

2009 Submission to the United Nations Committee on Economic, Social and Cultural Rights



**Belfast,
Northern
Ireland,
UK**

Participation and the Practice of Rights Project



“Participation and active involvement in the determination of one’s own destiny is the essence of human dignity.” –Mary Robinson

Participation and the Practice of Rights Project

Examination of the United Kingdom's 5th periodic report to the UN Committee on Economic, Social and Cultural Rights

Executive Summary



The Participation and the Practice of Rights (PPR) Project works in Northern Ireland supporting communities and groups to use a human rights based approach (HRBA) to address the social and economic deprivation and inequalities they face. The PPR Project works in North Belfast, an area marked by longstanding deprivation and the worst effects of the conflict.

To date PPR in North Belfast has focused on working with four groups: The Seven Towers Residents Group (housing), the PIPS/Greater Shankill Bereaved Families Rights Group (mental health), the Girdwood Residents Jury (regeneration), and the Lower Shankill Residents Voice (play and regeneration).

Each of the groups made use of these international standards at a local level, applying them to the local issues they face with their housing or health services. They have used these standards as the basis for selection and monitoring of human rights indicators and benchmarks to assess if the right to housing, health etc, is being made real for those communities, which according to government own figures are the most disadvantaged in Northern Ireland.

This report therefore will provide a grassroots viewpoint on how the policies and practices in place in Northern Ireland, some of which are detailed in the UK's report to the Committee, are performing to realise rights on the ground.

Summary of recommendations from PPR to the Committee contained in this report

Section 2 – General Issues

Progressive Realisation (2.1)

- The Committee may wish to ask the UK how it is monitoring whether it's policies and programmes are progressively realising economic and social rights on the ground
- As the approach of the groups has been recognised by government in Northern Ireland as useful in efficiently using public resources, the Committee may wish to ask the UK government how it is ensuring that the most disadvantaged groups are able to actively participate in monitoring progressive realisation in their own communities.

Participation (2.2)

- The Committee may wish to ask the government how it is ensuring those most affected by poverty are able to participate in key decisions affecting their lives

Reporting on Northern Ireland (2.3)

- The Committee may wish to request that the UK government supply information on Northern Ireland under each of the articles contained in the Covenant.

- The Committee may wish to ask the government to put in place timely procedures to consult with civil society groups in all jurisdictions of the UK in advance of compiling their report.

Section 3 – Issues to be taken up in connection with the periodic report from the United Kingdom

General Framework within which the Covenant is implemented (3.1)

- The Committee may wish to reiterate its view that the UK government do more to raise awareness of these rights, mainstreamed both among public officials and the public at large.

Article 11 – The right to an adequate standard of living (3.2)

- The Committee may wish to ask for more information on the long-standing inequality in social housing in Catholic North Belfast.
- The Committee may wish to ask for information on how the right to adequate housing of the most vulnerable groups, such as the Catholic community in North Belfast, are being progressively realised.

Information aimed at protecting vulnerable communities and individuals that may be disproportionately affected by Olympics-related regeneration (3.3)

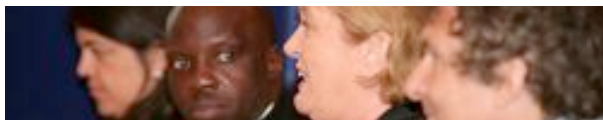
- The Committee may wish to ask the UK government how it will ensure that the most vulnerable communities and groups benefit from urban redevelopment throughout the UK.
- The Committee may wish to ask how awareness is being raised among affected groups about the current statutory and policy tools in place to address poverty and inequality in Northern Ireland.
- The Committee may wish to ask the UK government what actions it has taken to ensure that Covenant obligations are considered at an early stage of urban redevelopments.

Article 12 – the right to the highest attainable standard of physical and mental health (3.4)

- The Committee may wish to ask the UK government what is being done to ensure people with mental health problems in Northern Ireland are able to access healthcare.
- The Committee may wish to ask the UK government for information on how it plans to realise the right to the highest attainable standard of mental health in Northern Ireland particularly for the most vulnerable groups.

Participation and the Practice of Rights Project

Examination of the United Kingdom's 5th periodic report to the UN Committee on Economic, Social and Cultural Rights



1. Introduction

1.1 Background

The **Participation and the Practice of Rights Project (PPR)** works in Northern Ireland supporting communities and groups to use a human rights based approach (HRBA) to address the social and economic deprivation and inequalities they face. PPR has been in existence since 2001 and fully staffed since 2006. The project aims to produce a replicable model of how local groups can use international human rights standards to tackle their issues.

PPR works in North Belfast, an area marked by longstanding deprivation and the worst effects of the conflict. According to the Northern Ireland Neighbourhood Information Service (NINIS), three of the ten most deprived electoral wards in all of Northern Ireland lie within North Belfast. To date PPR has focused on working with four groups in North Belfast: the Seven Towers Residents Group (housing), the PIPS/Greater Shankill Bereaved Families Rights Group (mental health), the Girdwood Residents' Jury (urban regeneration), and the Lower Shankill Residents' Voice (play and regeneration).

1.2 Report Structure

This report is presented in two broad sections. The first section on 'General Issues' will focus on progressive realisation and the work PPR's local groups have done to set human rights indicators and benchmarks to monitor whether the right to adequate housing and the right to the highest attainable standard of health are being made real over time in their communities. This section will also consider the right to participate and the information contained in the UK's report pertaining to Northern Ireland.

The second section of this report responds to the List of Issues to be taken up in connection with the consideration of the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland, focusing on the UK's efforts to raise awareness of the ICESCR, the right to an adequate standard of living, information on Olympics-related urban regeneration, and the right to the highest attainable standard of health. An executive summary and appendix is also included with this report.

Participation and the Practice of Rights Project

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2. General Issues



2.1 Local Monitoring of Progressive Realisation

PPR has a special interest in the examination of the United Kingdom by the Committee for Economic, Social and Cultural Rights. Each of the groups supported by PPR make practical use of the articles in the International Covenant on Economic, Social and Cultural Rights and the related General Comments in their work to monitor if these standards are being made real in their own communities. They have used these standards as the basis for selecting and monitoring human rights indicators and benchmarks to assess if their economic and social rights are being made real. As the groups are all located in communities which, according to the government's own figures, are the most disadvantaged in Northern Ireland, their work also tests whether government is successfully according 'due priority' to the most vulnerable groups as required by the Committee's General Comments.

The unique aspect of this work is that progressive realisation is being defined and monitored by people affected by human rights violations – rather than national governments. This report therefore will provide a grassroots viewpoint on how the policies and practices in place in Northern Ireland, some of which are detailed in the UK's report to the Committee, are performing to realise rights on the ground.

We hope this information will be of some assistance to the Committee. PPR is supportive of the submissions the Committee may receive from other civil society groups in Northern Ireland.

2.1.1 Progressive realisation of the right to adequate housing

Since January 2007 PPR has been working with a group of residents in North Belfast who live in a high rise complex of flats known locally as the Seven Towers. According to NINIS, the immediate area where the Seven Towers is located is one of the most deprived in Northern Ireland in terms of housing access, ranking 21st out of 890.

The Seven Towers Residents Group selected six human rights indicators to monitor whether their right to adequate housing was being progressively realised in their community. These concerned issues such as the accumulation of pigeon waste on landings, dampness, sewage and drainage problems and families being inappropriately housed in the Seven Towers. They presented these indicators to a panel of international human rights and housing experts in June 2007 who validated them. The Minister in charge of the Department for Social Development (DSD) who has responsibility for housing in Northern Ireland also pledged her support to the group. Since July 2007 a representative from the DSD and one from the Northern Ireland Housing Executive (the public service delivery agency responsible for housing) have met with the residents after each monitoring stage to give them updates on what is being done to meet the benchmarks they have set on their indicators.

Full details on all six indicators are contained in the appendices of this report. However, the evidence produced by the Seven Towers Residents Group's monitoring illustrates that while progress was made on the indicators relating to pigeon waste and families inappropriately housed in the Seven Towers, the benchmarks set by the residents were not met.

For example in relation to families housed in Seven Towers, the numbers of families being placed there reduced, but the residents targets of removing all families from this inappropriate housing were not met by the Northern Ireland Housing Executive (NIHE) and DSD:

Indicator 2: Number of families with children housed inappropriately in the Seven Towers

Human Rights Standard:

CESCR General Comment 4, Paragraph 8 (e)

*“Disadvantaged groups such as the elderly, **children**, the physically disabled, the terminally, HIV positive individuals, persons with persistent medical problems, the mentally ill...should be accorded some degree of priority consideration in the housing sphere.”*

	Aug '07	Oct '07	Jan '08	April '08	July '08	Oct '08
Benchmark set by affected group	47	35	23	11	0	0
Monitoring results: # of families housed in Seven Towers	47	37	32	28	No monitoring	21

On the indicators monitoring dampness, residents’ satisfaction with using the complaints system and residents’ satisfaction with their level of participation in decisions made about their housing, the monitoring showed that things had gotten worse. For example, as shown below, the number of residents who rated themselves as ‘not involved’ in decisions made by the NIHE about their housing, dramatically increased.

Indicator 6: Percentage of residents reporting dissatisfaction with how involved they feel in NIHE decisions which affect them

Human Rights Standard:

CESCR General Comment 4, Paragraph 9

“The full enjoyment of other rights...such as the right to participate in public decision making is indispensable if the right to adequate housing is to be realised and maintained by all groups in society.”

	April '07	Jan '08	Sept '08
Benchmark set by affected group	58%	34%	10%
Monitoring results: % of residents reporting dissatisfaction with how involved they feel in NIHE decisions which affect them	58%	94%	88%

The evidence produced by the monitoring of the Seven Towers Residents Group’s human rights indicators illustrates that the government did not meet the benchmarks set by the residents and is therefore failing to progressively realise the right to adequate housing in this community.

The Seven Towers Residents Group continue to monitor the human rights indicators and the panel of human rights and housing experts revisited them in 2009 to hear about the progress that has been made. At this event both the NIHE and the DSD commented on how the residents approach – which allowed residents to meaningfully influence the way services were delivered and decisions were made – had been of benefit to them as well. The NIHE, for example, stated at the event that the human rights indicators and benchmarks had resulted in an extremely “useful and interesting process” which had enabled them to have a sharper focus and thus led to a “better use of resources”.

2.1.2 Progressive realisation of the right to the highest attainable standard of health

Since October 2006, PPR has also been working with a group of individuals in North Belfast who have been bereaved by suicide or who are mental health service users. They are using a human rights based approach to tackle deficiencies in local mental health services.

This group, the PIPS/Greater Shankill Bereaved Families (PIPS/GSBF) Rights Group, also carried out research into their selected issues and set human rights indicators and benchmarks to monitor whether their right to the highest attainable standard of mental health was being realised in their community. In November 2007, the group presented their indicators, and the evidence they had gathered about mental health services in Northern Ireland, to a panel of experts in human rights and mental health.

The PIPS/GSBF Rights Group selected human rights indicators to monitor access to follow up appointments for mental health patients discharged from hospital, information provided by General Practitioners (GPs) on mental health problems and medication prescribed, the efficiency of the health service complaints procedures, and the level of participation in decisions made about mental health services. The indicators were monitored in September 2008.

The monitoring of the PIPS/GSBF Rights Group has revealed that the government has failed to progressively realise the right to the highest attainable standard of health in a way that impacts on those living in their community. There has been no change or deterioration in the results of the monitoring on four of five indicators.

For example, as shown below, the indicator monitoring patients satisfaction with information received on their mental health condition by their GP showed improvement from 36% satisfaction to 52% satisfaction.

Indicator 3: Satisfaction with information from GPs about mental health conditions **Human Rights Standard**

CESCR General Comment 14, Paragraph 11

“The Committee interprets the right to health as an inclusive right extending...to access to health related education and information.”

	November 2007	September 2008
Benchmark set by affected group	36%	45%
Monitoring results: % of patients satisfied with information provided by GPs about mental health conditions	36%	52%

However other indicators showed deterioration or no change. For example, the percentage of mental health patients receiving a follow up appointment within a week of discharge in line with UK National Health Service Guidance remained the same:

Indicator 1: Percentage of mental health patients receiving a follow up appointment within a week of discharge **Human Rights Standard:**

CESCR General Comment 14, Paragraph 17

“The creation of conditions which would assure to all medical service and medical attention in the event of sickness” (art. 12.2 (d)), both physical and mental, includes the provision of equal and timely access to...appropriate mental health treatment and care.”

	November 2007	September 2008
Benchmark set by affected group	13%	45%
Monitoring results: % of patients receiving a follow up appointment within a week of discharge	13%	13%

2.1 Suggested Questions

-The Committee may wish to ask the UK how it is monitoring whether its policies and programmes are progressively realising economic and social rights on the ground.

-As this approach has been recognised by government in Northern Ireland as useful in efficiently using public resources, the Committee may wish to ask the UK government how it is ensuring that the most disadvantaged groups are able to actively participate in monitoring progressive realisation in their own communities.

2.2 Participation

The participation of affected groups in public decision-making processes that affect them is a core principle included in the General Comments for the right to health, housing, education and employment. As such, it is also a key principle of the work of PPR which aims to empower groups to use human rights standards and tools to campaign for change economic and social issues. This is based not only on the recognition that participation is key to efficient use of public resources, prioritisation of issues, and ensuring sustainable change – as evidenced by the work described above by the Seven Towers Residents Group and the PIPS/GSBF Rights Group – but it is also based on the idea that meaningful participation in decision-making is integral to the inherent dignity of a human being.

All four of the PPR groups – the Seven Towers Residents Groups, the PIPS/GSBF Rights Group, the Girdwood Residents' Jury and the Lower Shankill Residents' Voice – have therefore set human rights indicators to monitor the level of participation available to their communities in government decisions. The PPR groups have also tried to work with groups to make the right to participate actively, freely and meaningfully more concrete for local communities.

The Girdwood Residents' Jury, for example, have set specific, process-based indicators on participation. They wanted to show there are concrete steps governments must take if they are to involve residents in decision-making in line with international human rights standards. The need to create such indicators became all the more clear when the Residents' Jury learned that another local regeneration project, the Gasworks, had both not resulted in any employment benefits to the local deprived communities. The communities involved in that regeneration felt that they had been prevented from participating meaningfully in decisions about the regeneration. The Girdwood Residents Jury hope that their indicators will ensure that participation becomes more than merely a 'tick-box' exercise.

Some examples of the indicators they selected are below:

Example Process-based indicators on Participation:

- *Were identified vulnerable groups involved in prioritising and identifying the issues which are important to them?*
- *Are proposals published in a timely fashion before consultation events and in a manner which is accessible for all affected groups?*
- *Does the regeneration plan include continued resourcing for the facilitation and*

promotion of participation by residents in the regeneration process?

The Lower Shankill Residents' Voice plans to do similar work to highlight the specific, concrete steps government should take around the participation of children and young people in decisions related to urban regeneration.

Across all the issues, monitoring has shown that the level of participation in government decision-making processes by those living in the most disadvantaged areas has remained consistently low. However, where those groups have been able to develop decision-making structures, (e.g. the Seven Towers Residents working with the DSD and NIHE on progressing their housing indicators) they have been able to bring about change, which has led to efficient use of public money in a way that directly targets the most hard to reach, vulnerable groups. The power of participation has been further evidenced by the more recent work of the Lower Shankill Residents' Voice. Their focus on problems with inadequate lighting in and near play areas in a social housing estate in North Belfast has already brought about improvements in local street lighting as a result of their monitoring and campaigning.

2.2 Suggested Question

The Committee may wish to ask the UK government how it is ensuring those most affected by poverty are able to participate in key decisions affecting their lives.

2.3 Reporting on Northern Ireland

The UK report to the Committee and its response to the List of Issues reveal numerous gaps in the data provided with regard to Northern Ireland. In relation to the right to the highest attainable standard of physical and mental health, it should be noted that the years following the end of the conflict in Northern Ireland have brought hugely increased rates of suicide and self-harm to the areas most affected by the conflict. The North Belfast parliamentary constituency went from 319th to the 11th highest suicide rate in the UK following the end of the Troubles and West Belfast rose from 259th to the 13th highest suicide rate.¹ Despite this fact there is no information included with the UK report on mental health in Northern Ireland and no official data or statistics on health inequalities.

Similarly, as also raised by the human rights NGO Committee on the Administration of Justice (CAJ), no information has been provided to the Committee on housing inequalities in Northern Ireland. For example in North Belfast, the lack of social housing available for Catholic communities is a chronic inequality that has persisted throughout the conflict and still exists today.

Civil society groups in Northern Ireland were only invited to one meeting with the UK government to discuss this report, and this meeting took place in London. The only local meeting held on the subject was at the request of CAJ, and was held following the submission of both the UK's report and their response to the Committee's List of Issues.

¹ Brock, A., Baker, A., Griffiths, C., Jackson, G, Fegan, G. and Marshall, D. (2006) *Suicide trends and geographical variations in the UK, 1991-2004*. Health Statistics Quarterly 31

2.3 Suggested Questions

-The Committee may wish to request that the UK government supply information on Northern Ireland under each of the articles contained in the Covenant.

-The Committee may wish to ask the UK government to put in place timely procedures to consult with civil society groups in all jurisdictions of the UK in advance of compiling their report.

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3. Issues to be taken up in connection with the periodic report from the United Kingdom

3.1 General Framework within which the Covenant is implemented

While the UK government's response to the Committee's list of issues indicates their belief that "people in the United Kingdom are aware of their economic, social and cultural rights". The experience of PPR in working with rights-holders in deprived communities has been that awareness of the ICESCR and the related rights and standards is very low. While communities are aware that human rights exist, they associate them with academics or civil and political issues, and there is little if any knowledge that the UK government is under a legal obligation to progressively realise their rights to health, housing, employment and education.

For example, the Lower Shankill Residents' Voice, which is working on both urban regeneration and children's play, produced a DVD about human rights issues in their community. They found that very few residents thought human rights had any relevance to their daily lives. As an adult member of the group explained on the video:

"I think everyone needs to learn some bit about their human rights. It's not something that a lot of people know about at the minute. But if a lot of people would get interested and learn some things about it, then they would understand how things work a wee bit more and what they can do to better themselves."

Furthermore, in the course of their work to realise these provisions in their own communities, PPR's groups have been involved with numerous meetings with public officials and service providers on these rights and have found that levels of awareness of these duties among public bodies is also extremely low.

3.1 Suggested Question

The Committee may wish to reiterate its view that the UK government do more to raise awareness of these rights, mainstreamed both among public officials and the public at large.

3.2 Article 11- The right to an adequate standard of living

Housing

Longstanding housing inequalities exist in North Belfast, with the waiting list for social housing being predominantly made up of Catholics. However there is a chronic shortage of social housing in Catholic areas of North Belfast. In 2000, the NIHE launched a seven year strategy entitled *North Belfast Housing Strategy: Tackling Housing Need* to address the recognised inequalities.

This strategy has failed to address the chronic social housing need in Catholic areas of North Belfast. According to the NIHE, from 2000-2006, with one year left in the life of the strategy, applicants on the waiting list qualifying for housing stress have increased from 880 to 1212 (+38%), with 80% of those designated as Catholic. Current government projections estimate that 1291 units of social housing will be required in Catholic areas of North Belfast from 2007-2012 to meet the need, compared with 71 units in Protestant North Belfast.

3.2 Suggested Questions

-The Committee may wish to ask for more information on the long-standing inequality in social housing in Catholic North Belfast.

-The Committee may wish to ask for information on how the right to adequate housing of the most vulnerable groups, such as the Catholic community in North Belfast, are being progressively realised.

3.3 Information aimed at protecting vulnerable communities and individuals that may be disproportionately affected by Olympics-related urban redevelopment including poor and minority groups.

While the Olympics has the potential to ensure regeneration of some of the most deprived communities in London, disadvantaged areas of Belfast and Londonderry in Northern Ireland could also be positively impacted by urban redevelopment in the next 5-10 years. Approximately £20bn of infrastructure is to be delivered within the next 10 years in order to address the underinvestment of the past. In the Investment Strategy 2008-2018 the NI Executive commits to:

“maximise the social and employment opportunities for all our people, addressing existing patterns of socio-economic disadvantage and using prosperity to tackle poverty.”

In Northern Ireland the tools are in place to ensure that large scale investments associated with urban redevelopment, not only do not negatively impact, but also bring benefit to the most marginalised groups.

Since 1998, Northern Ireland has possessed some of the most detailed legislation and policy on promoting the equality of opportunity of vulnerable groups (Section 75 and Schedule 9 of the Northern Ireland Act 1998) and addressing poverty on the basis of ‘objective need’ wherever it arises (a long-standing policy objective since 1991 and now legislated for in the St. Andrews Agreement which led to the restoration of the devolved administration on 8 May 2007). Section 75 of the Northern Ireland Act and its related provisions make it compulsory for government to implement its policies and processes in such a way that due priority is given to a range of named vulnerable groups (on the basis of religion, political opinion, racial group, gender, age, disability, marital status, sexual orientation, dependent-status). The commitment in the St. Andrews Agreement, which is also reflected as one of two cross-cutting themes.

However, despite the existence of these tools and the increased investment since the end of the conflict, there has been little change in the poorest areas in Northern Ireland, in the last ten years.

The reasons behind this were highlighted by the work done on regeneration by one of PPR’s groups, the Girdwood Residents’ Jury.

Girdwood Barracks and Crumlin Road Gaol is a 27 acre site in North Belfast. Previously used as a military base during the conflict, the site has now been earmarked for regeneration, estimated

to cost £231 million and to take place over 10-15 years. The site lies at the heart of North Belfast among some of the most deprived communities in Northern Ireland on the indices of health, employment, education and housing. Despite the regeneration's potential to impact on the progressive realisation of the resident's right to health, housing, education and employment, the legislation on equality and addressing objective need was not considered when proposals for the site were drawn up. There was also no 'Equality Impact Assessment' carried out in advance of the proposals, despite the fact that this regeneration presented a one-off opportunity to address the long-standing poverty in this area.

3.3 Suggested Questions

-The Committee may wish to ask the UK government how it will ensure that the most vulnerable communities and groups benefit from urban redevelopment throughout the UK.

-The Committee may wish to ask how awareness is being raised among affected groups about the current statutory and policy tools in place to address poverty and inequality in Northern Ireland.

-The Committee may wish to ask the UK government what actions it has taken to ensure that Covenant obligations are considered at an early stage of urban redevelopments.

3.4 Article 12 – the right to the highest attainable standard of physical and mental health

Clear inequalities exist within the UK in relation to the budget available for mental health services. From 2000-2006 the UK Government have invested an average 6.6% per annum rise in mental health with 11.8% of the NHS budget allocated to mental health in England and Wales. In Northern Ireland despite a higher prevalence of mental health issues only 8.4% of the NHS budget is allocated to mental health.

In Northern Ireland the average rate of suicide is 9.8 per 100,000, slightly higher than the rate in England and Wales. Within North and West Belfast the suicide rate is much higher – 17.9 and 18.1 respectively. The Department of Health, Social Services and Public Safety in Northern Ireland (DHSSPSNI) which has responsibility for mental health services acknowledged in *Protect Life: The Northern Ireland Suicide Prevention Strategy and Action Plan 2006-2011*, that deprivation is linked to higher suicide rates. Three of the ten most deprived wards in Northern Ireland are found in North Belfast. According to figures from National Statistics Office ... 'the highest rate of male suicide in Northern Ireland was found in North Belfast.'

Additionally a 2004 report by the North and West Belfast Trust, identified that fewer mental health practitioners are available compared with elsewhere in that health board area i.e. . 3.82 Whole Time Equivalent consultant Psychiatrists per 100,000 population against an average 6.29 per 100,000 population Whole Time Equivalent consultant psychiatrists in the rest of the Board area.

Within this context of growing mental health problems disproportionately affecting the most deprived communities in Northern Ireland, the PIPS/GSBF Rights Group have highlighted the gap between the increasing need and the current local mental health services available for vulnerable groups by monitoring services and campaigning for changes such as a new 'Card Before You Leave' appointment system. The days immediately following discharge from hospital are of particularly high risk for mental health patients, with post-discharge suicides at a peak in the first 1-2 weeks following discharge. According to a 2001 National Health Service Report, 66%

of post-discharge suicides in Northern Ireland occurred before the first follow-up appointment. PPR welcomes the DHSSPSNI's commitment to ensure a 'Card Before You Leave' appointment system is put in place for all mental health patients.

The UK government report acknowledges the existing health inequalities in Northern Ireland and cites people with mental health problems as a vulnerable group who may have problems in accessing healthcare. No additional information is provided on the sudden increase in mental health problems in Northern Ireland and the currently inadequate structures available to deal with this in Northern Ireland.

3.4 Suggested Questions

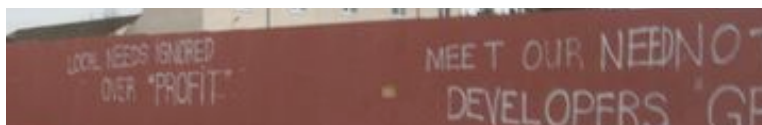
-The Committee may wish to ask the UK government what is being done to ensure people with mental health problems in Northern Ireland are able to access healthcare.

-The Committee may wish to ask the UK government for information on how it plans to realise the right to the highest attainable standard of mental health in Northern Ireland particularly for the most vulnerable groups.

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4. Appendix



4.1 The Right to Adequate Housing – Seven Towers Residents' Group Indicators

Indicator 1: Percentage of landings with pigeon waste cleaned

Human Rights Standard:

CESCR General Comment 4, Paragraph 8 (d)¹

*Adequate housing must provide the inhabitants with adequate space and protect them from cold, damp, heat, rain, wind or **other threats to health**, structural hazards and **disease vectors**. [emphasis added]*

	Aug'07	Oct'07	Dec'07	Feb'07	April'08	June'08	Aug'08
Benchmark	100%	100%	100%	100%	100%	100%	100%
Indicator: % of partitions with pigeon waste cleaned	53%	100%	100%	100%	100%	100%	100%

Indicator 2: Number of families with children housed inappropriately in the Seven Towers

Human Rights Standard:

CESCR General Comment 4, Paragraph 8 (e)

*"Disadvantaged groups such as the elderly, **children**, the physically disabled, the terminally, HIV positive individuals, persons with persistent medical problems, the mentally ill...should be accorded some degree of priority consideration in the housing sphere."*

	Aug '07	Oct '07	Jan '08	April '08	July '08	Oct '08
Benchmark	47	35	23	11	0	0
# of families housed in Seven Towers	47	37	32	28	No monitoring	21

Indicator 3: Percentage of residents reporting drainage and sewage problems in the previous six months

Human Rights Standard:

CESCR General Comment 4, Paragraph 8 (b)

*"An adequate house must contain certain facilities essential for health, security, comfort and nutrition...safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, **site drainage** and emergency services. [emphasis added]"*

	April '07	Jan '08	Sept '08
Benchmark	61 %	30%	3%
% of residents reporting drainage and sewage problems in previous six months	61%	83%	51%

Indicator 4: Percentage of residents reporting dampness and mould in the previous six months

Human Rights Standard:

CESCR General Comment 4, Paragraph 8 (d)

“Adequate housing must provide the inhabitants with adequate space and protect them from cold, damp, heat, rain, wind or other threats to health, structural hazards and disease vectors.”

	April '07	Jan '08	Sept '08
Benchmark	31%	15%	3%
% of residents reporting dampness and mould in previous six months	31%	49%	43%

Indicator 5: Percentage of residents reporting problems who are happy with the response they received

Human Rights Standard:

CESCR General Comment No 9, C paragraph 9

“The right to an effective remedy need not be interpreted as always requiring a judicial remedy. Administrative remedies will, in many cases, be adequate and those living within the jurisdiction of a State party have a legitimate expectation, based on the principle of good faith, that all administrative authorities will take account of the requirements of the Covenant in their decision-making. Any such administrative remedies should be accessible, affordable, timely and effective.”

	April '07	Jan '08	Sept '08
Benchmark	28%	49%	70%
% of residents reporting problems who are happy with the response they received	28%	24%	26%

Indicator 6: Percentage of residents reporting dissatisfaction with how involved they feel in NIHE decisions which affect them

Human Rights Standard:

CESCR General Comment 4, Paragraph 9

“The full enjoyment of other rights...such as the right to participate in public decision making is indispensable if the right to adequate housing is to be realised and maintained by all groups in society.”

	April '07	Jan '08	Sept '08
Benchmark	58%	34%	10%
% of residents reporting dissatisfaction with how involved they feel in NIHE decisions which affect them	58%	94%	88%

Residents air concerns at landmark hearing



Leticia Osorio (Brazil), legal officer for Centre on Housing Rights and Evictions, with Catherine McLoughlin, a mother-of-two living in the Seven Towers. Bruce Porter (Canada), Director of Social Rights Advocacy Centre and Odindo James Opiata (Kenya), Director of Hakijamii Trust, specialising in promoting land and human rights for the urban poor

BY EMILY MOULTON

A GROUP of north Belfast residents who have been fighting for decent living conditions will voice their concerns to an international panel of housing and human rights experts at a landmark hearing in the city today.

The groundbreaking event has been organised by residents of the Seven Towers flats in conjunction with the Participation and the Practice of Rights project to highlight substandard living conditions in the Housing Executive estate.

Many feel as though they have been treated like second-class citizens and claim the Housing Executive has ignored repeated requests for very basic amenities to be fixed.

They claim the health and safety of their children is being put at risk because of pigeon waste build-up and ongoing maintenance issues such as drainage,

sewage, dampness and mould.

They also claim there is a two-tiered system for re-housing. Residents living above level four are re-housed quicker than those living below.

Mother-of-two Michelle McFarland, who has lived in the area for the past eight years, said she felt the Seven Towers flats were not a place to raise children.

"I grew up in these flats and I know they are not suitable," she explained. "Even though you might be able to make your own flat look nice, the whole area is run down. And if you need to get something fixed it can take up to a week before they will send someone out. A couple of weeks ago I had sewerage come up my bath and it took five days for them to come and fix it. It is supposed to be 24 hours for emergencies."

Mrs McFarland, who has been waiting to be re-housed for years, said she wanted the Housing Ex-

ecutive to act on their concerns and hoped today's meeting would give them the extra support they needed.

Bruce Porter, a Canadian human rights consultant who is part of the panel, explained today's hearing was a chance for residents to present their case to a group of housing and human rights experts who would be able to offer guidance on their campaign.

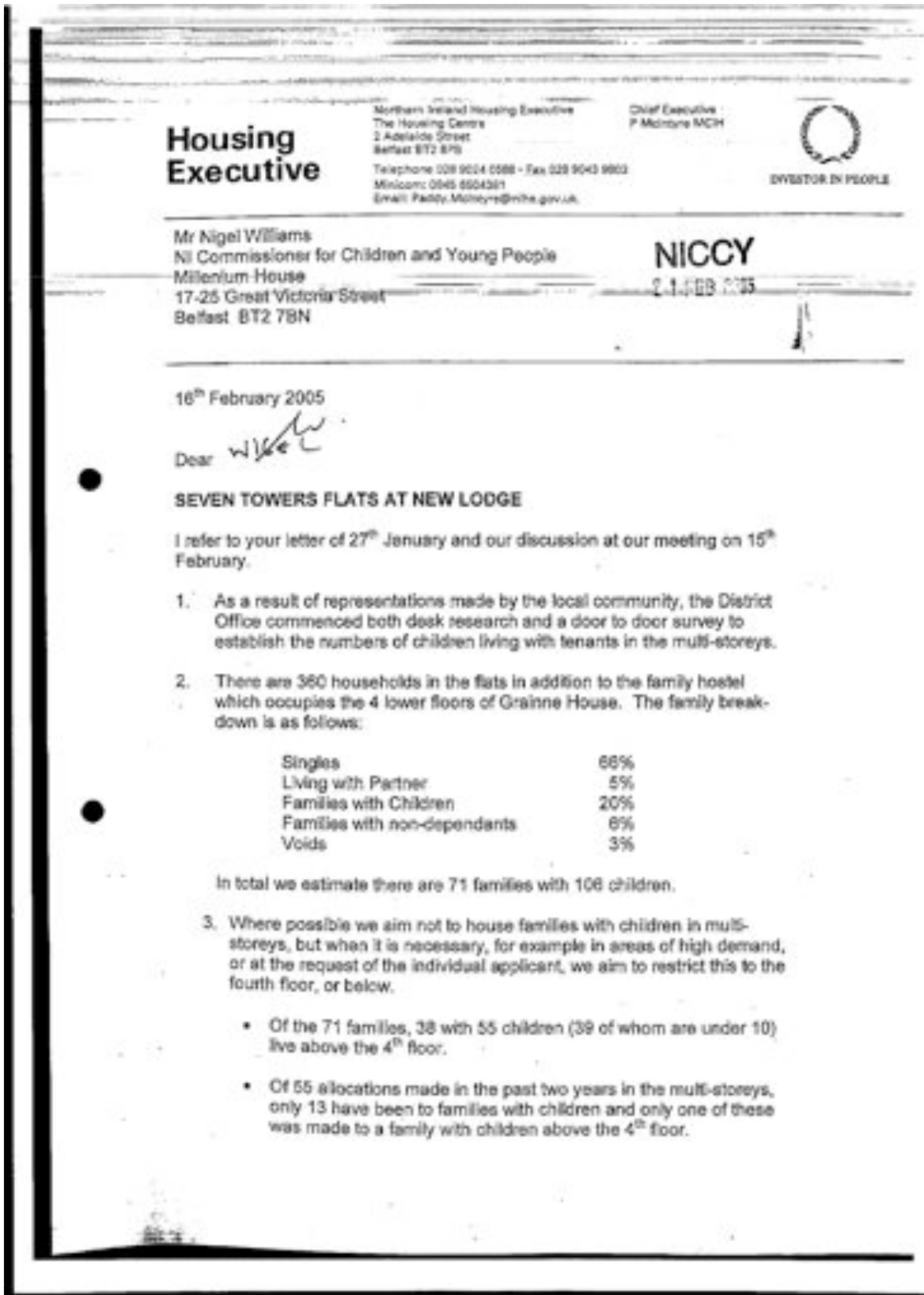
"This is quite an innovative project," he said. "Really the essence of what we will be doing is listening to their submissions and asking questions to provide comments and advice on a human rights based approach to help them with the next stage of the campaign."

Liam Wiggins of the New Lodge Housing Forum added: "The problems in the Seven Towers are long standing and well known. The flats are overcrowded and in poor condition."



4.3

Letter from Northern Ireland Housing Executive to the Northern Ireland Commissioner for Children and Young People, regarding the Seven Towers flats at New Lodge, stating "The Housing Executive entirely accepts that this type of accommodation is unsuitable for families with young children" (Page 2)



NICCY
21 FEB 2003

- Of the 71 families with children, only 39 expressed a desire to move during the survey and only 24 have submitted transfer requests.
- Of the 39 families who expressed a desire to move 74% wanted to move within the greater New Lodge area.
- Within this area relets occur at the rate of 36 per annum.
- We are currently considering how we might respond to the survey results. Consideration will be given to the best way to ensure that the families wishing to move from the multi-storeys, and living above the fourth floor, can be accommodated, for example, through the use of Management Transfer Status. Even then with the limitation on relets in the tenant's areas of choice it would be some time before the problem can be resolved.
- I would also wish to repeat the points made at our meeting:
 - o The Housing Executive entirely accepts that this type of accommodation is unsuitable for families with young children.
 - o The Housing market in the greater New Lodge area limits the extent to which we can rehouse families quickly.
 - o Land supply is limited but we are actively pursuing all opportunities.
 - o Housing problems in the wider North Belfast area are complex and are the subject of a focused strategy introduced in 2000. I enclose a copy of the last annual report.
 - o We are currently carrying out a mid term review and will be consulting on this in the Spring.

Finally, the Housing Executive will be discussing the Seven Towers Survey and how we might take it forward directly with the local community and public representatives in the near future.

Yours sincerely



P McIntyre
Chief Executive

Children back parents on Tower block

Little change in recent months

BY ALANA FEARON
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CHILDREN living in one North Belfast high rise development have joined their parents calls for fair and equal housing conditions.

"Cramped, robbed of their privacy and with nowhere to play," children from the Seven Towers flats put their stamp on the 'Right to Housing' campaign.

Timed to coincide with the Seven Towers Monitoring Group's latest progress report on how their "atrocious" living conditions are being dealt with, the children unveiled a giant artwork based on their ideal homes.

Since a landmark evidence hearing on the right to housing back in June 2007, an international panel of housing experts have been overseeing a process in which residents put forward how their living conditions could be improved.

Overseen by housing minister Margaret Ritchie, the process aimed to meet specific targets in given timeframes.

But while "some" progress has been made over the last year, Michelle McParland, a resident member of the Monitoring Group, said there were



A poster designed by children from the New Lodge's Seven Towers about the ideal home they would like to live in

very few positives to be taken from the latest report.

Admitting some residents did want to stay in the Seven Towers, Michelle said housing bosses were not doing enough to improve the conditions in the flats.

And she slammed the Housing Executive and the Department for Social Development for not doing enough quickly

enough to get families rehoused.

"Despite everything we agreed, every improvement we were promised, our latest progress report shows nothing has really changed and that is very disappointing," she said.

"We thought that giving the children a voice and a say would give added impetus to our campaign because it lets

people know that they have feelings and they are suffering the longer we are denied proper living conditions.

"All we want to say to the Housing Executive and Margaret Ritchie's department is to get on with what they promised they would do.

"We also want to be more involved in the decisions which affect us because so far many

residents feel completely powerless and ignored."

Although Michelle admitted issues like pigeon waste and sewage and dampness "continue to be dealt with", she said there were "worrying trends" that action was too slow and not to residents' satisfaction.

Sean McKenna, the HE's North Belfast District manager said "significant progress" had

been made at the Seven Towers with millions of pounds so far invested in the flats and another £750,000 improvement scheme soon to kick off.

But he said given the fact the HE had never been consulted about the benchmarks set out by the Monitoring Group, some time scales were "unrealistic" and there were no quick solutions.

4.5 The Right to the Highest Attainable Standard of Health – PIPS/GSBF Rights Group Indicators

Indicator 1: Percentage of mental health patients receiving a follow up appointment within a week of discharge

Human Rights Standard:

CESCR General Comment 14, Paragraph 17

“The creation of conditions which would assure to all medical service and medical attention in the event of sickness” (art. 12.2 (d)), both physical and mental, includes the provision of equal and timely access to...appropriate mental health treatment and care.”

	November 2007	September 2008
Benchmark	13%	45%
% of patients receiving a follow up appointment within a week of discharge	13%	13%

Indicator 2: Dissatisfied mental health patients accessing the complaints system

Human Rights Standard:

CESCR General Comment 9, Paragraph 9

“Any such administrative remedies should be accessible, affordable, timely and effective.”

	November 2007	September 2008
Benchmark	31%	45%
% of dissatisfied mental health patients accessing the complaints system	31%	14%

Indicator 3: Satisfaction with information from GPs about mental health conditions

Indicator 4: Satisfaction with information from GPs about mental health medication prescribed

Human Rights Standard

CESCR General Comment 14, Paragraph 11

“The Committee interprets the right to health as an inclusive right extending...to access to health related education and information.”

	November 2007	September 2008
Benchmark	36%	45%
% of patients satisfied with information provided by GPs about mental health conditions	36%	52%

	November 2007	September 2008
Benchmark	38%	50%
% of patients satisfied with information provided by GPs about mental health medication	38%	38%

Indicator 5: Level of involvement of mental health service users in decisions made about mental health services.

Human Rights Standard

CESCR General Comment 14, Paragraph 54

“Promoting health must involve effective community action in setting priorities, making decisions, planning, implementing and evaluating strategies to achieve better health. Effective provision of health services can only be assured if people’s participation is secured by States.”

	November 2007	September 2008
Benchmark	21%	35%
% of those surveyed rating themselves as involved in decision-making	21%	20%

4.6 Press coverage of the launch of the PIPS/GSBF Rights Group’s First Progress Report on their human rights indicators

Anti-suicide group seeks urgent action over mental health

BY COLIN O’CARROLL

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ANTI-SUICIDE activists PIPS – Greater Shankill Bereaved Families Rights Group, have released an alarming report outlining both the state of mental health services and urgent actions required to improve them.

The group said the findings of the report required a prompt response by the Health Minister to ensure that the experiences of mental health service users are quickly translated into changes for the better.

The group monitored five issues of importance to mental health service users that are grounded in local and international human rights standards.

They found the results showed little change in the experience of users over the last year. The five indicators were: a follow-up appointment within a week, the percentage of dissatisfied users who accessed the complaints system, satisfaction with information from GPs about mental health conditions and the medication prescribed, and the feeling of involvement in decision-making about services.

The research found little change in any of the five areas.

Development worker Stephanie Green said: “It is not enough for mental health services to stagnate as they have.

“We welcome the commitment of Minister McGimpsey to make long-term changes to the system, and we hope these will produce significant results over the years, but unless there are interim measures implemented like those described in the report – especially where the highest rates of suicide exist like north and west Belfast – we will see more public resources wasted and lives lost.”

Gerard McCartan, whose son died by suicide at the age of 18, said: “People who have experience of using mental health services are in a unique position to judge where those services work and where they go wrong.

“Because mental health service users participated directly in the decision-making process in accordance with human rights standards, we were able to make sure government prioritised the issues most important to us.

“The Northern Ireland Health Committee identified the Card Before You Leave appointment

system as one of its key recommendations to the Department of Health, and the Belfast Trust agreed to implement the system from August 1, 2008.

“While the results in this report are indeed bleak, we have been encouraged by the goodwill on the part of Minister McGimpsey to ensure that real change happens on the ground and that a Card Before You Leave appointment system is implemented.

“We plan to monitor these issues again over the next six months to ensure that this goodwill actually transfers into meaningful outcomes for mental health patients in Northern Ireland.”

Mr McGimpsey said: “Improving mental health and learning disability services is my top priority, and I have met PIPS and share their desire to see improved access for mental health services.

“I want to see a regional system put in place that will ensure that people presenting with mental health needs to accident and emergency departments are referred on to appropriate services or support.

“Work has started on developing a regional system.”

4.7 Community coverage of the Residents' Jury's consideration of evidence about urban regeneration.



Girdwood: Residents' Jury considers the evidence

THE Regeneration of the Girdwood Barracks and Ounlin Road Gard was once again being discussed in public last week, but this time the focus was very much on residents.

regeneration site. They completed a development programme with the PPP Project on human rights and regeneration and were convened as a 'Residents' Jury' to hear evidence from local, national, and



Founding member of the Pratt Centre for Community Development, New York; Prof. Richard Wilkinson (England) University of Nottingham, author of 'The Impact of Inequality'; Joe Donohue, Team Leader of

Community Action
 Community Action is the newsletter of the Ciltanville Armin Road Community Engagement Partnership (CA/CEP). CA/CEP is a partnership of community groups in the greater Ciltanville, Caveshill and Armin Road areas of north Belfast. It is funded by the North Belfast Community Action Unit.

The role of private sector finance in the regeneration of disadvantaged communities came under the spotlight last month in Dublin. Property developer Bernard McNamee pulled out of five regeneration projects with a total value of more than €700 million. The regeneration of five highly disadvantaged communities is now in limbo. Hundreds of families who formerly lived in run down flats are now living in temporary accommodation. North Belfast community workers visited a number of the regeneration sites in April - St Michael's Estate in Inchoicore and Sean McDermott Street.

The regeneration schemes were developed under 'Public Private Partnerships' (PPPs) by Dublin City Council. The McNamee property group won a tender from Dublin City Council to build 1,000 social housing units and tear down old council flats. In return McNamee could build another 800 apartments which he could then sell on the open market. However, the market for private apartments has collapsed in the past year. The property developer realised that he would not be able to sell his flats on the open market. He was also under pressure from the banks because of the 'credit crunch'.

The property developer pulled out

4.8 Press coverage of event on Lower Shankill highlighting the right to play and issues related to the right to adequate housing.



Broken glass: Shankill youngsters Aimee McKee (10), Kurtis Ellis (12) and Catie Calderwood (8)

KELVIN BOYES/PRESSEYE

Kids just want somewhere safe to play

BY KATHRYN TORNEY
EDUCATION CORRESPONDENT

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BROKEN glass, bad lighting and speeding cars are preventing young people in the Shankill area from being able to play, it was claimed today.

Twelve-year-old Shannan Kincaid spoke out about the barriers she and her friends face when trying to play in their own community during a special event in Belfast

this morning. A group of young people from the Lower Shankill Residents' Voice group – aged between five and 12 – hosted the event in the Living Hope Church in the Shankill Estate.

They called on the First and Deputy First Ministers to deal with the problems they face.

Shannan, who co-chaired the event, said: "Some of the problems in our community that stop young people from

playing are very simple and could easily be fixed, but they simply aren't.

"The area is covered in broken glass that is very dangerous.

"Also, if we want to play in the playgrounds and parks, the lighting is broken and has been for many months," said Shannan.

"For children that want to play on the footpaths outside their houses where there is lighting, they need to be careful because the

traffic speeds through the streets.

"We just want to have a safe place to play without constantly having to watch for traffic and without trying to avoid broken bottles on the ground."

Development worker Frank McMillan, who has been actively working with the group since they first came together in August 2008, said: "What makes this event unique is that it has come about through the

hard work and desires of children.

"The Government and local authorities must do what they are supposed to do – ensure children have safe, quality access to opportunities for play.

"Today's event was the first stage in a process that will ultimately see the young people call on the Office of the First and Deputy First Minister to address these and similar issues in their play policy."