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Submission to the Bill of Rights Forum December 2007

Bcda contends that the right to choose to live in a shared neighbourhood should be available to all and not just those who can afford it.

Bcda believe that the right to a home where people feel safe and secure is a fundamental right.

Bcda asserts women's rights to equal access to both education and the labour market need to be protected.

Bcda believe the right to shared informal education and youth services for young people is vital.

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Background to the area and preamble.

Ballynafeigh in South Belfast is unusual in that it is a shared neighbourhood where Protestants and Catholics have lived alongside one another throughout all the years of the Troubles. It is also diverse in relation to social class, ethnicity, lifestyle and housing tenure, containing possibly the highest level of mixed family households in NI. This mixed character means that the area stands out from the usual 'us and them' of NI, pointing the way to a more pluralist future.

While this community shares many issues and concerns with other parts of Belfast and Northern Ireland this response focuses specifically on those issues relating to the shared nature of this unique neighbourhood.

The right to choose to live in a shared neighbourhood

Ballynafeigh as a shared community is crucial to the development of a shared society in Northern Ireland. Yet, Ballynafeigh is not a homogenous blob where internal conflict is absent nor is it as some kind of urban utopia. In fact the area is composed of complex, diverse and often competing webs of relationships. The terms shared should therefore not be misinterpreted as meaning 'integrated'. Residents value their distinctiveness so relationships can sometimes be strained as people engage in the ongoing struggle to maintain their identity and equitably share physical space and everyday lives. Nevertheless, Ballynafeigh stands out from the usual 'us and them' of Northern Ireland, and as such can provide valuable lessons for the future.

The areas zoned as mixed represent a delicate social ecosystem that needs protected and managed with the same intensity as the natural environment"¹

Bcda do not wish to infer that living in a shared neighbourhood is somehow better than living in a segregated one, but surely in such a polarised society the fact that a shared area exists at all, and that people increasingly want to live in it, is something worth preserving as a good in itself.

We contend that existing shared neighbourhoods need to be protected and sustained as both important in their own right, but also because of the valuable lessons they provide as we move towards a more pluralist future.

For this reason we would like to see the uniqueness of shared neighbourhoods acknowledged in the Bill of Rights

¹ P. 56, Sharing Place, Brendan Murtagh (QUB) & Patrice Carmichael (NIHE), A Study of Mixed Housing in Ballynafeigh [DRAFT], October 2005

Social and Economic Rights

The right to a home; the right to feel secure/safe

Bcda believe that the right to a home where people feel safe and secure is a fundamental right.

Safety is a real factor for people choosing to live in Ballynafeigh e.g. mixed couples, migrant workers and minority ethnic groups; 35% of households in private rented accommodation are mixed (Murtagh & Carmichael 2005). However rent in these properties is phenomenally high and housing is often of poor quality.

The right to choose to live in a shared neighbourhood.

The issue of choice is also extremely important and anyone who wishes to live in shared/mixed neighbourhood should have the right to do so.

The opportunity to live in a shared neighborhood like Ballynafeigh should be available to all who wish to do so irrespective of their class or financial standing. However, there is a danger that living in a shared neighbourhood becomes a luxury commodity available only to those who can afford to buy into it as house prices escalate in this sought after district. This is compounded by developers dividing up houses and apartment blocks to maximize gain thereby reducing the amount of accommodation available for families.

The prevailing wisdom which holds market forces as supreme feeds the problem. This has exacerbated affordability crisis in the area. Nevertheless, the potential already exists in NI planning regulations to prevent the destruction of Ballynafeigh in the form of Article 42 Agreements (1991 Planning Order) and by paying attention to PPS12 (Housing and Settlements). To date however, Bcda has seen no evidence of their application.

In terms of social housing provision Ballynafeigh is an area of "high demand, low turnover" which means that when people get a house here they are inclined to stay.

Rising house prices have also had a knock-on effect on social housing as demand increases with Housing Associations also finding themselves priced out due to the Total Cost Indicator which prevents them from competing fairly in the market.. The "Right to buy" scheme has exacerbated this problem.

The result of all of this is to remove the pool of social housing stock that is necessary for the stability of this mixed tenure community. Overall, this has had a de-stabilising effect on the shared neighbourhood.

The Housing Executive research carried out by Murtagh and Carmichael (2005) 'Sharing Place' agrees with the above analysis

"Maintaining an integrated housing mix, especially for local Protestants and Catholics drawn from the lower social economic cohorts in Ballynafeigh requires affordable and perhaps social housing"

This requires a concerted effort on the part of statutory agencies to develop strategies around affordable housing.

Bcda contends that the right to choose to live in a shared neighbourhood should be available to all and not just those who can afford it.

Children and Young People

The right to shared informal education and youth services

There is currently a complete lack of resources for young people in the Ballynafeigh area; there is a need for informal education and outreach provision that could help to address among other things self-esteem issues and anti-social behaviour and reduce the influence of paramilitaries.

Pilot youth development programmes which Bcda have co-ordinated in the area have been very successful and showed a direct correlation with reductions in the level of anti-social behaviour in the neighbourhood This was most recently evidenced by a drop in youth anti-social behaviour by 30% (PSNI records). Unfortunately this Project did not receive continued funding.

Young people have the right to informal education and youth services; this is particularly important in the context of this divided society where most of them attend a segregated school system but live in a shared neighbourhood.

Women

The right to equal access to education and the workforce

The need for accessible, local provision for women cannot be overstated. Often those who attend these courses will have had very poor experiences of the formal education sector. They need to feel safe and be encouraged to fulfil their potential in a nurturing environment such as the one provided in Bcda's Journeys programme.

A key aspect of this is the provision of quality childcare on the premises. However community education is currently under threat due to a reduction in funding from government.

There is also a need for training to a higher level than is currently available in the community which would skill women up to return to better paid jobs and enhance their ability to contribute to the economy.

Employment Law rights need to be extended to everyone in the workplace. There is concern that part time employees do not have the same rights as full time employees and this situation adversely affects women who are more likely to be employed part time than men.

Overall women's rights to equal access to both education and the labour market need to be protected.

Implementation Issues

Entrenchment

Bcda believe that the Bill of Rights should be entrenched in legislation but that it should also have some room for amendments for changing circumstances.

Preamble

Bcda believes a preamble is necessary to set out the Northern Irish context. It should also contain an acknowledgment of the unique nature of shared neighbourhoods.

Other Issues

Education

When the Bill has been agreed there will be a need for an education and awareness raising programme around it.

Accountability

The Bill needs to include forms of accountability around the effectiveness of the systems which have been put in place. The progress of the Bill of Rights should be closely monitored by an ongoing review process by an independent body. This will ensure it is meeting its objectives and that its protection is accessible to all sections of society.

Responsibilities

Bcda also strongly contends that the Bill needs to set Rights in the context of Rights and Responsibilities.