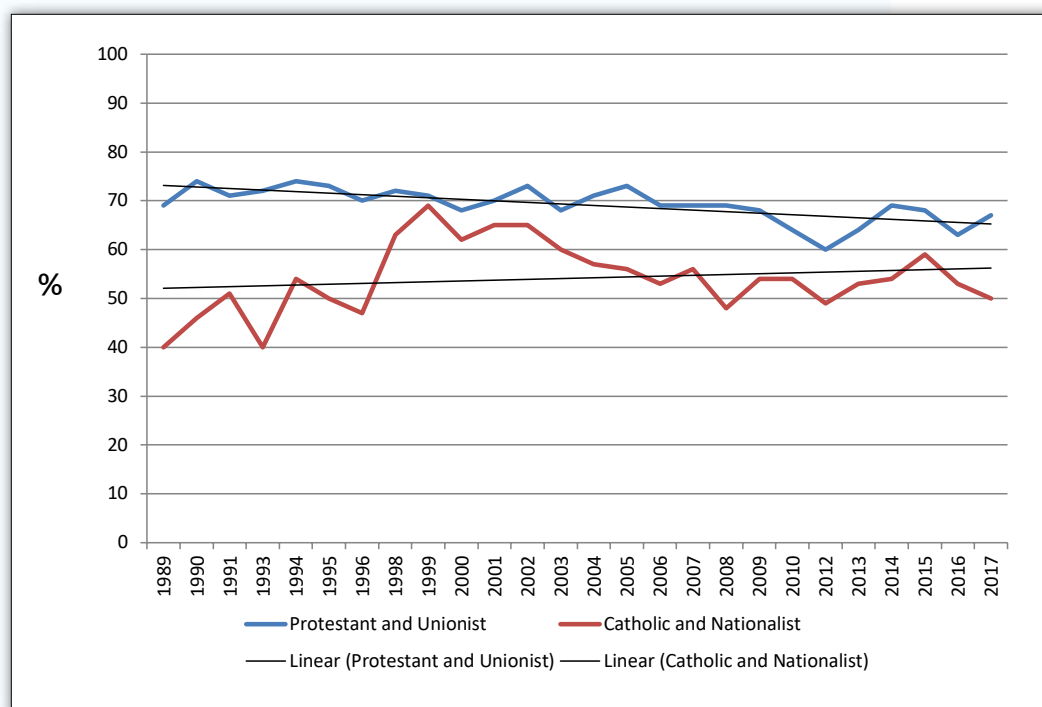


**Figure 13: National Identity and Religion in Northern Ireland (percentage), 1989-2017**



Source: Northern Ireland Life and Times survey 1998 2017; Northern Ireland Social Attitudes survey 1989-1997.

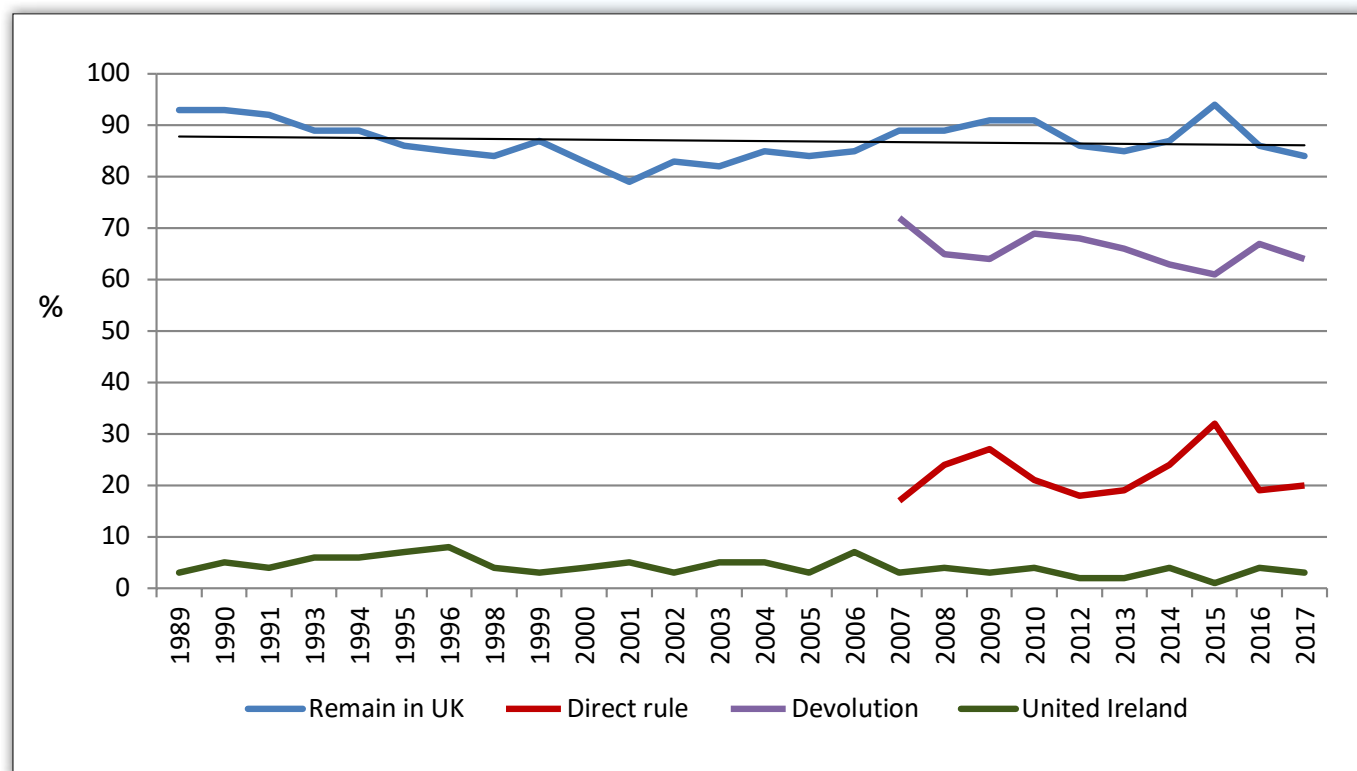
**Figure 14: Percentage of Protestants describing themselves as Unionist, and Catholics describing themselves as Nationalist (percentage), 1989 -2017 (discontinuous)**



Source: Northern Ireland Life and Times survey 1998 2017; Northern Ireland Social Attitudes survey 1989-1997.

In terms of the detail of constitutional preferences. The majority of Protestants want to remain part of the UK preferably under devolution. A small minority support a united Ireland.

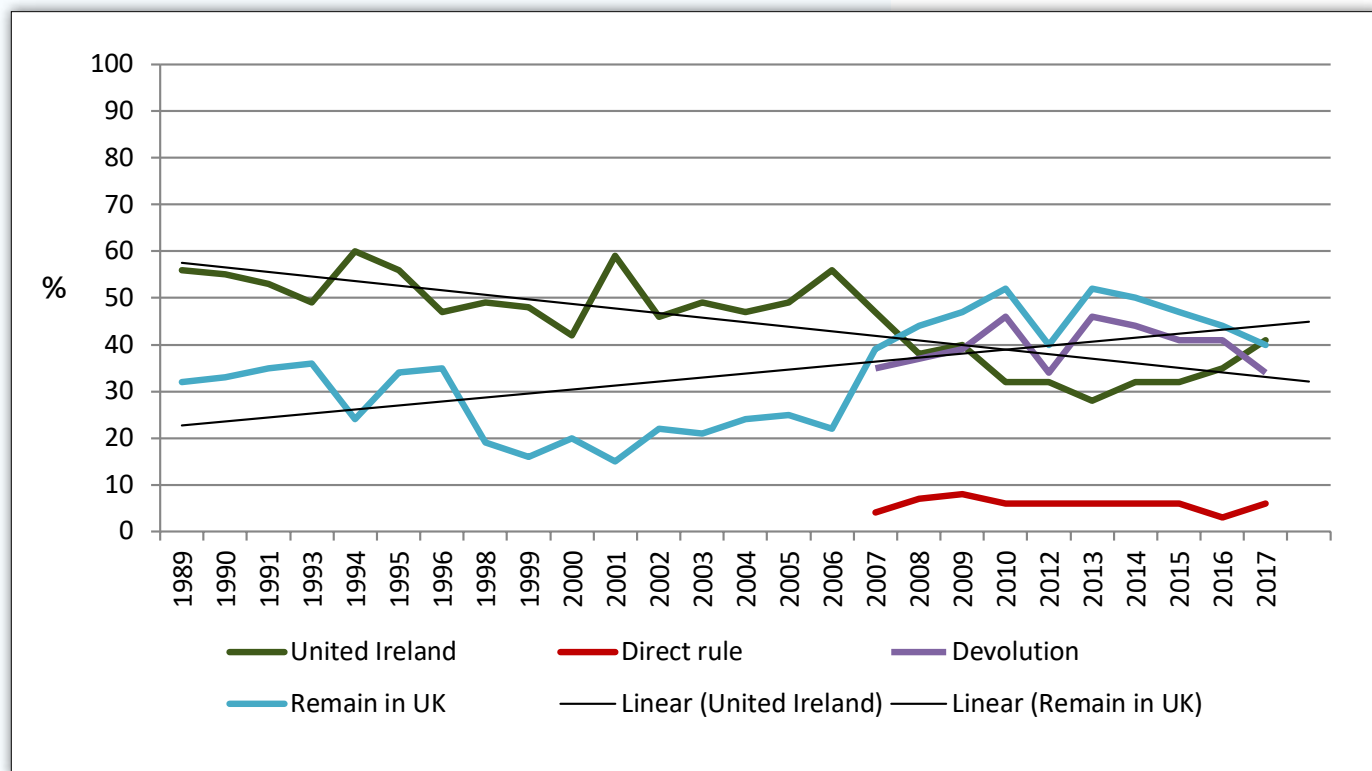
**Figure 15: Constitutional preferences of Protestants (percentage), 1989-2017 (discontinuous)**



Source: Northern Ireland Life and Times survey 1998 2017; Northern Ireland Social Attitudes survey 1989-1997.

For Catholics the overall trend is a decrease in those wanting a united Ireland although since 2013 that percentage has been increasing. Since 2006 there has been an increase in Catholics whose preference is to stay in the UK with devolution, again since 2013 this has been decreasing to a point where in 2017 the two positions are almost equal.

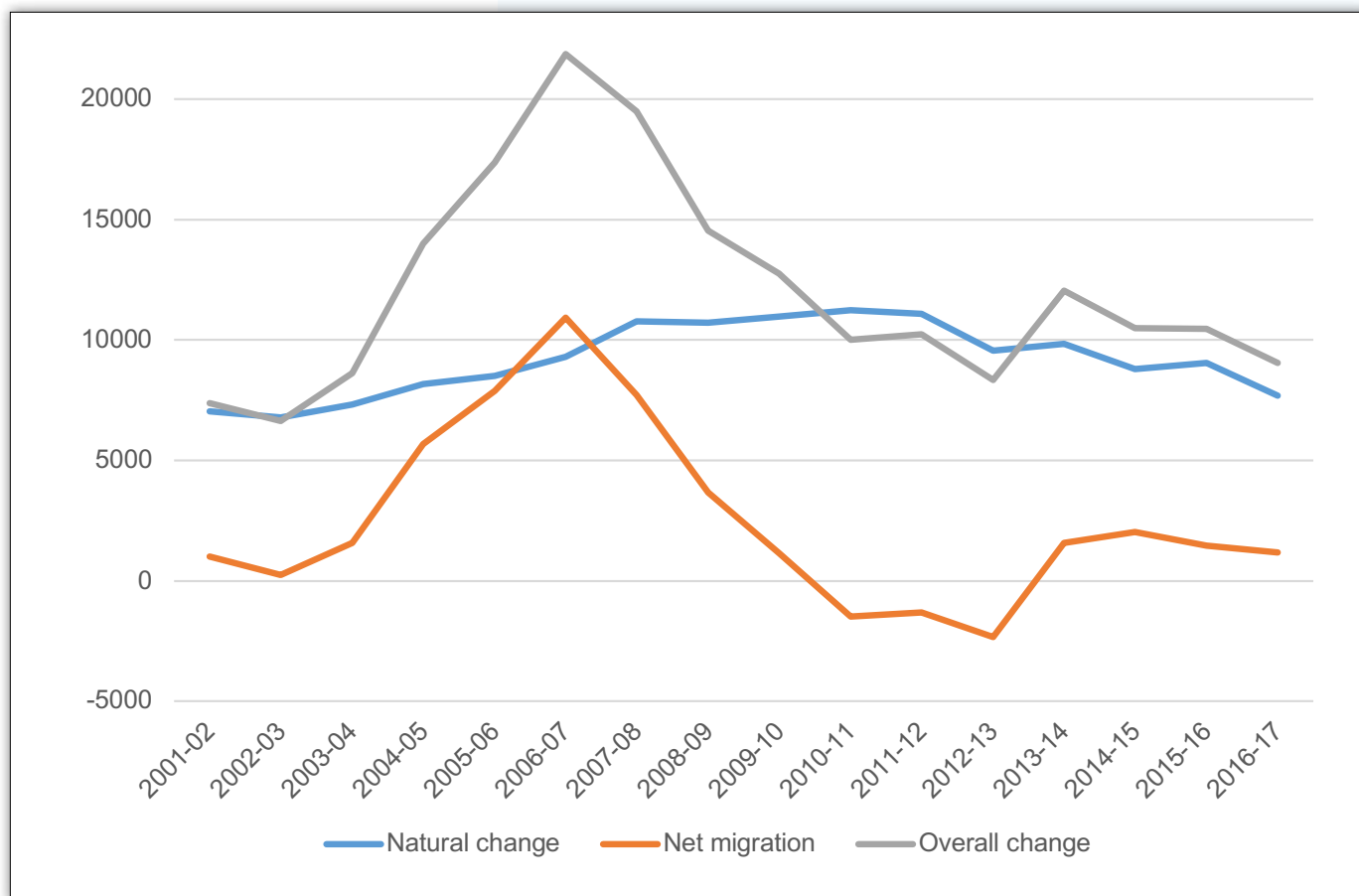
Figure 16: Constitutional preferences of Catholics (percentage), 1989-2017 (discontinuous)



Source: Northern Ireland Life and Times survey 1998-2017; Northern Ireland Social Attitudes survey 1989-1997.

NISRA figures show the trend in migration to and from NI over the past 16 years. From 2003 there was an increase in those coming in to NI as a result of the accession of the Eastern European Union members such as Poland but this was short lived. From 2007 with the recession the numbers dropped until a slight rise again from 2013. Wilson (2016) noted in the fourth Peace Monitoring Report that since the 2011 Census detail on the makeup of the immigrant population is difficult to assess. One data set that is helpful is the School Census collated by the Department of Education that shows that in 2001/02 there were 868 children, 0.5 per cent of the official register in primary school for whom English was a second language. This has risen gradually over the years to 2017/18 where some 11,423 children, 6 per cent of the official register in primary school have English as a second language. The comparable figures for post primary schools are 2001/02 463 young people, 0.3 per cent rising to 2017/18 2839, 2 per cent.

Figure 17: Components of population change, 2001- 02 to 2016 -17



Source: NISRA

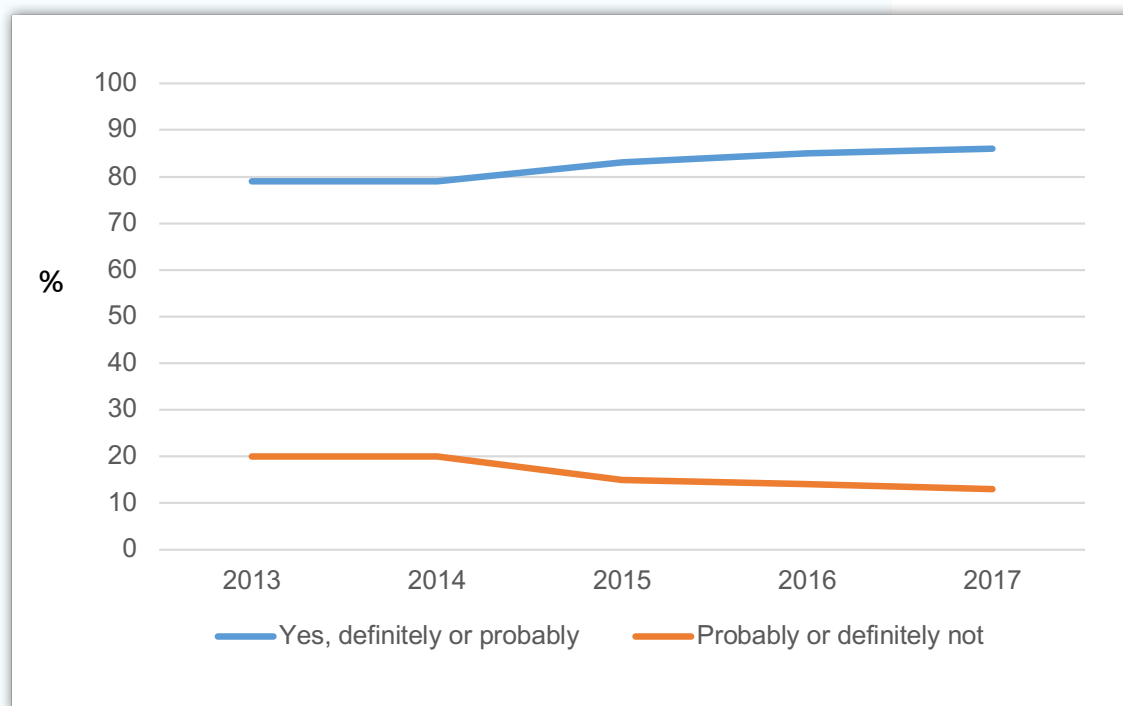
Figure 18: Births registered in Northern Ireland classified by Mother's country of birth, 1998, 2010 and 2016 shown as percentage of total births

Year	Northern Ireland %	Rest of UK %	Rep. of Ireland %	A8 Countries %	Other Countries %
1998	86	7	3	0.008	2
2010	82	5	3	5	5
2016	83	4	3	5	6

Source: NISRA

Later in this report (Dimension Two) we discuss hate crime and racism and present some worrying trends. However, a majority (80 per cent or higher) of those living in NI report feeling a sense of belonging and this has been rising slowly over the years since 2013 when the question was first asked in the Northern Ireland Life and Times survey.

Figure 19: And thinking about Northern Ireland as a whole, the kind of place it is and the kind of people who live here, would you say that you feel a sense of belonging to Northern Ireland? (percentage), 2013-2017



Source: Northern Ireland Life and Times survey 2013-2017

This section has provided a brief overview of the economy and society in NI. The report now proceeds to examine the detailed situation under each of the four dimensions. First political progress is explored; this is followed by an examination of the sense of safety; the report then examines equality related issues and finally the report focusses on cohesion and sharing.



# DIMENSION ONE

## Political progress

### 1. INTER-PARTY TALKS

The previous Peace Monitoring Report (Wilson, 2016) contained an assessment of the political situation in Northern Ireland (NI) that covered the period up until the summer of 2016. On the one hand there was some positivity in that, 'after another period of shakiness, NI's political institutions had become more stable', and that consequently, 'the devolved ship of state' appeared more stable than it had for some time (Wilson, 2016:11). However, all of this also came with a caveat in terms of the possible implications following the outcome of the Assembly election of May 2016 as well as the result of the Brexit referendum in June 2016. It was therefore apparent that the 'Northern Ireland kaleidoscope had certainly been shaken. How it would settle was, however, by no means certain' (Wilson, 2016:179). Politics in NI has endured a testing time marked by divisions over Brexit and political wrangling that has led to the region being without a devolved government since January 2017. Alongside this has been the apparent absence of a continuing commitment to the three-stranded approach that emerged in the 1990s that helped secure the Belfast / Good Friday Agreement in 1998. Not only have the key relationships - within NI, between Belfast and Dublin, as well as Dublin and London - deteriorated but the structures put in place to manage these have either been suspended or failed to secure the necessary political backing to make them work. Another aspect has been the gradual disengagement of the United States government on matters relating to NI. Although initially the British government and unionist politicians viewed such external involvement with some suspicion it did undoubtedly prove beneficial at certain important moments. But since early 2017 the role of American special envoy to NI has remained unfilled, and there has been a long delay in the appointment of the American ambassador to Ireland. As things stand all of this has produced a situation where stalemate has become entrenched, with no obvious solution forthcoming to find a way out of the impasse.

#### 1.1 Talking the talk: March 2017 - February 2018

Following the Assembly election on 2 March 2017 James Brokenshire, then Secretary of State, faced the challenge of instigating a new round of political talks aimed at restoring devolved government in the region. The process got underway in earnest on 6 March with a three week deadline in place to allow the negotiations to produce an agreement that would allow a new power-sharing executive to be formed. Immediate prospects looked bleak however with Sinn Féin (SF) repeating its demand that Arlene Foster could not be reinstated as First Minister whilst the Renewable Heat Incentive (RHI) Inquiry continued. The Democratic Unionist Party (DUP) countered by dismissing this ultimatum by making clear that, 'It is not for Sinn Féin to dictate our nominee' (*Belfast Telegraph*, 6 March 2017).

In spite of this discussions continued but then were to be halted temporarily with the death of deputy First Minister Martin McGuinness on 21 March. At the funeral two days later, on 23 March in Derry, the First Minister Arlene Foster and the SF Assembly leader Michelle O'Neill publicly shook hands and for some this was taken as a positive sign in terms of the ongoing talks. But it soon became clear that there was little prospect of progress and on 26 March Michelle O'Neill announced that the current process had come to an end and consequently that SF would not be nominating her as deputy First Minister the following day. In effect this meant that no power-sharing executive could be formed before the formal deadline on the afternoon of Monday 27 March (*The Guardian*, 26 March 2017). As for the DUP Arlene Foster was clear that the failure at this juncture rested with SF and not her party (ITV News, 26 March 2017). Figure 20 highlights key political events between June 2016 and August 2018.

**Figure 20: Key political events, June 2016 - August 2018**

## Key Political Events

**23 June 2016** - Referendum on the UK's membership of the EU. Whole UK - 51.9% in favour of leaving and 48.1% for remaining. In NI 44.2% vote to leave and 55.8% to remain.

**9 January 2017** - Martin McGuinness resigned as deputy First Minister.

**16 January 2017** - SF refused to nominate anyone as deputy First Minister. This move threatened to bring down devolved government in NI. James Brokenshire (Secretary of State) announced that the NI Assembly would be dissolved on 26 January with a new election set for 2 March.

**2 March 2017** - Polling for the NI Assembly Election. When votes were counted, SF came within one seat of replacing the DUP as the largest party. For the first time there was no overall unionist majority.

**6 March 2017** - Negotiations involving all the main political parties in NI, as well as the British and Irish governments, got underway in an attempt to restore devolved government.

**21 March 2017** - Death of Martin McGuinness.

**26 March 2017** - Michelle O'Neill (SF Assembly leader) stated that the political talks had failed and that SF would not be nominating anyone for deputy First Minister. This meant that no new Executive would be formed before the 27 March deadline.

**29 March 2017** - UK government issued a letter triggering Brexit. The UK will leave the EU at 11pm on 29 March 2019.

**18 April 2017** - Theresa May (Prime Minister) announced her intention to seek to dissolve the current parliament and call a Westminster election. This effectively ended the political talks in NI.

**8 June 2017** - Polling for the Westminster General Election. Although it remained the largest party in the House of Commons, the Conservative Party failed to win an overall

majority. In NI the DUP won 10 seats, SF won 7 seats with 1 Independent Unionist holding the other seat. Both the SDLP and UUP lost all the seats they were defending. Theresa May sought the support of the DUP to allow her to form a new government.

**1 November 2017** - In the wake of the ongoing failure of negotiations to restore devolved government in NI, James Brokenshire announced his intention to bring legislation before Westminster to provide a budget for NI to cover 2017-18.

**18 January 2018** - Karen Bradley, recently appointed as Secretary of State, revealed she intended to start a new round of political negotiations on 24 January.

**9 February 2018** - BBC News NI reported that a possible deal between the DUP and SF to restore the Assembly and the Executive, could be announced within a few days

**12 February 2018** - Theresa May and Leo Varadkar (Taoiseach - Irish Prime Minister) arrived in Belfast to take part in the political talks. They both left the following day with no apparent breakthrough in sight.

**14 February 2018** - The negotiations ended in failure with the DUP and SF blaming each other for the collapse.

**8 March 2018** - Karen Bradley published a budget setting out spending plans for NI that cover 2018-19.

**26 April 2018** - Karen Bradley met all the main NI political parties in a series of discussions aimed at restoring devolution. But no announcement was made for any new round of negotiations.

**9 August 2018** - BBC NI News reported that the Guinness World Records will not allow NI to claim the title of having the longest period without a peacetime government, which is currently held by Belgium, as it is judged to be a devolved administration rather than a sovereign state.



A fresh round of negotiations with a new deadline of mid-April failed to secure a breakthrough and so James Brokenshire announced a pause in proceedings issuing a warning that would soon become familiar – namely that the government could not accept the continuing stalemate with possible options including a further assembly election or even the return of direct rule. He made clear that if there was no agreement after Easter he would bring in legislation at Westminster in order to set a regional rate for NI (*BBC NI News, 11 April 2017, .*). At this point events elsewhere intervened and on 18 April 2017 Theresa May announced a British General Election for 8 June. This meant some immediate action needed to be taken with regard to NI and on 21 April the British government published the Ministerial Appointments and Regional Rates Bill which set out details to not only set a regional rate but also included provisions to extend the talks deadline once again until 29 June.

Whilst the election campaign that followed in NI may not have been as bitter as the one witnessed in March for the Assembly, the end result was to have major implications. The DUP and SF made significant gains with both winning seats at the expense of their main political rivals the Ulster Unionist Party (UUP) and the Social Democratic and Labour Party (SDLP). Furthermore the overall result across the UK had huge significance for the DUP. With Theresa May and the Conservative Party falling short of a majority in the House of Commons she was forced into a confidence and supply arrangement with the DUP whereby the party would support her minority government. Such a development had obvious implications for the stalled negotiations in NI and not surprisingly apart from the DUP none were convinced that the deal between the Conservatives and DUP would make things any easier. For instance Gerry Adams (SF leader) informed Theresa May 'directly that she was in breach of the Good Friday Agreement'. The SDLP stated that it was not 'convinced that the DUP tail is not wagging the Tory dog', and according to the Alliance Party of Northern Ireland (APNI), 'She (Mrs May) sought to give us reassurance on the issue of neutrality but we have to be practical about these things ... In reality, the government is here simply because the DUP allow it to be so'. Finally for the UUP there were concerns, 'that any deal reached is open and transparent' and that 'we are well aware coming from the Northern Ireland political situation of the side details that have been done in previous agreement' (*ITV News, 15 June 2017*).

These criticisms were brushed off by the British government and a new round of negotiations got underway. These also failed to produce a result and in a statement to the House of Commons on 3 July the Secretary of State conceded that the talks had come to an end. While emphasising that devolved government was the best option for NI he indicated that the Westminster parliament would have to step in 'to give authority for the expenditure of Northern Ireland Departments through an appropriations Bill' (*Hansard, 3 July 2017*).

In early September 2017 James Brokenshire met with the local parties in order to try and restart the talks process. Whilst the DUP and SF restated their willingness to participate each indicated that the onus was on the other side to allow progress to be made. Arlene Foster set out her proposals, which included an agreement to, restore an Executive immediately. Alongside this would be, 'a move to bring forward legislation to address culture and language issues in Northern Ireland within a time-limited period to be agreed. If we fail to do that in a way that commands cross community

support then the Executive would cease to exist' (Foster, *Speech*, 31 August 2017). These proposals were rejected by SF with Michelle O'Neill stating, 'Let's agree to quickly conclude talks on implementation and rights, that is the only way to build a sustainable Executive that will last' (*Belfast Telegraph*, 2 September 2017).

Despite these exchanges the DUP and SF did engage in the new round of discussions in early October. Both were keen to stress that a deal could be reached but the size of the task to be overcome became evident at a very public spat between Foster and O'Neill at an event during the Conservative Party conference (*BBC NI News*, 3 October 2017). Amidst such negativity there were still ongoing reports of a potential breakthrough. Speaking in the Irish Senate on 12 October the Minister for Foreign Affairs and Trade in the Dáil, Simon Coveney (Irish Foreign Minister), expressed his optimism that there could be a successful conclusion to the current round of talks by the end of that week. The following weekend the DUP were forced to deny a report that appeared in *The News Letter* suggesting that the party was engaged in an internal consultation exercise on the outline of a possible deal with SF (*The News Letter*, 14 October 2017).

Although James Brokenshire had avoided setting a specific deadline for this latest round of negotiations he had long warned failure to restore devolution would result in the UK government having to legislate to set a budget for NI for 2016-17 and that this by its very nature put, 'Northern Ireland on a path towards greater UK intervention in its day to day affairs' (Written Statement, 9 October 2017). In the absence of progress in the talks the NI Budget Bill was passed on 16 November 2017 although the Secretary of State was keen to stress that this did not mean an immediate return to direct rule (*Statement*, 1 November 2017).

It was early 2018 before the process picked up again. Due to ill-health James Brokenshire had been forced to step aside and his replacement, Karen Bradley had cabinet experience but little background in NI affairs. She engaged in a series of discussions with all the main political parties in NI as well as the Irish government. At a joint press conference with the Irish Foreign Minister Simon Coveney on 18 January she called for a new set of talks to begin on 24 January. She did not set out a specific deadline but indicated that she intended to give MPs at Westminster an update on progress no later than 7 February (*Statement*, 18 January 2018). The choice of date was not picked at random. David Sterling, then head of the NI Civil Service, had stated during evidence given to the Northern Ireland Select Affairs Committee that 8 February was the cut-off date to allow for clarity about setting a budget for the year 2018-19 (*BBC NI News*, 24 January 2018).

In Karen Bradley's report to MPs on 7 February she gave little away but just a few hours earlier a spokesperson for the government was making it known that 'an agreement in the coming days, while not certain, is achievable' (*The Guardian*, 6 February 2018). On 9 February reports began to emerge from the BBC that there was potentially a deal in place between the DUP and SF that would finally see devolved government restored to NI. The possibility of this happening was then further strengthened when it was announced that the British and Irish Prime Ministers would be arriving on Monday 12 February to take part in the talks. However both left Belfast the following day without any agreement in sight. On 14 February 2018 it was announced that the process had ended acrimoniously with the DUP and SF blaming each other for its demise.

A unique insight into the process was provided by journalists Eamon Mallie and Brian Rowan when they released what they claimed to be the draft of a paper exchanged between the parties on 9 February (*EamonnMallie.com, Draft, 20 February 2018*). This seemed to indicate that the parties were edging towards an overall deal that could have seen devolved government restored. Whilst later there were to be different interpretations between the DUP and SF as to the significance of the document it still provides a useful source as an indicator as to the positions of both parties.

There appeared to be a commitment to put new arrangements in place that would ensure against a similar political crisis in the future. This included:

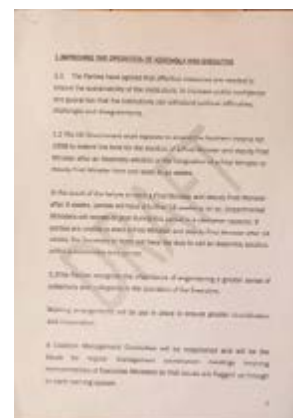
- provisions to extend the period for an election of a First and deputy First Minister after an Assembly election or the resignation of either from one to six weeks;
- in the event of this being unsuccessful then a further 18 weeks would be provided to allow for a deal to be struck;
- a review of the current system by which the Petition of Concern had operated in the Assembly;
- the establishment of a Coalition Management Committee to provide an early warning system on any potential future areas that could cause friction;
- the creation of an Ad Hoc Committee within the Assembly, assisted by a panel of four experts, to consider the creation of a Bill of Rights for NI;
- the issue of same sex Marriage would be considered by means of a Private Members Bill in the Assembly and that 'it is acknowledged that no Party alone can table a Petition of Concern'; and
- that the immediate priorities for any new Executive would be in the areas of Health and Brexit.

With regards to the issues of language and dealing with the past there was every indication that more work needed to be done. But Mallie and Rowan remained convinced that the document was an indication that on Friday 9 February the DUP and SF were edging close to an overall settlement pointing to the fact that negotiators from both parties were at that stage corresponding with each other under the heading *Draft Agreement Text*.

In the immediate aftermath of the talks collapsing both parties gave contrasting views as to how close they had actually come to striking a deal. The SF position was outlined by Mary Lou McDonald (who had recently replaced Gerry Adams as the party's president) at a press conference on 15 February. She made clear that SF believed that a draft agreement had been reached with DUP on Friday 9 February and that it had, 'advised the DUP leadership that the deal should be closed before those opposed to it could unpick what we had achieved' (*McDonald, 15 February 2018*).

The claim that elements within the DUP had scuppered a possible deal was now prevalent in the media. Arlene Foster in an interview on RTE News denied the rumours as 'nonsense' and refuted that any recommendation had been made by her to party officers (*RTE News, 15 February 2018*). However, speculation continued to focus on the exact nature of those internal

**Figure 21: Page from the draft 'Agreement'**



Source: EamonnMallie.com

developments within the DUP. On 16 February Nigel Dodds attempted to set the record straight and he claimed that, 'the Sinn Féin propaganda machine is in full flow', that Arlene Foster had been right to call time on the Talks and that the DUP wanted devolved government but not at any price (*Dodds*, 16 February 2018).

All the smaller parties could do was voice their frustration at the lack of action. All eyes continued to focus on the DUP and SF but it became increasingly clear that there was to be no meeting of minds on how to proceed. This has continued to be the case and with Brexit and continuing disagreement over legacy issues and the Irish language evidence would suggest that the restoration of the devolved institutions could be some time away.

## 2. BREXIT

While there are already thousands of academic articles, books and reports about the topic of Brexit, the problem all the academic authors and political commentators face is the high level of uncertainty about the final outcome of the UK and EU negotiations. The information in this current Peace Monitoring Report was compiled (to August 2018) during this period of negotiations with further crucial summit meetings to occur in the closing months of 2018. An account of the final negotiated position between the UK and the EU, together with its full political, social, and economic implications for the UK, for Ireland, and especially for NI will have to await a future Peace Monitoring Report. However, given the impact that the Brexit process has already had on politics in the region and the level of political disagreement it has engendered within and outside NI it is important to review some of the major developments since the outcome of the EU referendum on 23 June 2016. The future implications of Brexit for the Belfast / Good Friday Agreement and the likely impact of Brexit on any future referendum on Irish reunification are also considered.

### 2.1 Review of the referendum result and support for Brexit

The fourth Peace Monitoring Report (Wilson, 2016) discussed the outcome of the Referendum on the EU but it is worth restating the results. The referendum was held on a UK-wide basis, that is, England and Wales, Scotland and NI, and the overall result was 51.9 per cent in favour of leaving the EU and 48.1 per cent for remaining. The breakdown of national results is shown in Figure 22.

Figure 22: Summary of EU Referendum Results in the UK

	Leave	Remain	Valid Votes
England	53.38%	46.62%	28,455,402
<b>Northern Ireland</b>	<b>44.22%</b>	<b>55.78%</b>	<b>790,149</b>
Scotland	38.00%	62.00%	2,679,513
Wales	52.53%	47.47%	1,626,919
<b>Total</b>	<b>51.89%</b>	<b>48.11%</b>	<b>33,551,983</b>

Source: CAIN; *Referendum results*, 23 June 2016

The results of a survey, conducted around the date of the referendum, indicated that within NI 85 per cent of Catholics and 40 per cent of Protestants had voted to remain in the EU (Garry, *NI Assembly KESS paper*, 2016).

Of the main political parties in the region, only the DUP supported the leave campaign and it continues to be a vocal supporter of Brexit. Since the *Westminster General Election* in June 2017 (CAIN, Westminster General Election, 8 June 2017), the DUP's 10 Members of Parliament have supported most of the Conservative party's Brexit strategy through a confidence and supply arrangement. However, the DUP have set a red line at any outcome which would result in NI being treated differently from Britain – so the party opposes any special status for the region. Essentially, the DUP oppose any new border down the Irish Sea with people from the region facing passport control and other checks at ports and airports (thus anything which differentiates NI citizens from residents in Britain). Following the referendum the UUP shifted from its remain stance and stated that Brexit should go ahead and supported Theresa May in negotiations in an attempt to get the best deal for NI (*Belfast Telegraph*, 11 May 2017). Sylvia Hermon, independent MP, is currently the only significant unionist representative who remains anti-Brexit and has clashed with other unionists in Westminster over the issue (*BBC NI News*; 6 December 2017). On the Nationalist side, both SF and the SDLP continue to oppose most aspects of Brexit and argue strongly that NI needs to be given special designated status in order to avoid the likelihood of additional border controls between the north and south. However, the SDLP has no MPs following the 2017 Westminster election and the seven SF MPs do not take part in the proceedings of the House of Commons due to the party's long-standing abstentionist policy.

## 2.2 Northern Ireland and the border in the Brexit negotiations

On 29 March 2017, Article 50 of the Treaty on European Union (TEU), was invoked in a letter containing notification of the UK government's intention to proceed with leaving the EU (Theresa May, *Letter*, 29 March 2017). This started the two-year negotiation process, so in the absence of any extensions to the timetable, the UK will leave the EU on 29 March 2019 at 11 p.m. This happens regardless of whether a deal has been reached or not. Among the suggested principles for the planned discussions was: 'v. In particular, we must pay attention to the UK's unique relationship with the Republic of Ireland and the importance of the peace process in Northern Ireland' (Theresa May, *Letter*, 29 March 2017:5). A British government position paper on how to address the unique circumstances of NI and Ireland in light of the UK's withdrawal from the EU (DEXEU, *position paper*, 16 August 2017) dealt with proposals for upholding the Belfast / Good Friday Agreement, maintaining the Common Travel Area (CTA), avoiding a hard border, and preserving north-south and east-west cooperation. It also stressed the importance of not doing anything which would 'jeopardise the peace process in Northern Ireland' (page 4).

The British Prime Minister delivered a speech in Florence, Italy that set out plans for a transition period following Brexit during which time trade would continue on existing terms and the UK would continue to pay into the EU budget (Theresa May, *Speech*, 22 September 2017). Theresa May stated that all parties to the negotiations had agreed to, 'protect progress made in Northern Ireland over recent years' and that the UK and the EU, 'have committed to protecting the Belfast Agreement and the Common Travel Area and, looking ahead, we have both stated explicitly that we will not accept any physical infrastructure at the border'. Later the UK and the EU agreed a transition period up to 31 December 2020 which would allow time for businesses and others to prepare for the post-Brexit rules (BBC News *item*, 19 March 2018).

In December 2017 a joint report on progress during Phase 1 of negotiations stated that the parties had reached agreement in principle on three areas: protecting the rights of EU citizens in the UK and UK citizens in the EU; a framework for dealing with the NI border; and the UK financial settlement. Paragraphs 42 to 56 dealt with Ireland and NI and the commitment to avoid a hard border was explicitly set out:

43. The United Kingdom's withdrawal from the European Union presents a significant and unique challenge in relation to the island of Ireland. The United Kingdom recalls its commitment to protecting the operation of the 1998 Agreement, including its subsequent implementation agreements and arrangements, and to the effective operation of each of the institutions and bodies established under them. The United Kingdom also recalls its commitment to the avoidance of a hard border, including any physical infrastructure or related checks and controls. Negotiators of the EU and the UK, *Joint Report*, (8 December 2017).

The joint report also set out a backstop arrangement should an overall EU-UK deal not be possible:

49. The United Kingdom remains committed to protecting North-South cooperation and to its guarantee of avoiding a hard border. Any future arrangements must be compatible with these overarching requirements. The United Kingdom's intention is to achieve these objectives through the overall EU-UK relationship. Should this not be possible, the United Kingdom will propose specific solutions to address the unique circumstances of the island of Ireland. In the absence of agreed solutions, the United Kingdom will maintain full alignment with those rules of the Internal Market and the Customs Union which, now or in the future, support North-South cooperation, the all-island economy and the protection of the 1998 Agreement.

Joint Report, (8 December 2017)

The DUP reaction to the draft of the proposed agreement and their complete opposition to NI being treated differently from the rest of the UK led to a halt in the UK / EU talks (BBC NI News *item*, 5 December 2017). However, Theresa May accepted the phase 1 agreement at the end of the same week (BBC News *item*, 8 December 2017).

Although the first phase of talks between the UK and the EU resulted in an agreement in December 2017 which recognised the difficulties that Brexit was causing between Ireland north and south, later British statements seemed to indicate a rowing back on what had been agreed. In a speech setting out the UK government's preferences for the future trading relationship between the UK and the EU, Theresa May continued to rule out a hard border in Ireland but she insisted that, 'it would also be unacceptable to break up the United Kingdom's own common market by creating a customs and regulatory border down the Irish Sea' (Theresa May, *Speech*, 2 March 2018).

A Draft Agreement was produced by the European Commission Task Force (TF50) and sent to the UK on 15 March 2018. The document contained a Protocol on Ireland/Northern Ireland which was comprised of 16 Articles, the key one being:

#### Article 3

Establishment of a common regulatory area

A common regulatory area comprising the Union and the United Kingdom in respect of Northern Ireland is hereby established.

The common regulatory area shall constitute an area without internal borders in which the free movement of goods is ensured and North-South cooperation protected in accordance with this Chapter.

TF50 (2018) *33/2 – Commission to UK* (15 March 2018)



As part of this arrangement the Protocol stated that NI, 'shall be considered to be part of the customs territory of the Union' (Article 4; Para 2).

Following a negotiation round (16-19 March) a version of the Draft Agreement was published highlighting the progress made (with sections coloured according to whether or not agreement had been reached). There was a note on page 1 which stated:

With respect to the DRAFT PROTOCOL ON IRELAND/NORTHERN IRELAND, the negotiators agree that a legally operative version of the "backstop" solution for the border between Northern Ireland and Ireland, in line with paragraph 49 of the Joint Report, should be agreed as part of the legal text of the Withdrawal Agreement, to apply unless and until another solution is found.

The negotiators have reached agreement on some elements of the draft Protocol. They further agree that the full set of issues related to avoiding a hard border covered in the draft reflect those that need to be addressed in any solution. There is as yet no agreement on the right operational approach, but the negotiators agree to engage urgently in the process of examination of all relevant matters announced on 14 March and now under way.

TF50 (2018) 35 – Commission to EU27, (19 March 2018)

The implications of the proposed backstop were that NI would stay in the EU customs union, stay in large parts of the single market, and be part of the EU VAT system.

The following day the British Prime Minister, Theresa May, travelled to NI to deliver a speech which firmly rejected the version of the backstop drawn up by the EU:

Under their proposal, Northern Ireland would be represented in trade negotiations and in the World Trade Organisation on tariffs by the European Commission, not its own national government. The economic and constitutional dislocation of a formal 'third country' customs border within our own country is something I will never accept and I believe no British Prime Minister could ever accept.  
Theresa May, Speech in Belfast, (20 July 2018)

The British cabinet's agreed position on negotiations with the EU came following a 12-hour meeting of the full cabinet at Chequers on 6 July 2018. A three-page statement set out the UK's vision for the future relationship with the EU (Gov.UK, statement, 6 July 2018). The meeting was an attempt by Theresa May to unite her deeply divided cabinet around a common approach. However, two days later the Brexit Secretary, David Davis, resigned from the cabinet due to disagreement on the policy and tactics adopted by the Prime Minister's Office (The Guardian, 9 July 2018). The next day the Foreign Secretary, Boris Johnson, also resigned claiming that the UK was headed 'for the status of a colony' under May's Brexit plans (Johnson, Resignation letter, 9 July 2018).



The British government's detailed position was published in a White Paper (Cm 9593) (Gov.UK, *white paper*, 12 July 2018). It covered economic partnership; security partnership; cross-cutting and other cooperation; and institutional arrangements. The major proposal was for the establishment of a free trade area for goods, including agri-food on the grounds that:

This would avoid friction at the border and ensure both sides meet their commitments to Northern Ireland and Ireland through the overall future relationship. It would protect the uniquely integrated supply chains and 'just-in-time' processes that have developed across the UK and the EU over the last 40 years, and will remain important given our geographical proximity, and the jobs and livelihoods dependent on them.

White Paper, 2018:13

On 16 July 2018 the government accepted four amendments to the Taxation (Cross-Border Trade) Bill one of which ruled out a border in the Irish Sea and thus have serious implications for the draft Withdrawal Agreement (BBC News, 16 July 2018).

One major implication of the continuing disagreement between the UK and EU was that both jurisdictions stepped up preparations for a no deal Brexit. In the UK the Department for Exiting the EU published a set of 25 technical notices on matters such as farming, importing and exporting, money and tax, and medicines and medical equipment (DEXEU, *collection*, 23 August 2018). However, the Brexit Minister stressed that this did not, 'reflect an increased likelihood of a 'no deal' outcome' (Raab, *statement*, 23 August 2018).

The Brexit negotiations have resulted in strained relations between the UK and the Republic of Ireland. Some of the British pro-Brexit media, some Conservative party members, and prominent members of the DUP have been highly critical of the Irish government and the Taoiseach, Leo Varadkar, and the Foreign Minister, Simon Coveney, in particular. Accusations have been made that the issue of the border, and the peace process, have been used to try to thwart the implementation of Brexit (BBC NI News *item*, 24 November 2017).

## 2.3 Special Status and EU Citizen Rights

The Irish government, the negotiators for the EU 27, various political parties, groups, and individuals, have all argued for some form of special or unique status for NI following Brexit, so as to avoid problems related to the future UK-EU land border in Ireland and also to protect the Belfast / Good Friday Agreement. As mentioned above, a number of the draft negotiating documents produced on behalf of the EU have set out solutions which would result in a form of special status for NI. These proposals have been rejected by the British government and the unionist parties in NI. The final negotiated position, and whether or not special arrangements are to be made for NI, should be known by the end of 2018.

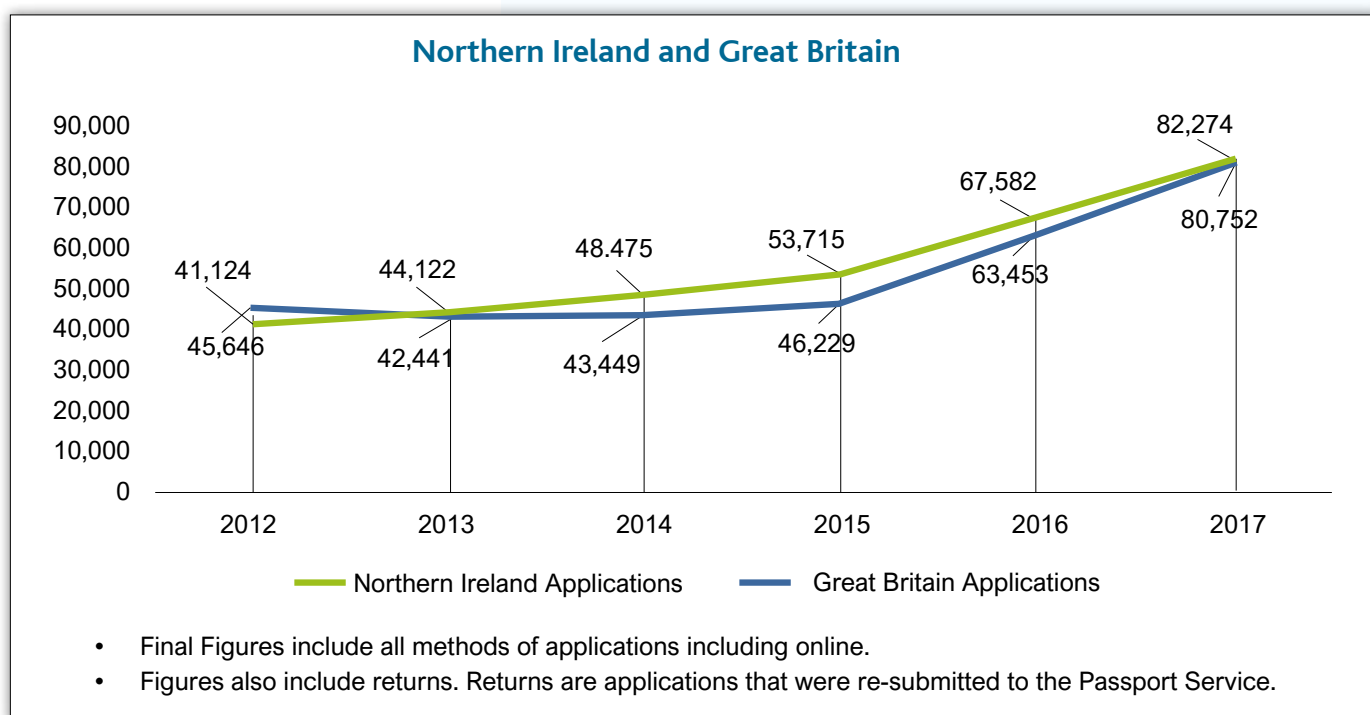
The British-Irish Agreement of 1998 (an annex to the Belfast / Good Friday Agreement) stated that the two governments:

... recognise the birthright of all the people of Northern Ireland to identify themselves and be accepted as Irish or British, or both, as they may so choose, and accordingly confirm that their right to hold both British and Irish citizenship is accepted by both Governments and would not be affected by any future change in the status of Northern Ireland.

*British-Irish Agreement*, 10 April 2018, Article 1 paragraph vi.

One way in which some people born and living in NI choose to demonstrate their identity is by applying for a British or Irish passport (bearing in mind that there may be other more prosaic reasons for choosing one passport over another). In both 2016 and 2017 there were significant increases in the number of people from NI and GB who applied for an Irish passport, see Figure 23. In 2017 there was an increase in applications from NI of 20 per cent and an increase of 28 per cent in applications from GB.

**Figure 23: Irish passport applications from NI and GB, 2012 to 2017**



Source: Department of Foreign Affairs and Trade, Passport Statistics.

The rise in applications for Irish passports was attributed to Brexit with people presumably believing that there would be additional benefits to holding the passport of an EU country even while living outside the EU.

SF has been arguing for the fullest range of rights for Irish citizens in NI. The Protocol on Ireland/Northern Ireland, contained within the Draft Withdrawal Agreement, states in the preamble that, 'Irish citizens in Northern Ireland, by virtue of their Union citizenship, will continue to enjoy, exercise and have

access to rights, opportunities and benefits'. However, Jean-Claude Juncker, President of the EC, wrote that:

Following the United Kingdom's withdrawal from the European Union, Irish citizens in Northern Ireland will no longer reside in a Member State. They will nevertheless continue to enjoy their rights as Union citizens under the Treaties. However, Irish citizens in Northern Ireland will no longer benefit from United Kingdom's participation in Union programmes, policies and activities when this participation ends following the United Kingdom's withdrawal from the Union.

President Juncker, *answer to written question* (E-002232/2018), 26 June 2018

The phrase Irish citizens in NI crops up in a number of the negotiation documents, and in the wider political debate on what should happen after Brexit. It is sometimes unclear if the reference is only to people born in the Republic of Ireland whose main residence is now in NI or if it also includes people born and resident in NI who have declared themselves to be Irish by holding an Irish passport. The phrase would appear to exclude those people born and resident in NI who view themselves as Irish but, for whatever reason, do not hold an Irish passport.

It certainly seems to exclude those people born and resident in NI but who consider themselves to be British and may or may not hold a British passport. Given the birthright of people in NI to identify themselves as either Irish or British, or both, it has been argued that under parity of esteem provision in the Belfast / Good Friday Agreement this choice should not 'result in differential or detrimental treatment' (Daniel Holder, *Equality of Citizenship*, 24 April 2018). In the event of a negotiated withdrawal agreement it will remain to be seen if any additional rights for Irish citizens in NI are in fact applied to the whole of the NI population regardless of passport held.

There are likely to be additional complications for people born in the Republic of Ireland but who are resident in NI or another part of the UK, in relation to rights associated with the CTA and The Ireland Act 1949. These are reciprocal rights for UK and Irish nationals and cover right to entry and residency, access to social welfare entitlements and benefits, access to health services, etc. The British Government noted that:

In practice, the operation of the CTA and many of the benefits enjoyed by Irish and UK nationals have also been provided for in instruments setting out EU free movement and associated rights. This intermingling of rights can make it difficult to distinguish what rights accrue under the CTA as opposed to under EU instruments. DEXEU, *Northern Ireland and Ireland Position Paper*, 16 August 2017, (paragraph 24)

Given that the EU instruments would not apply after Brexit it will require new legislation to ensure a continuation of at least some of these rights.

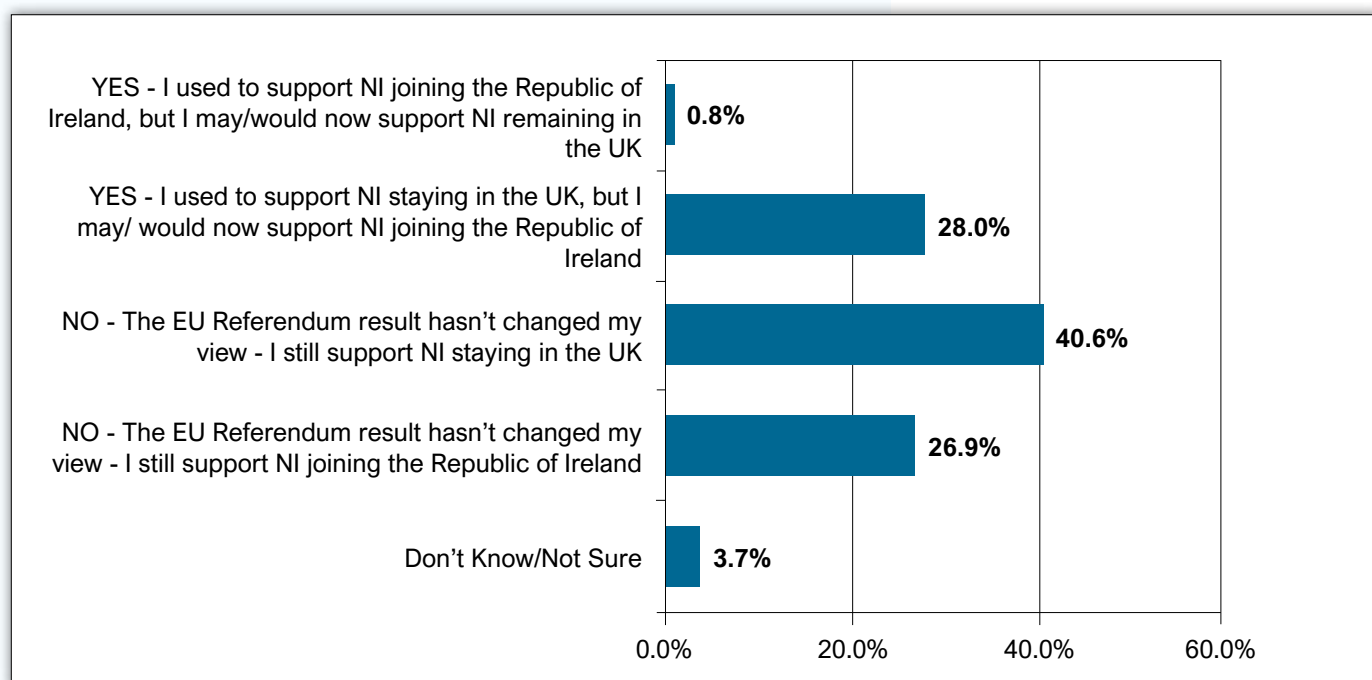
Across the UK, there has been co-operation between groups in favour of the closest possible links with the EU. Their focus is on avoiding a hard Brexit and urging that public opinion be taken into consideration through a referendum on the final UK / EU deal (*Independent*, 1 February 2018). While the number of people signing on-line petitions and taking part in marches and rallies would seem to indicate a significant level of support for a second referendum, there is strong opposition from Brexiteers and from the government and some other politicians who argue that the result of the referendum should be respected.

## 2.4 Brexit and support for a united Ireland

The debate around Brexit has moved the issue of holding a border poll further up the political agenda. The former DUP leader, Peter Robinson caused some controversy by arguing that unionism should begin preparations so as to be ready for a border poll (*Belfast Telegraph*, 3 August 2018). Prior to the Brexit referendum it seemed likely that a significant minority of Nationalists would be prepared to accept the status quo of NI remaining in the UK. However, the loss of European citizenship, together with the potential implications for the border, appears to have reduced the number who would wish for NI to remain within the UK.

In May 2018 Lucid Talk carried out a NI Tracker Poll on behalf of YouGov and the BBC (BBC NI *News*, 8 June 2018). Respondents were asked if the referendum result had changed their mind on the constitutional position of NI. While two-thirds of respondents said they had not changed their mind, among those who had almost all were people who previously supported NI staying in the UK but 'may / would now support NI joining the Republic of Ireland' (see Figure 24).

**Figure 24: Has the UK's decision to leave the EU, i.e. Brexit, changed your mind on the constitutional position of Northern Ireland? (all respondents)**



Source: LucidTalk Tracker Poll, May 2018 (BBC NI *News*, 6 June 2018)

The same LucidTalk tracker poll asked people how they would vote if there was a referendum on the border. 45 per cent said they would vote for NI to remain in the UK, 42 per cent said they would vote for unification, and almost 13 per cent were undecided. These results were in line with a Lord Ashcroft poll in June 2018, which found that 49 per cent of respondents were in favour of NI staying in the UK, 44 per cent in favour of unification, and 7 per cent don't know (Lord Ashcroft Polls, *Brexit*, 19 June 2018;). However, there were two other sources of information on the topic that showed different outcomes. An Ipsos MORI NI survey conducted on behalf of Queen's University Belfast between February and March 2018, found 50.3 per cent in favour of NI remaining in the UK, 21.1 per cent in favour of unification, 9.7 said they would not vote, and 18.9 per cent were don't knows (QUB, *Brexitni*, May 2018). The NI Life and Times Survey carried out for ARK between September 2017 and February 2018, also asked about a border referendum and found 55 per cent in favour of NI remaining in the UK, 22 per cent in favour of unification, 12 per cent said they would not vote, and 10 per cent said they don't know (ARK, *NILT*, June 2018).

Although all four surveys published results around the same time, the QUB and ARK surveys show markedly lower support for a united Ireland than the LucidTalk and Lord Ashcroft polls. The variations in results have been put down to the different methodologies used, with QUB and ARK surveys based on face-to-face interviews and LucidTalk and Lord Ashcroft Polls using an on-line research approach (Bill White, 25 July 2018).

Under the Belfast / Good Friday Agreement the Secretary of State can order the holding of a border referendum if, 'at any time it appears likely to him (sic) that a majority of those voting would express a wish that Northern Ireland should cease to be part of the United Kingdom and form part of a united Ireland' (The *Agreement*, 10 April 2018, Schedule 1). It is not clear how much evidence, in which format, and over what period of time, would be required to convince a British Secretary of State that the threshold had been reached. The view of the Prime Minister on a border poll was apparently revealed when The Times newspaper published an alleged disagreement between Theresa May and Jacob Rees-Mogg at a meeting of Conservative Party MPs. Rees-Mogg told May that he had 'no doubt' that people in NI would vote to remain in the UK. May is reported to have responded: 'I would not be as confident as you. That's not a risk I'm prepared to take' (*The Times*, 15 May 2018).

## 2.5 Likelihood of violence caused by changes at the open border

If, as a result of Brexit, the UK leaves the single market and the customs union and there is no new customs agreement between the UK and the EU, then there is a possibility that some form of monitoring of traffic flows will take place close to the border between NI and Ireland. Some people have said that a return to a hard border could lead to violence (see for example the warning by Lady Sylvia Hermon in the House of Commons on 26 April 2018, and George Mitchell on 3 March 2018). Would potential changes to the border result in violence and, if so, how likely is it to spark a return to wide-scale communal conflict? There is no doubt, as has been pointed out by the DUP and supporters of Brexit, that the current border in Ireland is a political, social, and economic reality. Two sovereign states exist on either side of it. Two different currencies are used. Social, political, and economic policy is different. However, due to the CTA between the UK and the Republic of Ireland, and the EU customs union and single market, the free movement of people, goods and services is allowed across the border. In its current form it is termed a frictionless border. Many people in NI view the ending of the hard border as an important outcome of the peace process. Any change to the free movement of people across the border would undoubtedly cause resentment.

Until 1 January 1993 when the single market came into effect between European Community states, border custom checks, of varying degrees of strictness, operated along the border between NI and the Republic of Ireland. Most of the approved roads (where goods and cars were supposed to cross the border) had Irish custom points, stations, or posts on them where custom officials could check for relevant goods being transported across the border. As part of the security response to the conflict in the region, the British Army established large military checkpoints close to the main crossing points on the border, during most of the period of Operation Banner (the operational name for British Army deployment in NI from August 1969 to July 2007). The British Army also used explosives to blow up unapproved roads, demolished border bridges over streams and rivers, and set concrete, metal and wire barricades on many of these local roads. British Army observation towers were installed on hilltops close to the border, mainly in south Armagh.

All of this infrastructure and the security and customs checks that went with it, is what people refer to as the hard border. All the political parties in NI, Ireland, and Britain have said that they do not wish to see a return to this type of hard border of the past.

The land border is approximately 500 kilometres (310 miles) long, has 208 border crossings (*The Irish Times*, 26 April 2018), and it has been estimated that 177,000 lorries, 208,000 light vans and 1.85 million cars cross the border every month (BBC NI *News*, 6 February 2017). In addition, around 30,000 people cross the border daily (presumably by car, bus, train, pushbike, on foot, etc.). There are significant numbers of people who live on one side of the border and work on the other. Many others cross the border for social or family reasons and a lesser number own property or businesses on both sides of the border. So the question arises as to how immigration is controlled with such an open border:

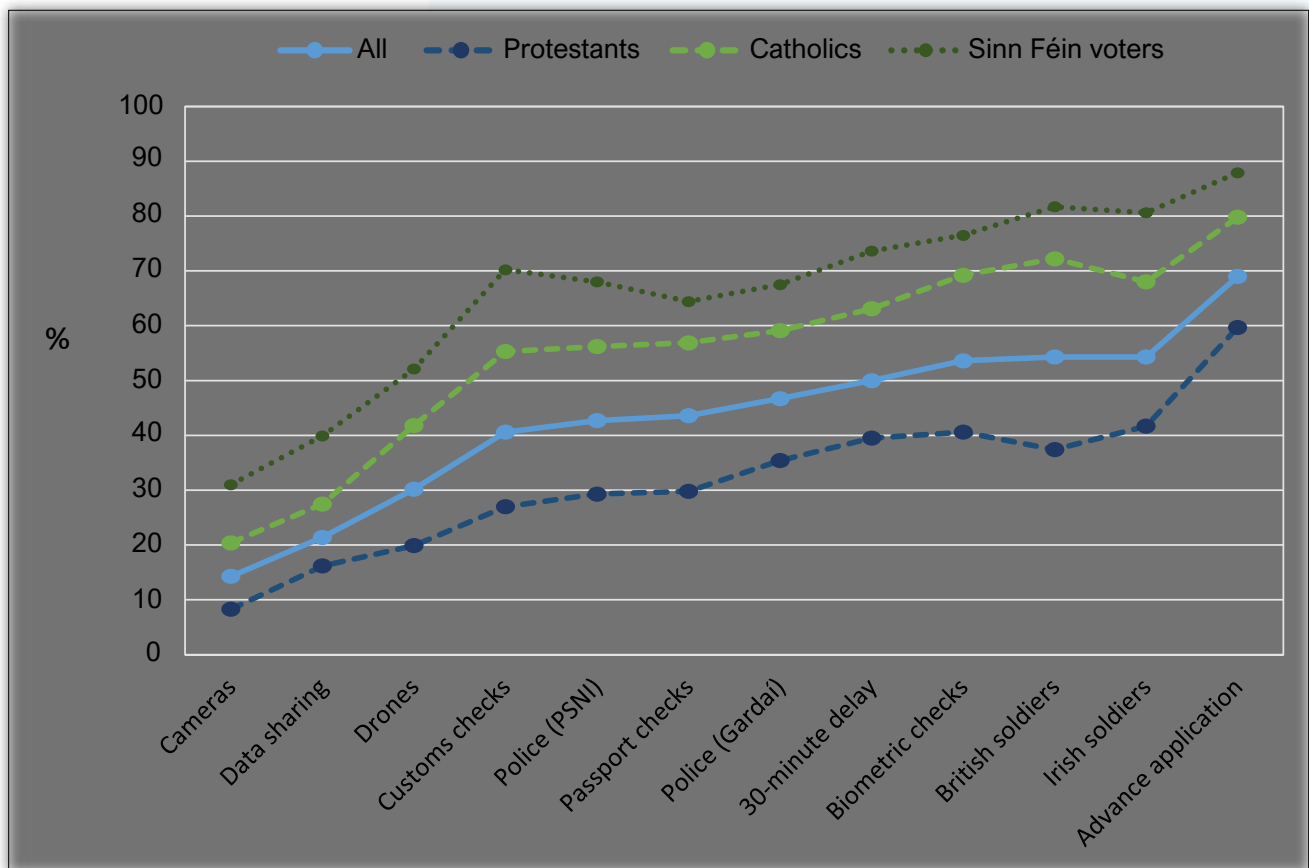
Given that immigration control was a major objective of the Brexit campaign, however, it is difficult to see how the two neighbours can avoid imposing border checks and limiting the number of crossing points; the Republic's obligations to other EU members will trump old special bilateral arrangements. ... At the same time, any hardening of the border between the two Irish jurisdictions would diminish the quality of life of people in the borderlands, bring economic pain, and be seen as a reversal of a critical achievement of the peace process.

Guelke, *Britain After Brexit*, 2017:51

The re-imposition of any physical infrastructure at the border is likely to be the focus of public protest and direct action. Bertie Ahern, former Taoiseach (Irish Prime Minister) and an architect of the Belfast / Good Friday Agreement, was clear about his opinion of any new infrastructure at the border: 'There is not going to be a physical border across Ireland because if you tried to put it there you wouldn't have to wait for terrorism to take it down, people would just physically pull it down - the ordinary people' (BBC *News*, 10 April 2018).

Researchers at Queen's University Belfast conducted a survey and a deliberative forum to find out what people thought of Brexit (Garry, et al., *Report*, May 2018). The research found that, 'there is substantial and intense opposition to possible North-South border checks between Northern Ireland and the Republic of Ireland and to East-West border checks between Northern Ireland and Great Britain', and it also found, 'strong expectations that protests against either North-South or East-West border checks would quickly deteriorate into violence' (Garry, et al., *Report*, May 2018). The research presented respondents with a range of possible border checks and asked how they would respond to each. Figure 25 gives a breakdown of the percentage of respondents indicating that particular checks would be 'almost impossible to accept'. Respondents were asked follow-up questions related to support for various forms of protest at the border. There was a high level of support (60%) among all respondents for peaceful protests and petitions, but this dropped to 15 per cent when the protest involved blocking traffic and was only 5 per cent when it involved vandalising border technology (Garry, et al., 2018:6).

Figure 25: Opposition to various forms of border checks, percentage of respondents saying it would be 'almost impossible to accept'



Source: Garry, et al., 2018:20

There has been a long history of political opposition to the existence of the border and also various republican paramilitary campaigns involving attacks against the physical infrastructure at the border and on the security personnel who protected the border (CAIN, *Violence at the border*, 2018). Those in favour of Brexit have labelled as scare mongering any discussion which has raised the possibility of violence by dissident republican paramilitary groups. However, George Hamilton, the Chief Constable of the PSNI, has expressed concern at the risk of violence at the border: 'The last thing we would want is any infrastructure around the border because there is something symbolic about it and it becomes a target for violent dissident republicans' (*The Guardian*, 7 February 2018). There is hardly any doubt that dissident republicans would seek some way to exploit any popular resentment against, and protest at, a more visible border. However, it is unclear if this would lead to wide-scale violence.



### 3. INSTITUTIONS – ASSEMBLY; NORTH-SOUTH; AND EAST-WEST

The absence of the devolved administration at Stormont has had an impact across the various departments and the structures established by the Belfast / Good Friday Agreement.

#### 3.1 The Executive and the Assembly

The resignation of Martin McGuinness meant that Arlene Foster also ceased to hold office in The Executive Office (TEO). At the meeting of the NI Assembly on 16 January 2017 the DUP nominated Arlene Foster as First Minister however SF refused to nominate anyone for the deputy First Minister post. In the absence of these two posts no other members could be appointed to the Executive. Following the NI Assembly election the Assembly met on 13th March 2017 to allow MLAs to sign the Roll of Membership, and thus be entitled to receive salary and expenses. No other business has been conducted by the Assembly between then and the date of writing. As discussed in section 1.1 above, there have been a number of rounds of political talks to restore devolved administration in NI but these efforts have failed to date (August 2018). NI reached the milestone of 541 days without an administration on 25 August 2018. So, since that date NI has passed the record set by Belgium for the longest period without an elected government in a European democracy, when Flemish and Walloon representatives failed to reach agreement between 13 June 2010 and 6 December 2011 (BBC NI News, 9 August 2018).

#### 3.2 The Departments

In addition to the absence of The Executive Office and departmental ministers the business of administration has been undertaken by senior civil servants and, on a few occasions, by the Secretary of State for NI acting at Westminster. The work of civil servants within the departments continues as can be seen by the daily list of announcements on the various departmental websites but problems have arisen in relation to major decisions that would normally require a minister to sign off (BBC NI News, 6 August 2018). As the list of outstanding issues has grown longer, some decisions have been made by permanent secretaries of the relevant departments. However, it has sometimes been unclear on what basis some decisions are made and other issues are left unresolved (BBC NI News, 6 August 2018). There have also been some high-profile legal appeals against particular decisions questioning the right of civil servants to make decisions without ministerial approval.

The NI Executive had not agreed a budget for 2017-18 before the Assembly was dissolved. In the absence of a Budget Act, the Permanent Secretary of the **Department of Finance** (DoF) used a power under Section 59 of the Northern Ireland Act 1998 to release funds to departments (*Department of Finance*, 28 March 2017). Initially this power allowed for up to 75 per cent of the previous year's budget to be approved but by July 2017 the limit, under the legislation, increased to 95 per cent.

At the same time the Head of the Civil Service stated that while it was the job of the service to continue to deliver public services, civil servants would not be able to 'launch any new programmes, projects or policies which would require Ministerial or Executive endorsement' (McKibbin, *DoF*, 28 March 2017). The DoF also took decisions about reallocations of funds to particular departments with the largest allocation of £40 million going to the Department of Health (*DoF*, 11 October 2017), a process which normally would be decided by the full Executive. In setting the public sector pay policy for 2017-18 the Permanent Secretary acknowledged that this would normally be the responsibility of the Finance Minister but that the action was in the public interest (Widdis, *DoF*, 13 December 2017). As mentioned in Section 1.1 a NI Budget Act was passed on 16 November 2017. The SDLP argued that the setting of the budget at Westminster represented direct rule and blamed both Sinn Féin and the DUP for the outcome (BBC NI *News*, 13 November 2017). The details of the budget spending plan for 2018-19 were released in the form of a written statement to the British Parliament (Bradley, *HCWS527*, 8 March 2018). The budget included £410 million from the £1 billion investment package secured by the DUP as part of its confidence and supply agreement (see Section 6.4) with the Conservative administration (*Belfast Telegraph*, 8 March 2018). The NI Budget Act 2018 was passed in July (Parliament, *UKPGA*, 19 July 2018).

The extent of uncertainty over whether or not senior civil servants could take important decisions in the absence of a minister, was demonstrated most clearly in relation to a proposed waste incinerator facility at Hightown Quarry in County Antrim. An application by Arc21 for planning permission for the facility was turned down in September 2015 by the then minister at the **Department for Infrastructure** (DfI) (BBC NI *News*, 24 September 2015). Two years later, in the absence of a minister, a senior civil servant granted planning approval for the facility arguing that there were public interest considerations (BBC NI *News*, 15 September 2017). A campaign group launched a legal challenge to the decision and in May 2018 the High Court in Belfast ruled that the civil servant had no power to approve the planning application. The DfI appealed the decision but lost when the Court of Appeal ruled that: 'It would be contrary to the letter and spirit of the (Good Friday) Agreement and the 1998 (Northern Ireland) Act for such decisions to be made by departments in the absence of a minister,' (Judiciary NI, *Decision*, 6 July 2018). Politicians and members of the construction sector commented on the wide-ranging implications for major infrastructure projects that were about to proceed or were in the planning process (BBC NI *News*, 6 July 2018). Other infrastructure decisions awaiting approval in the DfI included the proposed new GAA stadium at Casement Park in west Belfast, the Dalriadan gold mine near Greencastle, County Tyrone, a gas-fired power station and a cruise ship terminal both in Belfast. In January 2018 civil servants at the DfI gave approval for the northern work on a (cross-border) north-south electricity interconnector. However the planning approval for the work on the southern side of the border was the subject of an appeal at the Supreme Court in Dublin (*The Independent*, 29 June 2018).

There are also examples of delays in policy making and/or implementation which have been attributed to the absence of ministers. As discussed in Dimension Three at the **Department of Health** (DoH) there has been limited progress on the implementation of health reforms set out in the Bengoa Report. Other areas that were likely to face delays were

the reconfiguration of stroke services, the distribution of Emergency Departments in hospitals, and the reform of adult social care policy. A pay rise for NHS staff announced in March 2018 was also held up because it was judged to be a devolved matter (BBC NI *News*, 21 March 2018).

Public appointments is another area which has been impacted. The **Department of Justice** (DoJ) has faced problems in appointing people to watchdog roles due to the absence of a minister (BBC NI *News*, 13 May 2018). The UK government has stated that it is considering further action to address the issue of vacancies on a number of public bodies (*The Belfast Telegraph*, 28 June 2018). The completion of a draft bill to reform NI's domestic violence laws would require a minister and a working Assembly. However, the department did act in April 2018 to begin a review of the way in which serious sexual offences were dealt with by the criminal justice system in NI (BBC NI *News*, 18 April 2018).

The **Department of Agriculture, Environment and Rural Affairs** (DAERA) indicated that there were several areas where decisions could not be taken without a minister in place. These included the allocation of additional funding to deal with a massive illegal waste dump (BBC NI *News*, 27 October 2017) and the approval of a new policy to eradicate bovine TB (BBC NI *News*, 30 November 2017).

The **Department for Communities** (DfC) said that a number of appointments to public bodies could not be made without ministerial approval and it would also require a minister for progress to be made in the affordable warmth scheme and to reduce the maximum stake on fixed-odds betting terminals (as happened in England and Wales in May 2018). However, the DfC did act to make additional ring-fenced funding available to the Arts Council of NI to increase the money made available to both the Ulster Orchestra and the Metropolitan Arts Centre (MAC) in Belfast (BBC NI *News*, 11 April 2018). At the same time the Arts Council cut the annual funding to 43 arts organisations as a result of a 4.7 per cent reduction in the funding available for 2018/19.

University tuition fees for NI students studying in the region for 2018-19 were £4,160 per year, compared to £9,250 per year if they decided to study in England or Scotland (and £9,000 in Wales) (*Nidirect*, 7 August 2018). Both Queen's University Belfast and Ulster University have argued for higher fees in the past to achieve more sustainable university funding (e.g., *The Irish News*, 25 September 2017) however civil servants at the **Department for the Economy** (DfE) were reluctant to change the fees structure until a minister was appointed.

While senior civil servants at the **Department of Education** (DoE) have taken a number of decisions around school closures and mergers (BBC NI *News*, 1 February 2018) and some special schemes, there were other decisions that appeared unlikely to be taken in the absence of a minister. These included decisions related to the closure or merger of special needs schools in Belfast and the ending of free school transport (BBC NI *News*, 13 January 2017).

### 3.3 Direct Rule?

Political commentators have stated that since the fall of the Executive, 'Northern Irish politics has operated in a curious and confusing limbo' with the last and current Secretary of State both 'pathologically unwilling to reintroduce direct rule from Westminster' (Maguire, *New Statesman*, 15 May 2018). The region has been ruled directly by a British government in 33 of the 45 years since 1972 (BBC NI *News*, 15 February 2018), with direct rule last being used between October 2002 and May 2007. As noted above, there has been fairly continuous debate about the role of the civil service and the extent of its powers in the absence of ministers, but there has also been debate about the role of the Westminster parliament in legislating on NI issues.

On 27 March 2018 four NI Bills came before the House of Lords: Budget (Anticipation and Adjustments); Regional Rates and Energy; Same Sex Marriage (Private Members Bill); and Assembly Members Pay. Addressing the House Lord Hain, who had been NI Secretary of State between May 2005 and June 2007, stated: 'The measures in these Bills should never have had to come to us in the first place. They represent direct rule in all but name' (*Belfast Telegraph*, 27 March 2018). The three government Bills received their second and third readings without a vote and passed into law. On 11th May 2018 the same sex marriage bill was blocked by a backbench Conservative MP. The bill could be brought back to the House of Commons in October 2018.

In the middle of July 2018 there were media reports that the NIO had advertised internally among the NI Civil Service for 15 policy advisors and 10 senior policy advisors to join the Secretary of State's team in Belfast (*News Letter*, 11 July 2018). There was speculation that such a boost to the NIO might be part of preparations for full direct rule with a former shadow Secretary of State, Owen Smith, stating that NI was moving towards 'direct rule by stealth' (*The Irish News*, 11 July 2018).

### 3.4 Other institutions

The collapse of the Executive and the Assembly has had implications for other institutions. Under the terms of the Belfast / Good Friday Agreement, the **North South Ministerial Council** (NSMC) and the NI Assembly are 'mutually inter-dependent' (*The Agreement*, Strand Two, Paragraph 13, ) so when the Executive and the Assembly failed to be re-established the workings of the NSMC ended. The last two NSMC joint communiqués planned for continuing discussions at NSMC sectoral level and also between relevant ministers and officials, to identify possible impacts, risks and opportunities that might arise from Brexit (NSMC, *Publications*) – none of this planned co-operation has taken place within the content of the NSMC.

The **British-Irish Council** (BIC) was established under the 1998 Agreement to 'promote the harmonious and mutually beneficial development of the totality of relationships among the peoples of these islands' (*The Agreement*, Strand Three, Paragraph 1, ). The BIC includes representatives of the British and Irish governments, devolved administrations in NI, Scotland and Wales,

and representatives of the Isle of Man and Channel Islands. As the BIC was part of a direct Agreement between the two governments, it has continued to meet after the stalemate at Stormont but with no First Minister or deputy First Minister to attend on behalf of NI. Of the 30 summit meetings held since 1999 only one was described as an Extraordinary Summit which was held on 22 July 2016 to discuss the outcome of the referendum on the UK's membership of the EU. At this meeting the BIC discussed some of the priority areas relating to Brexit including: the economy and trade, the Common Travel Area, relations with the EU, and the status of all citizens affected by the change (*British-Irish Council*, 22 July 2016).

The **British-Irish Intergovernmental Conference** (BIIC) was designed to replace both the Anglo-Irish Intergovernmental Council and the Intergovernmental Conference which were established as a result of the Anglo-Irish Agreement in November 1985. The intention of the Conference was to 'promote bilateral co-operation at all levels on all matters of mutual interest within the competence of both Governments' (*The Agreement*, Strand Three, BIIC, Paragraph 2). The Agreement specified that, 'there will be regular and frequent meetings of the Conference concerned with non-devolved Northern Ireland matters, on which the Irish Government may put forward views and proposals' (Paragraph 5). Summit level meetings involving the Prime Minister and Taoiseach were to happen as required. Of the 18 meetings of the BIIC between December 1999 and February 2007, two were summit meetings. At this point the meetings ended. Although it was never officially explained why the meetings had ended, it appears to have been related to the resumption of devolved government in NI on 8 May 2007. As the list of non-devolved matters (made up of reserved and excepted matters) is quite long, there was scope for the BIIC meetings to continue after devolution. Following the political stalemate at Stormont questions began to be raised about the BIIC. SF and the SDLP called for a meeting of the BIIC in the absence of agreement to restore power-sharing administration at Stormont. The Taoiseach told the Dáil that he would be seeking a meeting of the BIIC in early 2018. These developments were criticised by the DUP and the UUP. Arlene Foster, then leader of the DUP, dismissed the BIIC as a 'talking shop' (*Belfast Telegraph*, 2 July 2018). The BIIC eventually met at the Cabinet Office in London on 25 July 2018 and the issues discussed included legacy, security co-operation, east-west matters, and political stability (BIIC, *Joint Communiqué*, 25 July 2018).

The **British-Irish Interparliamentary Body** (BIIB) was established in 1990, prior to the Belfast / Good Friday Agreement. It was intended as a link between the British Houses of Parliament and the Irish Houses of the Oireachtas. The Agreement of 1998 encouraged the elected institutions of the British-Irish Council to develop interparliamentary links and suggested building on the existing BIIB. In 2001 the membership of the BIIB was extended to include the Scottish Parliament, the Welsh Assembly, the NI Assembly, the High Court of Tynwald and the States of Guernsey and Jersey. In 2008 the name was changed to the **British-Irish Parliamentary Assembly** (BIPA). The BIIB and BIPA have met in plenary session on 56 occasions up to 11 June 2018. In the sessions since the referendum on EU membership, the topic of Brexit and its impact on the Irish border have been an important feature of the discussions.

## 3.5 Political Issues and logjams

### Renewable Heat Incentive (RHI) Scheme

The catalyst for the collapse of the Executive and Assembly was a little known policy initiative that had then been in operation for some time. Back in 2011 the Executive was looking at how the ways in which businesses generated heat could be changed to ensure that NI met environmental targets. One of the options was to encourage businesses and commercial organisations to move away from fossil fuels to renewable sources. In 2012 the Department of Enterprise, Trade and Investment (DETI), later to be renamed the Department for the Economy (DfE), at Stormont introduced the Renewable Heat Incentive (RHI) scheme.

The rationale for RHI seemed to make perfect sense with a similar scheme operating in Great Britain. For those who signed up to take part, financial support was to be provided over a long period to cover the cost of the new heating systems being installed as well as for the fuel used to power the biomass boilers – this was mostly done through the burning of wood pellets. People who signed up for the scheme were to be guaranteed for a span of twenty years a fixed sum of money, or tariff, per kilowatt of energy produced. In order to offer an incentive the tariff that recipients were to receive was set at a figure that was much higher than the cost of buying the wood pellets.

Initially there was a slow uptake for RHI and up until 2015 there was an under-spend in that part of the DETI budget which was to pay for the scheme. DETI then focussed on increasing the numbers signing up and whilst this met with some success the problem then arose that in order to keep RHI within its budget the existing tariff being paid would have to be reduced. As plans got underway to do this there was then a dramatic spike in applications to join the scheme but crucially these were in situ before the new, lower tariff would come into operation. All of this meant that the cost of RHI was about to rise significantly and threaten to adversely affect the DETI budget as a whole.

It was only a matter of time before the financial implications of RHI came to the fore. In January 2016 a whistle-blower approached the OFMdfM, then led by Arlene Foster and Martin McGuinness, with allegations that RHI was being exploited. These included claims that large factory premises that had never been heated before were now being done so with the aim of running the boilers 24/7 in order to earn up to £1.5 million over 20 years. As well there was an accusation that a farmer was planning to claim up to £1 million for heating an empty shed. Soon new terms (e.g., cash for ash, and burn to earn) were to enter the political dictionary in NI to describe what was happening under the scheme (*BBC NI News, 7 November 2017*).

Further controversy arose in July 2016 when the Auditor General for NI produced a damning report on RHI. Amongst the conclusions was that the extra costs for RHI would amount to some £140 million for the next five years and remain significant up until 2036. As well given the fact that the overspend far exceeded the amount that the British Treasury was prepared to pay to support the scheme then that money would have to come out of the NI block grant. It also highlighted some of the ways in which



controls had been placed on the scheme in Great Britain which had not been mirrored in NI (*Comptroller and Auditor General for NI, Report, July 2016*). The political implications of RHI began to come to the fore with the start of the new Assembly term in September 2016. During the autumn the Assembly's Public Accounts Committee (PAC) began to investigate the scheme and amidst further revelations came evidence that a whistle-blower had approached Arlene Foster, then the DUP DETI Minister, in October 2013 to inform her of alleged malpractices under RHI (NI Assembly, *Hansard*, 9 November 2016).

Amid growing controversy which has been well documented (e.g., BBC NI News, 8-15 December 2016) Arlene Foster came under pressure from opposition parties in the Assembly to step aside until a thorough investigation on the matter had been carried out. For a time SF refused to join these demands and instead the party's position was set out by Conor Murphy MLA, who stated:

Confidence in the entire institution has been dented very badly. We have to find out who was responsible and then hold people to account. We will have to wait and see what Arlene Foster says on Monday [19 December 2016] - people asked her to answer questions in the assembly and that is what she has agreed to do.

*BBC NI News, 16 December 2016.*

The First Minister's statement to the Assembly did little to answer her critics and SF joined the calls for a formal investigation into the RHI scheme (BBC NI News, 30 December 2016). The unfolding crisis deepened further on 9 January when Martin McGuinness resigned as deputy First Minister and directly accused Foster of failing to address his party's concerns over RHI. With a fresh Assembly election looming Executive Ministers took steps to deal with the immediate fallout from the scheme. Simon Hamilton, the DUP Minister for the Economy, managed to push through legislation which sought to reduce the existing subsidy rate for those who had signed up for the scheme (NI Assembly, *Hansard*, 23 January 2017) and Máirtín Ó Muilleoir, the SF Minister of Finance, confirmed the details of a public Inquiry into the RHI. This would be led by the retired Lord Justice of Appeal Sir Patrick Coghlin (NI Assembly, *Hansard*, 24 January 2017).

Since the inquiry began in November 2017 Sir Patrick Coghlin and his panel have heard evidence from a wide range of individuals and organisations relating to RHI. This has ranged from technical and economic consultants, other bodies or organisations involved with the scheme, as well as civil servants, former Executive Ministers and their special advisers. At the time of writing (August 2018) the Inquiry is still continuing and the latest reports suggest that the oral hearings will continue until at least the autumn of 2018. In addition it was also now being suggested by the Department of Finance that the initial cost of the Inquiry set at £5 million had risen and that the final bill could be in the region of £6.7 million (*BBC NI News, 11 July 2018*).

## The Politics of Language

At first glance the immediate cause of the political crisis that erupted in January 2017 was the fall-out from the controversy that had erupted over the RHI scheme. However relations between the two largest parties in the Executive, the DUP and SF, had been strained for some time over an array of different policy areas. One of the main examples of this was the frequent clashes that had occurred over a range of cultural issues most notably over the Irish language. The roots of the problem in this area lay both with past and more recent developments. Professor Jonathan Tonge, in an [\*article\* for \*The Belfast Telegraph\*](#) on 15 February 2018 discussed how, in order to achieve progress in previous talks processes a measure of ambiguity had been created, including in relation to the Irish language. The St Andrews Agreement (2006) set out provisions for the British government to introduce an Irish Language Act at Westminster, largely based on legislation operating in Wales and the Republic of Ireland, and then to work with the new NI Executive 'to enhance and protect the development of the language' (British and Irish Governments, [\*Agreement at St Andrews\*](#), 13 October 2016). Yet when it came to transforming St Andrews into law the Northern Ireland Act (2006) made no specific commitment and instead stated that 'The Executive ... shall adopt a strategy setting out how it proposes to enhance and protect the development of the Irish language' (Gov. uk, [\*NI \(St Andrews Agreement\) Act 2006\*](#), 22 November 2016). It is however important to remember that on the language issue there was nothing unique in such a development given that there were other areas where the terms of the St Andrews Agreement were not subsequently reflected in the legislation that followed. In a sense this reflects the difficulty that often occurs when it comes to translating political agreements into legal text.

Initially that level of vagueness was reasonably successful and allowed the DUP and SF to work together in the same Executive but as time moved on, as previous reports have pointed out, the seeds of discord between the two had also been sown. For SF the belief remained that there was a commitment for the Assembly to legislate for the Irish language act at some point. However for the DUP that was not the case and it was the party's belief that it had not signed up to any such a move. Consequently this led to frequent skirmishes over this issue. Towards the end of 2016 as relations between the two parties deteriorated in the face of the RHI scheme, a further dispute over the Irish language only added to the growing tension. On 23 December 2016 the Department of Communities announced it had decided to withdraw £50,000 of funding from the Lóifa Gaeltacht Bursary Scheme, which gave support to allow up to 100 people a year to attend Irish language classes in the Donegal Gaeltacht each summer. Both SF and Irish language activists reacted furiously ([\*The Irish News, 24 December 2016\*](#)) criticising the department's move and accusing its DUP minister, Paul Givan, of having taken a purely vindictive decision. This was a charge Givan was to deny from the outset and early in 2017 he revealed that the funding would be restored to the scheme ([\*The Irish Times, 12 January 2017\*](#)). However, this move came too late as the language issue had now become embroiled within the wider political row being waged between the DUP and SF.

In resigning from his position as deputy First Minister Martin McGuinness cited the RHI controversy as one of the reasons for his decision. But he also pointedly referred back to Givan's original decision on the Lóifa scheme back in December 2016 as a further example of the lack of respect that the DUP were showing to the Irish language. He stated that 'There will be no return to the status quo



except on terms that are acceptable to Sinn Féin' (*BBC NI News*, 9 January 2017). NI faced into a second assembly election within a year with polling day set for 2 March 2017. During a bitter campaign both parties once again outlined their respective positions – for SF its manifesto contained a commitment on delivering an Irish language act (SF, *Manifesto*, 15 February 2017) whilst the DUP vowed to resist such a measure (DUP, *Manifesto*, 20 February 2017).

In the aftermath of the assembly election, with the DUP and SF, remaining the largest two parties it initially seemed both were indicating that they were at least interested in trying to find a resolution to the Irish language issue. In May and June DUP delegations met with a number of Irish language groups. At its meeting with Conradh na Gaeilge on 23 June the party repeated its line that, 'We want to see mutual respect for all languages and cultures ... but not one elevated above all others' (*BBC NI News*, 23 June 2017). A few weeks earlier Michelle O'Neill, then SF northern leader, had also attempted to portray a more positive approach. During an interview with *The View*, on BBC One NI, she stressed the 'importance of respecting all cultures including the Ulster Scots, the Orange and British cultural identity' (*BBC NI News*, 12 May 2017). Unfortunately in spite of these optimistic signals the reality was that the language issue remained a constant stumbling block during the various rounds of political negotiations that were to take place over the rest of 2017 and into 2018. This can clearly be seen in the aftermath of the collapse of the latest round of talks in February 2018. The draft document that Mallie and Rowan say was exchanged between the DUP and SF appears to suggest that the parties had come close to ending the political deadlock with an overall agreement which would have included measures to deal with the language issue (Eamonn Mallie, *Draft*, 20 February 2018). Under a heading Respecting Languages and Culture, was a paragraph that indicated that three separate pieces of legislation would be brought before the NI Assembly. These were to be an Irish (Respecting Language and Diversity) Bill, an Ulster Scots (Respecting Language and Diversity) Bill, and a Respecting Language and Diversity Bill. Crucially however the entire paragraph in the document dealing with language was enclosed in square brackets which indicated that this part of the text had yet to be signed off on and agreed to by both parties (*Draft Agreement Text*, page 5). This was to prove an important point in the public row that broke out between the DUP and SF after 14 February. For the DUP it enabled them to claim that it had still not agreed to any Irish language act (Foster, *Statement*, 14 February 2018). The SF position was outlined by Mary Lou McDonald, who made clear her belief that a deal had been done (Mary Lou McDonald, *Statement*, 15 February 2018).

In the short-term with no indication that a fresh round of negotiations are about to take place it is hard to see how progress can be made in this area. An opinion poll by Lucid Talk in February 2018 indicated just how polarised opinion had become with support for DUP voters for the party's opposition to an Irish language act rising from 67 per cent in September 2017 to 79 per cent in February 2018. On the opposing side Lucid Talk figures combined SF, SDLP, People Before Profit (PBP) voters together and this found support for the legislation had also risen from 68 per cent in September 2017 to 76 per cent in February 2018 (*The Irish News*, 6 March 2018). In the period since February 2018 there has been no indication of any new approach or thinking that could possibly resolve the impasse around language. Undoubtedly if devolved government is to be restored in NI, the problem will have to be solved but what the solution will be is certainly open to debate.

### Petition of Concern (PoC)

The Belfast / Good Friday Agreement (1998), the basis for devolved government in NI, contained a number of safeguards that sought to uphold the principles of consociationalism upon which it was based. One example of this was the provision of a Petition of Concern (PoC) in relation to the workings of the Assembly. Under this mechanism at least 30 MLAs could ask that a decision taken by the Assembly be the subject of cross-community support. In other words the matter at hand would not only have to be backed by a weighted 60 per cent majority in the Assembly but also by at least 40 per cent of those designated as Unionist and Nationalist.

As McCulloch (2017) points out NI is not unique in terms of having a consociational power sharing arrangement that contains a PoC. But as he also concludes difficulties have arisen on two fronts with how the procedure has operated in recent times. Firstly, down through the years there has been a marked increase in the frequency in which a PoC has been scheduled. This can be noted in Figure 26.

**Figure 26: Use of the Petition of Concern, 1998-2016**

Time Period	Number of Petitions of Concern	Number of Issues relating to Petitions of Concern
1998-2003	7	n/a
2007-2011	33	21
2011-2016	118	33

Source: *McCulloch*, 3 April 2017

In September 2016 TheDetail.tv website produced a detailed study looking specifically at the use of a PoC for the Assembly term which lasted from 2011-2016 (Figure 27). For instance it broke down the headline figure of 118 to show how often individual parties had used the mechanism, with the DUP emerging as the leaders in that regard having employed it some 86 times.

**Figure 27: Petitions of Concern by Party, 2011-2016**

Party	Number Signed *	Party	Number Signed *
DUP	86	APNI	3
Sinn Féin	29	UUP	2
SDLP	29	NI21	2
Green Party	4	Independent Unionist	1

Source: Claire Smyth, *TheDetail*, 29 September 2016

\* The figures record the number of times each party had an individual member sign a PoC. As some PoC were signed by more than one party, there is some overlap so the total number of petitions in this table is more than the number tabled during the 2011-16 mandate. For instance the DUP tabled 82 PoCs on its own and 4 were co-signed by the SDLP and UUP.

Secondly, as Schwartz (2014) highlights, the PoC was worded in such a way which effectively meant that, 'its subject matter is open-ended'. This in turn has allowed it to be used as a means of 'trumping decisions that clearly have nothing to do with protecting the distinctive interests of either of the two communities' (Schwartz, *Seminar*, 2014:2). A number of examples during the years 2011-2016 illustrate this. In March 2013 SF, APNI and the GP tabled a PoC relating to a proposed amendment to the Criminal Justice Bill which would have led to further restrictions on the availability of abortion in NI. Then in November 2015 the Assembly voted in favour of legislating for same sex marriage in NI but the measure was then blocked by the DUP using a PoC. At the height of the RHI controversy in December 2016 a vote of no confidence in Arlene Foster as First Minister in the Assembly was passed by 39 votes to 36. But this result was then rendered meaningless when the DUP again opted to invoke a PoC.

As to the future it is clear that the status quo in relation to the measure is unlikely to be sustained. Both The Stormont House Agreement (2014) and A Fresh Start: The Stormont Agreement and Implementation Plan (2015) made provisions for its reform. However a protocol on the matter that all parties were to agree to and which would then have been sent to the Speaker of the Assembly was never signed off on. It also appears to have been a topic for debate at the failed political talks of 2017-18 (EamonnMallie.com, *Draft*, 20 February 2018).

The future for the PoC is still a matter to be determined. However reform is likely to focus on a couple of issues – the required 30 signature threshold and some means by which to restrict those areas where the PoC can be activated. In one sense however this process has already begun. The reduction in the number of MLAs from 108 down to 90 would, it has been suggested, make it harder for one party alone to reach the 30-seat signature threshold to table a PoC. For instance McCulloch indicates 'if it requires more than one party to invoke it', the 'frequency and potential for abuse' of PoC's could be lessened (McCulloch, 2017:18). In fact all of this had already become a reality with the DUP only winning 28 seats at the 2017 Assembly election. Secondly, with regards to the PoC the Fresh Start Agreement talked of restricting it so that it could 'only be tabled in exceptional circumstances'. As yet there is no agreement what these could be but both Schwartz (2014) and McCulloch (2017) have outlined what these may be, as well as possible mechanisms by which they could be decided upon. These include such things as restricting the criteria for a PoC to those relating to equality or human rights matters. As to whom or what should then adjudicate as to the merits of whether a particular issue meets these benchmarks the ideas range from allowing the courts to decide or creating some sort of a representative body from within the Assembly itself to make the call.

### Historical Institutional Abuse Inquiry (HIA)

The collapse of the Executive early in 2017 and the subsequent lack of a devolved government has led to major ramifications for the governance of NI. One of the most poignant examples of this has been the aftermath of the publication in January 2017 of the report by the Historical Institutional Abuse inquiry (HIA). This had been established in September 2011 by the Executive to investigate the claims of child abuse in residential institutions run by the state, local authorities, churches and the charity Barnardo's across the region from 1922 to 1995. The inquiry itself got underway in January 2014 and was chaired by the retired High Court judge Sir Antony Hart. By the time it ended hearing public evidence in July 2016, 246 people had given their testimony in public and another 87, who were too ill or too frail to attend in person, gave statements which were then read into the record.

The conclusions of the report made for harrowing reading as it outlined the scale of the mistreatment as well as physical and sexual abuse of young people at a host of institutions across NI. In addition it also drew attention to the fate of those who had been sent to Australia to start new lives but who went on instead to endure exploitation and abuse. Amongst the recommendations suggested by Sir Anthony Hart were that a public apology should be issued to those who survived the abuse; the building of a memorial at Stormont; the appointment of a commissioner to look after the needs of survivors, the setting up of specialised care and assistance packages for victims; and finally financial compensation for survivors as well as for the relatives of those who had already died (HIA, *Report Chapters*, 2017; and BBC NI *News*, 20 January 2017). But as it had been the NI Executive that had set up the Inquiry, it was now its responsibility to implement these recommendations.

Unfortunately the report was to be published at a point when the devolved administration was about to enter a long period of suspension. As a result Hart's proposals could not be implemented much to his frustration and those of the survivors. For instance during 2017 and 2018 BBC NI News followed the story of Clint Massey, who had been abused at the Kincora Boys Home as a child but who was now dying from lung and brain cancer. His appeals for the local politicians to make progress in order for the Executive to be reformed to allow for the compensation scheme to be implemented failed and he died in March 2018. A few weeks after his death attention was focussed on Karen Bradley when she was questioned about the situation in relation to HIA. During a sitting of the NI Select Committee at Westminster she argued that she was powerless to act as the issue was a devolved matter. Instead it was her opinion that the responsibility to put in place any compensation package lay with the NI Assembly. However she did indicate that she was willing to look at an alternative plan which David Sterling, the head of the NI Civil Service, had been working on (*BBC NI News*, 20 March 2018).

Recently the shape of this plan has begun to emerge with two bills being drafted for presentation by the end of the 2018 summer. These would seek to establish a Commissioner for Survivors of Institutional Childhood Abuse and create a redress board that would allow for financial compensation to be paid out to those mentioned by Hart in his report back in 2017. All of this of course is dependent upon the legislation being ready and for some time in the future to allow it to pass through the legislative process at Westminster (NIDirect, *HIA* 2017).

## National Assets Management Agency (NAMA)

Much of the focus on the political crisis that emerged in late 2016 and early 2017 was on matters relating to the fallout from the RHI scheme. However it should be remembered that even in the lead up to that event, relations between the DUP and SF had already been strained by other issues. One example of this was the arguments around the alleged financial irregularities relating to the work of the National Assets Management Agency (NAMA) in NI.

The origins of NAMA lie in the impact of the world financial crisis of 2008 on the economy of the Republic of Ireland. In particular the Irish banking system had been left badly exposed due to its decision to engage in excessive lending to the property sector. To try to address the problems being faced by the banks in Ireland the Irish government moved to establish NAMA in 2009. In essence it became a bad bank that was given responsibility for trying to recover some of the value of the problematic loans that Irish banks had granted. As part of this work NAMA was to pay out some £1.1 billion to Irish banks for loans they had made for land and property in NI that had once been valued at £4.5 billion. NAMA's attempt to drum up international interest in order to sell its NI portfolio was given the title Project Eagle and by April 2014 a sale had been agreed to a New York investment, Cerebus, for £1.24 billion. However in July 2014 Mick Wallace, an Independent TD, used the parliamentary privilege of the Dáil, to claim that a Belfast law firm, Tughans, had placed £7 million in an Isle of Man bank account for a politician in NI to reward him for his part in the Project Eagle sale.

These allegations prompted a police investigation led by the UK National Crime Agency (NCA). In addition the Finance Committee of the NI Assembly also decided to open up its own inquiry which was established in such a way that it would not impede the one being carried out by the NCA. Whilst this did limit the work of the Finance Committee it did still produce further revelations. These related to evidence given, again under parliamentary privilege, by the loyalist blogger Jamie Bryson in September 2016. During his evidence to a sitting of the Finance Committee he indicated that five individuals including Peter Robinson, then First Minister and leader of the DUP, had been in line to receive a payment upon the completion of the deal relating to NAMA's NI portfolio. All five men rebutted these allegations and Peter Robinson also went on to deny that Martin McGuinness, then deputy First Minister, had not been informed about the deal disposing of NAMA's assets in NI (NI Assembly, *Hansard*, 14 October 2015). However interest in matters relating to NAMA then tended to fade from view.

Events took a further twist in August 2016. *The Irish News* and the Nolan programme on BBC NI Radio revealed leaked twitter messages from Daithi McKay, then SF Chairman of the Assembly Finance Committee, together with another member of SF, that seemed to indicate that they had tried to coach Jamie Bryson before his appearance at the Committee in September 2015. Bryson denied the claims and even though McKay stated that he had acted individually and without consent from anyone else in SF the row rumbled on (*BBC NI News*, 18 August 2016). Later McKay stood down from the Assembly and resigned from the party. As well as the role of McKay questions also began to be raised about his party colleague Máirtín Ó Muilleoir, who had now become Minister of Finance, but had previously served as a member of the Finance Committee. In particular there were calls for him to step aside

as a Minister because he had been directly referenced in one of the Twitter messages. This he refused to do claiming that he had no knowledge of the 'inappropriate communications' (BBC NI *News*, 22 August 2016).

At present the political furore may have died down but the criminal investigation into NAMA continues. In May 2018 reports emerged that the NCA were investigating up to nine people in connection with the NAMA NI deal and that it was recommending that two people should face charges (BBC NI *News*, 22 May 2018).

## 4. LOCAL GOVERNMENT FOLLOWING RE-ORGANISATION

The fourth Peace Monitoring Report (Wilson, 2016) outlined the reform of local administration in the region and gave an overview of the socio-economic demographics of the (then) new 11 Councils. Along with the re-organisation, the councils were given new responsibilities most notably planning and economic development. As local councils are independent of central government they have continued to operate in the absence of the NI Executive and Assembly. Six of the councils have unionist majorities, four have nationalist majorities, and in one council (Belfast) no party has an overall majority.

Democratic Audit UK – an independent research unit at the London School of Economics – carried out a review of how democratic local government is in NI. The last local elections were in 2014 and the audit found that the system of proportional representation had resulted in a broad correspondence between the total share of the vote for the major parties and the total number of seats secured (Democratic Audit UK, *Audit 2017*, 20 June 2017). The audit also highlighted the high level of participation in local government elections (51% in 2014). However, the level of co-opted (appointed rather than elected) councillors, which was then at ten per cent across all councils, and 18.3 per cent in Belfast, was viewed as a weakness. Following the 2014 elections women councillors made up a quarter of elected councillors, a figure which had increased less than two per cent from the 2011 election. In Belfast one third of councillors were women but in North Down and Ards Council women accounted for one sixth of members (Audit 2017: 5). The audit also commented on the fact that council decisions have the potential to spark controversy and highlighted the December 2012 decision by Belfast City Council on flying the Union flag on designated days. More recent council decisions on the issue of bonfires, commemoration, and some planning decisions have also caused controversy.

The Local Government Auditor is appointed from the Northern Ireland Audit Office (NIAO) staff by the Department of Communities. The auditor has statutory authority to undertake studies and make recommendations about the provision of services by local government bodies. In the 2018 report the auditor stated that the 2016-17 financial statements of the district councils were 'properly prepared and that they gave a true and fair view of the financial position' (NIAO, Local Government Auditor's *Report*, 2018). During this period the councils received income of £839 million (from rates, charges, and grants) and 'spent £878 million on providing services to the

public, employed 11,218 staff (equal to 9,834 full time equivalent staff) and utilised assets worth more than £2,300 million' (Report, 2018:7). Staff costs represented 41 per cent (£344 million) of operating expenditure (Report, 2018:42). A breakdown of council income and spending is given in Figure 28. The average sickness absence rate was 14.95 days (or approximately 6 per cent of the total working days) across all councils. The auditor also found that the councils met their key performance improvement responsibilities.

**Figure 28: Local government income and expenditure, 2016-17.**



Source: Local Government Auditor's Report 2018.

All councillors are also required to complete a register of interests. While the auditor found no conflict of interests in the 2016-17 period, there were two councils where returns had not been obtained from all the councillors. The auditor is also a prescribed person to whom a whistle-blower can make protected disclosures. The number of whistle-blowing concerns reported directly to the auditor increased from 15 in 2016-17 to 23 in 2017-18.

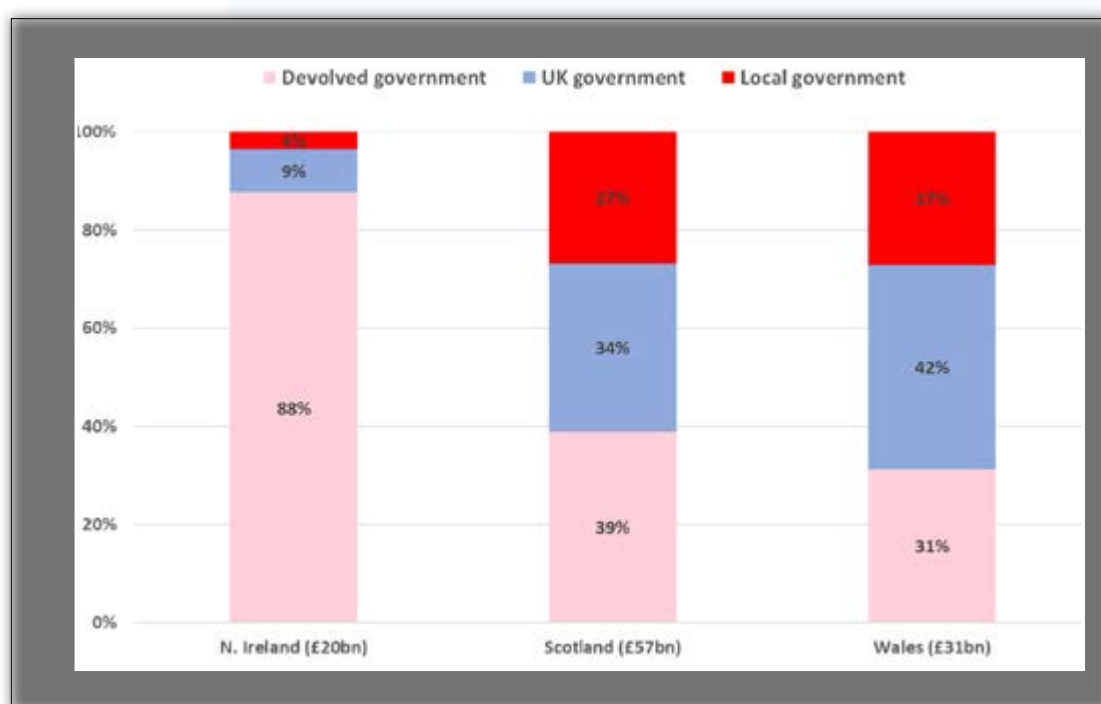
The 462 councillors elected to the 11 district councils have to comply with the Northern Ireland Local Government Code of Conduct for Councillors. The NI Local Government Commissioner for Standards examines complaints from people who believe a councillor has failed to comply with the code. Details are published of any complaints, the alleged breach of code, and the decision taken on the breach. On the Commissioner's website were listed nine councillors who had been the subject of alleged breaches from September 2016 to August 2018 and two of these were awaiting a decision.



Among the breaches considered were: sexual assault and fraud; assault and disorderly behaviour; and drink driving convictions. One councillor was disqualified for three years and two other councillors were suspended for three and six months.

The NI Local Government Association (NILGA) commissioned a report from the independent New Policy Institute (NPI) on the possible extension of responsibilities of local government through devolution from Stormont (NPI, *Report*, June 2018). The report looked at how spending in the region was split between local, devolved, and UK government and compared the breakdown with Scotland and Wales (see Figure 29). In the figures for 2015-16 the local government share was four per cent compared to 27 per cent for the other two regions. The difference in spending by the UK government was explained as being due to the devolution of spending on social security benefits to the NI Executive. The report argued that additional powers related to some neighbourhood services should be devolved to the 11 councils. These services would cover highways and transport, cultural and related services, environment and regulation, and planning and development.

**Figure 29: Percentage share of current and capital public expenditure on services 2015/16, by level of government, in NI, Scotland, and Wales.**



Source: NPI Report, June 2018; page 5.

On the 1 April 2015 there was a transfer of the bulk of planning functions from the Department for Infrastructure to the 11 district councils. Since then councillors sitting on planning committees have made many decisions, based on recommendations from professional planning departments, on a wide range of applications. A number of decisions involving large projects have proved unpopular and have been contested in court.



In one example a decision by Belfast City Council in favour of a planning application for a large office complex next to the Markets area of Belfast was contested by local residents in a case in the High Court. The court ruled that council planning officials had failed to take into account certain relevant matters and thus acted unlawfully. The planning decision was therefore quashed (BBC NI *News*, 31 May 2018). However, the option is still open for a fresh application to be made to the council's planning department. Other planning applications that have been the subject of local protest included plans for a Southern Regional College campus at Craigavon Lakes and plans for the re-use of a former railway station in Derry.

A Northern Ireland Audit Office report in 2016 found that a number of councils did not have a conflict of interest policy in place (NIAO, *Report*, 20 September 2016). Sometime later, in April 2018, it was announced that the Local Government Commissioner for Standards was investigating if Luke Poots, then a DUP councillor on Lisburn and Castlereagh City Council, had a conflict of interest when he voted in favour of planning decisions lobbied for by his father Edwin Poots, DUP MLA (BBC NI *News*, 26 April 2018). Following this announcement, Luke Poots reported a BBC journalist to the PSNI for harassment (*News Letter*, 5 July 2018). On 31st July the police stated that there was no evidence to support the allegation of harassment (*Belfast Telegraph*, 31 July 2018). This investigation was still under consideration at the time of writing.

While all the political parties continue to take part in local government, there are many disagreements related to council spending and also around some of the same issues that impacted on Stormont. For example, in October 2017 the DUP and Sinn Féin were criticised by the Alliance Party over plans to re-allocate £4 million of Belfast City Council funding without a public bid process (*The Irish News*, 21 October 2017;). The plan was to use the funding to support nine projects in the east and west of the city in an effort to promote tourism in these areas. The main criticism was over a lack of transparency in the decision-making process. When the matter was considered further at a council meeting in February 2018, the two main parties rejected a proposal for an open call to allow other projects to bid for the funding.

While there is no Stormont petition of concern option within local government, there is a call-in procedure which can be used to have council decisions re-considered; the decisions being delayed rather than blocked. However, there have been some criticisms of the way in which it has been used. The DUP and Sinn Féin supported a plan to award £400,000 of ratepayers' money to community groups for bonfire diversion through area-based festivals. However, when the matter was brought before the council committee the call-in procedure had been removed from the process (*BelfastLive*, 28 May 2018). The other parties said this was an abuse of the procedure and it was reported that they would ask the NI Audit Office to investigate the decision (*Belfast Telegraph*, 25 May 2018). In another example, in July 2018 the Armagh, Banbridge and Craigavon Council voted by 12 votes to 11 to fly the rainbow flag during the Pride events in August 2018. However, the DUP – which voted against the motion – used the call-in procedure which had the effect of delaying the flying of the flag until after the event had ended (*Belfast Telegraph*, 1 August 2018).

Whatever the outcome of the Brexit negotiations, the decision to leave the EU will have implications for local government in NI. It may be the case that those five councils which have part of their boundaries made up by the border will feel the impact of Brexit more than the other councils. An early casualty of Brexit came when a joint bid by Belfast City Council, and Derry City and Strabane District Council to become the 2023 European Capital of Culture was rejected by the European Commission because of the UK's decision to leave the EU (ITV *News*, 23 November 2017).

## 5. DEALING OR NOT DEALING WITH THE PAST

Earlier this year much publicity was given to the fact that 2018 marked the 20th anniversary of the Belfast / Good Friday Agreement. In terms of the whole issue of Dealing with the Past this year is also significant. On 29 April 1998 Sir Kenneth Bloomfield published his report, *We Will Remember Them*, which set out to explore the possible ways in which NI could begin to deal with victims of the Troubles (Bloomfield, *Report*, April 1998). Whatever about the merits of its content and there has been much debate about this, Bloomfield's work was to be the first of various initiatives that have tried to deal with the issue of victims. In his covering note to Mo Mowlan, the Secretary of State who had commissioned him to carry out the work, Bloomfield included a warning that continues to carry relevance today:

I have been guided by a simple yardstick: we have created victims through violence, and we have produced violence out of division. It follows, then, that any form of recognition likely to generate division rather than to foster reconciliation should be avoided.  
Bloomfield, *Report*, 1998

Unfortunately when it comes to dealing with the past this has proved impossible to achieve. Given the sensitivity of the topic and the controversy it often provokes it is not surprising to find that it has proved to be an impossible challenge for politicians and policy makers to overcome. The most recent example of this has been the failure to implement the provisions dealing with legacy issues, as set out in the *Stormont House Agreement* (SHA) of December 2014 and then reaffirmed in the *Fresh Start Agreement* (FSA) of December 2015. These envisaged that the following bodies would be established each with a separate remit:

- Oral History Archive (OHA): would 'provide a central place for people from all backgrounds (and from throughout the UK and Ireland) to share experiences and narratives related to the Troubles';
- Historical Investigations Unit (HIU): would 'take forward investigations into outstanding Troubles-related deaths' and that the work of this HIU would be completed in five years;
- Independent Commission for Information Retrieval (ICIR): would be 'established by the UK and Irish Governments', and whilst respecting 'the sovereign integrity of each jurisdiction ... enable victims and survivors to seek and privately receive information about the (Troubles-related) deaths

of their next of kin'. It was also envisaged that the task envisaged for the ICIR would last no longer than 5 years.

- Implementation and Reconciliation Group (IRG): would 'oversee themes, archives and information recovery' and that 'after five years a report on themes will be commissioned by the IRG from independent academic experts'.

The fundamental problem with these proposals was that they remained aspirational and there was no arrangement in place to allow for their immediate introduction. Instead the intention of the British government was to propose a public consultation on the proposals before they became law in order to try to ensure that they had widespread acceptance across NI society. However it was then to prove difficult to decide when this process could get underway. On the first anniversary of the Fresh Start Agreement in November 2016, James Brokenshire was forced to deny that he was delaying this and instead stressed that 'finding a consensus on a way forward in dealing with Northern Ireland's past (was) a priority', but it was also important to 'build the necessary consensus to take this forward', and that such a 'process would benefit from a public phase in order to make progress on this vital issue' (Brokenshire, *Press Release*, 17 November 2016). But progress has been stalled by the political instability that followed the collapse of the NI Executive and the way in which legacy matters have been caught up in discussions around restoration.

With the failure of the talks in February 2018 on 11 May 2018, Karen Bradley announced that the long-awaited consultation on the proposals outlined in SHA and FSA was open. In the press release that accompanied the announcement she closely repeated the comments of her predecessors in November 2016:

In an area as sensitive as the troubled past in Northern Ireland, it is important that we recognise and listen to all views. Any way forward will only work if it can command confidence from across the community. Now is the time for everyone with an interest in addressing the legacy of Northern Ireland's troubled past to have their say.  
Bradley, *Press Release*, 11 May 2018.

The consultation document was entitled 'Addressing the Legacy of Northern Ireland's Past' and it had two main components. Firstly, there was an assessment of the current mechanisms for dealing with the past in terms of how they currently operated as well as setting out some of the problems that had arisen during the course of their work. Secondly, it set out in detail how the new bodies being proposed under SHA and FSA would work, the general principles behind them and a draft of the Northern Ireland (Stormont House Agreement) Bill, which would transfer the proposals into law (NIO, *Consultation Paper*, 11 May 2018).

However it is important to point out that the absence of a formal process has not prevented an ongoing debate about dealing with the past within the NI context. This has focused on a number of key areas and it is likely these will be raised during the present consultation process.

## 5.1 Justice and Truth Recovery

To date no acceptable mechanism to allow the completion of the remaining investigations into Troubles-related killings has been found. The current proposals envisage that in the future this would be a role which would be transferred from the PSNI's Legacy Investigation Branch (LIB) to the Historical Investigations Unit (HIU). But the exact nature of the role that potentially could be given to the HIU was something which alarmed unionist politicians in NI as well as opinion within the Conservative Party at Westminster. Of particular concern was the belief that the workload of the HIU – estimated to be around 1700 killings – would focus on former members of the security forces, particularly the British Army, who had served in NI. These fears were then linked to the fact that since the early 2000s the Armed Forces Covenant (AFC) had effectively placed on successive British governments a, 'promise from the nation that those who serve or have served, and their families, are treated fairly' (Gov.uk, *Armed Forces Covenant*). As far back as February 2017 Theresa May had spoken of the need to ensure that, 'investigative bodies responsible for looking at deaths during the Troubles will operate in a fair, balanced and proportionate manner' (BBC NI News, 22 February 2017). She returned to that theme in the wake of her government's announcement in May 2018 when she made clear that:

The situation we have at the moment is that the only people being investigated for these issues are those in our armed forces or those who served in law enforcement in Northern Ireland ... That is patently unfair. Terrorists are not being investigated. Terrorists should be investigated and that is what the government wants to see.

*BBC NI News, 9 May 2018.*

This issue was also something that the House of Commons Defence Committee had spent some time looking into and in April 2017 it published the report *Investigations into fatalities in Northern Ireland involving British military personnel* (HoC Defence Committee, *Report*, 24 April 2017). Effectively this called for the introduction of a statute of limitations that would halt any further investigation or prosecution of any British soldier suspected of being involved in a troubles-related killing. Alongside this would be some form of a truth recovery process that would allow any bereaved family to find out more information about the circumstances in which their relative had been killed. The expectation was that this would make such an arrangement compatible with Article 2 of the European Convention on Human Rights by which the state was under an obligation to conduct a thorough investigation of anyone killed by agents of the state (*BBC NI News, 26 April 2018*). The thinking behind the Defence Committee was outlined by its Chair, Dr Julian Lewis MP, during a subsequent debate on the report in January 2018:

The Committee was particularly exercised by recent events. As a result of the much more recent campaign in Iraq, soldiers were being brought to court, and it appeared that thousands of cases would have to be investigated, despite the fact that at the end of long, tortuous and expensive processes, the vast majority were found to be without much, or indeed any, substance. The Committee was worried that a similar sort of process would now begin retrospectively in relation to the 238 military-related deaths that occurred during the troubles.

House of Commons, *Hansard*, Column 204WH, 25 January 2018.

Later in the same debate Mark Lancaster MP, then Minister for the Armed Forces, indicated that the measure had some support:

... the Government have decided to include within the legacy consultation a question on alternative ways of addressing the legacy of the past, such as a statute of limitations or amnesty ...  
Ibid, Column 223WH.

Yet when the consultation process was announced in April 2018 this was something notable for its absence (*The Independent*, 11 May 2018, ). According to the BBC's political editor Laura Kuenssberg this was a decision that some within government circles found unacceptable and had led to a cabinet 'spat' over the matter (BBC *News*, 9 May 2018). Instead as alternative all Karen Bradley could offer was to:

... recognise that there are different views on how to address the legacy of the past in Northern Ireland, such as those expressed in the April 2017 report published by the House of Commons Defence Committee. For that reason, while I believe the Stormont House Agreement institutions are the best way forward, this consultation also welcomes views from those who might have other ideas, either about how the institutions should work, or about alternatives to the institutions themselves.  
NIO, *Consultation Paper*, 11 May 2018, page 5.

No formal reasons have been forwarded to explain the decision to exclude the statute of limitation from the consultation document but there are evidently difficulties in doing so including dispute about the need for a statute of limitation to protect former members of the security forces from being at a disadvantage when it comes to legacy investigations. During a debate at Westminster in January 2017 Sir Jeffrey Donaldson suggested that up to 90 per cent of investigations being conducted by the PSNI's LIB in NI were disproportionally directed at ex-service personnel (HoC, *Hansard*, 10 January 2017). The *BBC NI* news then reported that PSNI figures indicated something different. These suggested that of the 1,188 killings making up the caseload of the LIB 530 had been carried out by republicans, 271 by loyalists and 354 by security forces, which represented 30 per cent of the total. A few months later in an interview with the Belfast News Letter Barra McGrory, then Director of Public Prosecutions (DPP) for NI cited evidence from his office that over the previous six years it had prosecuted seven republicans, three loyalists and three soldiers (*The Newsletter*, 1 July 2017).

There were also other factors requiring consideration. For instance during evidence to the Defence Select Committee legal opinion suggested that potentially a statute of limitation restricted to former members of the security forces could fall foul of Human Rights legislation. The advice was that the only way to avoid this was instead to opt for a measure that could be introduced across the board in NI to include ex-paramilitaries. In essence such a development would lead to a situation whereby a general amnesty was the ultimate result. All of this was further developed by a report from academics at Queen's University Belfast and Ulster University in association with the Committee for the Administration of Justice (CAJ) (McEvoy, et al., *Model Bill Team*, 2018). It was later to emerge that this was a scenario that the British government was keen to avoid. In June 2018 an internal briefing document from the NIO and prepared for Karen Bradley was

inadvertently leaked to the media. This contained advice for the Secretary of State when speaking to journalists on a range of policy issues. In terms of legacy issues and in particular the question of a statute of limitations it was recommended that she say it 'would need to apply to all those involved in Troubles-related incidents, including former terrorists, if the UK is to comply with international law' (*Belfast Telegraph*, 18 June 2018). The challenges in this area are also highlighted by data from the 2017 NILT Survey. Within the module on 'Attitudes to Armed Forces' in NI, people were asked about their opinion on the prosecution of (former) British Army members for actions during the Troubles (see Figure 30).

**Figure 30: How much do you agree or disagree that, Members of the British Army should not be prosecuted for their actions during the Troubles? by religion**

	% All	% Catholic	% Protestant	% No religion
Strongly Agree	15	1	30	12
Agree	21	9	31	23
Neither agree or disagree	19	22	13	23
Disagree	18	27	10	19
Strongly disagree	13	22	6	9
Can't choose	15	18	9	14

Source: ARK, NI Life and Times Survey, *Attitudes to Armed Forces*, 2017.

The results indicated that 36 per cent of NILT respondents strongly agreed or agreed with the statement that British soldiers should not be prosecuted for their actions during the troubles whilst 31 per cent disagreed or strongly disagreed. The figures are much more pronounced however when the results are separated out by religion. Some 61 per cent of Protestants strongly agreed or agreed, compared with 10 per cent of Catholics.

In any case it is also highly unlikely that such a move could be sold politically. During an interview with the BBC NI's radio programme *Inside Politics* on 24 November 2017, Arlene Foster voiced her concerns. While stating that she understood the reasons why people were promoting the idea, she outlined her concerns that it could deprive relatives of those killed during the Troubles from having the chance to have justice - 'We have to be very careful that you don't end up in a situation where you end up giving an amnesty, by the back door, to the people who frankly committed some of the most heinous crimes anywhere and I could not be party to that' (*iNews*, 25 November 2017). A few days previously the Irish Foreign Minister, Simon Coveney, had expressed the view that any move to include the issue of a statute of limitation into the consultation process had the 'potential to undermine consultation from day one' (*BBC NI News*, 23 November 2017). Similarly after a meeting with Theresa May in Downing Street on 21 November 2017, Gerry Adams, then SF President, warned that such a move would be seen as 'an act of bad faith' by the British government (*Belfast Telegraph*, 21 November 2017).

An intervention was also made on the consultation process by Barra McGrory, who had returned to private practice following his decision to step down as DPP. He questioned the merits of the HIU on the grounds that it



was 'convenient politically' and ignored the fact that, 'the vast majority of these cases (taken on by the HIU) will not end in successful convictions'. He argued that money and resources would be wasted pursuing cases where it would be impossible to gain a conviction, 'time cannot be wound back, so the quality of evidence will still be very poor' (BBC NI *News*, 18 May 2008). His alternative was to repeat the call that others had made before him that there should be a halt to all future prosecutions for troubles-related killings which effectively would amount to an amnesty across the board.

## 5.2 Legacy Inquests

The ongoing political stalemate has also affected other matters relating to legacy issues including the failure to deal with the backlog of Troubles-related inquests. In February 2016 the most senior judge in NI, the Lord Chief Justice Sir Declan Morgan, had outlined a plan to establish a legacy inquest unit to deal with the backlog. It was envisaged that this work, involving up to eighty cases, would take five years to complete and cost in the region of £10 million with funding being provided by the Executive. However this proposal was soon to run into problems with the DUP. In particular the party was opposed to it on the grounds that it was largely skewed in favour of one category of victims – namely those involved in killings by the security forces and therefore contributing to what the party considered to be an unbalanced approach to dealing with the past. Consequently the initiative never progressed and Morgan's disappointment was put on the record twice during speeches in September 2016 and 2017 (*BBC NI News*, 5 September 2017).

This was another issue that had soured relations between the DUP and SF and helped to contribute to the collapse of the Executive back in January 2017. In giving his reasons for resigning as deputy First Minister Martin McGuinness referred specifically to the failure of the DUP to approve funding for legacy inquests and warned until it was dealt with alongside other matters then it would be impossible for his party to return to government (*BBC NI News*, 9 January 2017). In the lengthy talks process that dragged on throughout 2017 and into 2018 the topic remained a bone of contention between the two parties. Also it appears that both parties were engaged in discussion with the British government over various legacy matters. SF was to claim that it had received a commitment from the British side that it would immediately release resources to allow for the inquest programme first envisaged by the Lord Chief Justice. This was something that the NIO was quick to deny and instead stressed that the government's discussions in all of this were based on the premise that an overall political deal was required before any new measures could be followed through (*Belfast Telegraph*, 24 February 2018). As for the DUP, Arlene Foster confirmed that her party were aware of the nature of the discussions between SF and the British government but made clear that, 'No one in the DUP was aware of inquest funding being progressed in the absence of an overall agreement or a decision to advance all elements of the Stormont House Agreement' (Foster, *Statement*, 23 February 2018). In any case it would appear that the DUP was also pursuing its own agenda of seeking to ensure that the Armed Forces Covenant, currently not in operation in NI due to concerns that it could contravene Section 75 of the 1998 Northern Ireland Act, should be introduced immediately.

There was to be a further twist in this issue. On 8 March 2018 a court decided that Arlene Foster's decision to block funding for the Lord Chief Justice's original plan for legacy inquests had been unlawful and flawed. The case had originally been brought by Brigid Hughes, whose husband had been innocently caught in a SAS ambush of an IRA unit in Loughall, County Armagh back in May 1987, which had resulted in his death. Her legal team had argued that the failure to hold an inquest had been the result of a logjam caused by the Secretary of State, the NI Executive, and Arlene Foster, as First Minister. This was followed by a further judgement against her in March in which a ruling was given that she was liable for costs in relation to the case. Furthermore in his judgment Sir Paul Girvan,

... directed the Executive Office, the Department for Justice and the Secretary of State for Northern Ireland to reconsider their duties in providing extra resources to the Coroners Service for legacy inquests. *Belfast Telegraph, 23 March 2018.*

As yet there has been no move to implement this request although in May 2018 it was reported that Arlene Foster was considering an appeal against the judgement. As things stand there is unlikely to be any significant development on this front unless it is part of a wider political agreement between the DUP and SF.

### 5.3 A Pension for Victims?

Within the recent consultation document the British government once again set out its support for the provisions within the SHA for the NI Executive, 'to consult publicly on proposals for a pension for severely physically injured victims as a positive step towards much needed progress on this issue' (NIO, *Consultation Paper*, 11 May 2018;6). The call for such a measure has been in the public domain for some time with a recommendation included in proposals that had emerged out of the Haass talks in December 2013 (Haass and O'Sullivan, *Proposed Agreement*, 31 December 2013) and in a report drawn up for the Commission for Victims and Survivors (CVS) (CVS, *Final Report*, April 2014). The CVS then followed this up with a further paper submitted to OFMDFM and The Executive Office that sought to highlight its informed advice on the matter – namely that a pension for people severely injured during the 'Troubles' should be made as soon as possible (CVS, *Advice Paper*, June 2014). From the outset it was apparent that this was not going to be an easy task. Whilst McGuinness broadly welcomed the proposals Robinson was much more circumspect. He warned that, 'Agreeing what the detail of it should be is something entirely different ... I will not be putting my hand to any proposal that is going to reward those that have been engaged in terrorism ... So definitions become important in that context' (BBC NI *News*, 8 May 2014). As Robinson had indicated the problem for many within the unionist community was around this question of definition. The only relevant piece of legislation currently on the statute book dealing with this – the Victims and Survivors (Northern Ireland) Order 2006 passed at Westminster – was unacceptable for unionists in that it had defined the terms victim and survivors as:

- (a) someone who is or has been physically or psychologically injured as a result of or in consequence of a conflict-related incident; (b) someone who



provides a substantial amount of care on a regular basis for an individual mentioned in paragraph (a); or (c) someone who has been bereaved as a result of or in consequence of a conflict-related incident.

NI Statutory Instrument, *2006 No.2953*, 14 November 2006.

There has been deadlock on the issue with no consensus as to who should be eligible for such a pension. Organisations such as the WAVE Trauma Centre have continued to campaign on the issue and in November 2016 made a fresh call for the measure to be introduced via the NI Assembly. If that was not possible then it called for an alternative course namely that the authorities at Westminster should step in (*ITV news, 22 November 2016*). But the position of the British government has remained constant - that the issue is a question for a devolved government in NI to deal with. For instance a recent briefing note for Karen Bradley, which found its way into the public domain, reiterated the belief that 'Work on a pension is properly for the Executive to take forward. It is one of the many reasons why it is important to have an Executive restored' (*Belfast Telegraph, 18 June 2018*).

It will be interesting to see if this position holds into the future. For instance the DUP MP Emma Little Pengelly in May 2018 announced her intention to introduce a Private Members Bill in the House of Commons entitled, Victims of Terrorism (Pensions and Other Support) Bill. This included provisions for a, 'comprehensive review of support for UK victims of terrorism, including the proposal of bringing forward a special pension for those severely injured as a result of a terrorist attack' (Emma Little Pengelly, *Statement*, 2 May 2018). The response of the government will also be important as a Private Members Bill is unlikely to become law unless it has government backing during its passage through parliament.

## 5.4 Moving forwards or standing still?

At this stage the unanswered question is what will be the outcome of this latest consultation process. Just over a decade ago the British government set out on a similar path. On that occasion the method adopted was to establish an independent Consultative Group under the co-chairmanship of the Right Reverend Lord Robin Eames and Mr Denis Bradley to look at dealing with the past. In its final report it lists having received 290 written submissions and 2086 standardised letters; met with 141 individuals and groups across the UK and the Republic of Ireland; and organised seven public meetings across NI with over 500 people attending these. The group's final report was published in January 2009 and made a series of recommendations. However some of these were to provoke some controversy and none of its proposals were ever implemented and it was effectively binned.

Amongst the difficulties encountered by the group led by Eames and Bradley was something that should act as a warning that could easily apply to the current consultation process namely that:

One of the Group's main challenges has been consulting a society which, despite the significant achievements made towards peace and stable government, remains divided along age old lines deeply rooted

in the past.

Consultative Group on the Past, *Report*, 23 January 2009, page 24.

During the period covered by this Monitoring report there are numerous examples of how a single event or incident can illustrate the delicate and divisive nature of the debate surrounding dealing with the past. The Barry McElduff incident of 6 January 2018 is one such example. A video clip appeared on social media containing images of McElduff, then SF MP for West Tyrone. The video clip showed McElduff walking around a shop in his constituency with a loaf of bread on his head and posing the question as to where he could find the bread. The name on the packaging of the bread was Kingsmill, which had sinister connections with the NI conflict. On 5 January 1976 ten Protestant workmen were killed in a gun attack on their minibus at Kingsmill Road, near Bessbrook, County Armagh. The attack was claimed by the Republican Action Force (RAF) however it is widely believed that this was a cover name used by the IRA. Although McElduff apologised immediately and claimed he was unaware of the potential sensitivities around the date of his actions he was widely condemned across the political spectrum. Even Declan Kearney, then SF Chairman, described his actions as being 'indefensible and inexcusable' and later SF moved to suspend McElduff from all party activities for three months. But it was to be the response of those directly affected by the aftermath of the attack back in 1976 which had the greater impact with Alan Black, the only person to survive Kingsmill, describing his actions as being 'designed to cause maximum hurt' and 'depraved' (BBC NI News, 6-8 January 2018).

## 6 PARTY POLITICS AND ELECTIONS

### 6.1 The 2017 assembly election results

The NI Assembly election in March 2017 returned members to a smaller Assembly. The Assembly Members (Reduction of Numbers) Act (Northern Ireland) 2016 reduced the size of the Assembly from 108 members to 90 meaning that the 18 NI constituencies would return five seats each instead of the previous six. Given all of this it was widely expected that the main parties would have to endure some electoral discomfort. Turnout was significantly up, rising by almost 10 per cent from 54.91 per cent in 2016 to 64.78 per cent in 2017. The results of the election are set out in Figure 31.

**Figure 31: Results of the Northern Ireland Assembly Election, 2 March 2017**

	2017	< change >	2016
Electorate	<b>1,254,709</b>	-26,886	1,281,595
Number of Votes Cast (Turnout / Poll)	<b>812,783</b>	+109,039	703,744
Percentage Turnout / Poll:	<b>64.78%</b>	+9.87	54.91%
Number of Invalid / Spoilt Votes:	<b>9,468</b>	+38	9,430
Number of Valid Votes Cast:	<b>803,315</b>	+109,001	694,314

Figure 31: continued

Party	No. 1st Preference Votes	% Votes	Change % Votes	No. Seats	Change No. Seats
Democratic Unionist Party (DUP)	225,413	28.06%	-1.12%	28	-10
Sinn Féin (SF)	224,245	27.91%	3.89%	27	-1
Ulster Unionist Party (UUP)	103,314	12.86%	0.29%	10	-6
Social Democratic and Labour Party (SDLP)	95,958	11.95%	-0.06%	12	-
Alliance Party of Northern Ireland (APNI)	72,717	9.05%	2.07%	8	-
Traditional Unionist Voice (TUV)	20,523	2.55%	-0.87%	1	-
Green Party (GP)	18,527	2.31%	-0.39%	2	-
Independent candidates (Ind)	14,407	1.79%	-1.94%	1	-
People Before Profit (PBP)	14,100	1.76%	-0.22%	1	-1
Progressive Unionist Party (PUP)	5,590	0.70%	-0.16%	0	-
Conservative Party (CP)	2,399	0.30%	-0.07%	0	-
Cross Community Labour Alternative (CCLA)	2,009	0.25%	-0.05%	0	-
United Kingdom Independence Party (UKIP)	1,579	0.20%	-1.26%	0	-
Citizens Independent Social Thought Alliance (CISTA)	1,273	0.16%	n.a.	0	-
Workers Party (WP)	1,261	0.16%	0.07%	0	-
<b>Total</b>	<b>803,315</b>	<b>100.00%</b>		<b>90</b>	<b>-18</b>

Source: CAIN, *Result of the Assembly Election* (NI) Thursday 2 March 2017

The election resulted in the DUP and SF both reaffirmed in their electoral dominance. But the big shock to emerge was the apparent damage done to the morale and prestige of unionism within NI. Of the eighteen seats that had disappeared sixteen were lost by unionist parties (10 for the DUP and 6 for the UUP) with SF and PBP losing one each. In addition SF had come close to becoming the largest party in NI with its 27 seats just one behind the DUP total of 28, whilst in terms of first-preference votes the SF total of 224,225 was just 1,168 behind the DUP's 225,413. Thus SF had come very close to being in a position for the first time to nominate one of its MLAs to the position of First Minister. Those MLAs likely to be designated as unionist would only amount to a total of 40. Consequently for the first time since 1921 an elected body encompassing the whole of NI would not have a unionist majority. With a Petition of Concern (PoC) requiring 30 MLAs to sign, it was clear that no one party could put down a PoC on its own. One further interesting figure to emerge from the newly elected Assembly was that when it came to Brexit there were now at least 49 MLAs representing parties who had campaigned back in June 2016 for the UK to remain a member of the EU.

## 6.2 The 2017 Westminster election

Theresa May's surprise announcement that she intended to hold a general election on 8 June 2017 was to have major consequences for NI. With opinion polls suggesting that the Labour Party, under the leadership of Jeremy Corbyn, trailed the Conservative Party by a considerable margin, many commentators felt that Theresa May called the election in the belief that she could increase her party's majority at Westminster. There was also the suggestion that Theresa May wanted to secure her own electoral mandate as leader of the Conservative Party.

During the early part of the election campaign in NI there was speculation about possible electoral pacts within unionism and nationalism. The DUP and UUP indicated an interest in a formal pact but while it was not possible for them to agree an overall pact they did agree to stand aside in certain constituencies. The DUP did not contest Fermanagh South Tyrone so as to give a clear run to the UUP, and the UUP reciprocated in north Belfast. The SDLP rejected an appeal by SF to stand aside in the same two constituencies (*BBC NI News, 8 May 2017*).

In terms of the campaign what followed in NI was mainly a familiar picture. Whilst it was by no means a re-run of the Assembly election a few weeks previously – with questions around the Union, Brexit and the austerity measures of the previous conservative government being debated – the two largest parties focused on familiar grounds. In particular both the DUP and SF urged voters to once again strengthen their respective electoral positions. For instance Arlene Foster spoke of securing a strong mandate for her party in order to ensure the restoration of devolved government (*Belfast Telegraph, 8 May 2017*). Michelle O'Neill followed suit, criticising the DUP for failing to respond to her party's demands over the Irish language as well as equality and legacy issues. She was therefore asking for the electors to make it another 'ground breaking election' for her party (*Belfast Telegraph, 23 May 2017*). The results of the election are set out in Figure 32.

**Figure 32: Results of the Westminster General Election in NI, 8 June 2017**

	2017	< change >	2016
Electorate	<b>1,242,698</b>	+5,942	1,236,756
Number of Votes Cast (Turnout / Poll)	<b>815,260</b>	+92,388	722,872
Percentage Turnout / Poll:	<b>65.60%</b>	+7.15	58.45%
Number of Invalid / Spoilt Votes:	<b>3,077</b>	-1,692	4,769
Number of Valid Votes Cast:	<b>812,183</b>	+94,080	718,103

Figure 32: continued

Party / Independent Candidate	Seats	Valid Votes	%share
Democratic Unionist Party (DUP)	10	292,316	35.99
Sinn Féin (SF)	7	238,915	29.42
Social Democratic and Labour Party (SDLP)	0	95,419	11.75
Ulster Unionist Party (UUP)	0	83,280	10.25
Alliance Party of Northern Ireland (APNI)	0	64,553	7.95
Independent unionist	1	16,148	1.99
Green Party (GP)	0	7,452	0.92
People Before Profit Alliance (PBPA)	0	5,509	0.68
Conservative Party (CP)	0	3,895	0.48
Traditional Unionist Voice (TUV)	0	3,282	0.40
The Workers Party (WP)	0	708	0.09
Citizens Independent Social Thought Alliance	0	393	0.05
Independents	0	313	0.04
<b>Total</b>	<b>18</b>	<b>812,183</b>	<b>100.00</b>

Source: CAIN, *Results of the Westminster General Election* (NI) 8 June 2017.

There was an increase in turnout which largely mirrored that of the Assembly election in March 2017. On this occasion turnout rose from 58.45 per cent in 2015 to 65.60 per cent in 2017. As shown in Figure 32 the DUP won 10 seats, SF 7 and the remaining NI seat was held by the Independent unionist candidate. For the largest two parties these gains were to be made at the expense of the SDLP and the UUP. Elsewhere the APNI was unable to win back Belfast East and instead the seat was retained by the DUP. For the DUP the results were greeted as a great triumph in the wake of the disappointment of the Assembly elections just three months previously. In a sense the party had heeded an old piece of political advice – when you're in a hole, stop digging. It had rallied behind its leader Arlene Foster and sought to take advantage of the unexpected opportunity presented by Theresa May to lead the unionist fightback against SF. The DUP added 108,000 votes to its tally from 2015 and polled 35.99 per cent of the vote. The other big winner was to be SF. The party's total vote rose by almost 63,000. SF candidates were returned in Fermanagh & South Tyrone which was won from the UUP, whilst South Down and Foyle were gained from the SDLP, leaving SF with seven MPs. In Foyle the unexpected and narrow victory for the SF candidate – of just 200 votes – was accompanied by claims over voting irregularities particularly over postal votes. The matter was brought to the Electoral Office which in turn referred seven cases to the PSNI for investigation (Electoral Commission, *Report*, December 2017).

Where there are victors there are also losers and in this instance it was the UUP and SDLP who suffered with both losing all their Westminster representatives. The UUP lost its two seats and saw its share of the vote drop by just over 31,000 from 114,935 in 2015 to 83,280 in 2017.

The SDLP share of the vote dropped by around 4,000 from 99,809 in 2015 to 95,419 in 2017 but the real damage was the loss of three seats. As for the other parties there was not much to cheer. The only person to derail the DUP - SF hegemony was the sitting Independent unionist MP Sylvia Hermon in North Down (Figure 32; and ARK, NI *Westminster Elections 2017*).

In Britain the Labour Party under Jeremy Corbyn performed much better than predicted resulting in a hung parliament where the Conservatives were the largest party but had failed to secure an overall majority – Conservatives 318 seats (-13), Labour 262 (+30), Scottish Nationalist Party 35 (-21), Liberal Democrats 12 (+4), DUP 10 (+2), SF 7 (+3), Plaid Cymru 4 (+1), Green Party 1 (-), Others 1 (BBC *News*, 9 May 2017). This position left the DUP in effect holding the balance of power and Arlene Foster made clear she was willing 'to enter discussions with the Conservatives to explore how it may be possible to bring stability to our nation at this time of great challenge' (*The Irish Times*, Electoral Supplement, 10 June 2017). In contrast the loss of the three SDLP MPs, coupled with the abstentionist policy of the seven SF MPs, now meant that for the first time in over half a century there would be no nationalist representatives in the House of Commons from NI.

## 6.3 The Confidence and Supply Agreement

Given the indecisive nature of the election result, Theresa May, as the leader of the party with the biggest number of seats in the new parliament, was then given the opportunity to form a government. On that front she had two main choices - to attempt to form a minority administration or seek some sort of an arrangement with another party thereby providing her with a working parliamentary majority. Almost immediately the first option was ruled out and it soon became clear that her preference was to work towards a deal with the DUP. The 318 Conservative MPs combined with the 10 DUP MPs would make up more than half the MPs in the House of Commons. The outcome of discussions between Theresa May and the DUP was not a coalition government but a so-called confidence and supply agreement. In essence this sort of understanding means that the smaller party would agree to support the larger party in key parliamentary votes such as a finance bill or a confidence vote but at the same time not be tied into supporting it on a range of other issues. Eventually on 26 June 2017 the two parties agreed on this arrangement and published two papers outlining the nature of the deal that had been agreed to (Gov.UK, *Agreement*, 26 June 2017).

In summary these documents set out the basis by which this particular confidence and supply agreement would work. Whilst it was agreed that this deal would last for the five-year term of the government, provision was also made for it to be reviewed annually at the end of each parliamentary year. In addition a coordinating committee would be established with members from both parties to oversee how the agreement operated in practice. Elsewhere the language used stressed the common ground shared between the two parties in terms of them both being pro-Union as well as pro-Brexit and their commitment to guaranteeing the future prosperity and security of the UK as a whole. From the DUP's perspective they undertook to support the Conservative government on any parliamentary vote relating to the

Queen's speech, motions of confidence, Brexit, the Budget and any other important finance bills. But it was also made clear that the party was not guaranteed to support the government on every other matter. In return for these commitments the DUP was able to secure an extra £1 billion spending for NI over the years 2018 and 2019. Allied to this the DUP were able to gain guarantees from the government on a number of policy issues such as a commitment that state pensions would rise by at least 2.5 per cent per year, agriculture spending in NI would be maintained at the same level during the lifetime of the current parliament, and that there would be no further cuts to UK defence spending (BBC NI *News*, 26 June 2017).

For the DUP this arrangement has given it a profile across the rest of the UK it had never experienced before. This can be seen on a number of levels. In November 2017 Nigel Dodds MP, the party's deputy leader, was presented with an award from The Spectator magazine as Negotiator of the Year. This recognised his role in putting in place the arrangement that allowed the DUP to support Theresa May's government in return for the £1 billion financial package for NI (*Belfast Telegraph*, 2 November 2017). The first tranche of that money was finally delivered in March 2018 when Karen Bradley, in the absence of an Executive, announced the budget allocation for NI for 2018-19. This amounted to some £410 million with this sum being divided into:

- £200 million extra for capital spending on key infrastructure projects
- £100 million for the long-term transformation of the health service
- £80 million to help relieve health and education pressures
- £30 million to support programmes addressing issues of mental health and severe deprivation

NIO, Written Ministerial Statement: *Northern Ireland Finances*, 8 March 2018.

There is also the political influence that the arrangement has provided the DUP with at Westminster. This has been most noticeable around the Brexit issue. In December 2017, during talks between the EC and the British government about moving to the next stage of Brexit, negotiations broke down. One of the key problems identified was the fact that the DUP were unwilling to accept apparent concessions made by Theresa May in relation to the Irish border issue (*The Irish Times*, 4 December 2017). Then in June 2018 Theresa May's government narrowly survived a number of key parliamentary votes relating to Brexit legislation which would not have been possible without the support of the DUP (BBC *News*, 17 July 2018).

For others across the UK the prospect of the DUP holding such a position of power at Westminster was not something to be welcomed. In the days following the election result there were reports of the DUP website crashing as people across the UK rushed to find out more about the party (*Daily Telegraph*, 13 June 2017). This was an outlook that some found troublesome and in particular the DUP's social conservatism was then used as a means to attack the path Theresa May had chosen to take.

As for the situation in NI, the deal between the Conservatives and the DUP did little to improve the atmosphere with some warning that finding a way out of the political impasse would be more difficult as the new arrangement cast doubt on the ability of the British government to be seen as a neutral



mediator (*The Guardian*, 26 June 2017). The unease that the agreement would have a negative impact on the political scene in NI gathered during the summer of 2018 and focused on the issues of abortion and same-sex marriage. In both these areas it was being argued that the lack of change was being further hindered by the lack of a functioning assembly and that the Westminster government should step in and legislate for reform. In May a Labour MP, Connor McGinn, moved to introduce a private members bill in the House of Commons to bring NI in line with the rest of the UK and the Republic Of Ireland, by allowing for same-sex marriage. However from an early stage it was clear that the measure was doomed without the support of the government. With regards to abortion, pressure for reform of NI law was given additional impetus by a ruling of the Supreme Court in June 2018 on whether NI's abortion laws were incompatible with human rights legislation. A majority of the Supreme Court judges expressed a view that the current situation in NI is incompatible with the European Convention on Human Rights (ECHR). While they did not go so far as to make a formal declaration of incompatibility, a move that would probably have forced a law change, this was essentially a legal technicality in that a majority of judges ruled that the Northern Ireland Human Rights Commission did not have the authority to take the case (The Supreme Court, *Judgment*, 7 June 2018). Following the ruling Labour MP Stella Creasy requested an Emergency Debate on abortion in NI which took place on 7 June 2018. During the debate she stated that:

The Secretary of State has the power to direct Northern Irish Departments to take such action that is required under international obligations. Human rights are an international obligation.  
House of Commons Hansard, 7 June 2018, Vol.642, Column 454.

However, on both same sex marriage and abortion reform it became clear that the UK government was reluctant to move, seemingly on the grounds that both were devolved matters for the NI Assembly. This was illustrated by a leaked briefing document prepared for Karen Bradley which provided her with a set of answers to possible questions ahead of an event at which the media was to be present in June 2018. On abortion the advice given – which also could have been easily applied to same sex-marriage – was that she should state:

The Government believes this is a matter for the people of Northern Ireland and Northern Ireland politicians.  
Abortion is an extremely sensitive issue, and we recognise the strongly held views on all sides of the debate in Northern Ireland.  
The Government thinks it is absolutely essential that a devolved government in Northern Ireland is restored, so that democratically elected, democratically accountable politicians can debate fundamental changes to policy on abortion, and the people of Northern Ireland have a direct say in the process.  
Our key priority is to redouble our efforts to restore power-sharing, so that the people of Northern Ireland can decide what is right for Northern Ireland, rather than Westminster speaking on their behalf.  
*The Irish Times*, 17 June 2018.

All of this may just be the political reality of the time but it also raises the valid question of what the response would be if Theresa May and her government were not reliant upon the DUP.



## DIMENSION TWO

### The sense of safety

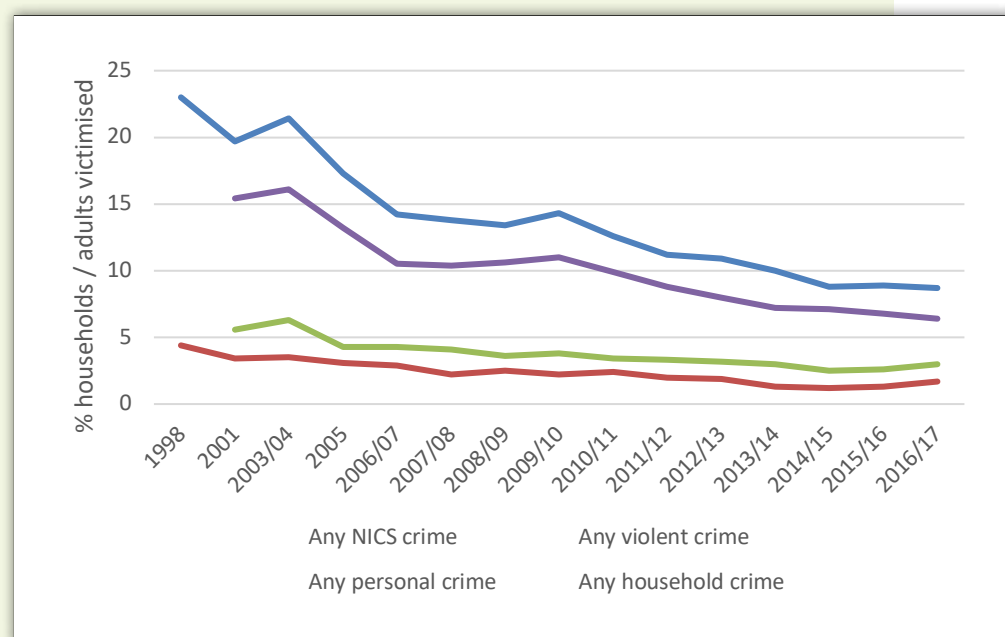
#### 1. OVERALL CRIME RATES

##### 1.1 The state of the rule of law

The Northern Ireland Crime Survey (NICS) has recorded public experiences of crime since 2005 and allows comparison with the Crime Survey for England and Wales (CSEW). These surveys provide a benchmark of the rule of law. Crime statistics from the Police Service of Northern Ireland (PSNI) are also important indicators, although these will be affected by differential reporting for a number of reasons including the need to report for insurance purposes, or feeling that something is too trivial to report.

The 2016-17 NICS again confirms the downward trend of conflict-related crimes reported in previous Peace Monitoring Reports. The figures are the lowest recorded since 1998 (see Figure 33). However, violent crime and personal crime have risen slightly over the past two years.

**Figure 33: Households or adults who were victims of crime once or more in Northern Ireland, by year 1998 to 2016-17**



Source: Northern Ireland Crime Survey (NICS) 2018

In the survey, 8.7 per cent of respondents in Northern Ireland (NI) said they had been victims of crime during the preceding year. This is considerably lower than the 13.9 per cent reported in the Crime Survey for England and Wales (CWES) or the 13.4 per cent recorded in the Scottish Crime and Justice Survey (SCJS).

Violent crime shows the steepest social gradient (Williamson and Pickett, 2009) and whereas only 1.7 per cent of adults in NI experienced a violent

crime in the survey period (compared to 4.4 per cent in 1998), this was true for 4.9 per cent of people aged 16-29 years, 2.3 per cent for respondents whose annual household income was less than £10,000, 4.2 per cent of single parents and 3.9 per cent for residents in Derry and Strabane.

The impact of violent crime on children and young people was noted by McAlister et al (2013, p.1) in their qualitative research:

In “post-conflict” Northern Ireland, children and youth disproportionately experience paramilitary style attacks and routine sectarian violence. The violence of poverty and restricted opportunities within communities debilitated by three decades of conflict is masked by a discourse of social, economic and political progress. ... It [this paper] discusses the prominence of violence – sectarian, racist, political, “everyday,” domestic, “informal” – in young people’s accounts and the impacts on their safety, sense of belonging, identity formation, use of space and emotional well-being.

International research also shows high rates of violence against young people as Barron (2018) in her [blog](#) notes

We know that violence remains a harsh and pervasive reality in children’s lives. In 2017, the [Ending Violence in Childhood: Global Report](#) by the Know Violence Initiative highlighted that, in the previous 12 months, at least three in four children had experienced violence.

All too often, this has devastating consequences – with estimates that, globally, [a child dies every five minutes](#) as a direct result of violence.

The 2016-17 NCIS and CSEW show that crime incident rates per 10,000 are lower in NI than in England and Wales. This is true across all categories of crime (see Figure 34).

**Figure 34: Comparing Northern Ireland with England /Wales for crime incident rates per 10,000 households/ adults by crime type**

Crime Category	Northern Ireland	England/Wales
Vandalism	341	478
Vehicle vandalism	170	326
Vehicle-related theft	176	322
All personal crime	403	514
All household crime	911	1,423

Source: Northern Ireland Crime Survey 2016-17 and Crime Survey of England and Wales 2016-17

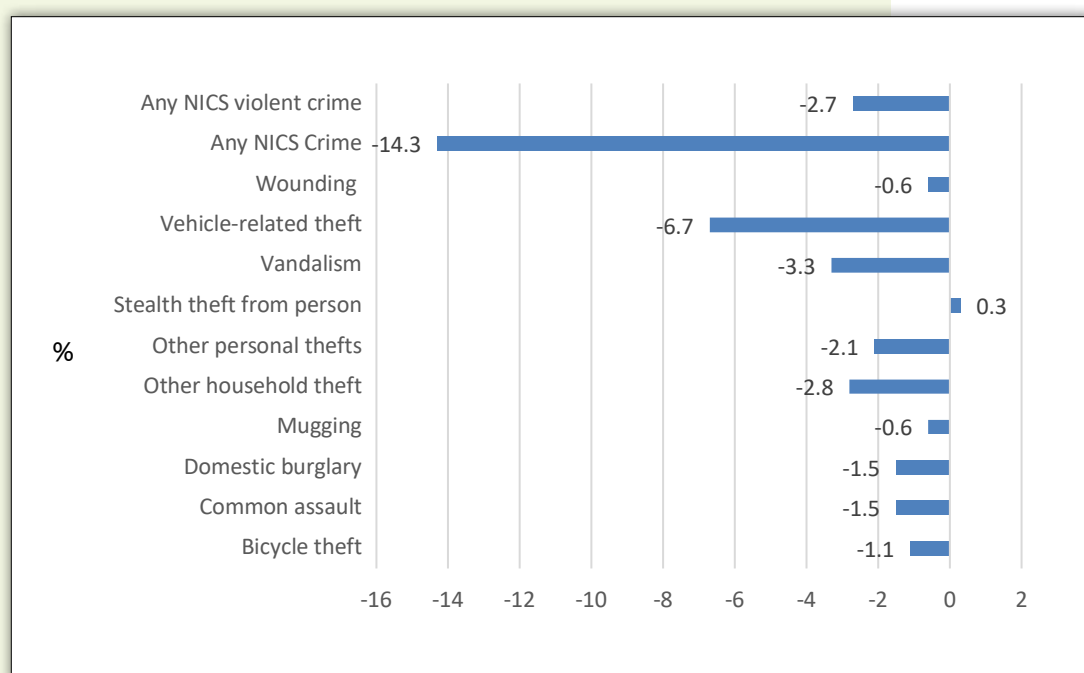
If reporting crime to the police is an indicator of a feeling of safety then NI feels safer than England and Wales. The proportion of comparable crimes reported to the police in NI in 2016-17 is 45 per cent compared to 41 per cent in England and Wales. Too trivial/ no loss/ police would not/ could not have done anything was the most common reason for not reporting a crime to the police in 2016-17 in NI.

The NICS survey findings mirror the PSNI statistics, where recorded crime has shown an overall downwards trend over the last fifteen years. It reached a peak of 138,132 in 2002-03 and has since fallen to 98,014 in 2016-17, the lowest level recorded since 1998-99 (the first year for which crime data comparable under the revised Home Office Counting Rules is available). The level of crime recorded in 2017-18 (98,301 offences) shows a slight increase of 0.3 per cent on the previous year. This represents 53 crimes per 1,000 population in 2017-18, compared with 81 crimes per 1,000 population when crime was at its highest level in 2002-03.

## 1.2 Changing patterns of crime

The fall in crime is largely explained by the reduction in car theft. This is partly due to better vehicle security systems (see Figure 35).

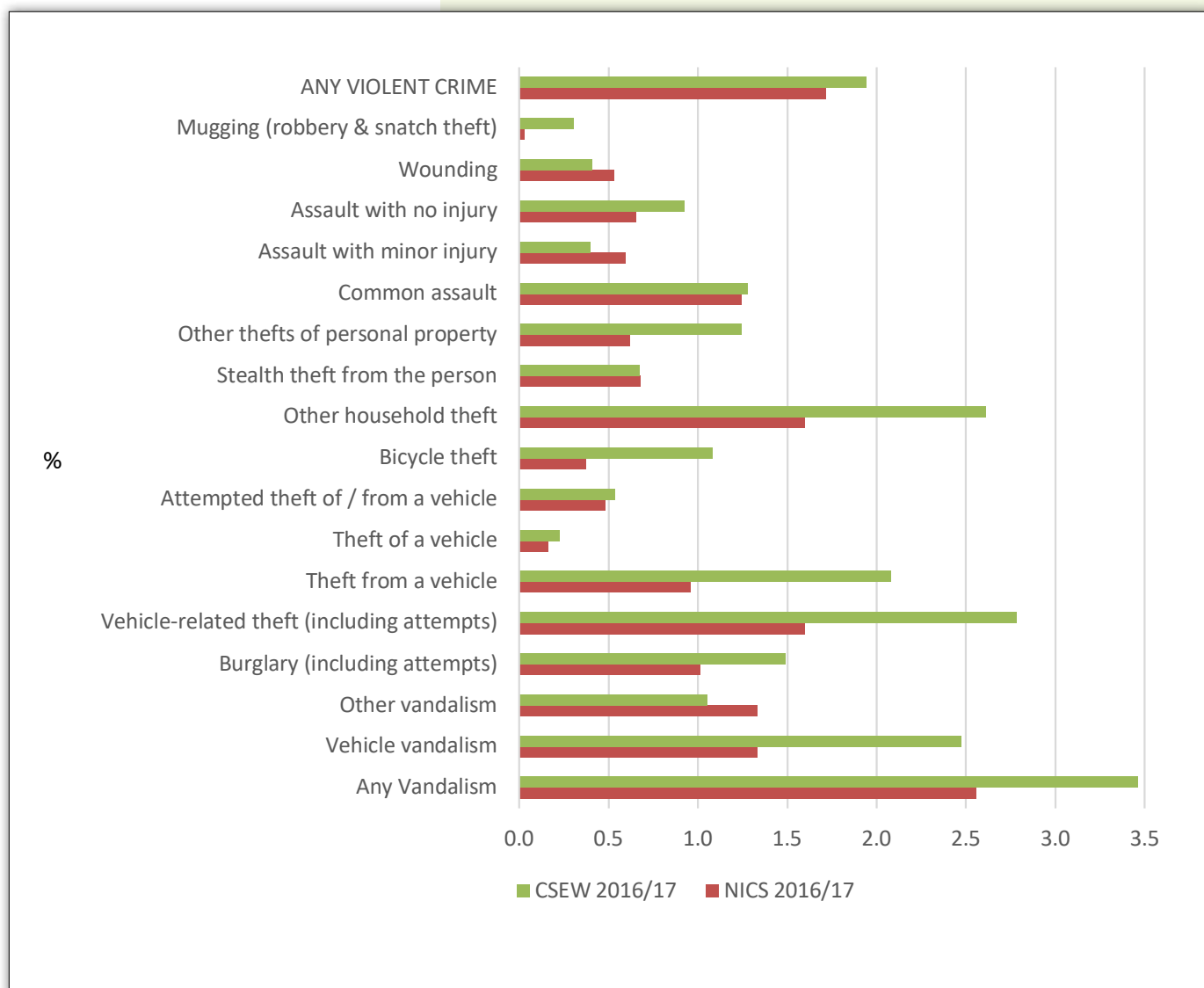
**Figure 35: Change in NICS victimisation (prevalence) rates for offences between 1998 and 2016-17**



Source: Northern Ireland Crime Survey (NICS)

Crime in NI is lower than in England and Wales across most crime categories, with the exception of 'wounding', 'assault with minor injury', 'stealth theft from the person' and 'other vandalism' (see Figure 36). The differences between the regions for these categories are small. Common assault, with or without injury, is lower than in England and Wales.

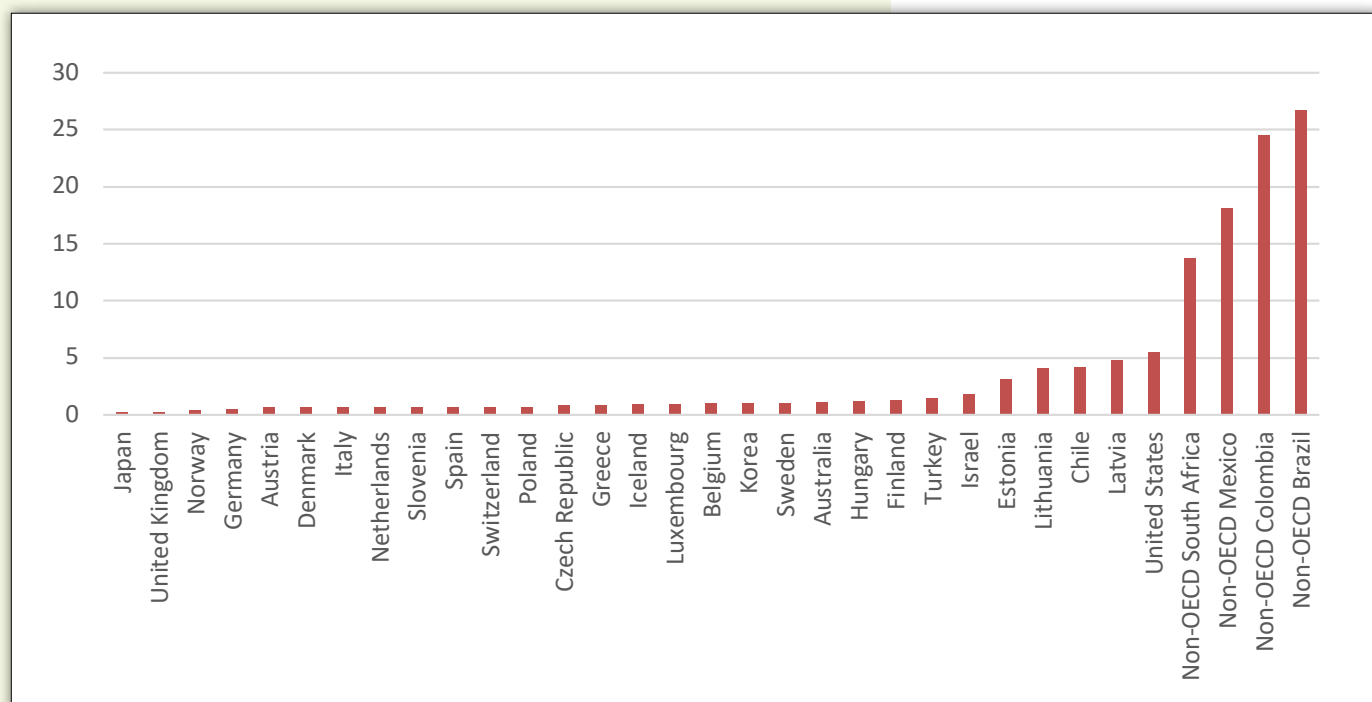
**Figure 36: Households or adults who were victims of crime once or more in Northern Ireland and in England and Wales, by crime type (%)**



Source: Northern Ireland Crime Survey 2016-17 and Crime Survey of England and Wales 2016-17

The OECD Better Life Index 2017 takes homicide rates as one of the indicators of personal security / safety (*OECD*). That is, deaths due to assault measured by age-standardised rate per 100,000 population. This shows that rates in the UK are joint lowest with Japan at 0.2 (see Figure 37). The highest rate for OECD countries is recorded in the United States at 5.5. The highest rate for Non-OECD countries is Brazil at 26.7.

Figure 37: Number of deaths from assault per 100,000 population (standardised rates) OECD 2015



Source: OECD 2015

Looking back to the pre-Agreement period of the 'Troubles', the number of politically motivated murders and injury was a feature of everyday news. Total homicide figures for NI have declined from 75 in 1998-99 to 17 in 2016-17 (see Figure 38).

Figure 38: Number of homicides in Northern Ireland, 1998-99 to 2016-17

Year	Murder	Manslaughter	Infanticide	Corporate Manslaughter <sup>1</sup>	Homicide
1998/99 <sup>2</sup>	71	4	0	-	<b>75</b>
1999/00	29	5	0	-	<b>34</b>
2000/01	45	4	0	-	<b>49</b>
2001/02	49	3	0	-	<b>52</b>
2002/03	42	3	0	-	<b>45</b>
2003/04	26	6	1	-	<b>33</b>
2004/05	34	6	1	-	<b>41</b>
2005/06	25	3	1	-	<b>29</b>
2006/07	23	1	0	-	<b>24</b>
2007/08	25	5	0	-	<b>30</b>
2008/09	24	2	0	0	<b>26</b>
2009/10	18	4	0	0	<b>22</b>
2010/11	20	8	0	0	<b>28</b>
2011/12	16	6	0	2	<b>24</b>
2012/13	17	3	0	0	<b>20</b>
2013/14	17	3	0	1	<b>21</b>
2014/15	17	4	0	4	<b>25</b>
2015/16	21	0	0	0	<b>21</b>
2016/17	12	5	0	0	<b>17</b>

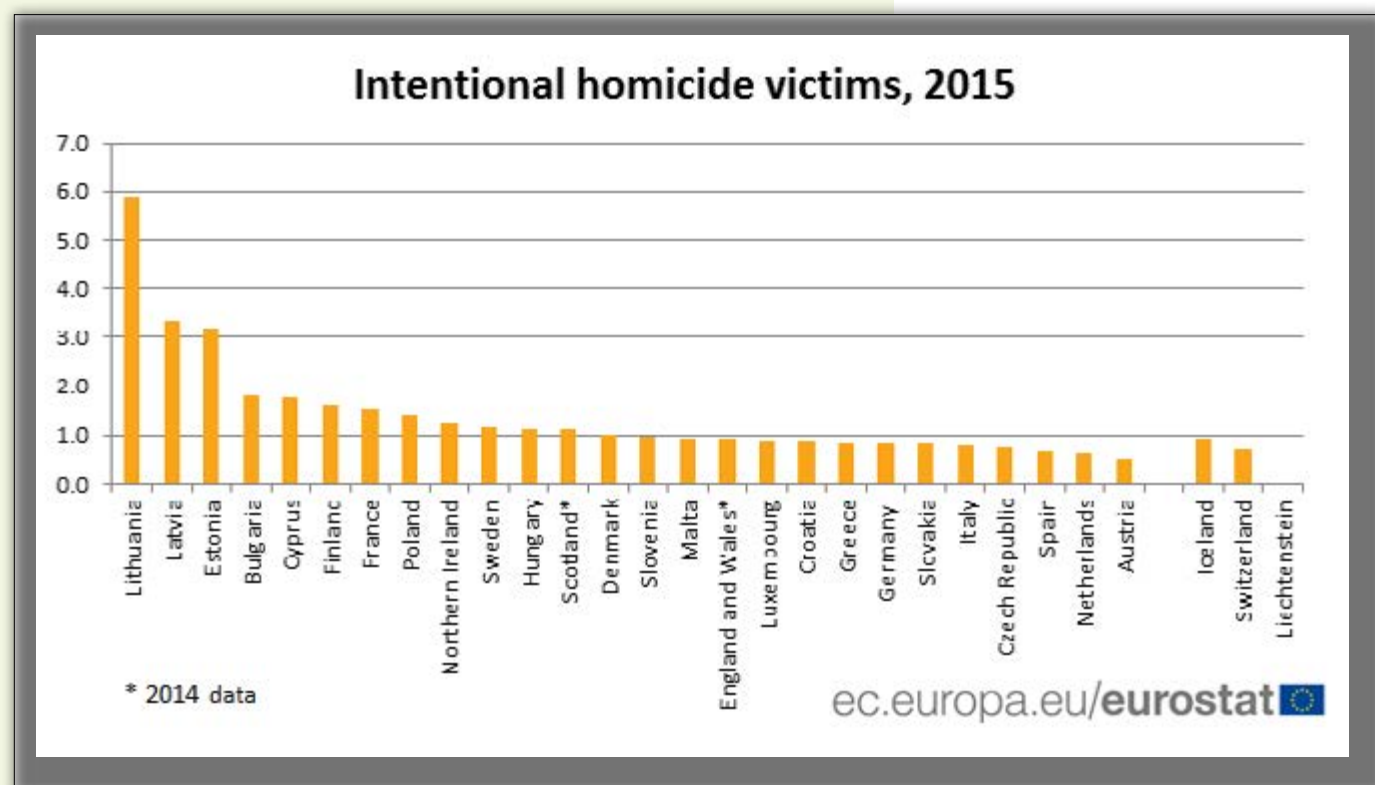
<sup>1</sup> Corporate manslaughter – Corporate Manslaughter and Corporate Homicide Act 2007 (came into force 6 April 2008)

<sup>2</sup> The number of murders in 1998-99 includes the 29 persons killed in the Omagh bomb which occurred on 15 August 1998.

Source: PSNI

The most recent comparable data for Europe comes from Eurostat 2015. Almost 5,000 victims of intentional homicide were recorded by the police in the European Union (EU) in 2015. Among the EU Member States for which the data are available, police in France recorded the highest number of intentional homicide victims in 2015 in absolute terms (1017 people or 21 per cent of all intentional homicide victims recorded in the EU), followed at a distance by Germany (682 or 14 per cent), Poland (530 or 11 per cent) and Italy (469 or 10 per cent). However, relative to population size, these countries do not have the highest numbers in the EU. Relative to its population, Lithuania recorded the highest figure, with 5.89 intentional homicide victims per 100 000 inhabitants, ahead of Latvia (3.37), Estonia (3.19), Bulgaria (1.79) and Cyprus (1.77) (see Figure 39). The lowest number of intentional homicide victims, relative to population, was recorded in Austria (0.51 intentional homicide victims per 100 000 inhabitants), the Netherlands (0.62), Spain (0.65), the Czech Republic (0.75) and Italy (0.77).

Figure 39: Intentional homicides in European states per 100,000, 2015



Of note, the PSNI statistics show there were 28 victims resulting from paramilitary style shootings in 2016-17, double the number recorded in the previous year. There was also an increase in the number of casualties of paramilitary style assaults, from 58 last year to 66 over the same period this year (PSNI, *Press release*, 17 May 2017). This will be discussed further in the section on paramilitaries.

## 2. HATE CRIME

On a sunny Sunday afternoon on 1st July 2018, a car with two males, a woman and a two-month-old baby were stopped at traffic lights at Bridge Street in Portadown. Without warning a gang of eight men carried out a vicious attack on the car, breaking the windscreen and assaulting the two male occupants. The male passenger was dragged from the car and received serious injuries. The *BBC News* website reported the incident on 2nd July but gave no clue as to the motivation for the attack (*BBC NI News*, 2 July 2018). A PSNI Twitter statement (also on 2nd July) appealed for information from the general public but again made no mention of possible motivation (PSNI, *Tweet*, 2 July 2018).

It was not until *The Irish News* published a news item about this attack that a potential explanation was forthcoming (*The Irish News*, 4 July 2018:2). According to the paper, loyalists in the Edenderry area of Portadown had been collecting bonfire material. A week before the attack, someone had prematurely set the bonfire material alight (it is possible that the PSNI have recorded this incident as a sectarian hate crime). Following the arson incident, threats against nationalist residents in Portadown were posted on social media by a number of loyalists. It appears that the attack on the car was carried out in retaliation for the bonfire incident. The passenger in the car was identified as a Catholic because of the football jersey he was wearing.

Beginning on Saturday 7th July 2018, there were six nights of rioting and disturbances by young people in the Bogside area of Derry and the apparent involvement of some Dissident Republican paramilitaries on at least one of the nights when shots were fired at police (*BBC NI News*, 8 July 2018). The disturbances began when a group of nationalist youths left Lecky Road in the Bogside and went to the peace line dividing The Fountain estate and Bishop Street Without and threw three petrol bombs over the metal security fence, one of which exploded. Once the police armoured vehicles arrived on the scene, they became the focus of the rioting. Bottles and stones were thrown into The Fountain on the following evening and a nearby building providing sheltered accommodation for elderly people was on the front line as petrol bombs were thrown at police positioned between the building and the City Walls (*BBC NI News*, 10 July 2018).

The attack on The Fountain estate, a Protestant area on the west bank of the Foyle River, by Catholic / Nationalist youths was clearly a sectarian hate crime. The news of the attack led to a rally on Monday 9th July 2018 when 100 people walked along the same route taken by the rioters to demonstrate their condemnation of the attacks and their support for the residents of The Fountain. There was a further rally on Friday 13th July when hundreds of people, including senior political representatives from Sinn Féin and the SDLP, gathered at the top of Fahan Street which was the location of most of the rioting directed against the police.

The above descriptions represent only a few examples of the stories behind the statistics on hate crimes experienced in NI. The following sections provide the statistical analysis of the most recent figures together with some of the longer trends.



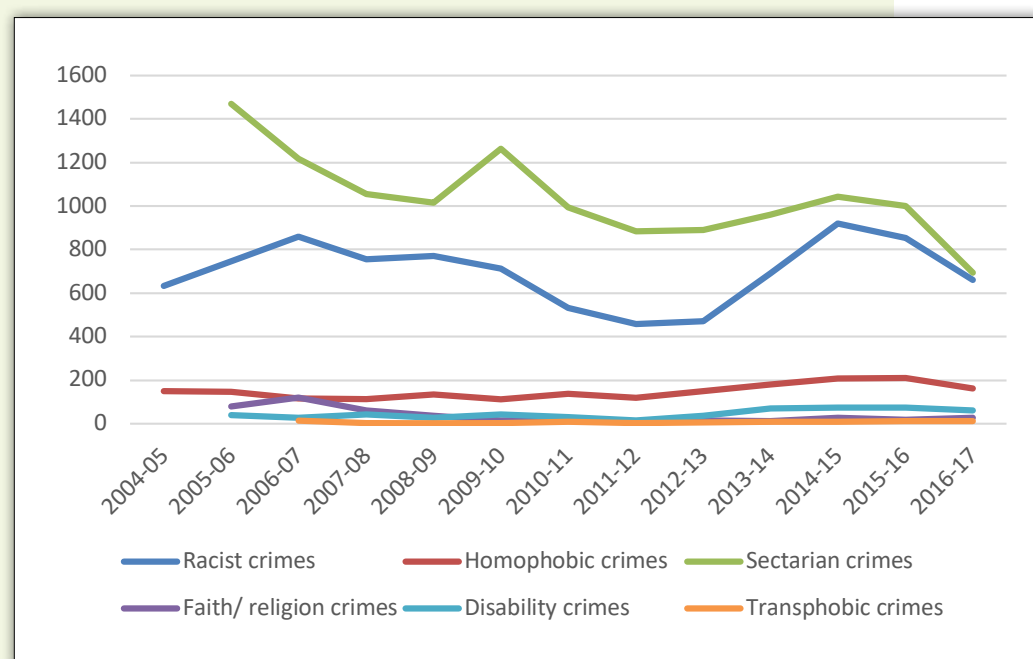
## 2.1 Hate crime trends

The PSNI monitors six strands of hate-motivated incidents and crime: Race, Homophobia (sexual orientation), Sectarianism, Faith / religion (non-sectarian), Disability and Transphobia (PSNI, *Hate Motivation Definitions*, 2018). The Hate Motivation Definitions used by the PSNI goes on to state: 'A racial group can be defined as a group of persons defined by reference to race, colour, nationality or ethnic or national origins (this includes UK National origins i.e. Scottish, English, Welsh and Irish) and references to a person's racial group refer to any racial group into which he/she falls' (ibid., 2018). Presumably this definition of race, which contains national origins, therefore includes people from the Republic of Ireland.

Even though NI has experienced sectarian hate crime for decades this was not formally recorded until 2005, while recording racist crimes began in 1996 and homophobic crime in 2000 (Jarman, 2012). In NI the PSNI statistics do not record the perceived religion of the victims of sectarian hate crime, despite the fact that their perceived religion was the main motivation for the crime.

The PSNI figures show that, in the period from 2005-06 to 2016-17, sectarian crime accounted for the largest number of crimes recorded in any of the hate motivation strands. Racist hate crimes are next most common (see Figure 40). However after rising figures between 2012-13 and 2014-15 the current trend in both categories is downwards. There is only a small difference between the number of sectarian and racist crimes recorded in 2016-17. In an article in 2017 Henry McDonald reported that between July 2016 and June 2017 racially motivated incidents now exceed sectarian ones (1,062 compared to 938) (*The Guardian*, 12 November 2017).

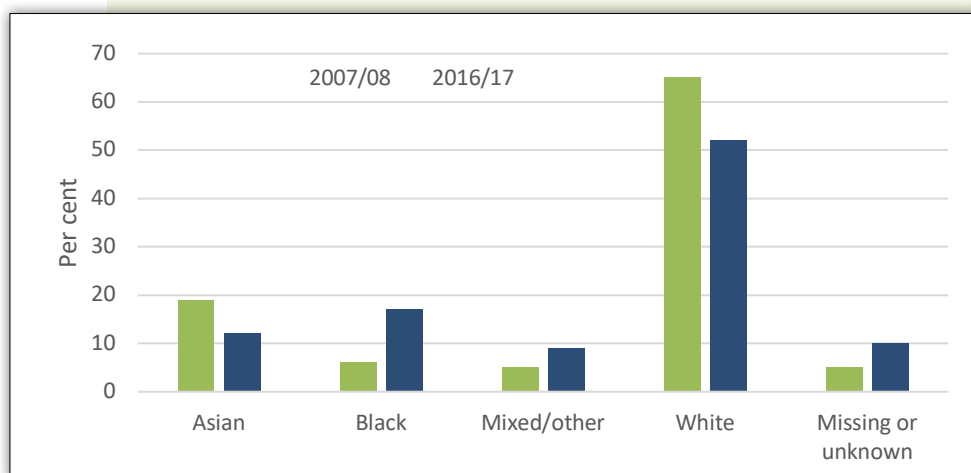
**Figure 40: Number of crimes with a hate motivation, 2004-05 to 2016-17**



Source: PSNI

The overall PSNI figures for 2016-17 indicate that the victims of hate crimes are primarily white (52 per cent; see Figure 41). Of the 321 racist crimes against white people in 2016-17, 31 per cent were against people from UK / Ireland, 25 per cent against people from Poland and 10 per cent against those from Lithuania. There is a difference in who is a victim of racist hate crimes between 2007-08 and a decade later with the percentage of those who are white dropping from 65 per cent to 52 per cent, those who are Asian dropping from 19 per cent to 12 per cent, and a rise in crimes against those who are black from 6 per cent to 17 per cent. The largest identifiable group of black people being attacked are Nigerians, followed by Somalians.

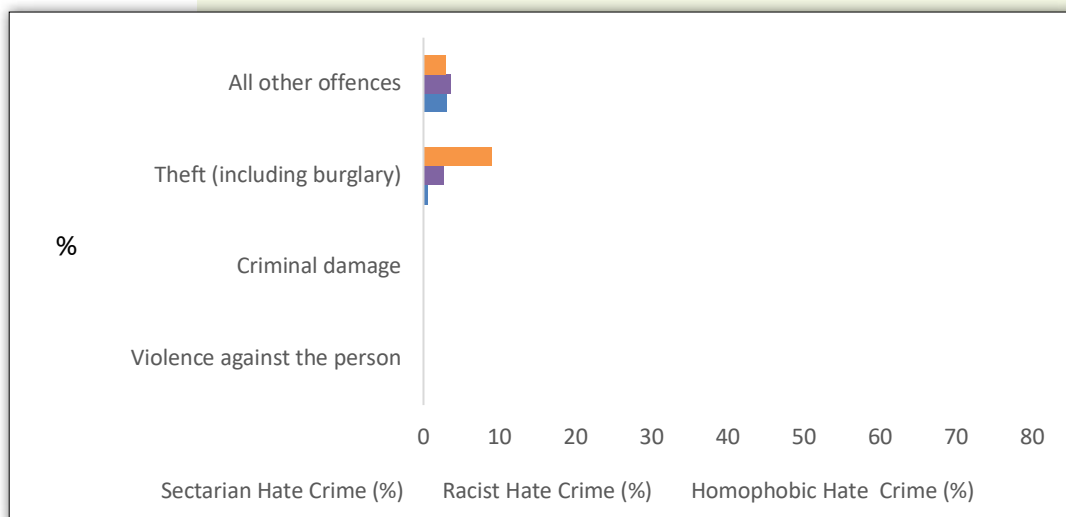
**Figure 41: Ethnicity of victims of racist crimes (percentage), 2007-08 and 2016-17**



Source: PSNI, *Hate Motivation Statistics*

The PSNI categorise the type of hate crime into: violence against the person; criminal damage, theft, and all other offences. For the sectarian, racist, and homophobic strands of hate crime, violence against the person is the most common type of crime (see Figure 42). However, violence against the person is significantly higher in homophobic hate crime.

**Figure 42: The distribution of homophobic, racist and sectarian hate crimes (percentage), 2016-17**



Source: PSNI

Attacks on religious or cultural premises have been significant due to their symbolism. In the first report to attempt to count sectarian crime on symbolic premises, Jarman noted 'There have been an average of five attacks a month on churches, chapels, Orange Halls, GAA and AOH clubs every year since 1994' (Jarman, 2005:3). The annual figures from 2007-08, show a peak average number of attacks per month in 2009-10 at 11. The number of such attacks have been diminishing since then to an average of 1 attack per month in 2017-18 (see Figure 43).

**Figure 43: Number of attacks on symbolic premises, 2007-08 to 2017-18**

Type of symbolic premises	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Church or chapel	19	37	24	23	12	14	17	11	5	7	4
GAA or Ancient Order of Hibernians hall	6	10	15	8	6	*	*	5	*	*	*
Orange or Apprentice Boys hall	63	61	72	58	34	27	40	17	17	31	11
School	6	13	15	*	4	*	*	5	*		*
<b>TOTAL</b>	<b>94</b>	<b>121</b>	<b>126</b>	<b>89</b>	<b>56</b>	<b>41</b>	<b>38</b>	<b>38</b>	<b>22</b>	<b>38</b>	<b>15</b>
Average per month	(8)	(10)	(11)	(7)	(5)	(3)	(3)	(3)	(2)	(3)	(1)

Source: PSNI, *Hate Motivation Statistics*

## 2.2 Hate crime and intolerance

The 2016 Peace Monitoring Report expressed concern at the increases in all hate crime categories between 2011-12 and 2015-16 (see Figure 44) and referred to the flags controversy that commenced in December 2012 as a possible contributing factor. The figures for 2016-17 show a major drop in most of the hate motivated crime categories. The exception is faith / religion motivated hate crime. The numbers here are low but there is an increasing trend. The drop in the other categories is worthy of note.

**Figure 44: Number of crimes with a hate motivation, 2004/05 to 2016/17**

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Racist crimes	633	746	861	757	771	711	531	458	470	691	920	853	660
Homophobic crimes	151	148	117	114	134	112	137	120	149	179	209	210	162
Sectarian crimes	-	1,469	1,217	1,056	1,017	1,264	995	885	888	961	1,043	1,001	694
Faith/Religion crimes	-	78	120	62	35	15	17	6	14	13	27	19	26
Disability crimes	-	38	26	42	28	40	29	15	35	66	74	74	60
Transphobic crimes	-	-	14	4	2	4	8	3	6	8	8	12	12

Source: PSNI, *Trends in Hate Motivated Incidents and Crimes*, 12 January 2018:6.

Evidence from the 2017 NI Life and Times (NILT) survey is not so positive. On viewing the results of the 2017 survey, the Northern Ireland Programme Director for Amnesty International argued that the levels of racism 'should shock us to our core' (*Amnesty International UK*, 13 June 2018). The 2017 survey findings show that more than half of those surveyed would not willingly accept a Muslim (52 per cent) or an Irish Traveller (56 per cent) as a relative by way of marriage to a close member of their family. Forty seven per cent of people surveyed think there is more racial prejudice in NI now than there was five years ago, with only 13 per cent believing that racial prejudice has decreased over the period.

The 2011 Census figures indicate that 88.84 per cent of the NI population (1,810,863) was born in NI. 4.56 per cent was born in England, Scotland and Wales; 2.09 per cent was born in the Republic of Ireland; 2.51 per cent was born in EU member countries; and 1.99 per cent was born elsewhere in the world (*Wikipedia*). One manifestation of intolerance towards new arrivals in the region has been the campaign in particular areas against the allocation of houses to ethnic minorities. Graffiti calling on agencies and private landlords to let housing to 'locals only' or 'locals first' has appeared on houses and walls for a number of years (e.g., *Alamy*, 29 July 2014; BBC NI *News*, 29 August 2017; *Belfast Telegraph*, 5 May 2018). Houses that have been occupied by families from ethnic minorities are also subject to attack and often the family is forced to leave (BBC NI *News*, 3 November 2017; *Nolan*, The Detail, 17 May 2018). This racial intimidation is included in the overall figures for housing intimidation in NI which saw the Housing Executive accept 2,060 reports of families being intimidated from their homes in a five-year period to 2016-17 (*Campbell*, The Detail, 6 November 2017).

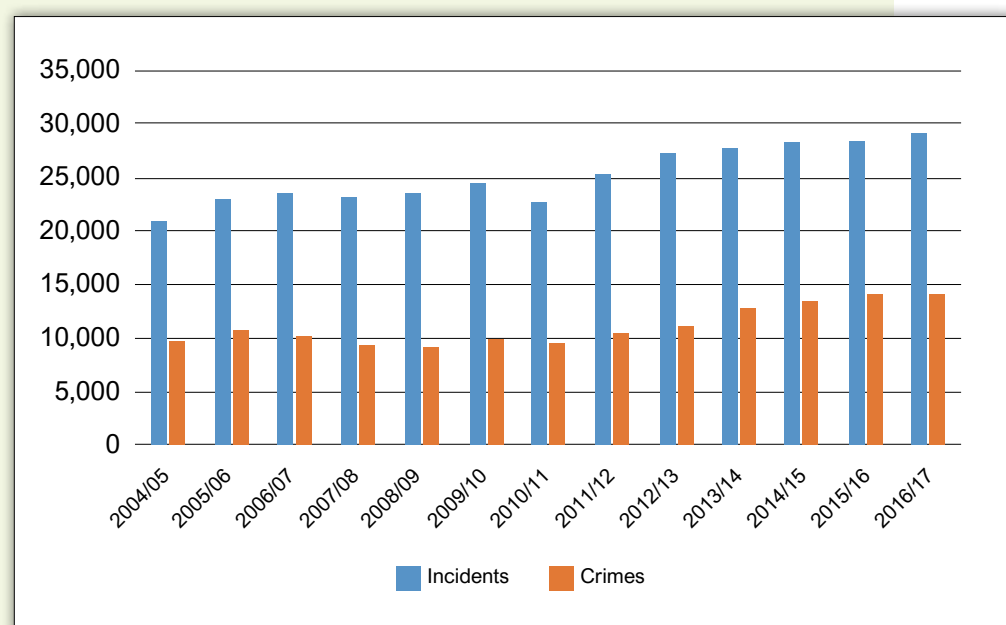
In the statistical spreadsheet that the PSNI publishes to accompany the annual bulletin on hate-motivated incidents and crimes, there are separate breakdowns by ethnicity and nationality of the victim (PSNI, *Hate Motivation Statistics*, 30 August 2018). In the ethnicity table, of the 622 racist crimes with a person victim in 2016/17, Asians accounted for 73, Black 107, Mixed/ Other was 58, White was 321, and there were 63 where the ethnicity was missing (ibid.). The same 622 racist crimes were also broken down by nationality, with 23 individual countries listed, as well as the category UK and Ireland, and a final category for all other nationalities. Of the countries listed, for example, 89 crimes were committed against people from Poland and 36 against people from Lithuania. The largest category was that of UK and Ireland which accounted for 145 crimes in 2016-17 (ibid.). However, there is no disaggregation of this figure available, so it is not possible to say how many people from Britain were the subject of a hate crime because they were British, and how many people from the Republic of Ireland were the subject of a hate crime because they were Irish.

### 3. DOMESTIC VIOLENCE AND SEXUAL CRIME

#### 3.1 Domestic violence

The fourth Peace Monitoring Report included significant detail (Wilson, 2016:34-35) on domestic abuse and noted the high levels being recorded by the police. This is despite evidence from the Northern Ireland Crime Survey (NICS) that the police were, 'only made aware of just over a third of all worst cases of domestic partner abuse (36.6% in NICS 2015/16)' (*Campbell & Rice, 2017:12*). The PSNI uses the definition of domestic abuse that relates to 'threatening, controlling, coercive behaviour, violence or abuse inflicted on anyone by a current or former intimate partner or family member' (PSNI, *Domestic Abuse Statistics*, 30 August 2018). Both incidents and crimes are recorded with the distinction being that some domestic abuse incidents 'may not be of the level of severity that would result in a crime being recorded' (ibid.). The latest figures show a total of 29,166 incidents recorded in 2016-17, the highest level recorded since the series commences and an increase of 2.7 per cent (774 incidents) from the previous year (see Figure 45). However there was a slight decrease in the number of crimes with a domestic abuse motivation 13,933 compared to 14,073 but was still the second highest level seen since 2004-05.

Figure 45: Trends in domestic abuse incidents and crimes, 2004-05 to 2016-17



Source: PSNI, *Domestic Abuse Statistics*, 30 August 2018

Note: Crimes are included in the incident count and the two should not be added together

This continued increase in incidents and high number of crimes with a domestic abuse motivation still remains below that found in England and Wales where the comparable rates for all crime classifications with a domestic abuse motivation are six in 1000 in NI and eight in 1000 in England and Wales.

Doyle and McWilliams' (2018) report on intimate partner violence (IPV) in conflict and post-conflict societies looks at insights and lessons from NI. It is based on qualitative interviews with more than 100 women conducted in 1992 and followed up in 2016. They note:

The demobilisation of paramilitary groups (non-state armed groups) has had positive outcomes for victims of IPV in Northern Ireland. The 2016 study found that perpetrators of IPV were no longer able to draw readily on paramilitary connections (real or fictitious) to control their intimate partners as they were in 1992. (Doyle and McWilliams, 2018:5)

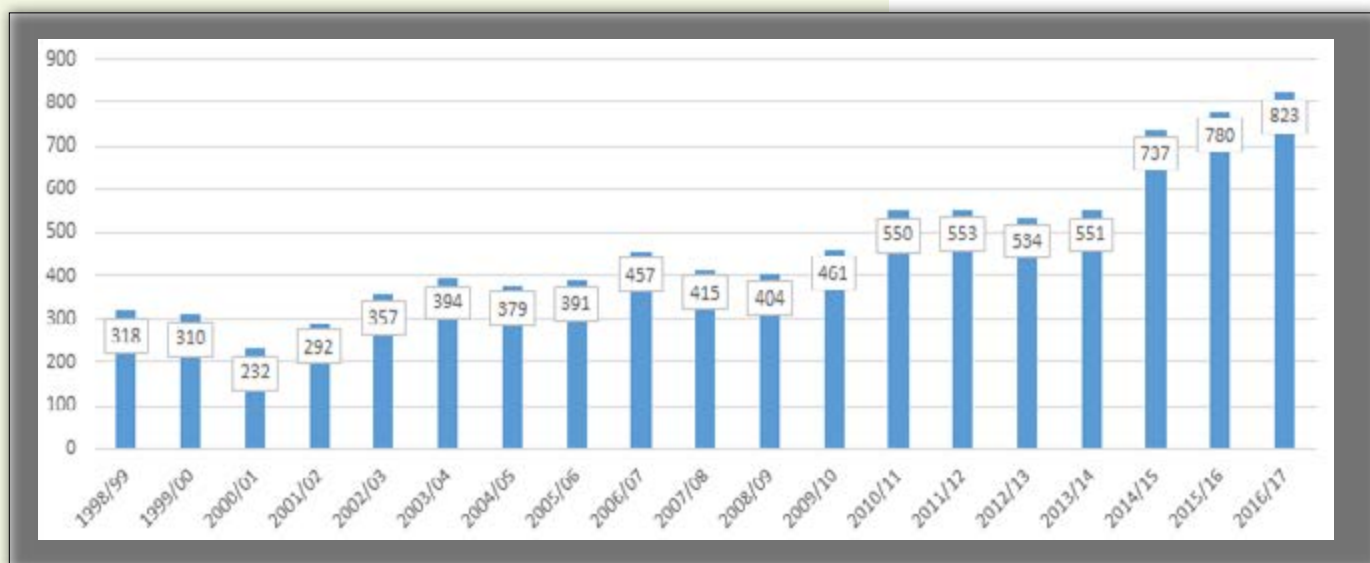
The report found a significant increase in access to policing for participants between the 1992 and 2016 studies. It also noted that the use of firearms in IPV incidents was a main finding of the 1992 study but only two participants reported their use in 2016. Finally in one of their recommendations they state:

The findings show that the decommissioning of illegally held firearms and regulation of legally held ones, alongside the process of demobilisation, disarmament and reintegration (DDR), have significant implications for women experiencing IPV. These should be considered in political settlement negotiations and resource allocations because, to date, these processes have predominantly focused on other issues. The findings show how a more representative, transparent, accountable police service has a positive impact on responses to IPV, which also has relevance for police reform in other societies emerging from conflict. (Doyle and McWilliams, 2018:8)

## 3.2 Sexual crime

The number of rape offences has shown an increasing trend since 2000-01, with the level recorded in 2016-17 three and a half times that recorded in 2000-01 (see Figure 46). Victim Support NI note, 'These figures only tell part of the story, as research has shown up to 60 per cent of crimes go unreported' (*Belfast Live*, 30 March 2018).

**Figure 46: Incidence of reported rape and attempted rape in Northern Ireland by year**



Source: PSNI

A recent journalistic report by Kathryn Torney records a further increase in reported rape: 'almost 1,000 rapes were reported to the PSNI in the past 12 months – an increase of 18 per cent on the previous year' (*The Detail*, 4 April 2018). An article by Shauna Corr, based on Freedom of Information requests, noted that of 820 allegations of rape reported to the police in 2016-17, only 15 people were convicted of the crime by the courts (*Belfast Live*, 30 March 2018). This is a fall in conviction rates from a high of 70 recorded in 2008-09 when 404 rapes were reported.

In the previous Peace Monitoring Report (Wilson, 2016) it was noted that some of the increase in reporting is likely to be an effect of heightened awareness of rape following the exposure of the former BBC TV celebrity Jimmy Saville as having engaged in repeated sexual assault on girls. In the past year there has been a very public rape trial in NI which may have had an impact on the figures reported by Torney (2018). Two Ulster rugby players were accused of rape of a 19-year old, a charge they both denied. The case was the subject of intense media coverage and social media commentary.

After nine weeks of trial, the accused were found not guilty. The jury of eight men and three women deliberated for three hours and 45 minutes before delivering their unanimous verdicts. Before discharging the 11-person jury, Judge Patricia Smyth told them: 'This has probably been the most difficult trial that any jury in NI has ever been asked to adjudicate on' (BBC NI *News*,

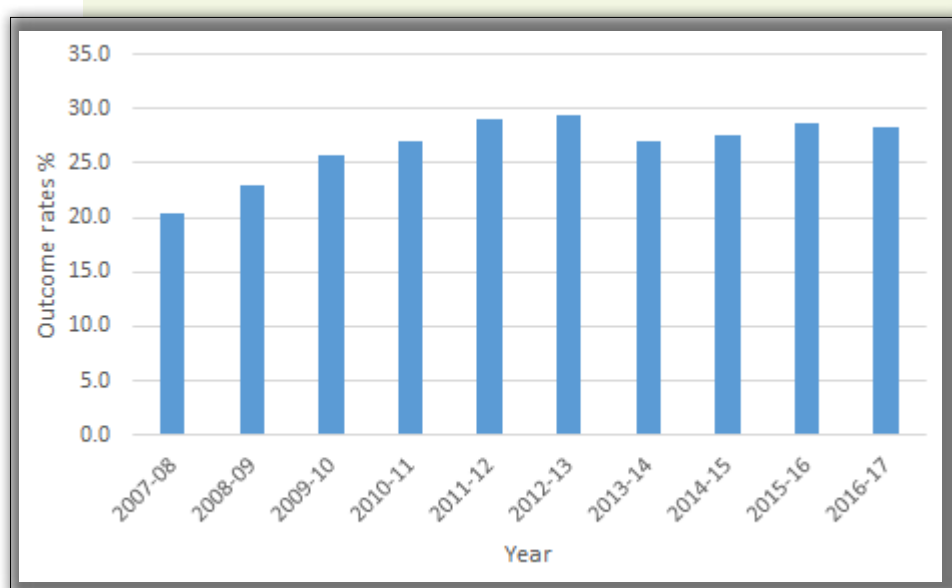
28 March 2018). Torney (2018) notes that the PSNI confirmed that while the trial was running there was an additional 20 referrals of rape and sexual assault in January and February 2018 compared to the same period in 2017.

Much of the public debate during the trial focussed on legal procedures rather than the rising numbers of reported rape. These rising trends are also evident in other countries, as Eurostat figures confirm. Relative to the population of each Member State, Sweden recorded the highest number, with 178 violent sexual crimes per 100 000 inhabitants, ahead of Scotland (163), NI (156), England & Wales (113) and Belgium (91). For rapes, the highest rates were recorded in England & Wales (62 rapes per 100 000 inhabitants) and in Sweden (57) (*Eurostat*, 23 November 2017). The official figures do not necessarily reflect the actual number of violent sexual crimes. Rather they show the extent to which such crimes are reported to, and recorded by, the police. Therefore the variation between countries is also influenced by general awareness and attitudes to sexual violence offences.

## 4. OUTCOMES OF CRIMES RECORDED BY POLICE

Detection rates continue to be low for all types of crime. The PSNI record 'outcome' rates for crimes and in 2016-17 there were 98,076 offences recorded and 27,751 offences detected giving an outcome rate of 28.3 per cent, a fall of 0.4 percentage points when compared with 2015-16 (see Figure 47). However, at 28.3 per cent, the outcome rate is the fourth highest since 2007-08.

Figure 47: Outcome rates for all crimes, 2007-08 to 2016-17

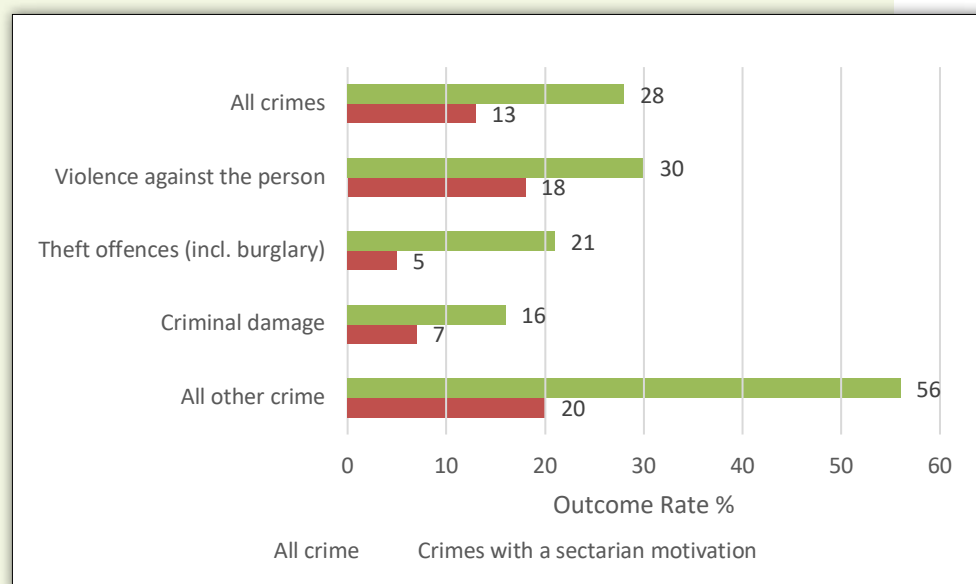


Source: PSNI, *Police Recorded Crime Statistics*



The outcome rates for sectarian crime are particularly low when compared to all crimes and are low compared to all other types of hate motivated crime apart from faith/ religion crimes (see Figure 48). A Bureau of Investigative Journalism report found an average outcome rate for hate crimes for police forces in England and Wales in 2015–16 of 27 per cent (*Report*, 2016).

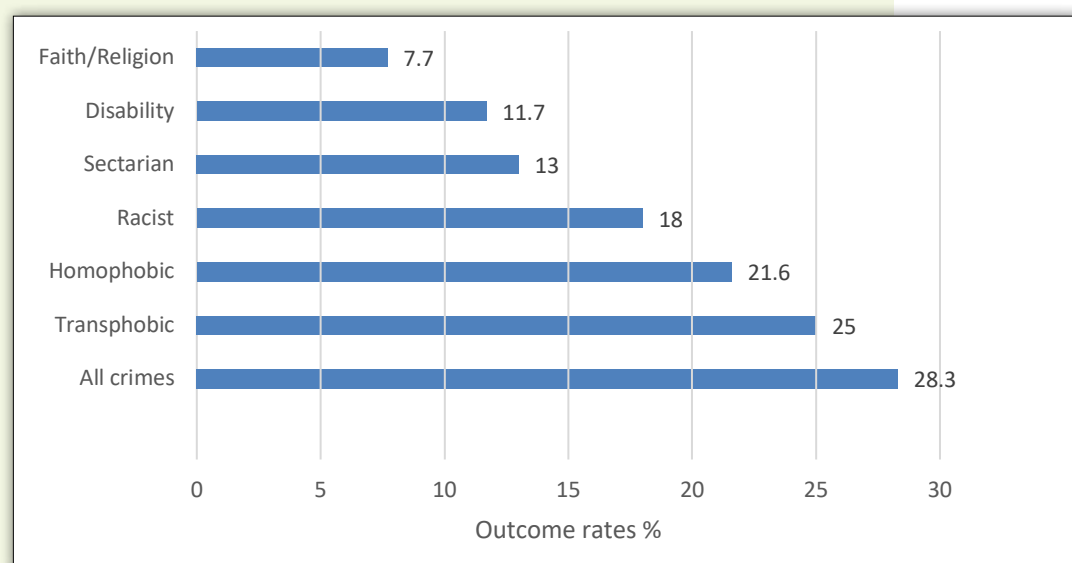
**Figure 48: Outcome rates for sectarian crimes compared with all crimes, 2016-17**



Source: PSNI

Looking at outcome rates for all hate crime (see Figure 49) reveals that they are considerably lower for hate crimes with a sectarian motivation or a faith/ religion motivation. In the fourth Peace Monitoring Report, (Wilson 2016) notes that this is a matter of serious concern, and begs the question as to why these rates are so much lower, and are these being pursued by the PSNI?

**Figure 49: Outcome rates for hate crimes, compared with all crimes 2016-17**



Source: PSNI

## 5. THE PARAMILITARIES

### 5.1 Overview

The terrorist threat level to PSNI remains at “severe”.  
PSNI, *Annual Report and Accounts*, 2017:66

The current threat level for Northern Ireland-related terrorism in Northern Ireland is SEVERE. The current threat level for Northern Ireland-related terrorism in Britain is MODERATE.  
MI5, *Threat Levels*, (retrieved 3 July 2018)

The five categories of threat used by MI5 and the PSNI are designed to give an indication of the likelihood of a terrorist attack: ‘LOW means an attack is unlikely ... MODERATE means an attack is possible, but not likely ... SUBSTANTIAL means an attack is a strong possibility ... SEVERE means an attack is highly likely ... CRITICAL means an attack is expected imminently’ (MI5, *Threat Levels*).

The threat level in NI has remained unchanged at severe since threat levels were first published in 2010. The threat in Great Britain from NI-related terrorism has varied between substantial and moderate since 2010 (MI5, *Threat Levels*, retrieved 3 July 2018).

The British Home Office publishes a list of proscribed organisations which the Home Secretary believes are concerned in terrorism. That is, the organisation: commits or participates in acts of terrorism; prepares for terrorism; promotes or encourages terrorism (including the unlawful glorification of terrorism); or is otherwise concerned in terrorism. There are currently 74 international organisations which are proscribed under the Terrorism Act 2000 and a further 14 organisations in NI that were proscribed under previous legislation (Home Office, *Proscribed Terrorist Organisations*, 22 December 2017).

A number of paramilitary groups, both Loyalist and Republican, still exist in NI. The last assessment report, drafted by the PSNI and MI5, concluded that, ‘All the main paramilitary groups operating during the period of the Troubles remain in existence’ (PSNI & MI5, 2015). However the same report stated that the most serious threat in the region came from dissident Republican groups.

In the past, in addition to the violent intra-state and inter-community conflict in the form of shootings and bombings, paramilitary groups have engaged in summary justice, in the form of assaults and shootings, against what they label anti-social elements. The paramilitary groups have also engaged in illegal activities designed to raise funds. During the early years of the conflict, the IRA for example, robbed banks to obtain money to allow it to purchase weapons (Coogan, 1987:421). Later it used a wide range of methods (including protection payments, smuggling, fuel laundering, eliciting voluntary contributions) to ensure a flow of funds to support the organisation and its ‘armed struggle’. With the substantial reduction of, or in some cases the complete cessation of conflict-related activities, the remaining purely criminal activities have become a larger part of the apparent rationale of certain groups.

#### List of Proscribed Organisations in Northern Ireland

- Continuity Army Council
- Cumann na mBan
- Fianna na hEireann
- Orange Volunteers
- Red Hand Commando
- Red Hand Defenders
- Irish National Liberation Army
- Irish People’s Liberation Organisation
- Irish Republican Army
- Loyalist Volunteer Force
- Saor Eire
- Ulster Defence Association
- Ulster Freedom Fighters
- Ulster Volunteer Force

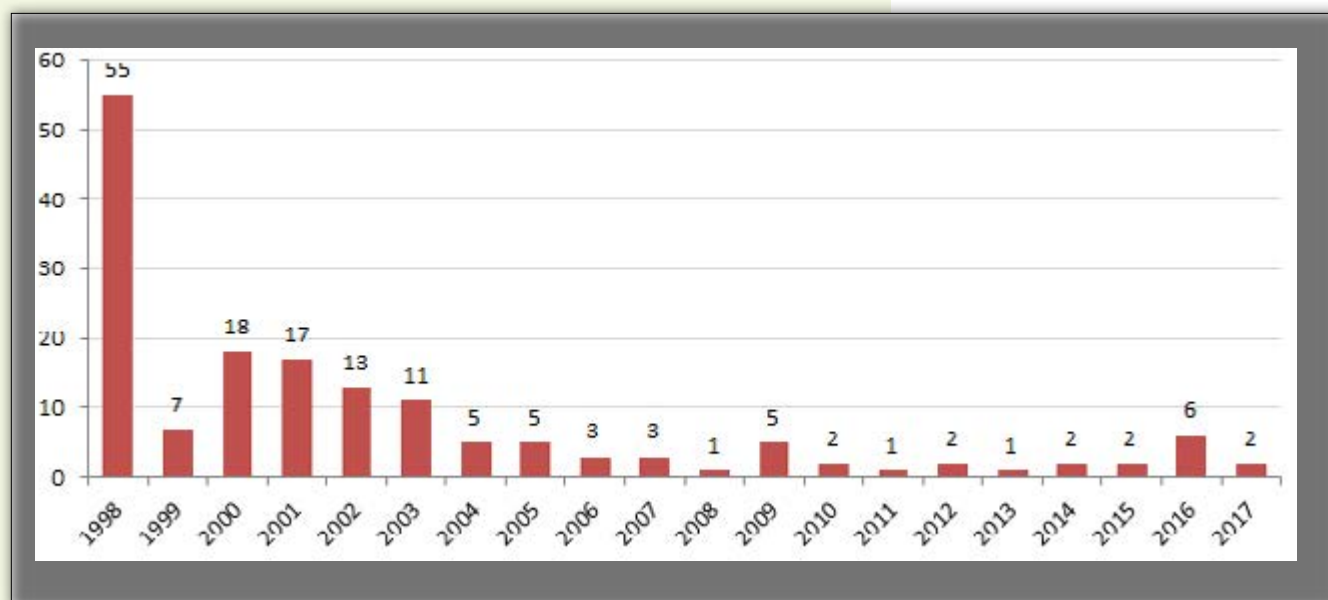
This has led some commentators to suggest that organisations and people should stop referring to paramilitary groups as such, and instead label them as criminal gangs.

## Paramilitary killings

The latest troubles-related killing occurred on 13<sup>th</sup> February 2018 when two men entered Raymond Johnston's home in Poleglass, Belfast and shot him dead with a shotgun. Within two days the PSNI indicated that they believed that dissident Republicans may have been involved. On 20<sup>th</sup> June 2018 the PSNI stated that Johnston had been killed by the dissident Republican group Arm na Poblachta (Army of the Republic). The existence of this particular group was confirmed by the PSNI in August 2017 (*ITV News*; 29 August 2017). The motive for the killing remains unclear.

Figure 50 shows the number of security situation (conflict-related) deaths in NI from 1998 to 2017 according to figures compiled by the PSNI. The Belfast / Good Friday Agreement was signed on 10<sup>th</sup> April 1998. The figure of 55 deaths in 1998 includes the 29 people who were killed in the Real IRA bomb in Omagh on 15<sup>th</sup> August 1998. There were two other killings in the remainder of 1998 and seven in 1999. Killings returned to double figures from 2000 to 2003, but since 2004 the number of deaths has remained in single figures.

**Figure 50: Deaths due to the security situation (NI only), 1998 to 2017**



Source: PSNI, *Security situation statistics*, 2018

Research by Paul Nolan into paramilitary killings since the Belfast / Good Friday Agreement was published jointly by *The Detail* website (23 April 2018) and *The Irish Times* (23 April 2018). Nolan's analysis showed that 39.7 per cent of the victims were Catholic civilians. 38 Catholics were killed by republican paramilitaries and 22 killed by loyalists. Loyalist paramilitaries made up 26.3 per cent of the deaths whereas during the earlier period of the conflict (1969-98) they only accounted for 4 per cent of deaths. Of the 41 loyalist paramilitaries killed, Nolan stated that, 'Every single one of them has been killed by other loyalist paramilitaries' (BBC NI *News*, 23 April 2018). Security force personnel accounted for 5.5 per cent of the deaths since the Agreement, compared to 27.8 per cent in the period prior to the Agreement.

## Paramilitary attacks

Beyond the killings, paramilitaries have continued to engage in shootings and bombings against the security forces, and also carried out paramilitary assaults against individuals in the form of shootings and beatings. Figure 51 shows the total number of incidents in each category for the past four years. Compared to the height of the conflict, the levels are comparatively low. One aspect of the security response is the amount of paramilitary materiel that is uncovered by police operations. Information on firearms, ammunition, and explosives discovered during searches are also included in Figure 51. Finds of materiel are significantly lower than during the earlier period of the conflict but an individual cache of, say, ammunition can cause a spike in the level of the figures.

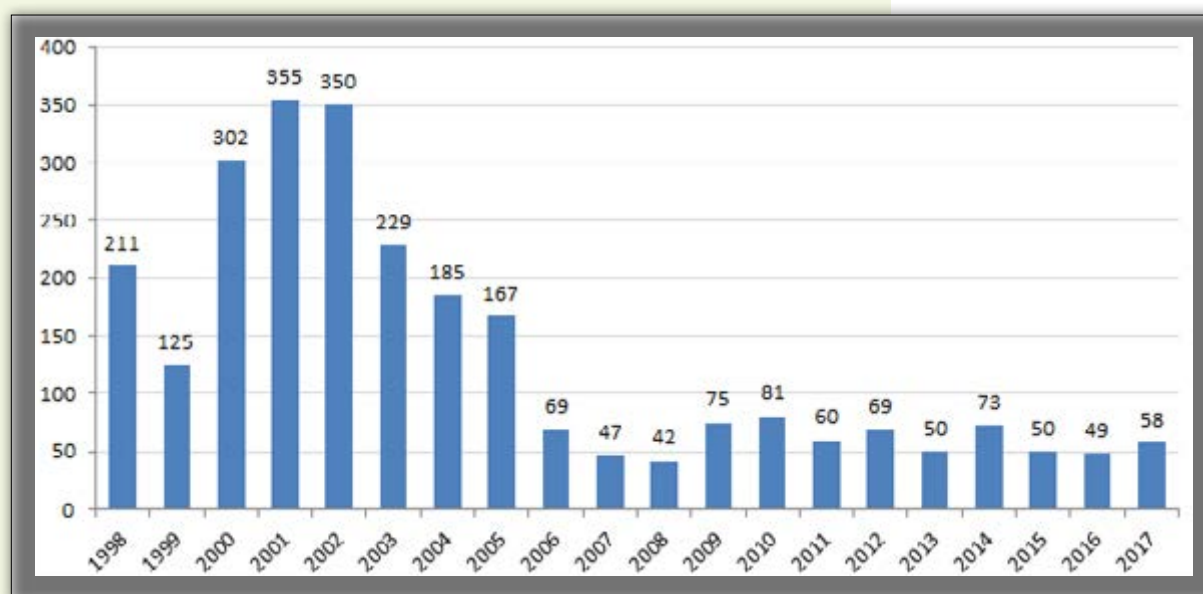
**Figure 51: Key statistics about the security situation (NI only), 2014/15 to 2017/18**

	2014/15	2015/16	2016/17	2017/18
Shooting incidents	73	36	61	50
Bombing incidents	36	52	29	18
Casualties of paramilitary shootings	36	14	28	22
Casualties of paramilitary assaults	58	58	66	65
Firearms found	58	66	45	40
Rounds of ammunition found	4,569	4,418	2,635	5,758
Explosives found (kg)	22.9	2.4	75.1	0.4

Source: PSNI, Police Recorded Security Situation Statistics

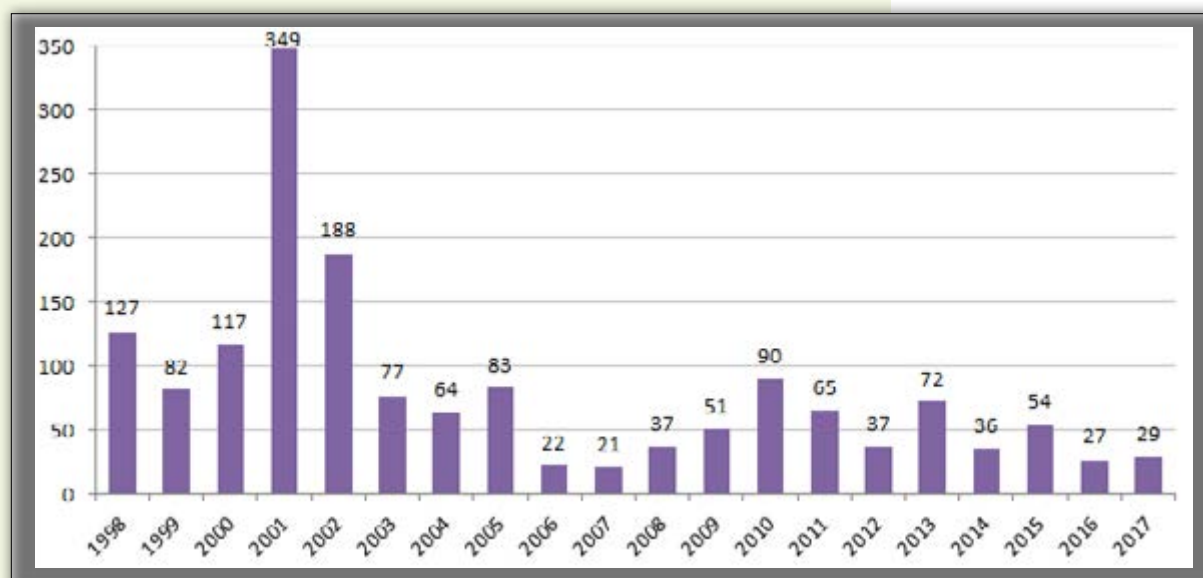
Figures 52 and 53 below show the level of shootings and bombings in NI as recorded by the police, for the years 1998 to 2017. The yearly data indicates that there was a significant level of violence in the years immediately after the signing of the Agreement in 1998. While the data shows a decline in the number of shootings from 2001 to 2005 (see Figure 52), which is almost matched by the decline in bombings (see Figure 53), there was another marked reduction between 2005 and 2006 in both shootings and bombings. These figures would mirror the reduction in IRA violence that culminated in the IRA statement on the ending of the Armed Campaign on 28 July 2005, and the completion of IRA Decommissioning on 26 September 2005.

**Figure 52: Shootings related to the security situation (NI only), 1998 to 2017**



Source: PSNI, Police Recorded Security Situation Statistics

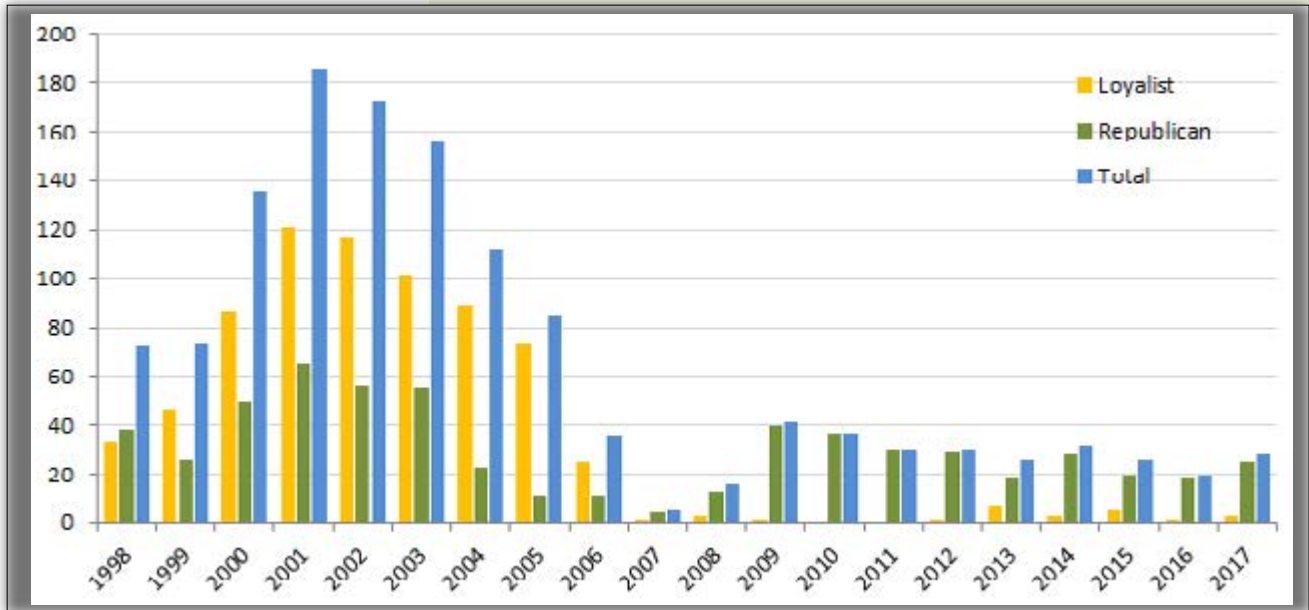
**Figure 53: Bombings related to the security situation (NI only), 1998 to 2017**



Source: PSNI, Police Recorded Security Situation Statistics

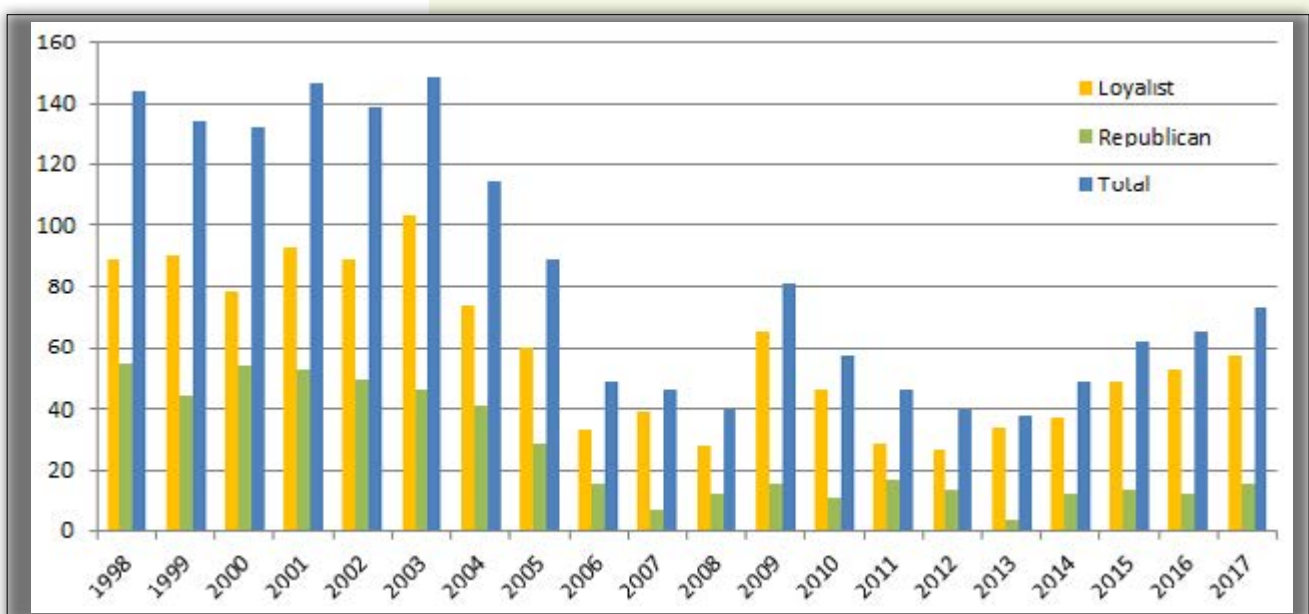
Another aspect of paramilitary activity that has continued to the present day, are shootings and assaults carried out against individuals who, it is often alleged by the paramilitaries, have been engaged in anti-social behaviour. Figures 54 and 55 show an upsurge in shootings and assaults since 2009, and assaults rose each year from 2013 to 2017. Most of the shootings have been carried out by republican paramilitary groups, while loyalists have carried out more beatings. Two of the security-related deaths in 2016 appear to be the result of shootings, when people shot in the legs subsequently died.

Figure 54: Casualties of paramilitary shootings, 1998 to 2017



Source: PSNI, Police Recorded Security Situation Statistics

Figure 55: Casualties of paramilitary assaults, 1998 to 2017



Source: PSNI, Police Recorded Security Situation Statistics

## 5.2 Dissident republican and main-stream paramilitaries

The term dissident republican has been used to categorise those who opposed the peace process that was supported by Sinn Féin and the Provisional IRA. Some dissident republicans are supporters of, or members of, dissident republican paramilitary groups including the new IRA, Óglaigh na hÉireann and the Continuity IRA. Dissident republican paramilitaries were believed to be responsible for five killings in 2016 and one killing in 2018.

On 30<sup>th</sup> October 2017 the PSNI were called to Pantridge Road, west Belfast following notification of a bomb having been left in the area. This was the beginning of a three-day operation by police and British Army Technical Officers to locate and deal with an improvised explosive device at the side of the road (*Belfast Telegraph*, 1 November 2017). Responsibility for the device was claimed by a group calling itself Arm na Poblachta (Army of the Republic). The existence of this group was confirmed by the PSNI in August 2017 following an investigation by UTV into dissident republican activity (*ITV News*, 29 August 2018). The then Assistant Chief Constable of the PSNI stated that dissident groups are fluid and change regularly because of the disruption caused by the investigative efforts of the PSNI and MI5, and also because of personality clashes within the groups (*ibid.*).

In addition to the attack on PSNI officers in Derry (mentioned above), it is widely believed that dissident republicans were responsible for attacks on Gerry Adams, TD for Louth and former Sinn Féin President, and Bobby Storey a senior member of Sinn Féin (*TheJournal.ie*, 14 July 2018). Two improvised explosive devices were thrown at the homes of the two men. The explosions caused no injuries but one car was damaged. In a statement after the attack, Adams asked those responsible to meet with him to explain why they carried out the attack. A rally was organised by Sinn Féin on Monday 16<sup>th</sup> July in Andersonstown, west Belfast, and hundreds of people turned out to show support for the two men (*Belfast Telegraph*, 16 July 2018).

## 5.3 Loyalist paramilitaries

Loyalist paramilitaries were responsible for one killing in 2016, and two killings in 2017 that were believed to be part of a loyalist feud.

On 9<sup>th</sup> April 2018 a joint statement, entitled Loyalist Declaration of Transformation, was issued on behalf of the Red Hand Commando (RHC), Ulster Defence Association (UDA), and Ulster Volunteer Force (UVF). In the statement the groups gave a commitment that, 'We fully support the rule of law in all areas of life and emphatically condemn all forms of criminal activity' (RHC, UDA, UVF, *Declaration*, 9 April 2018). The statement went on: 'We further declare that any engagement in criminal acts by any individuals within our organisations will be regarded as placing those persons outside the memberships. This has been collectively agreed. We cannot allow criminals to hinder transformation and the ground on which such people stand is now shrinking' (*ibid.*).



The statement was the result of lengthy discussions that involved three former Protestant church leaders: Alan Harper, Harold Good, and Norman Hamilton. It was issued 20 years after the signing of the Agreement, and seven months after the Paramilitary Crime Task Force became operational with the objective of targeting criminal activity by all paramilitary groups in the region. This was the first joint statement by loyalist paramilitary groups since the ceasefire statement in 1994 (CLMC, Statement, 13 October 1994).

The PSNI Chief Constable, George Hamilton, went on BBC Radio Ulster the following day to comment on the Loyalist Declaration. He said that some loyalist factions were inactive, while others were involved in crime:

East Belfast UVF for example is pretty much just a mid-range organised crime gang that is wreaking havoc on communities, fear on communities in terms of the criminality that they're involved in ... There are other areas as well, the UDA side, they're struggling clearly too with north Down UDA and we've seen that in recent weeks - threats issued against journalists and so on.  
BBC NI *News*, 10 April 2018.

On 11 July 2018 the PSNI released a statement: 'Police have received information from the community which indicates that the East Belfast UVF intend to orchestrate and participate in serious disorder in East Belfast this evening directed against my officers' (PSNI, *News*, 2018). Later that day there were serious disturbances in east Belfast and Newtownards as 13 cars and a bus were hijacked or stolen and set alight. A suspected pipe bomb exploded close to police. Roads near the Ulster Hospital were blocked as were a number of other main roads. Passengers were prevented from leaving Belfast City Airport for a time (BBC NI *News*, 12 July 2018). The violence appeared to be orchestrated by loyalist paramilitaries and was in response to a High Court ruling that the Department for Infrastructure had to take immediate steps to reduce the size of a planned bonfire at Bloomfield walkway in east Belfast (Belfast Telegraph, 10 July 2018). Before the bonfire material could be removed it was set alight. Following concerns at the position of a second bonfire, next to a listed building at Cluan Place in east Belfast, the PSNI secured the site and contractors removed the material. The contractors were believed to be from outside NI, and wore masks to hide their identity and drove vehicles with the number plates removed (BBC NI *News*, 11 July 2018).

## 5.4 Stormont Executive policy response

On 17 November 2015, The Stormont Agreement and Implementation Plan (A Fresh Start) specified that a three-person panel would be appointed to report on recommendations for a strategy to disband paramilitary groups (GOV.UK, 17 November 2015; Section 4.1). The Fresh Start Panel completed its report in May 2016 (published 7 June) which contained 43 recommendations (*Fresh Start Panel*, 7 June 2016:33-38). The recommendations were classified into four sections: Promoting Lawfulness; Support for Transition; Tackling Criminality; and Addressing Systemic Issues.



Within two months of receiving the report, the NI Executive published an Executive Action Plan which detailed its response to the 43 recommendations (*NIE*, 19 July 2016:7-21). The Executive Action Plan set out an objective to establish a Cross Departmental Programme Board (CDPB) to drive forward the commitments made in A Fresh Start and the action plan. The Board was chaired by Department of Justice (DoJ), with representatives from The Executive Office, Department of Finance and Department for Communities. However, in late 2016 a high-level strategic Tackling Paramilitarism Programme Board (TPPB) was established with the CDPB acting as an advisory group to that board. Membership of the TPPB was elevated to senior officials from the Executive Office and NIO, and representatives of the First Minister and deputy First Minister. The TPPB was co-chaired by Anthony Harbinson who gave a public report on its work (Committee for Justice, *Hansard*, 8 December 2016). Funding for the TPPB came from the NI Executive and Westminster Government, with each committing £25 million over five years (a total of £50 million). The total funding allocated in 2016-17 was £3,898,000 while the figure for 2017-18 (up to February 2018) was £6,374,000 (*DoJ*, February 2018).

Under the section on Monitoring and Evaluation in the Executive Action Plan, it was agreed that a four-member Independent Reporting Commission (IRC) would be established by the UK and Irish governments to monitor progress on ending paramilitary activity. The IRC was subsequently established by the two governments through an international treaty on 9 September 2016. The launch of the IRC took place on 29 September 2017.

The Paramilitary Crime Taskforce (PCTF) was established as part of recommendations made from the Fresh Start Agreement. The Taskforce developed incrementally during 2016-17 and has members from the Police Service of Northern Ireland (PSNI), National Crime Agency (NCA) and HMRC working to stop criminality in the region (*BelfastLive*, 23 September 2017) and (ITV *News*, 27 September 2017). PSNI Chief Constable George Hamilton stated:

... our investigations to date have resulted in just under 100 arrests and 200 searches with 66 people being charged or reported to the PPS. Around £450,000 worth of criminal assets have been seized or restrained including over £157,000 in cash, drugs with an estimated street value of around £230,000 ...  
DoJ, *News*, 27 September 2017

Issue 1 of the Tackling Paramilitarism Programme (TPP) newsletter was published in the summer of 2018 and contained a further update of the work of the PCTF:

During the 2017/18 financial year, the PCTF conducted 193 searches; made 47 arrests, of which 44 people were charged or reported to the PPS, seized an estimated £58,000 worth of drugs and restrained £50,000 worth of cash. Earlier this year, the team successfully obtained the first Freezing Order worth £150,000 and the seizure of illicit tobacco products ...  
DoJ, TPP Newsletter, *Issue 1*: Summer 2018:9.

The collapse of the NI Executive and the absence of the NI Assembly may have implications for the delivery of the objectives set out in the Executive Action Plan. Even allowing for the continuing work of departments and agencies, and the oversight provided by the TPPB, the element of local political oversight is absent from the agreed structure.

## 6. POLICING

### 6.1 Strength and composition

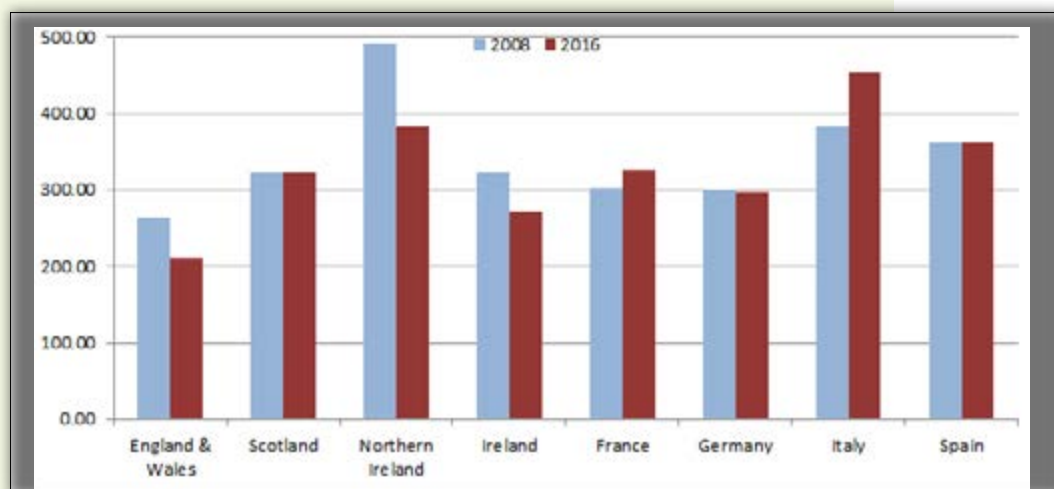
In the 2018 PSNI Annual Report the Chief Constable, George Hamilton, who was appointed in June 2014, noted that he had to deliver 'budget cuts of £122 million during my tenure' (PSNI, Annual Report, 2018:3). In the 2017-18 financial year he implemented a budget cut of £17.2 million, while at the same time dealing with 'unfunded pressures, including some legacy related costs' (ibid:3). He also outlined the impact of the political situation:

The absence of a Northern Ireland Executive has not only created financial uncertainty but has left PSNI without a properly constituted Policing Board. I want to see a return to a fully constituted Policing Board in the months ahead, particularly given the scale of the financial and operational challenges we currently face.  
(ibid.:3)

Staffing makes up the largest element of the PSNI budget. Hamilton reported that police numbers were reduced by 100 during 2017-18. The reduction in the number of police officers is part of a longer trend, mainly associated with the reduction in conflict-related violence. The budget pressures also meant that, 'proactive operations were more limited, activity on legacy work was curtailed and investment in new programmes were deferred' (ibid.:3).

*Eurostat* (the statistical office of the EU) provides useful comparative data for the number of personnel in the criminal justice system of European jurisdictions. One category of data is police officers, and units of measurement available are total numbers and number per hundred thousand population. The most recent figures available are for 2016 (although data for some countries were missing, including Ireland). Extracting data from the Eurostat database, Figure 56 was compiled to provide details of the number of police officers, per 100,000 population, in the constituent countries of the UK, Ireland, and some other selected jurisdictions, for the years 2008 and 2016. The figures show the historically high level of police officer figures in NI and the significant decline in numbers over the eight year period. While the terrorist threat level remains at severe, NI is likely to continue to experience a higher level of policing than other regions in the UK and Ireland.

Figure 56: Number of police officers per 100,000 population in the UK, Ireland, &amp; other selected jurisdictions, 2008 &amp; 2016



Source: Eurostat, *Personnel in the criminal justice system*, 2018

Note: The 2016 figure for Ireland was calculated separately, based on information from An Garda Síochána and the Irish Central Statistics Office.

## 6.2 Religion, gender and ethnicity

We aim to have a workforce representative of the community we serve.

PSNI, *Workforce Composition Statistics*

Figure 57 contains the PSNI Workforce Composition Statistics for May 2011 and November 2017. Against a background of declining numbers of both police officers and police staff, there have been small changes in the gender balance, with more females among police officers and more men among police staff. There was almost no change in the ethnic makeup of police officers but a slight rise in the percentage of people from ethnic backgrounds among police staff. Historically, it has been the community background of police officers that has received the greatest comment. Between 2011 and 2017 there were slight increases in the percentage of people who were perceived to be Catholic but the latest figures remain significantly lower than the percentage of Catholics in the NI population.

Figure 57: Breakdown of officers and other staff of the PSNI, May 2011 and November 2017

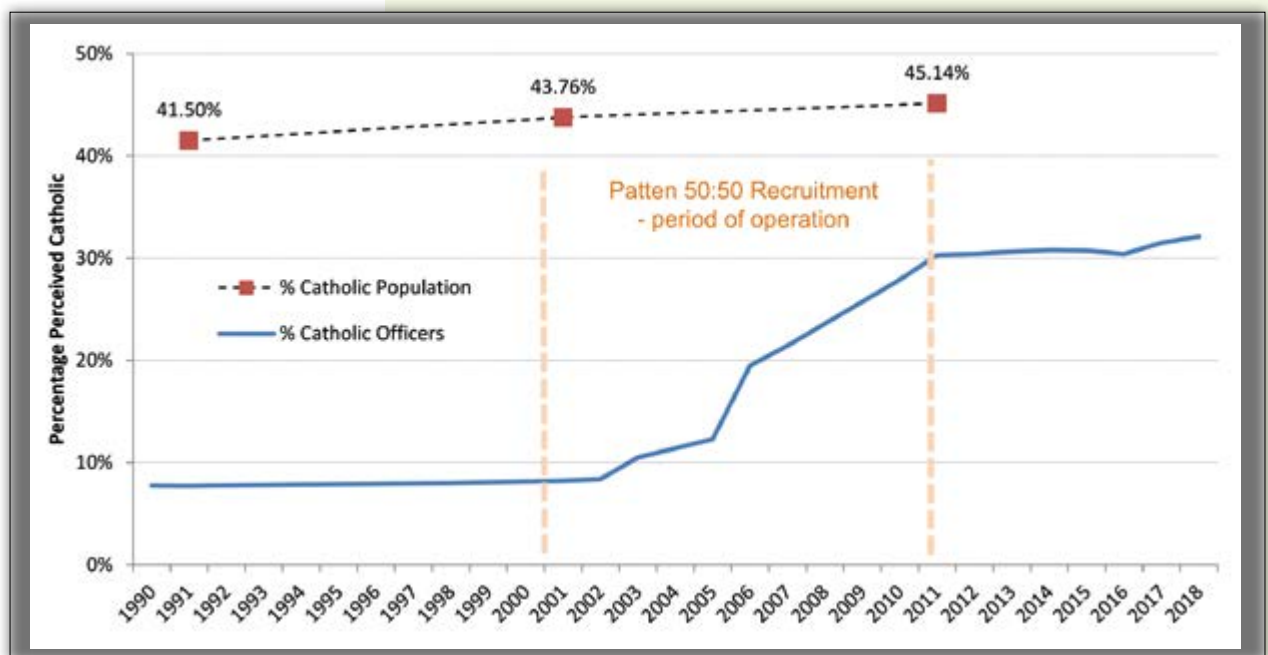
	Police Officers		Police Staff	
	May 2011	Nov 2017	May 2011	Nov 2017
Perceived Protestant (%)	67.5	67.16	78.1	78.09
Perceived Roman Catholic (%)	30.3	31.50	18.7	19.35
Not Determined (%)	2.2	1.34	3.3	2.56
Female (%)	26.7	29.09	63.9	58.58
Male (%)	73.3	70.91	36.1	41.42
Ethnic Minority (%)	0.5	0.52	0.4	0.63
Total (number)	7156	6756	2512	2383

Source: PSNI, *Workforce Composition Statistics*, as at 1 November 2017

Previous Peace Monitoring Reports have made reference to the reforms to policing that were introduced as a result of the Patten Report and in particular the recommendation that in the recruitment of police officers 'an equal number of Protestants and Catholics should be drawn from the pool of qualified candidates' (referred to as 50:50) (Patten Report, 9 September 1999, Paragraph 15.10). The recommendation was that this approach should be maintained for at least ten years. 50:50 recruitment began on 23 November 2000. It was the focus of much unionist criticism and was eventually ended on 28 March 2011 (BBC NI *News*, 28 March 2011). During the first recruitment drive following the ending of the Patten recommendations, 30 per cent of the applications were from Catholics and 66 per cent were from Protestants (*Belfast Telegraph*, 20 October 2015). The percentage of Catholic applicants during three recent recruitment drives was 31 per cent, and of those who made it through to the merit pool, only 19 per cent were Catholic (BBC NI *News*, 5 April 2017). The PSNI indicated that it was taking additional measures to try to increase the level of application from a Catholic background (Deloitte, 2016).

The impact of the Patten 50:50 recruitment period on the percentage of Catholic police officers can clearly be seen in Figure 58. The figure also shows the historic low level of Catholic officers prior to 2000 and the distinct levelling out of the percentage representation following the ending of the 50:50 process. Following the ending of the Patten policy Catholics made up 30.3 per cent of police officers and this figure was 32.1 per cent on 1 July 2018; an average increase of 0.26 per cent each year over the seven year period. At this rate of change it will take another 50 years for Catholic representation to match the Catholic population (as at the 2011 Census).

Figure 58: Percentage of police officers perceived to be Catholic, 1990 - 2017

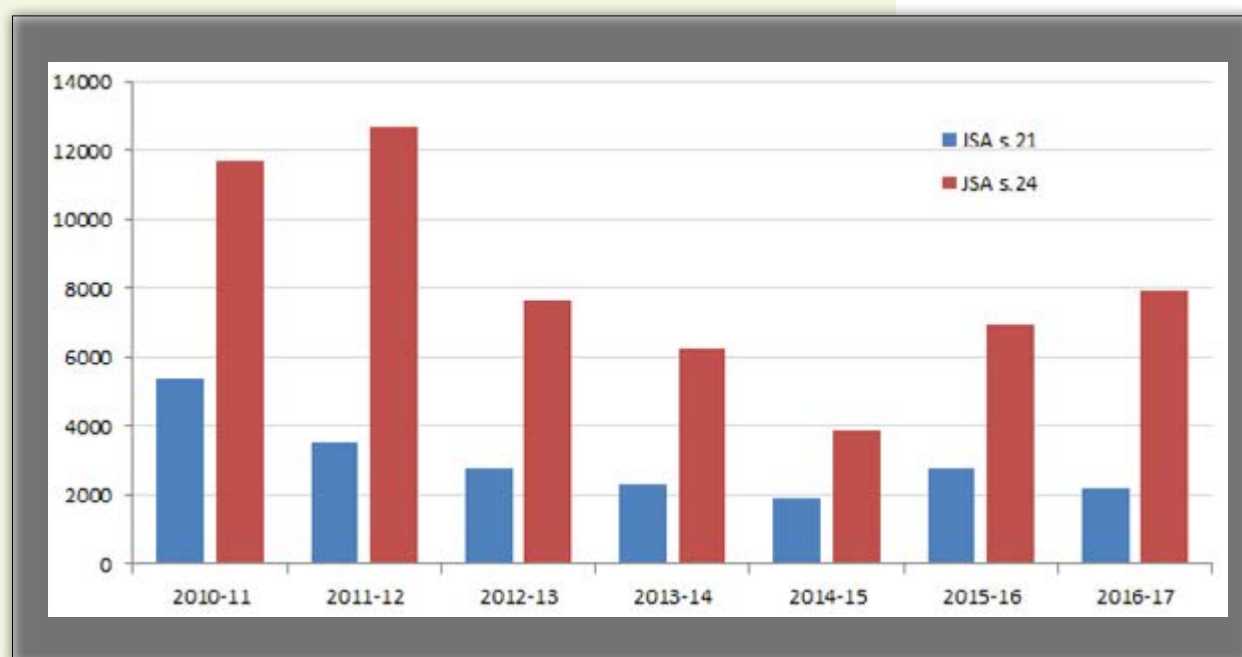


Source: CAIN [website](#) (based on various reports: RUC; PSNI; Equality Commission; NIO; Hansard; Census)

## 6.3 The use of police powers

The Justice and Security (Northern Ireland) Act 2007 (JSA) deals with a range of matters that include powers that are available to police officers and members of the security forces as set out in sections 21 to 32 of the legislation. JSA section 21 covers the power to stop and question a person to establish identity and movements, and section 24 (schedule 3) covers the power to enter and search any premises for munitions and wireless apparatus, and stop and search any person reasonably suspected of having munitions and wireless apparatus. An Independent Reviewer, appointed by the Secretary of State for NI, monitors the use made of the JSA powers contained in sections 21 to 32 of the Act and produces an annual report. The tenth annual report was written by David Seymour in April 2018 and includes the statistics on the use of section 21 and 24 powers (Independent Reviewer, 10th Report, 2018:72). Figure 59 provides a summary of this information for the years 2010-11 to 2016-17. The figures showed a decline in the use of both JSA powers for the three years after 2011-12. However, in the last two years, for which figures are available, there has been an increase in the use of section 24 powers. The Independent Reviewer noted that the PSNI had undertaken training of officers to improve their awareness of the various JSA powers and their appropriate use, and this might account for the recent increase (ibid., 2018:10).

**Figure 59: Number of uses of stop and search powers under the Justice and Security Act, by year 2010-11 to 2016-17**



Source: Independent Reviewer, Table 3A, *10th Report*, 2018

The Independent Reviewer notes that the JSA powers are used more against Dissident Republicans (DRs) than against loyalist paramilitaries (ibid., 2018:17).

This assessment seems to be based on a geographical breakdown of the use of the powers because no record is kept of the community background of those stopped and searched. The explanation for the disparity in the use of JSA powers, 'reflects the fact that DRs have a particular *modus operandi* which the JSA powers are specifically designed to address' (ibid., 2018:17). Various groups, including Sinn Féin and the Committee on the Administration of Justice (CAJ), have called on the PSNI to record and publish the community background of those who are stopped and searched (CAJ, Submission, 2016:15).

Given the high level of reported use of the stop and search powers the question of their efficacy arises, and Figure 60 gives the number of persons arrested following the use of stop and search powers in 2016-17. In addition, the overall rate of success following a search for munitions and wireless apparatus was 0.1 per cent (Independent Reviewer, 10th Report, 2018:11). The report of the Independent Reviewer argues that the very low arrest rates are because, 'the JSA powers are essentially preventative in their nature' (ibid., 2018:11).

**Figure 60: Number of persons stopped, arrested, and arrest rate, under Justice and Security (NI) Act 2007 section 21 and 24 powers, 2016-17**

Power	Persons stopped	Persons arrested	Arrest rate
JSA s.21	2034	15	0.7%
JSA s.24	7502	88	1.2%
- with authorisation	7319	80	1.1%
- with reasonable suspicion	183	8	4.4%

Source: Independent Reviewer, *10th Report*, 2018:11

While the JSA powers cover stop and searches related to the threat from terrorism, there are also stop and search powers contained in seven other pieces of legislation which seek to deal with everyday / non-terrorism-related matters (Independent Reviewer, 7th Report, 2015:19). The most heavily used pieces of legislation are the Police and Criminal Evidence (PACE) (NI) Order 1983 Article 3, and the Misuse of Drugs Act 1971 Section 23 (MDA). The use of non-terrorism-related stop and search powers rose from 20,011 in 2008-11 to 25,248 in 2016-16 before declining to 22,600 in 2017-18 (PSNI, Stop and Search Statistics, 2018:11). A recent review of the use of everyday stop and search powers by the PSNI estimated that the rate in NI, 'sits at over twice the total rate for England and Wales; and 50% greater than Scotland' (Topping and Bradford, 2018:3).

Age-related stop and search figures have been publicly available since 2017 and in the PSNI report covering the period April 2017 to March 2018, of the 29,882 persons stopped (under all powers) 14 per cent (4,157 persons) were aged 17 years and under and 41 per cent (12,397 persons) were aged 18 to 25 years. Males accounted for 89 per cent of the total (26,637) (PSNI, Stop and Search Statistics, 2018:6).

Of all those stopped 2,116 (7%) were subsequently arrested. A breakdown by area of the number of persons stopped is provided by the PSNI for the three police areas and the 11 district council areas and, for example, there were 8,083 persons stopped (in 2017-18) in Belfast or 27 per cent of the total (ibid., 2018:5). However, Belfast's population was 18.2 per cent of the NI total (2017 figures) so the number of stops appears to be 8.9 per cent higher than might be expected if stops were evenly spread across the NI population. Other areas with higher rates of stops were Derry City & Strabane (+3.6%), Armagh City, Banbridge & Craigavon (+2.7%), and Lisburn & Castlereagh City (+1.7%). The other seven district council areas had a percentage share of stops lower than their share of population (e.g., Ards & North Down at -6.0%).

Concern has been expressed that the use of everyday / non-terrorism-related stop and search appears to be directed at, 'young males in socio-economically deprived areas' (Topping and Bradford, 2018:6). The 2017 Young Life and Times (YLT) survey provided information on the attitudes and experiences of 16-year olds in relation to stop and search practice (ARK, Research Update 120, May 2018). Nine per cent of YLT respondents had been stopped and searched by the PSNI and 34 per cent said that their friends or classmates had been stopped in the same 12-month period (ibid., 2018:3). One of the major concerns in relation to the use of stop and search is the impact it might be having on relations between the community and the police. Of those YLT respondents who were stopped by the police, 35 per cent agreed or strongly agreed that it resulted in more negative attitudes to the police in general (ibid., 2018:4).

## 6.4 PSNI – audit and accountability

One of the ways in which the PSNI is assessed and held to account is through the Northern Ireland Policing Board (NIPB). However, the collapse of devolved government in NI has meant that the process to nominate political members to the NIPB has stalled and, 'as such the Board is not fully constituted as required by legislation' (NIPB, Policing Matters, 2017). In section 6.1 above we noted that the Chief Constable had stated he was anxious to see a fully constituted Policing Board resume operations as soon as possible. The NIPB is supposed to hold eight public meetings each year but its last public meeting was on 2 February 2017. Some of the programme of work agreed at that meeting has progressed but the list of issues that require actions has grown longer in the absence of the legal authority of a fully constituted Board. Some of the work that feeds into the monitoring of the police has continued, for example relevant information has been collected via the NI Omnibus Survey. However, the last Human Rights Annual Report was published in March 2016 and was covered in the previous Peace Monitoring Report (Wilson, 2016).

In order to assess the level of public satisfaction with the performance of the PSNI, the NIPB includes relevant questions in the NI Omnibus Survey which is conducted several times each year by the Central Survey Unit of the Northern Ireland Statistics and Research Agency (NISRA). Despite the absence of political members within the NIPB, this survey work has continued and the most recent report was published in 2018.



There are some slight differences in the range of questions in the 2018 report, so one of the following tables is based on the 2017 report (and earlier reports). More than three quarters (78 per cent) of respondents felt that the PSNI was doing a very / fairly good job in NI as a whole (see Figure 61). This represented a slight increase on the previous year (75 per cent) and a six per cent increase over the 2015 figure reported in the last Peace Monitoring Report (Wilson, 2016:53). There are differences in the opinions of Catholic and Protestant respondents to the question of performance of the PSNI, with more Protestants considering the performance very / fairly good. The gap between Catholics and Protestants on this response was three percentage points in 2014 and this rose to 13 points in 2016 before reducing to eight points in 2017.

Figure 61: Performance of PSNI in Northern Ireland as a whole, by religion, 2014 to 2017

	Percentage of respondents											
	2014 (January)			2015 (January)			2016 (January)			2017 (January)		
Rating	C	P	All	C	P	All	C	P	All	C	P	All
Very/fairly good	<b>70</b>	73	71	67	73	72	68	<b>81</b>	<b>75</b>	76	84	78
Neither good nor poor	20	19	20	21	15	17	18	15	<b>16</b>	15	11	14
Very/fairly poor	<b>8</b>	7	8	11	<b>11</b>	<b>11</b>	11	<b>4</b>	7	9	4	6
Don't know/refusal	1	<b>1</b>	1	1	0	<b>1</b>	2	0	1	0	1	1

Source: NI Policing Board, *Omnibus Survey*, 2017

Note: 'C' – Catholic; 'P' – Protestant; Figures in **bold** denote a statistically significant change between survey instances

The Omnibus survey also asked how satisfied respondents were that the police treated the public fairly (see Figure 62). In 2018, 74 per cent of responders were very / fairly satisfied that the PSNI treats members of the public fairly in NI; this was a statistically significant decrease over the previous period (78 per cent). As can be seen in the table there had been a gradual increase between 2015 and 2017.

There remains a marked difference in the satisfaction expressed by Catholics and Protestants, with Catholics levels being lower and the gap increasing over the four years from four percentage points (2015) to 13 points (2018).



**Figure 62: Satisfaction that PSNI treats members of the public fairly in Northern Ireland as a whole, by religion, 2015 to 2018**

	Percentage of respondents											
	2015 (January)			2016 (April)			2017 (April)			2018 (May)		
Rating	C	P	All	C	P	All	C	P	All	C	P	All
Very/fairly good	67	<b>71</b>	70	66	<b>77</b>	73	<b>73</b>	<b>85</b>	<b>78</b>	68	81	<b>74</b>
Neither good nor poor	19	15	17	21	16	18	16	<b>10</b>	<b>14</b>	18	12	15
Very/fairly poor	13	12	12	11	<b>8</b>	<b>9</b>	10	5	8	12	7	9
Don't know/refusal	1	<b>1</b>	1	<b>0</b>	<b>0</b>	<b>0</b>	1	0	1	2	1	1

Source: NI Policing Board, *Omnibus Survey*, 2018

Note: 'C' – Catholic; 'P' – Protestant; Figures in **bold** denote a statistically significant change between survey instances

In May 2018, 86 per cent of respondents stated that they had total, a lot, or some confidence in the police's ability to provide a day-to-day service for everyone in NI (see Figure 63). The equivalent figure had been 90 per cent in 2017 and had risen in the two previous years. After rising for three years, the percentage of respondents reporting total confidence reduced from 16 per cent in 2017 to 13 per cent in 2018.

**Figure 63: Confidence in the police's ability to provide an ordinary day-to-day policing service for all the people of Northern Ireland, by religion, 2015 to 2018**

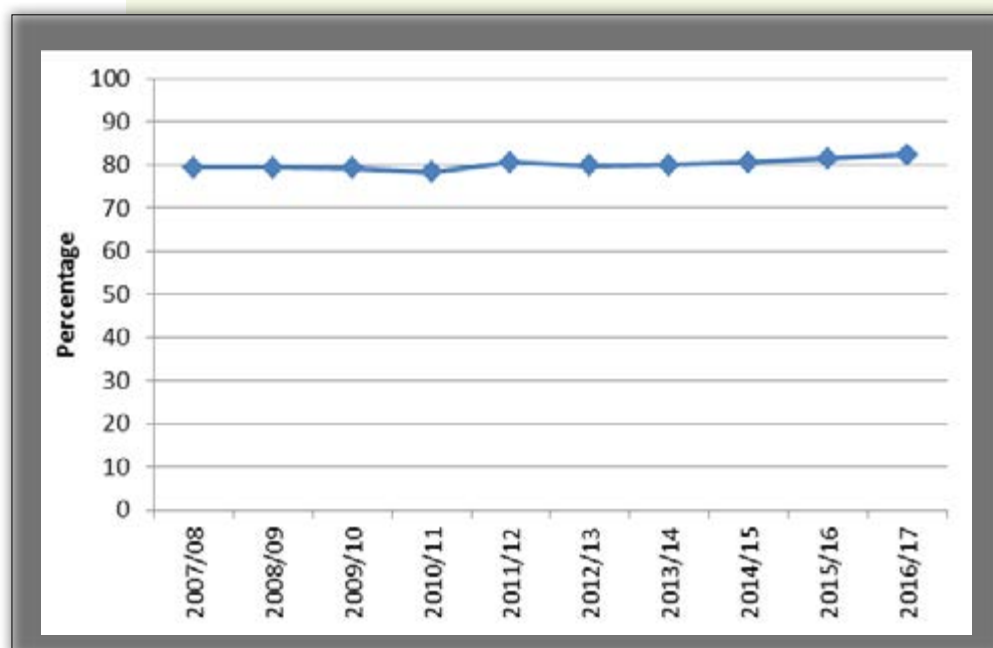
	Percentage of respondents											
	2015 (January)			2016 (April)			2017 (April)			2018 (May)		
Rating	C	P	All	C	P	All	C	P	All	C	P	All
Total confidence	8	12	11	10	15	12	12	<b>21</b>	<b>16</b>	9	<b>14</b>	13
A lot of confidence	33	<b>34</b>	<b>34</b>	32	39	37	<b>39</b>	45	<b>42</b>	35	41	<b>37</b>
Some confidence	43	36	39	42	36	39	37	<b>27</b>	<b>32</b>	40	32	36
<i>Total/A lot of/Some</i>	<b>84</b>	<b>82</b>	<b>84</b>	84	<b>90</b>	<b>88</b>	88	93	90	84	<b>87</b>	<b>86</b>
Little confidence	<b>11</b>	<b>14</b>	<b>12</b>	10	<b>8</b>	<b>9</b>	9	7	8	11	10	10
No confidence at all	4	<b>4</b>	4	3	2	<b>2</b>	3	1	2	3	2	3
<i>Little/No confidence</i>	<b>15</b>	<b>18</b>	<b>16</b>	13	<b>10</b>	<b>11</b>	12	8	10	14	<b>13</b>	<b>13</b>
Don't know/refusal	1	0	0	1	0	<b>1</b>	<b>0</b>	0	<b>0</b>	1	0	<b>1</b>

Source: NI Policing Board, *Omnibus Survey*, 2018

Note: 'C' – Catholic; 'P' – Protestant; Figures in **bold** denote a statistically significant change between survey instances

The Department of Justice publishes findings from the NI Crime Survey which give statistics about the perceptions of policing. The most recent report is based on the 2016-17 Crime Survey. Overall confidence in the police and police accountability arrangements are based on responses to seven questions. The trend since 2007-08 is displayed in Figure 64 with the level varying from 78.3 (in 2010-11) to 82.4 per cent (in 2016-17).

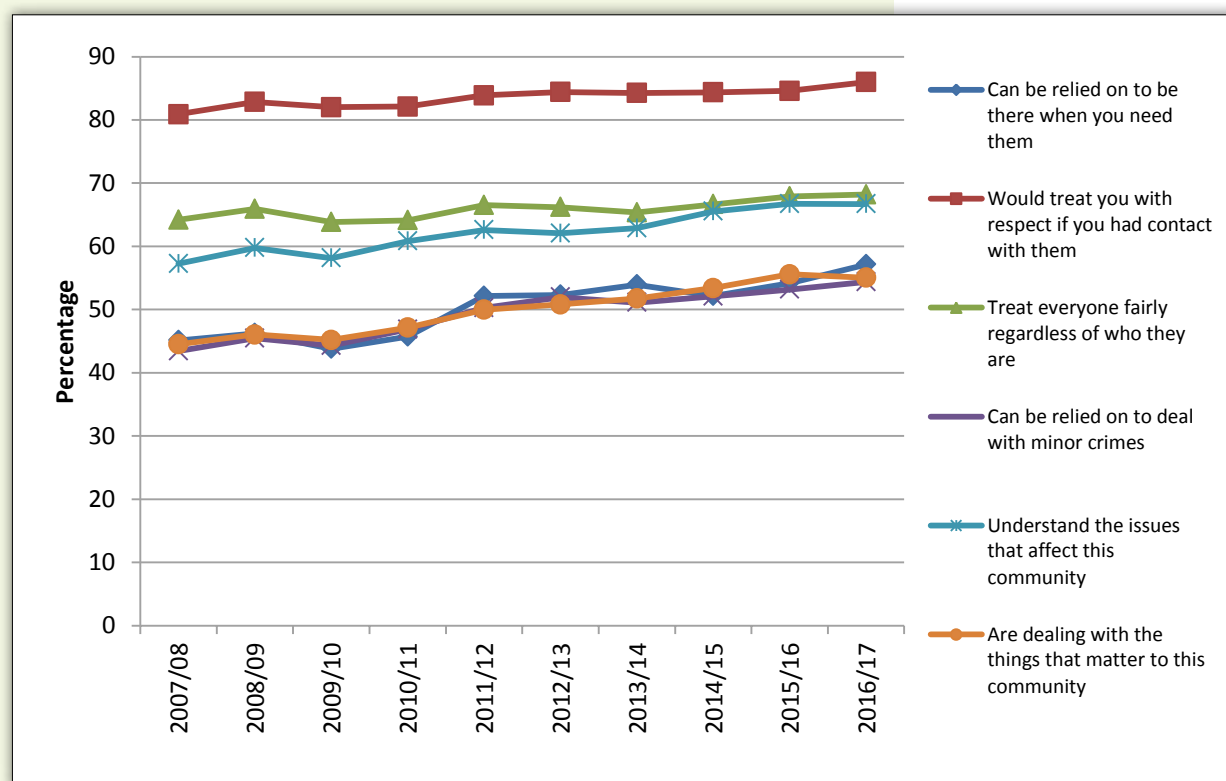
Figure 64: Overall confidence in the police and police accountability arrangements, 2007-08 to 2016-17



Source: Department of Justice (DoJ), *Research and Statistical Bulletin 38/2017*

The NI Crime Survey also asks respondents about their confidence in local police. A series of questions are asked in relation to six statements before respondents give their overall confidence. These six statements (see legend in Figure 65) together with the level of confidence in each are displayed in Figure 65. All six individual strands show statistically significant increases in confidence levels compared with 2007-08. The overall confidence in the local police rose from 59.7 (2007-08) to 70.9 (2016-17) and this increase of over ten percentage points was also statistically significant.

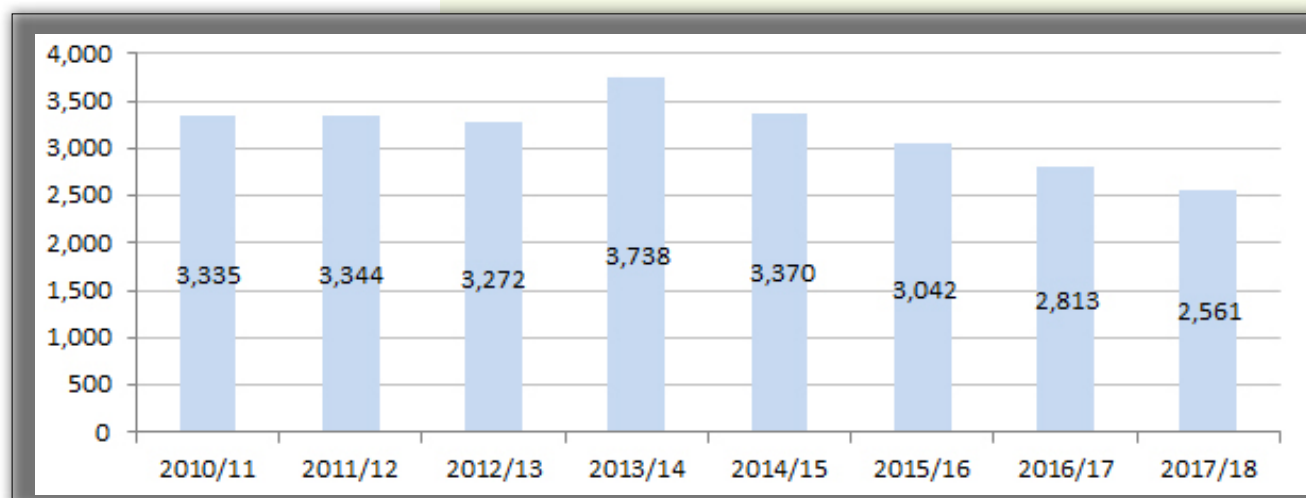
Figure 65: Confidence in the local police based on six statements, 2007-08 to 2016-17



Source: Department of Justice (DoJ), *Research and Statistical Bulletin 38/2017*

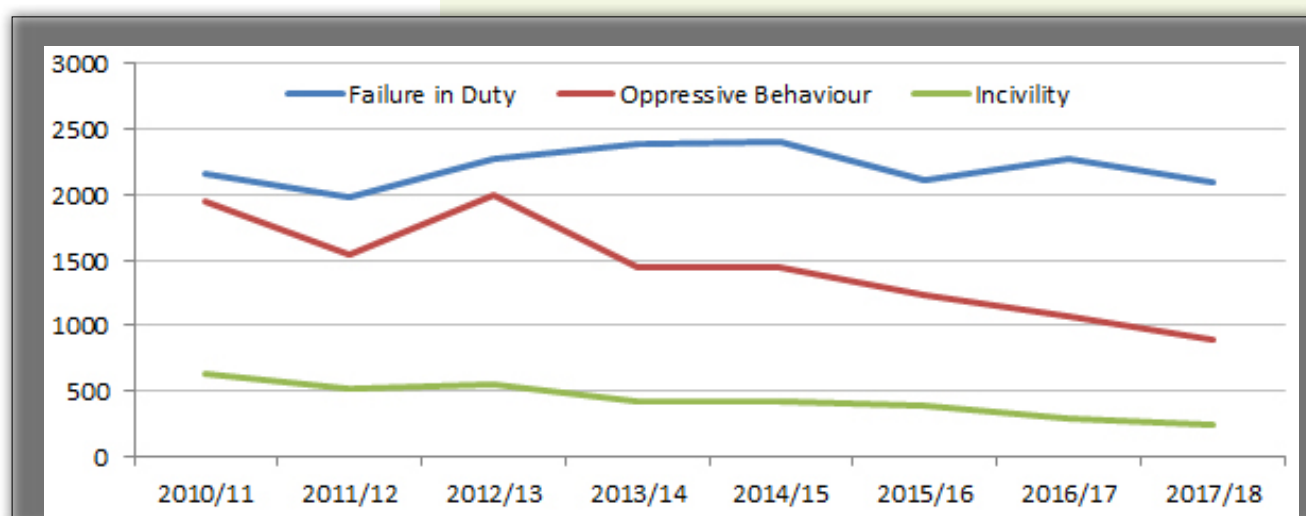
The Police Ombudsman for Northern Ireland (PONI), 'provides an independent, impartial system for the handling of complaints about the conduct of police officers' (PONI, website). In examining the number of complaints about the PSNI that the Ombudsman receives, he points out a number of factors that need to be considered when trying to draw conclusions. These factors include the number and nature of police operations conducted, the level of interaction between members of the public and police officers, and public awareness of both the Ombudsman's Office and the procedure for making a complaint. Details of the number, and nature, of the complaints made are published by the Ombudsman's office in a range of statistics and reports. Following a spike in the number of complaints against the police in 2013-14, associated with the flags protests (mainly in Belfast), the trend in the total number has been down (see Figure 66).

Figure 66: Number of complaints against the PSNI received by the Police Ombudsman's Office, 2010-11 to 2017-18

Source: Police Ombudsman, *Publications*

The Ombudsman's Office also provides figures on the number and type of allegations made against police officers. Each complaint the Ombudsman receives is made up of one or more allegations which describe the types of behaviours being complained about or the issues that make up the complaint. The last report has 11 named categories of types of allegation, plus a catch-all category of 'other' allegations. The three categories involving the largest numbers of allegations were failure in duty, oppressive behaviour, and incivility. In 2017-18 these three categories accounted for 76 per cent of the total number of allegations. Figure 67 shows the trends in the number of these three main allegations over the period 2010-11 to 2017-18. While there were downward trends in both oppressive behaviour and incivility, the number of allegations of failure in duty has remained between 2000 and 2500 for the period under consideration.

Figure 67: Breakdown of the number of allegations against the PSNI by the three main categories, 2010-11 to 2017-18

Source: Police Ombudsman, *Publications*

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) independently assesses the efficiency and effectiveness of the PSNI. The HMICFRS published two reports in March 2018 based on assessments carried out in 2017. The overall judgment was that the PSNI was, 'assessed as good in respect of the efficiency with which it keeps people safe and reduces crime' (HMICFRS, *Police efficiency*, 2018:5). The report also considered that the PSNI was good at planning for demand in the future despite the problems caused by the annual nature of funding and the absence of the NI Executive and Assembly. In the second report on effectiveness the overall judgement was the PSNI, 'is good at preventing crime, tackling anti-social behaviour and keeping people safe' (HMICFRS, *Police effectiveness*, 2018:8). Although the report made no specific recommendations it did identify some areas for improvement. Commenting on the publication of the two reports, Matt Parr, HM Inspector of Constabulary, was encouraged that the PSNI made good use of its resources and was in a strong position to meet new threats. However, he went on to state that:

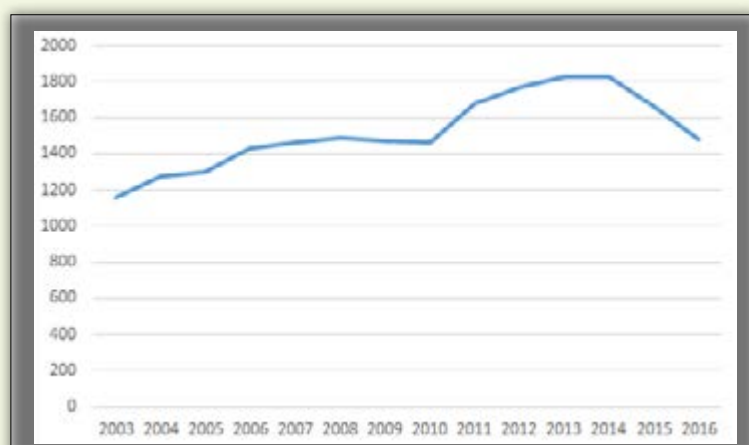
We found that uniformed officers often lacked the necessary support and supervision to effectively investigate volume crimes like burglary. We also found very little evidence that the PSNI systematically pursued people it issued with arrest warrants for minor crimes. While we recognise that the Police Service of Northern Ireland is a high-performing force, it should investigate all crimes to a consistently high standard, regardless of the seriousness of the offence.  
HMICFRS, *Press release*, 15 March 2018.

## 7. PRISONS

### 7.1 The prison population

The World Prison Population List last published in 2016, and reported in the fourth Peace Monitoring Report, showed that NI has a small prison population in comparison with the rest of the UK, with 87 prisoners per 100,000 compared to 148 for England and Wales or 268 per 100,000 in Lithuania (World Prison Population List, 2016). Latest figures in NI show that for the second year in a row the average daily prison population fell; from 1,661 in 2015 to 1,482 in 2016 (see Figure 68).

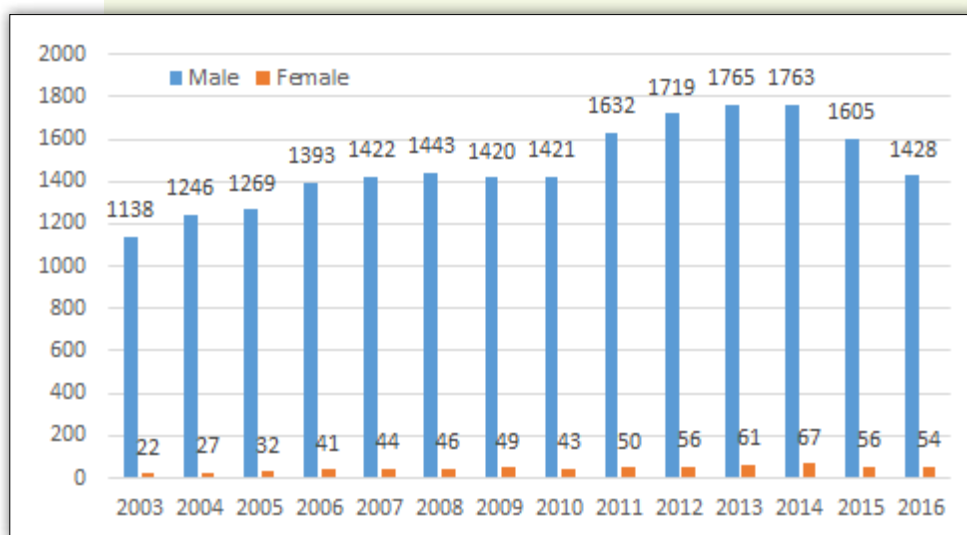
**Figure 68: The daily prison population in Northern Ireland, average by year 2003 to 2016**



Source: Department of Justice, *Prison population*

Figure 69 provides details of the gender of the NI prison population from 2003 to 2016. The majority of the prison population are male (96.4 per cent), so any change in the male population will be mirrored in the overall population. The male population fell by 11 per cent (177) from 2015 to 2016, whilst the average daily prison population for females remained at much the same level; 56 during 2015 compared to 54 during 2016.

**Figure 69: Breakdown of prison population by gender, 2003 to 2016**



Source: Department of Justice, *Prison population*

For the first time since 2012, total prison receptions increased. In 2016 there were 5,199 receptions compared with 4,757 during 2015 (see Figure 70). It is important to note that while receptions increased the average daily prison population decreased during the same period. This is explained by two main factors. First, more people entered prison and second prisoners stayed on average a shorter time.

**Figure 70: Prison receptions by type 2009- 2016**



Source: Department of Justice, *Prison population*

Information on the average cost of keeping an offender in prison in NI compared to the rest of the UK was made available in response to a question to Claire Sugden, then Justice Minister, in the NI Assembly in 2016. Sugden stated:

While the costs are not directly comparable, the average annual cost of keeping an offender in prison in Northern Ireland was £57,643. The National Offender Management Service (NOMS) figure in England and Wales was £35,182, and the cost for the Scottish Prison Service was £34,399 in the same year.

NI Assembly, *Official Report*, 29 November 2016.

The reasons given for the significantly higher average cost of keeping an offender in prison in NI were a lack of economies of scale due to the small prison population in NI and also the extra costs related to keeping paramilitary prisoners (ibid.).

## 7.2 Prison conditions and reform

The Northern Ireland Prison Service (NIPS) was subject to an independent review in 2011. The findings from this review fed into a significant prison reform programme which was launched in 2011 (Department of Justice, 2011). Butler (2017) provided a comprehensive overview of the progress made and challenges remaining in her Knowledge Exchange Seminar Series Policy Brief (Butler, *KESS*, 18 January 2017). Achievements include progress in enhancing resettlement, rehabilitation and desistance provision. This has involved facilitating families to play a more active role in encouraging and supporting change and in increased cooperation and engagement between NIPS and outside agencies.

There have also been improvements in the prison estate to improve the experience of prisoners and those working in prisons. However, there remain challenges. These include the financial situation with budget cuts putting strain on the service. Another issue is the management of those with severe and enduring mental health problems. Butler (2017) also notes that the management of those seeking to be held in separated conditions also poses ongoing challenges.

The wider political, social and economic conditions giving rise to the demand expressed by those entering prison to be held in separated conditions means that resolving this issue will require action by more than just NIPS and DOJNI. Indeed, all government departments, political parties and the wider public will need to work together to try to reduce the influence of paramilitary groups within communities and encourage greater political, social and economic integration throughout Northern Ireland. This should help lessen the demand expressed by those entering prison to be held in separated conditions and, therefore, over time negate the need for a separated regime within Northern Ireland prisons. (ibid., 2017:3)

The last Peace Monitoring Report (Wilson, 2016) detailed the shocking inspection reports at one prison Maghaberry in County Antrim. Since then, despite some of the improvements noted above, the situation in Maghaberry remains worrying. In April 2018 the BBC produced a timeline of reports and inquiries following an inspectors report that said Maghaberry Prison is 'unsafe and unstable' for

prisoners and staff (BBC NI *News*, 18 April 2018). Most recently the BBC reported that a 22 year old man had died in custody in Maghaberry (BBC NI *News*, 30 August 2018).

## 8. SAFETY IN THE PUBLIC SPHERE

### 8.1 Internal perceptions

Evidence from the Policing Board Omnibus survey continues to show high and increasing percentages of people feeling very safe in their local community (see Figure 71). In April 2017, a large majority of respondents (93 per cent) indicated that they felt very/fairly safe in their local community, a marginal increase on the April 2016 figure (91 percent). The proportions of Protestant respondents rating their local community as 'Very safe' saw a statistically significant increase from 42 per cent in April 2016 to 53 per cent in April 2017.

Figure 71: How safe do you feel in your local community?

	Percentage of respondents											
	2014 (January)			2015 (January)			2016 (April)			2017 (April)		
Rating	C	P	All	C	P	All	C	P	All	C	P	All
Very safe	39	37	38	40	40	40	42	42	42	44	53	49
Fairly safe	53	53	52	51	48	49	46	50	49	47	42	44
Neither safe nor unsafe	4	6	5	5	7	6	5	5	5	5	3	4
Fairly unsafe	4	3	3	2	4	3	5	3	4	3	1	2
Very unsafe	1	1	1	2	1	1	1	0	1	2	1	1

Source: NI Policing Board, *Omnibus Survey 2017*

Most recent results from the Life and Times survey are even stronger showing very high levels of feeling safe (see Figure 72).

Figure 72: How safe do you feel living in this area?

	All (%)	Catholic (%)	Protestant (%)
Very safe	74	72	79
Fairly safe	23	25	18
Neither safe nor unsafe	3	2	2
Fairly unsafe	1	0	0
Very unsafe	0	0	0
Can't choose	0	0	0

Source: NILT, 2017



## 8.2 External perceptions

The increased number of visitors to NI noted in the Economy section and the increase in Foreign Direct Investment are strong indicators that external perceptions of safety are positive.

## 9. PEACE WALLS

Previous Peace Monitoring Reports have noted the confusion about the actual numbers of peace walls or physical barriers. The Belfast Interface Project's (BIP) latest publication (Belfast Interface Project, 2017) identified a total of 97 barriers across Belfast, which is two fewer than they identified in their 2012 publication (Belfast Interface Project, 2012). However they note 'But this slight difference masks a number of changes that have taken place. We have recorded six barriers that have been removed in the past five years, another two that have been partially removed and in three cases the barrier has been 'reclassified', as no longer serving a function as an interface barrier, due to redevelopment' (BIP, 2017:5). They go on to note that they identified an additional seven barriers or forms of defensive architecture that were not included in the previous volume. The report also lists 11 barriers in Derry~Londonderry, one in Lurgan and seven barriers in Portadown.

Meanwhile, in its most recent update, the Department of Justice note ownership of 59 interface structures (DoJ, 2018) across NI in Belfast, Portadown, Lurgan and Derry. In the period 2013-2016, 11 of these were removed, four partially removed and two reclassified. The Northern Ireland Housing Executive (NIHE) is responsible for a further 20 structures. It remains a complex task to definitively count these structures.

In 2012, the Office of the First Minister and deputy First Minister (OFMDFM) set a target of removing all walls by 2023, however, limited progress has been achieved to date. The Chair of the International Fund for Ireland (IFI), Adrian Johnston, recently observed that the work of the IFI's Peace Walls Programme to build the confidence of communities living near peace walls has been hindered by the lack of political progress, in the absence of a NI Executive (*Belfast Telegraph*, 23 May 2018).



## DIMENSION THREE

# Wealth, poverty and inequality

## 1. OVERVIEW

Previous Peace Monitoring Reports have drawn attention to the extent and impact of income inequality but also to how the NI interpretation of inequality has been less concerned with the gap between the rich and the poor and focused predominantly on the relationship between the two blocs – Catholic and Protestant. There has been little change in poverty rates and in the income inequality gap in NI since the last report and, as this dimension shows, there are indications that despite a historically low rate of employment this is not projected to change. A range of factors including the nature of labour market jobs, inequalities in education attainment and qualifications, continuing lower wage levels than other parts of the UK and welfare reform changes will see poverty rates rise for some groups.

## 2. WEALTH

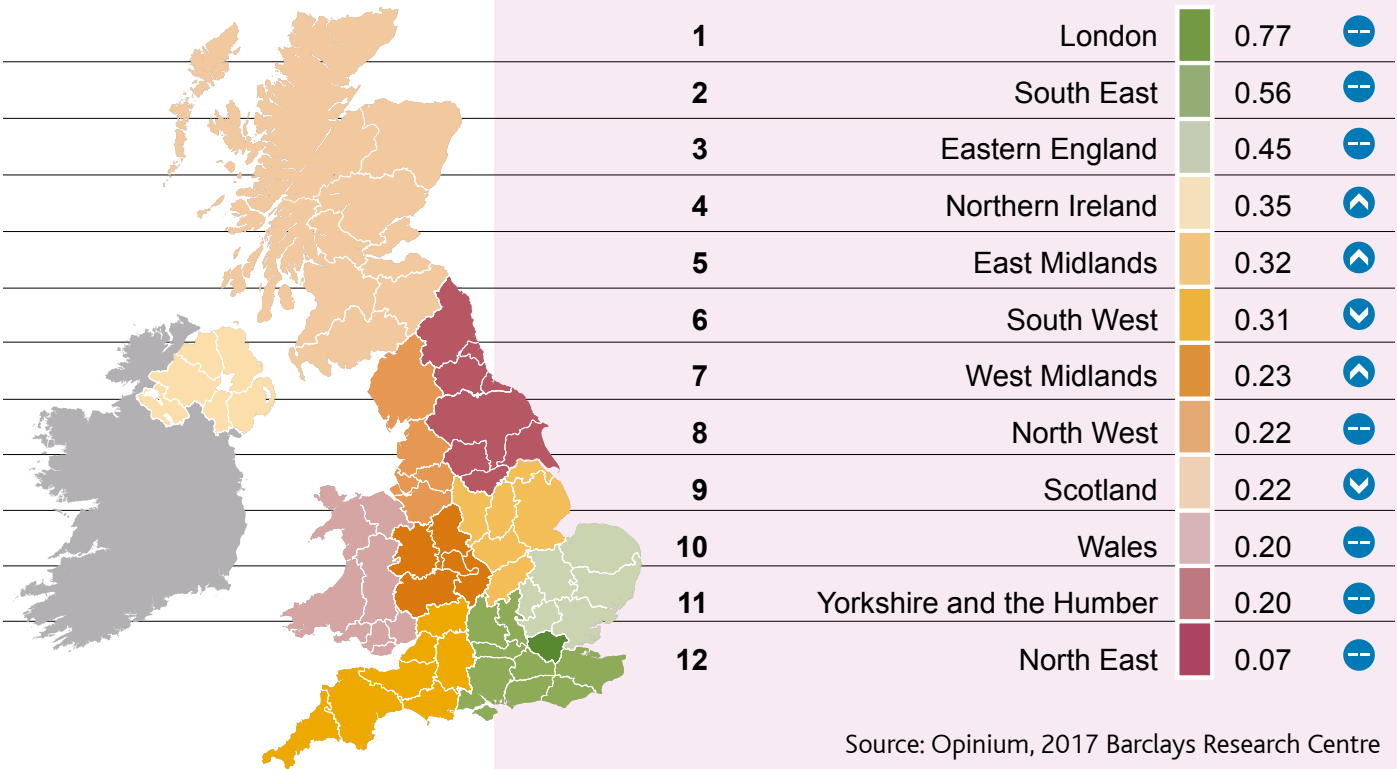
### 2.1 Wealth and inequality

The 2014 Peace Monitoring Report noted that due to the lack of data there could only be limited speculation on social inequality as the measurement of wealth disparities. This continues to be the case and it is a significant omission that NI is not included in the Wealth and Assets Survey carried out in Britain. Internationally, there has been a growing focus on the importance of looking at inequality in the distribution of wealth in addition to inequality in the distribution of income. Wealth inequality tends to be greater than income inequality and wealth can be accumulated and retained over years. In many parts of the world, including the UK, significant wealth is very unequally shared. Although wealth inequality in Britain fell for much of the twentieth century it is almost twice the level of income inequality (D'Arcy and Gardiner, 2017). The Belfast Telegraph reported on 5 September 2017 that there are 12,500 millionaires living in NI — a rise of 8.7 per cent on the previous 12 months, 'bringing the regional share of millionaires to 2 per cent of the UK as a whole'. Barclays Wealth & Investments publishes an annual UK Prosperity Map ranking UK regions and cities in terms of their affluence.

A Prosperity Index score is calculated for each UK city and region. This is based on a range of existing data including median household wealth, GDP per capita, unemployment rate, average weekly household expenditure, average house price, proportion of pupils with A\*-C GCSE grades, mean number of paid hours per week, mean gross annual pay, business birth-to-death ratio and insolvency rate.

The report for 2017 (Figure 73) shows NI moving up one place to 4th in the UK, with a 3.8 per cent increase in household expenditure and an 8.7 per cent growth in millionaires.

Figure 73: UK Prosperity Map - Prosperity Index scores - region



KEY: Regional ranking in the Prosperity Index

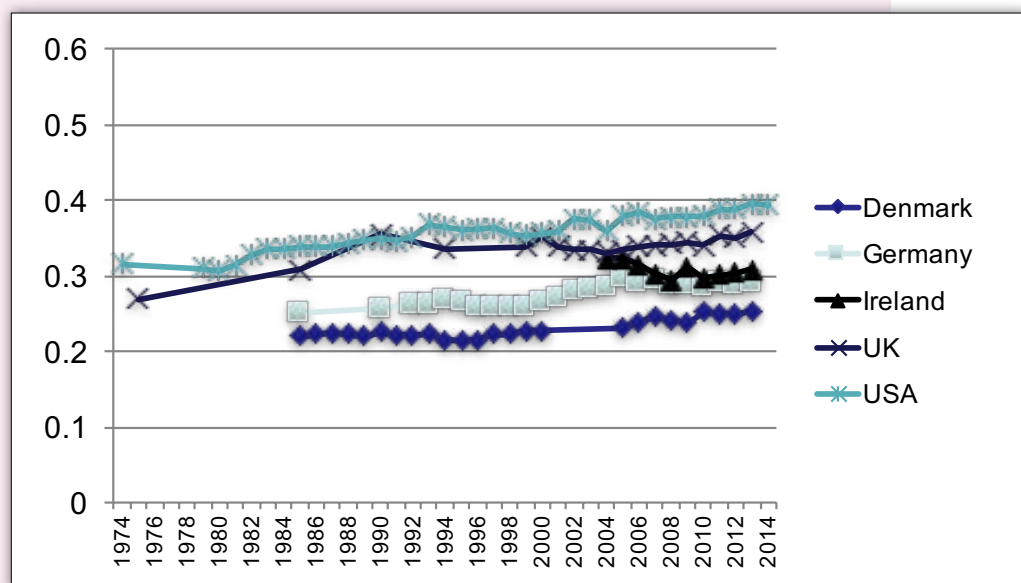
⬆️ Rise since 2016    ⬇️ Fall since 2016    ⬇️ No change since 2016

### 3. INCOME INEQUALITY

#### 3.1 Income Inequality in the UK

O'Connor (2017) notes how OECD countries vary considerably in the extent to which their markets generate inequality and in the extent to which their welfare systems counteract that inequality. Figure 74 shows the rise in income inequality in selected countries since the 1970s as measured by the Gini coefficient. The Gini coefficient is a widely used indicator of income inequality. It summarises inequality in a single number which takes values between 0 and 100 per cent. A higher value indicates greater inequality.

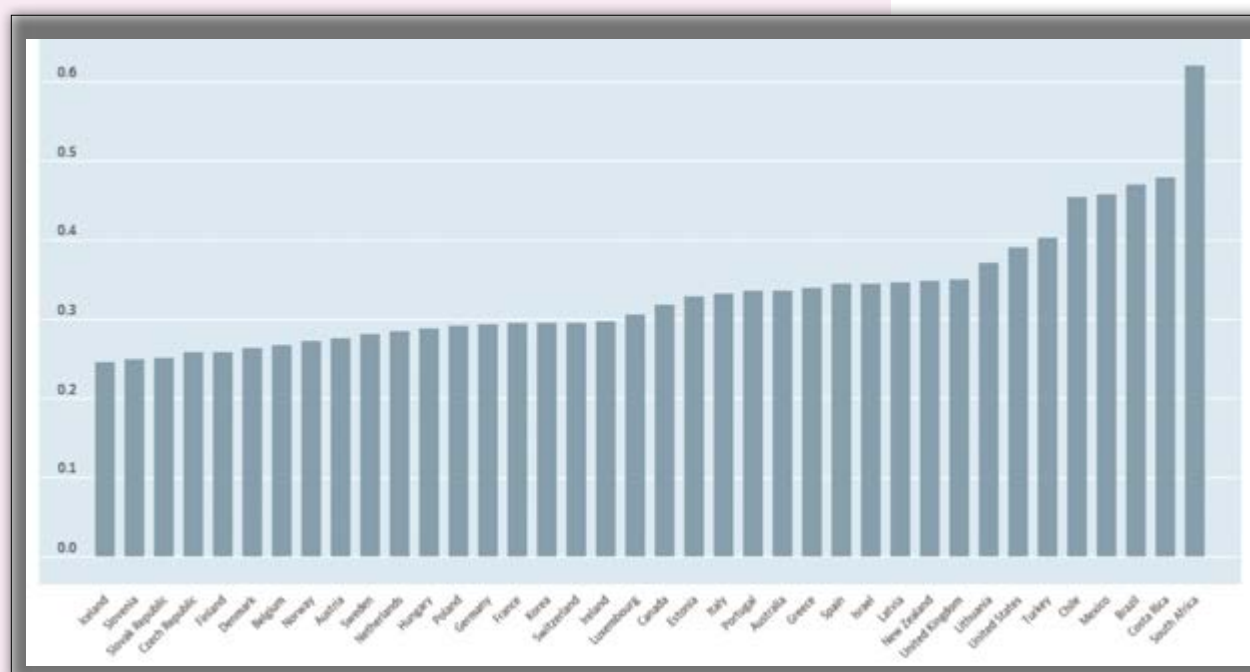
Figure 74: Gini Coefficient 1974-2014, selected OECD countries



Source: O'Connor, 2017

The UK has among the highest levels of income inequality in the OECD as measured by the Gini coefficient (Figure 75) (OECD, 2018). With a coefficient of 35 (compared to that of Iceland at 25, the most equal country) the UK is in the top nine most unequal countries.

Figure 75: Income Inequality OECD Countries

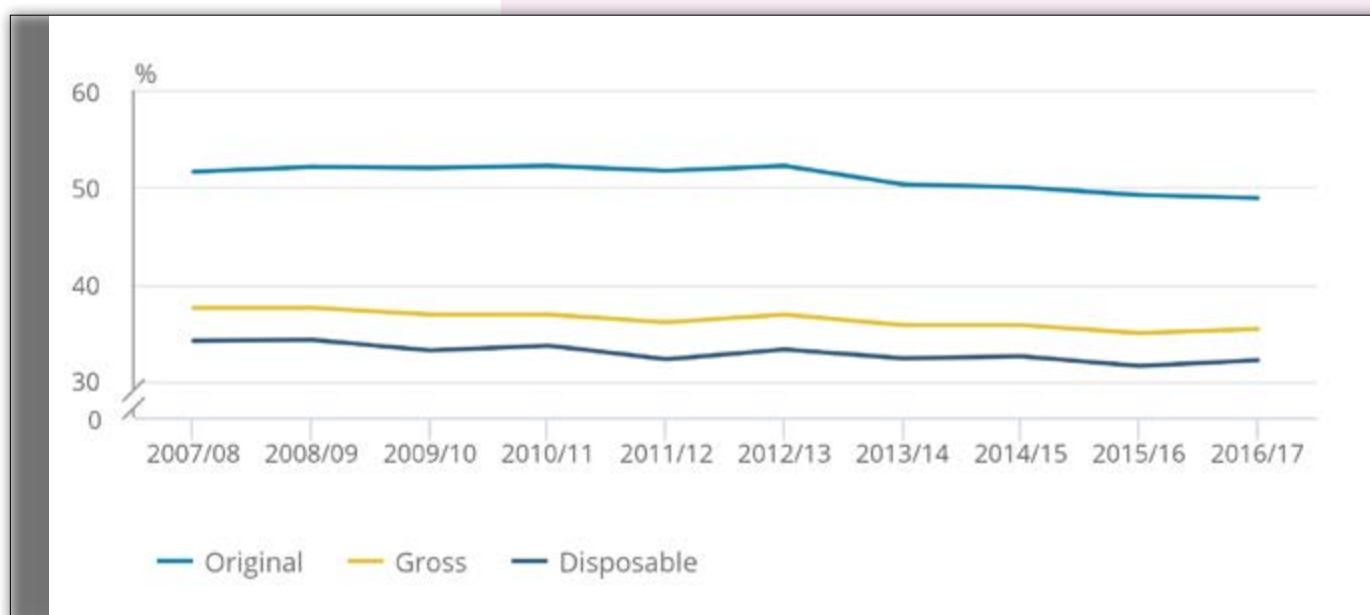


Source: O'Connor, 2017

The welfare state makes income inequality significantly lower, however the UK remains the most unequal EU country according to the OECD analysis.

While statistics (ONS 2018a) point to a small decline in income inequality in the UK in the last 10 years, this has not been sufficient to offset the substantial increase in inequality between 1978 and 1991 (Figure 76). Inequality in the financial year 2017 at 32.2 per cent, based on the Living Costs and Food Survey, is similar to the 2016 figure of 31.6 per cent. Notably, the data also shows the effects of cash benefits and taxes - inequality of original income as measured by the Gini coefficient was 48.9 per cent but reduces to 32.2 per cent for disposable income when the effects of cash benefits and taxes are factored in.

**Figure 76: Gini coefficients for original, gross and disposable income using the Living Costs and Food Survey, financial year ending 2008 to financial year ending 2017**



Source: Office for National Statistics (2018a)

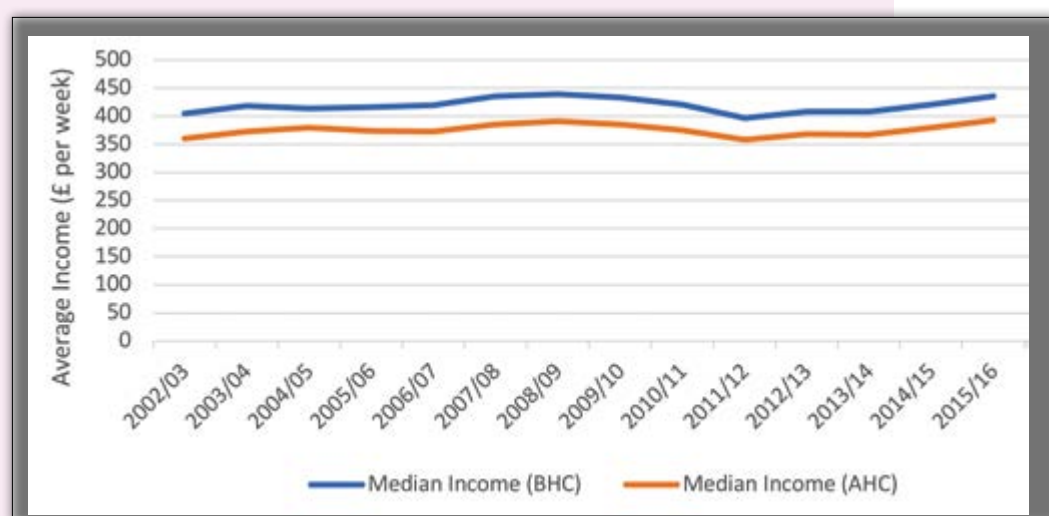
Another way of looking at inequality is to compare incomes at different points along the income distribution. The P90/P10 ratio compares the 90th percentile of the income distribution (the point at which 90 per cent of individuals have a lower household income and 10 per cent have a higher income) with the 10th percentile (10 per cent have a lower household income, 90 per cent a higher income). In 2016/17 in the UK, a person at the 90th percentile of the income distribution (a relatively high income) had an income 3.9 times higher than someone at the 10th percentile (a relatively low income) before housing costs (McGuinness, 2018). If the share of all income going to different groups is examined, data for 2016/17 shows that 41 per cent of total disposable household income (before housing costs) in the UK went to the 20 per cent of individuals with the highest household incomes, while 8 per cent went to the bottom 20 per cent (based on the Family Resources Survey).

Household incomes are also affected by direct and indirect taxes and benefits (in cash and kind). ONS (2018b) analysis shows that in the financial year ending 2017, the average income of the richest fifth of households before taxes and benefits was £88,800 per year; for the poorest fifth it was £7,400. The poorest fifth of households paid the most, as a proportion of their disposable income, on indirect taxes – 29.7 per cent compared with 14.6 per cent paid by the richest fifth of households. The average value of indirect taxes paid by the poorest 50 per cent of households was estimated to have increased by £350 between the financial year 2016 and 2017 after accounting for the effects of inflation, mainly due to growth in the average amount of Value Added Tax and intermediate taxes that households paid.

## 3.2 Income differentials in Northern Ireland

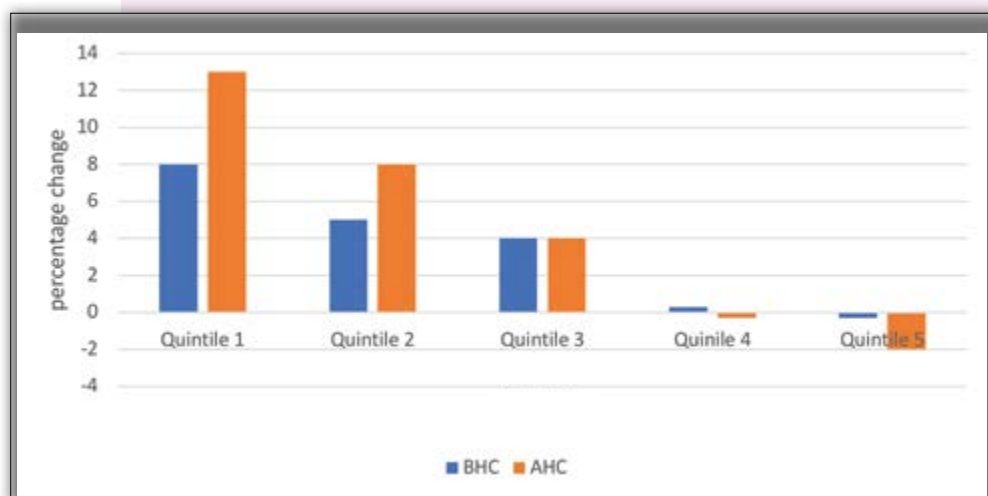
Assessing the proportion of households living on 60 per cent of the median income is used to measure inequality of income in NI. The Households below Average Income (HBAI) report published by the Department for Communities annually presents information on living standards in NI based on household income measures. There has been some rise in household incomes in NI since 2011/12 following a substantial fall linked to the economic recession from 2008. The 2017 report indicates that median real terms household income before housing costs (BHC) increased by 4 per cent between 2014/15 and 2015/16 to £436 per week (£22,800 per year). The after housing costs (AHC) income also increased by 4 per cent (Figure 77). Figure 78 shows changes in real terms income by quintile. As has been the pattern, NI income levels remain lower than in the UK as a whole (year 2015/16). Almost three fifths of individuals in NI have a household income below the UK median income of £481 per week. Over the same year household incomes in NI increased at a higher rate than the UK average – 4 percentage points compared to 1.

**Figure 77: Equivalised weekly household income**



Source: Department for Communities (2017) BHC Before Housing Costs. AHC After Housing Costs.

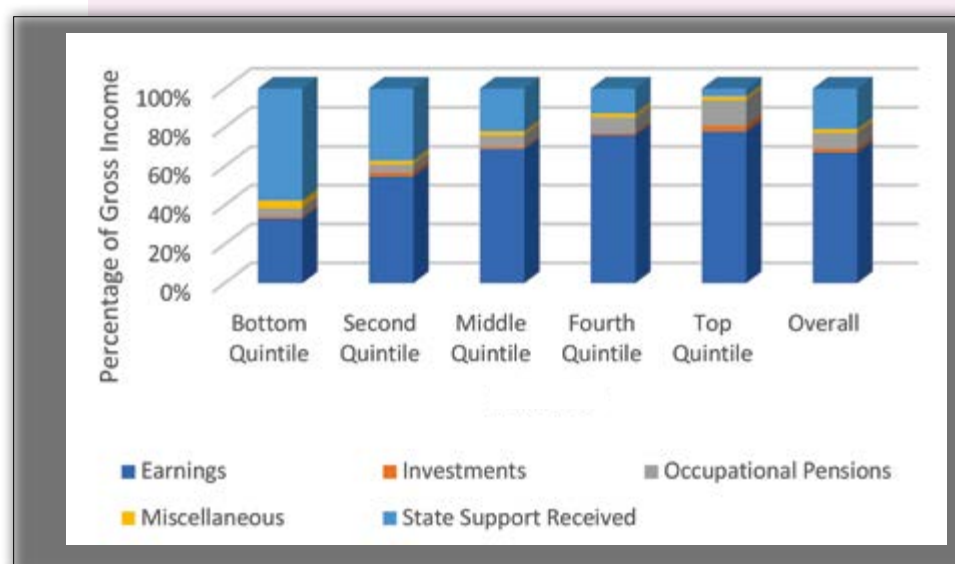
Figure 78: Changes in real terms income by quintile, 2014/15 to 2015/16, NI



Source: Department for Communities (2017)

There are two main income sources that make up the majority of household income in NI - earnings and state support which together account for approximately 88 per cent of combined income. Figure 79 below shows the proportion of each income source that makes up the overall gross household income, divided into quintiles. Only a very small proportion of NI households derive income from investments.

Figure 79: Income sources as a proportion of gross income (BHC) by Quintile (2015/16)



Source: Department for Communities (2017)

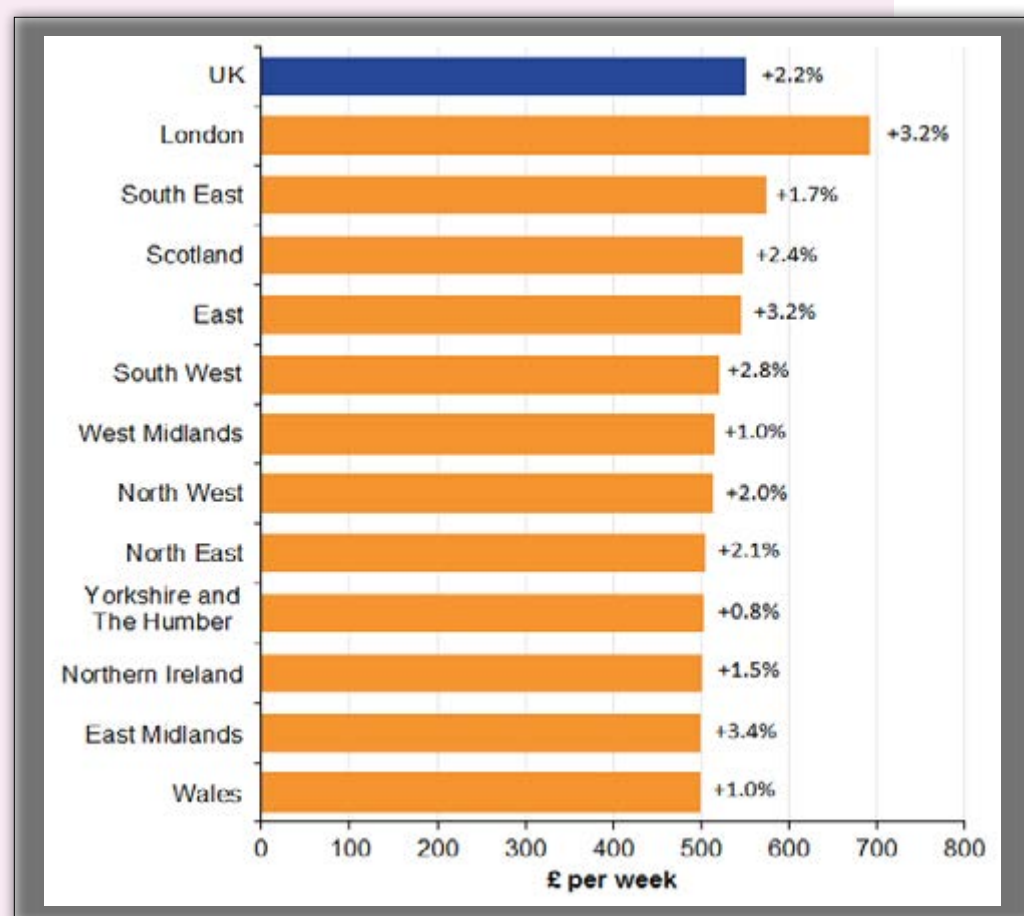


Households living on lower incomes are less likely to have savings. Data published by the Financial Conduct Authority (2018) reported that fewer people in NI had a savings account than elsewhere in the UK (52 per cent compared to 59 per cent) and 12 per cent of people in NI had no savings or investments. In 2015/16, 5 per cent of households in NI were in debt (defined by the Family Resources Survey as being behind with any household bill or credit commitment) but this rises to 11 per cent of households in the poorest fifth of the population, compared with less than 1 per cent in the richest fifth (Barnard, 2018)

### 3.3 Earnings

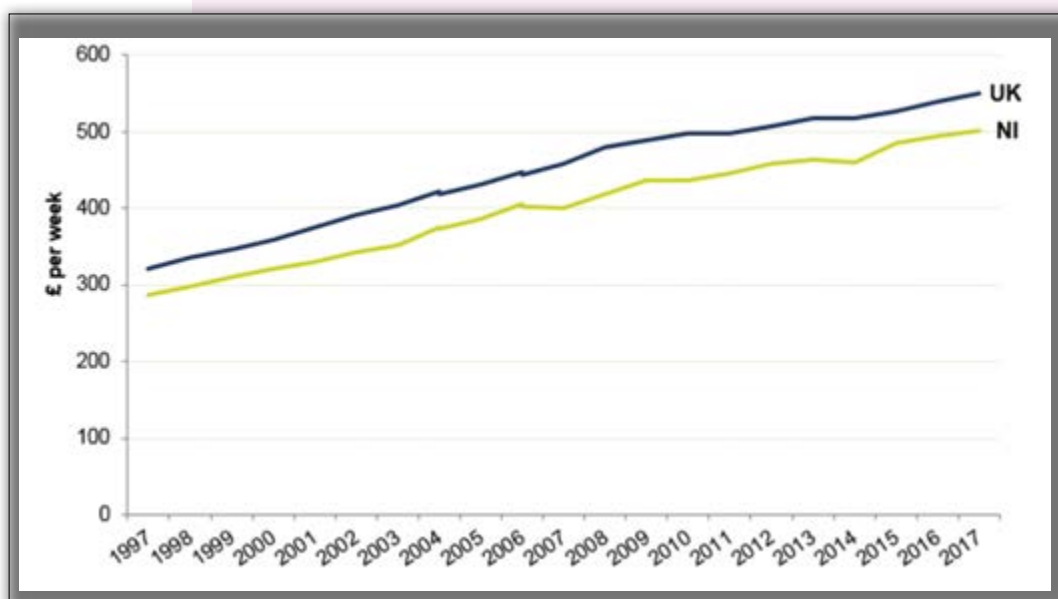
Average earnings in NI are lower than in the UK generally. The Annual Survey of Hours and Earnings at April 2017 puts median gross weekly earnings at £501 compared to a UK median of £550. NI is the third lowest of the 12 UK regions (Figure 80) and while this represents an improvement on the 2016 ranking it continues a trend in much lower earnings in NI (Figure 81). In the Republic of Ireland the Earnings, Hours and Employment Costs Survey puts average weekly earnings at 723 Euro.

**Figure 80: Median full-time gross weekly earnings and percentage change from previous year, by region, UK, April 2017**



Source: Office of National Statistics

Figure 81: Median gross weekly earnings for full-time employees in NI and the UK, April 1997 to 2017



Source: Northern Ireland Annual Survey of Hours and Earnings (2017)

As shown in Figure 82 (Cribb et al, 2018), employees in NI along with those in the Midlands and the North of England are more likely to be in the bottom 20 per cent of the wage distribution.

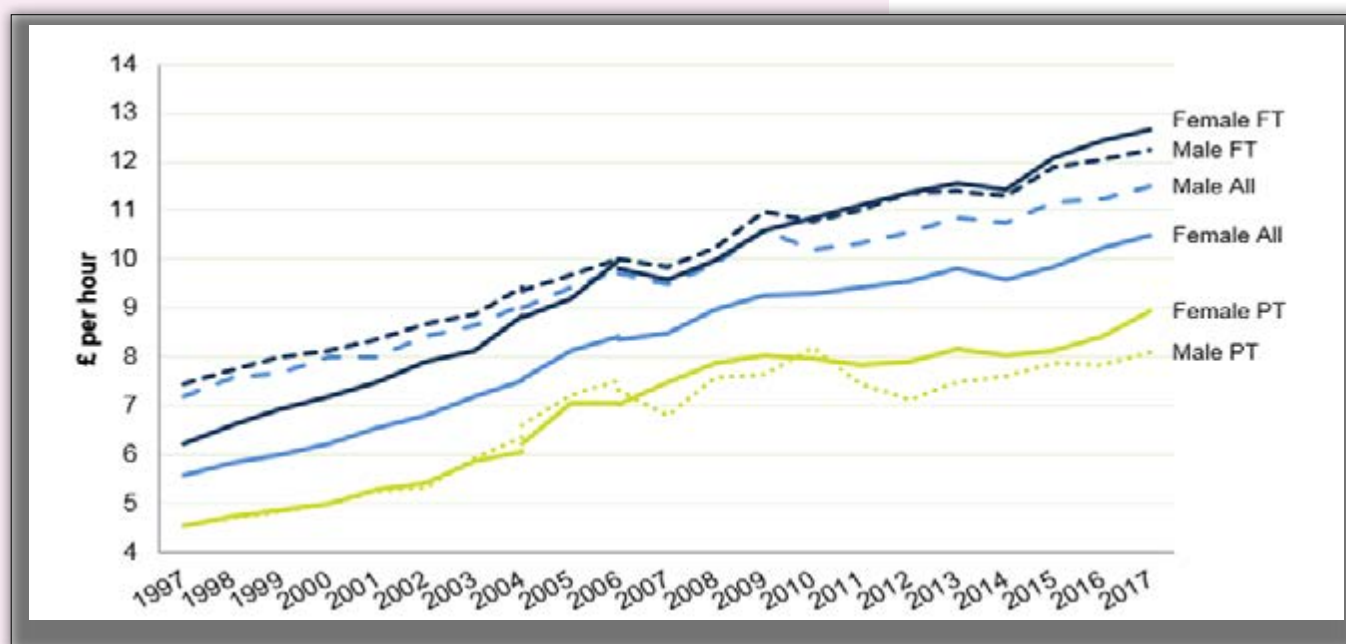
Figure 82: Fraction of employees aged 25+ in the bottom wage quintile in 2016-17, by region and nation of the UK



Source: Cribb et al (2018)

There is a more positive picture with regard to the gender pay gap for full-time workers with earnings for females 3.4 per cent greater than those for full-time males. There has been an upward trend in the full-time hourly rate for females which is not reflected in the UK as a whole, with male full-time workers earning 10 per cent more on average than females. The highest increase in real average weekly earnings for all full-time employee women since 2008 has been in NI (Powell, 2018) and the higher male hourly earnings (£1 more than for females) for all employees (full-time and part-time) is primarily due to a higher proportion of males working full-time (Figure 83).

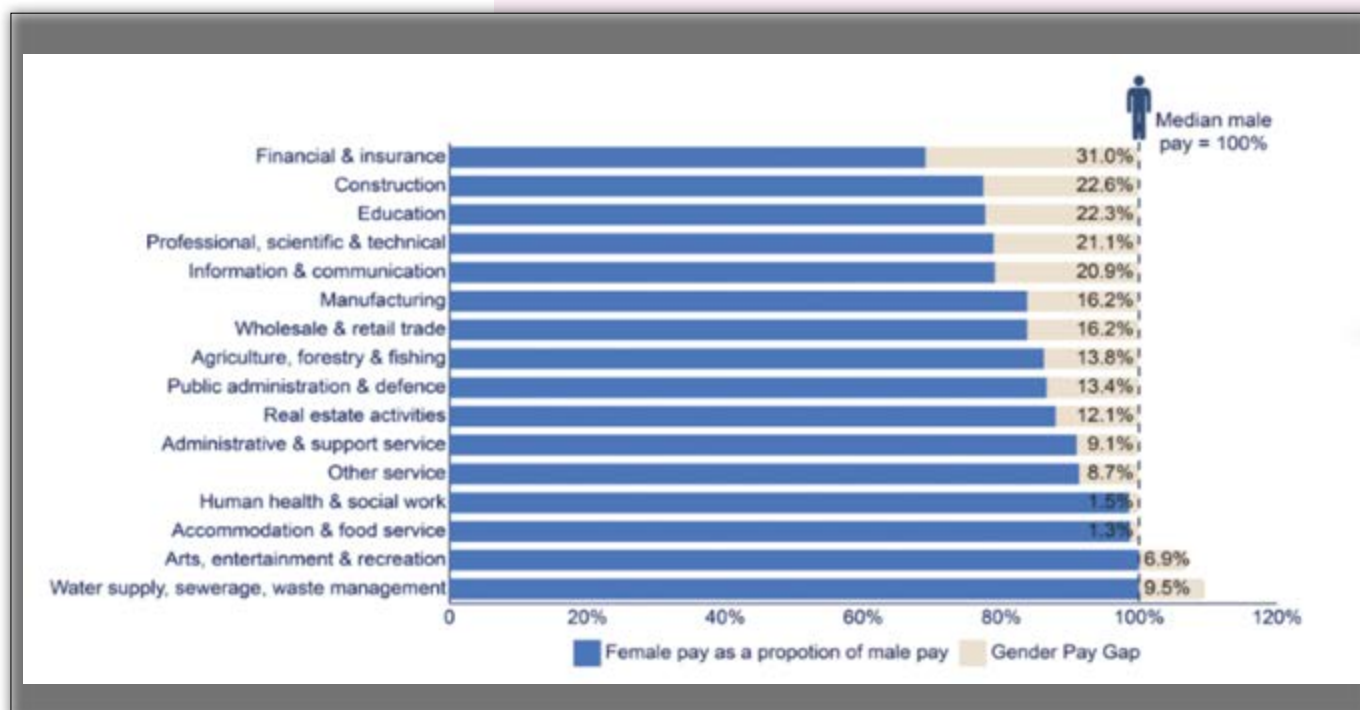
**Figure 83: Median gross hourly earnings excluding overtime by gender in NI, April 1997 to 2017**



Source: Northern Ireland Annual Survey of Hours and Earnings (2017)

While the overall gap between male and female pay is narrowing in NI there are still inequalities. In particular, the gap between male and female earnings in specific occupations shows considerable variations. Analysis by the NI Assembly Research and Information Service (Scholes and Stennett, 2018) shows the gender pay gap to be much greater in the private sector (10.5 per cent) than the public sector (3.4 per cent) and that there is variation in the gender pay gap between industry sectors and in specific types of occupation (see Figure 84).

Figure 84: Variation in the Gender Pay Gap across standard occupational classifications using median hourly earnings (excluding overtime) for 2017



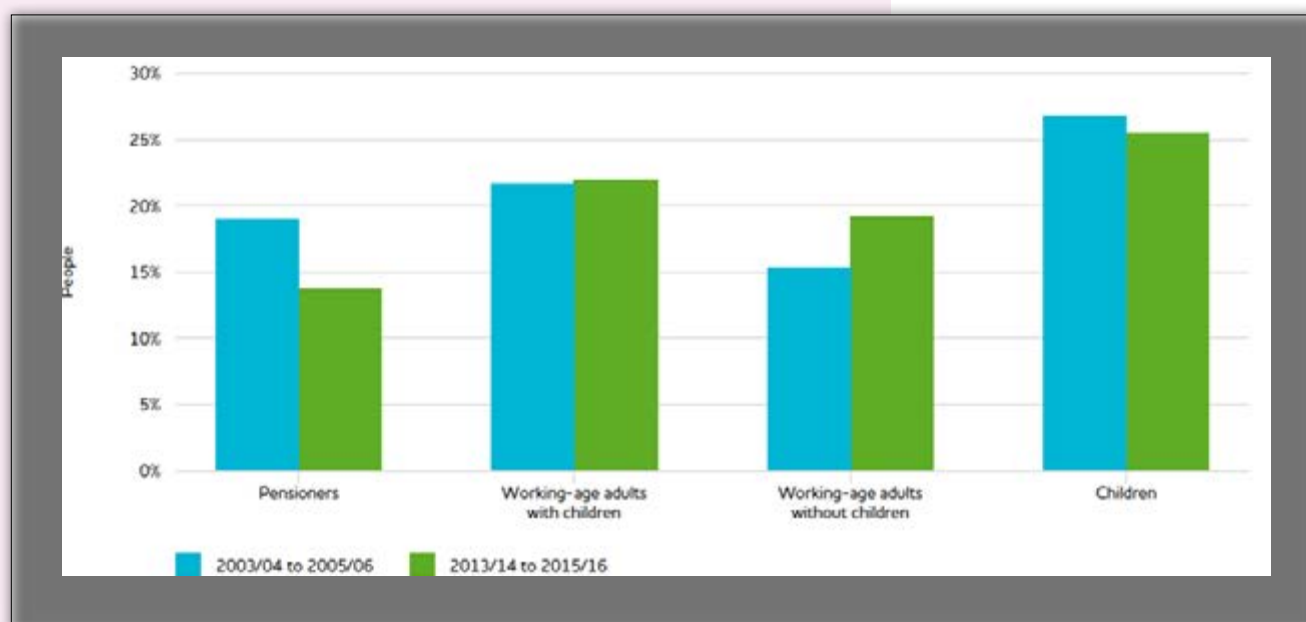
Source: Scholes and Stennett (2018)

Women earn less than men in all of the nine occupation groups but the pay gap is widest for skilled trades, also the group with the smallest number of females employed (1 per cent). In the highest paid occupations men earn 10.8 per cent more than women. This may go some way in explaining the overall Gender Pay Gap as the higher paid will have a greater impact on the overall median earnings figures. Overall, wages in NI are lower relative to the UK and are a contributing factor to poverty rates.

## 4. POVERTY RATES

It is worth starting this section with something of a health warning as the Institute for Fiscal Studies reports that NI is likely to see sharply increased rates of poverty, especially child poverty, as welfare 'reforms' are implemented here (Hood and Walters, 2017). Recent figures published by the Joseph Rowntree Foundation show that 370,000 people in NI live in poverty and that poverty rates, at about one in five of the population, have changed little in NI over the past decade (Barnard, 2018). Rates vary between different groups with the highest rate of poverty among families with children and the lowest among pensioners. Reflecting the wider UK pattern in terms of working age adults living in poverty there has been an increase in the number of working-age adults without children in NI in poverty (Figure 85).

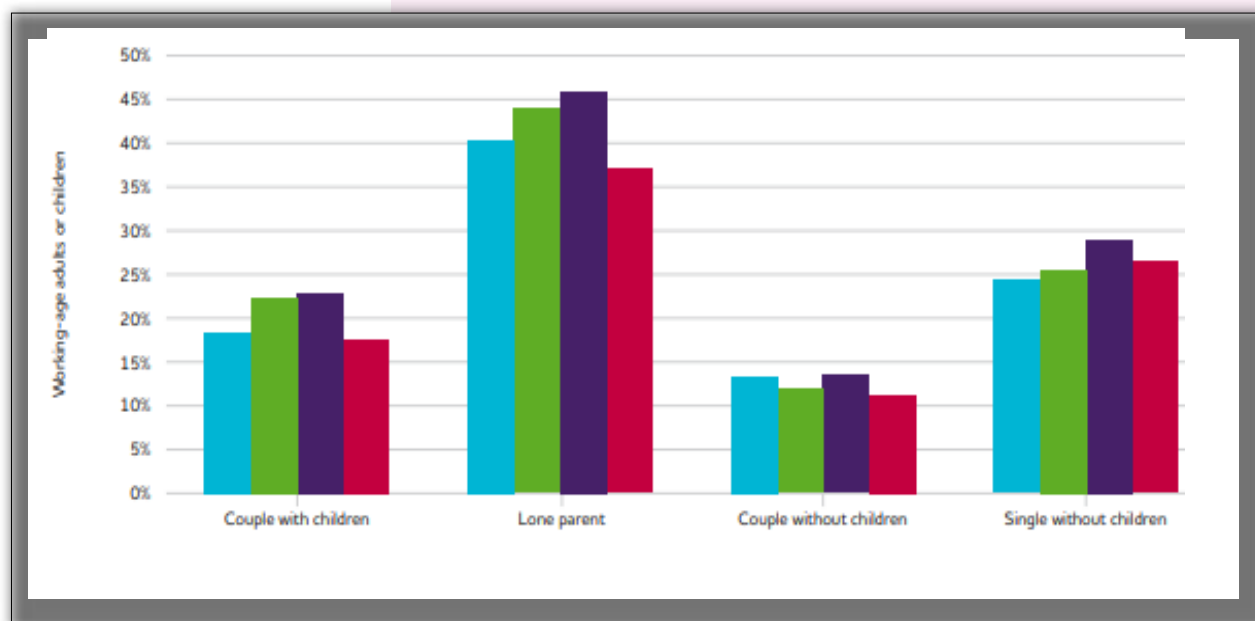
**Figure 85: Proportion of people living in relative poverty (AHC) in NI, by household type**



Source: Barnard (2018)

Trends in the decade up to 2016 show little change in the poverty rate for couples with children; couples without children had the lowest poverty rates, although these have increased in NI, from 10 per cent in 2003/06 to 13 per cent in 2013/16 with a rise in poverty rates among single people without children from 20 per cent in 2003/06, to 24 per cent in 2013/16 (Figure 86).

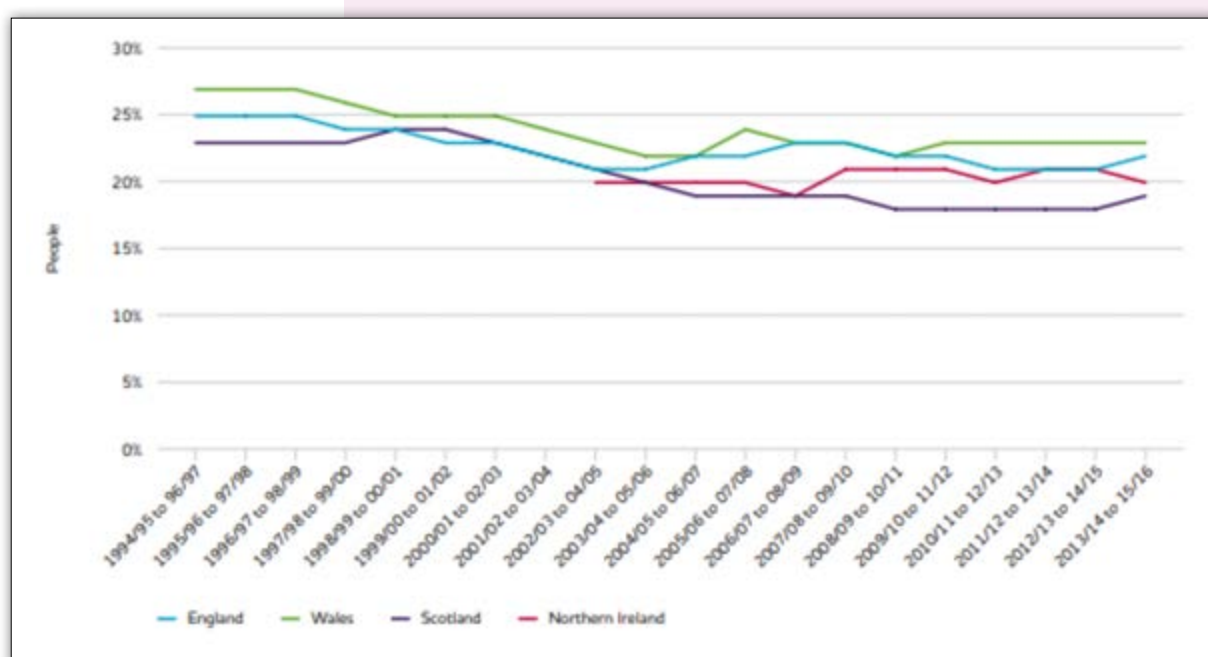
Figure 86: Proportion of working-age adults living in relative income poverty (AHC) in 2013/14-2015/16 by family type, England, Wales, Scotland and Northern Ireland



Source: Barnard (2018)

When compared to the rest of the UK the poverty rate in NI is slightly lower than England and Wales but higher than Scotland (Figure 87). However, in the years reported on here, some of the cuts contained in the 2012 Welfare Reform Act will not have been implemented yet in NI but will have come into effect in England, Wales and Scotland.

Figure 87: Poverty rates in the UK



Source: Barnard (2018)

**Figure 88: Children in poverty (%) after housing costs (AFC) by Northern Ireland Parliamentary Constituency**

Constituency	Percentage of Children in Poverty (AFC)
Foyle	34.38
Belfast West	33.91
Belfast North	32.50
East L'Derry	27.86
Newry and Armagh	27.84
West Tyrone	27.77
Mid Ulster	25.07
Fermanagh	24.27
South Down	24.26
North Antrim	23.41
Upper Bann	23.06
Strangford	21.94
Belfast East	21.90
East Antrim	21.77
Belfast South	20.74
South Antrim	18.70
North Down	18.30
Lagan Valley	17.67

Source: Valadez- Martinez and Hirsh (2018)

As in the UK overall, child poverty in NI has remained at a similar level over the last 10 years at 27 per cent in 2003/06 and 25 per cent in 2013/16. The rate is lower than in England or Wales and similar to Scotland (23 per cent) (Barnard, 2018). Figures compiled by Valadez-Martinez and Hirsh (2018), and published by the End Child Poverty Coalition, show that in NI, Foyle, West Belfast and North Belfast experience the highest levels of child poverty with the lowest levels in Lagan Valley, North Down and South Antrim (Figure 88). Overall rates mask very high levels of poverty in wards within some constituencies where the rate was close to or over 50 per cent including in the University Ward in East L'Derry Constituency (52.10 per cent); Colin Glen in West Belfast (49.19 per cent); Brandywell in Foyle (48.9 per cent) and Crumlin in North Belfast (47.09 per cent).

Throughout the last ten years the group with the highest poverty in NI is lone parents. In 2013/16 40 per cent of lone parents were living in poverty; the figure in 2003/06 was 44 per cent (Barnard, 2018). While poverty in lone parent families had fallen since the highs of 20 years ago, and despite the increasing number of lone parents in work, recent years have seen increasing pressures on the income of lone parents in the UK. Lone parents have been the hardest hit household type by changes introduced as a result of welfare reforms and, on average, they are set to lose over 7 per cent of their annual income by 2020 due to further reforms implemented under the 2015-2017 government (Portes and Reed, 2017). Changes being rolled out in NI are projected to impact even more negatively on lone parents here (discussed under 'Welfare Reform' below).

## 5. HOUSING

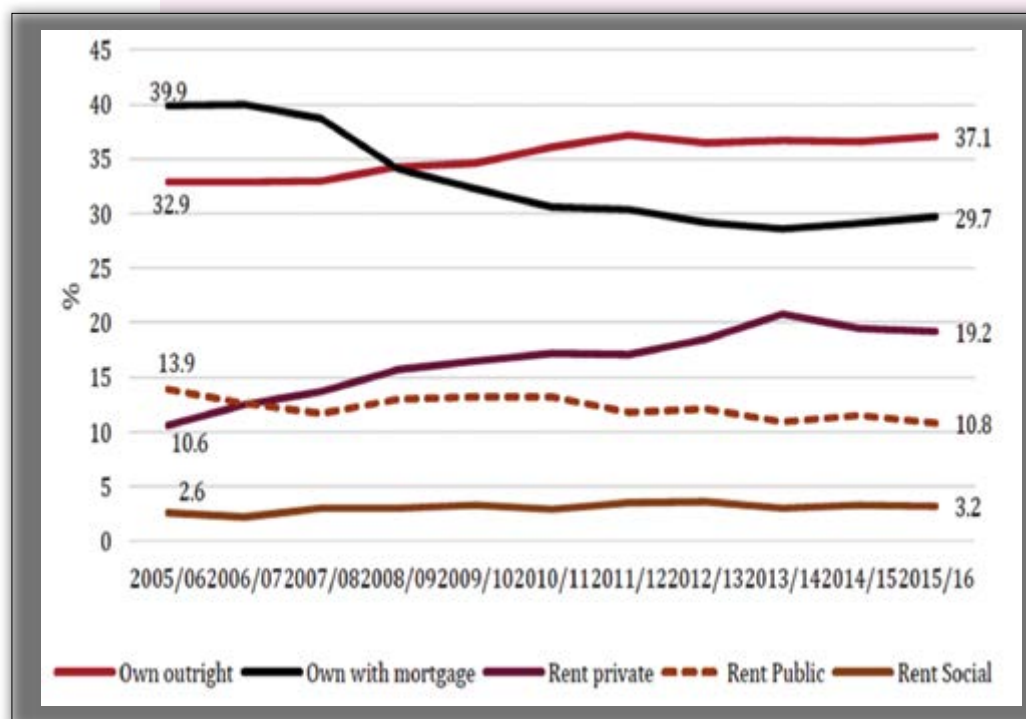
While housing was somewhat neglected as a social policy issue in recent decades, economic disadvantage and inequality in the housing market have become the focus of much contemporary housing analysis, not least because of the Grenfell tower disaster (Hodkinson, 2018). Poor housing outcomes are fundamentally associated with income and wealth inequality.

Studies have shown that tenure matters and that social housing is the safest tenure for more vulnerable households due to more secure tenancies and more affordable rents (Tunstall et al, 2013). In NI, as in the Republic of Ireland and Britain, housing tenure has changed dramatically over the last number of years (Figure 89) with a substantial increase in private renting and outright ownership and a sharp drop in the social housing sector (NIHE and Housing Association properties) (Mac Flynn and Wilson, 2018; Wallace, 2015).

In the past two years up to 2017 private housing development has been roughly 2.5 times that of NIHE or housing association housing output (NISRA, 2017).



Figure 89: Housing Tenure Northern Ireland 2005/06-2015/16



Source: Mac Flynn and Wilson, 2018

The global financial crisis from 2008 had been preceded by a period of extraordinary growth and rising prices in the private sector housing market. From then it entered a prolonged decline with a 54.7 per cent fall in house prices between 2007 and 2013 (Wallace et al., 2014). The impact of this continues with a significant number of mortgaged households in NI in negative equity - over three times more mortgaged households were in negative equity (11 per cent) compared to the UK average of 3 per cent. An analysis of home ownership and poverty for the Joseph Rowntree Foundation (Wallace et al, 2018) found that across the UK, those with an increased risk of being in poverty included households who were in semi-routine or routine employment, were self-employed, had a minority ethnic background, were young, single, a lone parent, overcrowded, or had experienced relationship breakdown. In many respects the picture in NI was similar to that in the rest of the UK but the main drivers of the higher poverty rate in NI were: a greater proportion of self employed home owners; fewer home-owners in professional occupations; and, at the time of the study, a higher rate of unemployment. NI had the third highest rate of mortgaged households paying over 25 per cent of their net income on housing costs among all regions of the UK (30 per cent), with only London and the south of England paying more. In the decade from 2005/06 to 2015/16 the number of people renting their homes from private landlords almost doubled from 10 per cent to 19.2 per cent. At the same time there was a fall in the number of people renting from the NIHE which declined from 13.9 per cent in 2005/06 to 10.8 per cent in 2015/16. Figure 90 illustrates how the increase in private renting has been particularly high among those in lower age groups (18-34 and 34-49) and while homeownership has declined for all age groups this is most evident in the 18-34 group.



Figure 90: Age cohorts by housing tenure in Northern Ireland, 2005/06 – 2015/16 (%)

Tenure Type	Year	18-34	34-49	50-64	65+
Rented from NIHE	05/06	13.1	13.1	13.3	16.4
	15/16	10.4	10.1	11.4	11.2
Rented from HA	05/06	1.9	1.5	1.3	6.1
	15/16	4.7	2	2.7	3.9
Rented private	05/06	27.6	6.8	5.4	7
	15/16	50.2	19.9	7.8	6.6
Owned outright	05/06	7.8	15.2	43.6	68
	15/16	3.3	12.8	51.5	75.6
Owned with mortgage	05/06	49.6	63.5	36.4	2.6
	15/16	31.4	55.1	26.6	2.7

Source: Mac Flynn and Wilson (2018)

Recent work by Mac Flynn and Wilson (2018) provides new analysis on the affordability of housing in NI and the impact of housing costs on living standards. They found that when measured against the other regions of the UK housing costs in NI compare quite favourably. For those in rental tenures NI is the most affordable UK region. NI mortgage repayments as a percentage of a mortgage owner's income are also comparatively low. Lower housing costs than the rest of the UK may explain some of the lower child poverty in NI. However, it is also clear that while affordability may not be an issue for the population as a whole, for particular groups housing costs are impacting significantly on their living standards. This is particularly the case for low-income households in the private rented sector, who have high housing costs and also a high risk of poverty. One in ten households in NI spend more than 40 per cent of their net household income on housing costs and these are most likely to be those in the private rented sector as shown (Figure 91). The housing costs associated with private renting have also been found to increase the relative rate of poverty more substantially for women than men (Wallace, 2015).

Figure 91: Percentage of household income spent on housing costs

	All tenures*	Social rent	Private rent	Mortgage
< 25%	67.9	57.7	61.3	79.2
> 25%	32.1	42.3	38.7	20.8
40% >	9.5	10.5	13.8	5.4

Source: Mac Flynn and Wilson (2018)

A number of important points emerge from Mac Flynn and Wilson's (2018) study. They conclude that while the evidence suggests that risk of poverty after housing costs (AHC) in the social rented sector is being driven by the lower incomes of those in this sector, poverty AHC in the private rented sector is affected more by the higher housing costs faced by those in this sector with the lowest incomes. Despite having the same median household income those with the lowest incomes in the social rented sector have a significantly lower risk of poverty after housing costs than those in the private rented sector; for those with low income significantly higher housing costs in the private rented sector exacerbates the risk of poverty. As the authors identify, this is concerning in the context of the 'residualisation' of the social rented sector, and the increasing reliance on the private rented sector by those with low incomes.

Housing segregation is central to any analysis of housing in NI and related policies and discussions about provision, demand and waiting lists and these issues are discussed in Dimension Four.

## 6. WELFARE REFORM

Social Security is a devolved matter but the scope for divergence is reduced by the dependence on financial subvention from the Westminster Government, although there has been some variance with regard to regulations (McKeever, 2017). Earlier welfare reform legislation, replicating legislation at Westminster, had been passed by the Assembly but there was more substantial political disagreement regarding whether the 2012 Welfare Reform Act should be implemented in NI. The inability of the parties to reach consensus eventually led to an agreement that the Westminster government would temporarily assume responsibility for welfare reform and the Welfare Reform (NI) Order 2015 was passed. The reforms set out in the 2012 Act were underpinned by a strong rights and responsibilities agenda, with an increase in conditionality. The intention was that more people would be encouraged into work through better financial incentives and a more simplified system. The legislation provided for the introduction of major changes to the social security system including: the introduction of Universal Credit, a new benefit which would replace six existing benefits and tax credits, including in-work tax credits; a new disability benefit, the Personal Independence Payment to replace Disability Living Allowance; and a Benefit Cap. In April 2017, new rules came into force limiting the child element of Child Tax Credit and Universal Credit awards to two children.

All of the devolved jurisdictions in the UK took steps to mitigate the welfare reform measures. In NI, these included a system of supplementary payments for those experiencing financial disadvantage as a result of some of the changes. These mitigations are based on the recommendations of a working group led by Professor Eileen Evason and are only in place until March 2020 (Evason, 2016).

Evidence suggests that the benefit reforms will suppress the income of low income households in NI in the coming years. Research published by The Institute for Fiscal Studies (Hood and Walters, 2017) has estimated that the freeze on social security benefits, whereby the value of most working age benefits are fixed in cash terms, has reduced the value of affected benefits by just 1 per cent between 2015/16 and 2017/18 but because of inflation, it expects a further real reduction of 5.7 per cent between 2017/18 and 2018/19, or a real value reduction of benefits of 6.7 per cent by 2019.

Hood and Waters (2017) using Office for Budget Responsibility data project an increase in UK child poverty figures of 4 percentage points, largely due to benefit reforms. Research on destitution in the UK (Fitzpatrick et al, 2018) has highlighted how benefit sanctions are a significant factor contributing to destitution. It also shows the particular vulnerabilities facing disabled and sick people. In the period April 2014-April 2015, 5,779 sanctions were imposed on people in receipt of Jobseekers Allowance in NI. There is evidence from Freedom of Information requests (PPR, 2018) that there have been sanctions imposed on people in NI receiving Employment and Support Allowance but no clear figures are available about how common these are.

Assessments of the impact of the welfare reforms in Britain where they have been in place for longer have identified considerable failings in the process of implementation. There is evidence of the reforms' inability to meet the underpinning objectives and of the negative impact on claimants and families. In England a report by the National Audit Office (2018) concluded that the welfare programme may end up costing more than the system it replaces and is unlikely to deliver value for money. It identifies consistent evidence of the difficulties and hardship experienced by claimants during the rollout of the reforms and raised doubts about positive impact on employment stating that it 'will never be able to measure whether Universal Credit actually leads to 200,000 more people in work because it cannot isolate the effect of Universal Credit from other economic factors in increasing employment' (para 16).

The potential for greater divergence in social security policy in the UK comes with the new powers devolved to Scotland in the Scotland Act (2016). A new legislative framework for the Scottish welfare system gives the Scottish Government power over a considerable degree of social security policy. Social security has been presented as a human right with seven principles underpinning the legislation. The Social Security (Scotland) Act received Royal Assent in June 2018, inaugurating a government agency which will administer 11 current benefits. The legislation also contains a commitment that the private sector will not carry out disability assessments.

The implementation of welfare reform is now underway in NI with Universal Credit scheduled to be rolled out fully by December 2018. In the absence of an Assembly there is no political scrutiny of the impact of welfare reforms or planning for the end of the current mitigation measures. A Department for Communities commissioned independent review of the Personal Independence Payment assessment process (Radar, 2018) found that the issues raised in NI were similar to those raised in GB. It reported a fragmented process which impacts negatively on both claimants and those who seek to support them and concluded that the assessment process does not have the confidence and trust of claimants. The NI Audit Office is due to publish an overview of welfare reform in Autumn 2018 which will include analysis of impacts and risks and an assessment of the mitigation measures.

As noted by the Social Security Advisory Committee (SSAC) (2017) in its report on in-work progression and Universal Credit, the roll out of the welfare reform changes coincides with a dramatic growth in part-time and more 'flexible' patterns of working. In-work conditionality means that people who are in work and claiming Universal Credit (UC) can have conditions placed upon their UC including tailored work search and work preparation. The SSAC report also noted that opportunities for in-work progression are not just linked to personal behaviour or attitude, but are affected by a number of factors including local labour market conditions, level of educational attainment, infrastructure such as public transport and childcare provision and other family and caring related responsibilities.

Projections by the Institute for Fiscal Studies (Cribb et al, 2018) show income inequality in the UK increasing over the next four or five years, assuming no change in government policy. Forecast growth in real earnings is expected to mostly benefit higher-income households, since earnings make up a larger share of total income for these households. Cuts in the real value of working-age benefits are expected to reduce the real incomes of poorer households and housing costs are expected to increase for low income households as a consequence of rising rents. When the combined planned benefit cuts, and other effects, are taken into account the estimates suggest that the income of a household at the 10th percentile of the distribution will decrease by 7 per cent between 2015/16 and 2021/22, after adjusting for inflation.

## 7. EMPLOYMENT AND UNEMPLOYMENT

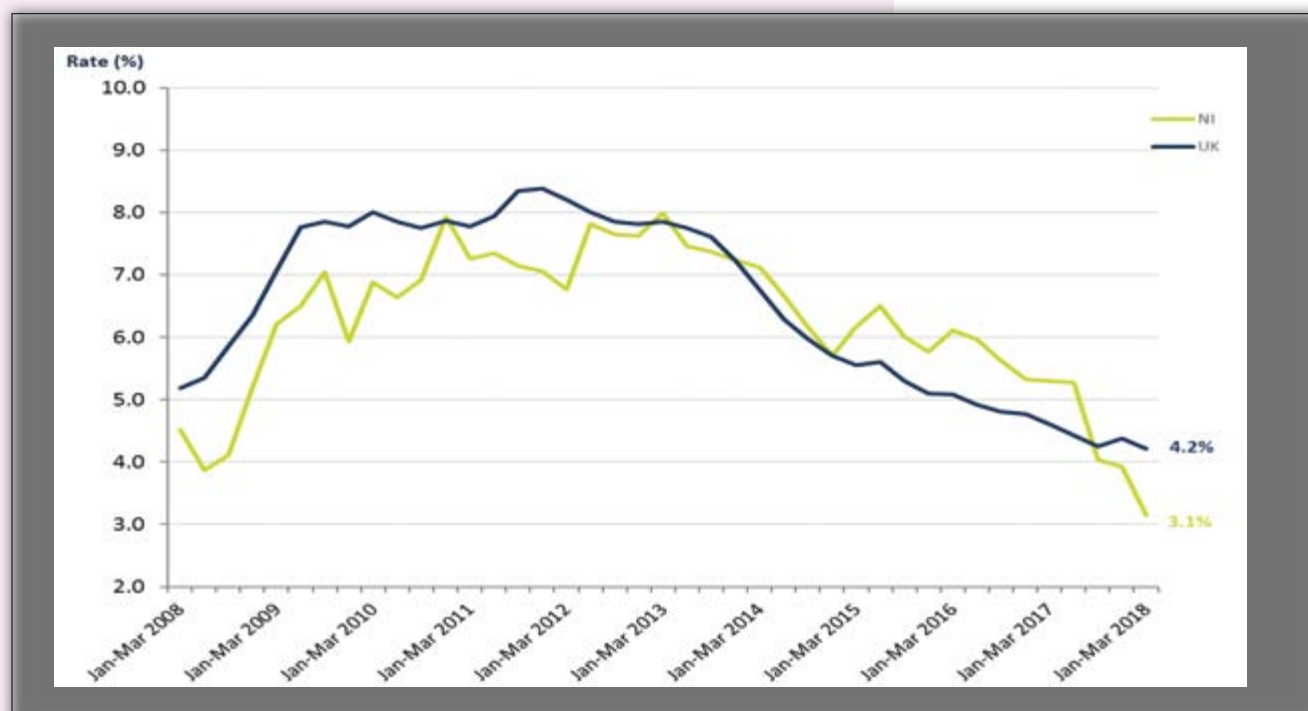
### 7.1 Unemployment

NI Labour Market statistics (NISRA, 2018) show that at May 2018 the NI unemployment rate was 3.5 per cent, a decrease of 1.8 percentage points on the previous year. This is the joint second lowest rate of the UK regions and compares favourably to a UK average rate of 4.2 per cent, an EU figure of 7.1 per cent and a rate of 5.9 per cent in the Republic of Ireland (NISRA, 2018). The long term unemployment rate (percentage of unemployed who have been unemployed for 1 year or more), historically high in NI, increased from 48.3 per cent (July 2017 Labour Force Survey) to 59 per cent over the year (Labour Force Survey, July 2018). The UK average rate is 27.1 per cent.

### 7.2 Employment

At 69.8 per cent, NI's employment rate is slightly higher than in the previous year and significantly above 2013 rates. Even so, it is below the UK average of 75.7 per cent and continues to be the lowest of the UK regions as shown in Figure 92. In almost every year since the 2008 recession the regions with the lowest employment rates have been NI and the North East of England (Powell, 2018).

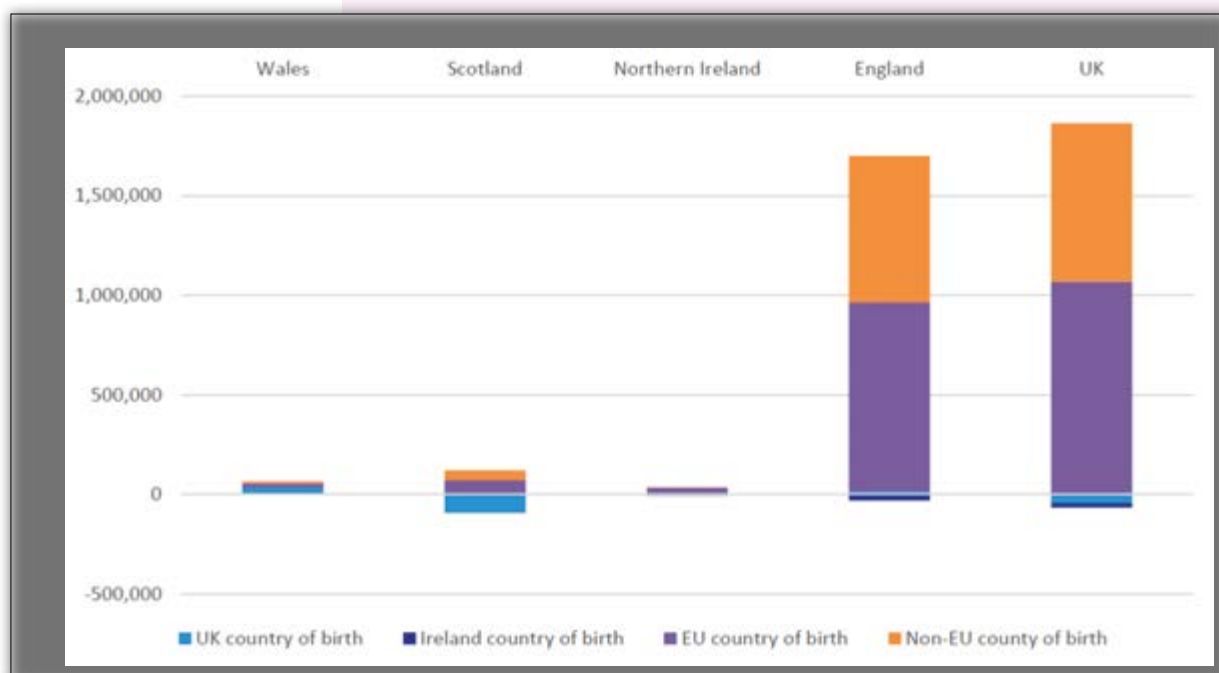
Figure 92: Employment rate (NI and UK) 2008-2018



Source: NISRA (2018)

In all the UK regions men have higher employment rates than women but the biggest gap is in NI with an employment rate of 72.3 per cent for men (increased by 0.6 percentage points over the year) and a rate for women of 67.1 per cent (increased by 2.1 percentage points over the year). Figures published by the Department for the Economy in March 2018 show that almost all of the economic growth between 2008 and 2016 was accounted for by migrant workers. As the report states (p.2) 'Uniquely within the UK and in comparison to England, Scotland and Wales, NI has been almost entirely reliant on employment from the EU (26) migrant for the growth in employment levels, particularly between 2013 and 2016'. Figure 93 shows components of change in employment and the contribution made by those with a different country of birth between 2008 and 2016.

Figure 93: Components of change in employment and the contribution made by those with a different country of birth between 2008 and 2016



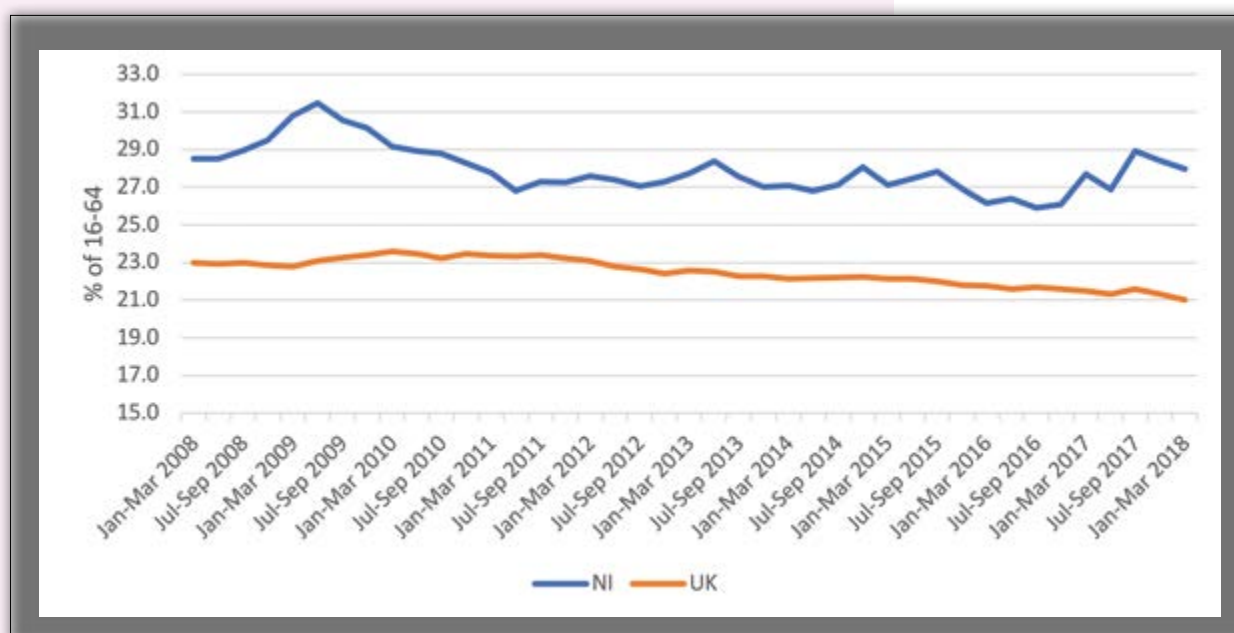
Source: Department for the Economy (2018)

This reliance on migrant workers is most obvious in the manufacturing of food products, waste collection, in residential care facilities and in food and beverages. The data shows that from 2004 workers from across the EU have been relied on to fill lower skilled and lower wage jobs.

## 7.3 Economic inactivity

NI has had a high level of economic inactivity over the past two decades. Economically inactive people, for the purpose of statistics, are defined as people who are neither in employment nor unemployed on the International Labour Organisation measure. It includes all those who are looking after a home, long term sick or disabled, students and retired people. With a NI rate of 27.5 per cent (July 2018) there is a gap of 7 percentage points between NI and the UK average rate (Figure 94) and the rate has been consistently higher than elsewhere in the UK over the last 30 years.

Figure 94: Seasonally adjusted economic inactivity rates (16-64), Jan-Mar 2008 to Jan-Mar 2018



Source: Labour Force Survey (May 2018)

Comprehensive analysis of economic inactivity in NI by Ulster University's Economic Policy Centre (Magill and McPeake, 2016) provides useful insight into the characteristics of the economically inactive population and long term trends. More women than men are defined as economically inactive (57 per cent of total) and those over 50 make up half of the economically inactive population. One third of the economically inactive group are people claiming long term sickness benefits. The second largest category are full-time students (26 per cent of total) with the next largest being people who are looking after their family and home. There is also a relatively small number of people who have retired before the age of 65. Importantly the Magill and McPeake (2016) analysis shows that if students are excluded the inactivity rate of the non-student population has increased since 2012 and actually widened the gap between NI and the UK.

Among the UK regions NI has the largest proportion of economically inactive people classed as long term sick or disabled. This has been a significant upward trend over the last 20 years. NI has the second highest recipient rate of sickness/ disability benefit recipients amongst advanced economies. Poverty and long term sickness and disability are closely linked. Families with at least one disabled member make up 33 per cent of those in poverty in the UK. A number of factors have been identified as contributing to high and growing levels of long term sickness and disability in NI including: the impact of benefit changes and tighter eligibility which it is argued resulted in people moving from Job Seeker's Allowance to sickness and disability benefits; the impact of structural labour market changes which has made it harder for some groups to enter and remain in work and the well documented difficulties experienced by disabled people seeking to obtain work. There has been an intense focus on reforming disability benefits and increasing work levels in recent decades but substantive improvements have often failed to



materialise. Even allowing for qualification levels it has been shown that disabled people face an employment penalty (MacInnes et al, 2014) and are more likely to be low paid if in work. In NI there has been a growing body of evidence on how rates of long term sickness and disability are related to the conflict. Tomlinson (2016: 118) based on analysis of Poverty and Social Exclusion Survey data suggests that there is clear evidence of the impact of years of violent conflict on the population of NI noting that 'Experience of conflict-related events, from witnessing violence to the loss of close friends and relatives, is imprinted on a 'Troubles cohort', an age group that were children and young people at the start of the worst of the violence and killing, though other age groups are also affected. High 'Troubles' experience more than doubles the risk of mental illness and self-reported poor health and long-standing illness or disability'. He argues that we should not therefore be surprised to find the conflict imprinted on the benefits system in the form of high rates of sickness and disability benefit receipt.

There is no evidence at a UK level that long term sick and disability employment rates are improved by reducing the level of benefits, tightening eligibility or stronger activation policies. The issues are complex and need to be analysed in the context of continuing limited labour market opportunities. There is some evidence that specialist work support programmes can help and of the critical role of employers (MacInnes et al, 2014).

In recent decades there has been a big change in the number of people who are economically inactive because they are looking after family/home in NI – dropping from a rate of 18 per cent in 1981 to 6 per cent in 2015. This is largely due to the increase in the number of women in paid work. Yet, it continues to be the case that one of the reasons for the higher inactivity rate amongst the female working age population is the much higher proportion of women who are 'looking after the family/home' – 12 per cent of working age females compared to just 1 per cent of working age males. The extent to which this is a 'choice' needs to be considered in the context of local labour market conditions and infrastructure supporting women's ability to enter and remain in employment including childcare and public transport. For example, NI remains the only region of the UK not to have a childcare strategy. Of relevance here also is the general lack of progress with regards to women's equality including the absence of a Gender Equality Strategy, pay and occupational segregation.

NI has also seen an upward trend in the under 24 economic inactivity rate (when full-time students are excluded). In 2015/16 there was a sharp increase in the number of people in this age group categorized as economically inactive because they were looking after family/home. Within the UK and Ireland, we also have the highest number of young people not in employment, education or training which at 21 per cent is double the 2006 rate. There is a strong link between low educational achievement and economic inactivity levels. Only 11 per cent of young people with a tertiary level qualification are not in employment, education or training while the figure for those qualified to lower secondary level or below is 33 per cent. As discussed in a subsequent section of this chapter, there are significant challenges with regards to educational outcomes in NI for some groups of young people.

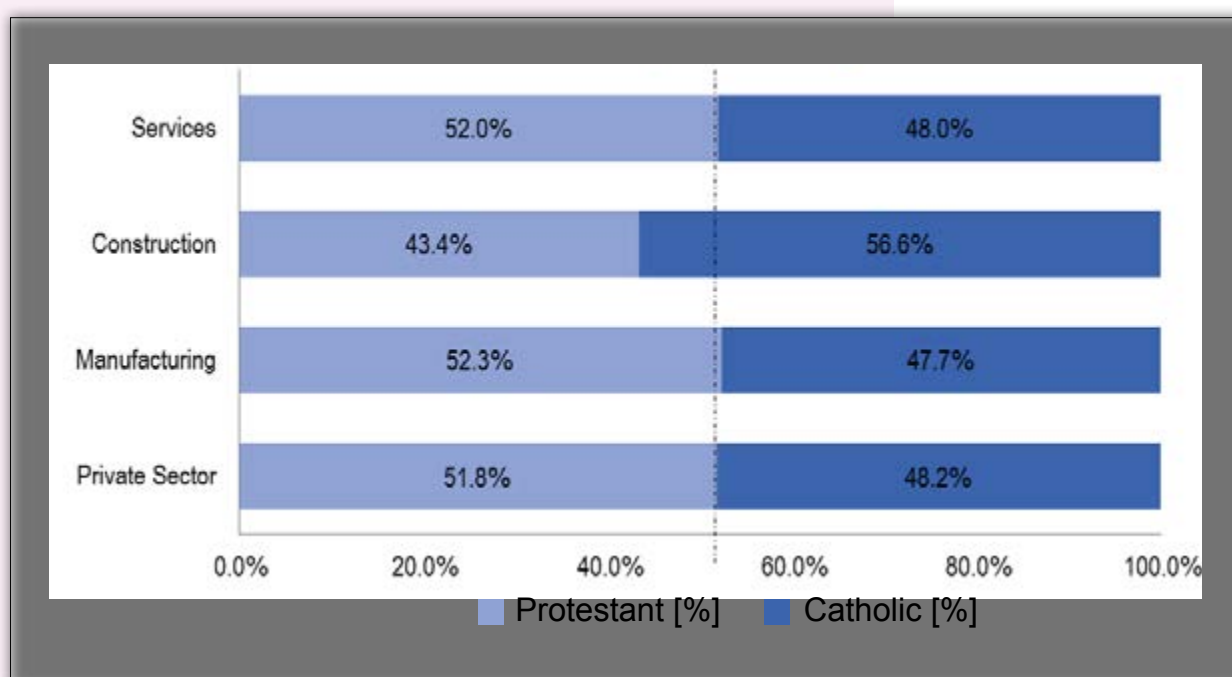


As noted by Magill and McPeake (2016), the increase in non-student economic inactivity since 2012 should be concerning to policy makers, particularly in light of a fall in figures elsewhere in the UK. In Britain, only the increase in full-time students has provided any significant upward pressure on the inactivity rate. Policy efforts to address economic inactivity need to address the broader constraining factors to employment including the complexity of barriers for sick and disabled people, the cost and availability of childcare, educational inequalities, earnings and opportunities for in-work progression.

## 7.4 Employment and religion

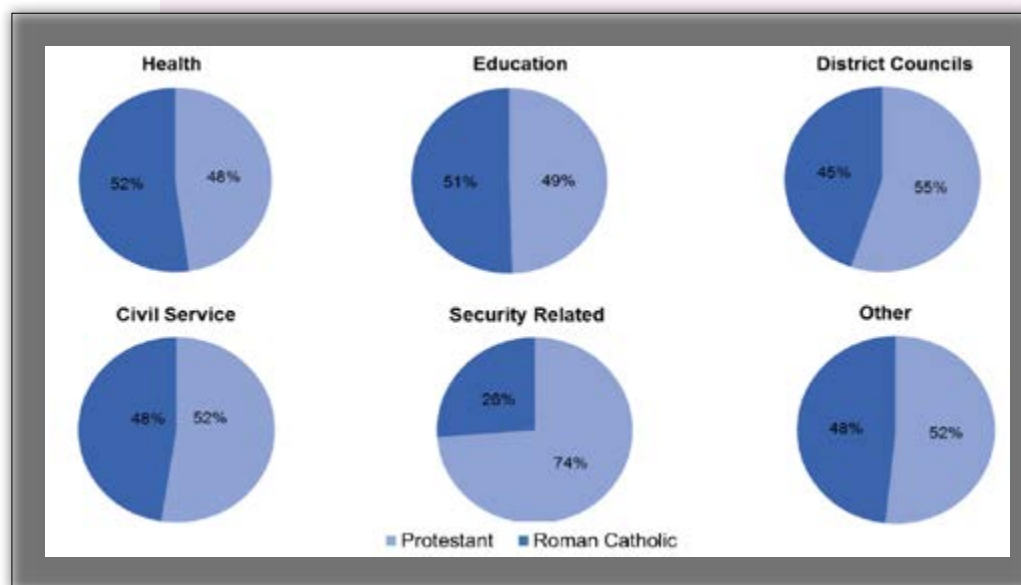
Data released by the Equality Commission for NI in its 27<sup>th</sup> Fair Employment Monitoring Report is in line with trends in recent years showing a continuing narrowing gap between the Protestant and Catholic communities in both the private and public sector. See Figures 95 and 96.

**Figure 95: Sectoral components of the private sector (% by community background) 2016**



Source: ECNI (2017)

Figure 96: Monitored NI workforce all employees (% by community background) 2016



Source: ECNI (2017)

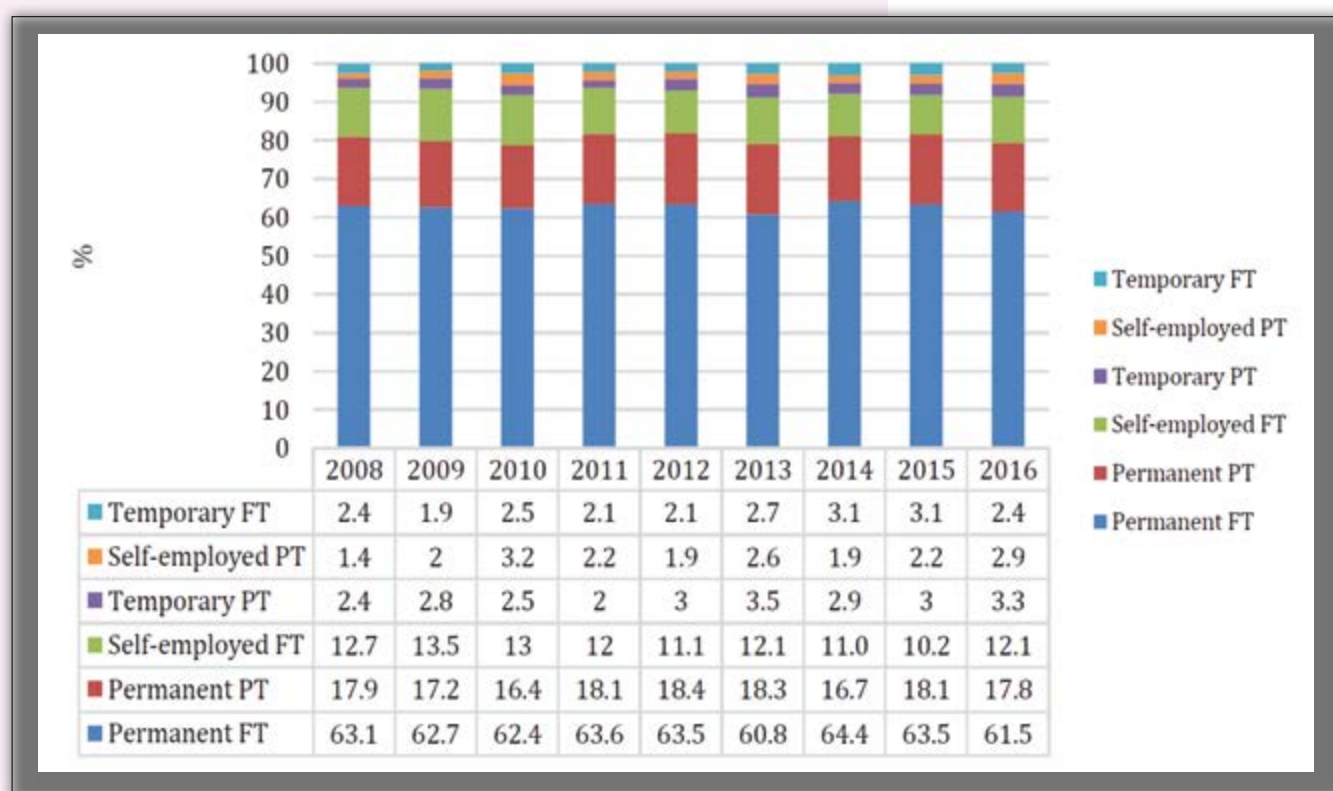
The report is based on a monitored workforce of 534,502, approximately two thirds of the total NI workforce. While members of the Protestant community make up the majority of the monitored workforce, 51.6 per cent compared to a Catholic share of 48.4 per cent, the Catholic share of the monitored workforce continues to increase in line with trends over time. Catholics comprise a greater proportion of applicants – 53.2 per cent compared to 46.8 per cent for the Protestant Community. In every year since 2006 the greatest proportion of appointees have been Catholics. It is noted that while over time the increase in the Catholics community's share of the monitored workforce has approximated estimates of Catholics available for work, this was not the case in 2016.

## 7.5. Quality and nature of work

As outlined above, unemployment rates have been declining in NI and there is agreement that the most challenging issues include the quality of employment. OECD data shows that many countries have seen a growth in non standard and atypical work<sup>1</sup> and NI has followed this pattern with an increase in part-time, temporary and self employed work. Analysis by the Nevin Economic Research Institute (NERI) (Wilson, 2017) shows growth in more insecure forms of employment in NI citing 1 in 3 workers employed in more insecure form of employment compared to traditional standard employment. While traditional permanent jobs remain the norm, in 2016 these kind of contracts comprised the lowest share of the labour market than at any time since 2008 (see Figure 97).

<sup>1</sup> Non standard/Atypical work includes any contract that is not full-time with an open ended contract

Figure 97: Percentage Share of the Labour Market, 2008-2016



Source: Nevin Economic Research Institute (NERI) (Wilson, 2017)

Those most likely to be in insecure employment are younger workers (aged 18-34), and women who are more likely to be in temporary work. There has been considerable debate about Zero Hours Contracts (ZHCs) but there is still a dearth of information in NI about their prevalence and impact. As McVicar (2017) shows, data for the UK based on Quarterly Labour Force Surveys indicates that again these are more prevalent among the young and women and tend to be concentrated in particular occupations. In fact 60 per cent are in two occupational classes – elementary occupations and care and leisure occupations. They are however found in a range of occupations including those classified as 'higher level'. Office of National Statistics figures based on Labour Force Survey data do provide estimates of ZHCs in each UK region and these are shown in Figure 98 overleaf. However, it should be noted that the sample size for smaller regions like NI is very low.

Figure 98: Zero Hour Contract Prevalence by UK Region 2016

	In employment on a zero hours contract (thousands)	Per cent of people in employment who are on a zero hours contract	Statistical Reliability
UK	903	2.9	*
England	768	2.9	*
North East	34	2.8	****
North West	102	3.0	***
Yorkshire and The Humber	87	3.4	***
East Midlands	83	3.6	***
West Midlands	79	3.0	***
East of England	72	2.3	***
London	95	2.1	***
South East	127	2.8	***
South West	90	3.3	***
Wales	42	2.9	***
Scotland	78	3.0	***
<b>Northern Ireland</b>	<b>16</b>	<b>1.9</b>	<b>****</b>

Source: McVicar (2017)

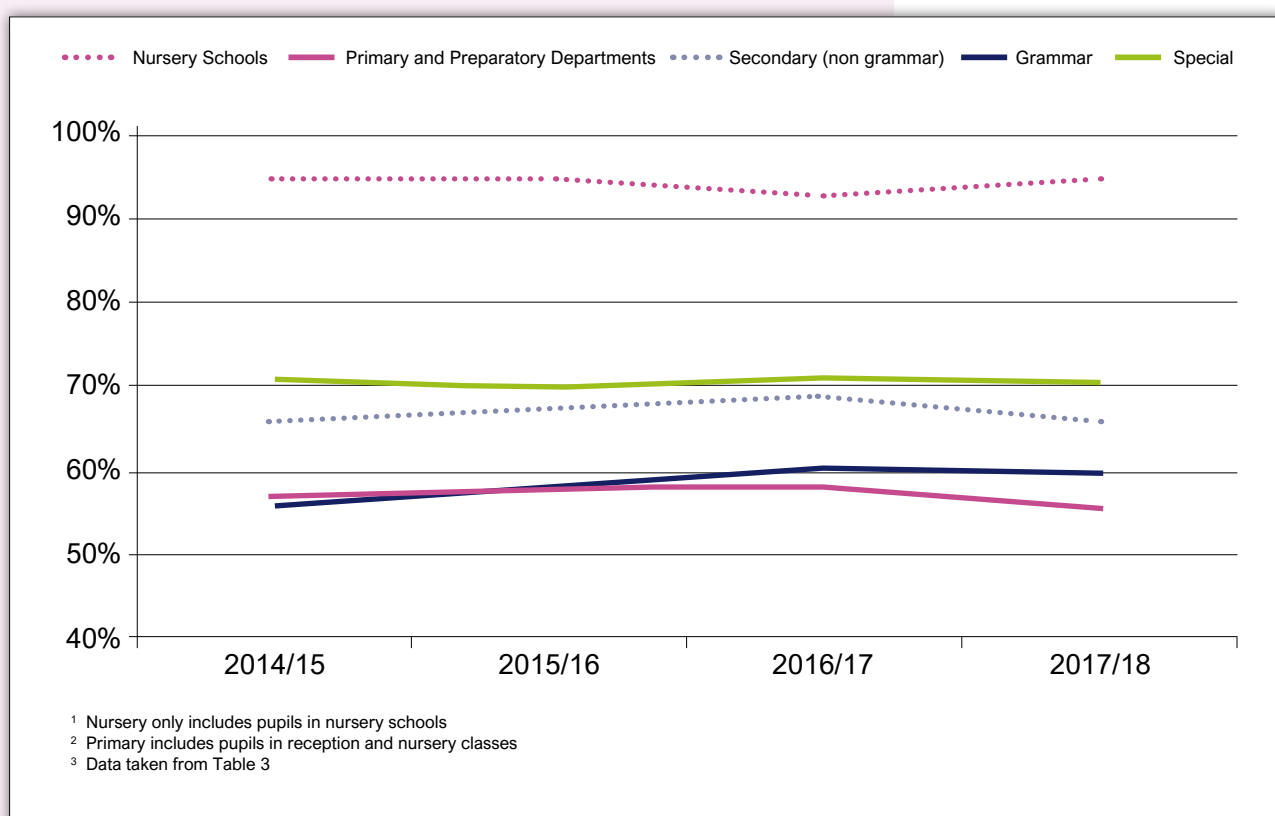
There is a need for more information on those in more insecure work or atypical work in NI. While international research evidence suggests there can be benefits for workers in terms of flexibility there can also be adverse impacts. The section on welfare reform discussed the increasing conditionality being placed on low paid workers to increase their hours and earnings. Given the changing nature of the NI labour market we need to know more about the extent to which people are choosing more atypical work and about how this impacts on job satisfaction, in work progression and earning potential.

## 8. EQUALITY AND INEQUALITY IN EDUCATION

The NI school system is still dominated by division with only 6.4 per cent of the 1,016 primary and post primary schools designated as Integrated which means that the majority are within the two main systems, one for Catholics and one for Protestants. Topping and Cavanagh (2016:15) state that the 'school system largely reflects traditional divisions in society' with 'the majority of children and young people educated within single or majority identity settings'. Statistics show that 70.4 per cent of pupils who attend controlled schools are Protestant whilst 96.3 per cent of pupils at Catholic maintained schools are Catholic (ibid). This is discussed further in Dimension Four.

A persistent inequality in the education system has related to the lower attainment of children receiving Free School Meals (FSME) – discussed later in this section. In 2017/18 98,302 or 29.8 per cent of the total pupil population were entitled to FSMs, a slight decrease on the 2016/17 figure of 30.6 per cent. A much higher proportion of children in Special Schools (51 per cent) were entitled to FSME in 2017/18 compared to 30 per cent in the primary sector and 28 per cent in post-primary. In terms of religion and FSME 33 per cent of Catholics compared to 26 per cent of Protestants were entitled in 2017/18 (Department of Education (DE), 2018). However, uptake to FSME remains at about 80.8 per cent as noted in Figure 99.

**Figure 99: Uptake of school meals (free and paid), by school type 2014/15 – 2017/18.**



Source: Department of Education, 2018

## 8.1 Primary Education

The Trends in International Mathematics and Science Study (TIMSS) was conducted in 2015 and is an international research project which assesses knowledge and skills in maths and science among pupils aged nine and ten and 13-14 (Bradshaw, et al., 2018). The TIMSS findings for NI relate only to nine and ten year olds and highlight a 'strong association between NI primary school pupils' socioeconomic status and their attainment in maths and science' (p2). The last survey in 2011 revealed that pupils in NI performed well in mathematics, outperforming 44 of the 50 countries who participated (DE, 2012). In terms of science the correlation was

found to be less than that for mathematics but NI still had the strongest correlation between score and socioeconomic status with those in the most disadvantaged communities scoring lower than in other countries.

In 2016 the Progress in International Reading Literacy Study (PIRLS) was conducted among year 6 pupils (age 9-10) and found that pupils in NI significantly outperformed 41 of the 49 countries and performance has remained stable since 2011. It was only outperformed by two other countries, two less than in 2011 (Sizmur, 2017). However, other countries such as Republic of Ireland and England improved significantly since 2011. Of particular interest was the gap between the genders with attainment in reading favouring girls, with this gap increasing from 2011. The average score of 574 for girls compared to 555 for boys, a difference of 18 was the same as Poland and comparable to the international mean difference of 19 scale points.

A gender difference in terms of attainment is not recorded in either mathematics or science in TIMSS 2015 in NI. The TIMSS found the same average attainment score, which was also noted in TIMSS 2011. Gender differences in mathematics were a feature of the performance of other countries taking part in the study such as Canada and England where boys performed better but this did not apply to science (Sizmur, 2017). Although these are positive results in terms of performance overall the two surveys indicate that at primary level lower socio-economic groupings score lower in maths and science whilst boys score lower in reading and literacy.

In NI the 'selection process' at age 11 currently operates through two parallel systems depending on the type of school a child wishes to progress on to within the 'grammar sector'. The Eleven Plus system, which had been in operation since 1947 was officially removed in 2008, however due to the failure of the main parties to agree on an acceptable alternative the two grammar school sectors in NI introduced separate tests for post primary transfer. These tests are administered by the Association of Quality Education (AQE) and the GL system. The AQE website states that the system 'started off as an alliance of parents, principals, governors and teachers who believed that the future of post primary education in NI should be based on our excellent secondary and grammar schools'. The Company AQE Ltd was established to run and manage the Common Entrance Assessment (CEA), 'providing grammar schools in NI with a method of maintaining academic selection'. The AQE mainly operates within Controlled Grammar Schools. This runs in parallel with the GL system, mostly used by the Catholic Grammar Schools, which is part of the 'Post Primary Transfer Consortium' and 34 schools use this system to select admission to Year 8 in NI.

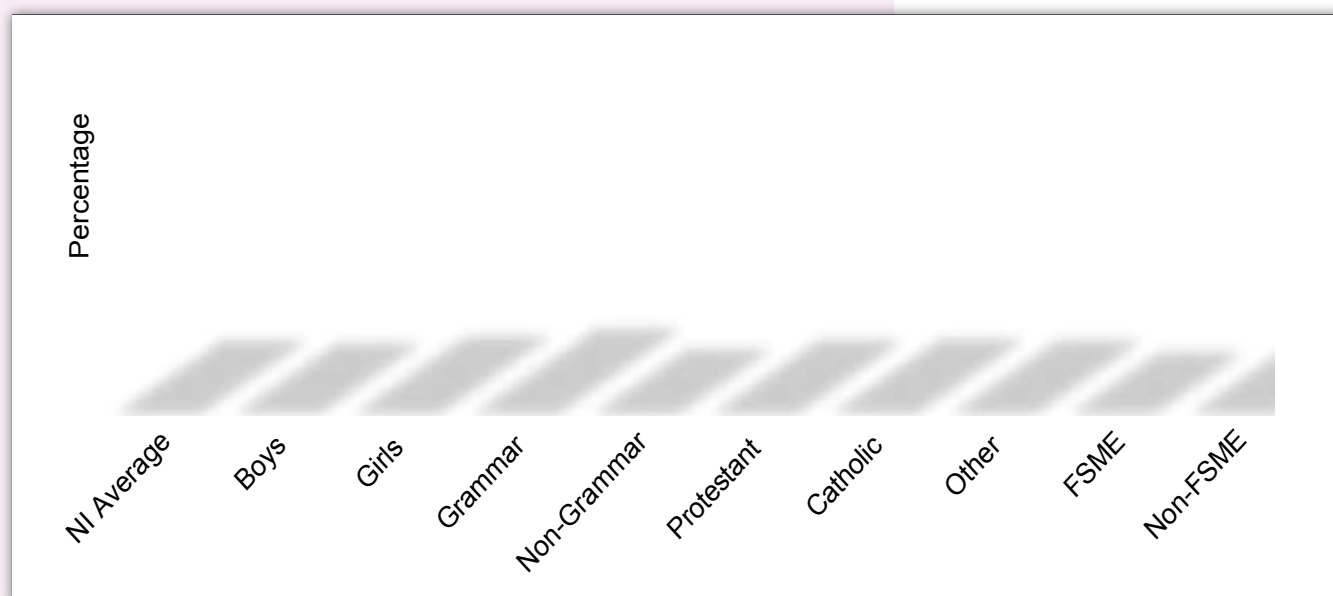
## 8.2 Post primary education

The Programme for International Student Assessment (PISA) is conducted every three years since 2000 in NI and is led by the Organisation for Economic Development (OECD). In total over 70 countries took part in 2015 with all members of the OECD participating. The study assesses the ability of 15 year olds in science, maths and reading and each study

will focus on one area, with science being the focus in 2015. The findings indicated that the science performance had not altered since 2006 with 14 countries performing better than NI and 34 countries scoring at least 10 points lower. In terms of maths the change was also not significant with 18 countries scoring higher and 35 countries at least 10 points lower. Reading also remained unchanged with 12 countries scoring higher and 39 countries 10 points lower (Jerrim and Shure, 2016). Gender differences were not significant for maths and science but girls performed better in reading. However, after 6 months of schooling this gap narrowed to be less than most other developed countries (Jerrim and Shure, 2016). As with the TIMSS scores socio-economic differences are clear but are comparable to other countries. The report indicated that scores do not differ significantly between pupils from Protestant and Catholic community backgrounds.

Figure 100 highlights the percentage of School Leavers achieving at least 5 GCSEs Grades A\*-C from data collected by the DE (2018). According to this data those leaving school with at least five GCSEs at grades A\* to C is 83.8 per cent, a 7.3 per cent increase in five years and those achieving A\* to C including GCSE English and Maths has increased 7.6 per cent in five years to 69.6 per cent. There are significant differences in GCSE attainment between grammar and secondary schools. In 2016/17 96.6 per cent of Grammar school pupils achieved at least 5 GCSEs Grades A\*-C compared to only 73.7 per cent in the Non-Grammar sector (DE, 2018). In terms of attainment within gender 88.1 per cent of girls achieved at least five GCSEs at grades A\*-C compared to 79.7 per cent of boys, an 8.4 per cent differential (DE, 2018). More boys left school with no GCSE qualifications than girls in 2016/17, 82 (0.7 per cent) boys and 50 (0.5 per cent) girls. All of these figures vary when GCSE English and Maths is filtered in with, in most cases, the percentage being less as noted in Figure 101.

**Figure 100: Percentage of school leavers achieving at least 5 GCSEs Grades A\*-C (including equivalents) 2016/17**



Source: Department of Education (2018)

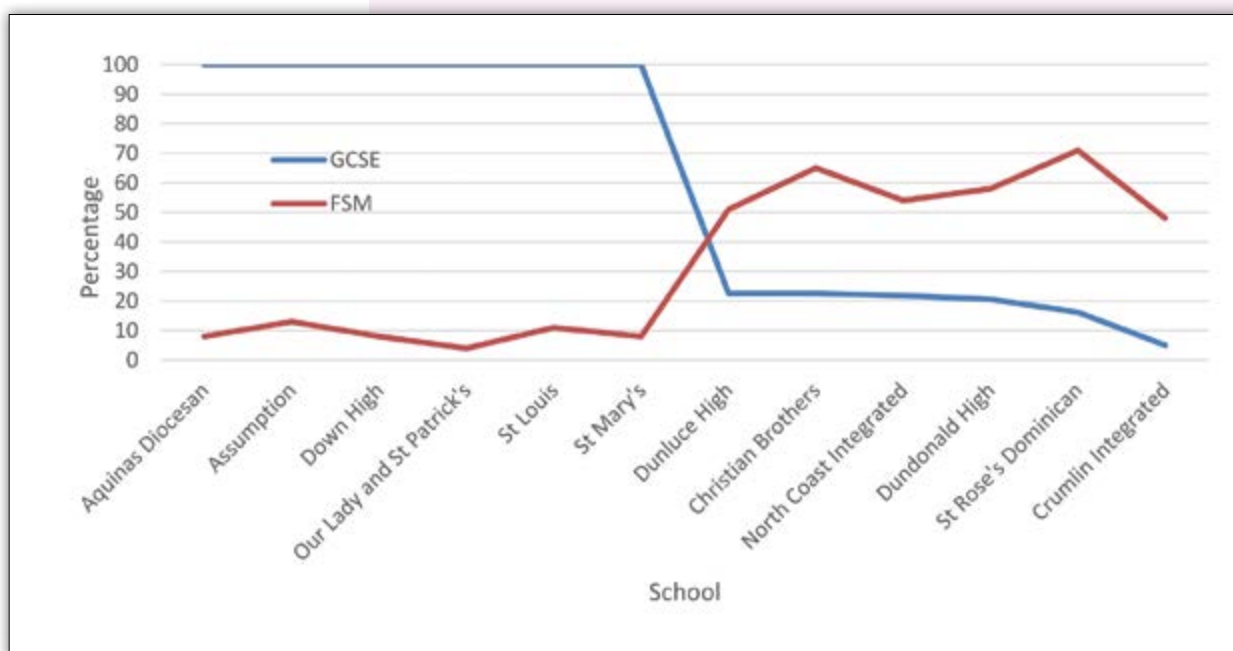
**Figure 101: Percentage of school leavers achieving at least 5 GCSEs Grades A\*-C (including equivalents) including GCSE English and Maths 2016/17**



Source: Department of Education (2018)

However, as highlighted there are significant socio-economic differences in the results with only 69.0 per cent of those entitled to free school meals achieving a grade A\* to C compared to 89.1 per cent of Non-FSME. Figure 102 illustrates the top six and lowest six ranking schools for GCSE attainment (grades A\*-C, including English and Maths) and the FSME for the school. It is clear that the gap between the two measures in the top six outweighs the narrow gap in the six lower ranking schools showing that the schools with more FSME have lower GCSE attainment.

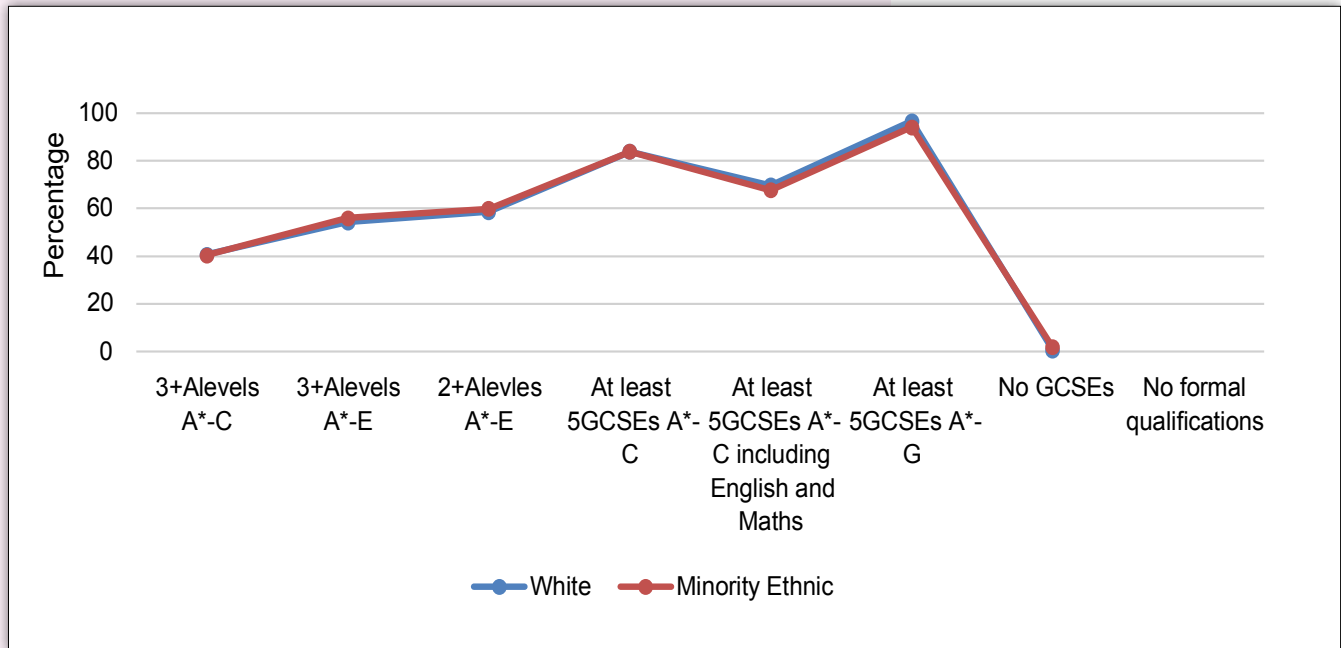
**Figure 102: Performance at GCSE and numbers of FSME**





In terms of ethnicity, minority ethnic groups who continue to A-Level are likely to do as well as those of a white ethnic origin and the differential at GCSE is marginal. Figure 103 illustrates the percentages under White and Minority Ethnic Groups. Indeed, Asian children are the group most likely to perform highest at A-level and GCSE as shown in Figure 104. In contrast to this Irish Travellers are the least likely to perform with fewer than five children achieving 5 GCSEs A\*-C in 2016/17. This shows the inequality that still exists for Irish Travellers in terms of educational achievement.

**Figure 103: Qualifications of school leavers by ethnic origin 2016/2017**



Source: Department of Education (2018)

Figure 104: Qualifications of school leavers by ethnic origin sub-categories<sup>(1)</sup>

2016/17	Total	
<b>WHITE</b>	<b>Numbers</b>	<b>%</b>
2+ A-levels A*-E <sup>(2)</sup>	12522	58.5
At least 5 GCSEs A*-C <sup>(2)</sup>	17954	83.8
At least 5 GCSEs A*-C <sup>(2)</sup> inc English and maths	14919	69.6
<b>Total White</b>	<b>21421</b>	<b>100.0</b>
<b>IRISH TRAVELLER</b>	<b>Numbers</b>	<b>%</b>
2+ A-levels A*-E <sup>(2)</sup>	0	0.0
At least 5 GCSEs A*-C <sup>(2)</sup>	*	*
At least 5 GCSEs A*-C <sup>(2)</sup> inc English and maths	0	0.0
<b>Total Irish Traveller</b>	<b>12</b>	<b>100.0</b>
<b>ASIAN</b>	<b>Numbers</b>	<b>%</b>
2+ A-levels A*-E <sup>(2)</sup>	138	75.4
At least 5 GCSEs A*-C <sup>(2)</sup>	171	93.4
At least 5 GCSEs A*-C <sup>(2)</sup> inc English and maths	143	78.1
<b>Total Asian</b>	<b>183</b>	<b>100.0</b>
<b>BLACK</b>	<b>Numbers</b>	<b>%</b>
2+ A-levels A*-E <sup>(2)</sup>	36	46.8
At least 5 GCSEs A*-C <sup>(2)</sup>	58	75.3
At least 5 GCSEs A*-C <sup>(2)</sup> inc English and maths	37	48.1
<b>Total Black</b>	<b>77</b>	<b>100.0</b>
<b>MIXED ETHNIC GROUP</b>	<b>Numbers</b>	<b>%</b>
2+ A-levels A*-E <sup>(2)</sup>	90	53.9
At least 5 GCSEs A*-C <sup>(2)</sup>	142	85.0
At least 5 GCSEs A*-C <sup>(2)</sup> inc English and maths	120	71.9
<b>Total Mixed Ethnic Group</b>	<b>167</b>	<b>100.0</b>
<b>OTHER NON-WHITE</b>	<b>Numbers</b>	<b>%</b>
2+ A-levels A*-E <sup>(2)</sup>	72	58.5
At least 5 GCSEs A*-C <sup>(2)</sup>	#	#
At least 5 GCSEs A*-C <sup>(2)</sup> inc English and maths	80	65.0
<b>Total Other Non-White</b>	<b>123</b>	<b>100.0</b>
<b>TOTAL LEAVERS</b>	<b>Numbers</b>	<b>%</b>
2+ A-levels A*-E <sup>(2)</sup>	12858	58.5
At least 5 GCSEs A*-C <sup>(2)</sup>	18425	83.8
At least 5 GCSEs A*-C <sup>(2)</sup> inc English and maths	15299	69.6
<b>Total School Leavers</b>	<b>21983</b>	<b>100.0</b>

Source: School Leavers Survey (2018)

**Notes**

1. Excludes special and independent schools

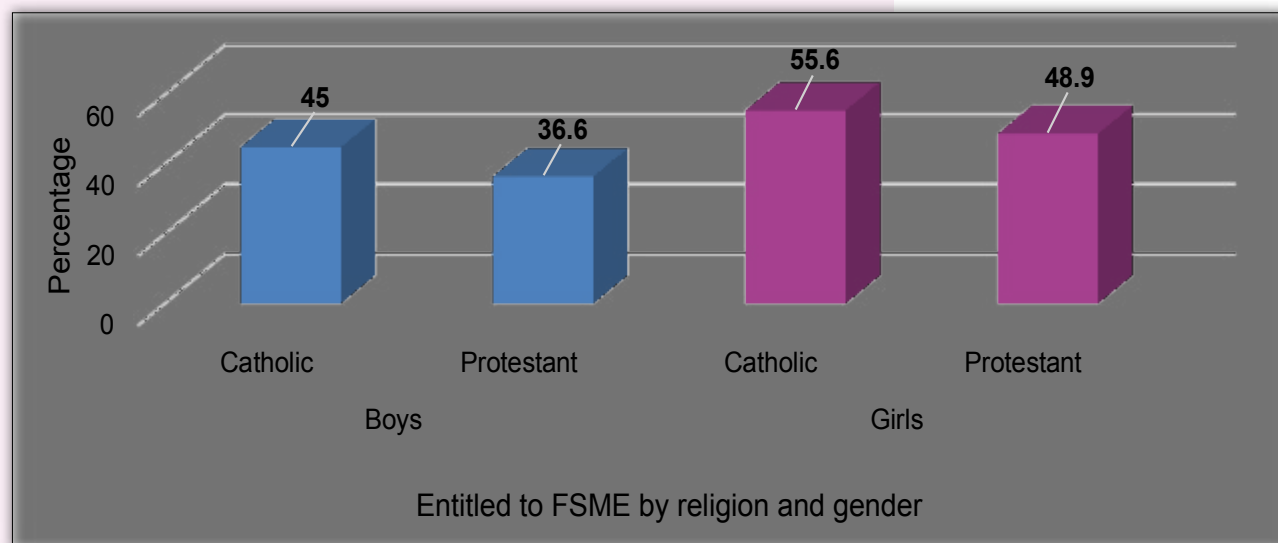
2. Includes equivalent qualifications

\* Denotes fewer than 5 pupils

# Figure not provided under the rules of statistical disclosure

When qualifications are analysed by gender and religion Catholic girls outperform at both A-level and GCSE whilst Protestant boys perform at a lower level. In 2016/17 36.6 per cent of Protestant boys entitled to FSME gained 5 GCSEs at grades A\*-C (including English and Maths) compared to 45.0 per cent of Catholic boys entitled. Similarly, Catholic girls entitled to FSME did better than Protestant girls with 55.6 per cent compared to 48.9 per cent (Figure 105).

**Figure 105: Performance by gender, religion and FSME 2016/17**



Source: Department of Education (2018)

## 8.3 Higher Education

In terms of progression to Higher Education 43.3 per cent of school leavers went on to Institutions of Higher Education in 2016/17. Here again, there are gender differences with over half, 51.1 per cent, of girls continuing into higher education compared to only 35.8 per cent of boys. Boys were more likely than girls to go into vocational training - 14.5 per cent of boys compared to only 5 per cent of girls. When analysed by religion Catholics were more likely to continue into higher education with a figure of 45.8 per cent compared to 40.2 per cent of Protestants (DE, 2018). HESA data for 2017 published by the Department for the Economy (2017) shows that females accounted for 56.8 per cent of NI students enrolments whilst a higher proportion of males (76.7 per cent) were studying full-time than females (73.8 per cent). FactCheck NI claim that 33.5 per cent of school leavers continue their studies outside of NI with some choosing to do so whilst others 'have to leave' for various reasons. Statistics by Department for the Economy released in August 2018 indicate that many students studying in GB do not return to NI to work and that 34 per cent of NI domiciled full-time leavers from GB HEIs in employment were employed in NI. This compared to 61 per cent employed in GB, 1.8 per cent in the Republic of Ireland and 3.3 per cent in other locations. However, of those who study in NI 88.6 per cent remain and are in employment (Dept of Economy, 2018).

## 9. HEALTH CARE OUTCOMES AND INEQUALITIES IN HEALTH

Problems with health and social care services in NI have attracted considerable public and media attention in the period since the last report. There is no doubt, as shown below, that on a number of key indicators, the health service in NI is not performing well. Since 2001 there have been seven high level reviews of the health and social care system with a good degree of consensus about the nature and extent of change required to make the system more efficient and sustainable. Progress on implementing fundamental change has been limited, not helped by the collapse of the Executive and Assembly in January 2017 and the resultant lack of ministerial direction. However, the problems predate the latest political crisis and grew over the life of the Assembly since 2008. As shown below, waiting times have been increasing over a number of years, many key targets have never been met and outcomes with regard to population health continue to be strongly linked to socio-economic status. There has been a consistent reluctance to make, what would in some cases be publicly unpopular decisions about the rationalisation and location of acute services and implement structural change. However, due to the social determinants of many health outcomes, the solution to major challenges around population health will not be met by structural changes but by improvements in other areas of social policy such as education and training, employment and social security.

### 9.1 Health service waiting times

Figures from June 2017 up to June 2018 show that in-patient and out-patient waiting times have grown over the previous year with inpatient waiting times up 15.5 per cent on the previous year and out-patient waiting times up 4.3 per cent in the same period (Department of Health, 2018a). Ministerial targets<sup>2</sup> were not achieved in either area. As can be seen from Figure 106 waiting times have increased very significantly from 2014. Waiting times have been consistently increasing from 2010 apart from a reduction in 2013.

**Figure 106: Waiting times for in-patient / day case admissions and consultant led first outpatient appointments**

	2018 number of weeks/ % waiting		2016 number of weeks/ % waiting		2014 number of weeks/ % waiting	
In-patient/ Day case Admission	13 weeks	52 weeks	13 weeks	52 weeks	13 weeks	26 weeks
	63.1 %	21.6%	55.3%	12.6%	35%	10.84%
Out-patient appointment	9 weeks	52 weeks	9 weeks	52 weeks	9 weeks	18 weeks
	73.2%	32.1%	72.4%	19.1%	38.5%	14.3%

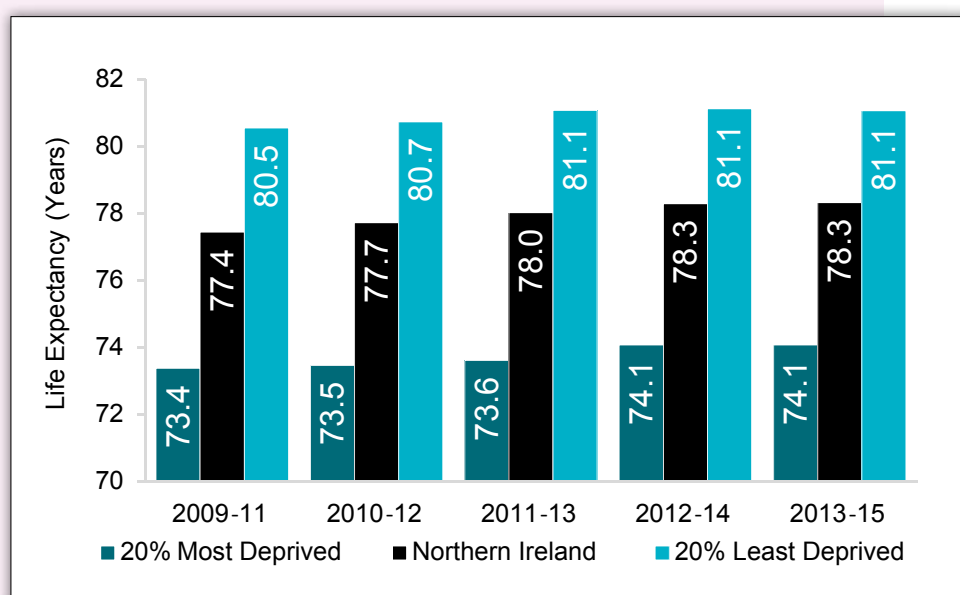
<sup>2</sup> For in-patient/day case admissions the target is that less than 45 % of patients should be waiting more than 13 weeks and no patient wait longer than 52 weeks. The out-patient targets are that less than 50% of patients should be waiting over 9 weeks for a first consultant-led outpatient appointment; no patient should wait longer than 52 weeks.

Ministerial waiting targets have changed frequently fluctuating between greater or less stringency; for example more stringent targets set in 2014/15 were changed back to pre 2014 targets in 2015/16. Analysis of overall performance shows that over the period from 2009 most targets were not met (Black, 2015). Figures compiled by the BBC in 2017 comparing like for like statistics across the UK showed that the NI target for almost all emergency department patients to be seen within four hours has never been met (BBC, 2017) and Cancer Research UK figures published in 2018 revealed that NI has never met cancer target times since their introduction 8 years ago. While 95 per cent of people should begin treatment within 62 days of an urgent GP referral figures published in September 2017 show that only 62 per cent had begun treatment within target period (Department of Health, 2018). NI is not unique in experiencing these problems. Increasing demand and budgetary constraints across the UK have seen all systems under pressure but NI does have some of the worst performance figures in the UK. There has also been higher per capita spend on health care here although this can be justified by higher relative spending needs in terms of greater levels of disability and morbidity (Ball et al, 2013).

## 9.2 Population health

Despite general improvements in life expectancy and premature mortality rates there are significant equality gaps (Figure 107). Across a wide range of indicators, differential rates between the least and most deprived areas remain and in some cases have widened. The Life Expectancy differential (2008-2010) between the 20 per cent most deprived areas and the NI average was 4.5 years for men and 2.6 years for women. In the 2013-2015 period the corresponding figure was 4.2 years for men and 2.9 years for women (Department of Health, 2017).

**Figure 107: Life Expectancy in Northern Ireland**



Source: The Northern Ireland Health and Social Care Inequalities Monitoring System Life Expectancy Decomposition Report (2017)

Looking specifically at the *most* and the *least* deprived areas, the gap narrowed slightly from 7.3 years in 2010-12 to 6.6 years in 2014-16 for males; for females it remained constant at 4.5 years (Department of Health, 2018b). Rates of healthy and disability free life expectancies either declined or remained constant between 2010-12 and 2014-16 with the inequality gap for male disability free life expectancy widening from 10.2 to 12.7 years. The most deprived areas in NI continue to experience higher premature mortality rates with, for example, respiratory mortality rates among under 75's being three and a half times higher in the most deprived areas than in the least deprived. The emergency admission rate among those living in the most deprived areas is almost three-quarters higher than that seen in the least deprived areas. The most acute inequalities relate to drugs and alcohol with mortality in the most deprived areas for both about five times the rate in the least deprived.

The prevalence rate for mental health problems in the NI population remains high at 21 per cent for women and 16 per cent for men with people living in the most deprived areas twice as likely to experience mental health problems as those in the least deprived areas (Department of Health, 2017a). The prescription rate for mood and anxiety prescriptions was 69% higher in the most deprived areas than in the least deprived areas (Department of Health 2016). There are high suicide and self harm rates with suicide rates the highest since records began in 1970 and a 19 per cent increase on those recorded in 2014 (Department of Health, 2017a). Again, suicide rates in the most deprived areas of NI are three times higher than in the least deprived.

The section on health inequalities provides illustration of the well-established relationship between health outcomes and socio economic status. That the equality gap has not improved considerably over a period of years and in some areas has widened is a cause of concern. This is particularly so given the potential impact of recently introduced welfare reform measures as discussed earlier. Across the UK there is concern about the impact of Brexit on health and social care staffing levels. However, there is no reliable data available for NI on the number of migrant workers in the health and social care sectors. In 2015 8.8 per cent of doctors in NI had qualified in other parts of the EU - the highest proportion in the UK. The figure is 11 per cent for GPs so of concern when there is already a shortage of GPs in NI (Dayan, 2018).

## 10. HOW DOES THE NI ASSEMBLY PERFORM IN RELATION TO SOCIAL POLICY MAKING?

Most of the responsibilities devolved to the NI Assembly are in the area of Social Policy, albeit with finance for Social Policy largely dependent on the Block Grant from Westminster. Since the collapse of the Assembly in January 2017 there has been much discussion about the impact on delays in decision making and policy implementation. In particular, there are persistent and in some cases growing inequalities in relation to socio-economic conditions, educational attainment and health status –as outlined earlier in this chapter. Before the current impasse the Assembly has seen a number of turbulent periods resulting in suspension. Between 1999 and 2002 there were four short suspensions and a lengthy suspension between 2002 and 2008 when Direct Rule was introduced. Examining the second period of social policy development under devolution between 2007 and 2011, Gray and Birrell

(2012) identified a 'lowest common denominator' – a lack of agreement on substantive areas of Social Policy leading to lowest common denominator decisions. It is possible to identify a number of social policy decisions made since 2007 which do demonstrate a degree of consensus but these have tended to cover pragmatic measures which may have electoral value – as reflected in the cross party support against increases in or introduction of new local taxes. A few policies could be described as more solidaristic, such as the abolition of prescription charges, free travel on trains and buses for the over sixties, the passing of the Financial Assistance Act (2009) and the mitigation measures with regard to welfare reform discussed earlier.

The inability of the Executive to reach consensus on many aspects of Social Policy continued in the new mandate from 2011. Even the Programme for Government was not published until six months after the election which is perhaps not surprising given that pre coalition negotiations were not policy specific. Failures to reach consensus on policy occurred even after much discussion and debate as in the case of highly publicised issues such as equal marriage and reform of abortion law. The challenges to effective policy making presented by the structures of devolved government in NI have been well documented (Knox, 2016; Gray and Birrell, 2012; Wilford and Wilson, 2001) including The Petition of Concern, the lack of collective responsibility and the autonomy of individual ministers. The Petition of Concern, designed to prevent discrimination, was used 115 times in the last Assembly term with 84 per cent of the vetoes related to 14 pieces of proposed legislation (most commonly with regard to the Welfare Reform Bill) (Smyth, C. 2016). While there were to be new guidelines on The Petition of Concern following the Fresh Start Agreement there have been no changes.

The NI Executive and Assembly have not given priority to social policy, with relatively few debates on the nature, scope and consequences of welfare provision. This is despite the dominance of social policies and services in terms of public expenditure and devolved policy-making powers. Such an approach stands in contrast to Scotland and Wales, where commitment to the welfare state has been to the fore in discourses in the Scottish and Welsh parliaments in a way rarely articulated in NI. Policy departures in Scotland and Wales indicate policies being made on the basis of ideology or philosophy which is distinctly 'Scottish' or 'Welsh'. The development and formulation of social policy in NI has been affected not only by difficulties caused by the government struggling to agree policies, but also by a more general, low key and conservative approach to social policy. A number of factors contribute to this social policy environment – the lack of priority accorded to social policy, the lack of critical policy discussion, the lack of joined-up government, the dominance of communal issues and the lack of public and user involvement.

The outcome is that NI has clearly fallen behind in a number of Social Policy areas as delays and minimal development have had a major impact on delivery and provision including in high profile areas such as education and health. In 2012 NILT data showed that while there was still support for devolution, the public appeared to be less happy with what has been achieved and this has been further eroded by the collapse of the government in 2017 and questions about the capacity and capability of politicians and officials emerging from the Renewable Heat Inquiry. Assessment of the work of the Assembly in the period up to 2016 shows that almost all of the pieces of legislation passed, and much that didn't get passed, are versions of legislation passed in the English or Scottish governments and which had to be done and are important.

There are some exceptions to this which, include: The Rural Needs Act (NI) 2016; The Shared Education Act (2016); The Education Act (2014) which was used primarily to set up the Education Authority; the Carrier Bags Act (NI) (2014), the first in the UK and taken up by other jurisdictions; the Local Government Act (2014) and the Historical Abuse Inquiry Act (2013). The other pieces of primary legislation which were not copied or amended from other parts of the UK were two Private Member's Bills – Lord Morrow's Human Trafficking and Exploitation Act (2015) and Steven Agnew's Children's Services Co-operation Act (2015).

Substantive areas of policy have not been progressed – in part due to the lack of government – but many have remained unresolved for a number of years. A long awaited childcare strategy did not materialize and no policy has been developed to address the transfer of children from primary to secondary school. There is no anti-poverty or gender equality strategy and the social strategy intended to replace these has not been published in the absence of a minister. An OECD (2016) review of governance in NI commented on the weakness of scrutiny mechanisms in the NI Assembly. This is apparent with regard to the working of committees which the review said could do more in terms of contribution to policy development and providing a stronger change function to proposals developed by Executive departments. Compared to other devolved legislatures Assembly committees have conducted fewer inquiries. Most NI Assembly committees have conducted at least one inquiry during the last mandate; four committees carried out one inquiry; four committees had two inquiries and two had three inquiries. The Department of Health carried out no inquiries though it did commission high level reviews. The Committee for Regional Development notes seven inquiries, though some are very short.

A relatively new common feature of the devolved administrations in the UK has been the emergence of outcome-based frameworks as key components of their policy-making processes. The decision by the NI Executive to adopt an outcomes based approach to policy making has been broadly welcomed. The Draft Framework Programme for Government published in 2016 was based on the Mark Friedman model of outcomes based accountability (OBA). This was referred to as 'a new approach which focuses on the major societal outcomes that the Executive wants to achieve' (NI Executive, 2016a), with a focus on outcomes over a generation. Fourteen high level and broad outcomes and 44 indicators would measure progress on the outcomes. The NI Executive was willing to see the use of the specific OBA methodology in central and local government, health and social care and the voluntary and community sector. Substantial numbers of staff from the civil service, public bodies and the voluntary sector have undergone training in the basics of OBA. Outcomes-based approaches have developed as a common feature of strategies to improve social conditions. They have facilitated the monitoring of the performance of devolved governments, assisted with public transparency and accountability, and helped develop a shared set of priorities. The Friedman OBA approach has the attraction of apparent simplicity in a formula that can be readily taught and applied using basic statistical data. The promotion and use of OBA has seen the development of theoretical criticisms of the principles and the value of this particular methodology (Birrell and Gray, 2018). As the draft framework was not passed by the Assembly before its collapse there has been little development in terms of the application of the approach.



## DIMENSION FOUR

### Cohesion and sharing

#### 1. THE POLICY CONTEXT

Introducing official policy to address sectarianism, mistrust and high levels of separation has proven to be exceptionally challenging within the context of divergent motivations and competing interpretations of what a 'shared society' looks like. Previous efforts included the ambitious and integrationist policy document *A Shared Future: Policy and Strategic Framework for Good Relations in Northern Ireland* published in 2005 during a period of direct rule, which identified key responsibilities and tasks for all government departments. The policy explicitly promoted a 'sharing over separation' approach and action plans were produced which would allow departments to measure change against baseline 'good relations' indicators. With a return of devolution in 2007, the local political parties took little ownership of the policy and it was quietly shelved. After protracted negotiations, and under pressure to resolve an impasse over the devolution of policing and justice, as part of the Hillsborough Agreement a new consultation paper *Cohesion, Sharing and Integration*, was produced in 2010 by the two main political parties, the DUP and Sinn Féin, but was widely rejected for its lack of ambition and vision. In May 2013, the NI Executive published a new good relations strategy, *Together: Building a United Community* (commonly shortened to T:BUC) which has remained the focus of departmental activities to progress 'good relations' in the region. The strategy is described as 'the framework for government action in tackling sectarianism, racism and other forms of intolerance while seeking to address division, hate and separation' (OFMdFM, 2013:2). It contains four key priority areas, with a total of 22 'tangible and practical commitments' outlined under each. The four priority areas are:

- Our children and young people
- Our shared community
- Our safe community, and
- Our cultural expression.

From these commitments, seven 'strategic headline actions' were identified:

1. Establishing ten new shared education campuses
2. Getting 10,000 young people, not in education, employment or training, a place on the new United Youth volunteering programme
3. Establishing ten new shared housing schemes
4. Developing four urban village schemes
5. Developing a significant programme of cross-community sporting events
6. Removing interface barriers by 2023; and
7. Pilot 100 shared summer schools by 2015.

The policy has been criticised as having an underlying assumption of the permanence of the two main community blocs and for its lack of ambition in terms of societal integration. As part of the Fresh Start Agreement (November 2015), £60 million was secured to supplement existing funding earmarked for Good Relations programmes and projects.

An annual report published by the NI Executive Office in July 2017 and newsletters issued at the T:BUC Engagement Forums provide updates from senior officials on progress across the seven strategic headline actions and four priority areas. The most recent figures indicate that:

1. Work is progressing on the five Shared Education Campuses announced to date (Limavady, Ballycastle, Moy Duneane/Moneynick and Brookeborough). A third call for joint proposals from schools closed in January 2017, but decisions on this phase have not yet released.
2. Phase 1 delivery of the Peace4Youth programme commenced in late 2017. 10 projects were selected, these projects will involve 1,875 young people and will conclude towards the end of 2018/19.
3. Five shared housing schemes (totalling 320 new homes) have been completed (in Cookstown, Crossgar, Newtownabbey, and two in south-east Belfast), with a further five underway (in Banbridge, Dundrum, Ballymena, Ballynahinch and Ballynaveigh in Belfast).
4. Strategic Frameworks were developed for five (rather than the target four) Urban Village Schemes (four in Belfast, one in Derry/Londonderry) by July 2016 in areas where there has previously 'been a history of deprivation and community tension' (Executive Office, 2016:2). During 2017/18 a total of 19 capital projects have been delivered within the five Urban Village areas with a further 53 community led revenue projects delivered across the areas.
5. The Department for Communities (DfC) is responsible for the delivery of a cross-community youth sports programme entitled 'Uniting Communities'. The programme aims to use sport, physical and creative activity to 'break down divisions in society and deliver a good relations programme with the emphasis on tackling sectarianism, racism and improving good relations' (DfC, 2018). In the latest update (July 2018), the Department reported that the programme had engaged 500 young people in sports programmes and 46 young people in leadership training courses aimed at equipping them to deliver good relations programmes and develop action plans. A Uniting Opportunities grant programme was launched in September 2017 to support the delivery of projects at community level. To date, 18 projects have been awarded funding, aimed at those between 11 and 24 years who are categorised as either homeless, refugee or asylum seeker, care experienced, disabled, experienced poor mental health and/or addiction or offender (or at risk of offending). An Early Engagement Project, delivered in a number of the Urban Villages areas, aimed at building the capacity of communities to deliver a cross-community youth sport programme during 2017/18. A Young Leaders Training and Ambassadors Programme was established in January 2018 to provide a consistent approach to the delivery of Uniting Communities Programmes across all geographical areas.

6. An Interface Programme was established within the Department of Justice (DoJ) to deliver on the commitment made to remove all Interface structures by 2023. The Interface programme focuses on the structures that the DoJ are responsible for and structures put up by the NI Housing Executive at 15 Locations. Of the 59 interface structures which the DoJ indicates ownership of, the latest update April 2016) indicates that 11 structures have been removed since 2013 (this includes five gates on Derry Walls), four have been partially removed, and two have been reclassified.
7. The original target to pilot 100 Summer Camps by 2015 was delivered, with over 4,200 young people (age 11 to 19) taking part in the first 101 camps in 2015/16. Following an evaluation by the SIB in March 2016, the programme has been rolled out annually. Delivered in partnership with the Education Authority, youth, community and voluntary sector groups, schools and District Councils can apply for funding to deliver cross-community camps, with pre- and post- camp engagement. In 2017/18, 115 T:BUC camps were delivered, involving around 4,000 young people.

In addition, T:BUC Engagement Forums were established in March 2016 to support wide stakeholder engagement (particularly from the community and voluntary sector) to influence, shape and monitor the delivery of the T:BUC Strategy. To date, six Engagement Forums have been held, focusing on a range of themes and providing an opportunity for both information sharing and networking. Summary reports of the Forums are prepared by the Community Relations Council following each event. The District Council Good Relations Programme is also delivered as part of the wider T:BUC Strategy, with each of the eleven District Councils in NI developing action plans aligned with the four priority areas to deliver at local level .

In order to monitor progress on the delivery of the four priority areas identified by T:BUC, a set of eight outcomes and 22 'good relations indicators' were developed, which are measured annually. Drawing on a range of data sources, the most recent update was released in September 2017 (McFarland and Crawford, 2017). These include attitudinal survey data, PSNI data on hate crimes, numbers of first preference applicants to integrated schools, and NI Housing Executive figures of people presenting as homeless as a result of intimidation. While these indicators provide an overview of levels of societal changes in some areas, they do not provide detailed information on how the T:BUC policies, in particular, have impacted since their introduction in 2013. Evaluations of headline actions have been undertaken in order to inform their future implementation and these do provide some insight in to the efficacy of individual programmes delivered by lead departments. However, a broader overview of the success of the T:BUC strategy, as an approach to the delivery of a vision of 'a united community, based on equality of opportunity, the desirability of good relations and reconciliation' is lacking (OFMdfM, 2013:2).

## 2. WELLBEING

### 2.1 The measurement of happiness

In recent years, there has been global recognition of the need to measure factors beyond what a country produces (GDP) and to acknowledge the importance of individual and societal health, education and skills, how we spend our time and our general well-being. The first World Happiness Report was published in 2012 following the United Nations General Assembly resolution inviting countries to measure levels of happiness among their populations as a means of improving policy decisions. In the most recent World Happiness Report 2018, launched in March 2018, Finland ranked first (moving from 5th place in 2017), having measured highly in all the main indicators of happiness: health, income, good governance, freedom, generosity, caring, honesty. The other top ranking countries included Norway (ranked first in 2017), Denmark, Iceland and Switzerland. The UK ranked in 19th position in both 2017 and 2018, while the Republic of Ireland moved up one place from 15th in 2017 to 14th place in 2018.

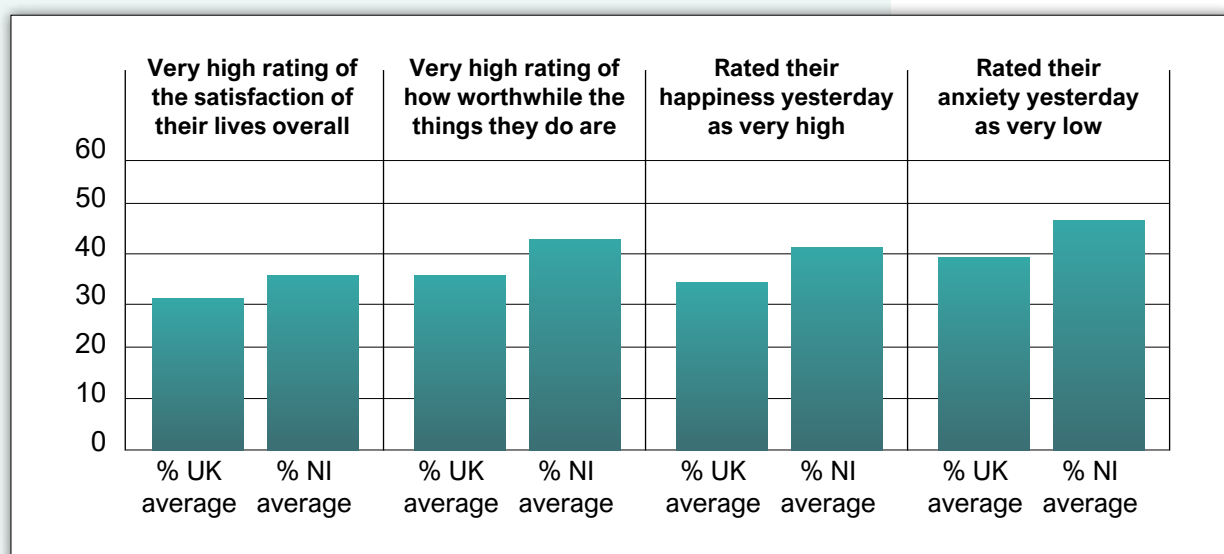
Since 2010, the UK's Office of National Statistics (ONS) has measured the personal well-being of people in the UK as part of the Annual Population Survey, with a sample size of 158,000 over 16-year olds in the 2016-2017 survey. As part of this survey, adults are asked four personal (or subjective) well-being questions to better understand how they feel about their lives. These questions are:

- Overall, how satisfied are you with your life nowadays?
- Overall, to what extent do you feel the things you do in your life are worthwhile?
- Overall, how happy did you feel yesterday?
- Overall, how anxious did you feel yesterday?

Since these survey questions were included, a significantly higher proportion of people in NI have reported high levels of life satisfaction, worthwhileness and happiness than the UK overall. In addition, a greater proportion of NI respondents indicate very low levels of anxiety than in the UK. Looking at the annual surveys since 2010, the results indicate that personal wellbeing in NI has been improving year-on-year since data was first collected.

The latest figures, released by the ONS in April 2018 cover the period October 2016 to September 2017. In this period, 35.5 per cent of NI respondents reported very high levels of life satisfaction (a score of 9 or 10) compared with 30.2 per cent in the UK overall. 40.8 per cent of NI respondents reported very high levels in terms of the feeling that the things they do in life are worthwhile compared with 35.6 per cent in the UK overall. 34.7 per cent of NI respondents reported very high levels of happiness compared with 40.3 per cent in the UK overall, and 46.7 per cent of NI respondents reported lower levels of anxiety (a score of 0 or 1) compared with 39.9 per cent in the UK overall.

**Figure 108: Percentage reporting very high life satisfaction, worthwhile and happiness, and very low anxiety, UK and NI, 2016-17**



Source: *ONS, 2018c*

It has been advocated that measures of well-being might be helpful in designing processes to promote social change in NI. In 2015, the Carnegie UK Trust developed a 'wellbeing framework' to guide and support the work of all public services in NI in supporting innovative delivery approaches. A review of the framework in 2017 undertaken by Strategem NI found that the proposed seven steps for developing a wellbeing framework and associated recommendations had influenced central government and a strong commitment from senior leadership level in the Civil Service was evident (*Walsh, 2018*). The review focused on the 11 local councils which had been given new community planning powers as part of the local government reforms of 2015 and found that the language and substance of the wellbeing agenda was well integrated in to local government plans and programmes. Community Planning Partnerships were established in each district to improve the collaborative working between councils, statutory bodies, public agencies and the community and voluntary sector and the development of community plans. In April 2018, the Carnegie UK Trust announced an investment of £350,000 to support up to three Community Planning Partnerships (Armagh City, Banbridge and Craigavon Borough Council, Derry City and Strabane District Council, and Lisburn and Castlereagh City Council) to implement a wellbeing outcomes approach through their Community Plan.

## 2.2 The measure of unhappiness – suicide, self-harm and poor mental health

While there are no specific measures for unhappiness, it has been widely acknowledged that a relatively high proportion of the population of NI has experienced mental ill-health compared to other parts of the UK. In October 2016, a leading UK public mental health charity, the Mental Health Foundation published a summary of mental health research in NI, entitled 'Fundamental Facts' (Mental Health Foundation, 2016). The report noted that NI has a 25 per cent higher overall prevalence of mental health problems than England. It also noted that prescribing trends data suggests that NI has significantly higher levels of depression than the rest of the UK. The prescription rate for mood and anxiety disorders (depression, bipolar disorder, and anxiety disorders) increased by 20 per cent between 2009 and 2013.

One indicator of ill-health is those who report acute mental health issues to the Emergency Departments (EDs) of hospitals. In November 2016, the Public Health Agency published the NI Registry for Self-Harm Three-Year Report (2012/13-2014/15), an analysis of the prevalence of self-harm and suicidal ideation presentations to the 12 local Emergency Departments (EDs) of NI's hospitals. Covering the period from 1 April 2012 to 31 March 2015, the report notes that 25,620 self-harm presentations to EDs were recorded, made by 16,301 individuals, which is an average of 23 presentations per day over the three-year period. For the purposes of their report, self-harm was defined as *"An act with non-fatal outcome in which an individual deliberately initiates a non-habitual behaviour, that without intervention from others will cause self-harm, or deliberately ingests a substance in excess of the prescribed or generally recognised therapeutic dosage, and which is aimed at realising changes that the person desires via the actual or expected physical consequences."* (Public Health Agency, 2016:17).

The majority (70 per cent) of presentations were brought to hospital by emergency services (e.g. ambulance and police). While the overall average rate (across the three year study) was 23 presentations per day, increased numbers of presentations were observed on the following days: January 1st, New Year's Day (mean n=43), March 18th (mean n=32) and July 12th (mean n=37). There was an even gender balance in presentations (12,800 by males and 12,820 by females). The report notes that during the period March 2012 to April 2015, the number of self-harm presentations recorded by the registry increased by 7 per cent (from 8,279 to 8,885), while the number of persons increased by 11 per cent (from 5,977 to 6,630). During this three-year period, the highest rate of self-harm in NI observed was among 15-19 year-old females and 20-24 year-old males, with peak rates of 832 per 100,000 for females and 844 per 100,000 for males in these age groups.

In addition, the Public Health Agency reported on rates of suicide ideation during the three-year period, which indicate those who present to EDs with thoughts of self-harm and/or suicide, but where no physical act has taken place. 10,563 ideation presentations were recorded with 67 per cent attributable to males, in contrast to the even gender balance among self-harm presentations. Just over half (53 per cent) of all ideation presentations

involved alcohol. Across the three-year period, an average of 10 presentations involving ideation were recorded per day. The largest number of ideation presentations were recorded in the Belfast HSCT area (n=2,914), accounting for 28 per cent of all ideation presentations made during this period, despite a 19 per cent population share.

In November 2017, the Northern Ireland Statistics and Research Agency (NISRA, 2017b) reported the number of deaths by suicide in NI at 297 (211 males and 86 females) for 2016. This figure was down from the highest levels recorded (since 1970) of 318 in 2015. 'According to the Samaritans, the suicide rate in the North now exceeds the UK average, with its figures showing an 18.5 per cent increase since 2014 compared to a 3.8 per cent rise in the UK as a whole' (*The Irish Times*, 29 July 2018). The overall suicide rates in the Republic of Ireland continue to fall since 2011, and are at their lowest rates since 1993 (Samaritans, 2017).

In November 2017, the Public Health Agency allocated an additional £500,000 for suicide prevention and mental health services in the Belfast area, with £300,000 to be distributed to community and voluntary sector groups which provide support, therapies and training and £200,000 to pilot crisis de-escalation and street triage services. A Draft Strategy for Suicide Prevention entitled *Protect Life 2* (Department of Health, 2016a) was published for consultation in September 2016. In March 2017, the Department of Health released a summary report of the 104 responses received. The new strategy was due to be published in 2017 but, with the lack of a working Assembly and Executive, this strategy has not been signed off. In the interim, the Public Health Agency organised a series of stakeholder engagement events in March 2018 that 'will inform the future procurement of services to implement the pending 'Protect Life 2' suicide prevention strategy' (PHA, 2018).

### 3. SHARING AND SEPARATION IN HOUSING

#### 3.1 Public Housing

Public housing accounts for around 16 per cent of housing stock in NI. The majority of housing (63.4 per cent in 2016) is owner-occupied (NIHE, 2017a). Previous Peace Monitoring Reports have observed the decline in social housing and corresponding growth in the private-rented sector, an issue discussed in Dimension Three of this report. In May 2018, the total housing stock figure was reported as 780,000, with a vacancy rate of 3.7 per cent. This is a decrease from the 7.2 per cent figure of 2011. The vacancy rate is highest in the private rented sector at 7 per cent, a reduction from 13 per cent in 2011, which reflects the growing demand in this sector.

Figure 109 indicates that the percentage of occupied social dwellings (Housing Executive and Housing Associations dwellings combined) has not significantly changed, going up one percentage point from 2009 to 2016. In 2016, it was estimated that there were approximately 121,000 occupied social dwellings. The private renting has overtaken the social sector as the second largest housing tenure in NI from 2009 onwards.



Figure 109: Tenure excluding vacants 2006 – 2016

	2006		2009		2011		2016	
	Number	%	Number	%	Number	%	Number	%
Owner Occupied	468,900	66.5	461,800	62.4	469,100	61.7	494,660	63.4
Private Rented and Others	80,900	11.5	124,600	16.8	125,500	16.5	135,980	17.4
Housing Executive	93,400	13.3	85,650	11.6	85,900	11.3	85,340	10.9
Housing Association	21,500	3.1	24,550	3.3	24,800	3.3	35,550	4.6
Vacant	40,300	5.7	43,400	5.9	54,700	7.2	28,470	3.7
<b>Total</b>	<b>705,000</b>	<b>100.0</b>	<b>740,000</b>	<b>100.0</b>	<b>760,000</b>	<b>100.0</b>	<b>780,000</b>	<b>100.0</b>

Source: *NIHE, 2018*

The 2016 Northern Ireland House Condition Survey, (NIHE, 2017) reports on the conditions of homes in the owner occupied, private rented and social housing sectors. As shown in Figure 110 levels of unfitness in the occupied social housing sector are statistically very low, but 1.6 per cent of occupied Private Rented and Others housing has been deemed unfit.

Figure 110: NI's Dwelling Stock by Occupation - Unfitness by Tenure 2016

	Occupied	Occupied Unfit	Vacant	Vacant Unfit	Total Unfit
Owner Occupied	494,660 (65.8%)	5,660 (1.1%)	17,260 (60.6%)	7,430 (43.0%)	<b>13,090</b>
Private Rented and Others	135,980 (18.1%)	2,180 (1.6%)	9,820 (34.5%)	1,100 (11.2%)	<b>3,280</b>
Social Housing	120,890 (16.1%)	*(<1.0%)	1,390 (4.9%)	* (<1.0%)	*

Source: *NIHE, 2017*

Waiting times for social housing remain very long in high demand areas and those who traditionally would have lived in social housing are moving in greater numbers in to the private rented sector. In March 2018, the NIHE published the *Private Renters Survey 2016*, which interviewed 144 tenants across NI. Twenty-two per cent of respondents indicated that they were in privately rented accommodation due to tenure reasons, including difficulties accessing waiting lists for social housing and inability to purchase own home. Fifty-nine per cent of respondents were in receipt of Local Housing Allowance. With welfare reform changes in recent years, the rolling out of Universal Credit and the freezing of LHA rates, more tenants will be liable to pay a shortfall or the amount they have to pay will increase to cover the balance of rent to the landlord after the LHA rate has been applied.

The Social Housing Reform Programme (SHRP) was introduced by the Department for Communities in 2013 to review and assess the existing delivery structures for social housing in NI. To inform this review, the NIHE commissioned a study on the affordability of social rents in NI, which was published in May 2017. The study considered the possible impacts of a gradual rise in NIHE rents, which may be inevitable, given the significant investment required to raise the standards of current housing stock, the number of households (estimated as 22,097 in the NI Executive's Draft Programme for Government Framework 2016- 2021; NI Executive, 2016a) experiencing housing stress, and the UK-wide reform of the welfare benefit



system. The report concluded that welfare reforms 'may increase the vulnerability of tenants, especially when the current mitigation package ends in 2019-2020' (NIHE, 2017).

## 3.2 Residential segregation

The second and third Peace Monitoring Reports (Nolan, 2013; 2014) provided analysis of the overall levels of residential segregation (owner-occupied, private rented and social housing stock), based on the 2011 census. These figures indicated that while the levels of segregation have proven very slow to change over the past two decades, there has been a decline in the proportion of 'single-identity' wards (above a threshold of 80 per cent of one religion) from 55 per cent to 37 per cent, though this decline has affected Protestant areas more than Catholic. The 2011 census indicated that 61 (of 582) wards were at least 90 per cent Catholic, while only two were over 90 per cent Protestant, reflecting changes in the social mobility of the growing Catholic population and the arrival of 'new communities' in to traditionally Protestant areas.

Since 2000, the NILT Survey has included a question about people's preferences regarding living in single-identity or mixed-religion neighbourhoods. The results consistently indicate that the majority of adults would prefer to live in mixed-religion neighbourhoods, with that figure increasing by 7 percentage points between 2015 (71 per cent) to 2017 (78 per cent).

**Figure 111: If you had a choice, would you prefer to live in a neighbourhood with people of only your own religion, or in a mixed-religion neighbourhood? Percentage, 2000-2017 (discontinuous)**

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2012	2013	2014	2015	2016	2017
Own	22	26	19	21	19	18	14	15	15	17	12	20	20	25	21	18	19
Mixed	70	66	74	72	80	79	79	80	80	80	83	71	71	70	71	77	78
Other	3	4	3	1	1	2	5	1	1	1	1	6	6	3	3	4	1
Don't know/ Don't care	5	5	4	6	1	1	3	4	4	2	5	4	3	3	4	2	2

Source: ARK, NILT, Module: *Community Relations*

In 2015, the NIHE published a five-year *Community Cohesion Strategy* (2015-2020) to tackle the deeply segregated nature of social housing, with a particular commitment to the development and promotion of mixed housing 'where it is practicable, desirable and safe.' (NIHE, 2015:3).

The Strategy builds on previous programmes of the Community Cohesion Unit, including the Shared Neighbourhood Pilot Programme (2008-2011) which aimed to support and encourage 30 shared neighbourhoods across NI and the follow-up Shared Communities Programme (2011-2014) which delivered a further 20 Shared Neighbourhoods within that three year period. In addition, an EU-funded BRIC (Building Relationships in Communities) Programme (2010-14) was designed to develop the good relations capacity of the NIHE and to develop good relations plans and programmes for 88 NIHE estates. The Strategy noted that over 90 per cent of social housing areas remain segregated into predominantly single communities, with this rising to 94 per cent in Belfast. This Strategy aimed to deliver across five key themes:

1. Segregation/Integration
2. Race Relations
3. Communities in Transition
4. Interface Areas
5. Flags, Emblems and Sectional Symbols

The Strategy contains a range of targets centred on the five thematic areas, including:

- Work with the OFMdfM TBUC, Department for Social Development, Housing Associations and others to bring proposals forward for 10 'Shared Future' capital build projects of mixed housing schemes in the medium term.
- Develop support programmes of action to address the issues of residential segregation and integration in 72 communities across 3 years, through a new BRIC 2 programme
- Support interface communities by supporting local plans for the regeneration and re modelling of interface areas.
- Deliver the Interface Normalisation programme on behalf of the Department of Justice. This programme provides additional security measures to resident's homes at interface locations that are proposing transformation.
- Develop a comprehensive and up to date database of all sectional symbols on Housing Executive land and property.
- Identify areas ready for positive intervention in collaboration with Regional/Area Offices

Under the NI Executive's Together: Building a United Community (TBUC) strategy, five 'shared' housing schemes - containing not more than 70 per cent of one community - have been completed in Belfast (two locations of 67 and 86 homes), Saintfield (12 homes), Newtownabbey (97 homes) and Cookstown (58 homes), with a further five schemes ongoing. In September 2017, it was reported that four Catholic families were forced to leave their homes in a mixed housing development Cantrell Close, off the Ravenhill Road in south-east Belfast (*Irish News*, 29 September 2017). The NIHE confirmed that a number of families had presented themselves as homeless, claiming sectarian intimidation (*BBC NI News*, 29 September 2017). It was claimed that loyalist paramilitaries had been behind the intimidation and the PSNI confirmed that the Paramilitary Task Force were involved in the investigation of the incidents (*Belfast Telegraph*, 28 September 2017). The intimidation of

the families was widely condemned by local political leaders on all sides. A week after the families left their homes, it was reported that some of the UVF flags which had been flying were removed by community workers from the East Belfast Community Initiative (EBCI) (*BBC NI News, 9 October 2017*). Other flags were not removed until December 2017, and political flags re-appeared in 2018. The incident raised important questions as to what body is responsible for the removal of flags from public spaces. The PSNI have publicly stated that they are not responsible for flag removal unless there is 'a substantial risk to public safety' or where it is believed that a criminal offence has taken place. (*Belfast Telegraph, 15 September 2017*).

In June 2018, banners depicting republican attacks including the Shankill and Enniskillen bombings, the La Mon bombing and Bloody Friday were erected around the Global Crescent and Cantrell Close developments. The banners included the hashtag 'Stand up against sectarianism' and their erection was supported by the EBCI. The Chief Executive of the social housing scheme responsible for the mixed housing estate was noted as saying: 'There was no consultation with the people who live in this area and the imagery used is not appropriate for a shared living scheme which is home to families from all backgrounds. We strongly feel that this is not an appropriate way to display events of the past' (*Belfast Telegraph, 4 June 2018*). In the context of the constraints associated with the development of mixed housing developments, the lack of clarity over who, and how, to manage those who aim to create 'chill factors' for residents requires action.

## 4. SHARING AND SEPARATION OF SCHOOLS

### 4.1 The management of schooling

As the fourth Peace Monitoring Report outlined, there are historic reasons for the unusual education structures in NI which has allowed for a variety of management types to develop and take root at nursery, primary and secondary levels.

These seven types are:

**Controlled schools (de facto Protestant).** These schools are funded and managed by the Education Authority for NI (EA) which was established under the Education Act NI 2014 and became operational in April 2015. The EA delivers on the provisions previously the responsibility of the five separate Education and Library Boards (Belfast, North Eastern, South Eastern, Southern and Western).

Each school (primary and secondary) has a Board of Governors which includes representatives of transferors (mainly the Protestant churches) and representatives of parents, teachers and the EA. The EA is the employing authority for teachers in Controlled schools.

**Voluntary (maintained) schools (de facto Catholic).** These schools are managed by Boards of Governors which are made up of nominated trustees (mainly representatives of the Catholic Church) and representatives of parents, teachers and the EA. The Council for Catholic Maintained Schools

is responsible for the management of the Maintained sector and is the employing authority for teachers in Catholic Maintained schools. The Catholic schools trustee service is funded by the Department of Education (DE) to provide support and advice to trustees on area planning.

**Voluntary (non-maintained) schools (grammar schools).** These schools are managed by Boards of Governors, who act as the employing authority for staff in the schools. The Board of Governors include representatives of parents, teachers, foundation governors and (in most cases) the EA and the DE. Voluntary Grammar schools vary in the rates of capital grant to which they are entitled depending on the management structure they have adopted. The vast majority are entitled to 100 per cent capital grants.

**Grant Maintained Integrated Schools.** Established to ensure that children from both Protestant and Catholic backgrounds are schooled together, each Integrated School is managed by a Board of Governors including trustees and representatives of the DE, parents and teachers. The Board of Governors is the employing authority and is responsible for the employment of staff.

**Independent schools (de facto private schools).** These schools are not grant aided and are funded by parental fees and income from investments. They set their own admissions policy and curriculum. There are very few schools of this particular type in NI.

**Irish-Medium:** The DE has a duty to encourage and assist in the development of Irish-Medium education. Comhairle na Gaelscolaíochta (CnaG) was established in 2000 by DE with a remit to promote, assist and encourage Irish-Medium education. Currently there is a total of 92 schools providing Irish-medium Education to over 6,000 children at pre-school, primary and post primary level. There are Controlled and Maintained Irish-Medium schools and units.

**Special Schools:** A Special school is a Controlled or Voluntary school which is organised to provide education for pupils with special needs.

The most recent (July 2018) enrolment figures for schools and funded pre-school education for 2017/18 indicate that there are a total of 773 institutions in NI providing funded pre-school education, 817 primary schools (including preparatory departments) and 199 post-primary schools. One-third (66) of post-primary schools are grammar schools and the remaining two-thirds (133) are non-grammar. Sixty-two per cent of 16 and 17 year olds are in sixth form in school (51 per cent of boys, 68 per cent of girls).

The average number of pupils per class in primary school (year 1 – year 7) remains steady at 25. There has been an increase of over 2,000 pupils in primary school (years 1-7) on the previous year, representing the highest total since 1999/2000. Ninety-one per cent of three year olds in the population (23,500) are in funded pre-school education, a small drop on the previous year. There has been a 4.4 per cent rise in the number of newcomer pupils (i.e. with English as an additional language) (1,277 pupils), with the most frequent first languages of newcomers being Polish, Lithuanian and Portuguese (DE, 2017). In 2017/18, a total of 6,184 pupils were in Irish-medium education, comprising of 923 places within 27 voluntary and private pre-school education centres, 4,156 primary places within 35 primary schools or Irish medium units, and 1,105 post-primary places within two schools and three Irish medium units (DE, February 2018).

Figure 112: No. of pupils by religion in schools, by school type, 2017-18

School Management Type	Religion of Pupils					
	Protestant	Catholic	Other Christian	Non Christian	No Religion/ not recorded	Total
Nursery Schools / Classes & Reception / Voluntary and Private Pre-School Centres (funded places only) (combined figures)	6657	11,067	822	229	4,725	23500
<b>Primary (Yr. 1 – Yr. 7)</b>						
Controlled	50,695	6,057	5,042	893	16,486	79,173
Catholic Maintained	635	75,634	632	738	1,608	79,247
Other Maintained	260	2,833	36	*	#	3,388
Controlled Integrated	1,621	1,199	235	84	1,070	4,209
Grant Maintained Integrated	1,807	2,511	413	#	#	6,017
TOTAL	55,018	88,234	6,358	1,800	20,624	172,034
<b>Preparatory (Yr. 1 – Yr. 7)</b>						
Controlled	46	*	#	*	26	80
Voluntary	740	#	#	#	410	1,630
TOTAL	786	223	224	41	436	1,710
<b>Secondary (non-grammar)</b>						
Controlled	21,801	1,047	1,117	154	3,545	27,724
Catholic Maintained	#	35,393	#	275	#	37,075
Other Maintained	*	683	*	-	#	734
Controlled Integrated	1,541	407	117	35	487	2,587
Grant Maintained Integrated	3,803	3,916	523	127	1,238	9,607
TOTAL	27,711	41,446	2,138	591	5,841	77,727
<b>Grammar (Yr. 8 – Yr. 14)</b>						
Controlled	10,016	1,327	806	112	1,850	14,111
Voluntary (Cath Managed)	336	27,212	174	119	351	28,192
Voluntary (Other Managed)	12,878	2,708	1,605	323	3,001	20,515
TOTAL	23,230	31,247	2,585	554	5,202	62,818
<b>Special Schools</b>						
Controlled	2,036	2,208	169	52	924	5,389
Catholic Maintained	7	245	*	#	#	267
Other Maintained	31	29	*	*	#	79
TOTAL	2,074	2,482	172	60	947	5,735
EOTAS Centers	11	31	*	-	#	50
ALL SCHOOLS	115,487	174,731	12,300	3,275	37,782	343,574

\*Fewer than 5 cases    # Number suppressed

Source: Statistical Bulletin 2/2018 (Revised 17 July 2018). *Annual enrolments at schools and in funded pre-school education in NI, 2017-18.*

## 4.2 Integrated and Shared Education

The Department of Education (DE) has had a duty to encourage and facilitate integrated education since the Education Reform Act of 1989. Since May 2016, the passing of the Shared Education (Northern Ireland) Act requires the DE to 'encourage, facilitate and promote shared education'. The Act understands 'shared education' as meaning the education together of (a) those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons; and (b) those who are experiencing socio-economic deprivation and those who are not.

The DE Annual Enrolment figures for 2017-18 indicate that there were over 23,000 pupils enrolled in integrated schools – almost 10,900 in primary schools and more than 12,000 in post-primary schools (around 7 per cent overall). This figure has increased by almost 500 pupils compared with 2016-17 and over 1,500 compared with five years ago. This growth is seen mainly in primary schools and could be explained by the fact that three primary schools transformed to integrated status in the last two years. With funding from DE, the NI Council for Integrated Education (NICIE) promotes the strategic development of Integrated schools and provides advice and guidance to all Integrated schools, both Controlled and Grant Maintained.

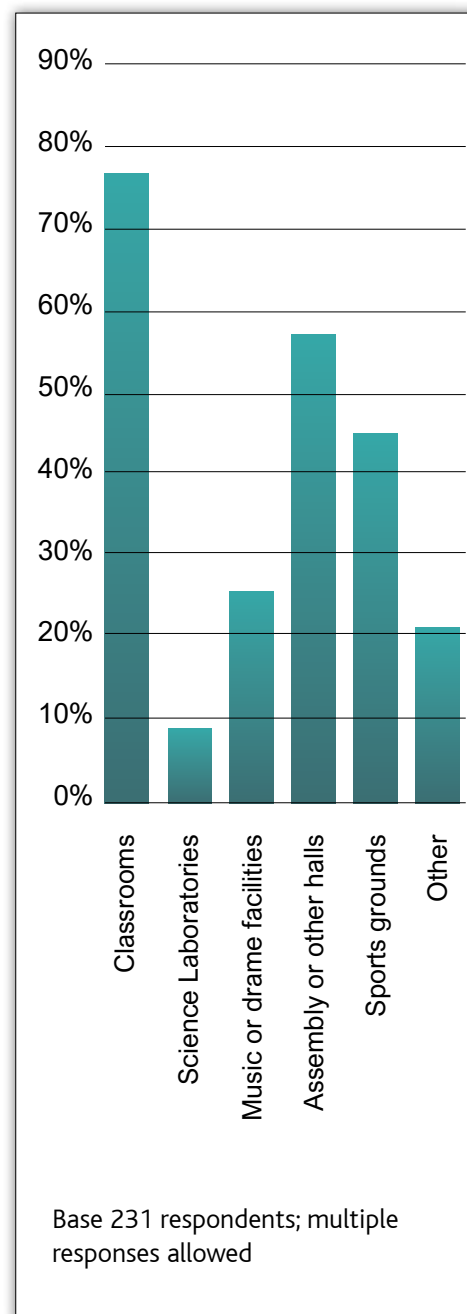
It is worth noting that mixing of those from different religious backgrounds is taking place within the Catholic Maintained and Controlled School Sectors. The 2017-18 enrolment figures indicate that 6,057 who identified as Catholic attended Controlled Primary schools, and a further 2,374 Catholics attended Controlled Secondary or Grammar schools. 635 who identified as Protestants attended Catholic Maintained Primary Schools and 336 attended Catholic managed Voluntary Schools. The number of Protestant pupils who attended Catholic Maintained Grammar Schools was not provided. It is also worth noting that a sizeable number of pupils are recorded as no religion/not recorded in all the school categories.

On a busy day for the media due to the 2017 Assembly Elections, the DE published *The Report of the Independent Review of Integrated Education* (dated November 2016) by Professor Margaret Topping of QUB and NICIE President Colm Cavanagh on the 2nd of March 2017. The remit of the study was to make recommendations in three areas: 1. how to develop and grow integrated education; 2. how to develop a more integrated system in its widest sense to bring together increasing numbers of Protestant and Catholic pupils within all schools (as distinct from the co-operation of separate shared schools); and 3. the allocation of £50 million per year for the period 2016-2026 made available for capital expenditure under the Fresh Start Agreement. The report included 39 wide-ranging recommendations on how to support further integration, including the call to review both the existing legal definition of 'integrated' education and the religious balance criteria for integrated schools to take greater account of the greater diversity in the society and changing demographics. It also recommended that the Education Authority (EA) should pro-actively plan, set objectives for, and monitor progress on increasing provision of school places within the integrated sector. The report expressed concern that in September 2016, seven of the 20 integrated post-primary schools and 21 of the 45 primary schools were oversubscribed at first preference applicant stage. (Topping and Cavanagh, 2016).

With limitations on the growth of the integrated sector and schools coming under increasing pressure to rationalise the number of unused school places, discussions on the development of school collaboration whereby schools could retain their own ethos and identity, but would develop partnerships with other local schools to share teaching and resources, have gained increasing ground and attention since the early 2000s. In 2007, the independent donor foundation, The Atlantic Philanthropies and the International Fund for Ireland co-funded a 'Sharing Education Programme' (SEP) to encourage regular cross-community contact between existing schools. Managed by Queen's University Belfast, the first Programme (SEP1, 2007-2010) involved 65 schools in 12 collaborative partnerships, with around 3,700 pupils participating in shared classes. SEP2 (2009-2013) involved 80 schools in an additional 11 partnerships and one carryover partnership. The Fermanagh Trust and the North Eastern Education and Library Board (the PIEE Project) ran a further two shared education projects. 158 schools formed 54 partnerships and approximately 35,800 pupils took part in around 28,300 hours of shared activity. (Social Change Initiative, 2017). Since 2014, the government and The Atlantic Philanthropies have co-funded a Shared Education Signature Project (SESP) with a budget of £25m to be spent over a four-year period. Managed by the Education Authority (EA), the SESP aims to engage the majority of schools and pupils across NI in substantive shared education. In 2016, the Special EU Programmes Body allocated 35.3 million euros from the PEACE IV Programme to the 'provision of direct, sustained, curriculum based contact between pupils and teachers from all backgrounds through collaboration between schools from different sectors in order to promote good relations and enhance children's skills and attitudes to contribute to a cohesive society.' Since September 2017, SEUPB have provided co-funding to the Education Authority and its partner Léargas in the Republic of Ireland to deliver a Collaboration and Sharing in Education (CASE) programme to provide support for primary and post-primary schools with no or limited previous experience of providing shared education opportunities. This programme will run until 2022.

The Department of Education's School Omnibus Survey 2016 reported that 58 per cent of respondents (242 schools) stated that they had partnered in shared education; 42 per cent had not. The most common type of shared activities which schools noted that they had partnered on were 'projects with pupils from other schools': 72 per cent; 'shared resources': 47 per cent and 'shared classes with pupils from other schools (other than under the Entitlement Framework)': 42 per cent. Respondents were also asked to specify which facilities they have used in the shared education partnership(s) in the last academic year. Figure 113 details the responses given.

**Figure 113: Which facilities schools have used in the shared education partnership(s) in the last academic year?**



Source: NISRA / Department of Education, School Omnibus Survey 2016.



## 5. SHARING PUBLIC SPACE

### 5.1 Culture wars

The term 'culture wars' has now become firmly established in the NI political dictionary to refer to a range of diverse issues ranging from flag, parades and language rights. For instance, Wilson (2016) used it to suggest that, 'Northern Ireland's politico-military conflict has morphed into a politico-cultural one' (Wilson, 2016:123). Nothing during the period covered by this report would suggest this has changed in any significant way. Instead, the tendency appears to be for tensions over some issues to ease, only to be replaced by others, adding to the toxicity of the political discourse in recent times. All of this was acknowledged by those behind the bid submitted in November 2017 by Belfast City Council, in partnership with Derry City and Strabane Council, to be the UK's candidate for the 2023 European City of Culture. In this instance the authors of the bid paraphrased the often used quotation by Carl von Clausewitz that, 'war is the continuation of politics by other means', to suggest that, in the case of NI, culture is often 'used as a continuation of conflict by other means' (*BBC NI News, 2 November 2017*).

### 5.2 Flags

As Wilson (2016) noted in the fourth Peace Monitoring Report, the immediacy of street protests and the political furore that broke out in late 2012 over the flying of the Union flag over Belfast City Hall has significantly subsided. It would be wrong, however, to conclude that the issues related to political allegiance, cultural expression and territoriality it brought into the open have been resolved.

In June 2017, there was public criticism over the erection of Union and UVF flags in two mixed housing estates in south Belfast. In September 2017, reports emerged that four Catholic families living in one of the mixed housing developments, Cantrell Close, had been forced to leave their homes, claiming they had been the victims of sectarian intimidation. Although the intimidation of the families was widely condemned by all of the main political parties and the flags were later taken down by people associated with the East Belfast Community Initiative, the incident reignited the wider debate about the flying of flags in public spaces (*BBC NI News, 5 October 2017*). In May 2018, the issue resurfaced when UVF flags again appeared on lampposts near to Cantrell Close, although they were removed within hours. Several days later, the DUP MLA for the South Belfast constituency, Christopher Stalford, welcomed a new flag protocol for the area that sought to avoid the problems of the previous summer. This included proposals that flags would only be erected in mid-June and be taken down in early September; that no flags associated with any paramilitary grouping would be put up; that there should be no more than one on any lamp post; and that only the Union flag and NI flag would be flown. Political representatives from the other main parties in the area expressed their reservations, with one Alliance councillor describing it as a 'slap in the face to Ormeau residents', and stating that it 'does nothing to build community in our shared space' (*Belfast Telegraph, 30 May 2018*).



The NILT Survey has regularly recorded the views of the public regarding their attitude to flag flying. In 2017, respondents were first asked their level of agreement with the statement: *I support the flying of flags on lampposts throughout Northern Ireland on special dates for particular celebrations.*

**Figure 114: Attitudes relating to the flying of flags on lampposts throughout NI on special dates for particular celebrations.**

	ALL %	Catholic %	Protestant %	No Religion %
Strongly Agree	6	1	12	7
Agree	34	27	45	26
Neither Agree nor Disagree	16	14	14	21
Disagree	16	17	15	17
Strongly Disagree	23	34	13	24
It depends on the flag	2	3	1	2
Don't know	3	3	1	4

Source: *NILT, 2017*

These responses indicate that attitudes towards the flying of flags on lampposts throughout NI on special dates for particular celebrations are split, with 40 per cent of respondents supportive of this view and some 39 per cent opposed. The figures also indicate a significant variation according to religious affiliation with the highest level of support for this particular form of flag flying from Protestant respondents with 57 per cent in favour and 28 per cent opposed. These results were reversed amongst Catholic respondents with 28 per cent in favour and 51 per cent opposed. Respondents were also asked for their level of agreement or disagreement on the following statement: *If flags appear on lampposts I would like them all taken down straightaway, even if this causes trouble.*

**Figure 115: If flags appear on lampposts, I would like them all taken down straightaway, even if this causes trouble**

	ALL %	Catholic %	Protestant %	No Religion %
Strongly Agree	<b>23</b>	30	15	25
Agree	<b>24</b>	31	24	18
Neither Agree nor Disagree	<b>18</b>	15	16	25
Disagree	<b>21</b>	13	30	20
Strongly Disagree	<b>8</b>	4	11	6
It depends on the flag	<b>3</b>	4	1	1
Don't know	<b>4</b>	3	3	4

Source: *NILT, 2017*

Forty-seven per cent of respondents agreed with this statement and 29 per cent disagreed. Given that Figure 115 above indicates that Catholic respondents are less supportive of the flying of flags on lampposts, it is perhaps unsurprising that this group are most supportive of taking flags down straightaway with 61 per cent in favour. The corresponding figure among Protestant respondents was 39 per cent.

In the 2017 NILT survey, respondents were asked their views on whether the Union flag should be flown over public buildings in NI. The results (Figure 116) indicate that a small majority – 53 per cent of respondents – support the flying of the Union flag over public buildings on designated days only. Just over a fifth of respondents – 21 per cent – believed that it should be flown all the time and 15 per cent thought it should not be flown at all from any public building. As with the other questions the difference in opinion became much more marked when religious designation was taken into account. Support for flying the Union flag at all times differs from 3 per cent of Catholic respondents and 40 per cent of Protestants. In contrast just 4 per cent of Protestant respondents felt that the Union flag should not be flown on public buildings and this varied from 29 per cent of Catholics. However, there is a small majority in both groups willing to support the flying of the Union flag on designated days only from public buildings with 58 per cent of Catholics and 51 per cent of Protestants.

Figure 116: Attitudes to Union flag flying on public buildings in NI

	% Catholic	% Protestant	% No Religion
The Union flag should be flown from all public buildings all the time	3	40	20
The Union flag should be flown on designated days only from all public buildings	58	51	51
The Union flag should not be flown at all from any public building	29	4	13
Don't know	10	5	16

Source: ARK *NILT*, 2017.

Given the divergence in the views expressed, it is clear that questions around flags remains a controversial one and is therefore likely to continue to cause problems for policy makers. As QUB researchers, Paul Nolan and Dominic Bryan note in their 2016 report *Flags: Towards a New Understanding*, 'It is of course easier to look back and explain how things went wrong than it is to look into the future and show how to get it right.' (Nolan & Bryan, 2016:2).

## 5.3 The Commission on Flags, Identity, Culture and Tradition

While there has been a general consensus about the nature and extent of inter-communal tensions over cultural expression in NI, a solution to this most pernicious of issues has proven difficult to reach. To date, the typical approach for political leaders faced with unpalatable and unpopular choices (particularly from their own electorate), has been to propose the establishment of independent bodies to investigate and make recommendations on ways forward. The 2014 Stormont House Agreement (SHA) made provision for the establishment of a *Commission on Flags, Identity, Culture and Tradition*. The body itself was to be made up of 15 members – eight to be drawn from outside government with the remaining seven nominated by the leaders of the political parties that made up the NI Executive at that time. The two largest parties in the Executive, then the DUP and SF, could nominate two members each and the next three largest parties, then the APNI, SDLP and UUP could each nominate one.

The Commission was to have been established by June 2015 and then given 18 months to produce a report and recommendations agreed to by a majority of its members. Although the main focus was to be on flags and emblems, it had a remit to look at wider issues of identity, culture and tradition. Further political wrangling throughout 2015 meant that the deadline for the launch of the Commission was missed. In the autumn of 2015, the British and Irish governments reconvened a new round of talks with the main political parties in NI and this produced the Fresh Start Agreement

in November 2015, which again included the proposal for the Commission. Consequently, it was not until 20 June 2016 that its membership was formally confirmed by Arlene Foster and Martin McGuinness, then respectively First Minister and deputy First Minister. Its remit remained the same and the objective of producing a final, agreed report within 18 months was still in place – therefore giving a target date for early 2018.

Attention turned to the membership of the Commission with concerns expressed about the balance in representation between those nominated from the political parties and those outside of government. Given the large number of political nominees, there were concerns it could turn into a 'talking shop' where party representatives would simply use the body to repeat old arguments. An additional issue of concern lay with the gender imbalance of the Commission, with the appointment of only one female member to the body, an issue raised by the Commissioner for Public Appointments in June 2016.

The political commentator and former Sinn Féin local government candidate, Chris Donnelly, questioned whether the body had an in-built unionist majority, which could affect its final recommendations (*Sluggie O'Toole, 20 November 2016*). However these were claims that the co-chair, Dr Dominic Bryan, a noted expert on flags and identity based at Queen's University Belfast, was keen to discount from the outset. He told the BBC, 'The end game here is not to produce something that ends up further creating division...What I hope that we're able to do through this Commission is to find ways in which we can foster positives, but also deal with some of the fundamental problems that we have' (*BBC NI News, 21 June 2016*).

With that in mind, the work of the Commission got underway with an extensive list of public engagements and meetings held with various stakeholder groups and organisations as well as members of the public. It is currently unclear when the final recommendations will be made public. In January 2018, the Irish News quoted unnamed government officials as saying that the absence of devolved government in NI meant that any report from the Commission would not be published until it had been read and signed off by ministers in the NI Executive (*Irish News, 19 January 2018*). In March 2018 both the Belfast Telegraph and the News Letter, reported that, through his online platform 'Unionist Voice', the loyalist blogger Jamie Bryson had published what was claimed to be leaks from a draft of the Commission's report. It was reported that unionist members were holding out against proposals that would effectively give the Irish tricolour parity of esteem with the flying of the Union flag over all public buildings in NI. In addition new regulations would be introduced which would effectively result in a statutory licensing system for bonfires. The last communique issued following a Commission meeting was published on its website in November 2017. In June 2018, the BBC reported that the Commission has cost £647,094 since its formation two years previously. (*BBC NI News, 2 June 2018*).

## 5.4 Bonfires

Recent years have seen increasing attention focussed on the practice of building and burning of bonfires, particularly in Belfast, connected with the annual 12th July celebrations. A range of problematic issues have been associated with these, including where they are sited; the burning of effigies, flags and other emblems; the burning of hazardous items such as tyres; issues around public safety; the question of responsibility / liability for any damage or costs connected with them; and anti-social behaviour. An activity previously seen as the preserve of individual communities within local neighbourhoods has a wider influence, with government and other statutory organisations increasingly involved. *The Detail* obtained figures from the NI Fire and Rescue Service indicating that, between 2013 and 2017, it had dealt with some 1,809 bonfires at an estimated cost of some £300,000. Around 36 per cent of these calls were to deal with bonfires during the month of July (*The Detail.tv, 9 July 2018*).

Alongside this has been a sense of unease as to the nature and extent of paramilitary control over bonfires. In February 2018, the *Irish News* published extracts from a leaked, confidential draft report produced by academics from Ulster University, Duncan Morrow and Jonny Byrne, relating to this issue. The work had been commissioned by the Community Relations Council following discussions at a T:BUC Engagement Forum and included discussions with public bodies such as the PSNI, Fire Service, the NIHE, the Environment Agency and the eleven district councils. The draft report concluded that bonfires were one of the means by which loyalist paramilitaries 'extend their legitimacy and control community activities' (*Irish News, 26 February 2018*).

While the custom of bonfires is more prevalent among the loyalist/unionist community, it also has some tradition in nationalist/republican areas. Bonfires have marked the anniversary of the introduction of internment in NI on the 8th of August 1971 as well as the annual Catholic Feast of the Assumption on the 15th August. From the late 1980s there were deliberate efforts made to move away from the practice – largely due to the anti-social behaviour associated with them – in favour of community-based festivals, such as the annual Féile an Phobail in West Belfast in early August. In spite of such initiatives, some bonfires are still organised in republican areas. In July and August 2017 there were disturbances and attacks on police, council workers and property in the New Lodge and the Markets area as well as in parts of West Belfast. There have also been similar problems in the Bogside area of Derry City in August 2016 and 2017 where bonfires built close to the Lecky Road flyover have resulted in disorder. In 2018, further problems arose when boards bearing the names of four men killed by dissident republicans were burned on a bonfire. (*BBC NI News, 16 August 2018*).

The obvious challenge for policy makers is how to respond. The search for a solution to the issue of bonfires is part of the wider 'culture war' debate in which opinion in NI remains largely divided along sectarian lines. NILT Survey data from 2017 (Figure 117) indicates that 40 per cent of respondents agreed or strongly agreed that bonfires were a legitimate form of cultural celebration some 37 per cent disagreed or strongly disagreed.

Figure 117: Attitudes to bonfires as a legitimate form of cultural celebration

	ALL %	Catholic %	Protestant %	No Religion %
Strongly Agree	9	1	18	9
Agree	31	23	37	32
Neither Agree nor Disagree	18	19	16	23
Disagree	17	20	17	14
Strongly Disagree	20	31	10	18
Can't Choose	5	6	3	3

Source: *NILT, 2017*

Fifty-five per cent of Protestant respondents either strongly agreed or agreed that bonfires are a legitimate form of cultural celebration and 27 per cent disagreed or strongly disagreed with this statement. Twenty-four per cent of Catholic respondents either strongly agreed or agreed with the statement, with 51 per cent disagreeing or strongly disagreeing.

Respondents were also asked how much they agree or disagree with the statement: *'Bonfire organisers should be held to account if there is property damage or injuries as a result of their bonfires.'* Responses can be seen in Figure 118.

Figure 118: Attitudes to accountability of bonfire organisers as a result of damage or injury.

	ALL %	Catholic %	Protestant %	No Religion %
Strongly Agree	57	66	51	55
Agree	29	21	37	28
Neither Agree nor Disagree	8	6	7	11
Disagree	1	1	2	1
Strongly Disagree	2	2	2	0
Can't Choose	3	4	1	4

Source: *NILT, 2017*

Eighty-six per cent of respondents agreed that if property was damaged or injuries were caused by bonfires, then organisers should be responsible, with only three per cent disagreeing. In contrast to the question concerning the legitimacy of bonfires as a form of cultural celebration, there was little difference between the religious or identity groups.

At present the task of finding a way forward lies with the Commission on Flags, Identity, Culture and Tradition. In the continuing absence of any final recommendations, the onus continues to fall on public bodies to address the issue at a local level. For several years, Belfast City Council has run a 'bonfire and cultural expression programme', which seeks to 'help the way July bonfires are managed and provide support to increase opportunities for positive cultural expression'. In return for receiving funding of up to £1,250 those organising bonfires must abide by certain restrictions relating to the location, how long material could be collected for, what type of material could be burned, and adhere to existing health and safety legislation. While there has been significant improvement in the management of bonfires in recent years, the siting and composition of some bonfires has remained contentious. In June 2017, the media reported that the City Council was engaged in removing material from a number of sites on the understanding that it would be returned to the local community before the 11th of July. It subsequently emerged that some 3,000 pallets stored by the City Council under this agreement had been stolen.

In order to halt further material being added to four bonfire sites in East Belfast in 2017, the City Council had sought a court injunction on the grounds of public safety and damage to property. Such a move was opposed by unionist councillors who accused Sinn Féin and other parties of attempting to 'dictate how loyalists should celebrate their tradition' (*Belfast Telegraph*, 10 July 2017). In a joint statement, DUP and PUP leaders on Belfast City Council, called for the establishment of a 'Cultural Convention' to ensure that the unionist community can 'go forward with one voice in promoting our culture, heritage and tradition, as well as to ensure that our celebrations continue to be bigger, better and more successful than ever before' (Ibid).

On the night of the 11th July 2017, problems arose over a bonfire built close to a ten-storey apartment complex in the Sandy Row area of South Belfast. Although fire crews were on hand to prevent the spread of flames to the building itself, a number of residents reported that their windows had been damaged by the excessive heat. This led to a public debate as to who was financially responsible for rectifying damage caused to privately owned buildings. The NIHE, on whose land the bonfire had been built, denied it was liable. The Northern Ireland Office (NIO) said it did not operate any scheme that could offer compensation in such circumstances. Eventually after some initial concern and anger, it was made clear that the residents would not have to pay for any repairs, as the building's insurance policy would cover the costs.

For Belfast City Council the events of June and July 2017 prompted a review of its response to bonfires. On 3 July, the Council voted to pursue a Chief Executive-led review in to the collection and storage of bonfire material, and the longer-term approach to bonfires in the city of Belfast. This review was conducted by Dr Tom Frawley, a former NI Ombudsman. In August 2017, a motion proposed by Sinn Féin was passed which stated that it was 'opposed

to bonfires where they present a threat to life, property, the environment, where they cause damage to public amenities and where they facilitate hate crime.' It also went on to add that, 'This council gives permission to our council officers to remove bonfire materials or employ contractors to facilitate the removal of bonfire materials from council sites and other sites, which belong to statutory agencies and those which are in private ownership.' (*BBC NI News, 2 August 2017*).

The motion was rejected by Unionist councillors and in response DUP, UUP and PUP party groups on the Council jointly undertook a consultation within their own constituencies on the bonfire issue. Published in March 2018, the resultant report, *Towards a Respectful Future*, (DUP, UUP, and PUP, 2018) offered a strong defence of the practice. It made clear that attempts to place rules and restrictions on bonfires are part of 'a concerted campaign against traditional Unionist celebrations', and this in turn, 'feeds into a sense of alienation' (2018:2). While recognising that, in recent times, some bonfires across Belfast had been problematic, it was also keen to stress that no one they had spoken to 'felt that bonfires were an inappropriate way of celebrating their culture' (2018:3). Instead of the perceived aggressive approach outlined by the Council motion in August 2017 it suggested the need to recognise 'that each neighbourhood and bonfire is unique' and that, 'greater emphasis should be placed on local characteristics in order to provide appropriate support'. The authors recommended that it was desirable that as many as possible should engage with the ongoing bonfire programme run by the City Council.

A short time after *Towards a Respectful Future* was published, Tom Frawley reported back to Belfast City Council. In an extensive report, he emphasised the complexities of the problem and of finding a way forward in the absence of any political agreement on the matter. He argued that, in the future, any Council plans had to be based on a 'commitment to protecting people, property and the environment', through strict adherence to the law and in trying to 'ensure that July bonfires reflect a positive expression of cultural identity' (Frawley, 2018:110). However, under that sort of approach, the current status quo would no longer be acceptable and difficult realities would have to be faced. This would include challenging the 'perception' that bonfires 'have taken place in a very permissive atmosphere'. That had led to circumstances under which there had been a failure to 'properly' conduct a rigorous risk assessment of potential threats to the public at large as well as property and the environment. As a result 'behaviour' that would normally be deemed 'illegal' was overlooked thereby creating 'the conditions for potentially more serious activity'. The report recognised that the task of making progress was being hindered by the lack of political consensus. (Frawley, 2018:114-115).

In terms of bonfire management, the report concluded that the only viable option was self-regulation, and for all public bodies and interested parties to reach agreements on what would be deemed as safe conditions under which bonfires could be held. It argued that, ultimately this was the 'best way forward in securing bonfires as an expression of positive cultural identity: that also protects people, property and the environment'. (Frawley, 2018:105).

In 2018, two large bonfire sites in East Belfast – Bloomfield Walkway and Cluan Place gained attention, due to the apparent threat to neighbouring properties. A court order was issued to reduce the size of the Bloomfield



bonfire and, on the 11th July, PSNI officers accompanied contractors in an operation to remove material from both sites. While the operation at Cluan Place was relatively peaceful, the operation at Bloomfield saw disturbances as protestors set the bonfire alight before it could be dismantled and then attacked the police with stones and fireworks. Later that evening there was further unrest in parts of East Belfast and Newtownards as the PSNI warned that elements of the UVF were planning to take advantage of the situation to provoke further trouble (*BBC NI News, 11 July 2018*).

The Frawley report noted that some 330 bonfires took place across NI on the night of the 11th July, around 75-80 of which were in Belfast. In March 2018, Mid-Ulster District Council voted by 20 votes to nine to introduce a 'Bonfire Management Programme' which would introduce a licensing scheme for any bonfires sited on council-owned property. Unionist councillors criticised the proposals as taking a 'heavy-handed regulatory approach' and being a threat to cultural expression by a Sinn Féin dominated council (*Mid-Ulster Mail, 27 March 2018*). The impact of this decision by the nationalist controlled council was further investigated in an episode of the BBC NI Spotlight on 5 June. During this programme Keith Buchanan, the DUP MLA for Mid-Ulster, claimed the policy was latest example of 'British identity... being eroded like snow off a ditch'. According to him, the Council was taking a draconian approach when only two bonfire sites out of thirteen in the area were deemed as high risk.

## 5.5 Parading

While issues surrounding flags and bonfires have come to the fore in recent years, there has been a noticeable lessening in the tensions and controversies that previously accompanied the summer marching season in NI. Since its inception in 1998, the Parades Commission has been tasked with the role of supervising and overseeing the thousands of public processions and related public meetings that take place each year. The Parades Commission provides annual figures on the number of events held and from Figure 119 it can be seen that there has been a drop in those classified 'sensitive' and those in which restrictions are then applied.

**Figure 119: Number of Parades notified to the Parades Commission per year**

	Total	Protestant-Communalist	Catholic-Communalist	Non-communal	Deemed 'sensitive'	Restrictions Applied
2013-14	4,665	2,766	119	1,780	491	437
2014-15	5,074	2,918	176	1,980	619	583
2015-16	5,030	2,851	219	1,960	571	548
2016-17	4,643	2,598	140	1,905	363	342

Source: Parades Commission, 2018.

While official figures for the year 2017-18 are not yet available, in October 2017 'The Detail' produced a report with some preliminary figures from the Parades Commission that covered the period from April-August 2017 (Winters, 2017). These indicate that there were 3,368 parades with 145 of these - or less than five per cent - being considered sensitive. 131 parades - or less than four per cent - had some form of restriction placed upon them. These figures appear to indicate that there has been a lessening in tensions around what was previously seen as a core issue of contention in the wider 'culture wars'.

Developments in late 2016 aimed at resolving the long-running dispute in the Ardoyne area of North Belfast between local residents and the Orange Order over a disputed Twelfth of July parade also indicates positive movement. In 2013, the Parades Commission ruled against the return leg of an Orange Order parade passing a small section of the Crumlin Road. This ruling led to the establishment of a loyalist protest camp in nearby Twaddell Avenue and led to increased levels of tension and, often violent protest in the area. By December 2016, the policing costs to cover the small protest camp and the regular street demonstrations in the area was estimated at £22 million. (*Belfast Telegraph*, 2 December 2016).

For some time talks had taken place between both sides, with the help of outside facilitators, to find a way out of the impasse. In September 2016, two appointed mediators, Rev Harold Good and Jim Roddy, publicly stated that an agreement had been reached. The effective ending of the dispute was to be achieved by a series of steps with local Orangemen agreeing to suspend their protests and dismantle the Twaddell protest camp. In return, local residents would permit the return leg of the 12th July parade at 8.30am on Saturday 1 October 2016. The bands taking part would only be permitted to play hymns as the participants passed the disputed part of the route and there would be a limit on the number of banners on display. (*Belfast Telegraph*, 1 October 2016).

The agreement reached set out a future process that would seek to provide a more permanent solution. A 'Community Forum' was to be established which would allow both sides to continue their discussions. In addition, local Orange lodges would 'instigate a voluntary moratorium on applying for a [future] return parade', and in return this 'moratorium would allow for a process between the lodges and [nationalist residents group] CARA to seek agreement on future return parades and if agreement is achieved, the moratorium would be lifted'. (*BBC NI News*, 24 September 2016,).

Based on the agreement reached, the Parades Commission gave permission for the march to take place. However, disagreements between the CARA (Crumlin Ardoyne Residents Association), who had agreed to the deal and GARC (Greater Ardoyne Residents Collective), who had not supported it, emerged. GARC announced plans to hold a rally to protest at the deal on Friday 30 September. Although this passed off peacefully there were verbal confrontations between GARC representatives and a Catholic priest from the area, Father Gary Donegan on the morning of 1 October 2016 as the Orange parade took place. Fr. Donegan had been involved in the negotiations that had led to the deal and was accused of taking sides against local residents. (*BBC NI News*, 1 October 2016).

Following the Twelfth of July celebrations in 2017, PSNI's Assistant Chief Constable Alan Todd told the BBC, 'We have dealt with a number of minor

incidents throughout the day and have made a small number of arrests but these were very much in the margins of what has been widely described as the most peaceful Twelfth of July for some years and a model for years to come' (*BBC NI News, 13 July 2017*).

A further example of the apparent progress comes from Derry City. The County Derry Orange Order demonstrations (taken on rotation to venues across the county) were due to take place in Derry/Londonderry in 2018. In the week leading up to the 12th of July 2018, there were nightly disturbances in the Bogside area of the city and concerns that the parade itself could further raise tensions. However, the day itself passed off relatively peacefully with only one minor incident reported (*BBC NI News, 13 July 2018*). The accumulation of years of groundwork to build relationships between individuals and communities in the city and the development of the 'Maiden City Accord' in 2014 appears to have created a more conducive atmosphere in the city.

In October 2017, the Grand Master Orange Order of Ireland, Rev. Mervyn Gibson was quoted in *The Detail* as saying: 'It is true that there was less tension on the streets this year than in previous years and it was definitely a better 12th July all around. What the figures that *The Detail* has gathered don't necessarily reflect, however, is the reality of the mood on the ground. What the statistics actually reveal is the position of the Parades Commission. They don't show that the legislation in place to deal with parading in NI is inherently flawed. There aren't problems with parades, the problems lie with people getting offended by parades. The reason we are seeing a relatively small number of protests is because the Parades Commission is doing the protestors' job for them.' (*The Detail.tv, 28 October 2017*). That point was again reinforced by Darryl Hewitt, Portadown District Master, at an event to mark the 20th anniversary of the Drumcree protest. Since 1998, the local Orange Lodge has been banned from completing their return parade down the Garvaghy Road following their annual church service on the first Sunday in July. Reiterating that he and his colleagues vowed to pursue the protest for the 'long haul' he stated, 'It is time for our politicians to stand up and be counted and remind the Government that this issue will not be going away' (*Belfast Telegraph, 9 July 2018*).

## 6. ARTS AND SPORTS

### 6.1 The Arts

The Draft Programme for Government Framework (2016-2021) recognised the importance of the arts sector to NI society both in social and economic terms. One of the key recommendations was the continuing need to develop a sustainable and vibrant film, animation and television production sector. The government agency responsible - Northern Ireland Screen - set out ambitious targets for itself in its report *Adding Value, Volume 2* (NI Screen, 2017). By the end of March 2018, it committed itself to having invested £42.8 million in the sector. This investment was predicted to generate almost £251 million total expenditure on goods and services as well as creating 2,800 full-time equivalent job years, valued at nearly £108 million.

On the back of the success achieved by the production of the television series *Game of Thrones* at locations across NI and at the Titanic Studios in Belfast, a decision was made in April 2016 to build a new £20 million studio complex on the north foreshore of Belfast Lough, including two film studios, workshops plus production offices. The official opening of these in July 2017 was accompanied by news that a new television series by Warner Horizon Television, based on comic book hero Superman, would be filmed there (*BBC NI News, 7 June 2017*).

Despite these positive developments, the domestic arts scene has been significantly affected by government funding cutbacks in recent years. In July 2016 the Arts Council of NI faced a cut of 4 per cent to its budget allocation or in financial terms a reduction of almost £500,000 from £10.95 million to £10.49 million for the year 2016-17. There was no let-up in subsequent years. In April 2018, it was reported that 43 arts organisations had their funding cut by the Arts Council of NI, which had had its annual funding programme reduced by 4.7 per cent in 2018/19. In addition to the 43 organisations which received cuts, the council was unable to give any money to seven arts groups which had received annual funding in 2017/18. The campaign group Art Matters NI noted that arts spending in NI per head of population was now below £5 per year, and that this was less than half the equivalent spend in Great Britain and in the Republic of Ireland (*BBC NI News, 11 April 2018*).

The decision of the UK to Brexit has also negatively impacted on the arts scene in NI. In November 2017, Belfast City Council and Derry City and Strabane Council jointly applied to be the UK's candidate for the 2023 European City of Culture. Although the proposal was not fully costed or made public, a draft plan did set out an ambitious programme that would seek to alter the current position where, 'culture is still seen by some and used at times as a tool to intimidate and exclude' and instead under the title '@home', seek to 'create a step change to move beyond this' (*BBC NI News, 2 November 2017*). However a few weeks later, those UK cities competing for the nomination – Belfast, Dundee, Leeds, Milton Keynes and Nottingham – were informed by the European Commission that it had cancelled Britain's turn to host the European City of Culture. Citing Brexit, it stated that, as a consequence of the decision to leave the European Union in 2019, the UK was no longer eligible to be considered as a candidate to be a host city (*BBC NI News, 23 November 2017*).

## 6.2 Sport

In a divided society such as NI, sport can provide an interesting insight into the state of relations between the two main communities. While sport has the capacity to unite people in a common cause it can often act as a useful indicator of the underlying tensions that remain.

Back in the summer of 2016, fans of both NI and Republic of Ireland soccer were able to enjoy their teams reaching the European Championship Finals (Euros) in France for the first time. In sport, success can also be measured off the field of play and the positive impact of thousands of Irish fans, both North and South, was recognised when they were awarded the Medal of the City of Paris by the Mayor for their 'enthusiasm, jolliness...fair play...exemplary sportsmanship' (*BBC NI News, 30 June 2016*).

However, another set of soccer fans in Ireland were able to celebrate ultimate success at Euros 2016 - Portuguese exiles had reason to welcome the first major senior football trophy won by their nation. The town of Dungannon, County Tyrone – home to a large Portuguese community – saw hundreds take to the streets to celebrate, without any complaints about their flag-waving activities (*Mid Ulster Mail*, 11 July 2016).

If events of the summer of 2016 marked a positive image for the game of soccer, the challenges it still faced in NI re-emerged just over a year later. In July 2017, the NI League champions, Linfield, whose support is largely from within the Protestant / loyalist community, were drawn against the League champions of Scotland, Glasgow Celtic, a team with a significant fan base among the Catholic / nationalist community. Almost immediately, concerns were raised that the first leg of the match scheduled for Belfast on Wednesday 12 July posed a major security threat. Although it was subsequently re-scheduled for Friday 14 July, the threat of crowd disturbances continued and led to Celtic not taking up the ticket allocation given to their fans for the game in Belfast. While the match passed off relatively peacefully, a number of incidents in which objects were thrown at Celtic players led to Linfield being handed a £8,800 fine and a partial stadium closure for their next European tie. Just over a week later, at the return leg in Glasgow, it was Celtic's turn to face punishment from UEFA, with a fine of £20,615, when a section of their support unfurled paramilitary-style banners (*BBC Sport*, 28 July 2017).

The mix of sport and politics is often an unhelpful one. An example of this came with the re-emergence of a dispute between the two football associations on the island of Ireland, the Irish Football Association (IFA) in the North and the Football Association of Ireland (FAI) in the South. The issue centred on the eligibility of players – in particular the fact that someone born in NI can opt to play for the Republic of Ireland if he holds an Irish passport. During a newspaper interview, the current NI manager, Michael O'Neill, was quoted as saying that the FAI was deliberately targeting Catholic players who had represented NI at underage level to switch their allegiance to play for the Republic. While later claiming his words had been taken out of context, O'Neill stood by his belief that eligibility should be a 'football issue' and that the FAI, like any other international association, should avoid putting pressure on young players to declare for a particular country but which may then at a later date deem them not good enough (*Belfast Telegraph*, 12 March 2018).

Attendance of politicians at sports events is often used as a symbolic gesture of change or reconciliation within divided societies. On Saturday 28 January 2017 James Brokenshire, then Secretary of State for NI, became the first person to hold that post to attend a GAA match when he attended the McKenna Cup Final in Newry (*BBC NI News*, 30 January 2017). While some welcomed his attendance, others highlighted that he had only taken his seat in the crowd after the Irish national anthem had been played. In June 2018, speculation began to mount as to whether DUP Leader and Fermanagh-native Arlene Foster would attend the Ulster Football Championship Final between Donegal and Fermanagh in Clones on Sunday 24 June 2018. In the days preceding the game she met, and was photographed with, members of the Fermanagh team and management. However, it was still unclear as to whether she would attend. On the 24th of June 2018, Arlene Foster did attend the game at the invitation of the GAA and stood for the Irish national anthem (*BBC NI News*, 24 June 2018).

With the day full of symbolism, she recognised the significance of what she had done: '... I am a leader of a political party that wants to have a shared society in Northern Ireland and to do that you have to take steps forward and to do that we have to build a respect and tolerance and that's what I want to do.' However, she also made clear that 'I hope that others take the chance to step forward as well and to understand and appreciate and tolerate another culture perhaps that is not theirs.'  
(*RTE News, 25 June 2018, .*)

The role of the GAA and its place in NI also became a focus of attention in October 2017. In an interview with the *Sunday Independent* on 29 October Peadar Heffron, a former PSNI officer who had been seriously injured by a dissident republican bomb, recounted how he had been treated by his former GAA Club. He spoke of how he had been effectively ostracised when he had first joined the PSNI and how that had continued in the wake of the attack that had resulted in having a leg amputated. The interview and its aftermath prompted a renewed focus on the GAA and the debate over its past and present role in relation to developments within NI. Such negativity can however sometimes overshadow the outreach work that the GAA has engaged in. In 2014, the Ulster GAA set out on a number of initiatives in *Building Better Communities* (GAA, 2014). These included the Cúchulainn Cup, which was aimed at engaging schoolchildren from all backgrounds in a programme of coaching and competitions. In addition the Ulster GAA have worked with the Irish Football Association (IFA) and Ulster Rugby in a joint project called a 'Game of Three Halves' which seeks to bring people from diverse backgrounds in order to meet and engage with each other. There are other examples of individual GAA clubs trying to participate in new ways to reach out to non-traditional GAA communities and groups. For instance in June 2018 the Bredagh GAC club in south Belfast participated with the local Ballynaveigh Orange Order in a series of activities that allowed members from both to learn a little more about the culture and activities of each other (*BBC NI News, 30 June 2018*).

In March 2018, the Irish men's senior rugby team captured its third Grand Slam as it completed its Six Nations campaign undefeated. This triumph was also welcomed on the back of setback for the game at the end of 2017 when the Irish Rugby Football Union (IRFU) failed with a proposal for Ireland to host the 2023 Rugby World Cup. It had been envisaged that this would involve games during the tournament being played on both sides of the border. Within NI, matches were to be played at the Kingspan Stadium in Belfast, home to Ulster Rugby, as well two GAA stadiums – Celtic Park in Derry and at the re-developed Casement Park. Although the bid made much of its all-island approach and had support right across the political spectrum this had little impact for those on the World Rugby Council charged with making the final decision. Instead the Irish submission was ranked lowest of the three proposals behind France and South Africa with concerns raised specifically about the lack of experience of hosting major sporting events, commercial and financial fears as well worries over the suitability over some of the designated stadiums (*Irish Examiner, 1 November 2017*).



## 7. PARTICIPATION IN PUBLIC LIFE

### 7.1 Women's representation

Since the fourth Peace Monitoring Report was published, there have been two elections – one Westminster and one Assembly election. The Assembly election of March 2017 came only 10 months after the previous one in May 2016. Precipitated by the financial scandal surrounding the Renewable Heat Incentive (RHI) Scheme and the resignation of Martin McGuinness as deputy First Minister, this was the first election since the reduction in the number of seats in the Assembly from 108 to 90, with one seat removed from each constituency. Losses for political parties were inevitable, with mainly Unionist parties taking the hit.

As with every election since the first Assembly election in 1998, the March 2017 election saw a slight increase in women's representation, with a total of 30 per cent of the elected representatives (27 of the 90 seats) women. Nineteen per cent of MLAs elected in the 2011 Assembly election were women. The 2017 figure still lags well behind the other devolved regions of the UK, with the Welsh Assembly having 45 per cent female political representation, and the Scottish Parliament 35 per cent. The 2016 General Election in the Republic of Ireland returned 35 women (22 per cent) as TDs to the Dáil.

Of the five main political parties in NI, three are currently led by women, with Arlene Foster becoming leader of the DUP in December 2015, Naomi Long leader of the Alliance Party in October 2016. Mary Lou McDonald (who holds a seat in the Irish Dáil) became President of Sinn Féin in February 2018 and Michelle O'Neill, MLA, was appointed as Vice-President of the party having previously succeeded Martin McGuinness as leader of the Assembly party in January 2017. All three women topped the polls in their respective constituencies.

Following the resignation of Sinn Féin's Barry McElduff after the controversy over the Kingsmill bread tweet, a Westminster by-election was held in May 2018. Sinn Féin put up the only female candidate on the ballot paper (the DUP, UUP, SDLP and the APNI also contested the election) and Orflaith Begley became the first woman to hold the West Tyrone seat since the parliamentary constituency was created in 1997, winning nearly 47 per cent of the votes cast. Following this by-election, currently five of the 18 MPs in NI are female, up three on the 2015 General Election.

As noted earlier, only one woman was appointed to the Commission on Flags, Identity, Culture and Tradition, giving rise to some commentary and criticism. The political parties had been asked to nominate seven members to the Commission – all were male. An additional eight members were drawn from outside of Government, following a public recruitment process, with only one woman appointed (Dr. Katy Radford). The Commissioner for Public Appointments (CPA) expressed her disappointment at the gender balance of the Commission, noting that the outcome was 'at total odds with the gender equality targets for public appointments agreed by the NI Executive' in March 2016. While acknowledging that the Flags Commission is not a regulated body under public appointments legislation and therefore, strictly speaking, the targets do not apply, in a letter to OFMdfm, she noted that 'the difference between the two types of bodies did not justify ignoring the

principle of diversity and female representation set out in the Executive targets' (*Strictly Boardroom*, 23 June 2016). The 2016-17 Annual Report of the CPA noted that women held 41 per cent of public appointments, although this figure falls to 23 per cent at Chair level. In September 2017, the CPA noted that gender equality targets for boards of public bodies has been made 'impossible to attain' as new members cannot be recruited without a government minister in place, with departments making 'unprecedented' numbers of extensions to the tenures of board members and chairs (*Irish News*, 25 September 2017).

## 7.2 Ethnic Minority Population

While NI remains the least diverse region of the UK, it does have some long-established ethnic minority communities, including the Chinese, Traveller and Jewish communities. The enlargements of the European Union in 2004 and 2008 led to an increase in the population of new migrants, driven, in part, by the increased availability of low-wage jobs, particularly in the agricultural and food processing sectors. The census data indicates a rise in the ethnic minority population from 0.8 per cent (14,259) in 2001 to 1.8 per cent (32,414) in 2011. Figure 120 below indicates how this figure is broken down, based on categorisations included in the census, which does not allow distinctions to be made between European nationals and those identified as the non-White population.

**Figure 120: Population by Ethnicity in NI, 2011**

Ethnicity	Population	Percentage
All usual residents	1,810,863	100
White	1,778,449	98.20
Chinese	6,303	0.34
Indian	6,198	0.34
Mixed	6,014	0.33
Other Asian	4,998	0.28
Black African	2,345	0.14
Irish Traveller	1,301	0.07
Pakistani	1,091	0.07
Black Other	899	0.05
Bangladeshi	540	0.03
Black Caribbean	372	0.02
Other	2,353	0.14

Source: Census, *NISRA*, 2011



As the 2011 census data will not have captured the extent of newcomers over the past seven years, one indicator of the rising levels of migration to NI is in the annual school enrolment figures (Figure 121). The Department of Education defines a newcomer pupil as 'one who has enrolled in a school but who does not have the satisfactory language skills to participate fully in the school curriculum, and the wider environment, and does not have a language in common with the teacher, whether that is English or Irish.' It does not refer to indigenous pupils who choose to attend an Irish medium school. (DE, 2017).

**Figure 121: Number of Newcomer Pupils at Schools in NI**

	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Primary Pupils	5,130	5,392	5,632	6,481	7,424	8,678	9,507	10,394	11,423
Total Post-Primary	2,402	2,450	2,482	2,518	2,501	2,451	2,530	2,643	2,839
Special Schools	47	60	62	91	101	113	129	141	169

Source: *Department of Education, 2017.*

The figures indicate that there has been a steady year-on-year increase in post-primary pupils without the satisfactory language skills. The more significant increase is seen in the numbers of primary school pupils, which have doubled from 5,632 in 2011 to 11,423 in 2018.

In 2015, the UK Prime Minister David Cameron announced that 20,000 Syrian refugees fleeing from the violent conflict in the region would be resettled in the UK under the Government's Vulnerable Persons Relocation (VPR) scheme. The NI Executive offered to receive groups on a phased basis from early 2016. As of August 2018, 1,096 refugees have been settled in both cities and towns across NI. From 1 July 2017, those admitted to the UK under the VPR Scheme are granted full Refugee Status with full access to employment and public funds and rights to family reunion. A Strategic Planning Group led by The Executive Office (TEO) coordinates the response of the Executive Departments. A Reception and Resettlement Group led by the Department for Communities (DfC) is made up of all public agencies who may be required to provide services to refugees, local government and voluntary sector organisations with expertise in this field. The group considers and addresses the practical steps needed to meet the immediate needs of the new arrivals. A spokesperson for the Department of Communities noted in August 2018 that 'All children of school age are in school, many of the adults have found employment and other are studying. Importantly too, many are also getting involved in local community groups and activities. The whole scheme has been such a success because of the combined efforts from the public, community and voluntary sectors as well as from families and individuals across NI in the streets, villages, towns and cities where the refugees have settled.' (*Belfast Telegraph, 17 August 2018*).

**Figure 122: Do you think there is generally more racial prejudice in NI now than there was 5 years ago, less, or about the same amount?**

	%
More now	49
Less now	13
About the same	29
Other (please specify)	0
Don't know	8

Source: ARK, *NISRA, 2011*

The NILT Survey has fielded questions on attitudes to minority ethnic communities since 2005, examining self-reported prejudice, perceptions of prejudice, acceptance of minority ethnic groups in intimate relationships, and levels of interaction. The 2017 survey indicated strong support among the population for providing protection to refugees, with 57 per cent of people agreeing that refugees who are escaping Syria should be allowed to come to NI. Only 17 per cent disagreed. Twenty-five per cent neither agreed nor disagreed, or did not know. (NILT, 2018).

In 2016-17 the PSNI recorded 1,054 racist incidents in 2016-17 (down from 1,356 in 2014-15 and 1,221 in 2013-14) (PSNI, 2018). Focusing on levels of racism in the society, the NILT survey respondents were asked to reflect on whether they felt there was more, less, or about the same levels of racial prejudice in NI as opposed to five years ago (Figure 122). Nearly half of respondents felt there was more racism in the society in 2017 than in 2012.

In July 2017, the leaders of the far right, anti-immigration group Britain First spoke at a poorly attended anti-terrorism rally outside Belfast's City Hall. Britain First leader Paul Golding and deputy Jayda Fransen were subsequently arrested by the PSNI in November 2017 and prosecuted for using 'threatening, abusive or insulting words' during their speeches. In July 2018, it was reported that Britain First were to hold their first official meeting in NI (*Belfast Telegraph, 24 July 2018*).

## 7.3 LGBT Rights and Visibility

NI is currently the only part of the UK that has not legalised same-sex marriage. It was observed in the fourth Peace Monitoring Report that this issue is often viewed as 'a touchstone of tolerance in the region' (Wilson, 2016). If this is the case, there is reason to be hopeful that marriage equality in NI is a matter of time and a prevailing political environment. The NILT data from 1989 to 2013 (when the questions were last fielded) indicates that the attitudes of the public towards same-sex relationships have changed dramatically. The percentage of respondents who believed that sexual relations between two adults of the same sex was 'always wrong', dropped from a high of 76 per cent in 1989 to 27 per cent in 2013.

In 2005, only 35 per cent of respondents agreed that lesbian or gay couples should have the right to marry. In 2013, the majority of the sample (59 per cent) felt that marriage between same-sex couples should be legally recognised and granted the same rights as 'traditional marriages'. Almost three-quarters of people aged between 18 and 24 supported this position.

An Ipsos MORI poll in 2015 recorded 68 per cent support for same-sex marriage. A further Ipsos MORI survey in 2016 indicated that 70 per cent of the public backed marriage equality. A Sky Data opinion poll published in April 2018 to coincide with the twentieth anniversary of the Belfast / Good Friday Agreement reported that 76 per cent of the NI public support equal marriage, with only 18 per cent opposed. All of these polls have indicated that support cuts across both religion, gender and rural/urban divide.

These changing views are worth noting as the most recent vote in the NI Assembly calling for the introduction of marriage equality indicated that the views of politicians have also shifted. In November 2015, 53 members of

the Assembly voted in favour of a motion which called on the Executive to introduce marriage equality legislation, with 52 voting against. Although a majority had voted in favour, only four Unionist politicians had, and the DUP lodged a petition of concern which effectively blocked the vote. While noting that 'slowly but surely, politicians are catching up with public opinion', LGBT rights campaigners indicated that they would continue to campaign on the issue. (*BBC NI News, 2 November 2015*).

Following on from the passing of the marriage equality referendum in the Republic of Ireland, which led to the Thirty-fourth Amendment to the Constitution of Ireland, the Love Equality campaign was established in April 2016. Love Equality is a consortium of the main LGBT organisations, the trade union and student union movements and human rights organisations within NI who have campaigned for the introduction of legislation in NI for equal civil marriage for same sex couples. With the collapse of the Assembly in January 2017, the campaign has moved to Westminster and the possibility of legislation being introduced from there. In March 2018 a Private Member's Bill on same-sex marriage in NI was introduced by a Labour MP but was blocked on the second reading. The UK Prime Minister Theresa May has insisted that a decision on same-sex marriage is a devolved matter which must wait for the restoration of the devolved Assembly. Campaigners have accused May of sacrificing LGBT rights to appease the DUP who have been in a supply and confidence arrangement with the Conservatives since the 2017 Westminster elections. Separate challenges to the ban on same sex marriage were brought through the courts by two same sex couples but were rejected in both cases, with the judge insisting that the ban does not contravene the European Convention on Human Rights.

In September 2016, eight days after replacing the previous Health Minister Jim Wells of the DUP, the new Health Minister, Michelle O'Neill lifted the ban on gay and bisexual men donating blood (with a one-year deferral), so long as they meet the other donor criteria. This decision brought NI in to line with in England, Scotland and Wales which had reversed the ban in 2011.

During 2018, politicians became more visible in their support for LGBT issues. In June 2018, Sinn Féin deputy leader, Michelle O'Neill and the DUP Leader Arlene Foster both spoke at the *PinkNews* reception at Stormont. While the presence of Arlene Foster and her acknowledgement of the value of the LGBT community's contribution to NI was welcomed, others were disappointed that she did not apologise for previous comments about gay people by members of the DUP. (*Irish News, 30 June 2018*). The following month, Parliament Buildings at Stormont hosted the 'Alternative Queer Ulster' event, with speakers from across the LGBTQ calling for equality. As events at Stormont require cross-community support, the co-sponsors were the DUP's Paula Bradley and Sinn Féin's Megan Fearon, though neither attended on the day. Following the event, Jim Wells, DUP MLA called for a ban on Stormont hosting LGBT events 'promoting alternative lifestyles' (*Belfast Telegraph, 30 July 2018*).

In August 2018, thousands joined Belfast's annual Pride parade. For the second year in a row, participants in the parade included uniformed officers from the PSNI, and the Head of the Northern Ireland Civil Service (NICS) sent his first tweet in his new role, noting that 'As an employer to 23,000 people, the NICS respects and values diversity and is committed to delivering an inclusive workplace for all our people.'

During a special event hosted by Ulster University as part of the wider Belfast Pride Festival in July 2018, a Chief Superintendent of the PSNI expressed concern at the under-reporting of homophobic hate crimes, noting that 'What I would hope is that it is not an indication around loss of confidence in the police.' (*Belfast Telegraph*, 31 July 2018).

Following the results of a UK-wide survey undertaken in July 2017 which received more than 108,000 responses, the UK Government published a new LGBT Action Plan outlining firm commitments to tackle a range of issues facing LGBT people. While campaigners in NI welcomed this development, they remained unsure which of the actions would extend to NI and expressed regret that the often promised Sexual Orientation Strategy for NI had not materialised.

## 8. THE STATE OF COMMUNITY RELATIONS

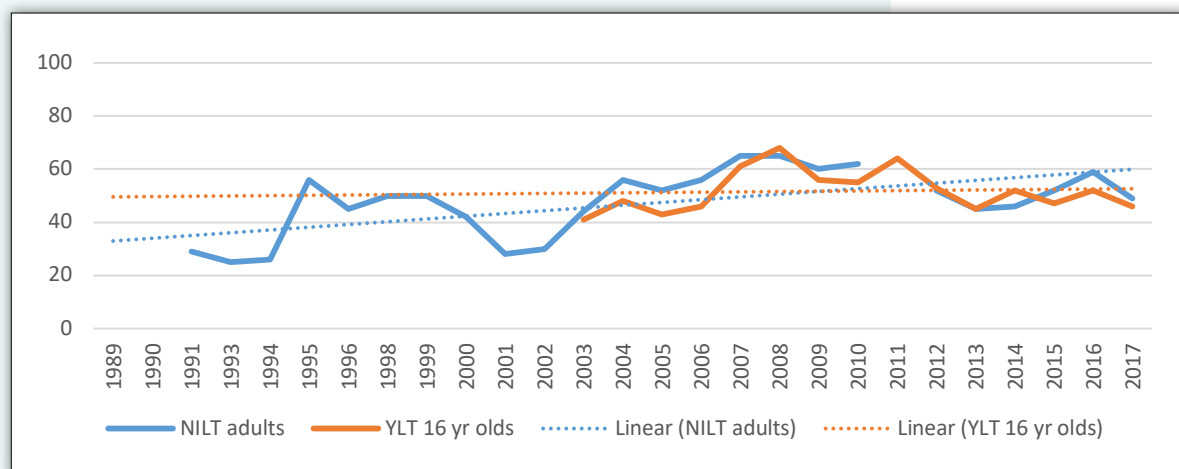
The 2017 NILT Survey and the 2017 Young Life and Times Survey (which seeks the views of 16 year olds) both indicate a drop in those who feel that relations between Protestants and Catholics are better than they were five years ago between 2016 and 2017 (Figure 123). Interestingly, adult respondents who felt that relations between Catholics and Protestants will remain 'about the same' was steady, at 36 per cent in 2016 and 37 per cent in 2017.

**Figure 123: Percentage saying relations between Protestants and Catholics are better than they were five years ago between 2016 and 2017**

Question	2016	2017	% point drop
% adults who think community relations now is better than five years ago.	59	49	10
% 16 year-olds who think community relations now is better than five years ago.	49	46	3
% adults who think community relations will be better in five years time.	55	43	12
% 16 year-olds who think community relations will be better in five years time	45	37	9

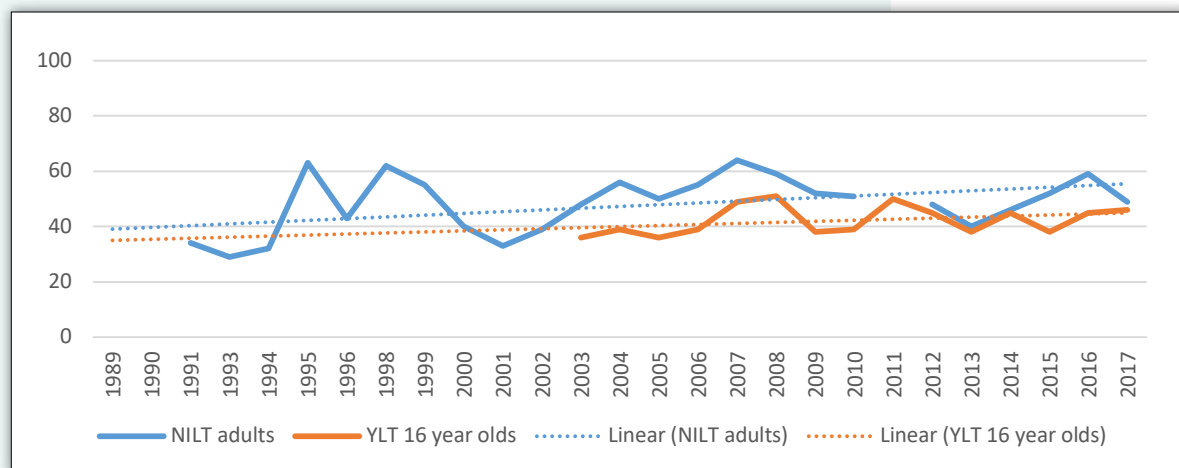
Source: 2017 NILT Survey and 2017 Young Life and Times Survey

Looking at the longer term trends, Figure 124 indicates that, while the overall trend is up for adults, it is currently below the high of 2007, and that young people’s views are, in general, very similar.

**Figure 124: Percentage saying relations between Protestants and Catholics are better than they were 5 years ago**

Source: 2017 NILT Survey and 2017 Young Life and Times Survey

In terms of optimism for the future, despite the 2017 dip, the overall trend is upwards, with both adults and young people holding similar views on how relations will be in five years' time (Figure 125).

**Figure 125: Percentage saying relations between Protestants and Catholics would be better in 5 years time**

Source: 2017 NILT Survey and 2017 Young Life and Times Survey

## 9. CIVIL SOCIETY AND PEACEBUILDING

Previous Peace Monitoring Reports have observed the continued absence of the Civic Forum which was first established in October 2000 as a consultative body to represent the voices of a wide range of civil voices, as part of the provisions mandated in the Belfast / Good Friday Agreement. Suspended in 2002, there appears to have been no appetite among the main political parties for its re-establishment. Given the lack of a legislative Assembly in NI since January 2017, the absence of such an advisory forum seems perhaps a minor issue in the face of the lack of access to power for those within civil society seeking legislative change and policy commitments. That said, civil society organisations continue to engage with the political parties on a range of issues, including abortion rights, same sex marriage and legacy issues, and to demand action from the NI Secretary of State.

In April 2017, a consortium of peacebuilding practitioners published a discussion paper entitled *Galvanising the Peace: The Future for Conflict Transformation in Northern Ireland* which reflected the views from extensive civil society consultations (45 facilitated workshops involving 642 participants across NI) during 2015. The report outlined the findings of their discussions in three main areas: the state of the peace process; outstanding obstacles to peace; and solutions to enable progress towards a peaceful, inclusive and prosperous future. Among its recommendations, the report called for the acceptance of a broad vision of reconciliation for NI, a clear and public commitment from the Executive to end segregation in education and teacher training, an ambitious and well-resourced action plan to support the equal and full participation of women as active peacebuilding agents, and the exploration of 'new and imaginative ways to work to break the logjam of issues that are currently clogging the political system.' (Galvanising the Peace Network, 2017:12)

The Building Change Trust part-funded the development of a Civic Assembly in NI, which is due to be piloted in the autumn of 2018. The concept of a citizen's assembly is one in which a body of citizens are randomly selected from the population to be broadly representative of the public to form a structure through which issues can be considered and deliberated upon. Selected members meet over a specified time period, apply fresh thinking and deliberate over a chosen topic, draw conclusions and make recommendations which are then submitted to the relevant decision-making body for consideration. This form of deliberative democracy has gained recent attention due to the establishment of the Irish Citizens Assembly in the Republic of Ireland which was established under statute in 2016 to consider and has met on 12 occasions to explore five previously identified topics. The Assembly met five times between November 2016 and April 2017 to take evidence and deliberate on the Eighth Amendment to the Irish Constitution which concerns abortion rights, submitted its recommendations and final report to the Oireachtas in June 2017. It was said that the Assembly had helped to 'break years of political deadlock and reach a consensus on this highly polarising issue.' (Palese, 2018).

On issues of good relations and reconciliation, civil society organisations also continue to deliver programmes on behalf of government departments and strategies (including Together: Building a United Community driven by the Executive Office and the Special European Union Programme Body's PEACE IV programme). This programme is delivered within both the six counties of NI and the six border counties of Ireland (Cavan, Donegal, Leitrim, Louth, Monaghan and Sligo). This fourth iteration of the programme (2014-2020) is worth 270 million euros. It has a narrower range of activities than previously, with a specific focus on four core objectives: Shared Education; Children and Young People; Shared Spaces and Services, and Building Positive Relations. While some actions are being delivered by local authority-led partnerships, the PEACE Programme continues to be a significant source of funding for community and voluntary sector organisations, within an overall constricting funding environment. While there have been some indications of a PEACE V Programme post-2020, the detail of this (particularly in light of Brexit) remains unclear. Interestingly, the *Funding Peace* research report published by Corrymeela in June 2018 indicated that this reduction in overall funding avenues was not their main challenge. Some respondents felt that how resources were targeted and the administrative burden associated with some funding streams was more significant, and that for some organisations, more limited funding 'had led to creative and collaborative ventures that had generated significant added value to their practice. (Morrow *et al*, 2018:7).

There has been controversy over the delivery of the Social Investment Fund (SIF), which was established by the NI Executive in 2011 with investment of £80 million to 'make life better for people living in targeted areas by reducing poverty, unemployment and physical deterioration' (*TEO, 2018*) over a four-year period. In 2016, it was reported that Charter NI, a group linked to the Ulster Defence Association, had received £1.7 million from the fund, while the organisation was itself represented on the east Belfast steering group which awarded the grant. The fund was criticised for the decision-making procedures by the steering group appointed to distribute funding, with the former head of the Committee on Standards in Public Life Sir Alistair Graham noting that, to him, the system appeared 'flawed' and in need of 'root and branch reform.' (*Belfast Telegraph, 18 November 2016*). In 2018, there was criticism of the level of spend of the fund over the seven years since establishment (*BBC NI News, 19 April 2018*). The current projected end date of the programme is now set at 2020 and the Executive Office had indicated that the £80 million budget has been committed to 68 projects by local Steering Groups across the nine SIF target areas.



## References

**Note:** In the body of this report, newspaper and other media articles which are cited have the date of publication listed alongside the citation. These types of items are not included below. However, in the PDF version of this report many of these items (plus many of the references below) also have a link to the online version of the article. The PDF version of this report is available from the [Community Relations Council](#) website.

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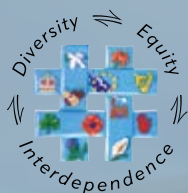


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**Community Relations Council**



This independent research has been published by the Northern Ireland Community Relations Council which aims to support a pluralist society characterised by equity, respect for diversity, and recognition of interdependence. The views expressed do not necessarily reflect those of the Council.



This publication was funded by the Joseph Rowntree Charitable Trust. The views expressed are not necessarily those of the Trust.



This report has been authored by a team of researchers based in ARK, School of Applied Social and Policy Sciences at Ulster University.

ISBN: 978-1 898276 72 2

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