

Meeting of the All Party Assembly Group (APAG) on Ethnic Minority Communities

Date: Tuesday 12th January 2010
Venue: Parliament Buildings, Stormont (Room 277)
Time: 12:30pm

Attendees

Political Representatives:

Declan O'Loan (SDLP), Stewart Finn (PUP), Anna Lo (Alliance Party), Peter McClenaghan (SDLP), Billy Leonard (Sinn Fein), Danny Kennedy (UUP), Steven Agnew (Green Party).

BME Sector Representatives:

Muhammad Al-Qaryooti (Belfast Islamic Centre), Reggie Clarke (ACSONI), Joan McGovern (Barnardos Tuar Ceatha), Moira McCombe and Ronald Vellem (NICRAS), Eddis Nicholl (NICEM), Jerome Mullen (Polish Consul), Katy Radford (Jewish Community), Paul Yam (Wah Hep), Ashok Sharma (Indian Community Centre), Sophie Romantzoff (NICEM), Chris McAfee (NICEM), Barry Fitzpatrick (NICEM), James Holmlund (Baha'i Council NI), Patrick Yu (NICEM), Helena Macormac (NICEM), Ivy Ridge (Ballymena Inter-Ethnic Forum).

Roisin Devlin (NI Human Rights Commission)
Sorcha McKenna (NI Human Rights Commission)
Les Allamby (Law Centre NI)
Ken Fraser (OFMDFM)
Colin Jack (OFMDFM)

1. Apologies

Political Representatives:

Dawn Purvis (PUP), Jim Shannon (DUP).

BME Sector Representatives:

Mrs Khan (Al Nisa Association), Jacqueline Connolly (Armagh Travellers Support Group), Bobby Rao (Strabane Ethnic Community Association), Margaret Boyle (Derry Travellers Support Group), Javaid Naveed (Northern Ireland Pakistani Cultural Association), Frances and Phoebe Wong (World Wide Women @ North Down).

2. Minutes of the last meeting

The minutes of the previous meeting were agreed.

3. Matters arising from the last meeting

Human Trafficking

The meeting heard there was no further information regarding enquiries Steven Agnew had made about human trafficking. The meeting noted a joint Equality Commission and NI Human Rights Commission report would be launched on 29 January.

4. Crisis Fund Presentation and discussion

Les Allamby (Law Centre NI)

Les outlined the main points of a briefing paper written by the Law Centre NI and copies were distributed to attendees of the meeting. Les informed the meeting of the complex picture in terms of access to public funds within the different segments of the migrant population:

- Nationals from long-standing EU member states, such as agency workers from Portugal.
- Nationals from the Accession A8 member states whose access to public funds and services is determined by registration under Workers Registration Scheme.
- People from A2 member states who have further restrictions in accessing public funds which is also based on registration.
- Non-EU nationals who require work permits through the point based system.
- Asylum seekers.
- Undocumented workers in Northern Ireland.

Les informed the meeting there are gaps in provision and said these gaps were design gaps and outlined how access to services depends on the type of service to be accessed, for example, housing is different to social security.

Through case studies, Les highlighted how a loss of job for a migrant worker has more impact than a UK national, as their access to services is dependent on employment status. Les said issues such as family breakdown and ill health could lead to loss of employment, showing vulnerability of migrant workers. Les highlighted how migrant workers tend to work in sectors where they are more susceptible for exploitation.

Les outlined three arguments for the a crisis fund:

- Reputational – the grim headlines regarding Northern Ireland following the Roma crisis and a crisis fund as a way to counter the view of these problems as a Northern Ireland or Belfast issue.
- Economic – providing initial support for people can help reduce long term costs in health care and criminal justice which may arise if no initial support is given.
- Humanitarian and social – to assist people in need.

Les outlined the discussions the Community Foundation NI has had with Department for Social Development, OFMDFM, Department for Employment and Learning and Department for Health, Social Services and Public Safety. Les said the money for the fund does not seem to be the main issue but rather the main questions are over which departments would be responsible for the fund and what the legal implications are.

Les highlighted the need for political buy in and co-ordination action to make the fund happen.

Roisin Devlin (NI Human Rights Commission)

Sorcha McKenna (NI Human Rights Commission)

Roisin and SORCHA outlined the main findings and conclusions from the 'No Home from Home' investigation report, which looked into poverty and homelessness for migrants and the practical impacts of immigration legislation.

Roisin informed the meeting the fieldwork for the research took place from May to November 2008 and was based in Belfast, Cookstown and Dungannon, looking at Northern Ireland Housing Executive, Social Security Agency and Health and Social Care Trust services. The researchers compiled interviews from Departmental staff, voluntary sector actors and homeless people.

Roisin outlined international human rights standards were used in the research to inform recommendations, such as Articles 3, 8 and 14 of the European Convention on Human Rights and Article 11 of the International Covenant on Economic, Social and Cultural Rights.

SORCHA told the meeting she agreed with Les' analysis of the legislation being designed to exclude non-UK nationals from assistance. SORCHA said those transitional arrangements such as the WRS act as a barrier to accessing public services.

SORCHA stated the research found that government agency staff felt legislation was restrictive and there was a lack of guidance on how staff should deal with those homeless non-UK nationals.

SORCHA outlined case studies from the report and said the report recommendations were based on what the UK government has ratified in terms of international human rights standards. SORCHA said responsibility for some of these recommendations were in regard to Westminster matters but there are measures that can be put in place in Northern Ireland.

The Migrations Impact Fund was outlined as possible source for the crisis fund and SORCHA told the meeting the UK budget for this was £70 million with approximately £1 million allocated for Northern Ireland.

Billy Leonard asked the meeting what would be the best way to take these measures forward in terms of getting focus and effect? Les responded to say that bringing senior officials from government departments and establish clear lines of responsibility had helped but it would also require cross party support. Les said the fund would need impetus through the Assembly that could then work with meetings with officials from relevant departments. Billy suggested the information outlined today should be combined into a single paper that could then be passed on parties, relevant committees and others.

Anna Lo highlighted the possibility of using the Racial Equality Strategy and the Race Equality Forum in this process.

Katy Radford highlighted the need to look at extended family networks in this and to look at the perspective of older people.

Ashok Sharma highlighted the difficulties caused by the points based system for migrants. Les said the fund would not be able to resolve the difficulties of the points based system. Les also highlighted the issue of undocumented workers

and the importance to acknowledge how changes in employment, family situation and others can lead to someone becoming undocumented almost overnight. The fund is clearly about emergency needs.

Jerome Mullen highlighted a difficulty for migrants being the lack of knowledge of the need to register under the WRS. Jerome raised issues of working conditions and the difficulties with temporary employment contracts for migrant workers. Moira McCombe said a key concern for NICRAS was for those people whose support has finished and have lost their accommodation, financial support and have no right to work while they have lodged a fresh claim for status.

Anna told the meeting the Assembly motion on the crisis fund had been lodged with the business committee.

Ken Fraser informed the meeting the Racial Equality Forum has set up a sub-group that might want to look into this issue before the motion is debated. Les said there was a need not to leave the issue too long and Declan said the motion could help to build momentum and focus.

It was agreed the secretariat of the APAG would liaise with the Law Centre NI and Northern Ireland Human Rights Commission to produce a briefing paper that could then be used to raise awareness before the motion debate.

Anna asked whether the APAG should ask a question of what the money from the Migrations Impact Fund has been used for in Northern Ireland? Sorchá said the NIHRC had sent a letter asking this question but had yet to receive a reply. It was agreed the APAG would send a letter asking about the use of the Migrations Impact Fund in Northern Ireland.

5. Racial Equality Forum, OFMDFM restructuring and core funding for the sector update

Colin Jack gave an update following the meeting of the Racial Equality Forum that took place on 24 November, the first since the devolution of the Assembly. Colin said the purpose of this meeting was to review the remit and structure of the Forum in the devolved context. Colin said the terms of reference had been discussed at the meeting and changes to these would be made.

Colin said there was a consensus the structure of the previous Forum was large and unwieldy and so a Racial Equality Panel would be established. This panel would be made up of 12 – 16 people and would meet twice a year to conduct business. Colin said the self-nomination criteria for the panel were being finalised.

Colin told the meeting there would continue to be sub-groups working in distinct areas of work on time defined projects: Sub-group on immigration facilitated by Law Centre, sub-group on racism facilitated by the Community Relations Council and a sub-group on monitoring.

Colin said in future Forum meetings would be chaired by the Junior Ministers and not by the OFMDFM Good Relations Officer as had been previously. Colin said the meeting of the Forum on 24 November had considered the need for the

Forum to be representative of all of Northern Ireland and the possibility to rotate meetings to other locations and there had also been discussion on how best to share practice among members of the Forum.

Anna asked if there would be any political representatives on the Forum and Colin said it was the view that the Forum was not the body for this. Anna asked if meeting twice a year was adequate and Colin said the sub-groups would meet more often and report to the Forum on a regular basis to ensure regular contact. Colin informed the meeting the Race Unit of OFMDFM would provide the secretariat for the Panel and Forum with secretariats for the sub-groups provided by expert groups.

Katy asked about the effect on faith-based groups of the Department of Social Development and OFMDFM initiatives? Colin said this would not be seen as limiting these groups' role in the Race Equality Forum.

6. AOB

- Muhammad Al Qaryooti asked to highlight the Islamic community centre and this item will be put on the February agenda.
- Katy invited members to attend events being held for Holocaust Memorial Day and distributed information on these events.
- Ashok reminded attendees of the conference on Race Relations the Indian Community Centre is holding on 25 January 2010.

7. Date of the next meeting

Tuesday, 9th February 2010, 12pm for 12:30 start (lunch to be provided) Venue: Room 152, Parliament Buildings, Stormont