HOW PUBLIC AUTHORITIES PROVIDE SERVICES TO MINORITY ETHNIC GROUPS

NORTHERN IRELAND
REPUBLIC OF IRELAND
SCOTLAND

EMERGING FINDINGS
DISCUSSION PAPER

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Disclaimer
The views expressed in this report do not necessarily reflect the views of any of the organisations/individuals who participated in the research. The editors of this interim report welcome any corrections or suggestions to be considered for inclusion in the final report.

About this publication
This discussion paper forms part of an ongoing research project and as such is not a definitive report. It is intended to identify some emerging findings from the research so far and to provide points for discussion at an international conference to be held in Belfast on 28th March 2006. Discussions from the conference will be captured and included in the research. A final report will be published in August / September 2006.

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HEALTH
EDUCATION
EMPLOYMENT
POLICING
HOUSING

GLOSSARY OF KEY TERMS

An Garda Síochána
Irish Police Service.

Anti-Racism and Intercultural Training
Anti-racism and/or intercultural training seeks to challenge racism and to contribute to creating the conditions within an organisation that make it more difficult for racism to exist and to promote the inclusion of minority ethnic groups.

Diversity Training
Diversity training addresses racial, ethnic, gender, disability, age and other protected grounds workplace issues.

Equality Proofing
Ensuring that all policies have taken full account of the needs of different groups and considered the possible impact of policies on different groups.

Institutional/Systematic Racism
The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin which can be seen or detected in processes; attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people.[1]

Interculturalism
Interculturalism is essentially about interaction between majority and minority cultures to foster understanding and respect. It is about ensuring that cultural diversity is acknowledged and catered for. It is about inclusion for minority ethnic groups by design and planning, not as a default or add-on.

Multiculturalism
Multiculturalism acknowledges the need for recognition and celebration of different cultures. The emphasis of the multicultural approach is on the need for tolerance and "better community relations" rather than on acknowledging the need to change the attitudes and practices of the majority population.[2]

1_*The Stephen Lawrence Inquiry: Report of an inquiry* by *Sir William Macpherson of Cluny*, (1999) Cmd 4262-I, London: HMSO.

2_Farrell, F and Watt, P (2001), *Responding to Racism in Ireland*, Dublin, Veritas, pp.26-27.

Racism

Is a specific form of discrimination and exclusion faced by minority ethnic groups. It is based on the false belief that some 'races' are inherently superior to others because of different skin colour, nationality, ethnic or cultural background.

The International Convention on the Elimination of All Forms of Racial Discrimination defines racial discrimination as "Any distinction, exclusion, restriction or preference based on 'race', colour, decent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on a equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life".

Whole Organisation Approach

Is a holistic approach to address racism and support inclusive, intercultural strategies within an organisation, with reference to equality policies and equality action plans.

ACRONYMS

CERD   The United Nations International Convention on the
                Elimination of all forms of Racial Discrimination

CRE   Commission for Racism Equality

EAL   English as an additional language

EQIA   Equality Impact Assessment

EURES   European Employment Services

FÁS   Irish National Training and Employment Authority

NCCRI   National Consultative Committee on Racism
                and Interculturalism

NGO   Non-governmental organisations

NRCEMH   National Resource Centre for Ethnic Minority Health

OFMDFM   Office of the First Minister and Deputy First Minister in
                Northern Ireland

OSCE   Organization for Security and Co-operation in Europe

PSNI   Police Service of Northern Ireland

CONTENTS

EXECUTIVE SUMMARY

This report highlights some of the emerging findings from research into how public authorities provide services for minority ethnic groups in Northern Ireland, Scotland and the Republic of Ireland. This interim report will also form the basis of discussions at an international conference on 28th March 2006. Feedback from the conference will be amalgamated with ongoing research and be presented in a final report in the August / September 2006.

Researchers in each jurisdiction have carried out a literature and policy review, semi-structured interviews, and focus groups with Government officials, service providers, and service users. Research is ongoing, including interviews with members of minority ethnic groups in some jurisdictions.

Chapter 1 provides an overview of ethnic diversity in each jurisdiction.
Northern Ireland, Scotland and Ireland have all experienced a growth in minority ethnic populations in recent years, and all are expecting continued growth. Ireland in particular has demonstrated economic growth in conjunction with increased inward migration. Scotland, like Northern Ireland is facing a shrinking workforce though at a significantly steeper gradient than Northern Ireland. Scotland's population is a declining faster than anywhere else in Europe. The low birth rate combined with the shift in the population structure is of serious concern to the Scottish Executive, resulting in the Fresh Talent initiative[3], which aims to bring new migrants to live and work in Scotland. Despite Northern Ireland's shrinking population and increasing reliance on migrant workers, there is no evidence of similar plans in this regard.

Minority ethnic groups in each jurisdiction include migrant workers, students, asylum seekers and refugees, Travellers and long-term minority ethnic groups. Each group has distinct, and not necessarily homogenous, needs in relation to Government service provision. Each jurisdiction also has religious diversity in its population.

Chapter 2 provides an overview of the legislative and policy context.
There have been significant developments in 2005 in all three case study areas with the publication of:
- A Racial Equality Strategy for Northern Ireland;
- National Action Plan Against Racism - Planning for Diversity in Ireland; and
- A Review of Race Equality in Scotland carried out by the Scottish Executive.[4]

3_The Scottish Executive (2004), *New Scots: Attracting fresh talent to meet the challenge of growth: the Scottish Executive.*

4_The review signalled that a Race Equality Strategy and Action Plan for Scotland would be published in the summer of 2006.

Section 75 of the Northern Ireland Act 1998 imposes a duty on specified public authorities to "have due regard to the need to promote equality of opportunity" across the nine equality strands and "to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group". The specific duties introduced by the UK Race Relations Act came into full effect in Scotland in November 2002. No such duty presently exists in the Republic of Ireland and there remain some gaps and inadequacies in the application and implementation of such duties in Northern Ireland and Scotland.

Chapter 3 focuses on the Government service provision areas under consideration in this report. The public authorities focused upon as sample areas within Government service delivery are health, employment, education, and policing. Housing in Northern Ireland is also being researched and findings will be presented in the final report.

Health

Data collection with health services in Northern Ireland, Scotland and Ireland tends to be inconsistent at best and almost completely absent at worst. The National Health Service in Scotland has developed an Equality and Diversity Information Programme to address this.

Key issues raised by staff included communication and cultural differences. Initiatives undertaken include:
- Anti-racism / cultural diversity training;
- Information sources such as websites;
- The development of toolkits and best practice[5];
- Use of interpreting and translating services; and
- Employment of bi-lingual advocates.

Education

Education emerged as an area of concern, particularly in Northern Ireland and the Republic of Ireland. Key issues include:
- Under-achievement of children from minority ethnic groups
- Lack of English language support
- Difficulties in communicating with parents.

Although some data collection takes place, this is again inconsistent. In Northern Ireland categories often do not adequately reflect the demographics of society and in the Republic of Ireland, not all educational institutions collect data. In Scotland, The Race Relations Amendment Act 2000 requires that education authorities monitor pupil attainment by ethnic group.

Policing

Scotland has experienced an increase in recorded racist crime in recent years. The high number of racially motivated crimes in Northern Ireland is a matter for concern, and data collection has emerged as incomplete or insufficient. Interaction between police and minority ethnic groups can be difficult for a number of reasons explored in this report, although police in this study displayed a willingness to engage with minority ethnic groups. A few initiatives of note have taken place, these include:

- Both An Garda Síochána and the Police Service for Northern Ireland have specific roles for officers responsible for liaising with minority ethnic communities;

- A major initiative[6] was launched in 2005 by the Garda authorities, advised by the NCCRI, to target recruitment to the Garda from members of minority ethnic groups; and

- The Central Scotland Police were involved in the establishment of The Safer Businesses for Ethnic Minorities initiative aimed at identifying the true extent of racist crime against businesses and reducing such crime.

Employment

Issues faced in relation to employment include:

- Non-recognition or undervaluing of overseas qualifications; and

- Discrimination, such as English skills being requested from migrants when English is not an occupational requirement for the post.[7]

In Scotland, monitoring by ethnicity in the public sector is mandatory. Although there is employment monitoring in Northern Ireland, ethnicity is not included. Monitoring is not required in Ireland. It has emerged that with the increase of migrant workers in the Republic of Ireland and Northern Ireland, NGOs and community groups have developed significant expertise and fill gaps left by Government service provision.

6_Address by Address by Minister McDowell, TD, Minister for Justice, Equality and Law Reform to an Information Seminar for Ethnic Communities on Garda Recruitment. Available at: www.justice.ie/80256E01003A02 CF/vWeb/pcJUSQ6GWJZG-en

7_www.animate-ccd.net/Publicns/ pub_research/pub-exp.doc

**The conclusions locate the research within a framework with the
following components:**

Mainstreaming

Mainstreaming in this context is essentially about how policy and service
provision processes are inclusive of the needs of minority ethnic groups.
Although there is some evidence of mainstreaming, particularly as a result
of positive duties, there is a need to focus on outcomes for minority ethnic
groups and to accelerate the pace of change. In Scotland the commitment
to mainstreaming equalities has been a major strand of the Executive's
Equality Strategy.[8]

Although some interesting initiatives emerge in this research, they are often
not mainstreamed. Emerging practices are often not replicated in other
service areas due to a lack of funding; suggesting that service delivery
to minority ethnic groups may be low on the list of priorities for some
service providers.

Mainstreaming racial equality is not an about an add-on to an existing
practice. To be effective, it must be a continuous and sustainable
dimension to the work of the whole organisation. It may mean rethinking
how things are done.

Targeting

Targeting is about the development of specific policies and services tailored
to meet the needs of minority ethnic groups. There are many examples of
targeted initiatives emerging and whilst this is positive, it must operate in
parallel with mainstreaming so that the needs of minority ethnic groups are
considered as 'core business'.

Targeted initiatives in this research have included recruitment, sometimes
in order to increase the ethnic profile of the organisation so that it is more
aligned with the demographic profile of the public, or to fulfil a particular
role. Intercultural, diversity or anti-racism training is also becoming more
widespread among public sector service providers. However, recruitment
and training are not enough to effect organisational change and it is
important that policies, systems, processes and procedures are reviewed
and amended if required.

Benchmarking

Benchmarking is about setting and reaching targets within a timescale including the development of data to measure progress. Data is also required so that the ethnic make up of users and potential users of services, both current and future, can be assessed.

Those interviewed from each jurisdiction in this study have expressed dissatisfaction with current data collection. In Northern Ireland, ethnicity categories need to be reassessed to ensure they are more reflective of the current population. It is important that ineffective data collection is not seen as an excuse for inaction or lack of benchmarking.

Engagement

Engagement involves the participation of key stakeholders in the policy and service provision processes, migrant and ethnic minorities and specialised and expert bodies.

"We are trying to address the needs of the people… we aren't in a position to say what their needs are. We need them to be confident that there is a policy to deliver what is needed – not what we think they need."

This statement by an interviewee highlights one of the reasons why engagement is so important. There is evidence of engagement at various levels throughout this report; however, there is less evidence of engagement becoming 'mainstreamed'.

Finally, this report offers emerging recommendations for discussion, in summary:

- Governments must adopt a systematic 'whole organisation' approach to delivering services to minority ethnic groups, with a focus on outcomes.

- Data collection categories need to accurately reflect the demographic profile of society.

- There must be a focus on **outcomes** for minority ethnic groups.

- Diversity in employment is essential so that public bodies are reflective of the society they serve and will underpin and complement effective service delivery to minority ethnic groups.

INTRODUCTION

This publication outlines emerging findings from research commissioned by the Office of First Minister and Deputy First Minister (OFMDFM) in Northern Ireland. The research focuses on public authorities' service provision to minority ethnic (including migrant) groups in three jurisdictions: Northern Ireland, the Republic of Ireland and Scotland. The research was commissioned from the Centre for Cross Border Studies and is being carried out and co-ordinated by the National Consultative Committee on Racism and Interculturalism (NCCRI) in Dublin; working with the Institute for Conflict Research in Belfast, Piaras MacÉinrí in Cork; and Organisation and Social Development Consultants Limited in Edinburgh.

The research project was governed by a Steering Group mainly comprised of representatives from key Government bodies in Northern Ireland and chaired by OFMDFM. Advice from an NGO and minority ethnic perspective was provided by a project Advisory Group. Information on the research project structure is provided at Appendix 1.

The primary focus of the research is to identify how public authorities in the three jurisdictions can learn from the experiences of their nearest neighbours. This includes a brief three-way comparative analysis, highlighting interesting initiatives and key challenges from each of the jurisdictions. This report outlines emerging findings to date. A more substantial and conclusive final report will be published in August/September 2006. This final report structure will differ from that of the current report as it will contain three case studies, one from each jurisdiction, as well as overall context and comparative analysis.

Researchers in each jurisdiction have carried out a literature and policy review, and semi-structured interviews and focus groups with:
- Government officials;
- Service providers (including customer-facing personnel and management / policy makers); and
- Service users (people from minority ethnic groups), and non-governmental organisations (NGOs).

The organisations interviewed and involved in focus groups as part of this research are listed in Appendix 2. Research is still ongoing and in particular a number of additional interviews and focus groups with members of minority ethnic groups in some jurisdictions are currently planned.

As funding for the research predominantly came from Northern Ireland and as the funding bodies requested that Northern Ireland be the main focus, the research carried out there is the most extensive of the three, involving more interviews than the Scottish or Irish research. It also includes a quantitative survey of service providers. The results of the survey are not included in this report as results are still being compiled and analysed. They will be included in the final report.

The research of the three jurisdictions is underpinned by a summary of international and European legislative and policy frameworks and good practice, and presented as a comparative analysis.

A number of service areas were selected for the research as sample areas of how public authorities provide services to minority ethnic groups and to act as a kind of barometer. These service areas were: health, education, policing and employment. In Northern Ireland, housing was also considered and although not covered in detail in this short report, will be included in the final report.

This interim report is a 'work in progress'. Research is still ongoing, particularly in Northern Ireland, which has been the main focus of the study; and the quantitative survey of service providers is ongoing and will be included in the final report. This publication begins to identify the emerging findings of the research and will provide a basis for discussion at an international conference to be held in Belfast on 28th March 2006. The outcomes from this conference will also inform the final report.

The conference will include key speakers and will report the findings of the research; however, it will also be participative and key outcomes from the conference will be included in the final report, to be published in August 2006.

CHAPTER 1: PROFILE OF ETHNIC DIVERSITY

This section provides a contemporary overview of ethnic diversity in the three case study areas: Northern Ireland, Ireland and Scotland.

Table 1_Population and % Ethnic Diversity in 2001 and 2030[9]

	Northern Ireland	Ireland	Scotland
Population 2001[10]	1.68m	4.1m	5.1m
% Ethnic diversity 2001	1-2.5%	3%	2%
Projected population 2030[11]	1.8m	5.0m	4.6m
Projected % ethnic diversity 2030[12]	5%	18%	5%

NORTHERN IRELAND

The recently published Northern Ireland Racial Equality Strategy states:

"Northern Ireland has been home to minority ethnic communities for centuries. Irish Travellers are an indigenous minority ethnic group. There has been a Jewish community here for well over a century. The first members of the Indian community arrived here in the 1920s and 1930s. There have been significant numbers of Chinese people here since the 1960s." [13]

The Northern Ireland census of 2001 estimates the minority ethnic population of Northern Ireland to be around 14,279 out of a total population of 1.68 million. Some key NGOs believe that these figures are a significant underestimation of ethic diversity and estimate that the 'non indigenous' population is closer to 45,000 people. There is a growing awareness that census data is inadequate in planning service delivery to minority ethnic groups. Based on the lowest estimate, ethnic diversity accounts for about 1% of the Northern Ireland population. Based on higher estimates this figure could be as high as 3% of the population. Recent trends would indicate that ethnic diversity will continue to gradually increase in Northern Ireland. There is also ongoing migration of people from minority ethnic groups from elsewhere in the UK into Northern Ireland.

In recent years the pattern of migration to Northern Ireland has changed considerably. Since 2001 a substantial number of Portuguese-speaking people (including Brazilians) have taken up employment, primarily in the food processing industry. Many hospital trusts have been recruiting nursing staff

9_These figures are currently under review and are likely to be revised for the final report.

10_Note: the Census of Ireland that was to be carried out in 2001 was actually carried out in 2002 as a precautionary public health measure to prevent the spread of Foot and Mouth Disease in farming areas.

11_Author's estimate based on current demographic trends.

12_Author's estimate based on current demographic trends.

13_Office of First Minister and Deputy First Minister (2005), *A Racial Equality Strategy for Northern Ireland*. See also Connolly, P. (2002), *'Race' and Racism in Northern Ireland: A Review of the Research Evidence*.

from South Asia and the Philippines and many sectors have increasingly turned abroad to fill vacancies. Increasing numbers of nationals from the eight Eastern European States that joined the European Union in May 2004 have moved to Northern Ireland to take up employment.[14] It is estimated that in June 2005 there were 141 asylum seekers in Northern Ireland, although one NGO has estimated that there may be as many as 2,000 refugees in Northern Ireland.[15]

There are two readily available sets of data that provide some indication of how the patterns of migration to Northern Ireland have developed in the last few years: National Insurance numbers and the Worker Registration Scheme. A total of 31,421 non-UK or Republic of Ireland nationals applied for National Insurance numbers in Northern Ireland from April 2003 until the end of June 2005 and 7,755 people have registered under the Worker Registration Scheme.

By 2017 Northern Ireland's population is projected to increase to about 1.8 million from the 1.68 million estimated in the 2001 census. Longer-term projections suggest that if present demographic trends continue, by the early 2030s the Northern Ireland population will begin to gradually fall. The population projections also predict that the Northern Ireland population is ageing. The percentage of people of a pensionable age is projected to increase by 32% between 2002 and 2017.[16]

These statistics have significant implications for future policy planning and service provision in Northern Ireland. Significant inward migration could play an important role in slowing and reversing projected population decline, expanding the workforce, and reducing the percentage of the population who will be of pensionable age.

IRELAND

There has been a significant broadening of cultural and ethnic diversity in Ireland in recent years, both in terms of numbers of people and their national and ethnic origin. This broadening of diversity has significantly added to the rich diversity that has always existed in Ireland, which includes the Traveller community, Jewish and Muslim communities, and growing Asian and African communities.

14_Jarman, N. (2005), *Migration and Northern Ireland*, Spectrum, Journal of the NCCRI, (December 2005). Available at: www.nccri.ie.

15_Refugee Acton Group quoted in *A Racial Equality Strategy for Northern Ireland*, ibid, p20.

16_Northern Ireland Statistics and Research Agency (2003), *New Northern Ireland Population Projections*. Press Release 18 December 2003.

17_Pavee Point Travellers Centre (2005), *Irish Travellers Shadow Report to the Committee on the Elimination of Racial Discrimination*, p.18.

18_Some of these will already have been in Ireland prior to 2004 on work permits and some are returning Irish emigrants.

19_FÁS (2005), *The Irish Labour Market Review* 2005.

It is not possible to provide a comprehensive overview of ethnic diversity in Ireland because of the absence of an ethnicity question in the 2002 census and because of the dramatic changes in inward migration into Ireland since the EU expanded in May 2004. Lack of data collection on ethnicity has been an issue in Ireland.

The 2002 census provides the most comprehensive breakdown of national diversity in Ireland to date and identifies five main regions of origin for migrants living in Ireland. These are the UK and other EU nationals (3.4% of the total population), Asian (0.5%), African (0.5%) non EU Europeans (0.5%) and the United States (0.3%). The census also identified that the Traveller population in Ireland was around 24,000, representing 0.6% of the population of Ireland, although NGOs feel that the true figure is closer to 30,000.[17] The Central Statistics Office will be introducing an ethnic component to the 2006 census for the first time, which, in conjunction with information on nationality, place of birth and religion will give a much fuller picture of ethnicity, cultural and religious diversity in Ireland.

Inward migration from the new EU States into Ireland since May 2004 can only be described as astonishing. 150,000 Personal Public Service Numbers (PPSN) have been issued to EU nationals in the period between May 2004 and December 2005.[18] There is no sign of inward migration slowing down, with an average of 11,000 PPSN issued *monthly* in 2005, compared with an average of 7,000 in 2004. As Chart 1 indicates, four countries accounted for most of them.

People born outside of Ireland now account for 8% of the total Irish labour force, one of the highest percentages in the European Union. In addition 40,000 new jobs are expected to be created in 2006.[19] Independent economists, the Economic Social Research Institute, and the Organisation for Economic Co-operation and Development (OECD) have acknowledged the important role that migrant workers have played in sustaining economic growth in Ireland.

Chart 1_PPSN numbers issued to EU Nationals April-October 2005
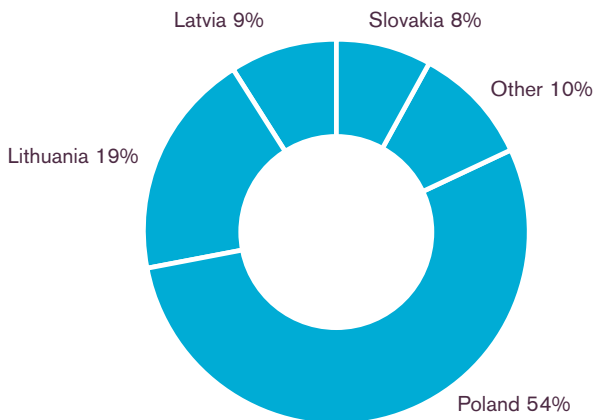
Latvia 9%   Slovakia 8%

Other 10%

Lithuania 19%

Poland 54%

In a comparative context, Ireland's current demographic change is unique in Europe. Projections suggest that Ireland's population could reach 5 million in 2030. The present population of Ireland is just over 4 million and the number of foreign-born people could exceed 1 million in 2030, compared with 400,000 at the time of 2002 census. This would equate to about 18% of the population in 2030, higher than the present rate of all EU countries, including those that have experienced high levels of inward migration in the past.[20]

These dramatic projections have significant implications for policy makers and service provision in Ireland.

SCOTLAND

Ethnic diversity has long been a feature of Scottish society. Due to skills and labour shortages following the Second World War, many people were encouraged to migrate to Britain, including Scotland. Many Indian and Pakistani families settled in the North of England and Scotland while African-Caribbean people tended to settle in the south of England. The Scottish Chinese community began to expand from the early 1950s. Post EU

21_Scottish Refuge Council (2003), *Briefing: Asylum Seekers and Refugees in Scotland*

22_Scottish Executive (2005), *Gypsies/Travellers in Scotland: The Twice Yearly Count – No.7: January 2005*

23_Scottish Executive (2004), *Analysis of Ethnicity in the 2001 Census. Summary Report.*

24_The Scottish Executive (2004), *New Scots: Attracting fresh talent to meet the challenge of growth: the Scottish Executive.*

expansion in May 2004, many migrant workers from the new EU states have sought employment in Scotland. Some rural National Health Service Boards have reported that they are dealing with 800 to 1,000 new migrant workers each month.

In recent years there has been an increase in the number of asylum seekers and refugees in Scotland as a consequence of UK wide dispersal policies. In 2003 the Scottish Refugee Council estimated the numbers of refugees and asylum seekers living in Scotland, mainly in Glasgow, to be 10,000.[21] Scotland also has a Gypsy/Traveller population with an estimated 1,370 people comprising 428 households.[22] These figures were based on the number of people living on recognised local authority sites. However this figure is disputed and some NGOs put the estimate at nearer 10,000.
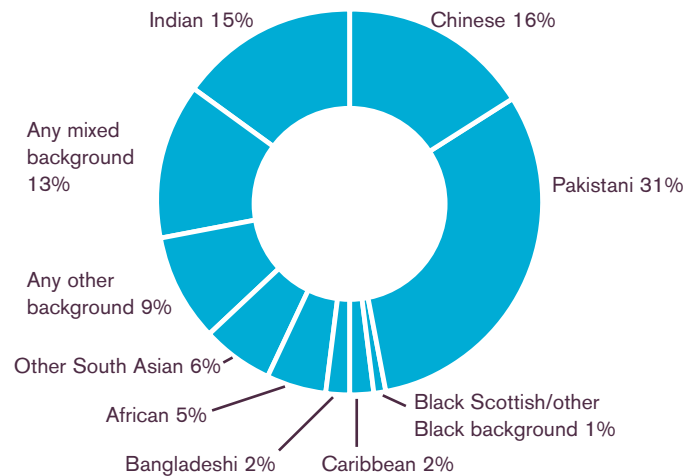
The Scottish Executive have produced an analysis of ethnicity in the 2001 census which consolidates all ethnicity data in Scotland and which highlights key socio-economic data related to housing, the labour market, health care and education.[23] This is an important publication in the context of this study and provides policy makers and service providers with a basis from which to benchmark the socio-economic progress of minority ethnic groups in Scotland in intercensal periods. As a consequence, there is significantly more detailed data available for Scotland than for Ireland and Northern Ireland.

Based on data from the 2001 census, the size of the minority ethnic population was just over 100,000, which accounts for 2% of the total population of Scotland, (5.062 million in 2001). Pakistanis are the largest minority ethnic group, followed by Chinese, Indians and those of mixed ethnic backgrounds. Over 70% of the total minority ethnic population are of Asian origin. Whilst the total population increase between 1991 and 2001 was 1.3% the minority ethnic population increased by 62.3%, see Chart 2.

Scotland, like Northern Ireland is facing a shrinking workforce though at a significantly steeper gradient. Scotland's population is declining faster than anywhere else in Europe and it is predicted that by 2009 it will be below 5 million. The low birth rate combined with the shift in the population structure is of serious concern to the Executive. In February 2004 the Executive launched its Fresh Talent initiative[24] with the aim of bringing new migrants to live and work in Scotland. They estimated the need for an additional 8,000

people to come and live in Scotland each year between now and 2009. The Commission for Racial Equality (CRE) has welcomed the initiative but has expressed the need to be mindful that without a strong commitment to tackling racism, the initiative will fail.

Chart 2_Minority Ethnic Population in Scotland

Indian 15%

Chinese 16%

Any mixed background 13%

Pakistani 31%

Any other background 9%

Other South Asian 6%

African 5%

Black Scottish/other Black background 1%

Bangladeshi 2%

Caribbean 2%

The Situation of Minority Ethnic Groups

Whilst there can be a tendency to homogenise minority ethnic groups, and indeed the language 'minority ethnic' will be used throughout this report; it is important to consider the wide variety of groups, communities and individuals who may be described under the catch-all term 'minority ethnic'. Various factors including culture, language, country and region of origin, and religion/spirituality combine to form our ethnic identities.

All minority ethnic groups are likely to experience some form of racism. Racism is a multifaceted issue that requires a multifaceted response. There are different forms of racism which service providers need to be both aware of and which must inform remedial action. These include:

- Racism based on skin colour and perceived ethnicity;
- Racism directed at Traveller communities;
- Anti-Semitism against Jews;
- Islamaphobia experienced by Muslims and those perceived to be Muslim; and
- Racism and xenophobia directed at recent migrants, including labour migrants, refugees and asylum seekers.

Racism includes institutional or systemic racism; racial discrimination in employment and the provision and goods and services; verbal abuse, harassment, incitement, criminal damage and physical violence. While some racism is deliberate and planned, other forms of racism can be subconscious or unintended and can occur by omission as well as commission.

The following headings are used to provide a brief overview of the situation of some minority ethnic groups in the three jurisdictions and the issues they face. Not everyone will fit neatly into a particular category and there are other categories not specifically mentioned, such as foreign students and people who migrate through family reunification.

Longstanding Minority Ethnic Groups
In all three case study areas there are longstanding minority ethnic communities. In Scotland for example, the majority of the minority ethnic community has lived there for generations. These groups experience what the CRE describe as the "ethnic penalty" where a person from an ethnic minority background of the same age, with the same skills and qualifications and living in the same area as a white person is more likely to be unemployed, be in a more junior position and earn less than their white equivalent.[25]

Asylum Seekers and Refugees
Many asylum seekers and refugees have experienced traumatising situations and have had to overcome political persecution, detention, and war to reach a country where they are unlikely to have a wider family or support network and have to deal with a new language, culture and systems of Government.[26] This is compounded where access to education, training, and employment during these lengthy periods is restricted. In particular, asylum seekers and

refugees may have specific physical and psychological health needs due to their previous experiences.

Asylum seekers in Northern Ireland and Scotland generally live in the community, although some asylum seekers in the UK are in detention and there has been concern expressed at the increasing numbers of asylum seekers in Northern Ireland prisons.[27] Asylum seekers in Ireland live in 'direct provision' - communal accommodation centres on full-board and with reduced social welfare payments. Criticisms of direct provision have included inconsistency in standards, choice of food and lack of ability to cook, cultural appropriateness of services and the concern that the system isolates asylum seekers from the rest of society. However, there is acknowledgement that possible alternatives to direct provision, such as the private rented sector has also pitfalls, including, inconsistent standards of housing and lack of direct supports for those who may need them most.

In Ireland, asylum seekers are entitled to a medical card for free general practitioner services, and to exceptional needs payments through Community Welfare Officers, and to a medical screening. In the UK, asylum seekers are entitled to free primary care medical services provided by the National Health Service.

In Ireland asylum seeker children are entitled to first and second level education, but not to third level education. In the UK the situation is similar, and although asylum seekers can access third level education, tuition fees at most institutions are high and asylum seekers are not eligible for any associated statutory financial support.[28] In Scotland asylum seekers can take part-time advanced level courses at further education colleges without paying tuition fees, but otherwise the situation is the same as elsewhere in the UK.

In all three jurisdictions, asylum seekers are not allowed to work. There have been calls for asylum seekers to be allowed to engage in paid employment, with active campaigning on the matter in Scotland and to a lesser extent in Ireland.

Refugees are either asylum seekers whose claim for asylum has been granted by the Government in question, or people who have come directly

27_Amnesty International (2004), *New report shows more asylum seekers being imprisoned in Northern Ireland*. Available at: www.amnesty.org.uk/news/press/ 15439.shtml.

28_www.info-forasylumseekers.org.uk

29_www.mrci.ie

30_www.animate-ccd.net/research.htm

31_It should be noted that at time of publication there has been some liberalisation of social welfare restrictions in Ireland and there may be further changes in all three jurisdictions, partly because of compliance with EU legislation.

to the country as refugees through humanitarian programmes, sometimes referred to as 'programme refugees' or 'quota refugees'. Refugees are likely to experience many of the same issues as asylum seekers in terms of background; however main difference is that they have for the most part the same entitlements as citizens, such as the right to work.

Migrant Workers

Migrant workers are currently an important minority ethnic group given their numbers and the fairly recent increases in the population. NGOs report that migrant workers who they most come in contact with, tend to be in highly vulnerable and isolated situations, sometimes working in poorly regulated sectors and that they are least likely to have access to accurate and clear information about what to do when they experience problems.[29] It should also be noted that some migrant workers are employed in highly skilled and comparatively well paid employment in sectors such as information technology and parts of the health service.

NGOs report that there is evidence of workers being exploited and that they have been subject to varying degrees of prejudice, racism and hostility and exploitation by some employment agencies.[30] Problems have also been highlighted in relation to non-payment or refusal of entitlement to holiday, sickness and maternity pay including unlawful dismissals. Undocumented workers are especially vulnerable to exploitation and often fear accessing essential Government services.

For migrant workers who do lose their jobs, leave due to exploitation, or arrive in a country on promise of work which does not materialise, they are placed in an extremely vulnerable position due to restrictions on receiving certain social assistance in times of need and because their accommodation may be provided their employer.[31]

Travellers

In Ireland, Travellers are documented as being part of Irish society for centuries, and have a long shared history and value system which make them a distinct ethnic group. They have their own language, customs and traditions. However, Travellers' ethnicity in Ireland is still not officially recognised by the Irish Government. In Northern Ireland and Scotland on the other hand, Irish Travellers are a recognised ethnic group.

In Scotland, some Travellers prefer to be described as Gypsies or Gypsy Travellers; however others do not use the word Gypsy. There are also a growing number of people from Roma communities emerging in each jurisdiction, mainly from Romania, Slovakia and Poland. Roma have been widely recognised through the Organization for Security and Co-operation in Europe (OSCE) and Council of Europe Reports to be the most marginalised communities in Eastern Europe. A recent report in Ireland has highlighted Roma Education needs and has advocated targeted education and community development programmes.[32]

Whilst the situation varies slightly between the three case study areas, the poor living conditions of many Travellers has been well documented, through the use of indicators such as demographic profile; access to and standards of accommodation; infant mortality and morbidity; continuing high levels of educational disadvantage and rapidly falling participation rates in school after early teenage years; though there has been some evidence of progress in participation rates at primary level in recent years.

The lack of progress in developing Traveller specific accommodation, including serviced halting sites/group housing schemes and transitory sites; and the lack of adequate standards in accommodation is a serious issue in all three case study areas. Many Travellers lack access to adequate water supplies, sanitation and electricity. Accommodation problems are directly linked to health and general quality of life. There remain serious challenges for service providers in meeting the varying needs of minority ethnic groups, including significant gaps between official policy and the implementation of such policy. The serious issues in relation to service provision to Travellers were recognised in the UN Committee on the Elimination of Racial Discrimination's Concluding Observations on Ireland in 2005.[33]

32_City of Dublin VEC, Pavee Point, Roma Support Group (1995). *Roma Educational Needs in Ireland: Context and Challenges.*

33_Committee on the Elimination of Racial Discrimination (2005), Concluding observations of the *Committee on the Elimination of Racial Discrimination, Ireland*, UN Doc CERD/C/IRL/CO/2. 14 April 2005.

CHAPTER 2: LEGISLATIVE AND POLICY CONTEXT

2005 saw a number of important developments in the three jurisdictions as the Office for First Minister and Deputy First Minister in Northern Ireland, the Scottish Executive and the Irish Government developed strategies to achieve racial equality and promote the inclusion of minority ethnic groups.

34_Office of the First Minister and Deputy First Minister, (2005). *A Racial Equality Strategy for Northern Ireland*, p6.

35_Ibid, p29

36_Government of Ireland (2005). *The National Action Plan Against Racism, 'Planning for Diversity'*, p98.

In January 2005, the Irish Government's Department of Justice Equality and Law Reform launched Planning for Diversity, the National Action Plan Against Racism. In July 2005, the Racial Equality Unit at the Office of First Minister and Deputy First Minister in Northern Ireland released A Racial Equality Strategy for Northern Ireland, and in November 2005, the Scottish Executive's Equality Unit launched Working Together for Race Equality 2005, The Scottish Executive's Race Equality Scheme, a review and update of the previous 'race' equality scheme which links with other published and revised departmental and public agency schemes in Scotland.

The Northern Ireland plan recognises the key role that service provision can play in promoting racial equality. One of the six-shared aims of the Racial Equality Strategy for Northern Ireland is "Equality of Service Provision – to ensure equality of opportunity for minority ethnic people in accessing and benefiting from all public services."[34] In providing a rationale for this aim, the Northern Ireland Strategy states:

"Service providers do not always respond appropriately to all the needs of people from minority ethnic backgrounds. Minority ethnic people may not know their entitlement to services…They may find that health, education and other services do not take account of their cultural or religious needs….A colour blind, one size fits all approach is not appropriate." [35]

Objective Three of Ireland's National Action Plan Against Racism is 'Provision' which is defined as:

"accommodating cultural diversity in service provision, including a focus on common outcomes, education, health, social services and childcare, accommodation and the administration of Justice."[36]

The plan acknowledges that there have been some positive action measures taken by service providers in the Republic of Ireland prior to the plan, but these have tended to be piecemeal and inconsistent. There is strong emphasis on relevant Government department and agencies developing their own tailored intercultural strategies based on the principles of the plan.

Each jurisdiction also has anti-discrimination legislation in place. In 1997 the Race Relations (Northern Ireland) Order was introduced which made it unlawful to discriminate on racial grounds in the areas of employment and training, education, provision of goods and services, facilities or services, disposal and management of premises and advertisements. In addition, the Race Relations Order set out the principle duties for the Commission of Racial Equality in Northern Ireland, (since 2000 incorporated into the Equality Commission). The Equality Commission has published guidelines for public authorities many of which have introduced 'race' relation policies.[37] The Race Relations Order (Amendment) Regulations (Northern Ireland) 2003 implemented the EU Council Directive described below.

In Ireland, the Employment Equality Act 1998 prohibits discrimination in relation to employment on nine distinct grounds - gender, marital status, family status, sexual orientation, religion, age, disability, 'race' and membership of the Traveller community. The Equal Status Act 2000 prohibits discrimination (with some exceptions) in the disposal of goods to the public, the provision of services or of accommodation to the public, in certain disposals of property, education, and advertising, on the same grounds as those included in the Employment Equality Act. The Equality Act 2004 amends a number of provisions of the Employment Equality Act 1998 and the Equal Status Act 2000, to give effect to EU Council Directives, which will be described below.

The Scotland Act 1998 which established the Scottish Parliament defines equal opportunities as:

"the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions."

The Scottish Parliament recognises the need to promote equal opportunities for all as a key principle in its operation and its appointments. Equality legislation is a matter reserved to the UK Government and the legislation that applies in Scotland is the UK legislation. The Race Relations Act 1976 makes it unlawful to discriminate on the grounds of colour, 'race', nationality (including citizenship), or ethnic or national origin in employment, education, housing and the provision of goods, facilities and services. The Act offers protection from direct discrimination, indirect discrimination and victimisation.

The Race Relations Amendment Act (2000) introduced a general duty on listed public authorities to:
- eliminate unlawful discrimination;
- promote equality of opportunity; and
- promote good relations between persons of different racial groups.

The Race Relations Act 1976 (Amendment) Regulations 2003 incorporated the EU Directive (described below) and offers stronger protection from racial discrimination and harassment in all aspects of employment practice.[38] Although equality legislation is a reserved matter, the Scottish Executive established a Race Equality Advisory Forum in 1999 and many of their recommendations have been fundamental to the thinking on racial equality in Scotland. The Equality Strategy that was produced in 2000 is a generic equality strategy; however, the recent review of racial equality in Scotland has resulted in the announcement that there will be a Race Equality Strategy published in the summer of 2006.

Currently there are bodies responsible for promoting and monitoring racial equality within each jurisdiction, these are the Equality Commission for Northern Ireland, the CRE in Scotland and the Equality Authority in Ireland. There is a growing policy convergence in the three jurisdictions towards the consolidation of all forms of anti-discrimination legislation into a single Equality Act, with a single equality body to monitor enforce and promote the legislation (a model pioneered in Ireland), covering a number of grounds, including for example 'race', gender, disability and sexual orientation. While many recognise that this trend towards consolidation makes sense from efficiency and efficacy perspective, concern about this process in the UK has resulted in significant delays to the original timescale for establishing a

single body. There has been opposition in Scotland, England and Wales from anti-racist organisations to the establishment of an Equality Bill which would establish a Commission for Equality and Human Rights and could lead to the abolition of the existing CRE. Similar concerns were expressed in Northern Ireland prior to the establishment of the Equality Commission for Northern Ireland which brought together four separate anti-discrimination bodies that previously existed to address gender, religious, disability and racial discrimination.

Specialised and expert equality and anti-racism bodies have a key role to play in mainstreaming anti racism and intercultural strategies. These can include all or some of the following:
- The monitoring and enforcement of racial equality legislation and positive duties;
- Providing a specific expertise in providing advice to service providers on the planning, implementation and review of services;
- Participating in/informing the drafting of policy;
- Developing codes and guidance on good practice;
- Creating a space for dialogue between the state and broader civil society; and
- Developing strategies that have the potential to be mainstreamed.

Positive Duties
One of the first positive statutory duties, and perhaps the only one to be embedded in constitutional law, relates to public authorities in Northern Ireland and arises from Section 75 of the Northern Ireland Act 1998. Section 75 imposes a duty on specified public authorities to "have due regard to the need to promote equality of opportunity" across the nine equality strands and "to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group". It has been said that the Northern Ireland equality duty is "unique and pioneering" in mainstreaming equality and that in the future:

"…the unified yet multi-faceted approach to mainstreaming equality that is underpinned by S.75 will prove to have greater effectiveness than many contemporary approaches operating around the globe".[39]

During this study, all those approached within the public sector in Northern Ireland referred to Section 75, with many stating that it had been "mainstreamed into their everyday business". Many felt that Section 75 had a positive impact, with one interviewee commenting:

"I think possibly prior to Section 75 there may have been ignorance of difference in Northern Ireland where there has traditionally been two communities and there has been ignorance about minority ethnic groups."

There are some gaps in relation to Section 75. Some areas are not covered by Section 75, for example immigration and the Equality Commission for Northern Ireland. Also of relevance in this research is that fact that schools are not bound by Section 75, although the Department of Education and Education and Library Boards who finance and govern schools are. There have also been serious delays in the implementation of some action plans under Section 75, including strategies to address the chronic inequality of Travellers.

Schedule 10 of the Northern Ireland Act 1998 requires all designated public bodies to go through a statutory Equality Impact Assessment (EQIA) on policies which are 'screened' and have potential 'adverse impact' on any of the nine equality grounds, which includes 'racial groups'. The Equality Commission have published Guidelines for Conducting EQIAs.

The UK introduced a 'positive duty' for public authorities in 2001 in an amendment to the Race Relations Act. This Act places a general statutory duty to promote racial equality on all public authorities. This requires public bodies to have 'due regard', when carrying out their functions, to the need to eliminate unlawful racial discrimination, to promote equality of opportunity and to promote good relations between people of different racial groups.

The specific duties that flow from the general duties require that public bodies prepare and publish a Race Equality Scheme. The Scheme sets out how public authorities will meet their obligations under the general and specific duties and must set out how the organisation will:
- Assess whether their functions and policies are relevant to racial equality;

- Monitor their policies to see how they affect racial equality;

- Assess and consult on policies they are proposing to introduce;
- Publish the results of their consultations, monitoring and assessments;
- Make sure that the public have access to the information and services they provide; and
- Train their staff on the new duties.

In Northern Ireland and Scotland, the duty focuses on the implementation of the scheme – not on achieving outcomes for minority ethnic groups. This is another shortcoming of positive duties.

In Ireland, no such duty exists as yet. The National Action Plan Against Racism refers to the Working Group on Equality Proofing, which had been in operation prior to the National Action Plan. However, equality proofing is not mandatory and is not widely used. The National Action Plan states that a new statutory 'positive duty' requiring public bodies to promote equality of opportunity will be *considered*. It states that a review of existing models and legal frameworks for positive duties in other jurisdictions will take place, including the statutory duty that operates in Northern Ireland.

International and European Context

The United Nations International Convention on the Elimination of all forms of Racial Discrimination (CERD) is the key international instrument on racial discrimination. It sets out a number of obligations for Governments to meet in relation to prohibiting racial discrimination. Both the UK and Ireland are signatories to CERD, with Ireland being reviewed by the CERD Committee for the first time in 2005. An additional international human rights instrument of importance is the Durban Declaration and Programme of Action from the World Conference against Racism which was held in Durban, South Africa in 2001. The Durban Declaration is particularly relevant here as one of the recommendations was that States establish and implement national policies and action plans to combat racism.

The European Union has been progressively working towards the elimination of racial discrimination at a European level, with significant legislative progress in recent years. Most significant is the EU Council Directive 2000/43/EC of 29th June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. The

directive established a binding framework for prohibiting racial discrimination throughout the EU. It defines direct and indirect discrimination and prohibits discrimination in various areas including employment, social security, health care, education, provision of goods and services and housing.

The EU is also increasingly influencing integration policy. The Justice and Home Affairs Council of 19th November 2004 adopted Common Basic Principles to underpin a European framework on integration. Principles identified as essential to integration for migrants include: employment, basic knowledge of the host society's language, history, and institutions; education; and "access to institutions, as well as to public and private goods and services, on an equal basis to national citizens and in a non-discriminatory way".[40]

International and European Practices

One recent initiative in relation to Government service provision to minority ethnic groups emerged from Western Australia. Australia is a culturally and linguistically diverse society with substantial inward migration and an Indigenous population. According to the 2001 census, 23% of Australians were born overseas, and an additional 20% had at least one parent born overseas. Approximately 2% of the population is Aboriginal.[41]

In December 2004, the State Government of Western Australia launched the Policy Framework for Substantive Equality (Policy Framework) which addresses systemic racism within the public sector and is designed to ensure that all people have access to a public service that best meets the different needs of the diverse community.[42]

During consultations, it emerged that although Government departments were receptive to the idea of this policy, they required guidance. One manager said:

"Don't just tell me how to do it, *show* me how to do it."

Therefore, a supporting unit, methodology, and training were important. The Policy Framework itself is not merely a policy statement but rather a methodology and the Substantive Equality Unit runs training sessions/workshops and develops tools to support departments. The methodology is based on five key steps:

Diagram 1_the five key steps in the Australian model

COMMITMENT TO IMPLEMENTING THE POLICY

IDENTIFYING CLIENTS AND NEEDS

SETTING OBJECTIVES AND DEVELOPING STRATEGIES

REVIEW AND EVALUATION

MONITORING STRATEGIES

Shortcomings of this particular Policy Framework include the lack of funding available for Government departments seeking to implement the Policy Framework and to undertake specific initiatives. It may also suffer from not being enshrined in legislation. It is too early to evaluate the success of this initiative, but staff in the supporting unit report that to date it has been well received and supported by both Government departments and NGOs.

The European Commission published a Handbook on Integration for policy-makers and practitioners in November 2004, containing best practice.[43] Although the focus tends to be on recent migrants and thus other minority

ethnic groups, including indigenous groups such as Travellers, are excluded, it nonetheless provides a useful summary of best practice throughout Europe, at least in relation to recent migrants.

The handbook recommends the use of dynamic ways of assessing the skills of newcomers, relying less on formal criteria and valuing different kinds of experience. It also suggests that Governments engage with the private sector in relation to migrants by linking Governmental programmes with companies' corporate social responsibility programmes.

Based on best practice, the European handbook outlines the importance of staff to providing appropriate services. It recommends that intercultural competence can be used as a component of job profiles. This was also something recommended in the Australian example above. The handbook also stresses that intercultural competence of those members of staff who come into contact with the public is particularly important; and recruitment for higher-level positions without such direct contact should also use diversity criteria.

It has been suggested by some that the global trend in the promotion of equality is moving away from 'light-touch' approaches which rely on consensus and political will; and that there is a progressive move towards the promotion of equality, backed by rigorous and prescriptive monitoring and enforcement.[44] However, both the Australian example and the European best practices described above fall short of providing a legislative framework to ensure adequate service provision to minority ethnic groups through a proactive approach. In this way, both Northern Ireland and Scotland have more robust frameworks for mainstreaming racial equality.

CHAPTER 3: SERVICE PROVISION

Research was primarily carried out in the service areas of health, education, policing and employment. In Northern Ireland, the area of housing was also included in the research as an area of high interest. Given the brevity of this report, housing will not be extensively referred to in this report but will be covered in the final report. These service areas were chosen through consultation with the Advisory and Steering Groups as some key services that impact on the day-to-day lives of minority ethnic groups. They serve as barometers for all areas of Government service delivery and it is intended that findings and conclusions arising from this research can be applied to other service areas.

To allow for comparative analysis, a whole organisation framework was adopted that includes a focus on mainstreaming equality and intercultural approaches into service provision; targeting, particularly through the development of positive action measures; benchmarking, which is essentially about data collection, setting of targets and measuring progress; and engagement, which is about the participation of key stakeholders, including minority ethnic groups and expert/specialised bodies in service provision. These concepts are considered further in the concluding chapter of this interim report.

A_HEALTH

The interviewees in all three case study areas, Northern Ireland, Ireland and Scotland, noted that in recent years there has been an increase in minority ethnic groups accessing health services. Some service providers felt that increasing ethnic diversity among health service users was creating added pressure both in terms of numbers and developing appropriate provision, not least because health systems are increasingly over-stretched and under-resourced. NGOs have pointed out that migrant workers generate additional tax revenue and therefore resources should not be an issue. It is likely to be a lack of planning for service delivery to minority ethnic groups which leads to staff being placed in this position and expressing this increased pressure during the research. Many health service providers are also aware that health services are increasingly heavily dependent on staff from minority ethnic groups; including ancillary staff, nurses, hospital consultants and management / administrative staff.

Communication and cultural differences have been recurring themes both in written literature and amongst interviewees. In Ireland, there appears to be little change in structures or service delivery to reflect a mainstreaming of the specific needs of members of minority ethnic groups. Hospitals and other health service workers dealing face-to-face with people from minority ethnic backgrounds are left largely to cope with change as best they can. This has lead to some examples of good practice by committed heath sector managers and NGOs but there is little evidence of systematic and consistent mainstreaming of intercultural health care policies.

Universal codes of practice concerning provision for minority ethnic groups do not yet exist in the health service areas in Ireland, nor are there standardised and mandatory training modules in intercultural awareness or anti-racism (although some regional health authorities and individual hospitals have commissioned training at their own initiative). Under the National Action Plan Against Racism, developing a national intercultural health service strategy is planned as a mainstreaming exercise, and the Health Service Executive have recently commenced preparation for this strategy. In the interim a number of interesting initiatives have been developed. A number of Health Services Executive board areas have developed ad hoc consultative mechanisms on which migrants are directly represented. Some General Practitioners (GPs) have also been to the fore in developing courses on dealing with intercultural doctor-patient relations. Unfortunately those most in need of such courses are also least likely to attend.

While most GPs are inclusive in their approach to all patients, the NCCRI has anecdotal evidence from a number of sources, including GPs themselves, that some GPs actively discourage patients from minority ethnic backgrounds, in particular Travellers and asylum seekers, from attending their surgeries citing reasons such as "other patients would object", their "lists are full", or "such patients' needs are too time consuming". However, there is evidence of emerging good practice through the goodwill of some GPs working with local NGOs and the Government's Reception and Integration Agency. Some of these local initiatives address practical issues such as meeting the dietary needs of asylum seekers in direct provision accommodation.

In Northern Ireland and Scotland, the situation is perceived to be slightly better due to positive duties under Section 75 (in Northern Ireland) or the

Race Relations Amendment Act in Scotland. In Northern Ireland, Section 75 has brought with it the "obligation for training" and all interviewees within the public sector felt that this training was essential to equip staff with the skills necessary to provide an appropriate service to minority ethnic groups. Health trusts in Northern Ireland all made reference to the fact that their organisation includes the needs of minority groups and there were specific units responsible for equality/anti-racism. On the whole, interviewees for this study felt that Section 75 had improved service delivery and that the training had meant that many of the barriers faced by both staff and service users alike were now being dealt with:

"Section 75 has definitely improved service delivery. Previously there was no legislation to encourage the building of good relations."

The lack of translation and interpretation facilities in Northern Ireland was found to be an especially difficult issue. Although one respondent stated:

"Minority ethnic groups had difficulty accessing services due to the language barrier – now there are more efforts to inform them of the services available."

Whilst Northern Ireland does have a Regional Interpreting Service for health care staff to access, this service, at the time of field research, was not operating 24 hours a day seven days a week. Whilst many interviewed recognised the value of the service the lack of an out of hours facility posed problems and meant that other private interpreting services had to be accessed. However since 30th January 2006 the Regional Interpreting Service has commenced operating an Out of Hours facility from 5pm-9am, at weekends and on public holidays. This is a six-month test period with the service being monitored for its effectiveness.

In Scotland, a review found that 'race' equality schemes did address different aspects of communication and that translation and interpreting was generally well developed in the thinking of Boards and Trusts, although more work was needed on ensuring staff and users knew about this.[45]

Dissemination of information generally also emerged as an issue for interviewees, an employee in Northern Ireland said:

45_NHS Scotland, CRE, NRCEMH & Scottish Executive (2004), *Fair Enough? Fair For All Progress Report: Analysis of Race Equality Schemes and Fair For All Action Plans*. Available at: www.scotland.gov.uk/library5/justice/feffap-00.asp.

46_www.workingwithdiversity.org

"Each country has a different system for accessing health services and it is difficult to know how to disseminate information…"

Cultural issues in health service provision have also arisen. For example in Ireland, the issue of differing perceptions of gender roles between male patients from some minority ethnic groups, and female staff was reported as causing tension.

A website set up by Eastern Area Equality Best Practice Forum in Northern Ireland provides "information about the real differences which exist among people within our increasingly diverse society in Northern Ireland".[46] The website is designed primarily for use by health and social services staff working at all levels. The information has been compiled in partnership with local and national voluntary and community organisations.

"Staff can access this website if they are about to see a patient from a certain minority group that they haven't come into contact with before…to deliver a more sensitive and responsive service."

In Northern Ireland, health service data is collected on the Patient Administration System. However, it was reported during this study that although ethnicity is included in the database, the information is rarely recorded. Reasons for not recording included the placement of the question on the system occurring after what is viewed as essential personal information.

The United Hospitals Trust in Northern Ireland have recognised the difficulties of not having such information on file as many patients will turn up for scheduled appointments and only on arrival is it realised that the patient does not have an adequate level of English, therefore the consultant cannot communicate. This Trust has proposed that patients should receive a short questionnaire with their appointments so that their needs can be assessed before arrival and appropriate provision made. However, it has been suggested that the Patient Administration System be reassessed and the categories updated to ensure that the relevant necessary information is obtained on file from the commencement.

As an employer, the health service in Northern Ireland has an *ad hoc* approach to recording ethnicity. Some Trusts ask employees for ethnicity

under the same categories as the census, whilst others also record nationality, thus the same emerging problems occur as with the census. As yet unpublished research by the Institute for Conflict Research for the Department of Health, Social Services and Public Safety found that when nationality is recorded, a more accurate picture of the number of minority ethnic employees can be gained.

This situation in terms of ethnicity data in the health system in the Republic of Ireland appears to be worse than that in Northern Ireland. The Department of Health and Children does not monitor ethnicity, although there is a pilot project in the Tallaght and Rotunda hospitals in Dublin and eventually it is planned to incorporate this data into a national system. Maternity hospitals maintain their own data. Community Welfare Officers collect information at local level on gender, marital status, family status, age, disability and nationality but there is no national or sub-national database.

Scotland appears to have the most co-ordinated approach to health service delivery although information on ethnicity and health is sparse; however the National Health Service in Scotland has developed an Equality and Diversity Information Programme to address this issue.

Case Example 1_Health
Co-ordinated health services for asylum seekers in Glasgow

Asylum Seekers who arrive in Glasgow are entitled to the same health care system as the indigenous population. This service is co-ordinated by the National Asylum Support Services, which recognises the need for tailored services, including interpreting.

Within two days of arrival in Glasgow, asylum seekers receive a welcome pack which explains how they can access medical and dental services in the city. Included in this information is the name and address of the GP who will have already been sent information about the patient and is expecting their visit.

Asylum seekers are asked to attend their designated GP in the days after their arrival in the city. When the individual / family registers with the GP, a health visitor assess their needs and refers them to other services if required.

47_NHS Scotland, CRE, NRCEMH & Scottish Executive (2004), *Fair Enough? Fair For All Progress Report: Analysis of Race Equality Schemes and Fair For All Action Plans*. Available at: www.scotland.gov.uk/library5/justice/feffap-00.asp.

Currently 36 GP practices and associated staff are providing this service throughout the city. This multi-agency approach was the first of its kind in Britain.

In Scotland, the Scottish Executive issued a Health Department letter in 2002 called Fair For All: working together towards culturally competent services. This set out the responsibilities placed on National Health Service organisations by legislation and policy. This was accompanied by the establishment of a National Resource Centre for Ethnic Minority Health (NRCEMH) to provide specialist support and advice. The Centre works through national networks of health board representatives in order to deliver progress through peer learning and review.

NRCEMH has worked with the CRE to review the 'Race' Equality Schemes and Fair for All Action Plans produced by Scottish Health Boards and Trusts.[47] The review found that most Boards and Trusts demonstrated clear leadership and commitment in their willingness to make progress in their Schemes and Action Plans. However, a number of Schemes and Action Plans failed to meet requirements. Areas of concern included the engagement with workers; and workers who were not employees (for example contractors such as GPs or research consultants, volunteers, people on placement) were barely mentioned, nor were the barriers for minority workers. There was a failure in some cases to show that staff and potential users would be made aware of services and staff would be appropriately trained, in particular in the areas of procurement, personal care and dietary needs; and there was little evidence that Boards understood the implications of 'race' impact assessments in terms of resource commitment and findings.

In order to address the gaps that were identified, NRCEMH has also produced a number of toolkits to aid the process of mainstreaming racial equality in health services. The "Checking for Change" toolkit is a self-assessment framework which takes the five key policy areas of:
- energising the organisation;
- demographic profile;
- access and service delivery; and
- human resources and community development.

The toolkit gives examples of how progress can be made and what it might look and feel like. The toolkit is accompanied by a book of current practice examples that pull together outcomes and lessons from practice.

Diagram 2_overview of the Fair for All policy areas

KEY POLICY AREAS

DEMOGRAPHIC PROFILE
DEVELOPING EVIDENCE BASE IN ORDER TO PLAN SERVICES

ENERGISING THE ORGANISATION
DEALING POSITIVELY WITH THE CHALLENGE OF BME HEALTH

ACCESS TO SERVICES
OVERCOMING BARRIERS TO ACCESS

HUMAN RESOURCES
INTEGRATING BME ISSUES INTO HR STRATEGIES

COMMUNITY DEVELOPMENT
ENGAGING NHS IN CONSULTATION, DIALOGUE AND SUPPORT FOR BME SECTOR

In October 2005, the Scottish Executive Health Department developed an initiative enabling Gypsy/Travellers to carry their own medical records. The "Patient Record of Personal Health for Gypsy/Travellers in Scotland", was developed by the NRCEMH in close consultation with the Gypsy/Traveller community and health professionals. The information carried within the handheld record should improve the continuity of care for Gypsy/Travellers and thus help in addressing their serious health inequalities.

Case Example 2_Health
Bridging the gap between service providers and community: United Hospitals Trust

The United Hospitals Trust has set up a project for two part-time Bilingual Advocates one for the Chinese community and the other for the Portuguese speaking population. The Chinese and Portuguese speaking communities were identified as those accessing their services the most and thus represented the greatest need.

The project is "a key product of the Trust's approved Equality Scheme which was approved by the Equality Commission for Northern Ireland in 2001. The Scheme identifies how the Trust intends to promote equality of opportunity in accordance with Section 75 of the Northern Ireland Act 1998".

This project commenced in October 2005 and was officially launched in November 2005. It is a six-month flagship project based on a model of good practice adopted by NHS Scotland and Newham NHS Trust. The Trust, following an eight month consultation process on the screening of the Trust's existing policies, identified issues concerning minority ethnic communities and persons with a disability. The issues were:

- Communication difficulties, due to language barriers;
- Lack of information translated into a format that could be understood; and
- Dietary requirements of people from ethnic minorities.

Both communities were consulted concerning the project at a half-day workshop. Interpreters were at the workshop to enable maximum input from the two communities. The bilingual advocates accompany patients to appointments and are accessible to both the patient and the health worker.

As the project is relatively new, it is not possible to evaluate its success however the Equality Monitoring Manager for United Hospitals felt the initiative would be a success and an asset to the Trust with more than interpreting services being provided:

"Part of the work is also outreach... and to bridge the gap between staff and the community".

Although this is a positive example, there remains a lack of mainstreaming of such initiatives. Also, there seems to be a lack of funding available for other Trusts trying to implement similar initiatives. This is likely to be due to a lack of planning for service delivery to minority ethnic groups, and to not prioritising these services.

In the South and East Belfast Health and Social Services Trust, an Ethnic Minority Development Officer is employed to interface between the Trust and

ethnic minorities. Similarly in 2003, in an effort to build the capacity of the minority ethnic communities to be involved effectively with health services, the Greater Glasgow National Health Service developed the Building a Bridge project as a partnership between various organisations. Central to the project's strategy was the development of a number of facilitators from minority ethnic communities whose role was to assist in a two-way communication process between the Health Board and the communities. This would improve the provider's knowledge of community needs, identify effective ways of meeting those needs, and enhance the communities' knowledge of the available services.

Fifteen facilitators were recruited and they attended training provided by a local college. An important part of the training was a placement within a health setting. Overall, the project was successful; however it was found that there was a mismatch of expectations between the placement providers and the facilitators. In some cases the expectations of the placement providers were higher than the participants were capable of and in some cases facilitators needed more support than was provided by the project. This highlighted the need for clarity of purpose, expectations and roles from the outset. As a result of the project some of the facilitators found permanent employment within health services.

In Ireland, the Health Service Executive consults with NGOs such as the Irish Refugee Council on issues relating to minority ethnic groups and has also set up a group of service providers who meet to discuss the needs of minority ethnic groups. There have been innovative primary health care programmes for Travellers developed in Ireland as a consequence of a pilot initiative between health authorities and Pavee Point national Travellers Centre. This initiative has now been mainstreamed throughout the country and there are now 40 projects at various stages of development. Key features of this primary health care approach includes the participation of Travellers (mostly women) working in partnership with the Health Services Executive.

The former Minister for Health and Children in Ireland, Brian Cowan T.D stated:

"There are no simple and obvious solutions to the health situation of Travellers but it is a solution that calls for a creative and innovative

48_Health Service Executive and Pavee Point (2005), *A Review of Travellers' Health using Primary Care as a Model of Good Practice.* www.pavee.ie

49_Equality Commission (2001) *Racial Equality in Education a Good Practice Guide.*

50_Connolly, P and Keenan, M (2000), *Opportunities for all: Minority ethnic people's experiences of education, training and employment in Northern Ireland.*

approach. I believe such an approach has been found with the Primary Health Care for Travellers Project...[48]

B_EDUCATION

In Northern Ireland, the Good Practice Guide for Racial Equality in Education[49] states that:

"over the past number of years concern has been expressed about the potential underachievement of children from black and minority ethnic communities in Northern Ireland".

Connolly and Keenan[50] also found children from minority ethnic groups in Northern Ireland, and indeed their parents, had difficulties within the education system, mainly in terms of language barriers and lack of support with English as a second language. NGOs in Northern Ireland have expressed concern at the absence of children of migrant workers from grammar schools in some areas. This may be a systemic issue requiring further investigation. There have also been concerns about the lack of action in Northern Ireland; for example, the Department of Education in Northern Ireland put out a Draft Action Plan for consultation in 2001. There was no action taken following this consultation and the plan effectively disappeared. NGOs have also expressed concern at the failure to implement the Good Practice Guide to promote Racial Equality in Education, which was issued jointly by the Equality Commission and Department of Education.

Although intercultural service provision, including education, is about more than effective communication, for example Travellers have frequently stated that school curricula do not reflect their culture. However, the issue of English as an additional language has been quite dominant in the interviews on this service area so far.

The area of 'English as an additional language' (EAL) funding in Northern Ireland has been contentious and funding mechanisms have changed in recent years so that monies allocated for EAL are no longer ring-fenced and can be used at the discretion of the schools. At present, Education and Library Boards in Northern Ireland receive funding of £860 for each pupil with English as an additional language. Some schools currently provide EAL support teachers, others do not. NGOs interviewed as part of this research have expressed serious concern over the EAL funding issue.

In Northern Ireland, numbers of pupils are collated in October for funding for the next year, which obviously does not account for the sometimes dramatic increases in migrant populations during the course of a year.

Discussions with the Belfast Education and Library Board for this study indicated that current levels of funding do restrict what can be done. The information collected by the Department of Education in Northern Ireland includes ethnicity, religion and first language. However, the information on first language is scant. For example, the category of 'Other' tends to capture several categories such as Polish, Portuguese and the various languages associated with the Philippines. As outlined earlier in this report, these are significant minority groups in Northern Ireland. It would be more useful if the table on first language reflected more clearly the nationalities of people residing in Northern Ireland. Similarly the ethnicity table encounters the same problems as the census data.

Within the further education sector in Northern Ireland, there are examples of good practice with colleges trying to plan for the future and ensure minority ethnic students can access and fully participate in college life. Further and Higher Education colleges are bound by Section 75; schools are not, although the Department of Education and Education and Library Boards who finance and govern schools are.

In Ireland, intercultural issues are left to the individual school for the most part, although many manage reasonably well and work hard to ensure the effective participation of parents, as well as pupils. The National Action Plan Against Racism, launched in 2005 includes a mainstreaming initiative to develop a national intercultural education strategy with reference to equality/diversity policy.

While much work in Ireland has been done at Departmental level on interculturalism and social inclusion there are ongoing difficulties at an operational level within education. It is recognised that a focus needs to be placed on providing structures to support both children from minority ethnic groups and their parents; however relatively little has been achieved to date.

There is a post-primary pupil database in Ireland which collects information on country of origin, but there is no equivalent primary level database, even

51_Hansson, U. V. Morgan & S. Dunn (2002), *Minority Ethnic Groups in Northern Ireland: Experiences and Expectations of English Language Support in Education Settings*, p.73. Available at: www.research.ofmdfmni.gov.uk/ethnic/policy.htm.

52_Commission for Racial Equality (2002) *A Guide for Education Authorities and Schools in Scotland: Non statutory Code of Practice*.

though the majority of children from minority ethnic groups are in the primary system. There are an estimated 6,000 non-English speaking pupils at primary level. Individual Primary and Secondary and Post Leaving Certificate school administrators know the nationality of children but they focus primarily on ascertaining who does not speak English as a first language. During this study it emerged that a lack of clarity regarding the visa status of some asylum seeker parents and their children may lead schools to be wary of actively engaging with parents and being unwilling to ask too many questions.

However, the main type of service provision which has been mainstreamed in Ireland is aimed at pupils whose first language is not English. Schools are entitled to one EAL teacher for approximately every 16 non-English speaking children. However, other pedagogical, social and intercultural issues are not currently receiving the same degree of attention. This is improving slowly, with the increasing availability of 'interculturalism in the classroom' in-service training. Schools surveyed for this study were aware of legislation and policy in the field, particularly the Equal Status Act 2000, but they did not feel that sufficient support and resources were being provided to deal with the new challenges.

EAL teachers are also used in Scotland. The Glasgow education authority employs 80 EAL teachers, of whom about eight are bi-lingual.[51] This means that the student teacher ratio for language support is approximately 1:75, as opposed to 1:16 in Ireland.

The Race Relations (Amendment) Act 2000 requires that Scottish schools and Education Authorities monitor pupil attainment levels by racial group. The guidance also suggests that it would be useful in the analysis of this data to also monitor: rates of exclusion, racial harassment and bullying; curriculum; teaching and guidance (including language and cultural needs); punishment and rewards; support, advice and guidance; and parental involvement in the school.[52]

Scottish schools and Further and Higher Education institutions bound by the general duty also have specific duties to assess the impact of all their policies on pupils/students, staff, and parents (in the case of schools) from different racial groups. They must also monitor the outcome of their policies.

In the Glasgow City Council area racist incidents in schools are tracked and published. However, research by the CRE in Scotland found that participants in the research expressed their anxiety about the effect on their children of racist abuse at school which they perceive as not being addressed by schools.[53] Glasgow City Council also tracks, by ethnicity, attendance, free meals entitlement, and national assessment levels. They have also started to record stages of English language acquisition in relation to bi-lingual learners. This information is used to set future priorities.

C_POLICING

The police services in the three jurisdictions represent an important interface with minority ethnic groups, not least because of the prevalence of racially motivated crimes.

Incidents of racist incidents have been increasing throughout Northern Ireland; including damage to property and physical assault. In 2004/05 813 racial incidents were reported to the Police Service of Northern Ireland (PSNI); one of these was a murder.[54] This continual increase led the PSNI to launch their 'Hate Crime is Wrong' Poster Campaign in January 2005. One interviewee stated that this campaign was intended to "prick the conscience".

On available data, there appear to be less racist incidents in Ireland, although as described below, this is not always an indicator of less crime, but of less reporting of such crimes. According to An Garda Síochána, 81 incidents with a racist motive were recorded in 2003.[55] Based mainly on NCCRI data and media reports, 2004 – 2005 saw ongoing racist incidents, including property damage and some physical assaults.

In Scotland racially motivated crimes jumped from 3,097 to 3,856 from 2004 - 2005. The figure has nearly quadrupled since the concept of racially aggravated crime was introduced in 1999.[56]

These figures are worrying given that racially motivated crimes are notoriously under reported.[57] There may be a number of reasons for this, the perception of and relationship with police being one possible reason.

Interaction between police and minority ethnic groups can be problematic for a number of reasons. Firstly some migrants may have had negative

53_Commission for Racial Equality (2005), *Independent review into policing and race relations in Scotland (summary)*. Available at: www.cre.gov.uk/scotland/legal/policereview.html

54_Police Service of Northern Ireland (2005), *Statistical Report 1st April 2004-31st March 2005.*

55_Figures for 2004 are not available.

56_The Scotsman (2005), *Ten racist incidents reported daily in Scotland*, 25th October 2005. Available at: www.theredcardscotland.org/news/2005/261005_ten_incidents.html

57_European Monitoring Committee on Racism and Xenophobia (2005), *Racist Violence in 15 EU Member States, Summary Report*, p.14.

58_McDonald, H. (2005), *Garda in dock over travellers*, The Observer, Sunday December 18th 2005. Available at: http://observer.guardian.co.uk/international/story/0,6903,1670121,00.html.

59_*The Stephen Lawrence Inquiry: Report of an inquiry by Sir William Macpherson of Cluny*, (1999) Cmd 4262-I, London: HMSO.

60_Lord Advocate's Reports (2001), *Raj Jandoo Independent Judicial Inquiry into the treatment of the family in the Chhokkar murder case.*

61_Miller, J. (2005) *Monitoring and Measuring Ethnic Profiling: Measuring and Understanding Minority Experiences of Stop and Search in the UK*, in Justice Initiatives, p.55.

62_Commission for Racial Equality (2005), *Independent review into policing and race relations in Scotland* (summary). Available at: www.cre.gov.uk/scotland/legal/policereview.html

experiences of law enforcement officials in their own countries. Asylum seekers and refugees may have negative connotations of authority figures as some will have suffered torture in their country of origin at the hands of public authorities. During this study immigration / visa status also emerged as a concern in relation to interaction with Gardaí for some members of minority ethnic groups in Ireland. In recent years, international terrorism concerns and the role of police in this has added an additional complication to relations between police and some minority ethnic groups. Travellers have tended to have poor relations with police. Recent reports in Ireland suggest that there needs to be further significant work to improve relationships between Irish Travellers and the Gardaí.[58]

There has been comprehensive investigation and research into racism within the police service in the UK. In 1999, a landmark judicial inquiry into the police investigation of the racially motivated murder of Stephen Lawrence, a black teenager resulted in the Stephen Lawrence Report.[59] The report found that the London Metropolitan police force was institutionally racist. In Scotland in 2001, an inquiry into the handling of the investigation of the murder of Surjit Singh Chhokar lead to the conclusion that there had been a number of counts of institutional racism in the handling of the case.[60]

It has also been pointed out that broader structural factors, including local crime rates and people's use of public space, can also contribute profoundly to disproportionate impacts on certain minority ethnic groups;[61] the use of public space issue being particularly relevant to Travellers. As the following sections will outline, police in the three jurisdictions have been proactive in taking steps to adapt to policing in a culturally diverse society.

One recognised way of improving relations is for police to engage with minority ethnic communities.[62] In Northern Ireland, there are Independent Advisory Groups set up to help advise on policies and procedures for minority ethnic communities. At a local level the PSNI regularly meet with groups to consult and offer advice. In Ballymena the Inter-Agency Ethnic Support Group meet on a regular basis bringing together representatives from public authorities including the PSNI. In Dungannon the PSNI, Driver Vehicle Licensing Northern Ireland and South Tyrone Empowerment Programme (STEP) have worked together to produce a booklet on how to buy a car and drive it safely. This has been as a result of many people

from minority ethnic backgrounds coming into contact with the PSNI for motoring offences.

In Ireland, the Gardaí consult with minority ethnic groups in planning service delivery, publications and recruitment. However, there are significant variations in local engagement at community level, as they work largely under local initiative. Some community Gardaí organise day trips, football tournaments and talks about subjects such as Irish history. This is done mostly with asylum seekers living in "direct provision" centres. In general these events have been successful. What most officers stressed when interviewed for this study was the need for more effort put into gaining people's trust.

Members of minority ethnic groups interviewed said that they come into contact with the Gardaí once or twice a month and felt that relations were generally cordial. However, a lot depends on individuals and the Gardaí themselves may find differing attitudes and levels of support in different stations even though policy at national level may be clear.

A report by the CRE in Scotland found "a willingness in forces to engage but a shortage of effective strategies for doing so." The report found that community liaison officers are a good step in the right direction and that their contacts should be built upon.

Both An Garda Síochána and the PSNI have specific roles for officers responsible for liaising with minority ethnic communities. The Scottish police service is divided into several separate constabularies who have different practices; some do not have a specific role dedicated to liaising with minority ethnic groups,[63] whereas others have a nominated police liaison officer for each identified local minority ethnic community.[64]

The PSNI have a Minority Liaison Officer (MLO) in each police district command unit. These officers deal with incidents relating to hate crime including racial incidents. MLOs do not receive planned specialised training but are trained on various issues as and when required; however, a specific training course for MLOs is being considered. Training delivered so far has included topics such as asylum seekers and refugees, and religious diversity. The police training college are conducting an audit into all training currently being provided and delivered.

63_The Northern Constabulary for example does not have dedicated minority ethnic liaison officers.

64_As per Central Scotland Police's Race Equality Scheme. Available at: www.centralscotland. police.uk/diversity/RACE_EQUALI TY_SCHEME.pdf

65_www.garda.ie/angarda/racial.html

66_www.sundayherald.com/50724

67_Commission for Racial Equality (2005), *Independent review into policing and race relations in Scotland (summary)*. Available at: www.cre.gov.uk/scotland/legal/police review.html

68_Address by Minister to an Information Seminar for Ethnic Communities on Garda Recruitment. Available at: www.justice.ie/80256E01003A02CF /vWeb/pcJUSQ6GWJZG-en

An Garda Síochána has been very active in promoting the concept of policing in an intercultural society. A Racial and Intercultural Office[65] was established in 2000 and 145 Ethnic Liaison Officers (ELOs) were subsequently appointed throughout the country, operating within the established community policing framework. ELOs are tasked with the development of good relations with minority ethnic communities and their representatives. All ELOs receive training in intercultural awareness. While this represents considerable progress they are not dedicated specialists and must perform their duties along with a range of other community policing tasks. Intercultural training is now provided for all trainee Gardaí, who also undertake a one week placement with an NGO. In-service training is provided but is not compulsory.

There have been calls for the police in Scotland to take positive action to address the under-representation of minority ethnic groups in the police service, particularly at higher levels of the police.[66] A CRE report published in 2005 found that while the bald figures of numbers of officers drawn from minority ethnic communities are disappointing, progress has been made.[67] The report also found that all minority ethnic participants expressed the view that having more minority ethnic police officers would be a "good thing" but there was ambivalence about actively encouraging members of minority ethnic communities to join the police. That ambivalence was mainly based on perceptions of racism within the police force, based mainly on media reports rather than on personal experience.

The recent Irish experience of attracting minority ethnic recruits to An Garda Síochána may provide a useful case example in this regard. A major initiative[68] was launched in 2005 by the Garda authorities, advised by the NCCRI and the Public Appointments Service, to target recruitment to the Garda from members of minority ethnic groups. Information workshops on the application and interview process were hosted for interested parties. In addition, the Minister for Justice, Equality and Law Reform amended entry requirements so that knowledge of the Irish language is no longer a requirement, as this was representing a barrier to minority ethnic groups' participation. Although the recruitment process is still underway, there were high numbers of applicants from minority ethnic groups, particularly the Chinese community. This initiative may set an example for other areas of the public service in Ireland.

The following case example is of interest given the profile of racially motivated crimes in the three jurisdictions; for example there were several attacks on Chinese fast food delivery drivers in Dublin in late 2005 / early 2006.

Case Example 3_Policing
Using data, engagement and benchmarking to effectively target racist crime: Central Scotland Police

Central Scotland Police have been a significant partner in the establishment of The Safer Businesses for Ethnic Minorities initiative. This was initiated by the Racist Attacks and Harassment Multi-Agency Strategy in response to statistics which show that over 60% of racist incidents occurred within business premises that were owned or managed by members of the ethnic minority communities. The initiative aimed to identify the true extent of racist crime against businesses as well as the impact such criminal activity had on the business and the staff. It also aimed to reduce crime and fear of crime in business premises.

The support which was offered through the project included the temporary supply of CCTV equipment (as a remedial measure), information booklets, safety and security advice and information road shows and contact details for staff on how to deal with aggression.

The evaluation of the pilot project showed that it had successfully met its key aims and suggested that there should be a Business Plan for the project to widen it further into the local community. As a result there is a three year plan for 2005-2008 with the overall aim of creating a safe working environment that meets the needs of staff and customers in minority ethnic owned and managed business.

It is of interest that this initiative was facilitated by good data collection and analysis.

D_EMPLOYMENT

Minority ethnic groups, including migrant workers, face a number of issues in relation to employment, including overt racism. Other examples include the non-recognition or undervaluing of overseas qualifications. NGOs have also reported English skills being requested from migrants when English is not an occupational requirement for the post.[69]

In the UK, the work permit scheme allows employers based in the UK to employ people who are not nationals of EEA countries and who are not entitled to freely work in the UK. Applications for work permits must be made by the UK employer to the Home Office Immigration Service. If a person is granted a work permit, the worker must remain in the employment of the specified employer and in the category of employment for which the permit was granted. A worker can only change employer if the new employer has applied for a work permit to take them on. A work permit has a maximum duration of five years.

The UK Government also require nationals from the eight Eastern European Accession States to register under the Worker Registration Scheme (WRS) if they take up employment for more than one month's duration. Workers are required to register for each employment they take and they must also pay a fee when they first register.[70] Once an individual has been registered continuously for 12 months they have the full range of EU citizen's rights to freedom of movement.

The Irish Government facilitate migration of workers through the allocation of working visas / authorisations and work permits allowing people from non-EEA countries to live and work in Ireland. The one-year renewable work permit is held by the employer to employ non-EEA nationals.

The Equality Commission for Northern Ireland requires all public bodies and private companies employing more than ten staff to make a monitoring return.[71] On a monitoring return, employers are required to specify the composition of their workforce by community background, sex and occupational grouping and if they are employed for more or less that 16 hours per week. However, there are no questions on ethnicity.

In Scotland the Race Relations (Amendment) Act 2000 requires that all public authorities monitor, by ethnic groups, all employees, and all applicants for jobs, promotion, and training. Public authorities employing more than 150 people, also have to monitor the number of employees from each ethnic group who:
- receive training;
- benefit or suffer disadvantage as a result of performance assessments;

- are involved in grievances;
- have disciplinary action taken against them; and
- end employment with the authority.

72_www.entemp.ie/employment/rights/foreign_language.htm

73_www.entemp.ie/press/2005/20051214.htm

The Annual Scottish Labour Force Survey provides a global Scottish figure for the working-age employment rate for minority ethnic residents of Scotland but the information is not disaggregated by local authority area.

In Ireland, there is no obligation to monitor. Evidence of data collection and benchmarking strategies within the employment sector is limited. Some employers may collect data but only for internal purposes, while data collection by trades unions does not specifically cover nationality or ethnicity. Government Departments in general, (with the exception of the Department of Justice, Equality and Law Reform and the Department of Enterprise, Trade and Employment), do not collect ethnicity data. The Department of Enterprise data is primarily useful for tracking work permit and work visa/authorisation flows and also enables a breakdown by county of employment and by employer. It does not provide a snapshot nor does it include EU migrants, students, refugees and asylum seekers, or the partners and families of any of these.

In Ireland, the fact that migrant workers have the same entitlements, rights and protections in the workplace afforded to Irish and EU workers has come increasingly into public focus. The Department of Enterprise, Trade and Employment publishes documentation concerning employee rights in nine languages as well as English and Irish.[72] Staff in Citizens' Information Centres and Local Employment Services are familiar with legislation and policy in the field, having received both general and specialised training. However, lack of interpretation facilities is an ongoing issue; with reports of many migrant workers bringing their children with them to interpret. In relation to all areas of service provision, not only is this a serious issue as children may be missing school to attend appointments, but it places undue responsibility on children and is often culturally or otherwise inappropriate.

The latest National Training and Employment Authority (FÁS) initiative is a 'Know before you go' campaign[73], in five languages, aimed at encouraging new Accession State migrants to come prepared if they want to work in

Ireland. The Irish community and voluntary sector plays a major role in filling the information and advisory gaps left by an official system which, while improving, still presents a confusing picture to new migrants. Significant expertise among NGOs has also developed in Northern Ireland.

Case Example 4_Employment
Private and public sector meeting needs of migrant workers

O'Kane Poultry, Ballymena
In one company in Northern Ireland various initiatives have been put in place to help migrant workers settle into their employment and into the community. The company also liaise with public authorities to inform employees of service provision.

19% workforce at O'Kane Poultry are migrant workers. Vacant positions are advertised in local press and also with EURES.[74] The Welfare Officer in the company emphasised that "no preference is given to any candidate for any position as a result of their national origin … effective integration must be integration at all levels and that migrant workers must be reflected and represented in managerial positions with O'Kane Poultry". A Slovakian Personnel Officer has recently been appointed to work within the Human Resources Department.

O'Kane Poultry has signed up to a Code of Practice[75] for the management of Migrant Workers. This:
- assures the incoming worker that there is a floor of rights beneath which they may not fall and make the company a more attractive employer;
- alleviates concern within the community that some employers may exploit migrant workers; and
- provides confidence to customers. Customers need to know that their suppliers are behaving and trading in a fair and equitable manner.

On arrival new workers are met at the airport and taken to their accommodation. All documents are translated for employees including work instructions, handbook, induction and training records, contracts and hygiene and safety signage. An interpreter is always available to deal with day-to-day issues and English classes are provided free of charge on site. In

addition, free English classes off-site are advertised on the notice board. O'Kane Poultry also organises membership of the local library for each employee and library books may be requested in other languages.

O'Kane Poultry meet local community groups and representatives on a regular basis. Regular meetings are held between the Welfare Officer and the PSNI Minority Liaison Officer to assess any threat to minority groups and also for advice on 'safe' areas. Meetings are also held in a local hotel to provide the new employees with advice on personal security and home security. A list of houses rented by O'Kane Poultry and housing migrant workers is regularly updated and passed on to the PSNI to increase security for occupants.

In addition the workers are encouraged to register with the company doctor and various health initiatives and clinics are highlighted to employees.

Whilst the opportunities for migrant workers to learn English are commendable, workers may have difficulties juggling work and lessons. NGOs interviewed as part of this research have stressed the need for employers and those in service delivery to address the skills deficit of the indigenous population in relation to foreign languages.

CONCLUSIONS:

POSITIONING THE FINDINGS WITHIN A WHOLE ORGANISATION FRAMEWORK

In order to research service delivery in the three case study areas in a way that allowed for comparative analysis, a whole organisation framework template was developed and used by the research teams in each jurisdiction. This framework has four main themes: mainstreaming, targeting, benchmarking and engagement.

Framework Theme	Definition used in this study
Mainstreaming	Mainstreaming is essentially about how existing policy and service provision processes are inclusive of the needs of minority ethnic groups.
Targeting	Targeting is about the development of specific policy priorities and service provision strategies tailored to meet the needs of minority ethnic groups.
Benchmarking	Benchmarking is about setting and reaching targets within a timescale including the development of data to measure progress.
Engagement	The participation of key stakeholders in the policy and service provision processes, migrant and ethnic minorities and specialised and expert bodies.

Mainstreaming

Mainstreaming can be summarised under the following headings:
- Legislation;
- Action Plans and Strategies;
- Statutory duties to promote equality; and
- The role of specialised and expert bodies.

Legislation

Fairly comprehensive equality legislation exists in all three jurisdictions and bodies have been established to monitor and enforce this legislation. This type of legislation underpins the work of service providers and as a bottom line, seeks to ensure that service provision does not discriminate on the

basis of 'race'. In some cases discrimination on the grounds of religion is also protected against.

There is a growing movement towards the proactive promotion of equality and interculturalism rather than simply a reactive response to discrimination. Also, there is a growing policy convergence in the three case study areas towards the consolidation of all forms of anti-discrimination legislation into a single Equality Act covering a number of grounds, including for example 'race', gender, disability and sexual orientation; with a single equality body to monitor, enforce and promote the legislation. This consolidation makes sense from an efficiency and equivalence of rights perspective. However there are also significant challenges to ensure that the development of single equality body does not dilute the focus on racism. It is essential that existing and planned single equality bodies must focus on anti-racism and be supported through the allocation of resources. The experience in Ireland shows that additional expertise and support can be delivered through the development of an expert body on racial equality and interculturalism to complement the role of equality bodies

Action Plans and Strategies
The publication and revision of action plans, strategies and schemes in the three case study areas has been an important development in building a more inclusive approach to service provision. There have been significant developments in 2005 in all three case study areas. A Racial Equality Strategy for Northern Ireland was published; in Ireland a National Action Plan Against Racism-Planning for Diversity was published and in Scotland the Scottish Executive have reviewed racial equality and a Race Equality Strategy and Action Plan will be published later in 2006. It is clear that these are important strategies in turning broad commitments to racial equality into action at the level of service provision. They also locate service provision within a framework of other linked strategies to address racism and to promote inclusion.

In Scotland the commitment to mainstreaming equalities has been a major strand of the Executive's Equality Strategy.[76] Mainstreaming is defined as:

"the systematic integration of equalities perspectives into the everyday work of government, involving policy makers across all government departments, as well equality specialists and external partners."

It is seen as a long-term strategy that will bring about organisational cultural change. The Scottish Executive has been the most proactive in planning for diversity, having recognised the need for inward migration and launched its 'Fresh Talent' initiative; despite facing similar issues on a smaller scale, in Northern Ireland there is no evidence of similar long-term planning. Although this may be due to the reserved nature of immigration policy in the UK, this lack of forward strategising means that service providers are likely to continue to react to inward migration, rather than being able to proactively plan based on forecast.

To ensure such plans, schemes and strategies are effective and impact on service provision requires:
- Strong political commitment, adequate resources and a clear implementation strategy at service provision level;
- The active participation of non-Government stakeholders, including at a strategic implementation level;
- The development of effective statutory duties to promote equality;
- The development of action plans or schemes at a departmental and agency level;
- Consistency with other strategies addressing poverty, employment, public service reform, and so forth; and
- The development of such plans with reference to demographic projections and migration strategies relevant to the local area.

Statutory duties to promote equality
There is growing understanding that statutory duties to promote equality have had a significant impact on the commitment and capacity of service providers to respond to the needs of minority ethnic groups. However there remain some gaps and inadequacies in the application and implementation of such duties, and no such duty presently exists in the Republic of Ireland. Statutory duties have the potential to: ensure specific progress in addressing discrimination; improve service user experience; and advance the overall equality agenda.

Of the service areas under consideration in this study, education is perhaps the least co-ordinated and developed and it is of interest that the Northern Ireland positive duty under Section 75 does not apply to schools.

There is as yet no statutory positive duty to promote equality in Ireland; however the Equality Authority has played an important role in pushing for the introduction of a systematic approach to equality proofing, which is currently non-mandatory. An equality proofing working group under the auspices of the Department of Justice, Equality and Law Reform has sought to explore equality proofing through once-off pilot initiatives in recent years with varied success. However, it is evident that such voluntary approaches to equality proofing are likely to fall far short of what is required to ensure that equality is mainstreamed within the public service.

The role of specialised and expert bodies:
Specialised and expert bodies have a key role to play in mainstreaming anti-racism and intercultural strategies. Expert bodies such as the NCCRI and the approach that it has adopted in Ireland can play an important role even after the development of an amalgamated equality/human rights agency. Key activities of such bodies include:
- The monitoring and enforcement of racial equality legislation and positive duties;
- Providing specific expertise and advice to service providers on the planning, implementation and review of services;
- Participating in and informing the drafting of policy;
- Developing codes of practice and good practice guides;
- Creating a space for dialogue between the State and broader civil society;
- Developing strategies that have the potential to be mainstreamed;
- Undertaking strategic research initiatives;
- Providing anti racism/intercultural training; and
- Facilitating the participation of minority ethnic groups in public policy debate.

In conclusion, mainstreaming racial equality requires a multi-faceted approach including legislation, action plans and strategies, statutory duties to promote equality and the involvement of specialised and expert bodies. No single element is a panacea for effective mainstreaming. The multi-faceted approach developed needs to be regularly reviewed and updated.

77_Carry, R. (2005) *North's civil service deliberately discriminates against migrants*, Metro Eireann, Vol 6, Iss 12, December 2005.

78_European Commission Directorate-General Justice, Freedom and Security (2004), *Handbook on Integration for policy-makers and practitioners.*

Targeting

Targeting is about the development of specific policies and services tailored to meet the needs of minority ethnic groups. Tailoring services for minority ethnic groups brings about challenges for public authorities with many interviewees referring to the language and communication barriers that exist. NGOs in Northern Ireland also point out the skills deficit among the majority population in relation to language skills and suggest tackling the issue from this viewpoint. Within the health sector in Northern Ireland there are examples of initiatives to overcome language and cultural barriers as evidenced by the United Hospital's Trust. The employment of two bilingual advocates at two of their hospital sites is currently only a pilot project but has been received favourably among the minority ethnic groups targeted, the Portuguese and Chinese Communities. A similar project has been running successfully in Scotland for a number of years.

Indeed one emerging finding from the research so far is that some Government bodies in some of the jurisdictions are increasingly focusing on recruitment of minority ethnic staff, although this tends to be piecemeal and is certainly neither extensive nor 'mainstreamed'. This is sometimes in order to increase the ethnic profile of the organisation so that it is more aligned with the demographic profile of the public, or to fulfil a particular role. A key example in this area has been An Garda Síochána's recruitment drive, (ongoing at time of writing), which seeks to encourage applications from people from minority ethnic groups. This successfully attracted a high number of applicants.

Public bodies, such as the police in Scotland and the civil service of Northern Ireland[77] have also come under pressure to increase the ethnic diversity of their staff or to ensure that staff from minority ethnic backgrounds are represented at more senior levels of the organisation. This emerging focus on recruitment is supported by the European Commission's *Handbook on Integration for policy-makers and practitioners*[78] referred to in this report, which contains best practice from around Europe, and recommends the following actions:

- Governments should promote the recruitment of staff from minority ethnic groups;

- Organisations can recognise and remunerate the linguistic skills, cultural knowledge and community contacts of their staff; and

- The study of languages by employees can be encouraged and financially supported.

A report by the European Monitoring Centre on Racism and Xenophobia also urged Governments to increase the ethnic diversity of their staff.[79] Countries with a longer history of a highly diverse population, such as Australia, have already achieved high levels of ethnic diversity in Government staffing and often have clear targets and reporting for Departments, such as the "equity index" used in Western Australia to record the demographic profile of employees.[80]

It is important that organisations expanding their ethnic diversity, or indeed recruiting staff for specific roles with a minority ethnic focus, ensure that:
- Their organisation is prepared for the change;
- Internal processes (including promotion) do not harbour systemic bias;
- Other staff are aware of the change and have received appropriate training; and
- Support is available for staff from minority ethnic groups.

Similarly, private sector organisations, many of whom employ migrant workers need to ensure their workplace is suitable. The NCCRI has published Guidelines for Developing a 'Whole Organisation' Approach to Address Racism and to Support Interculturalism.[81] An example of a proactive employer, working in partnership with Government and community groups was given in this report in relation to a private sector employer in Ballymena.

Intercultural, diversity, or anti-racism training is also becoming more widespread among public sector service providers. Again, this is not always systematic and widespread and may depend on the initiative and goodwill of certain organisations or indeed individuals. Training in Scotland is more mainstreamed as Scottish legislation requires that all listed public bodies produce a Race Equality Scheme which must set out the arrangements for training staff on racial equality duties.

The best practice recommended in the European handbook is that intercultural competence can be used as a component of all job profiles and

82_Pedersen et al (2005), '*Talk does not cook rice": Beyond anti-racism rhetoric to strategies for social action*, Australian Psychologist, March 2005; 40(1): 20 – 30, p.9

included in recruitment criteria for both customer-facing, policy-development and management staff. This was also found in the Australian Policy Framework, described earlier, which *requires* the inclusion of meeting 'substantive equality' measures as part of staff appraisals, including those of Chief Executive Officers.

Whilst intercultural training and the recruitment of minority ethnic staff are important positive steps, it is important that Government bodies are cognisant of the fact that individual staff members cannot be fully equipped to independently provide suitable services to people from *all* cultures and languages. The European handbook stresses that it is important to have access to trained interpreters or to specialised advisors on cultural and religious matters.

Furthermore, recruitment and training alone are not sufficient to effectively meet the needs of members of minority ethnic groups. Policies, systems, and processes within organisations need to be reviewed and amended if required, and must be developed in close consultation with minority ethnic groups. Research indicates that the broader context, including structural context, must be considered:

"Because those contexts support, and arguably benefit from or even depend on, prejudice and racism, interventions that ignore them are unlikely to succeed. Interventions may perhaps be most effective when they target key individuals or key positions within the broader context, rather than attempting to influence relatively powerless individuals."[82]

Institutional or systemic discrimination can represent a barrier to service delivery by minority ethnic groups and is often unintentional; it therefore requires a concerted effort and consultation with minority ethnic groups. This requirement is both negative and positive - to ensure that barriers do not exist and to ensure that needs are being met.

Therefore, although targeted initiatives are essential to meet the specific needs of some groups, there is a danger that by being labelled as 'special initiatives', elements which could and should be mainstreamed may not become so. Interviewees in this research felt that targeted initiatives should receive more funding. Also, targeted initiatives in isolation are not sufficient

to ensure that everyone's needs are being met; mainstreaming must take place in parallel. Following effective needs assessment, separate provision of services specific to minority ethnic groups may be identified as appropriate. For example, English language courses for the Roma community in Ireland had proven to be unsuccessful until Roma-only classes were organised by Pavee Point Travellers Centre with the support of FÁS and there was significant uptake from men and women from the Roma community.

One theme emerging is that in some cases where targeted initiatives have been developed, they have perhaps been driven more by the needs of the service provider, than by the needs of the service user. For example if a key motivation for police interacting with minority ethnic communities is to reduce alleged driving offences, this will inevitably raise questions from minority ethnic communities as to the commitment of police in tackling issues of concern to minority ethnic communities themselves, for example, the rise in racist crime.

Benchmarking

Benchmarking is about setting and reaching targets within set timescales and includes the development of data to measure progress. Data is also required so that the ethnic make up of users and potential users of services, both current and future, can be assessed.

Those interviewed from each jurisdiction in this study have expressed dissatisfaction with current data collection. Data collection and benchmarking is perhaps most developed in Scotland, although not without its technical difficulties and often seen by interviewees in this research as a burden. There has been much debate in Scotland on ethnic categorisation, as well as research into census categories. The Irish census will include an ethnicity question for the first time in 2006 and it is anticipated that this will provide a clearer picture of Irish society, when the information from the ethnic question is combined with information on religion, nationality and place of birth.

In Northern Ireland, the issue of data collection has been recognised as problematic in the Racial Equality Strategy. The first step in improving this would be to reassess the ethnicity categories to ensure they are more reflective of the current population therefore expanding the 'White' category and including

83_McLaughlin, E. & Faris, N. (2004) *The Section 75 Equality Duty − An Operational Review*, Volume 1, p.31

questions on Nationality and Country of Birth. It is of concern that within all the sectors consulted so far in Northern Ireland there was an indication that data collection was not seen as essential in front line service delivery.

In Ireland, few Government Departments collect ethnicity data. Data collected by the Department of Enterprise is primarily useful for tracking work permit and work visa/authorisation flows and also enables a breakdown by county of employment and by employer. It does not provide a snapshot nor does it include EU migrants, students, refugees and asylum seekers, or the partners and families of any of these.

Scotland is emerging as having better data collection and benchmarking mechanisms in some areas. The example of the Central Scotland Police's initiative - The Safer Businesses for Ethnic Minorities - was outlined in this report. The initiative was in response to statistics showing that over 60% of racist incidents occurred within business premises that were owned or managed by members of the ethnic minority communities. In conjunction with effective use of data, the project involved benchmarking. It was evaluated and found that it had successfully met its key aims.

There have been criticisms of the implementation of Section 75 in Northern Ireland as placing too much emphasis on process rather than on outcomes,[83] and in Ireland while some indicators are in place there is no systematic measurement of service provision outcomes in relation to minority ethnic groups. Therefore, benchmarking is an area requiring ongoing attention.

Engagement
Engagement relates to the participation of key stakeholders in the policy and service provision processes, including minority ethnic groups, specialised and expert bodies, and social partners.

Interviewees for this study stressed the importance of engagement. In Northern Ireland, all the sectors involved emphasised the need to engage to determine needs and ways of improving services. For example, the Northern Ireland Housing Executive engaged with the Traveller Community to assess their needs for housing. Interviewees said they recognised that they needed to communicate with Travellers, in order to establish their needs and what was appropriate to their culture.

An interviewee in Northern Ireland stated:

"We are trying to address the needs of the people… we aren't in a position to say what their needs are. We need them to be confident that there is a policy to deliver what is needed – not what we think they need."

There is evidence of engagement between statutory service providers and broader civil at various levels throughout this report. However, the consistency and depth of engagement varies considerably across the three jurisdictions and there is less evidence of engagement becoming 'mainstreamed' in a systematic way. A variety of strategies that can be employed in effective engagement, including equality forums, consultative seminars, use of consultants, customer surveys, and research.

The limited resources of NGOs representing with and representing minority ethnic communities is often an impediment to in depth engagement by the relevant groups; and core funding programmes can often exclude minority ethnic groups because they are always seen as someone else's responsibility. NGOs such as the Northern Ireland Council for Ethnic Minorities (NICEM) play an important role in creating the space for engagement between Government and other NGOs. One recent example of this was a series of workshops organised by NICEM on the implementation of the Northern Ireland Racial Equality Strategy. Such initiatives can play a key role in moving away from a service provider's instinct that they know what is best or the view that "we treat everyone equally by treating everyone the same".

In the Republic of Ireland, consultation with civil society has become an increasing feature of Irish decision-making since the late 1980s. Notable examples are the social partnership process[84] at national level and the Community Development Support Programme[85] at sub-national level. However, with a few exceptions, immigrants and/or minority ethnic groups have not as yet become active participants in these community development processes. Moreover, there is no domain of statutory service provision where such communities are consulted as of right. The above notwithstanding, a variety of informal consultation mechanisms have emerged in recent years. NGOs have been increasingly active in such fields as immigration and

84_www.ictu.ie/html/publications/other/Sustaining%20Progress.pdf

85_www.pobail.ie

86_Scottish Executive (2002) *Good Practice Guidance: Consultation with Equalities Groups.*

87_COSLA (2003), *Guidance on Equalities, Best Value, Community Planning and the Power of Well-being.*

integration policy, although they are generally not led by members of minority ethnic groups themselves.

The Scottish Executive has issued a Good Practice Guidance on Consultation with Equalities Groups. The guidance explores the pros and cons of the various forms of written and face-to-face consultation and a number of issues are identified that might impact on the ability of some of the under-represented groups to participate. These include the issue of under-funding, lack of capacity and lack of experience of positive outcomes of previous consultation processes.[86]

The Convention of Scottish Local Authorities produced guidance mainstreaming equalities into the Community Planning process. Their recommendations include:

- The need for Partnerships to identify the actions they intend to take to encourage equal opportunities;

- The need to ensure that equalities groups and interests are represented in the consultation process;

- The need to build the capacity of equalities groups to enable full participation;

- The need to build the capacity of the partners to enable them to engage with the equalities groups; and

- The need to monitor and evaluate their performance in relation to the encouragement of equal opportunities.[87]

EMERGING RECOMMENDATIONS FOR DISCUSSION

This section highlights emerging recommendations arising from the research, which can be discussed at the conference and consolidated in the final report. These are structured as overall recommendations that apply to the three jurisdictions, and separate recommendations that apply to Northern Ireland (the main focus of this study).

88_CRE Scotland, Disability Rights Commission; Equal Opportunities Commission Scotland (2005). *Public Sector Duty. Position paper.*

General Recommendations

- An intercultural approach to public policy should increasingly inform the provision of services. This should be part of a wider approach to equality and requires service providers to move away from a 'one cap fits all approach' to service provision and towards the accommodation of ethnic diversity based on the principles of equality and respect.

- An intercultural approach must encompass a continuing and enhanced focus on combating racism against minority ethnic groups.

- The focus of positive duties must be on *outcomes* for minority ethnic groups (for example academic achievement / results by children from minority ethnic groups), rather than simply the equality of opportunity approach that can inform some existing approaches to positive duties.

"Robust schemes and policies are simply the delivery vehicle for tangible improvements, they are not an end in themselves."[88]

- To achieve outcomes, Government service providers need to adequately prioritise service delivery to minority ethnic groups and provide associated funding.

- Governments should adopt a systematic 'whole organisation' approach to delivering services to minority ethnic groups, through a framework of mainstreaming, targeting, benchmarking and engagement.

- Mainstreaming will involve thinking about things differently and a focus on (often unintended) systemic issues is required.

- Demographic projections predict that ethnic diversity will continue to increase in the three jurisdictions. There needs to be stronger commitment from public services towards proactive planning to accommodate ethnic diversity in service provision that both acknowledges new diversity arising from recent migration and existing minority ethnic communities, including Traveller communities.

- Equality legislation, including positive duties where they exist, should be reviewed and evaluated every three years to identify gaps and inadequacies.
- With moves towards amalgamated equality legislation and equality bodies covering numerous grounds for discrimination, it is important that the focus on racism is maintained as a key area of discrimination.
- Diversity in public sector employment is essential and has important implications for service provision. Positive action measures should be adopted where there is a lack of diversity and restrictions in relation to nationality acting as barriers against people from minority ethnic groups being employed in the public service should be identified and, where possible, removed.
- Data collection categories need to accurately reflect the demographic profile of society, and data collection must be consistent and used with a view to outcomes for minority ethnic groups. A template for data collection that includes ethnicity, language, country of origin and religion should be developed in the census and replicated at the level of service provision, for example in schools.
- There is significant untapped potential for greater networking and learning from good practice between Government bodies and NGOs in Northern Ireland, Ireland and Scotland.
- Minority ethnic communities must be more effectively involved in the planning, implementation and review of services. This includes the need for greater resources, including core funding to enable such participation.
- The role of expert and specialised bodies in the provision of public services to minority ethnic groups should be enhanced. The pace of change is accelerated when there is effective 'joined up' working between such bodies and Government.
- The public sector could establish closer links with the private sector; for example there are a number of interesting initiatives emerging from the private sector that could inform public service provision.

Northern Ireland Recommendations

- There needs to be greater recognition in policy development and related public discourse that Northern Ireland is now comprised of a number of diverse communities and this diversity will likely increase over the next few years, particularly as a consequence of EU expansion.

- Northern Ireland public bodies need consider a strategy for migration (refer for example to the 'Fresh Talent' initiative in Scotland) so that Departments can proactively plan for service delivery rather than constantly reacting to rapid demographic changes.[89]

- The implementation of Section 75 (positive duty) needs to continue to be reviewed on a regular basis to ensure greater consistency and to identify gaps and inadequacies.

- Accelerated progress needs to be made in developing more effective strategies to deal with racist incidents. A multifaceted approach to dealing with racist incidents needs to be more clearly articulated and put into practice.

- There is evidence arising from this research that where expert NGOs exist at regional levels, minority ethnic groups in those areas are likely to experience better public sector service provision. Successful partnerships between NGOs and public service providers, including at a regional level need to be given further priority and support.

Next Steps

This interim report forms part of an ongoing body of work. Additional research will include outcomes from interviews and focus groups, including sessions with NGO and minority ethnic groups, and the outcomes of a quantitative survey of service providers in Northern Ireland. Discussions from the conference in March 2006 will be incorporated into a final report. This final report will also present recommendations and is planned for publication in August/September 2006.

89_With the understanding that immigration is a reserved function.

APPENDIX 1:

90_Fiona McGaughey replaced Anna Visser as Research and Policy Officer in October 2005. The editors wish to thank Anna for her valuable contribution at the preliminary stages of the project.

RESEARCH PROJECT STRUCTURE

Project Managers
Patricia Clarke and **Andy Pollak**_Centre for Cross Border Studies (CCBS)

Editors and Research Team Co-ordinators
Philip Watt and **Fiona McGaughey**_National Consultative Committee on Racism and Intercultural (NCCRI)[90]

Steering Group
Jim Alford_Northern Ireland Office
Garrett Byrne_Department of Justice, Equality and Law Reform, Ireland
Seamus Camplisson_Department of Health, Social Services and Public Safety, Northern Ireland
Patricia Clarke_Centre for Cross Border Studies
Pauline Donnan_Race Equality Unit – Office of the First Minister and Deputy First Minister, Northern Ireland
Ken Fraser (Chair)_Race Equality Unit – Office of the First Minister and Deputy First Minister, Northern Ireland
Vincent Gribbin_Race Equality Unit – Office of the First Minister and Deputy First Minister, Northern Ireland
Daniel Holder_Action Now to Integrate Minority Access to Equality (Animate)
Lesley Irving_Race, Religion and Refugee Integration Team, Scottish Executive
David Malcolm_Department for Social Development, Northern Ireland
Elaine McFeeters_Department of Education Northern Ireland
Fiona McGaughey_National Consultative Committee on Racism and Interculturalism (NCCRI)
John McGuinness_Department for Employment and Learning, Northern Ireland
Andy Pollak_Centre for Cross Border Studies
Stuart Robinson_Police Service of Northern Ireland
Ray Russell_Equality Commission Northern Ireland
Tony Steed_Northern Ireland Housing Executive
Philip Watt_National Consultative Committee on Racism and Interculturalism (NCCRI)

Advisory Groups[91]

Tony Adams_Northern Ireland Citizens Advice Bureau
Nathalie Caleyron_Multicultural Resource Centre (NI)
Caroline Coleman_South Tyrone Empowerment Programme (STEP)[92]
Daniel Holder_Action Now to Integrate Minority Access to Equality (Animate)
Joe Lenaghan_NCCRI Synergy
Anna Lo_Chinese Welfare Association (CWA)
Kathleen Lynch_Equality studies Centre, University College Dublin
Salome Mbugua_Akina DADA wa Africa (AKiDwA)
Eleanor McKnight_Resource Centre for Ethnic Minority Health, NHS Scotland
Siobhan O'Donoghue_Migrant Rights Centre Ireland
Mercy Peters_Association of Refugees and Asylum Seekers in Ireland (ARASI)
Patrick Yu_Northern Ireland Council for Ethnic Minorities (NICEM)

91_The Advisory Group has met twice during the project so far and not all members have been able to attend.

92_Caroline Coleman replaced Bernadette McAliskey on this Group in January 2006.

RESEARCH TEAMS

Northern Ireland
Jennifer Hamilton, **Neil Jarman** and **Jennifer Betts**_Institute for Conflict Research (ICR).

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Piaras MacÉinrí, based at University College Cork, with **Aki Stavrou** and **Jennifer O'Riordan**.

Scotland
Wendy Davies and **Ashok Ohri**_Organisation and Social Development Consultants Limited (OSDC).

APPENDIX 2:

93_As research is still ongoing, additional organisations and groups will be interviewed.

LIST OF ORGANISATIONS INTERVIEWED[93]

1_NORTHERN IRELAND

Health
- Department of Health
- South East Belfast Health and Social Services Trust
- Southern Health and Social Services Board
- United Hospitals Trust
- Craigavon Southern Area Equality and Human Rights Forum

Education
- East Tyrone College of Further and Higher Education
- North Eastern Education and Library Board
- Staff Commission for Education and Library Boards
- Ballymena Central Library
- Belfast Education and Library Board
- Belfast Institute for Further and Higher Education
- Southern Education and Library Board
- Department of Education

Policing
- Minority Liaison Officer Ballymena
- Minority Liaison Officer Dungannon
- Minority Liaison Officer Belfast
- Focus Groups x 2 - Dungannon (6 people)
                    Belfast (3 people)

Employment
- O'Kane Poultry
- Citizens Advice Bureau

Housing (NIHE)
- Northern Ireland Housing Executive (6 people)
- Focus Groups x 2 - Dungannon (8 people)
                      Ballymena (24 people)

NGOs
- Action Now to Integrate Minority Access to Equality (Animate)
- Ballymena Inter-Agency Ethnic Forum
- Focus Group attended hosted by United Hospitals Trust with Chinese Community (15 people)
- Focus Group with Advisory Group members (5 people)
- South Tyrone Empowerment Programme (STEP)

Policy Makers
- Office of First Minister and Deputy First Minister
- Equality Commission (Section 75)
- Equality Commission (Policy and Education Issues)
- Ballymena Borough Council
- Dungannon and South Tyrone Borough Council
- Belfast City Council

2_IRELAND

Employment Sector
- IBEC, Dublin
- SFA, Dublin
- SIPTU, Dublin
- Citizens Information Centre (CIC) Ennis
- Citizens Information Centre (CIC) Ennis
- Local Employment Services (LES), Cork
- Congress Information Opportunities Centre (CIOC), Ennis

Health Sector
- Department of Health and Children, Dublin
- Community Welfare Officer (CWO) Health Services Executive, Mid-Western Region, Ennis x 2

Education Sector
- Department of Education
- Integrating Ireland
- Colaiste Stiofan Naofa (Post Leaving Cert College) Cork x 2
- Holy Family Junior School, Ennis
- (a secondary school principal and primary school teacher were also approached informally)

Gárda Síochána
- Racial and Intercultural Office / Community Relations, Garda HQ, Dublin
- Ethnic Liaison Officer, Ennis
- Community Gard, Anglesea Street, Cork

Migrant communities
- With the kind assistance of Integrating Ireland, 25 migrants were consulted at a broadly representative national level meeting in December 2005

3_SCOTLAND

- East Renfrewshire Council
- East Lothian Council
- Glasgow City Council
- Glasgow Anti-racist Alliance
- National Health Service Lanarkshire
- National Resource Centre for Ethnic Minority Health
- Black Community Development Project
- Lochaber Roots (Scottish Traveller Project)
- Scottish Refugee Council
- Scottish Enterprise
- European Structural Funds (Scotland)

Written submissions / correspondence:
- The Scottish Executive; Office of the Chief statistician
- Central Scotland Police
- Scottish Trades Union Council

HEALTH
EDUCATION
EMPLOYMENT
POLICING
HOUSING

NCCRI

*i*CR
INSTITUTE for CONFLICT RESEARCH

Centre for
Cross Border
Studies