



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

Distr.: General
16 July 2015

Original: English
English, French and Spanish only

Committee on the Elimination of Racial Discrimination

**Consideration of reports submitted by States
parties under article 9 of the Convention**

**Twenty-first to twenty-third periodic reports
of States parties due in 2014**

**United Kingdom of Great Britain and Northern
Ireland***

[Date received: 26 March 2015]

* The present document is being issued without formal editing.



Contents

	<i>Page</i>
I. Articles 2 and 3	3
II. Article 4.....	10
III. Article 5 (a–d).....	11
IV. Article 5 (e and f).....	21
V. Article 6.....	42
VI. Article 7.....	43
VII. Article 14.....	44

Annexes**

** Annexes can be consulted in the files of the secretariat.

I. Articles 2 and 3

Legislation

1. The UK continues to have a very strong legal framework, and effective remedies, for the protection of human rights and for combating discrimination, complemented by the UK ratification and implementation of international human rights instruments both at UN.

2. The United Kingdom Government notes the Committee's recommendation that the Convention should be incorporated into domestic law,¹ but reiterates the fact that there is no obligation under the Convention to do so. The Government is confident that Convention is fully respected and, where necessary, conscientiously enforced in the UK through our comprehensive race discrimination legislation.

England, Scotland and Wales

3. The Government notes the Committee's recommendation regarding the implementation of the Equality Act 2010.² The Act came into force from October 2010 providing a modern, single streamlined legal framework to more effectively tackle disadvantage and discrimination. The Equality Act covers nine protected characteristics, including race, which is defined as including colour, nationality (including citizenship), and ethnic or national origins.

4. In April 2011, the remaining general positive action provisions relating to recruitment and promotion in employment came into force. These mean that it is not unlawful discrimination for employers to take special measures aimed at alleviating disadvantage or underrepresentation experienced by certain groups.

5. The Equality Act includes a new public sector equality duty, made up of a general equality duty supported by specific duties. The general duty came into force in April 2011. It requires that public bodies have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.

6. The specific duties are created via secondary legislation and require public bodies to publish relevant, proportionate information showing compliance with the Equality Duty, and to set equality objectives. In England, each public authority must publish information to demonstrate its compliance with the general equality duty at least annually. This information must include information on employees who share a protected characteristic and people affected by its policies. Additionally, each listed public authority must prepare and publish one or more objectives that it thinks it needs to achieve to further any of the aims of the general equality duty at least every four years.

7. The focus of the Red Tape Challenge programme is to repeal or defer legislation which is unnecessary, or for which there is little evidence of need which would justify the additional burden or cost of associated bureaucracy. For example, the third-party harassment provisions were repealed as they duplicated other harassment protection in the Act and under which there had only been one tribunal case; and the Dual Discrimination provisions were not commenced, given that separate claims for discrimination can be made

¹ CERD 2011 Concluding Observations, para. 10.

² Concluding Observations, para. 13.

for any number of protected characteristics. All proposals to change regulatory legislation are subject to impact and equality assessments before introduction into Parliament.

8. The Government notes the Committee's recommendation that the Government should invoke the power contained in the Equality Act 2010 to provide for caste to be "an aspect of race". The Government has agreed that legal protection against caste discrimination is appropriate. A duty now exists within the Enterprise and Regulatory Reform Act requiring the relevant Government Minister to make caste an aspect of race for the purposes of the Equality Act 2010. In Northern Ireland, "caste as an aspect of race" will be considered as part of any review of the Race Relations (Northern Ireland) Order 1997.

9. In May 2013, the UK Government issued its timetable for the introduction of such legislation and preparatory research was commissioned to the EHRC. The reports from that research helped inform government thinking with regard to the legislation.

10. The next scheduled step in that timetable was to conduct a full public consultation seeking views on a possible legal definition of caste itself and identifying what exceptions within the Equality Act should or should not apply to caste. However, the publication of a consultation was delayed pending the outcome of an employment case, *Chandhok v. Tirkey*, that was going through the domestic courts during 2014.

11. In December 2014, the Employment Appeal Tribunal's judgment in the case opened the possibility that there was an existing legal remedy for claims of caste-associated discrimination under current domestic legislation, namely through the "ethnic origins" element of section 9 of the Equality Act 2010. The Government is carefully considering the implications of that judgment for caste legislation before determining how best to proceed.

Northern Ireland

12. The Government notes the Committee's reminder that the Convention must be applied everywhere in the State Territory³ and confirms that Convention is indeed applied fully everywhere in the UK, including Northern Ireland. Under the UK's devolved system of government, legislation and policy in Scotland, Wales and Northern Ireland on many subjects relevant to the Convention are the responsibility of the devolved administrations. The commitment of the governments of Scotland, Wales and Northern Ireland to the Convention is exemplified by their participation in drafting the State Report and attending the periodic examinations.

13. Northern Ireland has legislation on racial discrimination which, as in the rest of the UK, protects all individuals from unlawful racial discrimination. It is not in a unified Equality Act, but that is not a Convention requirement. The Human Rights Act 1998 applies throughout the UK, including Northern Ireland. Existing NI legislation dealing with race hate crime includes creating offences for stirring up hatred or arousing fear amongst groups defined by reference to colour, race, nationality (including citizenship) or ethnic or national origins and places requirements on the court to consider hostility based on the victims race as an aggravating factor that increases the seriousness of an offence.

14. The consultation document *for A Sense of Belonging: Delivering Social Change through a Racial Equality Strategy for Northern Ireland 2014–2024* asks directly about the need for legislative reform of the Race Relations (Northern Ireland) Order (1997). Any reform to Northern Ireland's legislation will have full regard to the Convention's requirements.

³ Concluding Observations, para. 19.

Race Equality and Integration policy

15. The Government notes the Committee's recommendation that the Government should adopt a race equality action plan.⁴ The UK authorities are committed to achieving integrated communities and believe that people can come together in strong, united communities, if we encourage and support them to have shared aspirations, values and experiences; take part in local and national life and decision-making; fulfil their potential to get on in life and challenge extremism and hate crime. This approach applies to all of society, not just minorities. Our approach to tackling the challenges posed by racial inequality and discrimination in England is therefore not based on singling out individual ethnic groups, but instead on promoting socio-economic Integration with support from our Equality and Social Mobility Strategies. The devolved administrations in Scotland, Wales and Northern Ireland are pursuing analogous policies appropriate to their own circumstances.

England

16. The Government is committed to creating a fair society in which all people are valued and able to participate fully. It is committed to achieving equality through social mobility programmes in order to give everyone the best life chances regardless of background.

17. Tackling inequalities is a responsibility that is addressed across government and public bodies as reflected in the Government's strategies and measures to tackle disadvantage: the Social Mobility Strategy; the Equality Act 2010 and the Equality Strategy; the Child Poverty Strategy; the Social Justice Strategy; the "Troubled Families" programme; the Disability Strategy and the Integration approach.

18. In February 2012, the UK Government set out its approach to integration in *Creating the Conditions for Integration*. In this paper, the Government makes clear that it sees integration as the process by which millions of individuals come together around common values, aspirations and interests. It is these shared legal and social norms, such as respect and equality, which provide the foundation for society.

19. While integration is predominantly a local issue, this also sets out actions for Government, including initiatives to celebrate shared values, promote a strong sense of personal and social responsibility, improve social mobility, encourage participation, and challenge all forms of extremism and intolerance.

20. The Government has also further developed thinking on the relationship between race and socio-economic disadvantage. We believe it is a mistake to see inequalities only in terms of race and ethnic origin, since socio-economic status and poverty affect people's chances in life, regardless of racial or ethnic background. We have therefore made a deliberate shift away from interventions specifically on the basis of race or ethnicity, and towards increasing the impact of mainstream policies and programmes for disadvantaged communities, in disadvantaged areas. Integration is very much a local issue, and should be determined by local people. We have been clear about the role of central government in creating the conditions for this to happen and in supporting local areas, rather than drawing up a national, top-down race strategy.

21. The Government's approach to Integration gives people the opportunities to come together and play an active role in society, emphasising the things they have in common. The policy is based around five key themes:

⁴ Concluding Observations, para. 17.

- Common ground-a clear sense of shared aspirations and values, which celebrates what we have in common rather than our differences;
- Responsibility a strong sense of citizens' mutual commitments and obligations, which brings personal and social responsibility;
- Social mobility-people are able to realise their potential to get on in life;
- Participation and empowerment-people of all backgrounds should have the opportunities to take part, be heard and take decisions in local and national life;
- Tackling intolerance and extremism – The Government seeks to ensure a robust response to threats, whether discrimination, extremism or disorder, that deepen divisions.

22. The Government is supporting a range of projects which set direction and pioneer innovative ideas in order to encourage leadership and mobilise action at a local level. These were set out by the Secretary of State for Communities and Local Government in a Written Ministerial Statement to Parliament in December 2014.⁵

23. The Government notes the Committee's recommendations concerning the implementation of the Government's policies to devolve powers to local people.⁶ The Localism Act has provisions to promote the involvement of groups vulnerable to racial discrimination are involved in their design, implementation and monitoring.

24. The Localism Act was introduced to give greater control to democratically elected local authorities and to communities themselves. Many of the decisions relating to the community rights are made by local authorities, which are bound by equality law and represent the interests of the whole community. The Community Rights do, however, give opportunities to community groups, including those of a minority ethnic or religious character, to take over local services or save assets.

25. Our support providers work to ensure that excluded groups have the opportunity to use the community rights including through focused dissemination through networks which target equalities based organisations.

26. A relevant body submitting an expression of interest to run a local authority service under the Community Right to Challenge must show how they will meet the needs of end-users of the service. Local authorities must consider whether any expressions of interest would put them in contravention of other legal duties, such as the equality duties and, if so, can reject them.

27. The Government noted the Committee's recommendation that thoroughly investigate the causes of the 2011 riots⁷ and reported to the Committee on this issue in its Interim Report. The Government established a Riots Communities and Victims panel to investigate the riots, which published *After the Riots* in March 2012.⁸ Their investigation, which involved visiting 24 areas and talking to over 1,000 people, determined that these were not race riots, but that there were many causes, with no single group responsible.

⁵ <http://www.parliament.uk/documents/commons-vote-office/December%202014/18%20December/5.DCLG-Integration-update.pdf>.

⁶ Concluding Observations, para. 14.

⁷ Concluding Observations, para. 9.

⁸ <http://webarchive.nationalarchives.gov.uk/20121003195935/http://riotspanel.independent.gov.uk/wp-content/uploads/2012/03/Riots-Panel-Final-Report1.pdf>.

28. The Government published its response to the Panel's report in July 2013,⁹ summarising what it has done to provide support to those affected by the riots and the actions it is taking to address some of the more entrenched issues highlighted in the report.

Scotland

29. The Scottish Government published its Race Equality Statement for 2008–11 in December 2008, whose main objective was to ensure that the Scottish Government and its stakeholders were addressing the pressing race equality issues in Scotland at that time. Its principles remain valid and continue to guide much of what Government does.

30. The Scottish Government is now working to refresh its approach to race equality. Officials remain in discussion with stakeholders to develop a shared understanding of the process. Over the coming months the Scottish Government, and its community partners will coordinate a consultative approach, involving a wide range of individuals and organisations with a view to publishing a final approach by spring 2016.

31. The Scottish Government has provided £24 million since 2008 to organisations and projects working on the ground, and developed strong relations with a range of communities and intermediary bodies to deliver race equality and better outcomes for Scotland's minority ethnic and faith communities.¹⁰

32. A strategy for integration of refugees, *New Scots: Integrating Refugees in Scotland's Communities*,¹¹ was published in December 2013. A conference to mark the end of the first year of implementation and its impact was held in January 2015. The Scottish Government believes that integration of refugees and asylum-seekers in the community should begin from "Day one" and is providing £2.81 million in 2012–15 to organisations working with refugees and asylum-seekers.

Wales

33. The Welsh Government has a community cohesion strategy, *Getting on Together*, launched in 2009, which is now in phase two of delivery. Funding of £5 million supported the strategy and over 650 projects across Wales in 2009–12. Phase two is focused on how support can be provided through the Equality Act 2010 to promote good relations. The Welsh Government also funded Regional Community Cohesion Officer Posts across all 22 local authority areas. Additional funding has been agreed to extend these to 2016 and to deliver a national Community Cohesion Work Programme. The Welsh Government has established a Wales Race Forum, to engage and understand the key issues and barriers facing black and minority ethnic communities in Wales, and a Faith Communities Forum, bringing together representatives of different faith groups to discuss key inter-faith issues.

34. The Welsh Government has agreed to fund the Welsh Refugee Council in 2015–17 to provide a strategic approach to support migration issues.

35. The specific equality duties in Wales are set out in Regulations approved by the National Assembly came into force in April 2011.

36. They place duties on Welsh public sector bodies:

- To publish Equality objectives and Strategic Equality Plans and reviewing every four years;

⁹ <https://www.gov.uk/government/publications/government-response-to-the-riots-communities-and-victims-panels-final-report>.

¹⁰ <http://www.scotland.gov.uk/Topics/People>.

¹¹ <http://www.scotland.gov.uk/Publications/2013/12/4581>.

- To engage with people with protected characteristics;
- To carry out Equality Impact Assessments;
- To have due regard to pay differences;
- Staff training around the general and specific duties;
- To include equality considerations in procurement, where appropriate;
- To publish an annual report reporting on progress against the equality objectives and a Welsh Ministers report every 4 years;
- To identify relevant equality information it holds and to fill any gaps;
- To collect and publish staff diversity data annually;
- To take reasonable steps to ensure that any document/information it publishes is accessible.

37. Public authorities in Wales published their equality objectives and their Strategic Equality Plans in April 2012 which clearly laid out the actions the public sector is taking.

Northern Ireland

38. On 9 May 2013, the First Minister and deputy First Minister for Northern Ireland announced Together: Building a United Community (TBUC), a new strategy to improve community relations and build a united and shared society. The TBUC Strategy, managed by the Office of the First Minister and deputy First Minister (OFMDFM) commits to a wide range of actions across all Departments.

39. The Northern Ireland Housing Executive manages 88,000 social housing properties (approximately 12% of total housing stock in NI). The Housing Executive's Race Relations Policy 2005 seeks:

“To ensure that all black and Minority Ethnic people in Northern Ireland can enjoy full and fair access to housing services and employment opportunities within the Housing Executive. It aims to support the promotion of good relations between and within Ethnic groups and communities.”

40. The five themes of this policy include:
- Mainstreaming black and minority ethnic issues in policy development;
 - Racial Harassment and Intimidation;
 - Promoting Black and Minority Ethnic Social Inclusion;
 - Community Participation and Development;
 - Migrant Worker Issues.
41. There are a wide range of initiatives including:
- BME and Migrant Worker Mapping to identify the areas where attention needs to be focussed (NIHE Equality Unit);
 - The Race Relations Charter which was designed to support communities in our Housing Community Network to influence and to lead on delivery of good race relations and enable real change within the very heart of our communities;
 - Welcome Packs developed by local community groups to welcome new neighbours particularly those from outside Northern Ireland;

- Hate Harassment Support Pack to outline what support is available following a hate incident;
- Hate Incident Practical Action Scheme (HIPA) to provide practical support after a hate motivated attack;
- Mainstream services such as housing, homelessness support, providing safe temporary accommodation, or advice and assistance on finding somewhere to live;
- Support is also available to work alongside local communities to address the tensions and help the victim remain in their home with local community support and a positive community response;
- NIACRO-APAC (People and Communities Project) Belfast Region – the aim of this APAC service is to support people living in the community who could be at risk of being victimised because of their perceived ethnicity, and to strengthen positive community responses in dealing with incidents of intimidation;
- Northern Ireland Alternatives (NIA) provides a non-violent response to conflict in communities and delivers both a mediation service and community support on behalf of NIHE through the MACS (Mediation and Community Support) Programme and respond to issues of hate crime and community conflict in South and East Belfast;
- Support for People Granted Leave to Remain particularly during the transition period from Asylum Seeker to Refugee;
- Support for Roma Advocacy worker in Belfast to identify housing related issues;
- Talks and training available for staff, community groups and DPCSP's on request. Issues covered include Migration Awareness, Ending Hate in our Communities and Myths and Migrants.

42. The Government notes the Committee's recommendation regarding Northern Ireland.¹² The Northern Ireland Executive would not dispute that sectarianism and racism need to be urgently addressed and both should be tackled. The consultation paper for Northern Ireland's new Racial Equality Strategy acknowledges that racism in Northern Ireland has been influenced by sectarian conflicts of the past:

“It is important, however, to bear in mind that racism in our society is, to an extent, shaped by sectarianism and while there is much to learn from other jurisdictions in addressing racism, the context for racism here is different to that in Britain or the Republic of Ireland. The conflict here has created patterns and attitudes – such as residential segregation and heightened territorial awareness—that now impact upon minority ethnic communities.

43. As a first step, the Northern Ireland Executive is undertaking a preliminary investigation into existing research literature about the potential consequences of doing what the Committee has suggested and to identify any further areas for research/investigation.

44. An example where local policies acknowledge the inter-sectionality of sectarianism/racism and adopt a holistic solution is as follows: Section 37 of the Justice Act (NI) 2011 makes sectarian or racist chanting at certain major sporting events making an offence. Anyone found guilty is liable to be fined up to £1,000. If the offence occurred at a relevant

¹² Concluding Observations, para. 20.

football match the person may also be banned from attending matches for between three and five years.

45. The Youth Justice Agency has recently undertaken a review of “beyond sectarianism” resources and interventions used within custody and in the community (particularly in terms of interface violence and rioting offences). A staff working group was formed to drive this forward within respective teams. Best practice examples have been disseminated, and revised staff guidelines will be issued later in 2015.

46. Agency staff are involved in a variety of local area multi-agency groups and partnerships on an ongoing basis. These include monitoring fora and the steering group of a programme which coordinates the engagement of youth workers within identified “hot spots” for sectarianism.

47. In 2014, young people in Belfast charged with rioting offences attended the pilot Youth Engagement clinics, run in partnership with PSNI. These clinics aim to speed up the resolution of cases deemed suitable for diversion, to reduce the harm caused by delay and to release the resources of the system to deal with other business. The clinics are currently being rolled out to local area offices.

II. Article 4

48. UK law prohibits the incitement to racial hatred the law applies to online and offline media as well as to individuals. The United Kingdom also has a long tradition of freedom of speech which allows individuals to hold and express views which may well be contrary to those of the majority of the population, and which many may find distasteful or even offensive. The Government believes that it strikes the right balance between maintaining the right to freedom of speech and protecting individuals from violence and hatred. The Government does not control media content, so it is important that individual citizens get involved to provide positive stories to local media. Nevertheless, journalists have responsibilities under the law to ensure they do not stir up racial hatred. Race discrimination is prohibited by the Equality Act 2010 and the Independent Press Standards Organisation forbids discrimination and aims to protect individuals from discriminatory coverage.

49. The Society of Editors, with the support of Government, has published a guide for on-line moderators to ensure that user-generated material posted on newspaper websites does not incite hatred on the basis of race, faith, sexual orientation, transgender or disability.

50. The Ofcom Broadcasting Code deals with the issue of on-screen discrimination likely to cause harm or offence. The Code states that:

“In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context. Such material may include, but is not limited to discriminatory treatment or language (for example on the grounds of age, disability, gender, race, religion, beliefs and sexual orientation).”

51. Guidance supporting the Code explains to broadcasters that:

“Racist terms and material should be avoided unless their inclusion can be justified by the editorial of the programme. Broadcasters should take particular care in their portrayal of culturally diverse matters and should avoid stereotyping unless editorially justified. When considering such matters, broadcasters should take into account the possible effects programmes may have on particular sections of the community.”

52. It also explains that:

“There is a relationship between representation – the presence and inclusion of a diverse range of people on screen and portrayal the roles involved and the way that minority groups are presented in programmes. In standards regulation, the latter is assessed by context (as defined in the Code). Research suggests that viewers and listeners appreciate programmes that are representative of the diverse society in which they live. If there is an under-representation, the use of stereotypes and caricatures or the discussion of difficult or controversial issues involving that community may be seen as offensive in that it is viewed as creating a false impression of that minority.”

53. In 2010, Ofcom carried out research into audience views on offensive language, including discriminatory language and terms. Ofcom recognises the importance of understanding the nature and context of offensive and discriminatory language and uses the findings of its research to inform its investigations and decision making. A content analysis was carried out in 2011 tracking the representation of diverse groups including ethnic minorities on television.¹³ Ofcom has sanctioned a number of broadcasters for the use of discriminatory language.

54. The Government notes the Committee’s recommendation that the UK should withdraw its interpretative declaration on Article 4 of the Convention.¹⁴ Nonetheless the United Kingdom maintains its interpretation of Article 4.

III. Article 5 (a–d)

Tackling Hate Crime

England

55. The Government is committed to tackling all hate crime. Its short-to medium-term strategy is to marginalise extremists by building community resilience, out-flanking and isolating perpetrators, and by preventing and tackling hate crime head-on. The Government has built and funded a range of projects aimed at preventing and tackling hate crime. In the long run, the Government believes that integration is the solution, and measures to promote integration are covered earlier in this report. It is important to note that the Government believes that there should be no “hierarchy of hate” and that no single strand – be it race, sexual orientation, religion, disability or gender identity is more important than any other. The Government is striving to ensure that all victims of hate crime receive the same high level of service and support, as we all have a right to live free from targeted abuse.

56. In addition to the specific aggravated offences under the Crime and Disorder Act 1998, section 145 of the Criminal Justice Act 2003 places a general duty on courts to treat more seriously any offence that can be shown to be racially or religiously aggravated or motivated or where the perpetrator demonstrated such hostility.

57. The Government’s hate crime strategy, *Challenge it, Report it, Stop It* was published in January 2012 and updated in May 2014.¹⁵ This cross-Government action plan brings together the work of a range of Departments and agencies under three core principles to:

¹³ <http://diversity.pact.co.uk/resources/document-library/c4-cumberbatch-pilot-study/>.

¹⁴ Concluding Observations, para. 11.

¹⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/307624/HateCrimeActionPlanProgressReport.pdf.

prevent hate crime happening in the first place; increase reporting and victims' access to support; and improve the operational response to hate crimes.

58. The hate crime action plan outlines local initiatives as well as activity across Government. Completed action include: publishing a new Hate Crime Manual for police officers;¹⁶ supporting Show Racism the Red Card to work with school children; supporting the True Vision website for reporting hate crime online, supporting civil society to challenge those who use inappropriate language on social media; backing Holocaust Memorial Day Trust, which promotes learning lessons from all genocides since the Holocaust and working alongside the Anne Frank Trust with school children to challenge prejudice and discrimination.

59. Show Racism the Red Card is an anti-racism education charity which utilises the high profile of professional footballers as anti-racism role-models to educate against racism in society. The campaign has been very successful and now involves hundreds of top footballers and managers. They produce a number of educational resources including; films, education packs, posters and magazines. The Government funded Show Racism the Red Card a total of £201,000 over two years (2012–14) to provide workshops to young people in schools and to produce an education pack aimed at young people to equip them to reject the narratives used by the English Defence League (EDL). The education pack is designed for long term use by teachers working with young people to challenge EDL type narratives and will be distributed to schools across England.

60. We have strengthened our legal framework to ensure that the aggravating factors available to the courts at the sentencing stage are consistent across all five monitored strands of hate crime. We believe that getting the response to hate crime right depends on deep local knowledge so the lead must come from professionals at the front line, working with Police and Crime Commissioners, the voluntary sector and communities to respond to local issues and priorities.

61. The Government continues to work with the police and criminal justice agencies, local partners and voluntary agencies to address under-reporting, particularly in isolated communities, by encouraging victims to come forward. This will give us a better picture of the scale of the problem, and also help the police to focus their resources to better protect victims. The inclusion of hate crime questions in the extensive "Crime Survey of England and Wales" provides an accurate indicator of the extent of under-reporting and we believe that transparent reporting of recorded crime allows the community to see evidence of progress and to challenge performance locally.

62. Tackling internet hate crime is a challenging task, but one that the Government is committed to. Many Internet Service Providers (ISPs), including all reputable UK ISPs, will remove on request material that is illegal or where it breaches their wider terms and conditions for acceptable use. We have contributed to the International Cyber-Hate Working Group to collaborate with the internet industry leaders to identify opportunities to reduce the harm caused by hate material on the Internet, while protecting the right to freedom of speech.

63. We acknowledge that hate crime is under-reported and are committed to establishing better hate crime data. Having better data is crucial in building effectively and efficiently on our efforts to prevent and tackle it, and to protect and support victims.

64. Police forces in England, Wales and Northern Ireland started collecting separate data on the five monitored strands of hate crime (race; religion (including atheism); disability;

¹⁶ http://www.report-it.org.uk/strategy_and_guidance.

sexual orientation; and gender identity) in April 2008. These were added to the National Crime Statistics from April 2011. Crime survey findings and court proceedings and convictions were published in December 2013 and are available on the UK Government's website.¹⁷ The latest annual hate crime statistics were published in October 2014.¹⁸

Scotland

65. In December 2008, the Scottish Government published its Race Equality Statement for 2008–11 (see above). In 2009, the Scottish Government supported legislative change to strengthen the criminal law in dealing with hate crime, and current data collection in Scotland includes a variety of statistics relating to hate crime. This encompasses statistics about people convicted in court for “aggravated” crimes, including hate crimes relating the protected characteristics of race, religion, disability, sexual orientation and gender reassignment. Working with key partners, the Scottish Government developed the *Speak Up Against Hate Crime* campaign in February 2014. The campaign raised awareness about the nature of hate crime and encouraged reporting of all incidents.

Wales

66. The Welsh Government launched *Tackling Hate Crimes and Incidents: A Framework for Action* in May 2014,¹⁹ following a period of consultation where 120 responses were received. The Framework aims to tackle hostility and prejudice across the protected characteristics of race, religion, disability, sexual orientation and gender reassignment. It identifies how the Welsh Government can work with partners across three key objectives on prevention, supporting victims and increasing the multi-agency response. The Welsh Government underpinned the development of the framework with evidence from a three year study with the victims of hate crime in Wales (the “All Wales Hate Crime Research Project”).

67. Outside of the recorded strands of hate crimes, the Welsh Government has also extended the scope of the Framework to include age, cyber-hate, hate crime and far right hate. Delivery is being monitored through an annual delivery plan and is being overseen by an Independent Advisory Group with representatives from the Third Sector who will provide advice to the Minister for Communities and Tackling Poverty.

68. To support delivery of the Framework the Welsh Government has funded a national Third Party Reporting Centre through Victim Support Cymru from 2014–17. This aims to increase recording of hate crimes in Wales and to provide enhanced advocacy and support for hate crime victims. The Welsh Government has established a Hate Crime Criminal Justice Board to work with non-devolved partners, including the police, the Crown Prosecution Service and prisons to tackle hate crime. The Board has a delivery programme which contributes to the Hate Crime Framework's annual deliver plan.

69. The Welsh Government supports Show Racism the Red Card and in 2014–15 has provided a grant of £60,000 for sports related anti-bullying activities along with a new project to develop a toolkit and teacher training on settling Gypsy, Roma and Traveller children in school, with particular reference to means of tackling stigmatisation and bullying.

¹⁷ <https://www.gov.uk/government/publications/an-overview-of-hate-crime-in-england-and-wales>.

¹⁸ <https://www.gov.uk/government/statistics/hate-crimes-england-and-wales-2013-to-2014>.

¹⁹ <http://wales.gov.uk/topics/equality/rightsequality/hate-crime/?lang=en>.

Northern Ireland

70. The Community Safety Strategy (2012) and Victims and Witnesses Strategy (2013) have commitments to tackle all forms of hate crime, including racist hate crime, through prevention, awareness and education, and to provide support for victims.

71. Policing and Community Safety Partnerships, funded by the Department of Justice and the NI Policing Board, support projects and initiatives which address specific community safety priorities, including hate crime. A number of initiatives relating to hate crime are currently being funded, including the delivery of a regional conference later this year to raise awareness of all forms of hate crime and to showcase local examples of tackling hate crime in Belfast.

72. The Youth Justice Agency (YJA) Business Plan 2014–15 commits the Agency to utilising streamlined Section 75 information to monitor equity of provision for all service users, and to reviewing and developing interventions suitable to the needs of those from minority ethnic and other minority backgrounds. This includes exploration of service users' language needs. The Agency's values commit staff to "respecting everyone, no matter how different they are".

73. The YJA continues to deliver a programme of local community-based events within each local area office, in support of the Agency's Approach to Community Engagement. This includes strengthening links with organisations representing minority groups within the community.

Tackling anti-Semitism

74. The Government is strongly committed to tackling anti-Semitism. The UK's Jewish community, like all communities, must be able to live their lives free from fear of verbal or physical attack. The Government believes the best way to tackle anti-Semitism is through effective implementation of strong legislation against racial and religious discrimination and racially and religiously motivated crime.

75. The cross-government working group on anti-Semitism brings together departments from across Government, the Jewish community (Jewish Leadership Council, Board of Deputies of British Jews and the Community Security Trust) and other partners; the group ensures a joined-up approach to implementing the accepted recommendations of the All-Party Inquiry into Anti-Semitism. The expertise in the group and practical output lends itself to benefiting other communities that suffer from hate crime. In December 2014, the UK Government published a report on the significant progress it has made in tackling anti-Semitism, but warned there was no room for complacency.²⁰

76. The National Community Tension Team carries out community impact assessments for Counter Terrorism operations and almost always identifies Jewish communities for reassurance activity. The National Community Tension Team coordinates a national operation to ensure security and reassure Jewish communities during High Holy Days.

77. Online anti-Semitism is a serious concern. The UK government has commissioned the European Institute for the Study of Contemporary anti-Semitism to look at anti-Semitic comment in the media and to offer advice on how best this can be challenged. The Government have also funded the Society of Editors to develop a best practice guide for online moderators of user generated content.

²⁰ <https://www.gov.uk/government/publications/government-action-on-antisemitism>.

Tackling anti-Muslim hatred

78. The Government has set up the first ever cross-Government working group on Anti-Muslim Hatred. The working group has been established to consider and take forward proposals to tackle anti-Muslim hatred. The Group will review trends in anti-Muslim sentiment and hatred and make recommendations to Government and has:

- Assessed the role of the media – there is on-going work with the Society of Editors to tackle anti-Muslim hatred;
- Strengthened the evidence base of anti-Muslim prejudice;
- Helped to highlight the contributions and sacrifice of Muslim soldiers in the First World War;
- Helped commemorate Srebrenica Memorial Day;
- Supported Ministers' integration road-shows.

79. Though anti-Muslim hatred is not explicitly a race issue, it can affect those of other faiths, either due to ignorance or mistaken identity. Measures to eradicate anti-Muslim hatred therefore also protect others. The Government has funded Tell MAMA (measuring Anti-Muslim Attacks) project, first service to record incidents of anti-Muslim hatred and support victims. Tell MAMA provides a one stop service for those who have suffered anti-Muslim attacks. It links victims to appropriate support services; collects and collates data on attacks; and works with the police to improve reporting and recording. Tell MAMA has been well received by police; endorsed by the Metropolitan, Greater Manchester and British Transport Police Forces.

Scotland

80. The Scottish Government values the Muslim community and the important role it plays in making Scotland the place we want it to be a safer, stronger and more inclusive society where all can live in peace and realise their potential, both as individuals and as members of wider society. We work to ensure that efforts to demonise or commit hate crime against Scotland's Muslim community, or any other community, are met with zero tolerance.

81. Hate crime statistics published for 2013–14 show that there has been a 15% reduction in charges reported in Scotland with a religious aggravation compared to 2012–13, including a reduction in offences which were derogatory towards Muslims, from 80 charges (12% of the total) in 2012–13 to 48 charges (8% of the total) in 2013–14. These reductions are encouraging and a testament to the hard work taking place to tackle these offences. The Scottish Government recognises, however, that there is still more work to be done, including encouraging increased reporting of hate crime incidents.

82. Good interfaith relations make an important contribution to the improvement we have seen. Scotland is highly regarded in the international interfaith community as a leader in this field and the Scottish Government supports the development of inter faith dialogue through its intermediary stakeholder, Interfaith Scotland. Scottish Government Ministers have regular meetings with representatives and members of the Muslim community. Since the launch of Islam Awareness Week in Glasgow on 17 March 2014, at which the Minister for Community Safety and Legal Affairs delivered a speech, there have been ten Ministerial meetings with members of the Muslim community, including a visit to the Glasgow Central Mosque by the First Minister; a meeting between the Cabinet Secretary for Justice and representatives of the Muslim Council of Scotland to discuss third-party reporting; and a visit by the Cabinet Secretary for Justice to the Aberdeen Mosque and Islamic Centre.

Following the terrorist attacks in Paris in January 2015, the Scottish Government liaised closely with the Muslim Council of Scotland to ensure the most appropriate response.

Wales

83. The Welsh Government has been working closely with Muslim communities to provide them with reassurance of support following high profile news stories about the Muslim community in Cardiff. There have been a number of meetings with representatives of the community by the Minister for Communities and Tackling Poverty in 2014. The Minister for Public Services spoke at a conference which was organised by the Cardiff Prevent Stakeholder Group to look at issues around extremism. Muslim communities have been informed of the Welsh Government's framework for action on hate crime and how to contact Victim Support to receive advocacy and support. The national hate crime reporting centre, funded by Welsh Government and run by Victim Support, works closely with TELL MAMA to increase reporting among Muslim communities.

Stop and Search

England

84. The Government notes the Committee's recommendations regarding the use of "stop and search" powers by the police.²¹ In December 2011, the Government commissioned Her Majesty's Inspectorate of Constabulary (HMIC) to carry out an inspection into the use of stop and search legislation by police forces in England and Wales. Much of the debate about stop and search has focused on the disproportionate impact it has on black and minority ethnic people. For example, black people were stopped and searched seven times more than white people in 2009–10. Concerns about this led to the Equality and Human Rights Commission (EHRC) examining the use of powers of stop and search in five forces in March 2010 and later initiating enforcement action, using their regulatory powers, on two forces that had high levels of race disproportionality. Following this, a larger number of forces agreed with the EHRC to address the race disproportionality, which resulted in the report "*Stop and think again: Towards race equality in police PACE stop and search*".

85. Following an extensive public consultation in the summer of 2013, the Home Secretary announced a comprehensive package of reform measures to ensure that these powers are used fairly, effectively and with the confidence of local communities. The measures announced included a College of Policing review of national training on stop and search for all ranks of officer, an amendment to Police and Criminal Evidence (PACE) Code of Practice A to make clear what constitutes "reasonable grounds for suspicion", the legal basis of most stop and searches, mapping stop and searches on Police.UK and the creation of a voluntary Best Use of Stop and Search Scheme, which, amongst other things, will restrict and reduce the section 60 "no suspicion" stop and search powers and improve transparency and accountability. Other measure included a HMIC commissioned thematic on other stop powers, such as those used in road traffic legislation, to understand whether these are being used effectively, fairly and proportionately.

86. Since 2010, the EHRC has been working with five police forces on unfair use of stop and search powers and Dorset Police, Leicestershire Constabulary, Thames Valley Police and the Metropolitan Police Service all saw drops in their disproportionate use of stop and search against Black and Asian people. This work will continue and there is a continuing reduction in crime rates.

²¹ Concluding Observations, para. 18.

Northern Ireland

87. The majority of stops and searches in Northern Ireland carried out under Article 3 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (PACE). PACE Code of Practice A, which governs the exercise of statutory powers to search a person or a vehicle under PACE, requires that these must be used fairly, responsibly, with respect for people being searched and without discrimination on the grounds of religious belief or political opinion, racial group, age, marital status, sexual orientation, gender or disability. In addition, particular care must be taken not to discriminate against members of particular groups. Similar code requirements exist for the exercise of stop and search powers under counter-terrorism legislation.

88. All stops and searches under PACE and counter-terrorism legislation are required to be recorded irrespective of whether the need for a search is eliminated as a result of the questioning of the detained person. PACE Code A requires that a copy of a record of the stop and search is provided to the individual, if requested, at the point of contact or the individual is advised how to obtain a fully copy of the search record at a later date. During the period 2012–13, a total of 31,468 searches were carried out under PACE, TACT and JSA in Northern Ireland. The bulk of individuals affected 96.6% were white, which reflects the population (2011 census recorded 98.2% of the population in Northern Ireland as white).

Representation of Black and Minority Ethnic people in Police Forces and the Criminal Justice System

89. The Government notes the Committee's recommendations regarding ethnic diversity in the criminal justice system.²² Equality and diversity are vitally important in the context of policing our diverse communities. Improved diversity in the police is vital in the fight against crime. The Government recognises that the police have made significant progress on equality and diversity, but it is essential that more and faster progress is made in these areas.

90. Change is being driven locally. Each police force manages its own recruitment process, deciding when and how many officers to recruit. All candidates to join the police are judged according to a nationally standardised recruitment and selection process. The local accountability provided by Police and Crime Commissioners will ensure that public priorities are acted upon, victims are consulted, and the needs of the most vulnerable groups and individuals are heard and understood.

91. As at 31 March 2014, there were 6,715 minority ethnic police officers in England and Wales, up 178 from 6,537 at 31 March 2013. The proportion of black and minority ethnic officers has remained constant at 5%. This is in the context of an overall decrease of full-time equivalent police officers in the 43 police forces of England and Wales as at 31 March 2014 to 127,909, a decrease of 1.3% or 1,674 officers compared to a year earlier.²³

Northern Ireland

92. Police Service of Northern Ireland (PSNI) recruitment recommenced in September 2013 following a period of suspension and a second campaign launched in May 2014. The PSNI held a series of familiarisation events for both campaigns across NI, targeting on

²² Concluding Observations, para. 22.

²³ <https://www.gov.uk/government/publications/police-workforce-england-and-wales-31-march-2014/police-workforce-england-and-wales-31-march-2014>.

underrepresented areas, and other examples of outreach actions include the translation of advertisements. PSNI recruitment complies with all relevant employment and equality legislation. It is an open process and based on merit. The PSNI strives to ensure its workforce not only reflects the community it serves but is also capable of meeting its needs. The PSNI's Equality, Diversity and Good Relations Strategy 2012–2017 outlines the organisational commitment to the mainstreaming of equality, the promotion of diversity and the progress towards promoting good relations. It has three themes:

- To identify, address and reduce inequalities in service delivery and employment practice;
- Evidencing equality and diversity across the PSNI;
- Improving prevention and detection of Hate Crime and crimes which act as “signal” to a community that they are at risk.

The Northern Ireland Policing Board, in senior police officers appointments complies with extant employment and equality legislation.

93. Northern Ireland's criminal justice agencies are represented at Director level on the Criminal Justice Board. Members are committed to achieving a balanced workforce and have committed to monitoring staff in relation to the nine section 75 categories. This includes representation of ethnic minority groups.

94. The Department of Justice has developed a draft Good Relations Statement and Framework and diversity networks promote awareness of the diversity agenda across the department and its agencies, addressing difficulties and sharing best practice solutions.

95. The Northern Ireland Prison Service, with the support of the Equality Commission, is developing and delivering a programme of community engagement, which hopes to reach as wide an audience as possible. This involves contact with a cross-section of society including schools, universities, careers advisers, churches, political representatives and minority interest/representative groups.

Police Code of Conduct and Police complaints

96. Under the police code of conduct police officers have a particular responsibility to act with fairness and impartiality in all their dealings with the public. Officers are required to treat members of the public with courtesy and respect, act in a professional manner at all times and avoid favouritism and all forms of harassment, victimisation or unreasonable discrimination. Racist behaviour by members of the police service is unacceptable and will not be tolerated. Anyone who believes they have been a victim of police misconduct has the right to make a complaint. Complaints are first made to the Chief Officer of the Force concerned, or the Independent Police Complaints Commission (IPCC). The IPCC is the statutory guardian of police complaints system and is an independent body, independent of the police and government.

97. The legacy of the racist murder of Stephen Lawrence and his family's fight for justice have profoundly changed the way the UK Government and citizens see and deal with racism, racial justice and tackling hate crime. The IPCC revised its Statutory Guidance on 1 April 2010. Allegations are now upheld where the findings of an investigation show

that the service provided was below the standard a reasonable person could expect, rather than as formerly hinging on evidence of misconduct being found.²⁴

98. The IPCC 2011–12 confidence survey found that 40% of respondents from ethnic minorities feared police harassment if they made complaints, compared to 17% of white respondents.²⁵

99. Research commissioned by the IPCC asked a representative sample of the British public about their awareness of the IPCC, willingness to complain, and knowledge of how to complain.²⁶ The percentage of people willing to complain was up from 59% in 2009 to 68% in 2011. The survey also showed that public perceptions of the police complaints system and the IPCC are positive and stable, but that some key groups remain more sceptical of the system and less inclined to use it – young people, ethnic minorities, and people from lower socio-economic backgrounds. 40% of people from ethnic minorities had reported compared with 17% of White respondents.²⁷

100. The Macpherson Report's recommendations have led to improved treatment of victims and witnesses, including provision of police Family Liaison Officers, and keeping victims informed at all stages of the criminal justice process. Figures from the Crime Survey for England and Wales 2012 show satisfaction and confidence figures are the same for black and minority ethnic communities as they are for white communities.²⁸

Counter-terrorism

101. The Government notes the Committee's recommendation that it should ensure that the system of terrorism prevention should safeguard against abuse and deliberate targeting of certain ethnic and religious groups.²⁹ Following a review in 2010–11, the Government changed the counter terrorism powers to make them more effective and targeted. The Government repealed terrorism stop and search powers under section 44 of the Terrorism Act 2000. These were replaced with a much more limited power to enable the police to stop and search people and vehicles without reasonable suspicion, but only in exceptional circumstances where there is a real threat of terrorist attack.

102. Following a review of counter-terrorism powers, the Prevention of Terrorism Act 2005 was repealed in 2011 and replaced with the Terrorism Prevention and Investigation Measures (TPIMs) Act 2011. The Government continues to reject the view that control orders and TPIMs have had a negative effect on certain groups and has seen no evidence to support this view. TPIM notices may only be imposed when the conditions laid down in the TPIM Act 2011 are met. The Counter-Terrorism and Security Act 2015 increases the threshold for the imposition of a TPIM notice in recognition of the stringent preventative measures which may be imposed. The threshold is that the Secretary of State must be satisfied on the balance of probabilities that an individual is, or has been, involved in terrorism-related activity and it is necessary and proportionate to impose a TPIM notice in

²⁴ http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/complaints_statistics_11-12.pdf 3-4.

²⁵ http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/complaints_statistics_11-12.pdf IPCC page 2.

²⁶ http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/complaints_statistics_11-12.pdf 9+10.

²⁷ http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/complaints_statistics_11-12.pdf 9+10.

²⁸ <http://discover.ukdataservice.ac.uk/catalogue/?sn=7252&type=Data%20catalogue>.

²⁹ Concluding Observations, para. 21.

order to protect the public from a risk of terrorism by preventing or restricting the individual's involvement in terrorism-related activity.

103. The TPIM Act sets out exhaustively the types of measures which may be imposed and, like control orders, the order itself and the measures within it are automatically subject to intense, detailed and automatic scrutiny by the court. In every case reviewed to date, the Court has decided that the Secretary of State had reasonable grounds for believing that the subject is or has been involved in terrorism related activity and that it was necessary and proportionate to impose a TPIM notice to protect the public from the risk of terrorism.

104. The operation of the TPIM Act is reviewed annually by the Independent Reviewer of Terrorism Legislation. His most recent report was published in March 2015. A Written Ministerial Statement is also laid before Parliament quarterly, reporting on the operation of the TPIM Act during the previous three month period. These publicly available documents provide extensive detail on the use of TPIMs, however we do not routinely collect data on the religious belief or ethnic origin of TPIM subjects.

Marriage Visa Age

105. The Government notes the Committee's recommendation that the marriage visa age be reduced from 21 to 18 years.³⁰ We can confirm that the marriage visa age for purposes of family reunification was lowered from 21 (where it had been since 2008) back to 18 in 2011, after a legal challenge.³¹

Immigration Exception under the Equality Act 2010

106. The Home Office continues to develop and implement policies to reduce net migration and tackle abuse, whilst attracting and retaining the brightest and best migrants to work, study or invest in the UK.

107. The Equality Act exemption only applies if the person is, or claims to be, of a nationality which appears on a list of nationalities approved personally by the Minister for the purpose of this authorisation. It does not enable decisions to be taken on the basis of nationality, it only permits more rigorous scrutiny, i.e. more detailed questioning or obtaining further evidence.

108. The exemption is regularly updated and reviewed by the Minister and we remain satisfied that it is an appropriate and proportionate method of maintaining the effectiveness of our immigration systems.

109. The Government notes the Committee's recommendation that it should remove the exceptions in the Equality Act based on ethnic or national origin to the exercise of immigration functions,³² but does not accept it because these may at some time be factors that are relevant to those functions, e.g. in investigating whether an individual has been involved in war crimes.

³⁰ Concluding Observations, para. 26.

³¹ *R. (Quila and another) v. SSHD* [2011] UKSC 45.

³² Concluding Observations, para. 16.

IV. Article 5 (e and f)

110. The section below provides the Committee with information on measures to improve equality of socio-economic outcomes, particularly in employment, housing, health and education.

111. The Government notes the Committee's particular recommendation that the Government should strengthen efforts to improve the situation of Gypsies and Travellers, including access to education, healthcare, employment and accommodation.³³ Information on measures to improve the situation of Gypsies and Travellers in these four areas are included in the relevant sections below and further information provided immediately below.

England

112. We are determined to give everyone the ability and aspirations to prosper, breaking down barriers to social mobility. Gypsies and Travellers experience some of the worst outcomes of any group in this country, across a wide range of social indicators. A report by the Office for National Statistics looked at evidence from the 2011 Census provided further evidence of this.³⁴

113. In November 2010, the Secretary of State for Communities and Local Government set up an ad hoc ministerial working group on reducing Gypsy and Traveller inequalities. In March 2012 the Group published a report containing 28 commitments from across Government in areas such as education, health, employment, housing and criminal justice.

114. The Government is reviewing progress on these commitments and will publish a further progress report in due course.

Scotland

115. The Scottish Government is committed to advancing equality for Gypsy/Travellers and Roma. It is working to develop an overarching strategy and action plan for Gypsy/Travellers, which builds on existing work and draws on the recommendations of recent inquiries undertaken by the Scottish Parliament's Equal Opportunities Committee.

Wales

116. The Welsh Government launched a Gypsy and Travellers framework, entitled "Travelling to a Better Future", in September 2011. The first progress update against objectives in the Framework was published in November 2013.

Northern Ireland

117. The consultation paper for the Race Equality Strategy 2014–2024 recognises that there may need to be specific work programmes to address challenges and vulnerabilities facing groups such as Irish Travellers and Roma. The Northern Ireland Executive expects to develop programmes of work in 2015.

³³ Concluding Observations, para. 27.

³⁴ <http://www.ons.gov.uk/ons/rel/census/2011-census-analysis/what-does-the-2011-census-tell-us-about-the-characteristics-of-gypsy-or-irish-travellers-in-england-and-wales/rpt-characteristics-of-gypsy-or-irish-travellers.html>.

Employment

118. The Government notes the Committee's recommendation that it should intensify its efforts to narrow the employment gap for ethnic minorities.³⁵ The Government's strategy for increasing ethnic minority employment and participation in the labour market is based around mainstreaming opportunity through locally delivered flexible provision.

119. The help and services delivered through Jobcentre Plus and through Work Programme providers are designed to allow flexibility and not to treat people according to ethnic groups. Jobcentres and providers need to support all their customers to achieve their targets and outcome payments. The Government does not dictate what provision is required in each area or for each provider or customer group. Local autonomy and flexibility has replaced the one-size-fits-all approach that has dogged previous employment schemes. Where there are significant numbers of local claimants with a shared ethnic background and common barriers to employment, a provider or Jobcentre may choose to put in place provision designed to help that group.

120. From September 2012, the Department for Work and Pensions has been capturing ethnicity data in line with the Census 2011 categories, including Gypsies and Irish Travellers, in its Universal Credit Pathfinder districts.

121. The Department for Work and Pensions' Ethnic Minority Employment Stakeholder Group shares insight, advice and expertise with policymakers to help Government is develop and implement policies in a way that will enable tackle persistent challenges.⁵ The latest ethnic minority employment figures (up to and including December 2013) are encouraging. The ethnic minority employment rate of 59.8% is at its highest since 2008. Ten years ago, the employment rate gap was 15.1 percentage points, while today the gap between the ethnic minority employment rate and the overall employment rate stands at 11.9 percentage points, close to the historical low of 11.0 percentage points in 2010.

122. Ethnic minority businesses in the UK are highly successful and contribute up to £25 billion to the economy, and there are particularly high aspirations to start-up in business among black African and black Caribbean groups. However, a Government-commissioned report on access to finance by ethnic minority business, launched by the Deputy Prime Minister in July 2013, shows that, although the banking industry is working hard to ensure ethnic minority businesses have access to finance, there is more to be done to help under-represented groups reach their goals. The Government has therefore encouraged the banking industry to take steps to support ethnic minority entrepreneurs. The British Bankers' Association has agreed to support a range of initiatives to improve the access to finance for ethnic minority businesses.

123. In January 2014, the Welsh Government published its Policy Statement on Skills setting out the ten-year ambition for employment and skills policy in Wales, followed by a Skills Implementation Plan launched in July 2014. The Welsh Government's ambition is to develop a sustainable skills system that supports future competitiveness, helps Wales evolve into a highly skilled society and tackle poverty. An integral part of the Skills Implementation Plan is for the Welsh Government to ensure it can continue to track its employment and skills position relative to the UK and beyond to ensure that Wales remains competitive and that interventions are delivering the right outcomes linked to future jobs and growth opportunities. This work will be underpinned by specific Skills Performance Measures (published in September 2014) which focus on:

- Jobs and growth-Monitoring improvements in employment and productivity levels;

³⁵ Concluding Observations, para. 25.

- Financial sustainability-Ensuring an appropriate and sustainable balance of funding is available to support the skills system sourced from government, employers, individuals and European funding;
- Equality and equity-Providing equality of opportunity for individuals in accessing post 19 employment and skills support-focussed on age, ethnicity, gender and disability;
- International skills benchmarking-Improving the skills profile of Wales to ensure that we remain competitive.

Northern Ireland

124. The Department for Employment and Learning (DEL) operates an agreed policy with the Social Security Agency to ensure Jobs & Benefits Offices and Job Centres provide a range of interpreting and translation services for minority ethnic people whose first language is not English. These include:

- Telephone interpreting service via Language Line “thebigword”;
- 3 way telephone-only interpreting service;
- Face-to-face interpreters via flex language services;
- Document translations.

125. These facilities are also used by DEL’s employment agency inspectors for the purposes of investigating complaints from migrant workers. DEL ensures that all Departmental publications explaining NI employment rights legislation are translated on request. DEL is also a Board Member of the Northern Ireland Strategic Migration Partnership (NISMP) which is chaired by the Northern Ireland Local Government Association.

126. The Employment Service, through the Steps to Work programme, includes provision for all eligible customers including ethnic minorities, to undertake a qualification at level 2 or above. Additionally those who have identified literacy and numeracy issues can undertake an Essential Skills qualification up to level 2. The Steps to Work programme is coming to an end and will be replaced by a new employment programme, Steps2Success in October 2014.

127. Anyone who finds their lack of English a barrier to finding work can undertake a qualification designed to facilitate the rapid acquisition of English with a focus on work-related language skills.

128. In August 2012, DEL introduced a pilot programme to enable colleges to deliver free English for Speakers of other Languages (ESOL) classes to asylum-seekers and their dependants. The pilot programme was completed at the end of August 2013, after which a full evaluation was carried out. Where possible, the evaluation attempted to identify the number of participants who were able to obtain employment. This will be monitored on an on-going basis. There are no plans to remove this free provision for asylum-seekers. Essential skills courses in numeracy, literacy and ICT are available free of charge to all those who meet the residency requirements in Northern Ireland including ethnic minorities.

129. With access to UK National Academic Recognition Information Centre qualifications databases, Employment Service Advisers can provide customers with a UK comparison for qualifications they have achieved in their own country.

Housing

England

130. The Government has made a substantial investment in improving the social housing stock. For example, there has been over £2.1 billion investment for 2011–15 to support local authorities and housing associations in bringing homes up to Decent Homes standard. Since 2010, the Government has delivered 217,000 more affordable homes.

131. In 2012–13, 86% of social housing lettings were to white tenants (head of household only). 6% of social housing lettings were to black or black British tenants (head of household only) and 3% went to Asian or Asian British tenants. These percentages are reflective of the ethnic make-up of England, though Black and Black British are over-represented in social lettings and Asian and Asian British under-represented by equivalent amounts. At the 2011 census, 86% of the population was white, 7.5% Asian and 3.3% black.

132. Of those accepted by local authorities as homeless, 63% were white in 2013, down from 75% white in 1998. The percentage of black and Asian households accepted by local authorities as homeless rose from 12% in 1998 to 25% of the total in 2013, while the total number of homeless households remained relatively stable. Compared to the population as a whole, there is a higher incidence of acceptances amongst Black and Minority Ethnic groups than amongst the White population.

133. 52% of all households in temporary accommodation were headed by ethnic minority applicants. The vast majority of these households (91%) were in London, where they represented 64% of all households in temporary accommodation. This reflects the high usage of temporary accommodation and larger ethnic minority population in the area. Outside London, ethnic minority applicants accounted for 17% of households in temporary accommodation.

Scotland

134. In Scotland statistics on new lets for social housing tenancies are available from the Scottish Continuous Recording system data, which collects information from Registered Social Landlords about the new lets they make in a given year. There are no equivalent data published for local authority social housing.

135. The last available data are for 2012–13. The vast majority of tenants were White Scottish (84.9%). The next most common ethnic groups were Polish (3.3%) and White British (2.7%). The “Other” category, comprising of 15 ethnic groups that individually contributed less than 1.0%, accounted for a total 3.7% of the overall figure. There were only small changes to the distribution of ethnicities for 2012–13, White British recording the largest change with a 0.6 percentage point increase on the 2011–12 figure.

136. Recent legislative changes affecting the private rented sector in Scotland include increased fines in relation to offences relating to Houses in Multiple Occupation; clarification of the law on charges to tenants; introduction of mandatory tenancy deposit schemes; provisions in the Housing (Scotland) Act 2014 to improve access to justice and broader access to the Private Rented Housing Panel to enforce minimum property standards.

137. These policies are intended to improve the experience of all groups who live in the private rented sector, although it is expected that there will be particular benefits for ethnic minority groups, including migrant workers, who are more likely to be living in substandard privately rented housing, and whose landlords or letting agents may operate poor standards of professionalism. The Private Rented Sector Tribunal will also be more

accessible to people for whom English is not their first language and who may find it difficult to engage with formal tribunal or court procedures or challenge the poor practices of landlords and letting agents directly.

138. Homelessness statistics for 2013–14 show a decline in the number of homelessness applications in Scotland. There were 36,457 applications in 2013–14, which is 8% lower than the number of applications received in the same period in 2012–13. This has been accredited to the prevention/housing options approaches of local authorities.

139. The proportion of homelessness applications by ethnic group has remained unchanged since 2007–08. During 2013–14, in 91.5% of applications the main applicant was recorded as White, 1.5% were recorded as Black, Black Scottish or Black British, 1.4% were recorded as Asian, Asian Scottish or Asian British and 2.6% as other ethnic groups.

140. The national average for homelessness applications is 69 applicants per 10,000 population. The lowest proportion is from the Asian, Asian Scottish or Asian British category (37 per 10,000 population), and the highest proportion from a known category is from the Caribbean or Black category (196 per 10,000 population).

Northern Ireland

141. In 2012, the Minister for Social Development launched “Facing the Future: A Housing Strategy for Northern Ireland” and an associated Action Plan. The Strategy outlines five key themes and under Theme 4 (Driving regeneration and sustaining communities through housing) the Department has committed to “Further develop proposals to support shared housing”. In taking forward action in this area the Department will build on the work undertaken over the last number of years to meet the aspirations of many communities to support a transition to a more shared ethos, including more shared housing. Proposals include building on the success of the pilot Shared Neighbourhood Programme by developing a Shared Community Programme to encourage more shared neighbourhoods across Northern Ireland and working with the Northern Ireland Housing Executive (NIHE) to pilot a Belfast City Centre waiting list (which aims to support and protect the city centre as a shared space).

142. Furthermore, on 9 May 2013, the First Minister and deputy First Minister for Northern Ireland announced Together: Building a United Community (TBUC), a new strategy to improve community relations and build a united and shared society. The TBUC Strategy, while managed by the Office of the First Minister and deputy First Minister (OFMdFM) commits to a wide range of actions across all Departments. For the Department for Social Development (DSD), these relate primarily to urban regeneration (the creation of four urban villages) and housing.

143. The Strategy contained the following targets for housing:

- Create 10 new shared neighbourhood developments;
- Conduct an overarching review of housing to bring forward recommendations on how to enhance shared neighbourhoods.

144. The Department is currently making progress towards achieving these targets, along with pilot schemes to develop mixed tenure, mixed use shared neighbourhoods. The aims of these actions are to create additional shared neighbourhoods that increase the choices available to those who wish to live in a mixed neighbourhood. Should the aim be achieved, there will be a greater level of mixing between people of different religious belief, political opinion or racial group, creating communities of “good neighbourhoods” which are welcoming to everyone regardless of race, colour, religious or political opinion, age, gender, disability or sexual orientation.

Traveller accommodation

England

145. The Government believes that local authorities are best placed to assess the needs of their communities and so we have placed responsibility for traveller site provision back with them. Rather than imposing top-down targets which fuelled opposition to development, we are offering local authorities real incentives to develop additional traveller sites in their areas.

146. The Government also provided £50,000 to support a training programme by the Local Government Improvement and Development Agency to raise awareness amongst local councillors of their leadership role in relation to traveller site provision and planning applications for sites.

147. The Government noted the Committee's recommendation that the removal of the unauthorised traveller site at Dale Farm, Essex, should be halted.³⁶ The Government provided a full response to CERD in its Interim Report which explained that the site was the subject of an exhaustive legal process, including consideration of human rights issues, and extension of the compliance period to two years to allow occupiers to find alternative accommodation. 19. The Government conducts a biannual count of traveller caravans which provides information of the number of traveller caravans on authorised private and socially rented sites and the number of unauthorised sites.³⁷

148. In 2011–15, the Government is providing funding as part of the Affordable Housing Programme to help local authorities (and other registered providers) provide new and refurbished traveller sites in consultation with local communities. It is forecast that the Traveller Pitch Fund will deliver around 1,000 new and refurbished pitches by March 2015 at a cost of £50 million. Local authorities are given incentives through the New Homes Bonus scheme to deliver new housing, including traveller sites.

Scotland

149. The Scottish Government believes that decisions about Gypsy/Traveller sites are best made locally, and has issued guidance to assist local authorities in making decisions about sites and is currently reviewing much of that guidance and taking forward other related work. It has established a national Gypsy/Traveller Site Working Group, which includes representatives from local authorities, the police, and bodies with close links with the Gypsy/Traveller community. In relation to Gypsy/Traveller sites, the Scottish Government:

- Has published revised guidance for Housing Need and Demand Assessments. This guidance has been strengthened in relation to specialist provision, which should include an assessment of current and future need for sites/pitches for Gypsy/Travellers;
- Has strengthened the Local Housing Strategy guidance to help to ensure that the needs of Gypsy/Travellers both in relation to availability of sites/pitches and site management and housing related services are adequately addressed in local housing strategies;
- Will be publishing guidance to local authorities on a recommended core tenancy agreement for those living on Gypsy/Traveller sites, including information on their

³⁶ Concluding Observations, para. 28.

³⁷ <https://www.gov.uk/government/statistics/traveller-caravan-count-july-2014>.

rights and responsibilities. We will also be publishing revised guidance to local authorities on the quality standards Gypsy/Traveller sites are expected to meet;

- Will review the current guidance on managing unauthorised encampments;
- Will investigate the most effective ways for local authorities to share good practice in achieving good outcomes for Gypsy/Travellers and the settled community near Gypsy/Traveller sites.

Wales

150. The Welsh Government published revised guidance on Managing Unauthorised Camping in December 2013 to assist local authorities and stakeholders when responding to encampments in their local area. The Welsh Government also funded the development of the first new local authority Gypsy and Traveller site in Wales since 1997, which opened in April 2014.

151. The Housing (Wales) Act 2014 introduces a new statutory duty on local authorities to develop new local authority Gypsy and Traveller sites where there is unmet need. This includes need for both permanent residential and transit sites.

152. Residents of local authority owned Gypsy and Traveller sites now also benefit from improved security of tenure as a result of implementing the Mobile Homes (Wales) Act 2013 on these sites. The Welsh Government consulted residents of all affected sites during the consultation process. Since 2011, the Welsh Government has annually provided at least £1.5 million in grant funding to improve the living conditions of Gypsies and Travellers by supporting a number refurbishment projects on local authority sites. In 2013, it provided £1.75 million for the development of the first new local authority Gypsy and Traveller site in Wales since 1997. In 2015–16 £3.5 million will be provided for new and refurbished sites.

Northern Ireland

153. The Northern Ireland Housing Executive has responsibility for Travellers in Northern Ireland and set up a Traveller Consultative Forum which first met in October 2006 and last met in June 2014. It provides a mechanism for consultation on issues related to the provision of accommodation for members of the Traveller community. Representatives on the forum include Belfast City Council, Northern Ireland Local Government Association, South Tyrone Empowerment Project, DHSS&PS, Northern Ireland Human Rights Commission, PSNI, Bryson-An Munia Tober and DSD Housing.

154. The Social Security Agency's Make the Call campaign is widely advertised through various methods and offered by partners such as Maximising Access to Rural Areas and Financial Support Services. There is the potential for Roma, Gypsies and Traveller groups to have benefitted.

Health

England

155. The National Health Service (NHS) is a universal service for the people of the UK, yet there are longstanding inequalities in access to services, in the quality of care, and in health outcomes for patients. Promoting equality and reducing health inequalities lie at the heart of the reformed health service. People have a right to high quality services, irrespective of who they are, where they live, or what condition they have. The Government has introduced the first ever legal duties on health inequalities in England. Since April 2013, the Secretary of State for Health has had a duty to have regard to the need to reduce

inequalities between the people of England. NHS England and each clinical commissioning group must have regard to the need to reduce inequalities in access to health services and the outcomes achieved for patients.

156. In April 2013 Department of Health refreshed its Equality Objectives 2012 to 2016 and strengthened its Equality Assurance Process. The Health and Social Care Act 2012 introduces the first ever statutory duties relating to addressing inequalities in health. It is critical that work to advance equality and eliminate discrimination is central to all Government work to ensure equitable policymaking and improved health outcomes.

157. Public Health England is leading work to address equality and health inequality issues relating to dementia in England. The work is being taken forward by a broad partnership of statutory and non-statutory organisations. This includes providing commissioners of local services and policymakers with evidence on the way different equality characteristics are associated with different needs, and spreading examples of best practice.

158. Gypsies and Travellers have poorer health status and higher proportions of self-reported symptoms of ill-health than other groups. The 2011 Census reports that Gypsy and Irish Travellers had the lowest proportion of any ethnic group rating their general health as “good” or “very good” at 70%, compared to 81% of the overall population of England and Wales. They can also face barriers in accessing some health care services. The non-governmental organisation, Friends, Families and Travellers, is receiving funding over three years from the Government for a project to influence the design and implementation of commissioning process to address health inequalities experienced by Gypsies and Travellers. This will report in 2015.

Northern Ireland

159. Section 75 of the Northern Ireland Act 1998 requires the public authorities to:

- Have due regard to need to promote equality of opportunity between nine equality groups (including racial groups);
- Have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.

The Department of Health, Social Services and Public Safety (DHSSPS) and its associated Arm’s Length Bodies are all designated public authorities and each organisation has its own Equality Scheme, approved by the Equality Commission for Northern Ireland, setting out how it will meet the statutory duties. In accordance with their Equality Schemes, policies are equality screened to assess their impact and this may result in mitigations being introduced or a detailed Equality Impact Assessment (EQIA) being required.

160. In Northern Ireland the Department of Health, Social Services and Public Safety (DHSSPS) recognises the barriers to health and social care which can be experienced by some people from black and minority ethnic backgrounds who are not proficient in English. To help address those needs the Northern Ireland Health and Social Care Interpreting Service (NIHSCIS) was launched in 2004. Use of the service has grown year-on-year from 1,850 requests in 2004–05 to over 84,000 in 2013–14. The Service now covers 35 languages and uses a central register of over 430 interpreters all of whom are either accredited to Level 4 of the Open College Network NI (Equivalent to NVQ Level 3) or working towards it.

161. Where a request cannot be met through the Service, e.g. if a specific interpreter is not available at short notice, alternative procedures are in place through a contract managed by the Regional Business Services Organisation. This includes the use of the Big Word

Telephone Interpreting Service which can be used for short sessions or if no face-to-face interpreter is available or if it is more appropriate to use telephone interpreting.

162. Belfast HSC Trust manages the NIHSCIS and has facilitated the provision of professional development sessions for the interpreters. The aim of this is to provide learning and development opportunities for the interpreter and to broaden their knowledge of health and social care specialities, and improve their interpreting competence in more complex areas. Professional development programmes have been developed in a number of areas such as: Mental Health; Domestic Violence; Speech and Language; Dealing with Traumatic experiences; and Social Work and Maternity.

163. NIHSCIS delivers “Working Well with Interpreters” training to Students in the General Practitioner Module at Queens University Belfast to ensure that doctors will be cognisant of their legal responsibilities to provide an interpreter and also the inherent benefits of using a professionally trained and accredited interpreter with a patient who is not proficient in English as a first or second language.

164. In 2011, the Equality Commission for Northern Ireland working with Health and Social Care organisations produced a booklet – Race Equality in Health and Social Care (A short guide to good practice in service provision). The booklet covers needs in relation to communication, diet and religion. It also highlights considerations in relation to registration, maintaining medical records, appointments, hospital care, and maternity and childcare provision. DHSSPS and its partner bodies also produced an Information booklet entitled “Health and Social Care in Northern Ireland”. This booklet is available in a range of different languages and provides migrant workers and minority ethnic communities with basic information on the health and social care system and how to access it. These are currently being reviewed and will be updated in 2014/15.

165. Registering with a GP and obtaining a medical card is an important element of accessing Health and Social Care Services. The application form is available in sixteen languages and can be obtained on the internet or in GP surgeries. In addition, the DHSSPS and its partner bodies produce public health documents in other languages. For example, the Public Health Agency has produced information leaflets in a variety of languages on public health issues such as: Hepatitis B; bowel cancer screening; healthy eating; immunisation; and the HPV vaccine.

166. The Roma community in Northern Ireland is mainly centred in Belfast and a number of actions have been taken which target their health and social care needs. This includes:

- A weekly Family Health Clinic in Romanian Roma Community Association staffed by a HV and interpreting service in Romanian Roma Community Association NI (RRCANI);
- Funding for Roma Health Liaison Officer and support worker (from the Roma community) to Bryson Intercultural. Programme targeted at women and children with a focus on registration with GPs, Liaison with HSC family, increasing awareness of services and improving attendance;
- Funding for a BME Family Support Worker with a focus on Roma in Bryson Family Support Team;
- Funding for family support programme in East Belfast for Hungarian and Slovak Roma;
- Support for Romanian Roma Employability Programme in Mediation NI (Childcare Costs);
- Support for RRCANI in accessing funding for Roma Youth Projects;

- Funding for youth project for teenage Roma Girls in RRCANI;
- Direct funding to RRCANI for mapping exercise of Roma families, International Roma day and Romanian National Day;
- Support with capacity building for the RRCANI;
- Work in partnership with Glasgow City Council and Arad Municipality (Romania) in sharing best practice with an emphasis on children.

167. DHSSPS and the Department of Health and Children in the Republic of Ireland launched in September 2010 the All Ireland Traveller Health Study (AITHS). The study, examined the health status and needs of all Travellers living in Ireland (North and South). Its findings have provided a framework for future work.

168. A Birth Cohort Follow-Up Report was published in September 2011, as an adjunct AITHS. It was commissioned in 2007 and provided supporting data on Traveller mothers and infants for future policy developments.

169. The Public Health Agency and Health & Social Care Board established a Regional Travellers' Health & Wellbeing Forum in October 2010 to deliver the priorities in AITHS. Participants include the Health and Social Care Board, local Health and Social Care Trusts, Cooperation and Working Together, the Patient & Client Council and Traveller Support organisations.

170. Examples of specific actions and priorities to be taken forward within the Forum Action Plan 2012–13 included the following:

- Production of a health intelligence brief on the mental health circumstances of Travellers;
- Investment in mental health promotion programmes with Travellers;
- Increased focus and targeting of Travellers within the existing Protect Life Strategy: the Northern Ireland Suicide Prevention Strategy (2012–14) and community package contracts;
- Increased focus and targeting of Travellers within the overall Health Improvement Theme Plans;
- Development of specific Traveller Strategy and Action Plans within each Trust area;
- Change and improvement to existing Cancer Screening Services currently offered to Travellers;
- Promotion and support for an Event for Travellers Focus Week – December 2012; and increased profile of engagement and work and by Traveller men through promotion of current research.

171. A Health and Social Wellbeing Thematic Action Plan has been developed for 2013–14. It reflects the AITHS priorities and aims to secure improved outcomes for Travellers. These are:

- Providing and ensuring adequate accommodation;
- Early Years support and improving educational attainment;
- Employment skills;
- Reducing stigma;
- Traveller friendly Health and Social Care Services;
- Monitoring, evaluation and research;

- Targeted programmes;
- Monitoring, evaluation and research;
- Collaboration and joint working.

172. A Health and Social Wellbeing Thematic Action Plan has also been developed for 2014–15. Action measures are structured around:

- Housing & Accommodation;
- Early Years support and Educational Attainment;
- Employment & Skills;
- Reducing stigma;
- Traveller Friendly Health and Social Care Services;
- Targeted programmes;
- Monitoring, evaluation and research;
- Collaboration and Joint working.

173. The new strategic framework for public health, *Making Life Better 2013–23*, was published in June 2014. It provides strategic direction for policies and actions to improve health and reduce health inequalities. This will require partnership working across government, the statutory and community and voluntary sectors.

174. In order to achieve the aims of better health and wellbeing for everyone and reduced inequalities in health the framework advocates as an overriding approach that account must be taken of the need for greater intensity of action for those with greater social, economic and health disadvantage. This will require action to improve universal services as well as more targeted services for those in greater need. The framework sets out actions to be taken across government, however it does not represent all that can be done to identify and support those for whom targeted action may be required. Decisions on targeted action must be taken at delivery level and include careful targeting of resources to meet greatest need with the aim of reducing health inequalities.

175. The framework recognises that there are a number of groups within the population whose circumstances are likely to give rise to poorer health outcomes, and that the groups who need targeted support will vary depending on the issue being addressed. Travellers are recognised amongst those population groups which face specific challenges to their health and wellbeing including vulnerability to certain conditions and to broader issues such as social exclusion. In relation to empowering healthy living, the framework directs that programmes and services at regional and local level should be accessible and address specific needs and risk factors, including those of vulnerable groups.

176. The Trust is improving access to healthcare for people entering Northern Ireland. Funded through the Public Health Agency the tuberculosis screening service has developed the Northern Ireland New Entrant Service (NINES). This nurse-led service aims to provide access to health care for new entrants to Northern Ireland to include new immigrants, asylum-seekers, refugees and clients who are unable to register for GP services. The service will continue to offer Mantoux testing and BCG vaccination for children and infants identified through the “at risk” screening programme.

177. Belfast Trust operates a drop in clinic for asylum-seekers in the Bryson One Stop Services. The Health Care Co-ordinator works with the homeless and has managed to get 98% of the people who use the service to register with family doctors as well as establish a

series of nurse-led holistic clinics across Belfast which offer check-ups, vaccines and develop healthcare plans for patients to help them when they are discharged from hospital.

178. Ethnic monitoring by service providers of key aspects of their services is essential to achieve racial equality. To have a racial equality policy without ethnic monitoring has been likened to aiming for good financial management without keeping financial records and it is encouraged in the Racial Equality Strategy 2014–2024 Consultation.

179. The Health & Social Care Board has led on a project to improve ethnic monitoring on a number of key Health and Social Care systems. To support this work guidance has been drafted and will apply to any other health and social care system(s) which subsequently implement ethnic monitoring.

180. The system currently implementing ethnic monitoring will go live at various stages during 2013 to 2015 subject to the satisfactory completion of system changes, delivery of staff training and the production of information leaflets for the public. After a period of 12–18 months of live operation the systems will be evaluated to determine their effectiveness.

Wales

181. Research and evidence shows that Gypsies and Travellers suffer disproportionately when compared with the general population in relation to health status and access to healthcare. To address this, the Welsh Government has completed a public consultation on Travelling to Better Health guidance for healthcare practitioners on working effectively with Gypsies and Travellers. 27 responses were received and these are now in the process of being analysed for inclusion in the final version which will be published in the spring of 2015.³⁸

182. The guidance is presented in three main parts: advice on cultural awareness for the benefit of practitioners; advice on practice which could encourage greater participation in health and health services; and a summary analysis of the research and evidence base which informs the guidance.

183. The revised Health and Homelessness Standards were launched in 2013. The Standards are designed to ensure that homeless and vulnerable people, including Gypsies and Travellers, are able to access primary care and substance misuse services. A report detailing progress with implementing the Standards will be submitted to Ministers in spring 2015.

Mental Health

England

184. Over £400 million is being invested over the spending review period to make a choice of psychological therapies available for those who need them in all parts of England. We are also investing in improving provision for children and young people, older people and carers, people from BME groups, people with long-term physical health problems and those with severe mental illness.

185. The Care Quality Commission's 2012–13 report on the Mental Health Act³⁹ acknowledges that data from the Mental Health Minimum Data Set (MHMDS) analysis continues to show people from all black and minority ethnic groups are overrepresented

³⁸ <http://wales.gov.uk/consultations/healthsocialcare/travelling/?lang=en>.

³⁹ <http://www.cqc.org.uk/content/mental-health-act-annual-report-201213>.

within inpatient mental health services. The reasons for this are complex. Research studies indicate that rates of detention reflect the need of patients at the time of detention. We know that rates of psychosis, for example, are higher in some BME communities and that they have to date been less likely to use psychological therapies. They are also more likely to access mental health services in a crisis. We recognise that more work needs to be done to establish the causes of higher rates of mental illness in some communities and how communities access early intervention services.

186. The Department of Health has no evidence that BME patients are more likely than other detained patients to be restrained when taking into account age, sex and other criteria. But over-representation and increased likelihood to enter mental health services via the police or criminal justice system means that restraint is a particular concern for BME groups.

187. The Department of Health and Public Health England on the best way to resource and support campaigns to reduce stigma and discrimination in mental health post-2015, when our current funding for the Time to Change campaign ends. Reducing stigma and discrimination remains an important part of the Government's mental health agenda. Our new mental health action plan, *Closing the Gap*⁴⁰ sets out 25 priorities for essential change in mental health, including tackling inequalities in access to mental health services.

188. We are working with the Race Equality Foundation and other stakeholders to try to understand inequalities in access to other services. NHS England is also working with BME community leaders to encourage more people to use psychological therapies.

189. The Ministerial Working Group on Equality in Mental Health is supporting the Mental Health Equality work-stream of the Mental Health Strategy programme. This will help to ensure that equality issues directly inform strategy implementation.

Wales

190. Together for Mental Health, our 10 year strategy for improving mental health and wellbeing in Wales, acknowledges attention should be paid to discrimination based on ethnic origin. This perspective informs the Strategy and Delivery Plan, and ensures services fully account for ethnic origin and other characteristics. The Welsh Government currently provides funding to two organisations that work to support black and minority ethnic people with mental health issues, and to raise awareness of the specific difficulties that they face.

191. The Welsh Government is committed to the development of a national core mental health dataset, which will standardise data collected at an individual service-user level, and include measuring outcomes from a holistic service-user perspective. In its first phase it will capture ethnicity data in all NHS psychiatric inpatient settings. We are continuing to develop this aspect of the dataset. The work has been piloted across Wales in a variety of settings and with all ages. 38. Time to Change Wales (TTCW) has carried out numerous targeted activities within BME communities to raise awareness of the campaign and to understand the issues and challenges that face individuals when disclosing mental health issues, stigma and discrimination. The campaign has engaged a wide range of groups representing BME communities to organise awareness-raising events and to encourage their respective members and clients to talk about their experiences of mental health stigma. TTCW have also attended cultural events organised or led by BME community groups to gain a deeper understanding of how stigma and discrimination affects diverse communities.

⁴⁰ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281250/Closing_the_gap_V2_-_17_Feb_2014.pdf.

Education

192. The Government notes the Committee's recommendations relating to education, including that it take all necessary steps to eliminate racist bullying and adopt an intensified approach towards preventing exclusion of Black pupils and set out in detail its plans for addressing under-achievement for those groups which have been identified as most affected.⁴¹ Measures to address these important issues are set out below.

England

193. The Government's approach is to move away from treating people as groups or "equality strands" who get special treatment. Instead we have developed frameworks that help create fairness and opportunities for everyone. This includes measures to improve literacy, numeracy and the quality of teaching; overhauling the Special Educational Needs Programme so that children's needs are identified and addressed early and targeting resource (now some £2.5 billion a year) through the pupil premium to help break the link between socio-economic background and educational achievement. The programme disproportionately benefits pupils from black and minority ethnic communities.

194. The aim of the pupil premium is to raise the attainment of disadvantaged pupils, and thereby improve social mobility in the longer term, breaking the cycle of disadvantage from one generation to the next. It is provided to state maintained schools for every disadvantaged pupil on roll.

195. Disadvantaged pupils are defined as pupils who are currently registered for free school meals or have been at any point in the last six years; have been looked after by the local authority for a day or more; have been adopted from care or who left care under a Special Guardianship, Residence or Child Arrangements Order. There is no adjustment for ethnicity.

196. In 2012–13, at the end of key stage 4, 78.8% of Traveller of Irish Heritage pupils; 65.2% of Gypsy/Roma pupils; 45% of Black Caribbean pupils; 44.4% of Pakistani pupils; and 23.4% of White British pupils were eligible for the pupil premium. The pupil premium is additional funding granted to schools to raise the attainment of children from low income families, irrespective of their background or their current level of achievement. The criterion used for allocating the pupil premium includes the number of pupils eligible for free school meals during the past six years.

197. 87. Many Black and minority ethnic minority pupils in England attain well at school. In 2014, at the end of primary school (key stage 2), Chinese (88%), Indian (86%), Irish (84%) and Bangladeshi (81%) pupil groups performed above the national average (79%) in terms of reaching or exceeding the expected level (level 4) in Reading, Writing and Mathematics. At key stage 4, Chinese (74.4%), Indian (72.9%), Irish (65.9%), Bangladeshi (61.3%) and Black African (56.8%) pupil groups attained 5 or more GCSEs at grades A*–C, including English and Maths. These groups attained above the national average for all pupils of 56.6%.

198. As a group, Black Caribbean and Pakistani pupils perform below the national average at both key stage 2 and 4, although they have generally made more progress than other pupils in recent years. In 2014, 73% of Black Caribbean pupils and 75% of Pakistani pupils attained or exceeded the expected level for Reading, Writing and Mathematics compared to the national average of 79%. At key stage 4, 47% of Black Caribbean pupils

⁴¹ Concluding Observations, paras. 23–24.

and 51.4% of Pakistani pupils achieved the standard GCSE, measure compared to the national average of 56.6%.

199. Gypsy, Roma and Traveller of Irish Heritage pupils are the lowest performing ethnic group. In 2014, 29% of Gypsy/Roma pupils and 38% of Traveller of Irish Heritage pupils reached or exceeded the expected level in Reading, Writing and Mathematics, compared to the national average of 79%. At key stage 4, 8.2% of Gypsy/Roma and 14% of Traveller of Irish Heritage pupils achieved the standard GCSE measure, compared to the national average of 56.6%. However, it should be noted that the attainment data on Gypsy/Roma and Traveller of Irish Heritage pupils within this report should be treated with caution due to the very small pupil numbers.

200. The Government's ambition is for every child, whatever their background or circumstance, to have the opportunity to attain well at school. The Government recognises the variation that exists between different groups of pupils, including in relation to disadvantage, ethnicity and gender. Those variations reflect a complex and interwoven range of factors including, but not limited to, socio-economic; cultural; linguistic; geographical; and inter-generational aspects. The Government believes that a school led system underpinned by strong accountability measures offers the best way forward in improving pupil attainment and addressing underperformance of particular groups of pupils.

201. There is strong evidence of the impact of high quality early education on children's development and future attainment. The Government extended funded early education for all 3–4 year olds to 570 hours a year in September 2010. Children from disadvantaged families are less likely than their peers to access early education. Improving outcomes for these children is the focus of the Government's early learning for two-year-olds programme. Since September 2013, approximately 20% of all two-year-olds (primarily those from families that meet the criteria used for the provision of free school meals) have been entitled to a funded early-learning place. From September 2014, the programme was extended to include low income working families to reach around 40% of two-year-olds. To support this programme the Government provided local authorities with £755 million in 2014–15.

202. By October 2014, local authorities reported that around 150,000 two year olds were already accessing a place. The Government is continuing to work with local authorities to ensure that parents of all eligible children are made aware of the entitlement and supported to take up a place.

203. From April 2015 the Government will make £50 million available for an Early Years Pupil Premium which will help disadvantaged 3–4 year olds close the attainment gap with their more affluent peers. Early-years providers will have the flexibility to spend this extra funding on the strategies they think will be most effective at improving the quality of early-years education for disadvantaged children.

204. The Government's approach to bullying now provides a reformed legal framework to give teachers greater scope to tackle bullying and a clear remit for the Office for Standards in Education (Ofsted) to hold schools to account.

205. The Government has given Ofsted the powers to hold schools to account on how well they deal with behaviour and bullying. Since 2012, inspectors have had to consider pupils' freedom from bullying, harassment and discrimination. Inspectors consider types, rates and patterns of bullying and the effectiveness of the school's actions to prevent and tackle bullying. Inspectors also consider the effectiveness of the school's actions to prevent and tackle discriminatory and derogatory language, and pupils' (and different groups of pupils') views, of their experiences and others' behaviour and attitudes towards them.

206. The Government is providing £4 million of funding in 2013–15 to four anti-bullying organisations through the Voluntary Sector Community Enterprise awards.

207. Ofsted is bound by the public sector equality duty, its strategic plan and values to advance equality through its inspection of schools and regulation of early education and childcare providers. The promotion of equality of opportunity for all pupils underpins the school inspection and other frameworks. The school inspection framework as a whole looks at how a school meets diverse needs and advances equality through its focus on how schools:

- Secure and maintain excellent teaching, learning and assessment for all pupils;
- Narrow the gaps' in achievement between different groups and national standards;
- Ensure pupils are free from bullying including all types of prejudice-based bullying;
- Deal with unacceptable behaviour and disruptions to learning;
- Build cohesive school communities where all pupils can thrive.

208. An evaluation of how effectively the school actively advances equality of opportunity will contribute to the key judgements. How well the school is promoting the pupils' spiritual, moral, social and cultural development is a key aspect of equality that is inspected and reported on. If inspection evidence raises concerns about the school's promotion of equality of opportunity and tackling discrimination, then inspectors may examine the school's policies to determine whether these are sufficiently robust, and if so, whether they have been adhered to. Ofsted's inspection of spiritual, moral, social and cultural education also includes an assessment of how well schools are promoting the fundamental British values, defined as "democracy, the rule of law, individual liberty, and mutual respect and tolerance for those with other faiths or none".

209. Senior staff and governors should know about the relative attainment and progress of different groups of pupils, monitor their performance and other data relevant to improving outcomes. For example, the school should be aware of gender imbalances in "upper ability" groups. It is expected that schools track and analyse progression information, for example, the proportions of pupils who continue education, training or enter employment and identify whether there are any barriers for particular groups of pupils. This will enable schools to evaluate the curriculum and the subject choices of pupils.

210. The issues that underlie the disparities seen in school exclusion rates for different groups of pupils, including those from Gypsy, Roma, Traveller and African Caribbean communities, are complex, longstanding and often inseparable from those that lead to other educational inequalities, including academic achievement.

211. Use of permanent and fixed period exclusion has decreased considerably in recent years and is now at its lowest recorded levels. Following a slight increase in 2011–12, the number of permanent exclusions fell again in 2012–13 from 5,170 in 2011–12 to 4,630. This represents 0.06% of the school population. Pupils of "Gypsy/Roma" and "Traveller of Irish Heritage" ethnic groups have the highest rates of permanent exclusion (0.26%⁴² and 0.35% of the relevant school population respectively). The rate of permanent exclusion for Travellers of Irish Heritage rose slightly from 0.28% in 2011/12 to 0.35% in 2012/13, though this still represents a 0.18% point reduction since 2007/08, when the rate was 0.53%. Long term trends in the rate of exclusion for Travellers of Irish Heritage are slightly

⁴² Exclusion data relating to ethnicity do not include pupils below compulsory school age and so are not directly comparable to overall exclusion data.

erratic. This is in part explained by the very small size of the relevant population. The figures should therefore be treated with caution.

212. The rates of permanent exclusion for pupils of “Black Caribbean” and “White and Black Caribbean” ethnic groups were 0.22% and 0.19%, respectively. These rates both represent a reduction from 2011–12 and are 0.14 and 0.13 percentage points lower, respectively, from the rates seen in 2007–08.

213. Under the Equality Act, schools must not discriminate against a pupil by treating them less favourably on the basis of race, and must also have due regard to the need to eliminate discrimination, advance equal opportunity and foster good relations between children. The Government published non-statutory advice to help schools to understand how the Equality Act 2010 affects them, and how to fulfil their duties under the Act.⁴³

214. Statutory guidance on exclusion, issued by the Department for Education, emphasises the need for all exclusions to be lawful, reasonable and fair; the importance of schools adhering to their responsibilities under equalities legislation; and the value of early intervention to address behavioural issues before they escalate to the point that exclusion becomes necessary. The Government has also refocused school inspection arrangements so that stronger emphasis is given to the evaluation of behaviour in schools, including schools’ use of exclusion and differential rates of exclusion for groups of pupils.

215. The Government is introducing radical reforms to improve the quality of alternative provision for excluded pupils. In education, the Government’s approach is to move away from treating people as groups or “equality strands” who get special treatment.

216. In the education sector, the Committee notes that the rate of school exclusion of Black Caribbean pupils is decreasing, but is still disproportionately high. Pupils from Caribbean (Black Caribbean and White and Black Caribbean) communities were around three times more likely to be permanently excluded than the school population as a whole.

Scotland

217. As part of the Scottish Government’s Equality Outcomes and Mainstreaming Report specific equality outcomes were set for education. The outcomes for education focus on disability, Gypsy/Travellers, sex and bullying.

218. Pupils from ethnic minorities (including those categorised as white from outwith UK) make up around 10% of all pupils in Scottish schools. The number of pupils from ethnic minority backgrounds means that year on year fluctuations in numbers can have a huge impact on statistical rates, therefore caution in drawing conclusions must be exercised.

219. Curriculum for Excellence aims to provide the right environment to enable young people to develop as informed and responsible global citizens with knowledge of Scotland and its place in the world and an understanding of different beliefs and cultures. It addresses the exercising of rights and responsibilities within communities at local, national and global levels, encompassing the development of informed decision making and the ability to take thoughtful and responsible action, locally and globally.

220. Curriculum for Excellence also seeks to provide flexibility so that teachers, schools and local authorities can identify and creatively pursue their own approaches. Within that context, it would not be appropriate for the Scottish Government to prescribe any one programme for any specific issue.

⁴³ <https://www.gov.uk/government/publications/equality-act-2010-advice-for-schools>.

221. The Education (Additional Support for Learning)(Scotland) Act 2004 (as amended) provides the legal framework for the system which identifies and addresses additional support needs of children and young people who face a barrier, or barriers, to learning, including Gypsy and Traveller children. The Act aims to ensure that all children and young people are provided with the necessary support to help them work towards achieving their full potential. It promotes collaborative working among all those who support children and young people and sets out parents' rights within the system.

222. The Scottish Government will continue to support the work of the Scottish Traveller Education Programme, which supports members' promotion and development of inclusive educational approaches for mobile and settled Gypsy and other travelling families.

223. HMIE produced a publication in 2005 which builds on self-evaluation guidance given in a previous report on meeting the needs of Gypsies and Travellers. This guide can be used by schools to evaluate the quality of their approaches to inclusion and equality relating to Gypsies and Travellers, and also provides examples of best practice.

224. The Scottish Government is clear that bullying of any kind is unacceptable, regardless of the motivation, and should be tackled quickly. Racism can be addressed across the curriculum for example in art, wellbeing, English, religious education and social studies. We continue to support the national anti-bullying service, *respectme*, which works with schools, authorities and communities in preventing and tackling bullying effectively. The service provides advice, information and training to those who work directly with children and young people to support improvement in preventing and tackling bullying of any kind. The service works to raise awareness of all types of bullying, including prejudice bullying.

225. Education Scotland is the Scottish Government's Executive Agency responsible for the national development and improvement of education, from early years to adult learning. Education Scotland has taken a focus on equality and diversity and recently published best practice from Scottish education. Education Scotland also highlighted aspects of equality and diversity in an event connected to the Commonwealth Games held in Glasgow in 2014.

226. Guidance published in 2011 aims to keep all children and young people fully included, engaged and involved in their education and to improve outcomes for those most at risk of exclusion. It is the responsibility of the local authority to devise and implement policies and procedures on exclusions. The Scottish Government also funds the Pupil Inclusion Network Scotland to promote good practice across the wide range of local authority and independent partners who provide provision beyond the school for young people at risk of disengaging from their learning.

Wales

227. Pupils from Chinese, or British Chinese, backgrounds are consistently the highest attaining learner group of all achieving GCSE grade A*–C in English or Welsh First Language and Mathematics with an average of 77.8% at age 16 compared with a national average of 51.7% (over 2011–13).

228. However, some ethnic minority groups do under-perform. The worst performing group are Gypsy/Gypsy Roma children; over 2011–13 only 12.3% of these pupils reached the required level at age 16.

229. Given the small numbers of many ethnic minority groups in Wales identifying trends in the data can be more problematic. However, generally attainment gaps for certain ethnic groups are closing as performance improves.

230. The Minority Ethnic Achievement Grant (MEAG) supports local Ethnic Minority Achievement Services whose role is to promote pupils' English, or Welsh, language

acquisition and to tackle ethnicity related underachievement. Eligible children include asylum seekers, refugees and the children of migrant workers. Authorities may also bid for funding to support the education of Gypsy and Traveller children, and may use this to improve attendance and progression to secondary school.

231. Both funding streams cover children aged 3 to 18 years of age; due to their dual needs, European Roma children are eligible under both grants. More Gypsy, Roma and Traveller children are at school in Wales than ever before. Local authorities report 2,447 of these children on school rolls, an increase of 600 pupils over the last 5 years.

232. The most significant impact of the MEAG is in supporting pupils' English as an additional language (EAL) needs so that they are able to access the curriculum. 2013 statistics on the performance of children with EAL needs show that a higher proportion of those learners who have achieved a "competent" or "fluent" level of English achieve the Level 2 threshold (including a GCSE Grade A*-C in English or Welsh First Language and Mathematics than their non-EAL counterparts (63.9%, 64% & 53.9% respectively).

233. The Welsh Government considers it to be of vital importance that the education system in Wales gives all learners the chance to reach their potential. To this end, "Unity and Diversity" guidance was issued which encourages schools to recognise and celebrate diversity so that all learners feel included and empowered.

234. In March 2013, the Welsh Government ran two major conferences on culturally mediated community cohesion and safeguarding in education. In March 2014, a major all Wales conference on minority ethnic achievement "was attended by over 140 delegates. In September 2012, an all-Wales conference focused on how to encourage more effective transition to secondary school for Gypsy and Traveller children and better retention.

235. "*Travelling Together*", a new on line curriculum resource which celebrates Gypsy and Traveller history and culture has also been launched. The aim is to provide Gypsy and Traveller learners with a more culturally relevant curriculum, at the same time as breaking down myths and stereotypes around them and reducing bullying.

236. The Welsh Government is changing the school accountability measures to encourage schools to motivate all learners to achieve their full potential, whether they are working at a low level or aspiring to the highest grades. The new arrangements focus on qualifications that are known to be most valued by employers, higher education and others. The changes build on the recommendations of the Review of Qualifications and respond to a number of concerns about unintended consequences of the current set of measures. The policy has been informed by significant stakeholder engagement over two and a half years, including a stakeholder survey in 2014. In future, the Welsh Government will place more emphasis on a revised capped points score than on threshold measures, in order to rebalance the undue focus that has emerged on the C grade at GCSE. From 2017, the new measure will be based on nine qualifications, including English or Welsh Language, maths and science. From 2018, measures of attainment of the new Welsh Baccalaureate will replace the current threshold measures.

237. The Welsh Government provides a detailed analysis of the performance of ethnic minorities in education in Wales in tables 5-8 of a statistical release on achievement and pupil characteristics.

238. In addition schools are grouped together into Families of Schools that have similar characteristics. This allows good practice to be shared amongst these Families. English as an additional language (EAL) is one of the component factors in the allocation of schools into these Families. DfES publishes data on ethnicity through the award winning "My Local School" site for every school in Wales. It often proves difficult to be able to publish data on ethnicity in Wales at a school level as numbers are small. Throughout Wales, the

percentage of pupils that recorded their ethnic background as anything other than “White British” was 8.4% (in 2013). This has grown from 6.7% in 2009.

239. Like all public bodies Estyn, the Education and Training Inspectorate in Wales, is bound by the public sector equality duty. Estyn includes in its inspections consideration of how providers meet the particular needs of diverse groups of learners. Inspections include quality indicators on issues such as standards and wellbeing, inclusivity and tolerance, and expectation and performance which can be used to help assess the educational attainment of diverse groups of learners.

240. In addition, Estyn is able to undertake more in-depth, thematic reviews of particular aspects of education and training policy. These reviews can make recommendations aimed at improving equality of access and provision. Over the last five years Estyn has reported on a variety of equality issues including for example:

- The education of Gypsy Traveller pupils;
- Local authority support for the education of children of migrant workers;
- How effective is provision for learners aged 16 to 19 years with language acquisition needs;
- The impact of schools’ race equality policies;
- English for Speakers of Other Languages;
- Barriers to Apprenticeships (for people from black and minority ethnic groups and those with disabilities).

241. There were no permanent school exclusions of pupils with Asian or Black ethnic background in 2011–12 or 2012–13. Although pupils with Black ethnic background have the highest rates of fixed term exclusions of five days or fewer since 2008–09, rates have been decreasing over this period. Statutory guidance on exclusion from schools and pupil referral units was issued by Welsh Government in September 2012. The guidance sets out the application of equalities legislation in relation to exclusions. The guidance is set within the context of school behaviour and attendance policies whilst offering alternatives to exclusion. A school’s behaviour and attendance policy is an integral part of its curriculum and should tie in with a school’s general approach to tackle in equalities and discrimination. In 2013, Edinburgh University undertook research on education provision for children and young people outside the school setting. The Welsh Government is committed to ensuring that children taught outside the school setting have improved outcomes and the opportunity to fulfil their potential and is taking forward recommendations from the report.

242. The Welsh Government commissioned Estyn, the school’s inspectorate in Wales, to carry out a thematic survey looking at the effectiveness of action taken by schools to address bullying on the grounds of the protected characteristics, including race. The report, published in June 2014, shows that pupils with certain protected characteristics were more likely to experience bullying, and that although there were instances of good practice by schools in tackling bullying, this was not always the case. The report contains seven recommendations for schools and three recommendations for local authorities and regional consortia. There is one recommendation for the Welsh Government, namely that it should publicise the “*Respecting Others*” anti-bullying guidance. The recommendations from this report are being used to inform policy development and improved communications around tackling bullying.

Northern Ireland

243. Local statistics produced by the Department of Education (DE) do not show a disproportionately high number of suspensions or expulsions among ethnic minority

groups. For example, in 2011–12, the latest year for which statistics are available, only 1.96% of school suspensions were for children from a minority ethnic background. Twenty-four children were suspended (1.40% of the school population). Given the very small numbers, these are not disaggregated by ethnicity.

Other DE activities include the following:

- The Traveller Child in Education Action Framework was launched in the autumn of 2013. Its aim is to improve educational outcomes and contributes towards Every School a Good School-a policy for school improvement;
- A Regional Traveller Education Service (TESS) underpins the delivery of the Framework and provides support to Traveller children, their parents and schools;
- The Newcomer Pupils Policy provides a framework for support for all newcomer children in schools and sits within the overall context of improving educational outcomes and contributes towards Every School a Good School a policy for school improvement.

244. The regional Inclusion and Diversity Service (IDS) provides support to schools and newcomer pupils. It assesses priorities, monitors areas of need and responds to changing needs in four key areas-pastoral, curricular, linguistic and intercultural.

245. The Department of Education (DE) continues to promote the message that all forms of bullying, including racist bullying, are unacceptable. DE undertakes periodic research into this issue. The latest report, *The Nature and Extent of Pupil Bullying in Schools in the North of Ireland (2011)*, identified that 85% of children recognise racist bullying as wrong, which tallies closely with the figure of 14% of pupils reporting they had suffered from it. Overall the numbers of children engaging in or being victims of bullying has remained static but the research identified a shift in emphasis towards cyber-bullying.

246. DE funds the Northern Ireland Anti-Bullying Forum (NIABF) which provides anti-bullying resources and guidance to schools, parents and pupils in an attempt to change mindsets. The NIABF also delivers a programme of awareness raising events during an annual Anti-Bullying Week (ABW). In 2011 ABW focused on Cyber-bullying. In 2012 the theme for the week was *Everybody is Somebody*, highlighting bullying based on gender, sexual orientation, disability, ethnicity and religion. In 2013 the theme of the week was *I See, I Hear, I Feel* looking at how children communicate with each other and the ways in which bullying can happen as part of this. 640 schools participated in ABW 2013.

247. In late 2013, at DE's request, the NIABF also reviewed all aspects of current anti-bullying provision, practice and support services in the region. The review's recommendations have been translated into a joint work programme and the DE Minister has confirmed his intent to bring forward legislation within the current NI Assembly mandate introducing the mandatory recording of bullying incidents, and their motivation, within schools.

248. Schools receive additional factors in their schools budgets for their Traveller and Roma pupils. In addition, the Department funds a regional Traveller Education Support Service (TESS) and a regional Inclusion and Diversity Service to support schools.

249. The Department intends to commence a review of the school attendance requirement for a child who has no fixed abode and whose parent's trade or business requires him to travel from place to place. In the course of this review, the Department will undertake informal discussions with all interested parties and any proposed change to the legislation would be subject to a public consultation and equality screening.

250. As much funding as possible, such as the additional factors for Traveller and Roma pupils, is given directly to schools through the Common Funding Scheme under the Local

Management of School arrangements. This provides the delegated authority for each individual school to plan and use resources to maximum effect in accordance with their school's needs and priorities and most appropriate for their pupils and environment. This might include buying in services from other organisations and/or availing of services available through local schemes and projects.

V. Article 6

251. The Government notes the Committee's recommendations regarding the Equality and Human Rights Commission and the Police Ombudsman in Northern Ireland.⁴⁴

252. Following a public consultation in 2011, in May 2012 the Government announced a number of reforms to the EHRC, including the appointment of a new Chair and smaller board, with more focus on business and corporate governance skills, to provide strategic leadership for the EHRC. The new Chair and board bring the skills and experience needed to provide the Commission with strong governance and direction.

253. Following a review of the EHRC's budget and discussions with the new Chair, the Minister wrote to the EHRC in January 2013 to set out an anticipated annual core budget of £17.1 million. The EHRC will be able to access additional programme funds to spend on wider equality and human rights activities, as appropriate, subject to value for money.

254. The Government made changes to the EHRC's statutory remit under the Enterprise and Regulatory Reform Act 2013. This repealed unnecessary powers and duties, enabling the EHRC to focus on its core functions as the national equality and human rights institution.

255. The independent Police Ombudsman in Northern Ireland has the power to investigate all complaints against the Police Service of Northern Ireland, to supervise the investigation of complaints by the Chief Constable and to investigate other matters raising his/her concern. The Ombudsman is completely independent and can recommend criminal or disciplinary proceedings against police officers and may direct that disciplinary proceedings be brought where the Chief Constable refuses to do so.

256. The appointment of a new Ombudsman in 2012 and accompanying re-organisation has led to increased independence, for example the restarting of historic investigations, as approved by the Criminal Justice Inspectorate.

257. Section 75 of the Northern Ireland Act (1998) requires all public bodies in Northern Ireland including OPONI to carry out their functions, powers and duties while considering the need to promote Equal Opportunities between:

- People of different religions, political opinions, racial groups, ages, marital status, sexuality;
- Men and women generally;
- People with a disability and people without;
- People with dependants and people without.

OPONI also has a duty to promote good relations between people of different religions, political opinions or racial groups.

⁴⁴ Concluding Observations, para. 15.

258. OPONI has recently published a statement on hate crime, which sets out how they respond to incidents motivated by hatred based on religion, ethnicity, disability, sexual orientation or gender identity. It commits the organisation to play its part in identifying, and dealing appropriately with, actions which should be considered as a “hate incident” or “hate crime” (as defined by the Public Prosecution Service of Northern Ireland).

VI. Article 7

259. This section contains information on commemoration of the Holocaust and genocide in Srebrenica. Further information on work to promote interfaith dialogue is annexed to this report.

Holocaust Education

260. In September 2012, the Prime Minister announced a cross-party Commission to look at future Holocaust education and commemoration. The Commission published its report in January 2015.⁴⁵ On 27 January 2015, the Prime Minister announced that the Government accepted the recommendations of the Holocaust Commission in full, including the establishment of a new National Memorial and world-class Learning Centre to commemorate and educate about the Holocaust.⁴⁶

261. The Government has a close association with the Holocaust Educational Trust, and from 2006, has provided £1.55 million a year to the Trust to run its “Lessons from Auschwitz” project, increasing to from 2013–14. Under the project, school students and teachers take part in two seminars and a visit to Auschwitz-Birkenau. Since 1999, over 23,500 students and teachers have participated in the project. The Government’s funding also supports preparatory and follow-up work with students, so that young people can share their experience with their peers and community.

262. In the new national curriculum for England, which came into effect in maintained schools from September 2014, the Holocaust is named as a compulsory part of the history programme of study at key stage 3. Within the heading “challenges for Britain, Europe and the wider world 1901 to the present day”, it is the only subject that schools are required to teach. Teachers can also teach the Holocaust as part of a wide range of other subjects.⁴⁷

263. To help ensure teachers are equipped with the training and resources they need to deliver effective Holocaust education, the Government provided £250,000 per year from 2008 for the Institute of Education’s (IOE) Centre for Holocaust Education. The Pears Foundation contributed the same amount. This has been doubled to £500,000 from 2013–14, with the Pears Foundation again contributing matched funding.

264. The IOE’s Centre for Holocaust Education delivers free professional development for teachers across England, and provides high-quality and effective teaching and learning resources. More than 2,500 teachers have benefitted from its research-informed pathway of professional development.

⁴⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398645/Holocaust_Commission_Report_Britains_promise_to_remember.pdf.

⁴⁶ <https://www.gov.uk/government/news/prime-minister-pledges-prominent-holocaust-memorial-for-britain>.

⁴⁷ Source: “Teaching about the Holocaust in English secondary schools”, Institute of Education, 2009.

265. The Scottish Government works in partnership with the Holocaust Memorial Day Trust to deliver Scotland's National Holocaust Memorial Day event each year and provided a grant of £8,000 to Interfaith Scotland to support the development of the event, a 60% increase on previous years.

266. For the 2015 commemoration, the First Minister attended the national Scottish Holocaust Memorial Day event which marked the 70th anniversary of the liberation of Auschwitz-Birkenau and the 20th anniversary of the Srebrenica genocide. The Minister for Europe and International Development attended the Holocaust Memorial Day Glasgow School event and the Scottish Parliament Reception for Scottish Survivors. In addition to this, the Scottish Parliament hosted an exhibition on the work of Holocaust Educational Trust.

Remembering Srebrenica

267. The Government is providing £800,000 in part-funding for *Remembering Srebrenica*, which raises awareness of the 1995 genocide in Srebrenica through annual commemoration events and visits to Bosnia-Herzegovina. The Government believes that commemorating and learning from the Srebrenica genocide will teach current and future generations about the devastating consequences of hatred and intolerance.

268. By January 2015, 191 people, including young leaders, politicians, community and faith leaders had visited Srebrenica with the project. Participants are asked to pledge to do something on their return to challenge hatred and intolerance and so far they have completed over 50 pledges which include writing articles in local media, holding a local memorial event and raising awareness in schools.

269. **The Welsh Government** attended a Remembering Srebrenica Memorial Day in Cardiff in 2014. The First Minister has will host an event to mark the 20th anniversary in 2015 in collaboration with *Remembering Srebrenica*.

270. **The Scottish Government** have also held a memorial event in Edinburgh, with the Minister for External Affairs and International Development hosting a Srebrenica Memorial Day reception at the First Minister's official residence in Edinburgh on 11 July 2014.

VII. Article 14

271. The Government has noted CERD's call for the United Kingdom make the optional declaration under Article 14 of the Convention recognising the competence of the Committee to receive and consider communications from individuals within its jurisdiction.⁴⁸

272. The Government remains to be convinced of the added practical value to people in the United Kingdom of rights of individual petition under the Convention. The United Kingdom has strong and effective laws on racial discrimination under which individuals may seek remedies in the courts or tribunals if they feel that their rights have been breached. By contrast, the treaty monitoring committees are not courts, and they cannot award damages or produce a legal ruling on the meaning of the law.

⁴⁸ Concluding Observations, para. 31.