

EQUALITY COMMISSION FOR NORTHERN IRELAND

Public Authority 2010 – 2011 Annual Progress Report on Section 75 of the NI Act 1998 and Section 49A of the Disability Discrimination Order (DDO) 2006

This report template includes a number of self assessment questions regarding implementation of the Section 75 statutory duties from **1 April 2010 to 31 March 2011**. This template also includes a number of questions regarding implementation of Section 49A of the DDO from **1 April 2010 to 31 March 2011**. Please enter information at the relevant part of each section and ensure that it is submitted electronically (by completing this template) and in hardcopy, with a signed cover letter from the Chief Executive or, in his/her absence, the Deputy Chief Executive to the Commission by **31 August 2011**.

In completing this template it is essential to focus on the application of Section 75 and Section 49. This involves progressing the commitments in your equality scheme or disability action plan which should lead to outcomes and impacts in terms of measurable improvement for individuals from the equality categories. Such outcomes and impacts may include changes in public policy, in service provision and/or in any of the areas within your functional remit.

Name of public authority (Enter details below)

Criminal Justice Inspection Northern Ireland

Equality Officer (Enter name and contact details below)

S75: Bill Priestley

Bill Priestley

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Post:

☐

Electronically

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S75 Executive Summary

- What were the key policy/service developments made by the authority during this reporting period to better promote equality of opportunity and good relations and what outcomes were achieved?

CJI do not provide services or goods directly to the public in the way that other front line public authorities do. However, we regard our customers as being the users of the criminal justice system, the organisations we inspect, the general public in Northern Ireland, and our sponsoring body, Minister of Justice and the Justice committee.

Policy developments are those made by CJI which relate to our activities, and those developments made as a result of inspection activity and recommendations made by CJI for other organisations to implement.

Internal CJI activities

Within the reporting period CJI further developed its approach to consultation on its proposed inspection programme. Previously CJI had received feedback during its stakeholder conference but this had been limited to those people who attended the conference and was felt not to be fully effective. During this period CJI approached our consultees directly with the proposed inspection programme and invited them to attend a series of meetings to supply their feedback. Information from these meetings and any feedback received in other formats was collated and used to further define our inspection programme. The approach included direct engagement with elected representatives to enable them to raise issues concerning any of the s75 categories. This programme was subsequently agreed by the Minister of Justice. The outcome of this improved consultation exercise is that we are better assured that the inspection programme has had input from a wider selection of groups and individuals representing the section 75 categories.

During the period CJI continued its development of policies internal to the organisation and bespoke to it. The following policies were subject to s75 screening:

Data Protection Policy
Document and records management policy
Complaints Policy
Protective marking policy
Clear desk policy
Working away from office policy
Security breach policy
Computer security policy

All of these policies were screened out and no EQIA was required.

Inspection work

In the period CJI made recommendations designed to better promote equality of opportunity and good relations in the following inspections:

Sexual violence and abuse
Magilligan Prison
Report into the Donagh sexual abuse case
Domestic violence and abuse
Prison service corporate governance

We also pursued the aim of promoting equality of opportunity and good relations through our OPCAT obligations to monitor places of detention.

During the year we made presentations on previous inspection work on race hate crime and sexual orientation hate crime aimed at promoting equality of opportunity.

Outcomes as a result of our inspection work, presentations, and discharge of our OPCAT responsibilities are:

Programme of improvements at Magilligan prison
Programme of corporate improvements across prison service
Action plans regarding sexual abuse and domestic abuse being implemented to improve service delivery
Consideration of the use of impact assessments in cases to inform decision making

- What are the main initiatives planned in the coming year to ensure the authority improves outcomes in terms of equality of opportunity and good relations for individuals from the nine categories covered by Section 75?

During 2011-12 CJI plans to undertake the following inspection work which will contribute to improving outcomes in terms of equality of opportunity and good relations. All inspections listed below are included in the Inspection Programme which forms part of the Inspectorate's 2011-12 Business Plan (accessed from the CJI website - www.cjini.org.)

These inspections will look at:

- adult safeguarding (in partnership with RQIA);
- the use of/application of special measures;
- anti-social behaviour orders;
- the handling of complaints by the criminal justice system;
- the treatment of persistent offenders by the criminal justice system;
- PPS quality of advocacy; and
- an announced inspection of Maghaberry Prison (with HMIP);

In addition CJI will conduct inspections carried over from the previous business plan to include:

- 2 x unannounced prison inspections
- Resettlement

- Juvenile justice centre

CJI will also conduct the following follow-up reviews of previous inspections to assess progress against recommendations and/or organisational action plans

- mental health and the criminal justice system in Northern Ireland;
- the enforcement of fines by the criminal justice system;
- the treatment of life sentenced prisoners;
- Policing with the Community;
- avoidable delay; and
- the treatment of vulnerable prisoners.

CJI will also publish its review of the impact of section 75 of the Northern Ireland Act 1998 during this financial year.

- Please give examples of changes to policies or practices which have resulted in outcomes. If the change was a result of an EQIA please tick the appropriate box in column 3 and reference the title of the relevant EQIA in the space provided below:

	Outline change in policy or practice which have resulted in outcomes	Tick if result of EQIA
Persons of different religious belief	•	
Persons of different political opinion	•	
Persons of different racial groups	•	
Persons of different age	•	
Persons with different marital status	•	
Persons of different sexual orientation	•	
Men and women generally	•	
Persons with and without a disability	•	
Persons with and without dependants	•	

- Title/s of EQIAs referenced: None

Section I: Strategic Implementation of the Section 75 Duties

- Please outline evidence of progress made in developing and meeting equality and good relations objectives, performance indicators and targets in corporate and annual operating plans during 2010-11

CJI had in place a number of objectives and targets in 2010-11 which contributed to progressing its responsibilities in this area. The relevant objectives and targets (contained in the Criminal Justice Inspection Northern Ireland Business Plan 2010-11) related to inspection reports and communication activity. Progress made against the objectives and targets is included in the Inspectorate's 2010-11 Annual Report and Accounts which is available from the CJI website - www.cjini.org

The relevant objectives/targets and outcomes are listed below:

Objectives

- To conduct a series of inspections within the legislative remit of CJI and to make the findings of these inspections publicly available; and
- To conduct a series of follow-up reviews of inspections carried out by CJI and to make the findings of these follow-up reviews publicly available.

Targets

- To present 15 inspection reports to the Minister of Justice for permission to publish during the financial year;
- To publish five action plan/inspection follow-up reviews on the CJI website - www.cjini.org - during the financial year; and
- To commence those inspections listed in the Business Plan within the 2010-11 financial year.

Outcomes

CJI had by 31 March 2011 presented 15 inspection reports to the Minister of Justice seeking permission to publish. In addition, five action plan/inspection follow-up reviews were published on the CJI website - www.cjini.org - during 2010-11. The Inspectorate also commenced work on all inspections listed in the 2010-11 Business Plan by the end of the financial year with the exception of two reports which were postponed by mutual agreement with the agencies concerned.

Objective

- To increase engagement with stakeholders;

Target

- To obtain feedback on CJI's work from the heads of the main criminal justice agencies; the Minister of Justice; the Lord Chief Justice; the Attorney General for Northern Ireland; the Advocate General for Northern Ireland and the justice representatives of the main political parties, at least once during the 2010-11 financial year;

Outcomes

Throughout the year, CJI undertook to engage with key stakeholders on a regular basis in order to obtain feedback on the Inspectorate's work and input to the new inspection programme. This resulted in a series of meetings being held between the Chief Inspector and Deputy Chief Inspector and the heads of all the criminal justice agencies, the Lord Chief Justice, the Attorney General for Northern Ireland, the Chairman and deputy Chairman of the Justice Committee, the Minister of Justice and justice spokespersons for each of the main political parties represented in the Northern Ireland Assembly. In addition, discussions were also held with representatives of the various oversight bodies working within the criminal justice sector as well as the voluntary, community and academic sectors.

This work is continually underpinned by CJI's corporate vision, which seeks to promote equality and human rights. It also aims to by assisting the criminal justice agencies in Northern Ireland to become more efficient and effective, by ensuring that they are being fair and equitable in all their policies and operations. CJI's stated corporate objectives for 2009-12 also highlight the organisation's commitment to provide independent scrutiny of the conditions for and treatment of, users of the criminal justice system, in particular victims and witnesses, children and young people, prisoners and detainees; through its annual Business Plan objectives, targets and inspection programme.

Section 2: Screening

- Please provide an update of new/proposed/revised policies screened during the year.

Title of policy subject to screening	Was the <u>Full</u> Screening Report or the <u>Result</u> of initial screening issued for consultation? Please enter <u>F</u> or <u>R</u>	Was initial screening decision changed following consultation? <u>Yes/No</u>	Is policy being subject to EQIA? <u>Yes/No</u>? If yes indicate year for assessment.
Data Protection Policy	R		N
Document and records management policy	R		N
Complaints Policy	R		N
Protective marking policy	R		N
Clear desk policy	R		N
Working away from office policy	R		N
Security breach policy	R		N
Computer security policy	R		N

Section 3: Equality Impact Assessment (EQIA)

- Please provide an update of policies subject to EQIA during 2010-11, stage 7 EQIA monitoring activities and an indicative EQIA timetable for 2011-12

EQIA Timetable – April 2010 - March 2011

Title of Policy EQIA	EQIA Stage at end March 2011 (Steps 1-6)	Outline adjustments to policy intended to benefit individuals, and the relevant Section 75 categories due to be affected.

- Where the EQIA timetable for 2010-11 (as detailed in the previous annual S75 progress report to the Commission) has not been met, please provide details of the factors responsible for delay and details of the timetable for re-scheduling the EQIA/s in question.
(Enter text below)

Ongoing EQIA Monitoring Activities April 2010- March 2011

Title of EQIA subject to Stage 7 monitoring	Indicate if differential impacts previously identified have reduced or increased	Indicate if adverse impacts previously identified have reduced or increased

- Please outline any proposals, arising from the authority's monitoring for adverse impacts, for revision of the policy to achieve better outcomes the relevant equality groups:

2011-12 EQIA Time-table

Title of EQIAs due to be commenced during April 2011 – March 2012	Existing or New policy?	Please indicate expected timescale of Decision Making stage i.e. Stage 6

Section 4: Training

- Please outline training provision during the year associated with the Section 75 Duties/Equality Scheme requirements including types of training provision and conclusions from any training evaluations.

In 2010-11 two members of CJI Staff undertook training provided by Legal Island in respect on the organisation's Section 75 obligations in relation to the new equality agenda. Further training, provided by the NICS Centre for Applied Learning (CAL) has also been undertaken by all staff in relation to diversity and equality. Both training events helped to reinforce with CJI staff a need for greater focus and awareness of equality issues.

Section 5: Communication

- Please outline how the authority communicated progress on delivery of the Section 75 Duties during the year and evidence of the impact/success of such activities.

CJI used a variety of methods including formal publications, presentations and summaries to communicate progress in its delivery of s75 duties during the year.

CJI has produced an Annual Report for 2010-11 which outlines the steps taken and engagement by the organisation to take forward the formulation of its 2010-11 and 2011-12 inspection programmes. The Inspectorate has produced an overview of all Inspection activity carried out in 2010 highlighting key findings from inspection reports and inspection follow-up reviews/action plan reviews. The organisation has also made its 2010 s75 return to the Equality Commission publically available on its website to publicise the work undertaken to date and future commitments in support of equality and good relations.

In addition, CJI personnel have undertaken presentations during the year in respect of work aligned to equality issues with the aim of promoting equality and good relations. An overview of this communication activity is below:

- *April 2010* - Presentation by the Chief Inspector to senior management at Hydebank Wood Young Offenders' Centre on the purpose of prison inspection.
- *May 2010* - An Inspector from CJI travelled to Stockholm, Sweden to give a presentation on CJI's work in relation to victims and witnesses to a criminal justice symposium. The Chief Inspector and James Corrigan were also invited to address the North/South Irish Criminology Conference in Belfast on the same topic.

- *September 2010* - CJI gave evidence to the Committee for Justice on its findings in relation to Avoidable Delay within the criminal justice system.
- *October 2010* - CJI gave evidence to the Committee for Justice on its Sexual Violence and Abuse report; and in January 2011; during the same month the Deputy Chief Inspector was invited to speak at a *Unite Against Hate* event on the findings of CJI's follow-up inspection on Hate Crime.

The Inspectorate engaged extensively with the Independent Prison Review Team led by Dame Anne Owers, former Chief Inspector of Prisons with Her Majesty's Inspectorate of Prisons in England and Wales.

Towards the end of the financial year, the Chief Inspector was invited to participate in a University of Ulster (Jordanstown) conference on restorative justice.

Section 6: Data Collection & Analysis

- Please outline any systems that were established during the year to supplement available statistical and qualitative research or any research undertaken/commissioned to obtain information on the needs and experiences of individuals from the nine categories covered by Section 75, including the needs and experiences of people with multiple identities.

During the reporting period CJI did not add to the systems that we have had in place with regard to the research available to the inspectorate on section 75.

Section 7: Information Provision, Access to Information and Services

- Please provide details of any initiatives/steps taken during the year, including take up, to improve access to services including provision of information in accessible formats.

CJI's website is rated to W3C WAI - AA; W3C XHTML 1.0 and W3C OSS standard. W3C are World Wide Web consortium and they govern all the standards that relate to internet technologies. Users have the ability to increase/decrease the viewable text size to increase readability and make use of the 'Browsealoud' spoken text programme to access information. During the year, CJI pursued the development of e-book summaries of key areas of CJI reports and publications to enhance access to information. E-books enable sometimes lengthy reports to be presented in summary format which covers the most salient points of reports in a more easily accessible way. This was taken forward and implemented in April 2011. The Inspectorate has plans in place to develop a social networking presence to increase access to its information.

Section 8: Complaints

- Please identify the number of Section 75 related complaints:
 - received and resolved by the authority (including how this was achieved);
 - which were not resolved to the satisfaction of the complainant;
 - which were referred to the Equality Commission.

During the reporting period CJI did not receive any complaints.

Section 9: Consultation and Engagement

- Please provide details of the measures taken to enhance the level of engagement with individuals and representative groups during the year.
- Please outline any use of the Commission's guidance on consulting with and involving children and young people.

Within the reporting period CJI further developed our approach to consultation on our proposed inspection programme. Previously we had received feedback during our stakeholder conference but this had been limited to those people who attended the conference and was felt not to be fully effective. During this period we approached our consultees directly with the proposed inspection programme and invited them to attend a series of meetings to supply their feedback. Information from these meetings and any feedback received in other formats was collated and used to further define our inspection programme. This programme was subsequently agreed by the Minister of Justice. The outcome of this improved consultation exercise is that we are better assured that the inspection programme has had input from a wider selection of groups and individuals representing the section 75 categories.

During inspection activity in the period we consulted with a wide range of groups representing section 75 categories. These consultations always take the form of face to face meetings either with individuals or as part of focus groups. Fieldwork for the inspections into Domestic violence and abuse, and Sexual violence and abuse especially involved wide consultation with representative groups and individual victims of crime. The range of consultees was tailored to each specific inspection area and is constantly revised to ensure the widest possible engagement through our inspection fieldwork which in turn provides a valid basis upon which to base our recommendations for improvement.

Section 10: The Good Relations Duty

- Please provide details of additional steps taken to implement or progress the good relations duty during the year. Please indicate any findings or expected outcomes from this work.

Through our inspection programme we actively seek to encourage good relations by making recommendations to justice agencies focusing on integration, monitoring of the delivery of services and fairness. In this period we made recommendations to address perceived inequalities in how legal counsel approach victims and witnesses. We also made numerous recommendations in our prison inspections aimed at promoting good relations between different religious groups within prison establishments. The outcomes of inspection recommendations are not in the hands of CJI but the Chief Inspector has called for the monitoring of CJI inspection recommendations and their implementation by the Department/Minister of Justice as appropriate. As a result of implementation of recommendations to the prison service we would expect to see reduced incidences of assault and poor behaviour within the prison population.

Section II: New/Revised Equality Schemes

- If the Commission has notified you of its intention to request a new/revised scheme or formally requested a new/revised scheme and associated action plan, please outline below what progress has been made in this reporting period.

A draft for consultation has been circulated to our consultees with a view to publishing the fully revised scheme on 1 November 2011.

Annual Report 1 April 2010 / 31 March 2011
'Disability Duties' Questions

1. How many action measures for this **reporting period** have been

3

Fully
Achieved?

Partially
Achieved?

Not
Achieved?

2. Please outline the following detail on all actions that have been fully achieved in the reporting period.

2 (a) Please highlight what **public life measures** have been achieved to encourage disabled people to participate in public life at National, Regional and Local levels:

Level	Public Life Action Measures	Outputs ¹	Outcomes / Impact ²
National ³			

¹ **Outputs** – defined as act of producing, amount of something produced over a period, processes undertaken to implement the action measure e.g. Undertook 10 training sessions with 100 people at customer service level.

² **Outcome / Impact** – what specifically and tangibly has changed in making progress towards the duties? What impact can directly be attributed to taking this action? Indicate the results of undertaking this action e.g. Evaluation indicating a tangible shift in attitudes before and after training.

³ **National** : Situations where people can influence policy at a high impact level e.g. Public Appointments

Regional ⁴			
Local ⁵			

2(b) What **training action measures** were achieved in this reporting period?

	Training Action Measures	Outputs	Outcome / Impact
1	All staff will receive equality training that will include awareness of steps that are permitted in law to enable the fair participation of disabled people in recruitment and selection procedures.	All members of staff received relevant equality training	Disabled people will compete for positions with CJI on a fair and equitable basis. CJI will ensure that our recruitment information encourages disabled people to apply for employment.
2			
3			
4			

⁴ **Regional:** Situations where people can influence policy decision making at a middle impact level

⁵ **Local :** Situations where people can influence policy decision making at lower impact level e.g. one off consultations, local fora.

2(c) What Positive attitudes **action measures** in the area of **Communications** were achieved in this reporting period?

	Communications Action Measures	Outputs	Outcome / Impact
1			
2			
3			
4			

2 (d) What action measures were achieved to '**encourage others**' to promote the two duties:

	Encourage others Action Measures	Outputs	Outcome / Impact
1	Make relevant recommendations in published inspection reports to justice organisations with regard to their duties to promote the two equality duties	Recommendations made to justice organisations – NICTS; NIPS	Justice organisations pursuing action plan to implement recommendations and deliver better services to people with disabilities and to provide better access to services and participation as citizens in the justice system.
2			
3			
4			

2 (e) Please outline **any additional action measures** that were fully achieved other than those listed in the tables above:

	Action Measures fully implemented (other	Outputs	Outcomes / Impact
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	than Training and specific public life measures)		
1	Improve accessibility to Inspection reports and to development of inspection programme	Delivery of e-book format for inspection reports which makes sometimes lengthy reports more accessible. Development of revised consultation process for inspection programme development	Increased readership of reports on CJI website Wider input to inspection programme development by people from s75 categories/people with disabilities and representatives.
2			
3			

3. Please outline what action measures have been **partly achieved** as follows:

	Action Measures partly achieved	Milestones ⁶ / Outputs	Outcomes/Impacts	Reasons not fully achieved
1				
2				
3				
4				

4. Please outline what **action measures have not been achieved** and the reasons why?

⁶ **Milestones** – Please outline what part progress has been made towards the particular measures; even if full output or outcomes/ impact have not been achieved.

	Action Measures not met	Reasons
1		
2		
3		

5. What **monitoring tools** have been put in place to evaluate the degree to which actions have been effective / develop new opportunities for action?

(a) Qualitative

(b) Quantitative

6. As a result of monitoring progress against actions, has your organisation either:

- made any **revisions** to your plan during the reporting period or
- taken any **additional steps** to meet the disability duties which were **not outlined in your original** disability action plan / any other changes?

Please delete: No

If yes please outline below:

	Revised/Additional Action Measures	Performance Indicator	Timescale
1			
2			
3			
4			
5			

7. Do you intend to make any further **revisions to your plan** in light of your organisation's annual review of the plan? If so, please outline proposed changes? No
