

# **Racial Equality Strategy 2015 – 2025**

**Prepared by the Office of the First Minister and Deputy First  
Minister**

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## **Ministerial Foreword**

Over the past decade, people from diverse nationalities, cultures and ethnic backgrounds have come to make their home here, joining the existing community and the minority ethnic families – including Chinese, Indian and Jewish - who have lived here for generations. Irish Travellers have been here for centuries. This diversity is reflected in the 2011 census which reports that there are over 90 languages spoken here.

The vast majority of people have welcomed our minority ethnic communities for the skills, new ideas, and fresh perspectives that they bring to life here. We too acknowledge the continuing positive contribution of minority ethnic people not just to our economic life but to our public, political, social and cultural life too.

To make the most of the opportunities presented by our minority ethnic communities we must ensure that we tackle the racial inequalities that they experience and that they are given every opportunity to make the most of their talents and potential. And we must tackle the barriers that stand in their way. It is in all our interests to do so. We must make good on our commitment to making this a place where people can live, learn, socialise and work together regardless of race or ethnicity.

We should be under no illusion about the size of the challenge involved in tackling racial inequalities. It will require our public services to rethink all aspects of how they deliver public services. This will require time, effort and resources. But this should benefit all who live here. The actions set out in this Strategy will act as a driver to improve policy standards and service delivery and deliver real gains for all of us.

As we are all too conscious, a small minority have subjected minority ethnic people who live and work among us to racially motivated intimidation and violence. Racism here continues to hit the headlines locally and internationally and reports of racist incidents and racist crime are on the increase.

Racism, in any of its manifestations, is an evil that can have no place here and we will intensify our efforts to stamp it out. We unequivocally condemn all racist attacks and strongly encourage all victims to report any racist incident, however minor.

The action needed to stamp out racism is not just for Government - it is for everyone in our society. We hope, therefore, that all sections of society can sign up to the vision and aims set out in this strategy and work to achieve them.

We would like to record our gratitude to all those people who have been involved in helping us to develop this strategy and, in particular, minority ethnic representative organisations for the valuable comments and suggestions that they have made. We hope that we can maintain a spirit of partnership as we take forward the critical task of implementation.

**Peter Robinson**  
**First Minister**

**Martin McGuinness**  
**deputy First Minister**

## **Summary of Proposed Actions:**

1. Review of current Race Relations (NI) Order 1997 and other relevant aspects of other legislation.
2. Review Fair Employment Legislation.
3. Work with DE to identify ways to tackle racist bullying in schools.
4. Work with DOJ to develop our approach to tackling race hate crime.
5. Examine where ethnic monitoring should be introduced and consult on proposals for implementation.
6. Develop and roll out a collaborative design process with the Minority Ethnic Community to identify linkages with Delivering Social Change and Together: Building a United Community.
7. Establish a new Racial Equality Subgroup under the auspices of the Ministerial Panel on Together: Building a United Community.
8. Identify Racial Equality Champions in all departments.
9. Establish a Shared Learning Forum for the Racial Equality Champions and develop and implement a training and development package to support Champions in carrying out their role.
10. Work through the Northern Ireland Strategic Migration Partnership (NISMP) to reflect our regionally specific needs in the development and implementation of UK immigration policy.
11. Review the delivery model for the Minority Ethnic Development Fund (MEDF) and identify gaps in provision to inform ongoing operation of the Fund.

## Chapter 1: Introduction and Background

### The Purpose of this Strategy

1.1 This strategy establishes a framework for action by Government departments (and others):

- to tackle racial inequalities and to open up opportunity for all;
- to eradicate racism<sup>1</sup> and hate crime; and
- along with the *Together: Building a United Community*<sup>2</sup> policy, to promote good race relations and social cohesion.

### Origin and Development of the Strategy

1.2 The Belfast (or Good Friday) Agreement recognises “the right to equal opportunity in all social and economic activity, regardless of class, creed, disability, gender or ethnicity.”<sup>3</sup>

1.3 To ensure this for people of different ethnicities, a Racial Equality Strategy was published in July 2005 to cover the period 2005-2010.<sup>4</sup> The Strategy was the product of extensive consultation with people from a minority ethnic background and wider civil society during 2003 and 2004. Following devolution, the Strategy was endorsed by the Assembly in a debate on 3 July 2007.

1.4 Since the publication of that Strategy the socio-economic and political landscape here has changed significantly through the continued outworking of the peace process. Notwithstanding the economic downturn, Northern Ireland becomes ever more multi-cultural. Politically, justice matters have been devolved, though Westminster retains control over immigration law and policy.

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<sup>1</sup> The term racism is used throughout this Strategy as shorthand for all forms of racial intolerance and discrimination including Islamophobia and anti-Semitism .

<sup>2</sup> published on May 23 2013 - <http://www.ofmdfmi.gov.uk/together-building-a-united-community-strategy.pdf>

<sup>3</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/136652/agreement.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/136652/agreement.pdf)

<sup>4</sup> <http://www.ofmdfmi.gov.uk/racial-equality-strategy-2005-2010.pdf>

- 1.5 In addition, the Executive has brought forward *Together: Building a United Community* (TBUC). This reflects the Executive's commitment to improving community relations and continuing the journey towards a more united and shared society.
- 1.6 It is therefore timely to publish a new Racial Equality Strategy for 2015-25 which takes account of these and other changes but retains and builds on the good aspects of the previous strategy, reflecting the many comments during the consultation that there was much of value in the previous document that should not be discarded.

### **From multiculturalism to interculturalism**

- 1.7 When we say that our society becomes daily ever more multicultural, we mean simply that more people from different cultures and ethnic backgrounds than ever before are making their home here. However, we do not believe that "multiculturalism" as a policy approach is the way forward as it can lead to a society where different cultures live separately in parallel communities that have only limited contact.
- 1.8 We are aiming rather for an approach that has been described as "intercultural" where we have pride in our particular identity or identities, but also where people have the intercultural education which gives them the competence and confidence to relate to people who are different to themselves and to see others as an opportunity to learn and develop, rather than as a threat. We want to see people of mixed race, faith and nationality valued on an equal basis to those who claim a single identity.
- 1.9 Part of the vision must be for open communities, in which people are able to live within shared spaces – schools, communities and workplaces. This does not mean creating environments where groups lose their culture or heritage but rather seeking to avoid segregated environments and promoting good relations and shared spaces.

## **How Long is the Strategy For?**

- 1.10 In order to provide long-term stability and to help government departments plan ahead, the strategy will last for ten years. During the life of the strategy, progress towards meeting the strategic aims and outcomes will be measured regularly: in line with successive Comprehensive Spending Reviews (ie every three or four years) and towards the end of the ten-year period.

## **Who is the Strategy For?**

- 1.11 This is a strategy for all sections of society in Northern Ireland, not just for Government. It will have significant implications for the way that government departments and their agencies, together with non-governmental organisations, carry out their business. It sets out how these bodies will work collaboratively in pursuit of strategic aims.
- 1.12 It draws together evidence about the nature and extent of inequalities experienced by minority ethnic people here and provides a coherent and consistent framework for action across departments, the public services and more widely.
- 1.13 During our consultation, concerns were expressed on the one hand by people from longer standing minority ethnic communities that the Strategy would be focused on migrant workers; and on the other hand by migrant workers that it would be focused on minority ethnic people.
- 1.14 It is not always easy or sensible to differentiate between minority ethnic people and migrant workers. We need to recognise that each may have issues that are specific to them and there are many issues that overlap. Moreover, a significant number of migrant workers will, in due course, settle. The strategy is therefore concerned with issues that affect all people here, from both majority and minority communities. It is about allowing people, however they might be identified, to participate in society as equals.

- 1.15 It is not about putting everyone from minority ethnic communities into one category and those from the majority community into another. Nor is it about privileging minority ethnic people over members of the wider community. Rather, it is about getting much better at identifying and responding to the specific needs of different people and different communities and ensuring that everyone here is accorded their human rights.
- 1.16 The Executive recognises that positive action will be required in certain circumstances to meet the particular needs of certain communities to redress the existing disadvantage that these communities have suffered. This approach is in line with the EU Race Equality Directive.

### **The Role of Government**

- 1.17 Government alone does not have all the answers.
- 1.18 As with the previous strategy, this strategy will be, first and foremost, for the Executive and it will lead on implementation. But Government alone cannot eradicate the racism and inequalities suffered by minority ethnic people here. Combating racism and racial inequalities is a task for everyone and if we are to succeed in this aim we will need to enlist the support and active participation of all sections of society.
- 1.19 Each and every one of us has a responsibility for, and a part to play in, achieving the vision we have set out. There is a need for political, civic and community leadership to combat racism. We hope and expect that the strategy will provide a framework for such action and will build on the efforts of many individuals and organisations who are working in their neighbourhoods, places of worship and workplaces to tackle racism.
- 1.20 The document also sets out the structures, delivery mechanisms and accountability arrangements that will help to ensure that the strategy is implemented and that the aims are achieved.

## **The relationship of the Strategy and Together: Building a United Community**

- 1.21 The Executive's strategy Together: Building a United Community (TBUC) "reflects the Executive's commitment to improving community relations and continuing the journey towards a more united and shared community"<sup>5</sup>. It "sets out a vision for the kind of society we want to see and outlines the strategic framework that will shape action in tackling sectarianism, racism and other forms of intolerance"<sup>6</sup>. As such, it deals with some of the key issues that we are dealing with in the present strategy. The policies and mechanisms being put in place to implement Together: Building a United Community are not just about tackling the scourge of sectarianism. They apply equally to tackling racism and promoting good race relations. TBUC, however, "*is not intended to replace or subsume our work on racial equality and good race relations. Rather it will complement and provide the co-ordinated framework for aspects of its delivery*"<sup>7</sup>.
- 1.22 We consider it very important to strengthen our specific focus on racial equality and good race relations at the heart of government as we implement this strategy. We will therefore retain and enhance the Racial Equality Panel – renaming it the Racial Equality Subgroup.
- 1.23 In the light of the responses to our consultation, the Racial Equality Subgroup will function as a clear, strong voice advising government – both OFMDFM and other Government Departments and other public bodies - on issues affecting minority ethnic people, migrants and race relations. It will comprise mainly people working with, or representing, minority ethnic people and migrants. Further details are given below in Chapter 8.

## **The relationship of the Strategy and human rights**

- 1.24 The Strategy is underpinned by international human rights instruments, most notably the United Nations' International Convention on the Elimination of All Forms of Racial Discrimination, the European Convention

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<sup>5</sup> First paragraph , page 3 T:BUC Strategy <http://www.ofmdfmi.gov.uk/together-building-a-united-community-strategy.pdf>

<sup>6</sup> Point 1.2 , page 10 T:BUC Strategy <http://www.ofmdfmi.gov.uk/together-building-a-united-community-strategy.pdf>

<sup>7</sup> *Ibid.* Point 1.30, page 18 T:BUC Strategy <http://www.ofmdfmi.gov.uk/together-building-a-united-community-strategy.pdf> <sup>7</sup> *Ibid.* 1.30, page 18

on Human Rights and the Council of Europe's Framework Convention for the Protection of National Minorities, although others are relevant. A full list of relevant human rights instruments is set out at Annex A.

- 1.25 It provides a framework for the Executive to meet its obligations under these instruments and to address the issues directed at it in the "concluding observations" issued by treaty bodies following periodic reports by the UK.
- 1.26 It will also contribute to meeting the UK Government's commitments to actions agreed at the 2001 United Nations' World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, including the development of a National Action Plan against Racism.

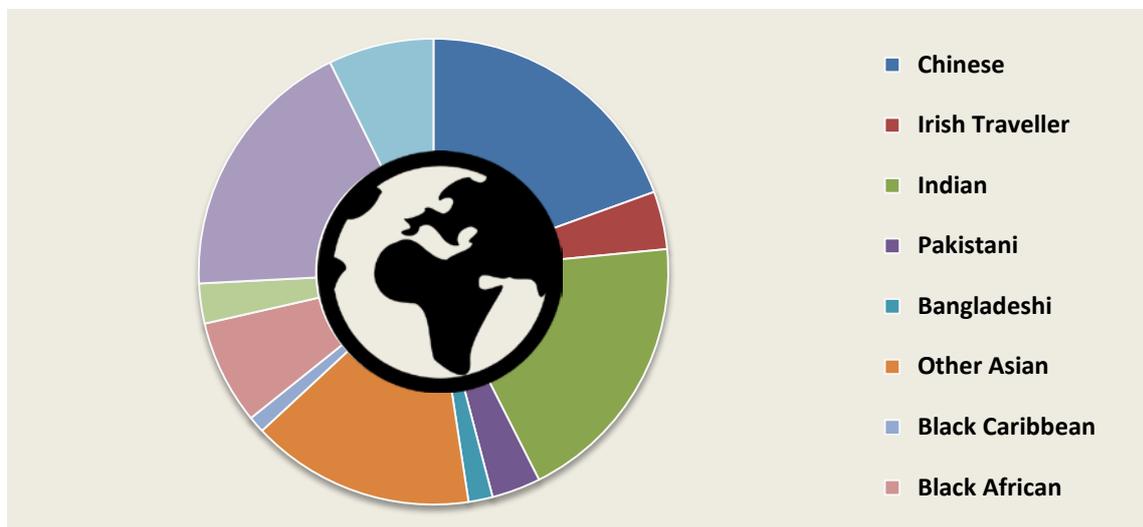
#### **Relationship with policies on these matters in other jurisdictions**

- 1.27 Where appropriate and relevant, we have drawn on developments in combating racism and racial inequalities within Great Britain, the Republic of Ireland and further afield. We will continue to draw on developments as we implement the strategy through our links with the Home Office, the Department for Communities and Local Government, the Scottish Government, the National Assembly for Wales and the Government of the Republic of Ireland.
- 1.28 We must bear in mind, however, that racism in our society is 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 Great 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.
- 1.29 We acknowledge the link between sectarianism and racism and that we cannot hope to tackle one without tackling the other. The Committee on the Elimination of Racial Discrimination, in its Concluding Observations on the UK's most recent report, highlighted this relationship ("intersectionality") between sectarianism and racism and proposed a holistic approach in the fight against racism and sectarianism. We are investigating the advantages

and disadvantages of such an approach.

## Chapter 2: The Changing Face of Northern Ireland: Our Minority Ethnic Communities

2.1 Figures from the **2011 Census** show the diverse nature of the minority ethnic community here. Over **32,000** people gave their ethnicity as something other than 'white'.



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

2.3 The previous Racial Equality Strategy stated that “Northern Ireland is increasingly becoming a multicultural society”. This development has been reinforced since then, not just in terms of the numbers of people who have come here but the diversity of their countries of origin. More and more

people want to visit, to work, to live and to settle here. While some of the people who have come here have returned to their home country after a while, a significant number of migrant workers have settled or will, in due course, settle.

***“There are more than ninety languages spoken across Northern Ireland”***

*2011 Census (NISRA)*

- 2.4 Minority ethnic people and migrant workers have made, and will continue to make, a significant contribution to our economy. The Health Service, for example, has benefitted from the skills and experience of highly-skilled doctors and nurses from India and the Philippines - around 30% of the doctors and 40% of the nurses working in the NHS were born abroad.
- 2.5 A study by Oxford Economics (2009)<sup>8</sup> carried out by DEL estimated that migration had contributed an additional 40,000 jobs and £1.2 billion Gross Value Added (GVA - a measure of wages and profits) to our economy. As our economy recovers and grows, we will again be dependent on attracting workers from elsewhere.
- 2.6 But minority ethnic people and migrant workers are welcome here not just for their economic contribution. They make an important contribution to the social, public and cultural life of Northern Ireland. They also have a genuinely leavening effect in increasing diversity in our society and moving us beyond the traditional “two communities” model.
- 2.7 On 1 May 2004, eight central and eastern European countries (the “A8”) joined the EU. Twelve of the EU-15 Member States imposed labour market restrictions on A8 nationals; the exceptions were Sweden, Ireland and the UK. With comparatively free access to the labour market, citizens from the A8 countries began to arrive in the UK and Ireland in large numbers. In 2007, Romania and Bulgaria (the “A2”) joined the EU. In contrast to the A8

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<sup>8</sup> The Economic, Labour Market and Skills Impacts of Migrant Workers in Northern Ireland - [http://www.delni.gov.uk/the\\_economic\\_labour\\_market\\_and\\_skills\\_impact\\_of\\_migrant\\_workers\\_in\\_northern\\_ireland.pdf](http://www.delni.gov.uk/the_economic_labour_market_and_skills_impact_of_migrant_workers_in_northern_ireland.pdf)

countries, the UK Government severely limited the access of A2 nationals to employment.

- 2.8 During the period July 2000-June 2010, an estimated 122,000 international long-term migrants arrived here, while 97,000 left.
- 2.9 At its peak, between mid-2006 and mid-2007, estimates put the number of people coming to live in Northern Ireland from outside the UK at 19,400, while 11,300 left to live outside the UK. The overall effect in this year was population growth of 8,000 due to international migrants.
- 2.10 While migration flows have slowed considerably in recent years, many migrants have chosen to settle here for the longer term, resulting in lasting changes to regional and local demographics. This is clearly illustrated by the 2011 census data and similar data sets. The number of NI residents who were born outside either the UK or the Republic of Ireland has increased from 27,200 at the time of the 2001 census to 81,000 in 2011 (an increase of 53,800 people). Dramatic as this population shift may have been in the context of our society, it is important not to exaggerate numbers. Non-UK and Ireland migrants still make up only 3.8% of the population. According to the 2011 census, less than 1.8% of the population is from non-white ethnic groups.
- 2.11 The fact that our minority ethnic and migrant population is really very small has significant consequences for indigenous people. In one of our regular surveys of public opinion, we ask whether people would willingly accept migrants or minority ethnic people in a variety of different scenarios including “a resident in my local area” and “a colleague at my work”. The simple fact is that we are much less likely to have sustained encounters with migrants and minority ethnic people here than anywhere else in these islands and as a result do not benefit as much from the informal “learning” and “education” about people from other cultures.

## Asylum Seekers and Refugees<sup>9</sup>

- 2.12 In addition to people who have come here for economic reasons or to join members of their family who are already here, there are people who have come here to seek sanctuary and escape persecution in their home country.
- 2.13 There are conflicting estimates of the number of asylum seekers and refugees here. Certain figures suggest that some 500 asylum seekers (including dependents), principally from China, Somalia, Sudan, Syria and Pakistan/Iran, are being supported here by the Home Office and that up to 200 people make a fresh claim each year.
- 2.14 Immigration, including policy on asylum seekers, is an excepted matter under paragraph 8, Schedule 2 of the Northern Ireland Act 1998 and therefore the responsibility of the Home Office. However several NI departments are responsible for providing services to asylum seekers in areas such as education (including adult education) and healthcare. There is a need therefore for good co-operation and co-ordination to ensure that the needs of asylum seekers are addressed. A refugee is generally entitled to the same services as a citizen of the UK.
- 2.15 Ministers here have been keen to ensure that asylum seekers should not suffer injustice in how they are treated by the asylum system. They have intervened where they think that aspects of the treatment of asylum seekers or of a particular applicant for asylum do not meet the standards to which we aspire. These cases come to their attention in a variety of ways including through public campaigns.
- 2.16 In October 2015, Ministers committed to welcoming between 50 and 100 Syrian refugees through the Vulnerable Persons Relocation scheme, with the expectation that further groups would arrive on a phased basis. In doing this, Ministers showed our readiness to play our part in assisting with this

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<sup>9</sup> An asylum seeker is a person from overseas who has come to the United Kingdom and claims asylum from persecution in their home country. While the claim is being assessed the person is considered as an asylum seeker. Once the Home Office has made a decision on the claim, the person is either granted permission to stay (becoming known as a refugee) or is refused permission to remain in the United Kingdom. A refugee is generally entitled to the same services as a citizen of the United Kingdom.

humanitarian crisis and reaffirmed their confidence in the increasing maturity of our society and in our growing ease with diversity.

### **Impact of Immigration**

- 2.17 While immigration since 2004 has put a certain amount of pressure on public services, migrants tend to be young and healthy and therefore less in need of medical care. In terms of accessing healthcare in NI, under current legislation only people who are 'ordinarily resident' in GB or the Channel Islands and who have been living legally in the UK for 12 months are entitled to receive free healthcare.
- 2.18 The pressure on public services is primarily attributable not to the migrants themselves, but to the difficulties service providers have had in knowing how many people were coming and when, for planning purposes. This is not unique to NI.
- 2.19 This will always be difficult. We have, however, taken such steps as we can by working with the NI Local Government Association and the then UK Border Agency to set up the NI Strategic Migration Partnership (NISMP) – a multi-agency, cross-party and cross-departmental body working to reflect our regionally specific needs in the development and implementation of UK immigration policy. Among other things NISMP monitors migration impacts and trends and helps raise awareness of issues, risks and opportunities.
- 2.20 NISMP has recently published a set of Community Profiles to help our new local Councils, councillors and staff to better understand the ethnic diversity within new local government district boundaries and to better engage with migrant and minority ethnic communities.
- 2.21 These profiles, one for each of the 11 councils and one for the whole of NI, map the size and diversity of migrant and minority ethnic communities represented within its constituency boundaries. Using figures collated principally from NISRA (Northern Ireland Statistics and Research Agency) data sets, the profiles give an indication of migration flows into and out of the area over time. This includes nationalities represented, the level of

economic activity of migrant and minority ethnic communities, their needs in relation to public services and housing as well as levels of racist hate crime offences<sup>10</sup>.

### **Chapter 3: Racism – Its Many Facets**

- 3.1 We should not underestimate the size of the challenges posed by racism here. Nor should we be under any illusions as to the continuing urgency of the task of tackling racism and racial inequalities. Racism “hinders the development of its victims, perverts those who practise it, divides nations internally, impedes international co-operation and gives rise to political tensions between people...”.<sup>11</sup>
- 3.2 If we are to tackle racism and racial inequalities effectively, we need to be clear about what it is we are dealing with. Racism manifests itself in a variety of ways, both subtle and overt. It can range from snubs and exclusion through to discrimination, the creation of barriers to inclusion that can emerge at all levels in public and private institutions, to acts of intimidation and violence.
- 3.3 The economic downturn increased racial tension as unemployment rose and has contributed towards growing hostility towards migrants.
- 3.4 Recent months have seen a significant increase in reports of race hate crimes and incidents<sup>12</sup>. There is a real question as to whether this increase in reports represents a real increase in the number of crimes and incidents or whether it represents an increase in reporting. Nevertheless, we know that race hate crime is significantly under-reported<sup>13</sup> and this rising trend is deeply disturbing and must be addressed.
- 3.5 Government has put on record its abhorrence of all forms of intolerance and has stressed its commitment to tackle racism in all its forms.

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<sup>10</sup> <http://www.migrationni.org/resources>

<sup>11</sup> [http://www.unesco.org/webworld/peace\\_library/UNESCO/HRIGHTS/107-116.HTM](http://www.unesco.org/webworld/peace_library/UNESCO/HRIGHTS/107-116.HTM) Article 2(2) of the UNESCO Declaration on Race and Racial Prejudice, 1978

<sup>12</sup> A ‘racist (or racial) incident’ means any incident with a race dimension – and covers both crimes and non-crimes. While it includes attacks on people and property it also includes incidents which would not normally result in criminal proceedings.

<sup>13</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/97849/action-plan.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97849/action-plan.pdf) - para 1.13

3.6 For the purposes of this strategy, we have identified four main manifestations of racism (although these are often inter-linked and overlapping):

- racist harassment (including assaults, racist graffiti, threatening behaviour, and incitement);
- discrimination;
- stereotyping; and
- institutional (or systemic) racism.

### **Racist Harassment (including assaults, threatening behaviour, and incitement)**

3.7 Incidents have been reported involving men, women, children and older people. Incidents have been reported in rural and urban areas as well as cities, in the home, place of work, and the street, in bars and in leisure centres. Incidents occur throughout the year and at all times of the day and night.

3.8 Racist harassment, from offensive graffiti and name calling through to physical assault, reminds minority ethnic people that they are excluded from aspects of wider NI society and reinforces that exclusion. It can act as a strong deterrent to many minority ethnic people in applying for certain jobs, choosing to live in certain areas and making use of social and health care services. It can restrict the type of social activities people can engage in and can make people prisoners in their own home. It can engender a sense of “limitation” in the person who experiences it, which can be passed on to their children.

### **Discrimination**

3.9 The International Convention on the Elimination of All Forms of Racial Discrimination defines ‘racial discrimination’ as follows: “any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and

fundamental freedoms in the political, economic, social, cultural or any other field of public life”.

- 3.10 There are four types of unlawful racial discrimination within the meaning of the existing law in Northern Ireland - the Race Relations (Northern Ireland) Order 1997 as amended. The four types of unlawful racial discrimination are as follows:
- 3.11 Direct discrimination arises where one person treats another less favourably, on racial grounds, than he or she treats (or would treat) someone else in the same or similar circumstances;
- 3.12 Indirect discrimination occurs where a provision, criterion or practice although applied equally to others would put persons of a particular racial group at a particular disadvantage compared with other persons, unless that provision, criterion or practice is objectively justified by a legitimate aim;
- 3.13 Harassment occurs where there is unwanted conduct which has the purpose or effect of violating one’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment; and
- 3.14 Victimisation is where someone is treated less favourably because they have, for instance, complained of unlawful racial discrimination or have assisted someone else to do so. The law covers relationships that have come to end where the discrimination arises out of and is closely connected to that relationship, such as an employment contract.

### **Racial Prejudice and Stereotyping**

- 3.15 Society in Northern Ireland has been bedevilled by stereotypes. We all have prejudices and stereotypes about different groups - and not just racial groups. The less familiar we are with a particular group, the easier it is to carry a stereotype based, for example, on images of that group that we have come across in the media and/or our own very limited experience of that group. Stereotypes are fed by myths and misinformation. But we must recognise that stereotypes are not reality. They do not account for the fact that human beings

are complex and multidimensional, with unique attributes. We must have the courage to challenge stereotypes and prevent them leading to prejudice and unacceptable behaviour.

- 3.16 The impact of this stereotyping is difficult to quantify, but can help to create an environment where assaults, threatening behaviour and discrimination against the community which is subject to stereotyping are more likely to occur.

### **Institutional (or systemic) racism**

- 3.17 In an increasingly diverse society, meeting the needs of individuals from all communities, including minority ethnic communities, is a fundamental task for government and for all public services. Racial equality is not an “optional add-on” for public services - it is a statutory duty and it needs to be made integral to their work. Mainstreaming racial equality into government policy and practice is essential for all departments and public authorities. However, before racial equality and good race relations can be effectively mainstreamed, departments and public authorities need to have explicitly recognised and acknowledged the barriers to racial equality and good race relations and to have taken action to overcome them.

- 3.18 The strategy recognises the need for all public bodies and others to ensure that they take urgent steps to identify institutional racism and to tackle it as a matter of urgency where it exists. The report of the Stephen Lawrence Inquiry defines institutional racism as follows:

*“The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.”*

- 3.19 Institutional racism and the failure to accommodate diversity may be unintentional and can come about through lack of thought, lack of understanding, lack of adequate planning or the persistence of a ‘one size

fits all' approach. The outcome of these processes can contribute to failure in, or weaker service provision to, cultural and ethnic minorities. This is not to imply that everyone working within such an organisation is a racist - it does not need people to act in a deliberately and intentionally racist way for institutional racism to arise.

3.20 Therefore, training and awareness initiatives for policy makers and public servants, in particular those in the frontline of service delivery, will focus on eliminating the potential of incidents of “unwitting”, “unconscious” or “unintentional” racism, as well as deliberate and intentional racism.

3.21 We should stress that much of concern in the strategy is the need to acknowledge and tackle inequalities in opportunity as well as focusing on racism and direct discrimination. Apathy, poor understanding by public authorities, failure by public authorities to get information to the people who need it and lack of resources are just as much of an issue in minority ethnic and migrant communities accessing services, employment and the social sphere as direct discrimination.

### **Multiple identities and multiple discrimination**

3.22 We recognise that an individual’s identity is complex and will be made up of all sorts of different factors or characteristics including gender, age, religion, disability, ethnicity and sexual orientation. We recognise too that some individuals are vulnerable to discrimination on the basis of more than one characteristic. The most commonly cited example of victims of “multiple discrimination” are minority ethnic women, who may be discriminated against on the grounds of both sex and race.

3.23 We are in no doubt that this is an issue that we need to address, although we do not yet have a precise idea as to the size of the issue. International data can offer us some insight. According to the European Union, the Ontario Human Rights Commission, which has played an important role in addressing and exploring the issue of multiple discrimination has estimated

that between April 1997 and December 2000 48% of the complaints that it received included more than one ground.<sup>14</sup>

3.24 A bit closer to home, Paola Uccellari for the Equal Rights Review on 'Multiple Discrimination: How Law Can Reflect Reality'(2008) stated that in 2006, 21% of cases brought under the Equal Status Act in the Republic of Ireland were brought in relation to more than one ground. In a local context statistics collected by the Equality Commission show over a twelve month period that it received 113 'hybrid' race enquiries and applications – cases where a person was discriminated on a combination of equality grounds that included race.

3.25 In our work to address issues of multiple identity and multiple discrimination we will ensure effective links between the implementation of this strategy and other policies and strategies to tackle inequalities and specific attention will be paid to the multiple identities, multiple discrimination and inequalities experienced by minority ethnic people. An important strand will be to collect disaggregated data to enable the measurement of the impact of actions on multiple discrimination and disadvantage. We will also explore how we might provide protection against forms of multiple discrimination in our review of legislation. Work on understanding multiple discrimination both internationally and locally and how it damages life opportunities is at a very early stage. Much more needs to be done to identify how we can prevent and combat multiple discrimination. It is clear from our consultation that we need more knowledge and better understanding in particular of intersectional groups.

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<sup>14</sup> cited in Tackling Multiple Discrimination - Practices, policies and laws, European Communities, 2007  
<http://ec.europa.eu/social/main.jsp?catId=738&pubId=51>).

## **Chapter 4: Racism and racial inequalities: the evidence**

- 4.1 As to the racism and racial inequalities experienced by minority ethnic people, indications are that while we have made some headway since the previous Racial Equality Strategy many of the issues remain.
- 4.2 As a recent research report from the Joseph Rowntree Foundation notes, “Research interest in the circumstances of people from minority ethnic communities in Northern Ireland grew over the last decade”. “The new evidence sought to understand new populations in the region and in particular their access to services”. However, the report goes on to note that “With the current absence of robust, reliable statistical or administrative analysis, significant gaps exist in the knowledge base”.
- 4.3 Our commitment to introduce ethnic monitoring across the board should do much to fill at least some of these gaps. We recognise that there will be a need, however, to commission further research and this will be an early issue to discuss with the Racial Equality Subgroup.

## Chapter 5: The Legislative Framework

5.1 Legislation has an essential role to play in tackling racial inequalities, eradicating racism and promoting good race relations and social cohesion. It sets out the principles that should govern behaviour and the minimum standards of behaviour that must be observed.

5.2 As Dr Martin Luther King said:

*“Morality cannot be legislated, but behaviour can be regulated. Judicial decrees may not change the heart, but they can restrain the heartless.”*

In this way, legislation can signal and bring about change. But change can also be influenced by action to make sure that the principles of law are incorporated into policies and practices as they are developed.

5.3 The Racial Equality Strategy will, of course, operate within the context of existing and proposed anti-discrimination legislation in this area, including the Race Relations (Northern Ireland) Order 1997, as amended, and Section 75 of the Northern Ireland Act 1998.

5.4 Section 75 of the Northern Ireland Act already requires public authorities (including appropriate UK departments operating in Northern Ireland and district councils) “in carrying out their functions relating to Northern Ireland, to have due regard to the need to promote equality of opportunity” between persons of different ... racial group... and to “have regard to the desirability of promoting good relations between persons of different ...racial group”.

5.5 The most significant piece of legislation specific to race is **the Race Relations (Northern Ireland) Order 1997**. The Order defines “racial groups” as “a group of persons defined by reference to colour, race, nationality or ethnic or national origins”. It explicitly defines Irish Travellers as a “racial group” in that they are “a community of people commonly so called who are identified by themselves and by others as people with a shared history, culture and traditions, including historically

a nomadic way of life on the island of Ireland”.

5.6 The Order makes it unlawful to discriminate, either directly or indirectly on racial grounds in the areas of employment and training; education; the provision of goods, facilities or services; the disposal and management of premises and advertisements. It also places a statutory duty on district councils to make appropriate arrangements with a view to ensuring that their various functions are carried out with due regard to the need:

a) to eliminate unlawful racial discrimination; and

b) to promote equality of opportunity, and good relations, between persons of different racial groups.

5.7 The Order was amended on several occasions to comply with European Union law. It was amended by the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003 to give effect to the EU Racial Equality Directive. It was further amended by the Race Relations Order (Amendment) Regulations (Northern Ireland) 2009 to extend the definition of indirect discrimination to include both persons who are put at a disadvantage by a discriminatory provision or practice and those who would be put at a disadvantage and by the Race Relations Order (Amendment) Regulations (Northern Ireland) 2012 in respect of seafarers.

5.8 However, occasion was not found to rectify the anomaly (noted in the previous Racial Equality Strategy) that the 2003 Regulations did not extend to all the categories covered by the original Race Relations (Northern Ireland) Order 1997: specifically, they did not cover colour and nationality.

5.9 Also we have not strengthened our racial equality legislation and improved the protection it provides against racial discrimination for different racial groups in a way that matches our commitment to ensuring equality for minority ethnic people. Following the enactment of the Equality Act 2010 in England, Scotland and Wales, a significant gap

has opened up between the protections offered in Great Britain and here. The UN Committee on the Elimination of all forms of Racial Discrimination has highlighted this.

- 5.10 All those who commented on this matter during the consultation on the revised Strategy expressed the view that there was a need for review and reform.
- 5.11 Accordingly, we commit to undertaking a review of the current Race Relations (Northern Ireland) Order 1997 to ensure that it offers at least the same levels of protection as in GB and the Republic of Ireland and to act on the outcome of the review with a view to new legislation being in place by the 2017-2018 Assembly Session. We will also review relevant aspects of other pieces of legislation.
- 5.12 The Equality Commission for Northern Ireland (ECNI) has a duty to keep under review the working of the Order and, when it is so required by the Department (the Office of the First Minister and Deputy First Minister) or otherwise thinks it necessary, draw up and submit to the Department proposals for amending the Order. The ECNI has made proposals for amending the Order.
- 5.13 We will review those areas recommended for strengthening by the ECNI, as follows:
- i. provide increased protection against discrimination and harassment on the grounds of colour and nationality across the scope of the race equality legislation;*
  - ii. ensure increased protection against racial discrimination and harassment by public bodies, such as the police or prison authorities, when carrying out their public functions;*
  - iii. give stronger protection against racial harassment including racial harassment of employees by clients or customers;*

- iv. remove or modify certain exceptions, including those relating to immigration, and the employment of foreign nationals in the civil, diplomatic, armed or security and intelligence services and by certain public bodies;*
- v. expand the scope of positive action which employers and service providers can lawfully take in order to promote racial equality;*
- vi. increase protection for Councillors and certain categories of agency workers against racial discrimination and harassment;*
- vii. increase protection under the race equality legislation for individuals against victimisation;*
- viii. introduce protection against multiple discrimination;*
- ix. amend the enforcement mechanism for education complaints;*
- x. improve the powers of the Commission to issue additional Codes of Practice under the race equality legislation; and to enforce effectively the race equality legislation;*
- xi. strengthen tribunal powers to ensure effective remedies for complainants bringing racial complaints.*

5.14 We will also, at the same time, review our Fair Employment legislation to examine the case for it being amended so as require registered employers here, in addition to monitoring the community background and sex of their employees and job applicants, to collect monitoring information as regards nationality and ethnic origin.

## **Chapter 6: The Vision and Aims of this Strategy (including high level actions)**

6.1 There is no doubt that our society has evolved over recent years. This changing face of our community undoubtedly presents both challenges and opportunities. This Strategy, coupled with Together: Building a United Community, is a framework for addressing these challenges and building on the opportunities to achieve our vision of:

***A society which is strengthened by its ethnic diversity, where we can live together free from racism, racial inequality and unlawful racial discrimination, where we share a common sense of belonging and where human rights and equality are enjoyed by all.***

6.2 This vision reaffirms the Executive's commitment to continuing to change our society for the better and to making it a place where people can live, learn, socialise and work together regardless of their race or ethnicity.

6.3 This vision cannot be achieved by one department alone or indeed by government working in isolation. The framework laid out in this document sets the strategic directions for departments, agencies and other organisations, working individually and together, to make a significant difference to the lives of people from minority ethnic backgrounds.

6.4 The public consultation on this Strategy served to highlight the real and practical issues that impact on the lives of minority ethnic people across our community. In recognition of these issues, we have developed 7 shared aims to address specific areas of concern. The aims are described as "shared", because they have been developed in consultation with minority ethnic representatives as being appropriate not just for government but for all of our society. They are based on the 6 shared aims of the previous strategy. This chapter also sets out a number of key actions that will contribute to meeting the 7 shared aims. These actions are underscored by the equality duty under Section 75 (1) and the good relations duty under Section 75 (2) of the Northern Ireland Act 1998. These actions will be supplemented by actions and areas of work to be identified by the Racial

Equality Subgroup and others.

### **Shared Aim 1: Elimination of Racial Inequality**

6.5 To eliminate racial inequalities and promote equality of opportunity in all aspects of economic, social, cultural, political and public life, for people of different ethnic backgrounds.

### **Shared Aim 2: Combating Racism and Hate Crime**

6.6 To combat racism and race hate and to provide effective protection against all manifestations of racism and racist crime. To provide redress and to have a victim-centred approach.

6.7 Previous chapters have highlighted the significant rise in racially motivated hate crime and incidents over the last two years. This increase may be due in part to the success of outreach work encouraging Black and Ethnic Minority (BME) victims to report crime. However, if this current trend continues, by 2015/16 racist motivated hate crime will become more frequent than sectarian motivated crime.

6.8 There are sometimes few safe places for minority ethnic people and migrant workers and their children. According to NICEM research “Figures indicate that 75% of BME pupils experienced derogatory name-calling, with 25% being subjected to exclusion from social activities and verbal threats. Further research found that 42% of minority ethnic 16 year old students had been ‘a victim of racist bullying or harassment in their school’.”

6.9 To help achieve this aim, we will:

- work with DE to identify ways to tackle racist bullying in schools; and
- through the Ministerial Panel, we will work with DOJ to develop our approach to tackling race hate crime.

### **Shared Aim 3: Equality of Service Provision**

- 6.10 To ensure that people from a minority ethnic background access and benefit equally from all public services.
- 6.11 Our monitoring frameworks - which would allow us to ensure that people from a minority ethnic background access and benefit equally from all public services - need to be improved. All public bodies including Government departments and agencies need robust information to monitor inequalities, develop evidence based policy and to plan service delivery.
- 6.12 To help achieve this, we will:
- work with the Northern Ireland Statistics and Research Agency (NISRA), the Racial Equality Subgroup, Government departments and agencies to examine where ethnic monitoring should be introduced and consult on proposals for implementation.

### **Shared Aim 4: Participation**

- 6.13 To increase the participation, representation and sense of “belonging” of people from minority ethnic backgrounds in all aspects of public, political, economic, social and cultural life.
- 6.14 To meet this aim, we will
- develop and roll out a collaborative design process with minority ethnic people and representatives to identify how Delivering Social Change and Together: Building a United Community frameworks can better benefit people from minority ethnic backgrounds.

### **Shared Aim 5: Social Cohesion**

- 6.15 To strengthen social relations and interactions between people of different faiths and cultural backgrounds, both long standing within Northern Ireland and recent arrivals to these shores.

## **Shared Aim 6: Capacity Building**

- 6.16 To support minority ethnic communities in developing leadership and collective capacity at local and regional level.

## **Shared Aim 7: Cultural identity**

- 6.17 To safeguard people's rights to maintain their cultural identity and to pass it on to subsequent generations.
- 6.18 We believe that the Strategy provides a framework for Government departments to tackle racial inequalities and to promote and encourage good race relations and social cohesion for Irish Travellers, minority ethnic people whose families have been here a number of generations or who have recently arrived, migrant workers and asylum seekers.
- 6.19 We believe, however, that there is a strong case for a separate Refugee Integration Strategy – to ensure a smooth transition between being an asylum seeker and a refugee and to ensure that refugees can build a new life here and realise their full potential. Accordingly a draft strategy is being prepared for consultation.
- 6.20 While we do not wish to have a proliferation of strategies or a strategy for every minority ethnic group, we recognise there may be a need to develop and implement specific programmes of work to address particular challenges and vulnerabilities facing particular groups such as Irish Travellers and the Roma.
- 6.21 The Racial Equality Subgroup will consider these strands of work within its programme of activity.

## Chapter 7: The Need for Ethnic Monitoring

- 7.1 In Chapter 4 we have drawn attention to the gaps in our existing knowledge base. We will not make progress in tackling racial inequalities unless we fill these gaps. A systemic approach is needed to address this issue which lies at the heart of achieving the shared aims of this strategy.
- 7.2 Our monitoring frameworks need to be reviewed to ensure they have been developed and are fit for purpose. All public bodies including Government departments and agencies need robust information to monitor inequalities, develop evidence based policy and to plan service delivery. The previous Racial Equality Strategy acknowledged that a proper system of ethnic monitoring will allow service providers to:
- *highlight possible inequalities;*
  - *investigate their underlying causes; and*
  - *remove any unfairness or disadvantage.*

### Why Monitor?

- 7.3 The previous Racial Equality Strategy defined Ethnic Monitoring as the process used to collect, store and analyse data about people's ethnic background. This underpinning system is critical to achieving racial equality, monitoring service usage and ensuring that services are meeting users' needs.
- 7.4 Without ethnic monitoring, Government departments and agencies will find it difficult to identify gaps and monitor whether racial equality work is having any impact.
- 7.5 In July 2011, OFMDFM published Guidance for Monitoring Racial Equality. This is the definitive monitoring guide to assist public bodies in improving service delivery and equality for minority ethnic and migrant populations living here. The guidance presents a standardised monitoring framework for the collection of data. It is based on best practice, recent developments in National Statistics guidance and the 2011 Census of

Population.

- 7.6 With the support of the Northern Ireland Statistics and Research Agency (NISRA) and the Racial Equality Unit of OFMDFM, and with advice from the Racial Equality Subgroup, Government departments and agencies will, as a matter of priority, examine where they should introduce ethnic monitoring and draw up and implement proposals to do so following consultation.
- 7.7 The Department of Health, Social Services and Public Safety has already taken this step through the Health and Social Care Board's project to address data gaps and improve ethnic monitoring within Health and Social Care (HSC). The project seeks to help HSC commissioners and providers to robustly capture critical patient/ service user information and through this help HSC organisations to: develop and enhance service provision to all members of the community; respond to the needs of a changing society; and, help to ensure that Equality and Human Rights obligations are met. Changes are being implemented across the following systems:-
- *Child Health System (CHS),*
  - *Community Systems –*
    - *Social Services Client Administration and Retrieval Environment (SOSCARE),*
    - *Regional Sure Start Database,*
  - *Hospital Systems –*
    - *Patient administration System (PAS) inpatients,, and*
    - *Northern Ireland Maternity System (NIMATS).*
- 7.8 Implementation is supported by appropriate staff training and support including information for service users explaining why the information is needed. After a period of 12-18 months of operation each system will be evaluated to determine its effectiveness.
- 7.9 To support this work and ensure consistency, HSC ethnic monitoring

guidance has been drafted incorporating OFMDFM's 2011 Guidance for Monitoring Racial Equality. The HSC guidance will also apply to any other Health and Social Care systems which implement ethnic monitoring.

- 7.10 In drawing up proposals for ethnic monitoring, Government departments and agencies will draw on the experience of DHSSPS.

## **Chapter 8: Making It Happen: implementing the Racial Equality Strategy**

*Mainstreaming involves the incorporation of racial equality considerations into all policies, programmes, practices and decision making so that at every stage of development and implementation, an analysis is made of the effects on different racial groups and appropriate action taken. Crucially, it involves each organisation and each part of that organisation accepting responsibility for promoting equal opportunity and challenging racism.*

### **Structures and responsibilities**

- 8.1 If the Strategy is to make an appreciable difference to the lives of minority ethnic people here, it must prompt action across government and wider society to tackle racism and racial inequalities on the ground. Full and effective implementation of this Strategy will only be achieved by departments working together and, where appropriate, in partnership with the voluntary and community sector and other elements of civic society.
- 8.2 This will not happen unless there are clear lines of responsibility and accountability. There must also be appropriate structures in place to achieve a joined-up, targeted approach where this is necessary to achieve change. The consultation called for clear and robust governance structures whilst also recognising the need for a specific focus on racial equality and good race relations.

### **Racial Equality Subgroup**

- 8.3 To achieve this we will review the existing Racial Equality Panel and take the learning to inform the establishment of a new Racial Equality Subgroup. We want this subgroup to function as a strong voice within government here on issues specifically affecting minority ethnic people, migrants and race relations. Membership will comprise people working with or representing minority ethnic people and migrants – including representatives of refugees and asylum seekers and the Equality Commission for Northern Ireland. It will be chaired by someone independent from Government.

- 8.4 Subgroup members will be expected to consult widely within the wider minority ethnic sector prior to meetings and to feed back Subgroup proceedings to the sector. (A draft Terms of Reference is at Annex C.)
- 8.5 The Racial Equality Subgroup will have a significant role to play in advising OFMDFM and other Government Departments on the implementation of the Strategy.
- 8.6 Apart from OFMDFM, there will be no permanent members drawn from government departments. Rather it is anticipated that representatives of different government departments would appear by invitation.
- 8.7 The Subgroup will be tasked with working with departments (and vice-versa) to develop an implementation plan and monitoring and reviewing progress on implementation. Government departments, with the assistance and advice of the Subgroup, will identify actions, consistent with the principles of the Strategy, which will contribute to the achievement of the outcomes. The focus will be on identifying, delivering and measuring actions that deliver real improvement.
- 8.8 We will not require departments or local authorities to draw up their own action plans, although they may wish to do so. The focus when it comes to implementation of this Strategy will be on a small number of actions that will make the biggest difference.

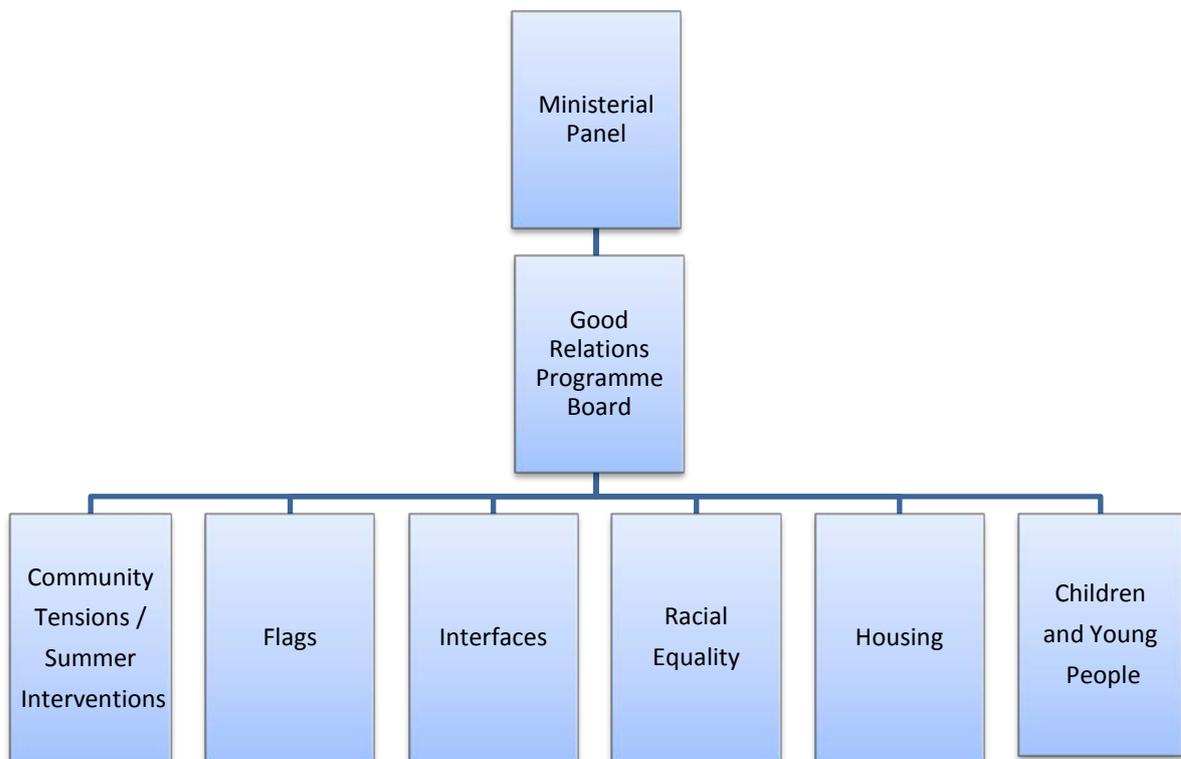
### **Ministerial Panel**

- 8.9 Under *Together: Building a United Community* a Panel comprising all Ministers from the Executive in addition to senior representatives from a range of statutory agencies and community partners was established as “a means of harnessing the collective commitment across Government”. The Panel is chaired by Ministers from the OFMDFM.
- 8.10 The Ministerial Panel is an important mechanism for co-ordinating action on those issues that cut across the responsibilities of more than one department. The primary role of the Ministerial Panel is to oversee the

delivery of *Together: Building a United Community*, set the strategic direction on how to achieve good relations across our community and to identify key areas for action. Each Minister is required to report against the actions and targets attributed to his or her department and show how, and to what extent, departmental policies are achieving the objectives aligned to both T:BUC and the Racial Equality Strategy.

- 8.11 The Racial Equality Subgroup will have the same status and function as the thematic subgroups established under the auspices of the Ministerial Panel (illustrated at Figure 1).
- 8.12 The independent Subgroup Chair will sit alongside Ministers on the Panel. The Racial Equality Subgroup will submit a programme of work to the Ministerial Panel and will provide updates on implementation to Ministers. The Subgroup will continue to monitor implementation and identify gaps in provision to advise the Ministerial Panel.

Figure 1



## **Racial Equality Champions**

- 8.13 Delivering racial equality and good race relations potentially affects every aspect of public service delivery. It can only be achieved by rethinking the way that things are done. This requires good change management, which depends upon leadership. This Strategy will require each department to appoint a racial equality “champion” – a senior member of staff with visibility and credibility throughout the organisation. This champion will ensure that messages about the importance of racial equality and good race relations are consistent and visible to all staff. S/he will be responsible for demonstrating commitment through action – to scrutinise and challenge progress in implementing the racial equality strategy. Racial equality will be integrated into departmental targets, competencies and behaviours of staff. Each Racial Equality Champion will be required to report on progress through the Racial Equality Subgroup and ultimately to the Ministerial Panel.
- 8.14 The Racial Equality Subgroup, supported by the Racial Equality Unit, will work with departments to identify appropriate actions that will contribute to the achievement of the aims of the strategy as priorities for inclusion in the Strategy’s implementation plan.
- 8.15 Departments will ensure that all the policies and operational practices of their department and agencies take account of the aims and principles of the strategy.
- 8.16 Racial Equality Champions will be required to:
- communicate to all staff within their Departments the strategy and the Department’s commitment to it; and
  - ensure that members of staff have an awareness and understanding of racial equality and issues arising for specific action within the Department’s policy and operational areas;
  - cascade the strategy to non-departmental public bodies and other

service providers and encourage and/or work with them to ensure its effective implementation;

- share knowledge, expertise and good practice with others.

These responsibilities are in line with departments' work to meet their obligations under Section 75 of the Northern Ireland Act 1998.

8.17 The Racial Equality Unit in OFMDFM will work with departments, through their Racial Equality Champions to help them to assess their current performance in racial equality and to identify and tackle the barriers preventing progress.

8.18 A Shared Learning Forum will be established as a mechanism for bringing the Racial Equality Champions together to:

- share examples of best practice;
- identify and address common challenges; and
- identify ways of maximising resources.

8.19 OFMDFM will develop and implement a training and development package to support Racial Equality Champions in carrying out their role effectively.

8.20 This applies equality to race relations as it does to community relations.

## Chapter 9: Immigration

- 9.1 “Nationality; immigration, including asylum and the status and capacity of persons in the United Kingdom who are not British citizens; free movement of persons within the European Economic Area; issue of travel documents” are all excepted matters under Schedule 2 of the Northern Ireland Act 1998. This means that it is for Westminster to decide policy on these matters. Nonetheless, it is at the local level that these decisions are felt. A significant proportion of minority ethnic people living and working here are under immigration control.
- 9.2 Restrictions on people under immigration control may include how long they can stay here, whether or not they can work and whether they can be joined by members of their family. They may also have 'no recourse to public funds' which means that they are not allowed to claim most benefits, tax credits or housing assistance that are paid by the state. Their access to services provided by government here may also be restricted.
- 9.3 At times our regional interests will not coincide with those of Great Britain. We have for example recognised the importance of legal advice in assisting migrants to attain the stability that underpins long term integration. As a result, we have not reduced coverage of legal aid for immigration work or proposed a residence test for legal aid as in England and Wales.
- 9.4 Ministers have also shown a willingness to intervene in support of individual asylum seekers where it appeared to them that there was a danger of an injustice.
- 9.5 While immigration policy is made in Westminster, the Executive does have powers to address some of the problems faced by those living under immigration control here, including asylum seekers and refugees. Indeed, it has exercised these powers to put in place several very positive initiatives including:
- setting up a Crisis Fund for vulnerable migrants,

- providing free English language classes for asylum seekers,
- ensuring that all asylum seekers have access to free healthcare,
- providing the legal framework that will give all unaccompanied asylum seeking children and trafficked children an independent legal guardian.

9.6 We are pleased to have played a key role in the establishment, development and working of the Strategic Migration Partnership, a multi-agency, cross-party and cross-departmental body working to reflect the regionally specific needs of NI in the development and implementation of UK immigration policy. The Partnership is playing an increasingly important role in pulling together evidence that the Executive can draw on to ensure local needs and circumstances are taken into account in immigration policy.

### **How we view immigration**

9.7 The results of the 2012 Northern Ireland Life and Times Survey showed a marked difference – at this time anyway – between how immigration is viewed here in comparison to other regions. Questions were asked on the wider effects of immigration: on the impact on Northern Ireland overall, on the economy, and on the cultural life of the region. Responses showed that 24% viewed immigration as bad overall, with a further 31% stating that it was neither good nor bad. However, the largest number of respondents (45%) saw immigration as ‘good’ or ‘very good’ overall. In relation to the economy, 43% noted that immigration was either ‘good’ or ‘very good’<sup>24</sup>.

	%	
	NI	GB
% saying that the number of immigrants should be:		
Increased a lot or a little	10	3
Remain the same as it is	43	18
Reduced a little	21	24
Reduced a lot	26	51

9.8 As Phil McDermott puts it, levels of support for immigration appear to be higher in Northern Ireland than in Great Britain where three-quarters of respondents to the 2011 British Social Attitudes survey (BSA) supported a reduction in in-migration. He concludes however, that it remains to be seen as to whether or not future results will show growing parallels with sentiments in the rest of the United Kingdom.

### **The relationship between Immigration and Belonging**

9.9 Immigration status necessarily affects one's ability to integrate and access local services. It also impacts profoundly on one's sense of belonging. Ministers are committed to creating a better society based on the concept of cohesion and integration. The 2009 ECNI report 'New Migration, Equality and Integration: Issues and Challenges for Northern Ireland' highlighted the views of the sector on the links between cohesion, integration and migration:

*“Lastly one overarching question needs to be urgently considered. If equality is the counterpart to integration, is it possible to integrate migrants fully into society, if they are not given the same rights and freedoms as everyone else, or if they are subjected to unequal or discriminatory treatment by virtue of the organisation of the immigration system?”*

9.10 The Executive will continue to work towards an immigration policy that recognises and takes account of our different needs and concerns here. We will do this through our work on the Northern Ireland Strategic Migration Partnership, working to reflect our regionally specific needs in the development and implementation of UK immigration policy. We will also do this bilaterally with the Westminster Government and multi-laterally. We may also seek to establish a forum of Ministers from the devolved administrations and the Home Office as a mechanism for change on specific areas of interest.

## **Chapter 10: Resourcing implementation of the Racial Equality Strategy**

- 10.1 The Government's Priorities and Budget document reflects the social and economic priorities of government policy and represents the spending needed to put policy into practice.
- 10.2 Racial equality and good race relations should already have been taken into account during the whole process of policy development in all government functions and in the subsequent implementation, review and evaluation of that policy. As part of the annual process of developing policy priorities and budgets, DFP and OFMDFM consult widely on how the Budget proposals may impact on different Section 75 equality categories including racial groups. The organisations consulted include the Equality Commission and groups representing minority ethnic people. This process of mainstreaming the racial equality perspective has a number of benefits, one of which is promoting better customer-focused government.
- 10.3 Where necessary, departments will bid for resources to take forward specific racial equality initiatives. We would expect bids from various departments to implement ethnic monitoring for example. In addition, OFMDFM will review the Racial Equality Unit to ensure it has the necessary resources to support effective implementation of this strategy.
- 10.4 The issues set out in this Strategy will not be addressed through piecemeal initiatives. This Strategy will require the deployment of current mainstream funding more effectively to tackle racial inequalities and to promote good relations. In the long run, mainstreaming of racial equality and good race relations should lead to a more effective and efficient delivery of public services. With this in mind, OFMDFM will work to identify opportunities to maximise available resources under Together: Building a United Community and other cross-departmental initiatives to support the achievement of positive outcomes for people from minority ethnic backgrounds.

## **Minority Ethnic Development Fund**

- 10.5 Government recognises the vital role played by minority ethnic voluntary organisations in supporting people from minority ethnic backgrounds and the vital opportunities that they provide for involvement not only within their own communities, but also within the wider community. Government also acknowledges the key role that the community and voluntary organisations have to play in working towards meeting the key aims of the Strategy.
- 10.6 Accordingly OFMDFM has recently renewed its support for the Minority Ethnic Development Fund. The Racial Equality Unit within OFMDFM manages the fund, worth £1.1m per annum. The publication of this Strategy presents an opportunity to review the operation of the current fund and to identify any gaps in provision. This exercise will help inform the ongoing operation of the Fund.

## Chapter 11: Monitoring and Reviewing Progress

- 11.1 As we have already stated, ethnic monitoring is key to tackling racial inequalities and racism. As a result of this Strategy, departments and agencies will be required to implement ethnic monitoring as soon as possible.
- 11.2 It is also essential for employers to examine the ethnic make-up of their workforce and of applicants and appointees. We will work with the Equality Commission to explore how best to take this forward.
- 11.3 However, as well as ethnic monitoring within individual service areas, we need to put in place arrangements to monitor and evaluate progress towards achieving the vision and shared aims set out in this strategy.
- 11.4 Since 2007, OFMDFM has published a set of Good Relations Indicators which had been developed to monitor progress under *A Shared Future – Policy and Strategic Framework for Good Relations in Northern Ireland* and the previous Racial Equality Strategy. The baseline report was published in 2007 and the latest update was published in January 2013.
- 11.5 There is a commitment in *Together: Building a United Community* to review the existing Good Relations Indicators. To date, the review has also incorporated the development of indicators for this strategy. While there will be a certain amount of overlap between *T:BUC* and the current Racial Equality Strategy, to capture the full extent of what we hope and expect to be the outcomes of this Strategy will require a specific set of racial equality and good race relations indicators.
- 11.6 The Racial Equality indicators have been reviewed by an expert advisory group. Based on the shared aims we have set out in Chapter 4, we have developed 4 key outcomes against which to measure our progress. These 4 key outcomes are already in operation for the Minority Ethnic Development Fund.

11.7 The specific outcomes that we want to see are:

**Outcome 1**

**Equality of Service Provision**

11.8 People from a minority ethnic background can access and benefit from all public services equally.

**Outcome 2**

**Elimination of prejudice, racism and hate crime**

11.9 Effective protection and redress is provided against all manifestations of racism and racist crime and a victim-centred approach is promoted.

**Outcome 3**

**Increased participation, representation and belonging**

11.10 People from minority ethnic backgrounds participate in and are represented fully in all aspects of life - public, political, economic, social and cultural - and enjoy a shared sense of “belonging”.

**Outcome 4**

**Cultural diversity is celebrated**

11.11 The rights of people from minority ethnic backgrounds to maintain their culture and traditions in line with human rights norms and to pass them on to subsequent generations are recognised and supported.

11.12 The specific indicators are set out at Annex B.

## **List of relevant Human Rights Instruments**

The Northern Ireland Human Rights Commission has identified the following international treaties as relevant:

- United Nations' International Covenant on Civil and Political Rights ('ICCPR');
- United Nations' International Covenant on Economic, Social and Cultural Rights ('ICESCR');
- United Nations' International Convention on the Elimination of all forms of Racial Discrimination ('CERD');
- United Nations' Convention on the Rights of the Child ('CRC');
- United Nations' Convention on the Elimination of all forms of Discrimination against Women ('CEDAW');
- United Nations' Convention on the Rights of Persons with Disabilities ('CRPD');
- UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions;
- Council of Europe's European Convention on Human Rights ('ECHR');
- Council of Europe's Framework Convention for the Protection of National Minorities ('FCNM');

In addition to these treaty standards there exists a body of 'soft law' developed by the United Nations', Council of Europe, EU and human rights experts. These declarations and principles are non-binding but provide further guidance in respect of specific areas. The relevant standards in this context are:

- Durban Declaration and Programme of Action ('DDPA');
- Durban Review Outcome document;
- Office of the High Commissioner for Human Rights 'Developing National Action Plans against Racial Discrimination: A Practical Guide' ('OHCHR guidance');
- United Nations' Declaration on a Culture of Peace;
- United Nations' Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power;
- UNESCO Declaration of Principles on Tolerance;
- Faro Declaration on the Council of Europe's Strategy for Developing Intercultural Dialogue;
- Council of Europe's Recommendation (2006)<sup>8</sup> on assistance to crime victims;
- Council of Europe's Recommendation (2005)<sup>9</sup> on the protection of witnesses and collaborators of justice;
- European Commission Against Racism and Intolerance General Policy Recommendation 1: on combating racism, xenophobia, anti-Semitism and intolerance;

- European Commission Against Racism and Intolerance General Policy Recommendation No.3: on combating racism and intolerance against Roma/Gypsies;
- European Commission Against Racism and Intolerance General Policy Recommendation 4: on national surveys on the experience and perception of discrimination and racism from the point of view of potential victims;
- European Commission Against Racism and Intolerance General Policy Recommendation 7: on national legislation to combat racism and racial discrimination;
- European Commission Against Racism and Intolerance General Policy Recommendation 11: on combating racism and racial discrimination in policing;
- European Commission Against Racism and Intolerance General Policy Recommendation 12: on combating racism and racial discrimination in the field of sport;
- European Commission Against Racism and Intolerance General Policy Recommendation No.13: Combating anti-Gypsyism and discrimination against Roma;
- European Commission Against Racism and Intolerance General Policy Recommendation 14: on combating racism and racial discrimination in employment;
- EU Council Framework Decision 2008/913/JHA;
- OSCE Recommendations on Policing in Multi-Ethnic Societies; and,
- Fribourg Declaration on Cultural Rights; and,
- Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity

## Indicators for achievement of the Racial Equality Strategy key outcomes

### 1. Equality of Service Provision

- 1.a. % of children with 5 GCSEs with grades A\* - C by ethnicity (*NI School Leavers Survey*)
- 1.b. % of pupils leaving school with no qualifications by ethnicity (*NI School Leavers Survey*)
- 1.c. % of students from minority ethnic communities who go on to higher, further education, employment, unemployment, training compared with the general population (*NI School Leavers Survey*)
- 1.d. % of minority ethnic people who are in “Managerial” or “Professional” occupations (*NI Census*)
- 1.e. % of people who think it is important that public bodies take into account the needs of minority ethnic communities (*Northern Ireland Life and Times*)

### 2. Combating Prejudice, Racism and Hate crime

- 2.a. % who would accept minority ethnic people as residents in their area  
% who would accept minority ethnic people as a work colleague  
% who would accept accept minority ethnic people as part of their family  
(*Northern Ireland Life and Times Survey NILT*)
- 2.b. % of people who are prejudiced against people from minority ethnic communities (*NILT*)
- 2.c. % of people who think there is more racial prejudice against people from minority ethnic communities in N Ireland than 5 years ago (*NILT*)
- 2.d. The number of racial incidents and crimes reported (*PSNI*)
- 2.e. % of young people who have witnessed racist bullying or harassment in their school (*YLT*)

### 3. Participation, Representation and Belonging

- 3.a. % of people who think minority ethnic people participate 'a little' or 'a lot' in public life (*NILT*)
- 3.b. % of people who believe organisations and leaders should encourage members of minority ethnic communities to participate in public life (*NILT*)

- 3.c. % and number of applications for public appointments from minority ethnic people; % and number of appointments made to minority ethnic people; (*Public Appointments Annual Reports OFMDFM*)
- 3.d. % of people who say they feel like they belong to their neighbourhood and to Northern Ireland. (*NILT*)
- 3.e. % of young people who socialise or play sport with people from a different ethnic background (*YLT*)
- 4. **Respecting Cultural Diversity**
- 4.a. % who think that the culture and traditions of the Minority Ethnic Community add to the richness and diversity of Northern Ireland (*NILT*)
- 4.b. % of people who believe that the culture of Irish Travellers is more respected than it once was (*NILT*)
- 4.c. % of people who have friends from Minority Ethnic Communities (*NILT*)
- 4.d. % children and young people (aged 16) indicating schools are covering issues of diversity (*YLT*)

#### **Data gaps in indicators for achievement of the Racial Equality Strategy key outcomes**

There remain, however, very significant gaps in the indicators that we need to seek to fill.

- Health indicators such as infant mortality, life expectancy and morbidity rates by ethnicity.
- Experiences of Minority Ethnic Groups in the workplace, education, public services etc.
- Experiences of Minority Ethnic Groups with regard to prejudice, racism and hate crime.
- Experiences of Minority Ethnic Groups with regard to participation, representation and belonging.
- Experiences of Minority Ethnic Groups as to whether they feel their cultures are respected.

### **Racial Equality Subgroup – Draft Terms of Reference**

These terms of reference are intended to be a living document. They have been agreed by OFMDFM Ministers. They will be kept under review by the Subgroup which can propose amendments at any time.

### **Remit**

The Racial Equality Subgroup has been established to be the voice of minority ethnic people and migrants at the heart of government here and to support and drive forward work on racial equality and good race relations.

The Subgroup will agree and propose a work programme (for agreement by the *Together: Building a United Community* Ministerial Panel) that will:

- Promote the aims of the current Racial Equality Strategy and input to the development and implementation of future Executive racial equality and good relations policy;
- Monitor and review progress on the implementation of the Race Equality Strategy and report annually to the *Together: Building a United Community* Ministerial Panel;
- Provide a channel of communication between minority ethnic communities and those who have a responsibility for racial equality and good race relations within government;
- Provide an arena for exchange of information, identification of best practice and lessons learned, suggesting possible areas where more research is needed; and

- Keep the effectiveness of current provision to the minority ethnic sector under review and make recommendations (to Ministers and officials) for further policy and strategy as appropriate where this is supported by evidence.

The Subgroup's work programme will reflect its overall objectives and aims as outlined in the remit above.

The Subgroup will contribute, as appropriate, to the development and implementation of the Together: Building a United Community and other Executive and departmental strategies including the development of implementation mechanisms.

In fulfilling these terms of reference the Subgroup will take account of relevant legislation and the wider policy environment.

Departmental representatives will be invited to meetings of the Subgroup – to give evidence and updates- as appropriate depending on the agenda.

The Subgroup's focus will be primarily – but not exclusively - action **by Government** to implement the Strategy.

### **Membership**

The Subgroup should include representatives from the minority ethnic sector and those who work in these sectors, the Northern Ireland Human Rights Commission (NIHRC), the Equality Commission for Northern Ireland, and members will be appointed by OFMDFM.

Representatives from the minority ethnic sector will be chosen with a view to ensuring representation of the larger ethnic groups as per the 2011 census and other groups which may be considered particularly vulnerable (for example, asylum seekers and refugees). It will be open to the Subgroup to co-opt members where they feel that a point of view is "missing" or could usefully contribute. Membership will also seek to take account of multiple identity issues.

Members of the Subgroup will be required to consult more widely with the minority ethnic sector and to feed back Subgroup proceedings to the sector.

The Equality Commission will be included, in view of its particular expertise on these matters. The Human Rights Commission will be represented on the Subgroup in its advisory capacity on measures which ought to be taken to protect human rights.

The Subgroup will review its membership annually.

Papers for Subgroup meetings should be circulated a week before meetings to allow minority ethnic representatives to consult others within the minority ethnic sector.

### **Thematic Groups**

Thematic subgroups can be established by the Subgroup if required. Subgroups will need to stay flexible and responsive and act in response to need.

These thematic groups may comprise representatives from Departments, statutory and voluntary/community organisations and others as agreed by the Subgroup.

Subgroups may be chaired by individuals from outside the Subgroup if appropriate and agreed.

Subgroups will report the outcomes of their meetings on a regular basis. The Subgroup will continue to review the work of the subgroups and ensure that they are fit for purpose.

The Immigration Subgroup, which has been chaired by the Law Centre and has operated under the remit of the Racial Equality Forum, will continue to operate as a thematic group of the Racial Equality Subgroup – the Thematic Group on Immigration.

As soon as practicable the Racial Equality Subgroup will set up a thematic group on Roma, Gypsies and Travellers

### **Frequency of Meetings**

The Subgroup will generally meet three times a year (but can meet more or less often depending on need).

### **Support/Secretariat**

OFMDFM officials will support the chair in ensuring that the Subgroup fulfils its terms of reference. It will provide the secretariat to the Subgroup.

When recommending the creation of a thematic group, the Subgroup will also make a recommendation as to which organisation or individual would be most appropriate to chair and support the particular thematic group.

### **Review**

The Subgroup's operation and role will be reviewed on a regular basis to ensure it remains fit for purpose. An assessment will be made of the need to continue operation of the Subgroup. The Subgroup will, of course, be expected to have input into this review process.

### **Chair**

The Subgroup will chose a chair each year.

### **Meetings with Ministers**

The Chair of the Subgroup will sit on the Ministerial Panel, although representatives of the Subgroup will have regular dealings with all Executive members in making proposals to implement the strategy and to share issues of concern.

Ministers may attend or chair meetings of the Subgroup.