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**A Response to: Corporate Plan 2014-2017,
Consultation: Working to Prevent Reoffending**

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Introduction

1.1 The Women's Support Network (hereafter, WSN) appreciates the opportunity to respond to the Probation Board for Northern Ireland's *Corporate Plan 2014-2017, Consultation: Working to Prevent Reoffending*.

1.2 Established in 1989, WSN is a regional organisation that works across all areas of Northern Ireland. It includes in its membership community-based women's centres, groups and organisations, with a concentration in disadvantaged areas. WSN is a charitable and feminist organisation, which adopts a community development approach. We provide a range of support services to 63 community-based women's centres, projects and infrastructure groups and 26 associate members drawn from across the community and voluntary sector, who support women, families and communities (see Appendix 1).

1.3 Our members provide a wide range of women-centred frontline services across Northern Ireland, including:

- Specialist Advice
- Childcare & Family Support
- Counselling, Support and Advocacy
- Complementary Therapies
- Training & Education
- Health & Wellbeing Programmes
- Personal Development & Employment Support
- Volunteering, Leadership & Empowerment

1.4 WSN aims to achieve social, political and economic justice through the promotion of the autonomous organisation of women. The Network aims to strengthen the collective voice of women's groups and to promote and develop networking opportunities, to enable collective action and to impact upon policy and decision-making processes. WSN provides an accessible, feminist, relevant and high quality support

service and resource for its member groups. The Network is also an important information resource on issues relevant to community-based women's organisations and for other infrastructure groups, nationally and internationally.

1.5 Over the past 30+ years, the community-based women's sector has developed a range of frontline services, such as childcare, support, advice and education/training services, in response to the needs they identified at a grassroots level. Women's groups continue to meet the particular needs of women and their children living in areas considered to be among the most affected by the conflict, and recognised as among the most disadvantaged across Northern Ireland.

1.6 Network members are actively engaged with their local communities, cross-community initiatives and regional structures throughout Northern Ireland.

2. Comments

2.1 WSN welcomes the proposals in the consultation document as affirmation of PBNI's commitment to 'work more effectively' to help prevent reoffending, 'ensure fewer victims of crime' and so make Northern Ireland 'safer'.¹ PBNI engages with vulnerable women in the criminal justice system in courts, in the community, in prisons and as the victims of crime. And, clearly, fulfilment of this commitment should benefit not only these women, but also their families and communities and, in consequence, society at large.

That said, WSN has some reservations with regard to omissions from the proposed corporate plan, as detailed below. By addressing these omissions, PBNI could more comprehensively evidence **(a)** its awareness of, and intended responsiveness to, certain key factors likely to impact offending/reoffending behaviour among vulnerable

¹ PBNI, *Corporate Plan 2014-2017, Consultation: Working to Prevent Reoffending*, PBNI: Belfast, 2013, p.2.

women during the lifetime of the corporate plan; as well as, **(b)** the strength of its commitment to gender-sensitive service provision.

Planning assumptions

2.2 The foreword to the consultation document from the PBNI chairman states that the organisation 'want[s] to build on [its] work to date and believe[s] more can be done to ... reintegrate offenders'.² Obviously the type of society into which PBNI will be attempting to reintegrate offenders during 2014-17 will necessarily help determine the success or otherwise of these reintegration efforts.

For this reason, WSN notes with concern that *only one* of the planning assumptions against which PBNI has formulated its corporate plan for 2014-17 is in any way socio-economic in nature, i.e. a budgetary planning assumption. This is surprising, given the well-established link between socio-economic factors and initial/repeat offending.³

More precisely, it is surprising that there is no analysis under PBNI's planning assumptions of the 'broader structural issues' that are likely to prevail in Northern Ireland during 2014-17, such as poverty and unemployment, which, as leading criminologists affirm, can impact both initial and repeat offending;⁴ and, which could subsequently impact the efficacy of PBNI's work during this period.

We are particularly concerned at this omission of key structural factors given the impact that such factors can have on vulnerable women's involvement in crime. For example, as is widely acknowledged, poverty and unemployment are among the 'prime motivators' for female

² Ibid.

³ L. Moore and P. Scraton, *Response to Review of the Northern Ireland Prison Service: Conditions, management and oversight of all prisons* Prison Review Team, Interim Report, Belfast, February 2011, Human Rights in Ireland: 2011. [Online]. Available at: <http://humanrights.ie/civil-liberties/response-to-review-of-the-northern-ireland-prison-service-conditions-management-and-oversight-of-all-prisons-prison-review-team-interim-report-belfast-february-2011/>

⁴ Ibid.

offending.⁵ There are, of course, wider implications to consider here, since case outcomes for female offenders can affect entire families given, for instance, women's role as primary care givers. These implications consequently include issues involving children's education, development and mental health. Therefore, as the Department of Justice for Northern Ireland (hereafter, DOJNI) has itself acknowledged, the experience of women in the criminal justice system can 'have a *huge impact* on their children and families'.⁶

There are two important points here. Firstly, both research and expert commentary suggest that planned austerity-driven policy measures due to be rolled out in Northern Ireland over the lifetime of this corporate plan, such as welfare reform, and their infrastructural implications, such as 'fast-shrinking public services',⁷ are likely to increase the gap between rich and poor in Northern Ireland by exacerbating hardship conditions for the most vulnerable in society. For example, recent research by the TUC in Britain on the impact of the under-occupancy rule on housing benefit claimants, which penalises tenants with unoccupied bedrooms, associates this welfare reform with increased economic marginalisation.⁸ And, from this perspective, Raquel Rolnik, the UN special rapporteur on housing, has called for the scrapping of the under-occupancy rule in the Northern Ireland case and beyond.⁹

Furthermore, research from the Institute of Fiscal Studies suggests that concurrent tax and benefit reform during this period will '*disproportionately affect*' households at the bottom of the Northern Irish income distribution scale, as compared to their counterparts in the

⁵ DOJNI, *Women's Offending Behaviour in Northern Ireland: A Strategy to Manage Women Offenders and those Vulnerable to Offending Behaviour*, 2010-13, DOJNI: Belfast, 2010.

⁶ Ibid.

⁷ Moore & Scraton, op. cit.

⁸ Z. Conway, 'One in three 'behind on rent' since housing benefit changes', *BBC News*: 19 September, 2013. [Online]. Available at: <http://www.bbc.co.uk/news/business-24149763>

⁹ A. Gentleman, '“Shocking” bedroom tax should be axed, says UN investigator', *The Guardian*, 11 September, 2013. [Online]. Available at: <http://www.theguardian.com/society/2013/sep/11/bedroom-tax-should-be-axed-says-un-investigator>

rest of the UK.¹⁰ It is forecasted that these households will lose almost 10 percent of their income.¹¹ In sum, as University of Ulster research affirms, the accumulative effect of this multidimensional tax and benefit reform in Northern Ireland could be deepening poverty for women, children and families or, worse still, severe poverty.¹²

Secondly, were this forecasted situation of increased economic marginalisation to be replicated in the Northern Ireland case following the proposed rolling out of welfare reform from 2014, then clearly it could potentially aggravate the link between poverty and reoffending behaviour among vulnerable women, *precisely by reproducing and reinforcing the very egregious structural patterns that can contribute to their offending in the first place.*¹³

The only substantive reference to wider structural factors in the consultation document occurs where PBNI acknowledges ‘that the policy and legislation of government departments such as health, education, employment and social development has a significant impact on the lives of people who are in contact with the justice system’.¹⁴ The difficulty is that this acknowledgement is never directly translated under PBNI’s planning assumptions into an explicit assessment of the particular structural-contextual factors likely to prevail during 2014-17 in the Northern Ireland case, which could potentially impact offending/reoffending among vulnerable women (and, of course, others), hindering PBNI’s reintegration efforts for these individuals.

¹⁰ J. Browne, ‘The impact of tax and benefit reforms to be introduced between 2010–11 and 2014–15 in Northern Ireland, IFS Briefing Note 114’, Institute for Fiscal Studies: London, 2012.

¹¹ G. Horgan, ‘Welfare Reform: Implications and Options for Northern Ireland’, University of Ulster: Belfast, 2013, p.2. [Online], Available at: <http://www.socsci.ulster.ac.uk/irss/documents/KESS2-2.docx>

¹² Ibid.

¹³ Moore & Scraton, op. cit.

¹⁴ PBNI, *Consultation*, p.9.

In addition, WSN is also disappointed that there is no explicit reference within these planning assumptions to the 'residual conflict and violence' particular to the Northern Ireland ethno-national context, which as leading criminologists observe, can also impact initial and repeat offending.¹⁵ Recent levels of civil disturbance in Belfast and beyond affirm the continuity of offending/reoffending around this kind of conflict and violence.

In short, PBNI needs to include within its planning assumptions some level of analysis of the '*complexity* of the context' into which it will be attempting to reintegrate offenders during 2014-17, by addressing the key question 'reintegration into what?'¹⁶ WSN recognises that this is a complex question, but some level of structural-contextual analysis of this kind is fundamentally required to make PBNI's corporate plan more meaningful, robust and, of course, Northern Ireland context-sensitive.

From this perspective, WSN recommends that PBNI widens the scope of its planning assumptions to make specific reference to those 'broader structural issues' likely to prevail in Northern Ireland during 2014-17, which, as leading criminologists affirm,¹⁷ can impact initial and repeat offending among vulnerable women and others.

Widening the scope of these planning assumptions in this way is necessary to give a fuller and more accurate picture of the 2014-17 Northern Ireland structural context to which PBNI will be responding, namely, 'a jurisdiction of particular circumstances combining the legacy of conflict with structural poverty... a society in transition where economic marginalisation is increasing rapidly'.¹⁸

¹⁵ Moore & Scraton, op. cit.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

Guiding principles and values

2.3 The consultation document lists the guiding principles and values of PBNI for 2014-17, which include integrity, fairness and professionalism. WSN is disappointed by the omission of two other norms from this list, both of which can play an important part in guaranteeing access to justice for vulnerable women and others in the criminal justice system.

The first omission entails adherence to the norm of objectivity (i.e. the absence of bias), which follows from adherence to the norm of impartiality under the rule of law. Commitment to the latter is, of course, *fundamental* to the liberal-democratic framework underpinning the criminal justice system in Northern Ireland, guaranteeing access to justice in areas that include PBNI's sphere of operation.

Women remain a small minority of the offending/reoffending population with whom PBNI engages and this minority status can add to their vulnerability. For example, at June 2013, of the 4,505 offenders under supervision with PBNI, just 450 were female.¹⁹ The evident danger for these women resulting from their minority status, particularly in times of austerity marked by deep cuts in public expenditure, is that their particular rights, perspective, interests and needs become overlooked in a criminal justice system dominated by consideration of majoritarian interests and needs (i.e. men's).

The latest UN report on the UK's record on women's rights: the *Concluding Observations of the Committee on the Elimination of Discrimination against Women*, highlighted this danger, by urging government action to address sustained gender inequalities in the criminal justice system.²⁰

¹⁹ PBNI, *Caseload Statistics: Quarter 1 2013/14*, PBNI: Belfast, 2013. [Online]. Available at: http://www.pbni.org.uk/archive/pdfs/About%20Us/Statistics%20and%20Research/Caseload%20Statistics/Caseload%20Statistics_30%20June%202013_Internet%20Qtr%20110713.pdf

²⁰ UN, *CEDAW: Concluding Observations on the Seventh Periodic Report of the United Kingdom of Great Britain and Northern Ireland*, UN: Geneva, 2013.

In theory, adherence to the principle of objectivity across all parts of the administration of justice in Northern Ireland should help guard against this danger by averting majoritarian bias. In practice though, appeal to this principle needs to be supplemented by a commitment to context sensitivity, including gender sensitivity, if access to justice for vulnerable women is to be more effectively safeguarded by DOJNI. We return to this important notion later in this response.

For now though, it suffices to underscore the point that adherence to the norm of objectivity is integral to the delivery of justice for vulnerable women and others in all areas of the criminal justice system in Northern Ireland, including probation. This point is affirmed by 'best practice' in probation provision in other parts of the UK. For example, the Ministry of Justice's National Offender Management Service includes a commitment to 'be objective' among the key values in its current business plan.²¹

It could perhaps be argued that the commitment to integrity, professionalism and fairness articulated in PBNI's corporate plan already implies a commitment to objectivity, and that a separate allusion to objectivity is therefore superfluous. But that would be a contestable and controversial argument, not least because of the distinct relationship between objectivity and access to justice.

The second surprising omission from PBNI's list of guiding values and principles entails a commitment to the norm of transparency. The foreword to the consultation document states that 'based on a number of recent inspection reports [PBNI] knows the organisation is performing well across all areas of work'. Yet there is no numerical specificity anywhere in the plan detailing this performance, such as would aid transparency, by allowing stakeholders *to judge for themselves* precisely how well PBNI is performing year on year, in

²¹ NOMS, *Business Plan 2012-13*, NOMS: London, 2012. [Online]. Available at: <http://www.justice.gov.uk/downloads/publications/corporate-reports/noms/2012/noms-business-plan-2012-2013.pdf>

terms of, for example, reductions to reoffending rates, including female reoffending.

Furthermore, the document also states that PBNI 'now want[s] to promote greater public awareness and confidence in probation and [the] criminal justice system'.²² If the organisation is genuinely serious about promoting greater public awareness of and confidence in its work, then greater transparency with regards to its progress, expressed in unambiguous statistical terms, would seem a logical and important step in the right direction. Clearly this should include *both actual* indicators of performance for the period of the previous plan *and projected* performance indicators for the period of the currently proposed plan.

'Best practice' in probation elsewhere in the UK endorses this commitment to transparency. Accordingly, other service providers have business plans that capture their performance in specific numerical terms, i.e. as measurable outcomes. For example, the business plans of the London Probation Trust depict measurable outcomes and progress across all areas of its work in clear and concise percentage terms.²³ These include statistics regarding offender assessments in court and offender satisfaction levels.

Of course, as with the first omission, it could perhaps be argued that PBNI's stated values, for example 'integrity', already imply a commitment to transparency. But, again, that would be a readily contested and controversial view, not least because transparency would demand the kind of statistical specificity on performance absent from this document.

Finally, PBNI could do more to promote public awareness of and confidence in its work through being more transparent in its corporate

²² PBNI, *Consultation*, p.17.

²³ London Probation Trust, *Changing Lives for a Better London, Business Plan, 2013/14*, LBT: London, 2012. [Online]. Available at: <http://www.london-probation.org.uk/PDF/Corporate%20bus%20plan%202013-14.pdf>

plan regarding *the wider social impact* of its prevention work, such as early intervention initiatives. Mapping this impact clearly, concisely and in an evidence-based way would greatly assist stakeholders to better understand and evaluate the organisation's wider societal role.

WSN recommends that, in finalising its list of guiding principles and values, PBNI give due attention to the merit of including (a) a commitment to objectivity and transparency, given the importance of these norms to safeguarding access to justice for vulnerable women and others in the criminal justice system; and, (b) a numerical account of key performance indicators, so that stakeholders can judge for themselves at a glance the organisation's performance at reducing/preventing reoffending.

Strategic themes 2014-2017

2.4 WSN notes that there is only one reference to equality within the consultation document, which is generic, i.e. the document spells out PBNI's intent 'to deliver on its commitments under its equality scheme'.²⁴ Obviously in adhering to section 75 stipulations, this commitment includes respect for equality of opportunity between men and women.

But WSN is still disappointed that a commitment to gender-sensitivity, underpinned by appropriate budgeting, is not clearly spelt out and underscored within the corporate plan. Research affirms that if public bodies want to more effectively achieve 'equality of opportunity and outcome' between men and women in practice, then they should commit to gender-responsive budgeting in the planning, implementation, monitoring and review of policy, in order to take proper account of differing (i.e. gender-specific) needs.²⁵ Crucially, gender-

²⁴ PBNI, *Consultation*, p.9.

²⁵ S. Quinn, *Gender Responsive Budgeting*, ECNI: Belfast, 2013.

responsive budgeting is about 'measuring outcomes to ensure results'.²⁶

This kind of gender-sensitivity is fundamentally important to the delivery of equality of opportunity and outcome between men and women in PBNI's work, not least because women represent such a small minority of the offending/reoffending population with whom the organisation engages. Research shows that these women can often have complex and multiple needs, which can contribute to their offending behaviour, such as issues related to mental health, substance abuse, employment and accommodation.²⁷ And these needs 'differ in type and severity from those experienced by men'.²⁸ For example, women in Northern Ireland are twice as likely as men to self-harm whilst in prison.²⁹

As is widely acknowledged, therefore, addressing these needs in a gender-sensitive way is a prerequisite of effective efforts to prevent reoffending by vulnerable women. For instance, as a UK parliamentary Justice Committee report recently observed:

it is well recognised that women face very different hurdles from men in their journey towards a law abiding life, and that responding appropriately and effectively to the problems that women bring into the criminal justice system requires a distinct approach.³⁰

The corporate plan does state that the organisation will 'continue to develop work with partners with expertise in addressing issues such as drugs and alcohol misuse, mental health, deprivation and public protection.'³¹ But there is no acknowledgment whatsoever within the wider document of the key gender differentials that might impact the

²⁶ Ibid., p.2.

²⁷ K. Edgar (2004). *Lacking Conviction: the Rise of the Women's Remand Population*, Prison Reform Trust: London.

²⁸ DOJNI, op. cit.

²⁹ NIHRC, *Submission to the United Nations Committee on the Elimination of All Forms of Discrimination against Women Parallel Report on the 7th Periodic Report of the United Kingdom of Great Britain and Northern Ireland under the Convention on the Elimination of all Forms of Discrimination against Women*, NIHRC: Belfast, 2013, p.8. See also, DOJNI, op. cit, para 2.11.

³⁰ House of Commons, *Justice Committee, Second Report, Women Offenders: After the Corston Report, July 2013*, The Stationery Office: London, 2013, p.3.

³¹ PBNI, *Consultation*, p.9.

effectiveness of this work, and which justify a distinct (i.e. gender-sensitive) approach to dealing with female offenders in the first place.

Of course, DOJNI has already developed a strategy for addressing the needs of women offenders³² and PBNI through, for example, its Inspire Project is already engaged in providing women-only probation services. So the issue here is not that PBNI is necessarily unresponsive to the needs of women offenders. Rather, the point here is this: *gender-sensitivity is so integral to the delivery of effective probation provision that it is conspicuous by its absence from this corporate plan.*

Accordingly, WSN recommends that PBNI includes within its corporate plan for 2014-17 an express commitment to delivering a gender-sensitive probation service, underpinned by appropriate budgeting, to clearly signal to stakeholders and society at large just how seriously it intends taking this imperative during this period.

Strategic theme 2: Collaborative working

2.5 WSN notes with interest that PBNI's corporate plan places particular emphasis on working collaboratively to reduce reoffending in cross-sectoral partnerships, for example, through commissioned services in the voluntary/community sector. In its planning assumptions, the organisation acknowledges the kind of constrained budgetary environment in which it (and its partners) will be expected to undertake this collaborative working. This financial environment is described in terms of a requirement for PBNI to find year on year savings over the medium to long term. Consequently, the plan commits PBNI to 'getting best value' from these collaborations.³³ But in the current context of austerity, the inherent risk posed by this kind of collaborative working is that commissioned services will not be properly resourced nor properly supported by requisite structures.

³² DOJNI, *op. cit.*

³³ PBNI, *Consultation*, p.11.

Against this background, commentators have highlighted a particular risk to the provision of specialised women-only services. This point was underscored by the most recent UN report on the UK record on women's rights: the *Concluding Observations of the Committee on the Elimination of Discrimination against Women*. The report noted that by commissioning specialised women-only services, as opposed to directly funding them, government 'risks undermining' such provision.³⁴

From this perspective, WSN recommends that in moving forward with this corporate plan, PBNI should give due consideration to addressing the particular risk posed to the provision of specialised women-only services, where these services are commissioned, as opposed to directly funded. And, this should mean taking proper account of resourcing and support imperatives pertaining to such service delivery.

3. Conclusion

As noted, WSN welcomes the consultation exercise as affirmation of PBNI's intent to 'work more effectively' with offenders to make Northern Ireland 'safer' during the period of its next corporate plan. Yet this response has outlined our disappointment at certain omissions from the document. By addressing these omissions, PBNI could more clearly evidence its commitment to fulfil the particular needs of vulnerable women (and others) in the criminal justice system during the lifetime of this corporate plan.

³⁴ UN, op. cit., p.3.

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MEMBERSHIP 2012

	<u>Member Group</u>
1	All Ireland Mother's Union
2	An Munia Tober (Travellers)
3	Antrim & Ballymena Women's Aid
4	Ardmonagh Women's Group
5	Ardoyne Women's Group
6	ATLAS Women's Centre
7	Al Nisa Women's Group
8	Ballybeen Women's Centre
9	Ballymurphy Women's Group
10	Belfast & Lisburn Women's Aid
11	Belvoir Women's Improvement Group
12	Carrickfergus Women's Forum
13	Carew II
14	Causeway Women's Aid
15	Chrysalis Women's Centre
16	Clan Mor Women's Group (Sure Start)
17	Derry Well Woman
18	Derry Women's Centre
19	Falls Women's Centre
20	First Steps Women's Group
21	Footprints Women's Centre
22	Foyle Women's Aid
23	Foyle Women's Information Network
24	Granaghant District Women's Group
25	Greenway Women's Centre
26	Kilcooley Women's Centre
27	Lesbian Advocacy Services Initiative
28	Lesbian Line
29	Lenadoon Women's Group
30	Ligoneil Family Centre
31	Link Women's Group
32	Manor Women's Group

33	Markets Women's Group
34	NI Women's Aid Federation
35	NI Women's European Platform
36	Fermanagh Women's Network
37	Newry & Mourne Women
38	Newtownabbey Women's Group
39	Older Women's Network NI
40	Omagh Women's Aid
41	Rape Crisis Centre
42	Rasharkin Women's Group
43	Shankill Women's Centre
44	Strabane & Lifford Women's Centre
45	Strathfoyle Women's Centre
46	The Learning Lodge
47	Voices Women's Group
48	Waterside Women's Centre
49	Windsor Women's Centre
50	Women Connect Project
51	Women into Politics
52	Women's Information Group
53	Women's News
54	Women's TEC
55	Women 2 Gather
56	Women's Resource & Development Agency
57	WISPA (Women in Sport & Physical Activity)
58	Ardcarn Women's Group
59	OIYIN Women's Group
60	Mossley Women's Institute
61	Mount Vernon Women's Group
62	Cooile New Opportunities
63	North Belfast Women's Initiative & Support Project

	<u>Associate Members</u>
1.	Ballymena Community Forum
2.	CiNI
3.	Community Relations Forum
4.	East Belfast Community Partnership
5.	Employers for Childcare
6.	HIV Centre (Women's Support Group)
7.	Mencap
8.	National Women's Council of Ireland
9.	Playboard
10.	RNIB (Women's Group)
11.	Good Morning Newtownabbey
12.	Monkstown Community Association
13.	WAVE Trauma Centre
14.	WEA
15.	Parents Advice Centre
16.	Templemore Community Action Group
17.	Gingerbread
18.	Larne Community Development Project
19.	Community First Coaching
20.	Changing Faces
21.	Sands NI
22.	Women's Project Ashton Centre
23.	Women on Track
24.	Matt Talbot Women's Group
25.	Ulster People's College
26.	Council for the Homeless NI