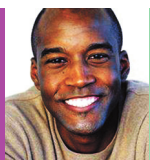


Joining Hands to End Racial Discrimination

Committee on the Elimination of Racial Discrimination Consultation with Civil Society

November 2016



BEAUIS
Empowering Scotland's Ethnic and
Cultural Minority Communities

Joining hands to end racial discrimination

Committee on the Elimination of Racial Discrimination Consultation with Civil Society

23 November 2016, 15:00 to 18:00

Palais des Nations, Conference Room XX

BEMIS Scotland Response:

Bemis Scotland:

BEMIS is the national Ethnic Minorities led umbrella body supporting the development of the Ethnic Minorities Voluntary Sector in Scotland and the communities that this sector represents. Our vision is of a Scotland that is equal, inclusive and responsive: A society where:

- people from the diverse communities are valued, treated with dignity and respect,
- have equal citizenship, opportunities and equality of life,
- And who actively participate in civic society.

Scotland/UK/Regional Hate Crime:

Scotland's ethnic minority population based on the 2011 Scottish Census and including all communities identified as something other than 'White Scottish' or 'White other British' is 8.2%¹ of the Scottish population. This includes the categories;

White Irish, White Polish, White other, Asian, Asian Scottish, Asian British and Other Ethnic Group. Therefore in numerical terms the population of ethnic and cultural minority communities in Scotland is 434,223.²

- Race Hate crime in Scotland continues to be a significant concern. Over the last 8 years 33,087 race related charges have been progressed by the COPFS (Crown Office and Procurator Fiscal Service)³.
- Race Hate crime effects every ethnic minority community in Scotland. Including but not reserved to Pakistani, Gypsy Traveller, Polish, African, Chinese and Indian citizens.
- Trends in the nature of racially aggravated hate crime show a continuation of discrimination directed towards people of colour including African, Caribbean and Black citizens. 687 reported incidents in 2013/14 and 5,808 incidents between 04/05 – 13/14.⁴

¹ <http://www.scotlandscensus.gov.uk/ods-web/area.html>

² <http://www.scotlandscensus.gov.uk/ods-web/area.html>

³ <http://www.crownoffice.gov.uk/publications/equality-and-diversity> (SEE ANNEX A - TABLE 1)

⁴ <http://www.gov.scot/Resource/0048/00484559.pdf> (SEE ANNEX A - Table 2)

- There continues to be prevalence to conflate religious aggravations as 'racial' and 'racial' aggravations as religious. This may be most acutely true for the multi-generational Pakistani and Irish communities.
- In 2013/14 racial incidents involving the Pakistani community totalled 1,107. From 2004/05 – 2013/14 - 14,825 reported incidents took place which involved the Pakistani community as either victim or complainer.⁵
- In the reporting period 2012/13 – 2015/16 – 333 crimes were prosecuted as religiously aggravated against Muslims⁶.
- The significant differentiation between crimes targeting Pakistani community members 'ethnicity' and perceived 'religion' may suggest an erroneous recognition of the nature of the aggravation. Certainly an additional component is necessary to appreciate the scale of hate crime directed overwhelmingly towards the Pakistani minority.
- Between 2004/05 – 2013/14 – 996⁷ incidents occurred where the victim or witness of an incident was of Irish ethnicity. During the period 2012/13 – 2015/16 – 1,382⁸ charges were progressed by COPFS based upon an anti-Catholic religious aggravation.
- There has been a trend in Scotland to conflate Catholic / Irish and progress charges which are based upon ethnicity as 'religious' aggravations. While representing 16% of the national population, 'anti-Catholic' hate crime represents over 50% of all religiously aggravated crime over years where data is available. The additional component of ethnicity may represent a characteristic as to why disparity between population % and hate crime aggravations remains so high towards this community.
- The Scottish Council for Jewish Communities have outlined concerns in relation to the increase of anti-Semitic incidents between 2013 – 16⁹. In 2015/16 physical assault accounted for 11% of anti-Semitic hate crimes, slightly above the national average of 8%.

Scotland as a component of the UK is subject to the outcome of the decision to exit the European Union.

It has been widely reported that since the BREXIT decision there has been a marked increase in race hate crime towards European minority communities and ethnic minority communities in general¹⁰.

⁵ ibid

⁶ <http://www.gov.scot/Resource/0050/00501327.pdf> (SEE ANNEX A - Table 3)

⁷ See no. 3 (SEE ANNEX A - Table 1)

⁸ See no. 5 (SEE ANNEX A - Table 2)

⁹ http://www.scojec.org/news/2014/14viii_antisemitism/antisemitism.html

¹⁰ <https://www.theguardian.com/society/2016/sep/07/hate-surged-after-eu-referendum-police-figures-show>

While the increase in hate crime as a result of Brexit hasn't been reported in Scotland¹¹ there should be continued vigilance given the % increase in hate crime directed towards 'Gypsy Traveller / Polish / Other White' 2.5% in 03/04 and 11% in 14/15¹².

This in part may be due to an increase in A2 and A8 country migration to Scotland in the intervening years.

In short Scotland is not immune to racism or prejudice. Concerning levels of racism persist within day to day life having a detrimental impact on the wellbeing, health, potential and human rights of individuals and communities of ethnicity.

BEMIS believe that Race Equality must move beyond a sole emphasis on anti-racism or remedies via the courts to the reality of hate crime.

While this is a valid and important legal instrument additional opportunities and programmes of progressing race equality must be initiated. Race equality aside from taking a firm stance on racism must include for example;

- Representative institutions and employment
- Access to safe, clean and affordable housing
- Participation and recognition within cultural life
- Anti-poverty initiatives which combat the disparity in ethnic minority communities who live in poverty and to alleviate poverty for all who must contend with it
- Fair work and fair pay including closing the gender pay gap and the lack of minority communities in positions of authority in local and national government

This strategic intention has been outlined in the co-designed Scottish Race Equality Framework 2016 – 30. This includes a sequence of recommendations and action points relevant to broader civic society and government.

Policy Context in Scotland:

In 2015 the First Minister of Scotland Nicola Sturgeon MSP expressed the Scottish Governments intention to embed 'social and economic' rights in the decision making process.

"We are in the fortunate position that Scotland's aims and ambitions, enshrined in our National Performance Framework and Scotland's National Action Plan on Human Rights– such as tackling inequality ensuring access to high quality education and healthcare – are already a key part of the Sustainable Development Goals. This will allow us to measure and report on progress in achieving the SDGs in Scotland."

In this regard the UNSDG's are embedded within the Scottish Governments National Performance Framework. Subsidiary strategies specific to Race Equality include the 'REF16-30' and others such as the 'Fairer Scotland Action Plan'.

Both of these strategies reflect key 'national performance indicators'. Over the last 6 years BEMIS have aligned their practical 'Race Equality' response with 'National Performance Indicators' framework.

¹¹ <http://www.mirror.co.uk/news/uk-news/post-brexit-racism-truth-hate-8787243>

¹² <http://www.gov.scot/Resource/0048/00484559.pdf> (SEE ANNEX A - Table 2)

National Performance Indicator	BEMIS response <i>'Example'</i>	Supported by
<i>'We realise our full economic potential with more and better employment opportunities for our people'</i>	<ul style="list-style-type: none"> a) Equality Internships programme b) Modern Apprenticeships Programme c) Employability fund – various 	<ul style="list-style-type: none"> a) Scottish Government b) Skills Development Scotland c) SCVO d) GCVS
<i>'Our young people are successful learners, confident individuals, effective contributors and responsible citizens'</i>	<ul style="list-style-type: none"> a) Gathered Together Programme 2012 – 16 – Ensuring Ethnic Minority Parental Participation in academic development 	<ul style="list-style-type: none"> a) Big Lottery b) SPTC
<i>'We have tackled the significant inequalities in Scottish society'</i>	<ul style="list-style-type: none"> a) Ethnic Minority women and Fair employment 	<ul style="list-style-type: none"> a) Scottish Government b) Scottish Refugee Council c) Scottish Trade Union Council
<i>'We have strong, resilient and supportive communities where people take responsibility for their own actions and how they affect others'</i>	<ul style="list-style-type: none"> a) Capacity development support to increase democratic, active participation via human rights education. 	<ul style="list-style-type: none"> a) Scottish Government
<i>'We take pride in a strong, fair and inclusive national identity'</i>	<ul style="list-style-type: none"> a) Themed Years 'Multicultural Homecoming 2014' – Year of Food and Drink 2015/ 	<ul style="list-style-type: none"> a) Scottish Government
<i>'Our public services are high quality, continually improving, efficient and responsive to local people's needs'</i>	<ul style="list-style-type: none"> a) Continued research and dialogue into implementation and obligations in relation to PSED, community engagement and empowerment. 	<ul style="list-style-type: none"> a) Scottish Government

Example of Good Practice (1) – ‘Creating an Inclusive National Identity’

Scotland’s future is a collage of identities, expertise, history, oral tradition and cultural characteristics. In this context, the sub-heading for a Fairer Scotland could read ‘enhanced by our diversity – combined by our humanity’.

As we strive to create a ‘Fairer Scotland’ sometimes it is important to stop, reflect and allow ourselves some time to consider where we are at this moment in time? The world is in the midst of volatile and often overwhelming global challenges.

Domestically our most vulnerable communities face a decade of further austerity and an onslaught of financial responsibility they neither sought, created nor benefit from.

Since the devastating events in Paris the veneer of ‘tolerance’ has been lifted for some people who have used this social trauma as an excuse to vent their own deep-seated prejudice, bigotry and racism.

The hard truth however is that in reality the ‘Scotland’ they think they live in and are defending has never existed, apart from in their own heads, ignorance and bile cultivated by their own cultural deficit.

Scotland has been shaped by millennia of global influence. Our national instrument, the Bagpipes, are most likely from Ancient Mesopotamia (Modern day Syria and Iraq), the time signatures which drive our music are shared by India, Pakistan and many others international communities.

Arabic has been a spoken language in Scotland since the 12th century, why? Because Christian bishops decreed that you could only fully appreciate the sentiments of the bible if you could speak a ‘Semitic’ language.

In short the global influence on our day to day lives in Scotland is profound. The direct influence of countless generations of migration underpinned by intangible cultural heritage.

Part of Scotland has always been – and is eternally – African, South Asian, Middle and Far Eastern, European and all the diversity of culture, language, religion and beliefs inherent around the globe.

In relation to a Fairer Scotland we should be:

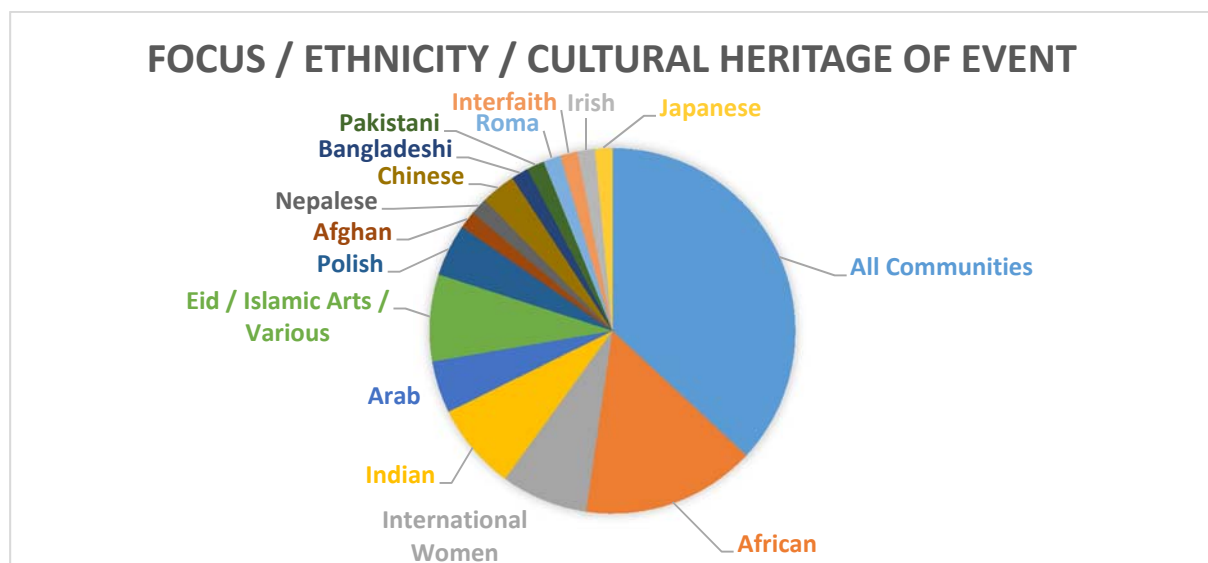
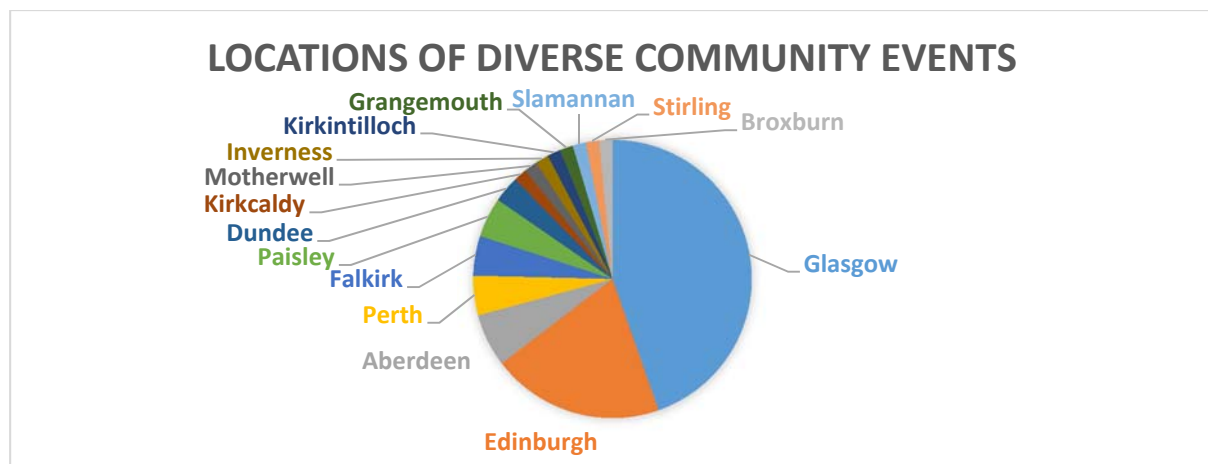
- comfortable recognising these influences on Scotland and retrospectively Scotland’s place and influence in the world, for better or worse
- Brave enough to acknowledge, in a spirit of reconciliation and acknowledgement the influence of Empire in Scotland and Scotland’s place in the Empire.

Progressing 2014– 2015 – 2016 – 2017 ‘Building an Inclusive National Identity’

The 2014 BEMIS-led Year of Multicultural Homecoming, 2015/16 Year of Food and Drink and Scottish Winter Festivals and 2016/17 Year of Innovation, Architecture and Design and SWF sought and continues to enthuse a sense of belonging and ‘home’ in Scotland by utilising unique and shared cultural characteristics – this is underpinned by BEMIS motivation to cascade throughout Scotland the message that we are ‘Combined by our Humanity and enhanced by our Diversity’ and that this is facilitated via positive cultural interfaces and use of Intangible Cultural Heritage as the primary conduit stimulating and promoting active participation and citizenship.

Between 2014 – 2017 BEMIS have facilitated and funded with Scottish Government support;

- 160 local community led events celebrating Scotland’s living traditions predicated upon ethnic minority community characteristics
- Held 6 National events promoting Scotland’s diversity
- Engaged communities based upon ICERD article 1 of convention, broad in scope of diversity and coverage.



2017 – Themed Conference on Scotland's National Day

IMAGE CREDIT: MARIA FALCONER (DANCEBASE, SCOTLAND'S NATIONAL CENTRE FOR DANCE)

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30
NOV**

TRACS & BEMIS: ST ANDREW'S DAY OPEN CONFERENCE

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DIVERSITY,
CONNECTED BY
HUMANITY**

**SCOTTISH STORYTELLING CENTRE
10AM - 4PM | FREE**

**Exploring cultural heritage and local creativity
as a pathway to active citizenship**

GUEST SPEAKERS

ALASDAIR ALLAN MSP / RAMI OUSTA /
DONALD SHAW (CELTIC CONNECTIONS) / MARION KENNY
(VOICES IN SCOTLAND) / DANCE IHAYAMI /
PADDY CALLAGHAN (BBC TRADITIONAL MUSICIAN OF THE
YEAR 2013) / MUHAMMAD AL-HUSSAINI /
DANNY BOYLE / DONALD SMITH

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TRACS
Traditional Arts and Culture Scotland
Fàilich is Càltair Traidiseanta Alba
Arts an Traidiseanta Scotland

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Example of Practice (2) – Poverty and Ethnicity

- **The Scottish Government, Local Authorities and Public Bodies must recognise the validity of the diverse ethnic and cultural minority communities of Scotland.** To analyse the relationship between poverty and ethnicity and equalities duties via a 'white/black' binary is insufficient and not reflective of the lived experience of the various and diverse ethnicities of Scotland.
- The Scottish Government should continue to lead in supporting the payment of the **Scottish Living Wage** across all sectors *in which it has influence*. For example 'The Agricultural Sector' where pay is administered by the 'Agricultural Wages Board'. While the board is an Independent body with statutory authority Scottish Ministers appoint 4 independent commissioners to sit alongside representatives from Farmers unions and Trade Unions. We know this sector employs significant numbers of Polish citizens and others who reside disproportionately in Poverty despite being the most economically active.
- **The Modern Apprenticeship Programme should continue to receive focus in relation to equalities objectives.** Continual and potentially broadened strategic intervention across both marketing leading to successful applicants and integration to the world of work must be analysed over a 3-5 year period.
- **The coherent provision of ESOL classes must be tackled as a priority** in the forthcoming period and distinction made in relation to ring-fenced ESOL budgets administered by Scottish Government to Local Authorities and additional dimension of impact of Further Education Cuts. Pilot projects by '**Glasgow ESOL Access Programme**' are to be welcomed however a clear picture of ESOL provision and combined national budgetary implications of protected grant and further education budget stagnation is unclear. Examples of good practice should be shared between local authorities.
- **While stagnation in local authority recruitment accompanies budget restrictions and re-organisation national infrastructure projects and procurement such as Housing provision and potential forthcoming development of 50,000 new homes¹³ should be subject to an EQIA** within all facets of their development to maximise potential in both location, allocation, sustainability and procurement. Companies with accessible and transparent evidence of equalities training, representative workforce targets and commitment to positive action in apprenticeships targets and employment as part of the tendering process. Green, clean, affordable and representative fulfilling our obligations to progressing economic, social and cultural rights in public life and decision making.

¹³ <http://www.independent.co.uk/news/uk/politics/nicola-sturgeon-pledges-to-build-50000-affordable-homes-in-next-parliament-a6695101.html>

- **That the Scottish Government, Education Scotland and key stakeholders recognise the critical value of Ethnic Minority parental engagement within the broad School community.** That this necessity is increased in relation to all ethnic minority communities who reside in acute poverty deciles with particular emphasis on African, Polish, Caribbean and Black and Other ethnic categories. That it is unclear whether positive action measures to increase parental involvement have been appropriately embedded into the education culture across Local Authorities. That raising attainment for all includes EM children, whose families, guardians and parents may require additional help and how this will be progressed as part of our national objective to raise attainment in our most disadvantaged communities, both of place and ethnicity is outlined transparently and as a priority.
- **Local Authorities and ALEO's should process the provision of premises and lets for cultural services via an equalities framework,** including a socio/economic duty, particularly for those most vulnerable to social isolation. Some communities cannot afford at present to use public venues and community assets.
- **The Scottish Government should consider as a priority the potential inherent in the devolution of further social security powers¹⁴** particularly via the prism of our objective to embed socio/economic and cultural rights in decision making.

Case Study Example

The Nepalese Community in Aberdeen have identified '**no recourse to public funds**' as a primary variable in their mitigation of community susceptibility to in work poverty. This is despite many being in full-time employment. They have identified that access to 'Child Tax Credits' to those most vulnerable would have a significantly beneficial impact. With the ability to 'create new benefits'¹⁵ and under our obligations under the 'United Nations Charter on the Rights of the Child' we should give serious consideration to those who currently reside in this immigration 'grey area' to ensure that all of the Children of Scotland have an equal chance in life at the earliest stage.

- **The Scottish Government should commence Section 1 of the Equality Act covering the Socio and Economic Equality Duty¹⁶ when it has the new powers to do so.** This would cover in the first instance areas of devolved governance including but not reserved too Education, Health, National Infrastructure Projects and Procurement.

¹⁴ <http://news.scotland.gov.uk/News/Scotland-s-social-security-principles-208c.aspx>

¹⁵ <http://news.scotland.gov.uk/News/Scotland-s-social-security-principles-208c.aspx>

¹⁶ <http://bemis.org.uk/wp/wp-content/uploads/2013/10/bemis-smith-commission.pdf>

Table 2: Ethnic group of victims/complainers¹ of racist incidents, Scotland, 2004-05 to 2013-14

Table 8A: Ethnic group of victims/complainers¹ of racist incidents, Scotland, 2004-05 to 2013-14

Ethnic Group ^{2,3}	Number									
	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14
White British	826	1,030	983	1,030	1,095	1,158	1,048	1,295	1,139	1,423
White Irish	63	91	139	121	124	87	131	95	75	70
Gypsy/Traveller, Polish White and Other White	130	122	414	477	509	534	546	700	706	663
Mixed	127	149	170	152	150	129	248	151	173	153
Pakistani	1,773	1,545	1,833	1,654	1,584	1,458	1,376	1,357	1,155	1,107
Indian	443	431	507	488	609	557	536	486	367	340
Bangladeshi	67	26	67	48	54	62	95	57	43	41
Chinese	151	153	183	117	152	127	110	153	84	95
Other Asian	508	984	532	559	505	497	503	520	395	405
African	321	325	404	443	478	505	416	539	476	452
Caribbean	92	171	59	53	59	46	46	35	24	88
Other Black	118	68	111	181	160	115	249	174	140	147
Other	295	379	339	290	290	323	335	327	227	246
Unknown	145	346	222	177	226	185	267	422	308	396
Total	5,059	5,820	5,963	5,790	5,995	5,783	5,906	6,311	5,312	5,626

Table 3: Religiously Aggravated Crime Scotland 2012 - 2016

Religion targeted	2012-13		2013-14		2014-15		2015-16	
	No. of charges	%	No. charges	%	No. of charges	%	No. of charges	%
Roman Catholicism	388	57	367	63	328	58	299	51
Protestantism	199	29	169	29	145	25	141	24
Islam	80	12	48	8	71	12	134	23
Judaism	27	4	9	2	25	4	18	3
Christianity (general)	5	1	4	1	6	1	0	0
Unknown	4	1	5	1	9	2	0	0
Other	3	0.4	2	0.3	1	0.2	0	0

* Charges do not add up to the total number reported as some charges related to conduct that targeted more than one religious group.



Empowering Scotland's Ethnic and
Cultural Minority Communities

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