



NORTHERN
IRELAND
HUMAN
RIGHTS
COMMISSION

Professor Philip Alston
Special Rapporteur on extreme poverty and human rights

srextremepoverty@ohchr.org

14 September 2018

Dear Philip

I refer to your forthcoming visit to the United Kingdom, which I sincerely hope will include a visit to Northern Ireland. As indicated the Commission will be happy to make our offices available to you and your staff. The Commission considers it of vital importance that the Special Rapporteur visit Northern Ireland, given our high levels of poverty, and lower employment levels than elsewhere in the UK. In particular, the employment rates are significantly lower than the UK in general and even more markedly so for people with disabilities.

The Commission has provided your staff with contact details for key institutions to engage with during the visit to Northern Ireland and will be happy to facilitate any meetings relating to your remit. In my colleagues earlier discussions with your staff we indicated that in addition to Belfast it would be informative for you to visit Derry/Londonderry and for you to meet with border communities who are likely to be most affected by Brexit. We would be happy to facilitate such a visit in any way possible.

The Commission has also provided extracts from our reporting system on compliance with human rights relating to your areas of interest, we attach for your information updated extracts taking account of recent publications. We are more than happy to elaborate further on any of these issues.

Background

There are a number of contributory factors to poverty levels which are unique to Northern Ireland, including a history of conflict, which has itself contributed to higher levels of persons with disabilities, a significant gap in educational attainment among richer and poorer children and more people with no

qualifications and fewer people with higher-level qualifications than elsewhere in the UK. Northern Ireland also is particularly vulnerable to the impact of Brexit, given our land border with Ireland and reliance on EU funding. The Commission in conjunction with the Irish Human Rights and Equality Commission has highlighted potential human rights and equality implications emerging from Brexit. The prospective impact of a so called 'hard border' on economic activity in the border area of Northern Ireland is a significant source of concern.

Northern Ireland is also distinct from the rest of the UK in terms of the absence of necessary and adequate policy frameworks to address poverty levels and the causes of poverty. Most notably the absence of an anti poverty strategy is a source of concern. In June 2015 the Northern Ireland High Court ruled that the Northern Ireland Executive had failed to adopt an identifiable strategy setting out how it proposes to tackle poverty, social exclusion and patterns of deprivation based on objective need in furtherance of its obligation to do so under the Northern Ireland Act 1998 section 28E. This obligation is yet to be met and the implementation of the judgement remains outstanding.

I am struck by the fact that the Labour government followed an income maintenance led approach to tackling poverty through the introduction and subsequent enhancement of working families tax credit and child tax credit albeit alongside programmes such as Sure Start. This was followed by a Conservative led coalition which placed a greater emphasis on social programmes to tackle poverty while implementing significant public expenditure cuts to social security and local authority spending.

The introduction of Universal Credit is particularly interesting. It is worth tracing the genesis of the benefit from the original proposals contained in the Centre for Social Justice's report Dynamic Benefits in 2009 and how the key principles have been undermined by changed to earnings rules tapers and other provision.

In Northern Ireland the introduction of Universal Credit and other social security reforms were delayed by a lack of political agreement to implement legislation. Devolved powers for social security have been significantly wider in Northern Ireland than those available to Scotland and Wales and this remains so despite recent reforms in Scotland. Northern Ireland also implemented an agreed package of mitigation measures to deal with some of the impacts of social security reform. This runs through to 2019/2020.

Longer term engagement

Finally, on a separate note the Commission is considering following up its most recent human rights inquiries and investigations into emergency care in hospitals (2015) and traveller accommodation (2018) with a further inquiry into a major socio-economic area from 2019/2020. One area being considered is Life chances, working age poverty and social security. I am mindful that any human rights inquiry is likely to lead inexorably to a call for greater public spending with the counter from politicians and others as to where such expenditure will be

found. I am therefore interested in exploring tax justice issues in parallel with any enquiry and would welcome an opportunity to discuss how we could engage with you on that debate whether by commissioning an article, arranging a lecture or some other option and if interested, would be happy to discuss what is feasible given the significant demands on your time.

Yours sincerely

A handwritten signature in black ink that reads "Les". The letter "L" is tall and thin, and the "es" are written in a cursive, connected style.

Les Allamby
Chief Commissioner