

NICEM BRIEFING PAPER

ON RACIAL EQUALITY STRATEGY

CONSULTATION DOCUMENT

Summary:

Whilst we welcome the publication of the Racial Equality Strategy Document **we have serious concerns about its ability to deliver racial equality in Northern Ireland.**

It is **much weaker** than the previous Racial Equality Strategy which expired in 2010;

- It lacks **accountability and governance mechanisms, action plans and clear objectives.**
- The evidence base for racial inequality provided by the document is weak and **unreflective of the current context.**
- It doesn't take account of **cross-cutting departmental issues** and issues of **intersectional identities.**
- The document fails to recognise the contribution that ethnic minorities make to the **NI economy and society more broadly with respect to the benefits of racial diversity.**

Given the significant demographic changes in Northern Ireland since the previous document and the recent spate of high profile racist violence coupled with the rise of poverty amongst ethnic minority communities, **it is essential that all political parties, ethnic minority community members and the wider community respond to this consultation demanding a robust strategy fit for purpose.**

1. Introduction and the context

1.1 NICEM welcomes the consultation document “A Sense of Belonging:

Delivering Social Change through a Racial Equality Strategy for Northern Ireland 2014-2024”. The previous Strategy expired in 2010 and the updated Strategy is long overdue.

1.2 The consultation document represents a much delayed response to the Assembly Motion Debate on 3 July 2007. The Assembly unanimously voted for the Racial Equality Strategy 2005-2010 (“previous Strategy”) and urged the Office of the First Minister and Deputy First Minister to ensure that the First Annual Implementation Plan of the Racial Equality Strategy fully and rigorously addressed issues of racial equality for minority ethnic communities in Northern Ireland. At the motion debate, political parties across the spectrum strongly criticised the Department’s failure to effectively address the socio-economic disadvantage and systematic discrimination in accessing public services experienced by ethnic minorities in Northern Ireland.

1.3 NICEM are concerned at the politics of power at play with respect to where the race agenda sits within Executive priorities. Currently the “Race Relations” agenda sits under the broader “Good Relations” (community relations and race relations) agenda. A direct consequence of the Assembly voting down the Good Relations Framework document (“A Shared Future”) in May 2007 was that the previous Strategy became frozen until the OFMDFM published the consultation paper “Cohesion, Sharing and Integration” in 2010. The CSI consultation paper agreed to develop a new Strategy based on the previous six robust shared aims and to update the nature and scale of racial inequalities in Northern Ireland in order to identify the course of action for each Department and their next step agencies. The new Racial Equality Strategy should be a robust document and its implementation should not be delayed due to stalling in other areas of government.

1.4 From 2000-2011, drastic demographic changes have taken place stemming from the shortage of nurses and other skilled workers and then EU enlargement and the accession of A8 and A2 States. The dissolution of transitional working arrangements and guarantees of free movement have attracted a high volume of migrant workers who continued to contribute to our economy during the economic boom, in particular in the food processing sector, agricultural industries, health care sector and the hospitality industry. The population of migrants who have arrived in NI from 2001-2011 is equivalent to more than double the settled ethnic minority population.

1.5 The new migrant profile is characterised by low grade and low paid employment, despite many having high level qualifications and skills. In addition, the majority of new migrants cannot speak English at all. This fundamental shift from a relatively stable business/employment status of settled ethnic minorities to job insecurity and temporary employment status of recent migrants has resulted in higher levels of deprivation, socio-economic disadvantage and systematic discrimination in comparison to 10 years ago.

1.6 Since 2008 ethnic minority people have been victims of unacceptable levels of xenophobic sentiment, with myths being perpetuated around migrants ‘stealing’ local jobs, benefits tourism, illegal working and sham marriages. The underlying negative stereotypes and hostile attitudes result in part from prolonged economic recession and

the collective failure of political parties in the recent Haass talks. Ethnic minority communities continue to experience a hostile environment in which racist hate crimes have been committed against BME people and their homes and businesses. Significant barriers persist in terms of workplace discrimination and barriers to business development.

1.7 The link between sectarianism and racism is not new. We could define racism within the political context in Northern Ireland as the extension of sectarianism. In post-Good Friday Agreement (GFA) Northern Ireland, ethnic minorities who voted for the GFA expected the cessation of all violence. Unfortunately, ethnic minorities have become victims of violence with documented evidence of paramilitary involvement in racist hate crimes (for details see Independent Monitoring Commission Reports from 2004 onwards).

1.8 Ethnic minority people who pay tax and work hard to contribute positively to our economy and society should be entitled to enjoy the same equal rights as the local indigenous people. Minority ethnic communities are often overlooked or socially excluded in political decision making and enjoy only the residual rights of the two majority communities on which Northern Ireland policy is based. Racial equality is scarcely afforded sufficient priority. The Delivering Social Change framework and current flagship strategies, such as the Anti-Poverty Strategy and the Childcare Strategy under the OFMDFM, are all based on an exclusionary two-community approach. The current Good Relations Policy: Together Building a United Community (TBUC) perpetuates the 'two communities' approach and omits consideration of race relations in any action plan, except with reference to a separate Racial Equality Strategy. This means that no action plan or adequate resources have been devoted to effectively addressing the intersectionality between sectarianism and racism under TBUC.

1.9 The previous Strategy highlighted the impact of stereotyping in our society (para. 2.17 at p.16) and, using the Stephen Lawrence Inquiry definition of institutional racism (para. 2.10), recognised the need for all public bodies and others to prevent systematic or institutional racism in public services. (para. 2.18 & 2.19):

'Institutional Racism is defined as a "failure to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people."'

The failure to provide an appropriate and professional service was implicitly acknowledged by Mr. Ken Fraser of the OFMDFM Race Unit, who gave evidence to

the Committee of OFMDFM on 12 March 2014 and acknowledged that little has been achieved in terms of addressing race inequality in the past 10 years.

The recent Islamophobic and racist remarks made by the First Minister forced the ethnic minority people of Northern Ireland, for the first time in history, to stage mass demonstrations, with support from trade unions and civil society, rallying against racism on 7 June 2014. Public calls for the publication of the Racial Equality Strategy prompted the government to at last release the long overdue document for consultation.

2. Our concerns: the consultation paper is far worse than the previous Strategy

2.1 The Ministerial Foreword lacks strong language to condemn racism or sufficiently robust commitment to eradicate it. Moreover, it does not recognise the positive contribution of ethnic minorities to our local economy. It does not acknowledge the enriching effect of linguistic, cultural, entrepreneurial, and religious diversity on our society. This lack of recognition of ethnic minorities reflects their limited sense of belonging in this society.

2.2 The consultation document lacks accountability mechanisms and clear outcomes. The document is a framework rather than a strategy, as it does not focus on high-level policy change and impacts (see p.6 Ministerial Foreword). The Racial Equality Strategy should be a stand-alone document with clear priorities. NICEM are concerned that it will be subsumed into the Delivering Social Change model, which is a framework that seeks to co-ordinate key actions across departments to take forward work on priority social policy areas.

2.3 NICEM supports cross-cutting actions and themes across departments to

tackle racial inequality. The issue of in-work poverty and child poverty, increasingly suffered by many ethnic minorities, and deprivation experienced by the whole family. The Anti-Poverty Strategy, the Child Poverty Strategy and the Delivering Social Change Framework offer no targeted initiatives to meet the specific needs of ethnic minorities. Such strategies must have clear links in order to avoid a two communities approach that excludes ethnic minorities.

2.4 Moreover, the action plans of individual departments and their next step agencies are totally inappropriate with regard to ensuring effective implementation of the “Delivering Social Change” model. It is essential that each department and their next

step agencies have their own action plans, which cut across the 6 shared aims of the revised Racial Equality Strategy.

2.5 The fundamental flaw of the consultation document concerns the extent of racial inequalities in Northern Ireland; the document fails to establish a strong evidence base for racial inequality in Northern Ireland. A significant body of relevant research has not been considered or referenced in an Annex of the document. Instead, the consultation document relies on the previous OFMDFM-funded research from 2002, which focused on the settled Chinese, Asian and Irish Traveller communities, and the recent Joseph Rowntree Foundation research report on ethnicity and poverty in Northern Ireland.

2.6 Chapter Two of the previous Strategy included essential definitions and contextual information on racism and racial discrimination. A section describing these concepts is important in establishing standards of unacceptable behaviour in our society. It is important to codify this information in an official document, in order to educate civil servants, politicians and civil society.

2.7 There is no timetable to address the outdated Race Relations (NI) Order 1997 and its subsequent Regulations, despite recommendations contained in the previous Strategy. This inaction ensures that ethnic minorities have far less protection than in Great Britain, which amended the same law under the Race Relations (Amendment) Act 2000 and the subsequent Equality Act 2010. Moreover, the Assembly unanimously passed a motion in 2009 to reform the Race Relations (NI) Order 1997, but no action has been taken by the OFMDFM to act on this motion.

2.8 Without introducing urgent legislative reforms to improve protection against racial discrimination and harassment, the consultation document becomes meaningless. Existing racial inequalities, socio-economic disadvantage and systematic discrimination are a by-product of the lack of effective legal protections against racial discrimination in Northern Ireland. Legal reforms are of particular importance, given that the NI government is both the largest employer and service provider in Northern Ireland.

2.9 No framework has been established to develop action plans to ensure full implementation of the 6 aims of the Strategy by each department and their next step agencies. It is crucial to collect views at this consultation stage in order to introduce an effective monitoring and evaluation framework for departmental action plans, including the adoption of indicators.

Unlike the previous Racial Equality Strategy, this document contains no requirement for a senior civil servant within each department to be appointed as a Racial Equality Champion. The purpose of such champions would be to monitor progress and to make each department accountable.

3. Recommendations for Change

1. Recognition of ethnic minority contribution to our economy and society

The Ministerial Foreword should be strengthened to demonstrate political leadership and commitment to eradicating racism and racial discrimination. It must also recognise the positive contribution of ethnic minorities to our economy and society.

2. Title of the document, Vision and Six Aims

The extent of institutional racism, which is manifested in racial inequalities, socio-economic disadvantage, social exclusion and systemic discrimination against ethnic minority people, is widespread in Northern Ireland. Using the title ‘A Sense of Belonging’ in the forthcoming Racial Equality Strategy is totally inappropriate and does not accurately reflect the scale of the challenges facing ethnic minorities. Therefore, we suggest a simple rewording to: **“Racial Equality Strategy for Northern Ireland 2014-2024”**

We also recommend the following vision in Chapter 3, which takes into account the context outlined in Section 1 above:

“A society in which ethnic diversity is supported, understood, valued and respected and where we live together as a society free from racism and sectarianism and where human rights and equality are protected for all.”

We do not believe there is a need for the additional proposed aim 7, the issue it addresses is already dealt with under aim 4 and 5.

3. Racial Inequality in Northern Ireland

NICEM recommends that Chapters 2 and 5 be rewritten to detail the nature and extent of racial inequalities in Northern Ireland through a rigorous review of evidence and a replication of the previous Chapter 2 on the concept of racism and racial discrimination in Northern Ireland. These two chapters will form the backbone of the thematic action plans and departmental/next step agencies’ action plans.

4. Action Plan for OFMDFM to reform race relations law

NICEM recommends that the key action plan for OFMDFM should put forward a timetabled legislative proposal to reform the current race relations law with a deadline of 2017 for full implementation. This proposal should take account of the recommendations of the Equality Commission for Northern Ireland and the Assembly Motion Debate in 2009 (Chapter 6, Legislative Framework).

5. Governance and accountability

5.1 Departmental Racial Equality Champions

The previous Strategy required each department to appoint a **Racial Equality Champion**, a senior official with visibility and credibility throughout the organisation. It stated that “this champion will ensure that messages about the importance of racial equality and good race relations are consistent and visible to all staff.” (para 5.12) The previous Race Equality Champion model is a good practice model that should have been replicated under the updated Strategy, but it has disappeared from the consultation document. The appointment of a Race Equality Champion in each department fulfils two functions: firstly oversight of the implementation progress and secondly assurance of accountability of individual departments for their actions. We recommend the appointment of Race Equality Champions in Chapter 8.

5.2 Racial Equality Panel

In order to strengthen the accountability and governance of the strategy, the **Racial Equality Panel** (Chapter 8) should be jointly chaired by the two Junior Ministers and a representative from an ethnic minority community background. Furthermore, there should be an annual review of the progress on the implementation of the action plan (both thematically and with respect to departmental action plans). The departmental **Racial Equality Champions** should also be appointed to report on progress to the Panel at the annual review meeting.

5.3 Action Plan

We also recommend **two types of Action Plan** in Chapter 8, under the revised Racial Equality Strategy. The first type of Action Plan is based on thematic topics and/or issues, which require inter-departmental actions and a joined-up approach. The second type is a departmental/next step agencies’ action plan, which must adhere to the ‘SMART’ (specific, measurable, achievable, realistic and timeframe) framework, and should not have more than two strategic actions, which would be able to secure more resources and thus have a more long term impact.

Departmental and next step agencies’ action plans should be based on their audit of inequalities report and associated action plans under their new Equality Schemes. A

summary of said documents should be included in the Annex of the final approved Strategy.

6. Monitoring and Reviewing Progress

Chapter 10 is misleading. This chapter relates to the current monitoring data within departments relevant to Good Relations Indicators for both TBUC and the new Racial Equality Strategy. This does not directly relate to the monitoring and reviewing progress of the Racial Equality Strategy. NICEM suggests a rewrite of the new chapter based on the SMART framework (see above paragraph), in order to develop an overarching evaluation framework for all departmental and next step agencies' action plans. The Good Relations Indicators should form part of the Annex of the final document.

7. Positive Action and Ethnic Monitoring

NICEM supports the use of positive action measures (Chapter 3 and Annex A) based on evidence of racial inequality. Issues like the current uptake of public services by ethnic minorities should be monitored by government departments. Ethnic monitoring is crucial to determining the extent of institutional racism in each department and their next step agencies (see 1.7 above).

Furthermore, NICEM supports the OFMDFM Guidance on Ethnic Monitoring from 2011 (Chapter 5), as it was a product of the partnership between OFMDFM, DHSS & PS, NICEM and the three Health Trusts.

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