

CERD Call for Evidence 2021-22 - Evidence received from Capacity building and consultation Events

Consultation Group 1 – Show Racism the Red Card (SRtRC)

Friday 12th February 11.30am – 1.00pm

Participant 1 – It makes sense for us to look at education in terms of what we do. We work with 20,000 young people in our schools in Wales consistently and we see what is happening on the ground as well as having reports and issues in terms of racism which is the area of work that we work with that come into our office. Being with the charity since 2006, I have seen the landscape change in terms of when we started up, working in schools back then and what we see now. So, I can gauge an opinion around progress, if any, has been made at all. We have produced the only reports in Wales around racism in our schools, we have the 2016 report and the 2019 report which is pretty good evidence to suggest and show that since the 2016 report, we still have a big problem with racism in our schools. I say that because I feel previously, we have not had evidence and we have not had reports and we've been going on the basis of we're seeing this in our schools. And, as you, quite rightly know, unless you provide evidence to Government, politicians, councils, and inspectorates, they are very much on the wavelength that "no, no, it's not an issue".

I very much want to share with you one example around the inspectorate in Wales. We had a meeting a year ago, when we presented the evidence of our report, I was gobsmacked that the inspectors felt that what we were showing them was not what they were seeing in the schools. It obviously turns out that again, as an institution, they need to look at what questions are they asking and how in-depth the questions are. One example we shared with them was when you do ask questions about bullying and break it down, maybe racial bullying, is it worth looking at putting in the terminology – the "P" word or the "N" word – and break it down further with the children so they actually understand what racism is in terms of the language that's used. And then they may capture the reality of what is going on with racist bullying in our schools.

If I could share a bit of a consultation that we did 18 months ago, it was the first time we had consulted with BME pupils specifically. It was an area of Wales, the RCT Local Authority area, which is not as diverse as Cardiff, but it surprised me how diverse it seemed to be. It was a very small sample so we can take it with a pinch of salt, but it is still relevant. We had 58 pupils from 8 different schools across the RCT area and we had an hour in small groups with them. We gave them an open space to talk about what it is like for them in schools in the area and if they have come across any issues of racism. It shocked me when 85% of them said yes, they had come across racism in their schools. More worrying was the fact that a lot of them were saying they had come across it on multiple occasions. Many of them felt were just not confident enough to tell the teachers because when they had told teachers on many occasions, not enough was being done by the teachers and the school itself. In their words, it had now become quite normalised for them that they just have to deal with it and don't see anything they can do about

it. For me, that was quite eye-opening because we had never really been able to engage with BME pupils specifically because local authorities are not comfortable with that taking place.

Our reports categorically show the scale of the problem and there is one question that emotionally even touched our staff and emotionally touched me. In the 2019 report, we had 26% out of 1000 teachers had come across racism in their school in the previous 12 months. There were over 100 comments which were really, really worrying. We were seeing stuff that you would think we were back in the 1960s. The report and the comments suggested and showed that we were now dealing, and are still dealing with, younger children when it comes to racist language being used. We are talking about Year 1, Year 2, even younger in reception age as well. Antisemitism was also highlighted for the first time. When I say for the first time, it had not been highlighted in 2016 at all. So that was new for us.

Participant 2 – On the teacher point, I think it's really important. In the 2020 report that Participant 1 was talking about, there were a lot of questions around teacher training and the percentage of teachers that had actually received any training about teaching anti-racism but also recognising and responding to racism in school. The majority of those who had training, had it from us [SRtRC] so it is not something they are getting as part of their core teacher training, it is not something being done by the schools. It is something that outside agencies are bringing in and that translated into teachers saying they had a lack of confidence in dealing with racist incidents but also in embedding anti-racism.

When we are looking at the lack of balanced teaching in things like the history of the British Empire and Colonialism, I think that's partly teacher confidence but also partly lack of teacher knowledge and understanding and this idea that anti-racism has to be something that's extra that takes time. In terms of racist bullying, racist incidents, and the recording of it, and as Participant 1 highlighted, the number of children who have experienced it versus the reports that we see is dramatically different. That is something that Estyn has picked up on as well in the 2019 Wellbeing Report. They explicitly state that schools are not reporting incidents that they do not regard as being "the most serious". So, there is that huge reporting gap.

For us, we have found there is still ongoing confusion. Participant 3 sent a link to the Freedom of Information Request Report that we did around school exclusions as a result of racist incidents and there are a lot of local authorities that did not reply to that report. Some local authorities collect that information, some do not. That is probably a gap as well because who is monitoring that data? Are other schools always doing that themselves or does that need to be done by someone else? Participant 1 has had lots of different interaction with local authorities around this.

Participant 1 – Picking up on the councils, one of the other areas which is a cause for concern – I have come across a number of councils and particular people who are in certain positions who are there to support the schools and teachers and the wellbeing of young people and some of the attitudes concern me where they are aware of racism in their schools and are quite dismissive of it. I have had meetings with Directors of Education in Wales who just have not taken this issue seriously enough. I have examples and evidence of probably 3 I can think of off the top of my head from local authorities in Wales. So, you have an issue of institutional racism which is a problem, and I am not sure how that can be looked at or tackled or dealt with, but it is

a very, very important point. When you are dealing with a local authority where, again, it is not really high enough on their agenda, and I am thinking about a number of councils already where we've tried to engage with them. We have had councils who have put 0 when it comes to recording racist incidents in their statistics for the last 3 or 4 years and when you question them – we have had dialogue with one of the councils – when you question them about it, they have put their hands up and said that is not true, that is not accurate because we just don't know how to have the systems in place and how to deal with it, you know, rural parts of Wales, that is one local authority I can remember off the top of my head.

I have dealt with the Director of Education who when we flagged up young children, Year 6, having really bad, racist attitudes. During one session, one White pupil, and the area is very much 99% White, stands up and says, *"When I grow up, I'm going to blow up the p*kis"* and when the teacher is aware and when the Director of Education is aware of this, they have not done enough to try and deal with that. Now, there is a concern that if this White pupil was an Asian pupil and had said something of a similar nature, then there is no doubt that that person would be put into the Prevent and Channel programmes straight away. We have also seen evidence and have evidence of a lack of duty of care and also following legislation and what they should be doing as teachers and head teachers and that is a real worry when the far right is drawing and has grown in Wales and therefore you've now got 60% of referrals to Prevent are far right young people through WECTU intelligence. So, I do believe that is an issue that is linked to education, local authority directors and people who are in positions.

Participant 3 – WECTU, the Wales Extremism and Counter Terrorism Unit, might be a good one to contact around the far-right activity in Wales. Also, I saw Gypsies and Travellers around your thematic areas. The Association for Gypsies and Travellers, Tom Tom (Hendry) who advises for the Government would be a good one to contact and Travelling Ahead to give a better perspective there. However, these are things that we do come across, but we have not got as much information as they would have. Just to add an example, examples almost paint a picture, but it is difficult to be evidence-based sometimes because racism often circles around examples of experiences of people.

A governor of a school who was the parent of a child in a school in rural Wales who consistently told the school about racism that was happening inside the school and outside in the community. Even as a governor, not feeling able to change or help the school change, they had to pull their child outside of that school and move them to another school. That is someone I am in contact with and more than happy to discuss putting them in contact with you to share that as an example of the institutional element. That same local authority would be saying that there is no need for this type of education because of the lack of diversity within the area and that naivety of thinking.

Our own databases around reporting, we are not a reporting body, but schools do come to us with issues of racism and when they want a workshop, we often ask the question sensitively of "Why? Has anything happened?" so that we can evidence. This is something that we have been trying to share with the likes of Welsh Government and other people who are involved in education as something that they could take forward and realise the need for such work.

I think a point around the Equality Act and the first point of the Public Sector Equality Duty to eliminate: discrimination, it seems like a lot of the reports point at that – ‘Is Wales Fairer’ (2018); Estyn’s report... However, we often find that it is the two further – advancing equality of opportunity and fostering good relations that are missed out whether that is in local authorities, strategic equality plans or in the wider education network, Estyn and Consortium.

I think Participant 2 mentioned the local authorities that did not collect or have the data around racist incidences. I am not sure if that is relevant but there are discussions around the definition of reporting and recording racist incidents for schools. There is a lot of misunderstanding of the responsibilities, the roles. We worked hard last year, Welsh Government were going to change that definition and lessen that definition so it was schools “should” report rather than a “must” and the “must” had come out of the Stephen Lawrence inquiry, however, it was not backed up by law, so I think it has been lessened or watered down somewhat which adds to the confusion around reporting and recording. I am looking at a few reports and I will try and send them over.

Participant 4 – It is really difficult to think about the evidence as Participant 3 said. We are talking about experiences and if no-one has taken the time to do a report or think there’s a problem or that it is worth reporting, and that is essentially what I am trying to describe is the feeling I get from having talked to schools is that, *“Oh, we’re quite lucky that that’s not a problem here”, “Quite lucky we don’t have racism here so we’re going to stay away from that topic and shut it down right now because we’ve been lucky until now”*. That, I feel, is essentially why I am struggling in terms of evidence-based because no-one is open to it. We have gone out, collected the evidence and done these reports but a general attitude out there is *“We’ll wait until there’s a really big problem and then we’ll collect data”*. So, what is been missed is things that are not considered major incidents or things like that and that is for children in schools but I would say staff as well. There is a really low percentage of staff from ethnic minority backgrounds and just a lack of data.

Participant 3 – Going back to local authorities, I shared it on the chat around Powys and the local authority education lead using the N word in a meeting who did step down from her role and was back in the role 2 or 3 years later. This was something we flagged with the EHRC, and they did send a letter and they showed us the reply letter where she said that she had been on some of our training which she definitely had not because we had a register from that training, and that was as far as that was going to be taken. I think this is an example that highlights an institutional level some of the issues.

Another one to point at is Estyn’s naming of Ton yr Ywen, a school in Cardiff with issues of racism. This was a surprise to our charity as we had not come across this in our history before where it had been publicly named with issues of racism and we were also working with the school, so we flagged it up as a meeting to have with Estyn of what happened. There are two other examples where schools have been named with issues of racism, but they are in England by Ofsted where senior leads had lost their jobs in the process. However, this was not the case with this school. It turned out there had been many complaints about issues of racism within the school and that pressure led to that decision from Estyn to flag it up. However, our question was around racism does happen, how has this not happened before? How does this fit with your processes? And we got to a point where we realised that the questioning of experiences of racism for young people in Wales can be very stiff. It is almost *“Do you experience*

discrimination?” and if a child in an inspection is being asked that, they might not feel that that is a space to talk about racism where we often find, through our research, you have to speak about racism in order to get examples of racism or for young people to understand.

Participant 1 – I can share one more example that could be useful. It is something I remembered when we were talking about institutional racism and lack of representation. I remembered something which happened two and a half years ago. We were invited to an Estyn consultation / forum. It was the first time we had been invited and I think it was Newport Council. The council were being inspected so I thought we would pop along and represent the charity and see what happens. There was a group of 12-14 other people around the table, an Estyn inspector and somebody else from Estyn who was quite high up. I was actually the only BME person in the room. The other people were council staff in various departments – we know there is a lack of representation in local authority. The subject was around young people’s wellbeing. They went around the table, and I was the last person on the list. Bullying around race was not mentioned at all and at this stage, we had some evidence of racist bullying which was pretty high in the area of Newport, and we had collected data. So, I gave our thoughts around what we had come across in Newport, which is quite a diverse area. What I found quite interesting, and I flagged it up to the inspectorate, is that they were also doing consultations with the young people as well on the side of this, so they selected pupils from a number of schools in Newport, around 15 or 16, it wasn’t a huge number. They were talking about wellbeing in schools. Out of the 16, there was just one BME pupil that was in this group. When I spoke about what we were finding, the inspectorate said yes, they had done a session with young people and actually, this young Muslim pupil did talk about Islamophobia and the racism they were getting. So, I asked the question of when you do these consultations, what has been the make-up of your group? It clicked with them what I was trying to get at - You’ve got this one BME pupil telling you about racism out of 16 in an area that is quite diverse so maybe they need to look at having more representation from communities like having more BME people so you can actually find out what may actually be going on, if it is more of an issue than they seem to find. It was interesting where a report then came out a couple of months later from Estyn and the consultation / forum was evidenced in there but what I had said during the meeting was not evidenced in the report. And I find that quite consistent, where racist bullying is not mentioned in strategic equality plans or council documents. So, is there a denial that it exists is the question.

Participant 3 – A similar example with the Children’s Commissioner (CC) that happened just after Covid. They had done a piece of research, or they had asked young people about experiences based on the Rights of the Child and they had used focus groups to drive those or to create the questions. I did the questionnaire just to see from a race perspective and there were very little, if any, questions around discrimination on the grounds of race and religion. So, I flagged this up and they realised that it was not something that had come out of the discussions with the young people. The group of young people they tried to choose from representative backgrounds to reflect the wider population. However, I think it came down to that discussion had not been brought up so it never came up and whether it is that dynamic again of the young people not bringing it up because it is not been mentioned, a bit like Estyn, it almost needs to be mentioned as a topic because it can be omitted if it is not experienced, because it is sometimes difficult to talk about or some people do not know we are talking about it, for example. I am not

sure if that is very evidence-based but I'm sure the Commissioner's report is out there and there was not much evidence from the first time around about discrimination on race and religion.

Participant 1 – The Commissioner's report and other reports, Welsh Government reports – one thing I have noticed in the last couple of years is when they do documents around anti-bullying guidance, the consultation processes, they will evidence things like "This report from Sam's Story says this...." which is the CC's report but what I thought is interesting is our report has never been mentioned. Sam's Story is the CC's report but at the same time we produced our own report which was the first one ever so why wasn't our report referenced as well? I notice as well, and again, it is questionable, why not? Is it because we are a third sector charity, and it is not strong enough evidence maybe but that is the only evidence you've got so why don't you reference that? So, when Participant 3 said about the words in the guidance being used and watered down which they obviously look like they have been from "must" to "could" or "should", there is a real difference in how those words are interpreted in terms of what a school would do. I think this was around the same time that I came across the documents and I thought, "*Well hang on, why hasn't our report been referenced which is pretty good evidence about racist incidents in schools?*"

Participant 2 – To pick up on the Strategic Equality plans – when we have looked at those through councils, often either councils are just duplicating other councils, or they seem to be the same reports from the previous period, and they have just had the dates changed. So, it is interesting to compare some of them.

Participant 3 – To add to that, EHRC Wales did an inquiry into the Strategic Equality plans for local authorities and again as part of the responses from the LAs, I believe 21 of them said they had worked with us [SRtRC] as a charity when maybe 6 or 7 had. So, that holding to account was not an area where the EHRC felt they could go back and say, "*prove it*" or, "*is this true?*" It was just taken on word basis so that accountability, if people are saying "*we worked with Show Racism and that's our Equality Plan ticked*" and they didn't, where is the accountability there?

One more thing to add. I suppose it is not really evidence-based, but it is a question mark around... We tear our hair out and I am sure yourselves do as well around accountability, who is responsible in terms of the education system and in terms of organisations wider. When we come across issues of racism, who is responsible? It is very difficult to get to that. From an education standpoint it seems like there is a lot of uncertainty where the responsibility lies; who can hold people to account; and if we take, for example, the EHRC and as far as they can go is write a letter and get a return and not take it any further from examples that we shared, it is very difficult for any change to happen within the system.

Participant 4 – Also to add, in terms of racism and racist incidents and how they are reported or not, but what I am thinking about at the moment is that say home-schooling or children who are out playing sports or something, their experiences of racism there, and we know they happen because someone has told you that their son has experienced racism whilst playing in a football match or something, but they are nowhere to be seen. So, there is this invisible layer of racism that is just not being captured anywhere and, again, whose responsibility; how are we going to

get that, where is the support for those people but also the evidence. There is not a full picture of the incidence.

Participant 2 – And if they do not feel it is a police issue or if they have mistrust in the police, then it has again just gone unrecorded.

Also, have you spoken to Professor Charlotte Williams and her taskforce who are writing the new curriculum around this? They are putting together the new, inclusive curriculum and embedding all of this within the curriculum in Wales. Just going back generally, in terms of thoughts. I would say that when Participant 3 mentioned the anti-bullying guidance and that thing of it going from a “must” to a “should”, I think that is the attitude to anti-racism in schools generally and that is the problem. Anti-racism is seen as best practice rather than necessary practice. Rather than being along the lines of “this is safeguarding, this is what you must do”, it is seen as a school does well when it does anti-racism. That is where we need to shift away from. It is a “must”, anti-racism is a must, inclusivity is a must. It is not you’ve done really well because you’ve got inclusive displays.

Participant 1 – The other thing we should not forget is there are also teachers that have racist attitudes. I remember a couple of months back in Flintshire. Head teachers making some racist comments on a WhatsApp message between each other. Flintshire Council made a statement and I wonder to this day if anything ever did happen to them, let’s be honest. I think that is the other problem. Education Workforce Council – how seriously do they take issues like that? We already know there is institutional racism in local councils and directors of education and so on. It is a bit like the police. There are going to be bad apples but whether they are dealt with is another question. Until they get dealt with, we are still going to have the same problem. We need to have a zero-tolerance policy around racism in schools and everywhere really. Everyone one of the boxes on screen [referring to the thematic areas in the call for evidence].

I would say we have had 20 years of a Welsh Government and it is not a Conservative government, so the question needs to be asked, what’s happened in 20 years when it comes to race relations and racial equality and all these things that we’ve got on the screen [referring to the thematic areas in the call for evidence]. That is something that needs to be looked into as well – politics and politicians.

Participant 4 – Even if you see people who look like you in politics, a lot of the conversations we have had and we have had with people about becoming school governors, is why would I put myself in that position where I could be targeted? It is the same as the footballers. When they take a stand against racism, if you look at Raheem Sterling and Wilfried Zaha, they are the ones that then get massive amounts of racist abuse thrown at them on social media. Individuals worry about, “*if I put myself out there, what is the backlash going to be?*” And that holds people back from going into those places and positions of power.

There is also a lot of fear there in terms of your whole family could be targeted and that is not something that everyone needs to think about when they go and speak out and do their job.

Whereas it feels like that is a real concern for some people: *“I might be racially abused or attacked by going to work”*.

Facilitator – With the session nearing an end, are there any specific recommendations that you would like to voice? I know that we have formulated a few just from the discussion itself around teacher training being mandated and being something that’s compulsory and not just something that is provided by outside organisations like ourselves. Then questions surrounding accountability. Is there anything else?

Participant 2 – Recording and reporting procedures and clarity about, feeding into the accountability, who does what with that information and is it used to inform practice. Is it used to make things better? I do not think it is a lot of the time.

Participant 4 – Training on procedure as well. If someone does report a racist incident, whose responsibility is it to take it forward and what should they do with it because I have seen with a lot of incidents in a school setting where there is deliberation among teachers about whether it should be recorded or not and it is quite hard to know... If we go back to the definition of if it is perceived as racist, that was a lot clearer but what happens to that once it is reported. Some teachers have gone to the victim and said: *“Do you really want to report that because it can get complicated”* and almost shifting the responsibility to them which is wrong.

And the idea that sometimes it is almost like people see it as worse to label someone or a child as racist doing a racist action than the action itself. As a society, why do we see it as more offensive to label someone as a racist than to actually do something that is racist or call someone a racist name? That is something that does exist, and that fear that if you record an incident, you are labelling a child as racist. You are not, you are doing something that can benefit them by challenging racist behaviour as well as benefitting the person who has been targeted by the racist behaviour. Or your school being viewed as racist if there was a racist incident and that fear of let’s just not report it or say it so that we don’t look bad.

And when schools are saying *“only a couple of times”* or *“only a little bit”* and that is still two- or three-people’s lives that are affected and it shouldn’t be I struggle to understand where there is a lot of racism or one incident of racism, they are both racism – it’s still one too many.

Participant 3 – It is interesting from a structural level. I am not sure how you evidence this or even if it’s actually the case but in terms of increased funding towards things that deal with hate crimes, like there has been more community cohesion funding in Wales because of increased number of hate crimes. If you step back and think of hate crime within a school context, there are no figures, they are not being recorded. If we said that about adults: *“Oh, we don’t know how many figures there are”*, what would people say? Children are the most vulnerable. These are the experiences that they are having, and we do not have those figures. Ireland or Northern Ireland collect figures and it is mandatory so there are examples of countries that do that. It just seems crazy that hate crimes are happening in schools, but we do not know the figures.

Participant 2 – In schools, children are the least likely to report hate crime as a hate crime. They will say things like “*kids will be kids*” and sometimes when it’s not a hate crime, it’s a racist incident, it’s not reported. It is an attitude; it feels like it is quite reactive: “Let’s wait until the hate crime numbers are really high and then we’ll fund hate crime preventions schemes after that because of the numbers”.

Participant 3 – Can I touch upon something in policing. I spoke with one of our colleagues who was working with South Wales Police. It is not really evidenced but a point that he came to around statistics. In South Wales Police, part of the training is sharing their figures and you are 6 or 8 times more likely to be arrested if you have, what they call, “Black skin colour”, a darker skin colour. From his discussions, it has been that, okay, these are the stats, but police officers are saying that they will get a call and they will say to look for a Black person. So obviously, they are scanning, and their idea is going to be who is the first person with darker skin, it must be them, kind of thing. They are saying that that is ... they are being told to arrest a person who has this skin colour and then the statistics are coming out. So, it got to a point where he got to the root of it in terms of this is what the police feel, these are the statistics and there was a bit of a head-to-head there. I was not sure if that is something that might come up with your work with the police.

Facilitator – Thank you for everything that you have shared today.

**Consultation Group 2 – Asylum Matters, Displaced People in Action (DPiA) and
Welsh Refugee Council (WRC)**

Wednesday 17th February 10.00am – 11.30am

Participant 1 – I can make a start on asylum and accommodation and I'm sure Participant 2 will be able to give a better view as well. It is our feeling, and lots of organisations in Wales that we work with alongside the Welsh Refugee Coalition, that the way that Asylum Seekers have been accommodated in barrack style and hotel accommodation is completely unsuitable and inappropriate. The isolated positional geographically of those sites meaning people have far less access to legal support, advice support and healthcare issues and the nature of that accommodation is inappropriate in itself because of what people have described to us as feeling like they are in detention or prison and not being able to also safely care for themselves in terms of Covid.

In terms of Penally, yes, a number of our organisations are involved, for example Welsh Refugee Council are attending to try and provide support in terms of asylum support and access to legal advice as are the Red Cross and Oasis, some of the local organisations in Cardiff. And more local community organisations within Pembrokeshire and around that area where support has been very helpful. The local community have done their best to fill in the enormous gaps that the Home Office and other providers perhaps aren't filling. However, it is also of our opinion that that shouldn't be the case and that the reliance on those organisations and those voluntary community groups is inappropriate because no consultation really took place, particularly if you look at Welsh Government. They were alerted to the fact of the use of Penally just weeks before people were moved in and that meant that there had been not sufficient consultation with the local health board, the local police service, in order to get the support needed in place for those people. That's a bit of an overview. I don't know if anyone else wants to add anything.

Participant 2 – That's a really good overview from Participant 1 about the main issues. There have been so many reports over the years about just how terrible the situation is in asylum accommodation. We were promised that it would improve with the new contracts that came into force in 2019 and it just hasn't really happened and in some ways things have got worse. With the opening of the barracks, which are completely unsuitable and unsafe, and even before the barracks there were hundreds of people being housed in hotels without access to the means to live independently or safely. Even when the things that came in with the new contracts with the Migrant Help Service which was supposed to support people to report issues with their accommodation or with their asylum support. It's improved from what it was at the beginning, but that phone line has always had really long waiting times, people really struggle to get issues resolved and they have to rely on advocacy through organisations like Welsh Refugee Council or DPiA to help them with getting thing sorted. People end up living with unsafe situations in their accommodation all the time.

Participant 3 – To add to that, something that's come up a number of times in our forum that we have been looking into more with Glitter Cymru and WRC is LGBT individuals in asylum accommodation often are in unsuitable accommodation because they are perhaps sharing with people who are not accepting of their identity. We've had anecdotal evidence given to us during the forums of incidences where that has actually ended up in hate crime whether it be physical violence or intimidation.

Participant 4 – I want to talk from my own point of view as someone with lived experience. The initial accommodation is most times nothing to write home about. You can't really complain because according to the accommodation provider, it is on a no-choice basis. You just have to take whatever they give you. The initial accommodation I stayed in with my children was nothing to write home about. I still have the picture on my phone. I had to take it because I knew that sometime in the future, I might need it. It was an eyesore. That's the only way I can put it. The bathtub was something else. We had to walk to the shop to buy disinfectant to disinfect it before we could use it. The toilet seat was something else. You've been told point blank it's on a no-choice basis, so you just have to take wherever they put you. If you complain, it's like you should be content you have somewhere to lay your head. Making people feel as if you don't have a choice, is wrong and is an infringement on people's rights. You should at least be able to complain if you are not comfortable with something. You should have your say and not just be shot down and told you don't have a choice, and if it looks as though you are complaining, before you know it you are a target. So, I think that is also very important.

Also, when you have some problems that need to be fixed in your accommodation and you complain, before you even get a response it takes days and sometimes it might have to do with the heating system and you have children in the house, what do you do? That's what makes people depressed because we're not asking for much, we're just asking to have a roof over our head, at least to be comfortable, not to be made to feel as if you don't have a choice.

Participant 3 – On that issue of housing, we've done quite a number of forums over time on housing and if you want me to send you a copy of our minutes I can do because that has a lot of examples, probably too many to go through today but lots of people in situations. We had almost the majority of people in the forum put their hands up to agree with someone when he said that the beds are completely unacceptable that are provided in the majority of asylum accommodation. We've had so many people who have ended up with really bad back problems just because of the poor standard of beds and needing mattresses replaced every six months and when they need them replaced it's a really difficult process to get the replacement so people after a while were saying they were giving up on that and just living in a situation where they weren't sleeping anymore.

Participant 1 – Just on what Participant 2 and 4 were saying that part of the issue that we're coming up against at the moment was that a lot of these issues were prior to Covid and prior to the current accommodation issues and reporting problems. People were already coming to us saying to us that there were difficulties there and voluntary organisations stepping in to assist in making some of those complaints and raising those issues and yet, at the moment when you

have a large number of people in hotels and barrack accommodation that is made additionally difficult if those people are isolated or unable to access that type of support on top of the existing issues that are already there.

Participant 3 – On a slight tangent but in terms of general asylum support, in terms of the financial side, the small amount that people get we've seen lead to a lot of problems over Covid. A main thing that came especially towards the beginning was access to devices and access to data and Wi-Fi and just to be able to access some of those support services you need to go online to find out what the number is to call or find out what the health information is for Covid and actually without internet access that was a massive problem and we even had Public Health Wales come along to one of our healthcare forums and say that it was one of their biggest problems in trying to get people accurate, translated health information is that a lot of people didn't have the appropriate access to be able to get that.

Participant 4 – I also want to highlight one or two things. When you make a complaint to a service provider directly rather than going through your manager, you would be on the call for hours. There would be no-one to take your call and you would be in a queue. Two or three times I've been 250 in the queue, and it's never got to my turn until I had the job. I've always been privileged to have very good managers. I remembered when the contract was first issued to (company name) and we were told that we had to contact (company name) directly, most times I would be up in the middle of the night and that is the only time your call will go through. I rang 1am, 2am, 3am just because if the complaint is very important. At one point, I just had to think to myself I shouldn't have to stay awake because I need to complain about something, and I should just contact my managers direct. So even up until now, I don't know if (company name) is still offering that service. I don't even call them or have anything to do with them. I contact my managers who are very effective and efficient and once I call them, they are always around to fix what needs to be fixed. So I think that also needs to be looked into – once a contract is issued to a particular organisation, it's important that they take evidence from this service and use that themselves to see if there is a need to continue that contract or if they need to terminate that contract other than just re-issuing that contract and, meanwhile, the services that are being provided before then are nothing to write home about. That's very, very important. The service users will have had experiences with those service providers and will be able to give the best evidence.

Participant 1 – We often talk about how lucky we are in Wales to have the Nation of Sanctuary Plan and that's really positive and a lot of the things we often talk about are issues with UK Government and Home Office contracts. But, what comes across from a lot of our clients and a lot of our work that being in unsafe accommodation or feeling unsafe in your accommodation or unable to report things has an effect on a number of things, for example accessing healthcare, reporting hate crime, contacting the police. Lots of things that are within Wales rather than purely not within their remit. You mentioned about hate crime and that is also something that comes up a great deal, is people perhaps having experience of contacting the police but not having an interpreter or not having the confidence with their language or not feeling able to say that the way they are being treated is wrong, or like Participant 4 was saying, a lot of people are afraid when they report something that that will have an effect on them by complaining or raising

issues. Just to say that while we have this, while Welsh Government has committed to this, we can also see where these issues ripple into many other areas of life.

Participant 3 – Just to echo what Participant 1 said there. The Welsh Government has done some good things to mitigate the UK Government's policies – things like, people who have been refused asylum in Wales can still access healthcare for free. They've also funded advice services and they're looking at funding housing projects for people who are destitute. So, there is a lot of good stuff but ultimately the powers are limited. They've also sometimes missed opportunities to go further and there are other things that they could be doing. For example, at the moment, when it comes to free school meals, they haven't done as much as they could. In England, there was a legal challenge to the Department for Education and as a result the Government expanded eligibility for free school meals to everyone that's got no recourse to public funds and all migrant and asylum seeking families whereas in Wales, they haven't quite done that. They've told local authorities that they encourage them to offer free school meals to those families, but the guidance isn't very strong, it's just an encouragement and at the end of the day it's up to the local authorities what they do and we're aware that they're not always giving free school meals to everyone who needs them. So, there are examples like that.

Another education example: the Welsh Government had promised to expand the Educational Maintenance Allowance to young people seeking asylum but they haven't done that despite promising to do it and when they're asked about it they say they are not in a position to commit to it which is strange when they already have made the commitment and it's not a huge amount of money but it would make a massive difference to the people who would receive it because £30 a week when you're living on Asylum Support is huge. That nearly doubles your income, and it would allow a lot of people to stay in education, get higher qualifications and rebuild their lives here in Wales. There are examples like that where they haven't done everything they could do but obviously it is really useful to have the Nation of Sanctuary aim and there's a lot of positive stuff that has come from it too.

Participant 1 – On to topic of education, I'm not 100% sure how widespread an issue it is but we'd had a member that said this had happened to a lot of other individuals that he knew. He was in immigration detention and when he left and was given his immigration bail, he was then told that he was no longer allowed to study. So, he wasn't allowed to work and wasn't allowed to study either and he wasn't sure how they define study and also felt that it was very unfair that he was not only allowed to work but not allowed to even study or fill his time with this sort of thing. We did challenge the Home Office on it and they lifted that condition but my concern is that he had had that in place for a while before coming to us and we helped him by guiding him on how he could lift that condition and he said it had happened to a lot of other people that he knew. So that ban on education is a bit of a worrying thought.

Participant 4 – I know someone, and she told me herself she had been claiming asylum for some time but now she has leave to remain. The Home Office told her that she was not allowed to study, not even ESOL. It was quite disheartening because she is an elderly person, and she was destitute then so you can imagine how her mental health was then. She was not even allowed to attend ESOL classes. That was the condition that was given to her. There also exists

an assumption that people from BME background just come to the UK and should integrate automatically into the education system. I think it's the wrong assumption because most of them are coming from countries where they have a different education entirely when compared to the UK. I'm using my own children as an example, when they came there was some support in place but the support could be better and that is because we have less BME people in the education system. I've been to my children's school and I can't remember seeing any Black faces there, anyone from a BME background. I've asked my children and they don't have anyone from that background. So, if we have a few people from that background that could they could resonate with, it would really help them to settle down nicely in the school because they are aware of the education system back home. They would be able to support them better but just that assumption that they just expect children to integrate automatically without the appropriate support in place, is an assumption and affects them very well. Most of them don't get good grades and last year the teachers had to give them predicted grades. It really affected them. My son wants to go to first year in college. He joined this school in Year 10 and he had to do GCSE in Year 11 so you can imagine, of course he didn't take GCSEs last year, but he was given predicted grades and it really affected him because he couldn't go into Year 1 in college, he had to do a preliminary course and he's not the only one. Last year, there were many people from a BME background, mums and dads were complaining that the predicted grades really affected their children and were not a true reflection of what their children could do. So that is also very important. If BME people are disproportionately affected in the educational system, if it can be looked into, that would be very good.

Participant 1 – Some of what you're saying is what we've talked about before, this commitment to integration from day one which is also part of what the Nation of Sanctuary Plan committed to but many of us as organisations also believe is crucial because when you look at people who are seeking asylum in Wales, a large percentage of them will become citizens in Wales and we believe we should be looking, have an outlook, that you support people in the process of getting there and that also is highlighted when we look at employment of Refugees and there is often difficulty in gaining employment as a new Refugee and part of that is that the support just isn't there. A lot of support available to Refugees is only available once you've got your status and there is no preparation prior to that so people who have no recourse to public funds and are seeking asylum often don't have access to employability courses, to language courses as the same way as someone who has their status. Obviously there are examples we can draw on like the Restart Programme which was a positive thing in Wales but again, only for Refugees to access and if we look at the process of integration, like Participant 4 says, it doesn't just appear, it's from a process of providing support and supporting somebody to get to that point rather than a Refugee status being thrust upon somebody and then go and sort yourself out, almost. It's about trying to provide that support over that entire process as much as is possible and that includes access to English language, Welsh language, employability, volunteering – all those kinds of opportunities that can help somebody who hasn't been in work for a very long time because they've been stuck in an asylum process where they don't have the right to work, to be able to access that type of support and work.

Participant 3 – With some of the schemes that will help Asylum Seekers, it's very much based on where you are in the UK and is luck of the draw. With the Ward Scheme which I manage

which is for medical professionals, we run throughout Wales. However, I very often get messages from people throughout England and we don't have the funding to be able to support them and it's easier... over Covid we've worked out how to do everything digitally but beforehand people were too far away to get to lessons. There are some schemes similar to us in England but it doesn't cover the whole country completely and it's that kind of thing where it's luck of the draw in terms of what support people are getting can lead to some of those issues especially with something really high-skilled such as being a doctor or a medical worker, it's really important that you keep those skills up to date in practice.

We have one guy in Wales who I know has gone through the whole registration process and is work ready and qualified in the UK to become a doctor and is still an Asylum Seeker and is waiting and those tests are due to run out if he doesn't practice again. It's an ongoing issue, the right to work for Asylum Seekers and it impacts a lot.

Participant 4 – I was in a forum last week and a Black lady mentioned that she had just finished a teaching qualification with one of the Swansea universities. She wanted to apply for a job, so she went back to the school and asked them for the statistics of people from BME backgrounds they have employed after that teaching qualification, and they wouldn't give it to her. It will interest you to know that I have teaching experience of 17 years back in Nigeria. I worked in the education sector for 17 years, I was a head teacher for 8 years before I came to the UK but when I came to the UK, while waiting for my leave to remain, I just knew that I wouldn't get the support that I need in the education sector, so I had to change my career. I knew I could contribute to the education system if I felt I had the support that I needed but I knew I would not get that support which is why I decided to go to a different career entirely. I'm sure there are other people: there might be very high skilled people because even when they get their leave to remain, you see them working in other sectors because the years that they've spent in the asylum system is frustrating and they know that the continuity in their previous career might not be supported so they just have to do something else.

Participant 4 – I wanted to add to policing and hate crime. I've observed over time that the police have this nonchalant attitude in handling racial abuse. I've had cases and I've had people mention to me that having experienced hate crime and reported it to the police and there's no feedback whatsoever from the police. I don't think it should be so. It should be properly handled, and the person involved should be given proper feedback. I think Participant 3 was in one of the forums and the person involved said she even called the police back to find out from them what they'd done about it, and they said nothing. As a Black mum, I live every day in fear because I have young adults – my son is 18, my daughter is 17. I have a time for them to get home by every day because I tell them, *"I'm sorry, but you are a soft target"* and that is the truth. If a policeman meets you outside at a late hour in the night, you might be arrested. I don't really allow them to have the kind of friends they want to have and that's because I keep telling them, *"You are a soft target. You can't go out the way you want to go, you can't attend parties, you can't attend things the way you want to attend because if anything happens then I'm sorry, you might not be listened to"* and that is the reality that I face, they might not even listen.... Most times the offence that they've been charged with they might not even understand it and that is where the issue of the CJS system comes in. If you are being charged with an offence you don't

understand, how would you be able to explain what really happened when you are being told in languages that you don't really understand. That is the reality a Black mum faces. Our children are not allowed to have the kind of friends they want, they are not allowed to socialise and integrate with other children in society just because we are trying to protect them.

I mentioned in one of the meetings that Participant 3 attended, my children and I will not be a hashtag used to try and change the law. The law should be made in such a way that it will absorb people from BME backgrounds and not just work against them. It should be made in such a way that it is accessible to everybody, and everybody will be able to understand what the law is trying to say.

Participant 3 – One of those incidents brought up at the forum was a woman who basically had some individuals come to her door late at night, bash on the door and shoulder the door and they hurled at her a load of verbal abuse. She says she's been scared since and doesn't feel she got an appropriate response from the police, so the police came along and didn't properly follow up, they didn't give her a crime reference number. Essentially, they didn't prosecute and said that they wouldn't be able to under the law. When we talked to the police about it since, they said that sometimes legal specificities of where crimes can happen can lead to whether it is prosecutable. But one of the things our members were saying in that forum was therefore surely the law should be changed because people shouldn't be able to be intimidated on their own doorstep and have people get away with that.

The other thing that particular member noted on that incident is that she felt like she had been singled out because a lot of Asylum Seekers have a key lock next to their door which is an identifier of asylum properties. I've been there so I know she has brought this up multiple times to Clearsprings and to the Home Office and then also to the police on that incident. As far as I know, nothing's been done to change that. That the key lock is an identifying feature is potentially worrying if that was the reason that she was singled out to have that hate crime happen to her.

Participant 1 – From those examples, there are some positive things going on in the sense that there are hate crime workshops going on and we've had meetings with South Wales Police who are aware of the fact that the report rates are low and the success of prosecutions is low so they are working to try and attend these workshops and make sure that a lot of Asylum Seekers and Refugees know who they are and what the process is and that they can challenge those decisions. But similarly, what comes up in the advocacy meetings that Participant 3 runs, is that there quite a lot of specifics around Asylum Seekers and Refugees that aren't always identified as specific issues to say that people are afraid that by reporting that could have an effect on their asylum claim or the fact that they're in asylum accommodation means their housing provider is Clearsprings and they have a different link to it if you were renting a property private and that often comes up about the identification of key locks on houses. There is willingness there but it's about also looking realistically at the specifics of this group of people and it's not the same to say as if it was me, it's very specific in terms of your accommodation and your experience of the police either here in the UK or previously. And, if you've had experience of reporting and you haven't been able to access an interpreter because you haven't been offered

it or haven't been allowed the process which you are allowed, that you have a right to say that you want to challenge something. People often report to us that they are less likely to report something again or less likely to make contact where they would otherwise.

Participant 3 – I was wanting to say on the topic of health that one of the big things that we've had come up in forums is mental health care and people just not being able to access it. And that's people not being able to access it who have a good grip of English and a good ability to advocate for themselves, they have still not been able to get any further than being given perhaps anti-depressants when they feel that what they need is something more towards counselling. I know this is a problem for a lot of the population, it's not just Asylum Seekers and Refugees in this situation but as one of our members said in one of these recent forums is that actually Asylum Seekers and Refugees are in a more vulnerable position often and have gone through a lot of very complicated, traumatic experiences. And on another matter, for a lot of Asylum Seekers, English is not their first language, not everyone is confident enough to be able to advocate for themselves and it's a pressing issue for an awful lot of the people who attend is access to mental health care.

Participant 4 – There is this perception that among Black people, Black people are deliberately being side-lined, people from a BME background. Somebody called me last week complaining bitterly about experiences that she'd had, she concluded that probably people are just intimidated by Black people. I had a very interesting experience last week. There was an event scheduled and when I looked at the flyer, I recognised the names of the people, people from other backgrounds and I didn't see a Black person's name that I could recognise. So, I sent a message to someone that I knew who is a civil servant and a Black woman and she said that she didn't know anything about it. There was an email on the flyer so I sent an email to the person to find out if there was a Black person in that forum because if we are talking about something that affects people from BME backgrounds, they should be adequately represented. You should have Black, Asian and other ethnic minorities and have questions based on that particular minority group. Alas, there was no Black person there but because of the email that I sent, it prompted them and eventually there was a Black person on the panel. But, it shouldn't be so. It's as if Black people are being deliberately side-lined even amongst the BME people and it shouldn't be so. There needs to be a reassurance that if you are talking about education, health, employment and there is a panel that's been set up, all people from the United Kingdom should be represented from all of the major ethnic groups that are being disproportionately affected.

Participant 3 – One very small last thing on healthcare that I wanted to say was we had somebody else on the forum bring up the Covid-19 vaccine that they were surprised to see that being BME was nowhere on the list of vaccine prioritisation despite the fact that it's a known factor in vulnerability to the virus.

Facilitator – With the session nearing an end, are there any specific recommendations that you would like to voice? We've already formulated a few but we could fine-tune a few around mental health and access to certain things, accommodation to name a few.

To start you off with a few that we could fine-tune together:

- We've been talking about access to facilities to ensure that Asylum Seekers can live independently.
- Better access to mental health care and whether mandatory mental health care ... that there is a system in place because a lot of Asylum Seekers and Refugees experience multiple traumas before they even reach the UK. So perhaps something around that.
- Then free school meals. Something that you mentioned was it's just an "encouragement" for local authorities to provide this. It's not mandated. So, something like that, whether we would want to see a recommendation – mandatory provision of free school meals for people who don't have access to public funds to ensure they are getting access to this.

Participant 3 – One of the root causes of an awful lot of problems that we see is a low level of Asylum Support. It leads to a lot of issues with people being able to access college courses that might have some fees, that stops people from being able to get data and devices. So, that's a big one I would say. Also, the right to work alongside that.

Participant 1 – In terms of some of the things we've asked for around that. More specific to Wales is asking for concessionary bus travel pass for Asylum Seekers. If the Asylum Support rate were to stay the same then that would allow that extra support that is needed to travel to college, to classes, to appointments which currently massively reduces what an individual has at the end of the week to buy food substantially. You're looking at like having £20 or more being taken away from £39. It's over half of what you're getting if you go to college four times a week or if you have an appointment. The reason that came up was because additionally there are issues with applying for bus travel passes for those with disabilities or other needs. The requirements for documentation is not achievable for someone who is an Asylum Seeker because it requests that you show evidence of a payment or other benefits which Asylum Seekers can't apply for. So, the existing process is difficult and in part of that we asked whether there would be consideration of a concessionary bus pass for Asylum Seekers because it's something that comes up across the dispersal areas in Wales as an issue.

Another thing that Participant 2 and 3 mentioned is support for the Lift the Ban campaign for Asylum Seekers to be able to work but again, perhaps a smaller goal for Wales is asking for a shortage occupation list specific to Wales which would assess what employment needs there are in Wales specifically and allow Asylum Seekers a better chance of applying for permission to work in Wales which currently is a very small amount of people can apply for permission to work and the choices they have on the shortage occupation list, if you have a look at it, are often completely unachievable for many people because of the types of occupations listed. Wales could, potentially, create their own. Scotland has their own. It is something that would, potentially, in the absence of having the right to work, allow Asylum Seekers a better opportunity to work.

Participant 3 – Something that one of the individuals said at our forum with police is that they thought that there should be more training for police on specific Asylum Seeker and Refugee issues even if that was just a meeting between police and Refugee and Asylum Seeker

communities, so they get to talk in person. Just to kind of help bridge that current gap and get rid of some of those issues.

Participant 4 – I want to talk about the health and social care sector. I think there should be training, training, training for people that work in that sector. There should be ongoing training so that they learn more about people from other backgrounds. It will also help them to unlearn what they think they know about them and an ongoing process that you keep re-learning. The perception of people from other backgrounds is that, for instance a social worker is coming to take away their children. We are from different backgrounds, different upbringings, different beliefs, coming to the UK. There are so many, especially those that can't really communicate frankly in English. There are so many things that are going on in the home and because they don't have an understanding of what the law is in the UK. There are so many things that go around and once you get a social care worker; they just believe what they believe and just come and take away their children. So ongoing training for those in the health and social care sector is very important.

Participant 1 – One other thing about access to mental health or specific health needs that Participant 3 mentioned. We also see that in other dispersal areas other than Cardiff, there is for example a specific Asylum Seeker nurse which has proved very helpful in picking up a number of issues. For example, in Swansea and Newport, to have someone who can be contacted on behalf of Asylum Seekers in that area and in Cardiff you have the Cardiff Health Access Practice but there is a lack of those specific roles and it's interesting to see how well it works in different areas and how it would be great to have consistency over the 4 areas. Not going to the minimal level but the opposite, to go to the optimum level and make sure that you do have those specific people in place because it's not going to change. Cardiff has a high number of Asylum Seekers accommodated there and it would be great to not just talk about better support but actually to deliver specific support to that group of people in Cardiff. As Participant 4 was saying, they are very specific needs. Training is required because this isn't talking about a specific and very different situation if you don't know about it. You need the training to be able to better support.

Participant 3 – On that issue. Again, with giving healthcare professionals the knowledge they need – a lot of GP surgeries still seem to be unaware that they legally need to provide healthcare for people even if they don't have proof of address which we don't see in practice and I have heard a lot of times on the forums of people talking about issues they've had accessing healthcare without proof of address and that definitely needs to change.

Facilitator – I just want to say a big thank you to all of you for joining us today and thank you for all of the information that you've provided us with and the evidence and there are a couple of things in the chat. The minutes Participant 3 mentioned for the advocacy forum – they would be really helpful so that we can back up everything that you've told us today.

Consultation Group 3 – Tai Pawb and Victim Support

Wednesday 17th February 2.00pm – 3.30pm.

Participant 1 – There's obviously a wealth of information and evidence out there on the Welsh Government website, and so probably whatever I'm referring to will be in reports: the first Minister's advisory group, the socio-economic group, and the evidence report that was issued alongside that report. Most of those stats referring to that would be there. I think housing is probably a bigger mission here. I think the biggest issue there really is homelessness. There's a huge disproportion of BAME people that face homelessness, and we know that a lot of it is because of refugee's homelessness issues. That hasn't been looked out for quite some time by the Welsh Government. We know that they're doing something about it now, but they need to keep them on their toes, really. The key issue there is the enforced homelessness of refugees, as they leave and move from accommodation, and the very limited support that they're given. We need sustainable housing options for them to go into, for those people who need it when they're being made homeless. There's also an issue of discrimination there because under homelessness legislation in Wales, the general regulation, there's a so-called homelessness prevention period. If you're threatened with homelessness within the next 56 days, you'll have a right to be assisted by your local authority. Whereas refugees only have 28 days, half of that really, for their accommodation. It's a huge issue, and there are obviously lots of reports on that.

Organisations have been lobbying on this issue for a long time. They just want a quick churn in the system and money, I suppose. The quicker people are evicted, the quicker the system is for them, and it costs less money, obviously. But that then creates pressure on people as well as local authorities, housing, landlords and so on. We've got a study on that, which is a feasibility study around sustainable housing options for refugees which is on our website, I can also send it if you can't find it.

Also, homelessness of people who are destitute, there's a rise in destitution. The fact that there's a growing number of people with no recourse to public funds and that this now will include EU citizens is a huge concern. From speaking to local authorities, from homelessness managers, that number is growing. That will only create more of an issue going forward.

Another development is the new legislation on the right to deport any migrant from any country that is sleeping rough, which is pretty much criminalisation of homelessness. Whether you've got a right to stay here or not, if you're sleeping rough, you can be deported. So previously, they did that to EU citizens. There was one council in Wales that was cooperating with the Home Office on that, and that was challenged in court. It was made illegal. But now, they've brought in another policy, it doesn't refer to EU citizens. That will be challenged in court, no doubt about that. I think that is probably one of the most urgent issues to tackle.

It's been operational since December. Previously, it was only focusing on EU citizens. The policy was challenged, there was a judicial review, and it was kind of deemed discriminatory. But it was EU residence based. Obviously, that's non-existent now. So, they've tweaked it, slightly changed some wording in it. And it now basically refers to any non-citizens. It's not directly related to Brexit, they're just having another go, I think. There's a lot of kind of uproar challenges, crisis and quite a few homelessness charities are leading the way on challenging that. Some councils in London have, for example, refused to cooperate with the Home Office. When this policy was operational in Wales there was one council that was cooperating. They had a memorandum of understanding with the Home Office to report EU rough sleepers to them. That put homelessness charities in a really difficult situation as well, because a lot of

them are commissioned by councils, so they have to comply. It just creates a very hostile environment, a culture of distrust, and it's really difficult to engage with some rough sleepers anyway. So, just knowing that you might be reported to the Home Office will just lead people to completely disengage and also be deported.

There's lots of other, you know, housing related stuff. And some overarching issues around diversity of people in any sort of public or private sector organizations, and so on. Another one is housing conditions and overcrowding and the predominance of BAME people who live in private rented sector, which is obviously, much less secure, with worse housing conditions and much more expensive. That is a biggie, I think. But other than that, there's lots of evidence, and that is in those reports that I mentioned, the socio-economic report and the other evidence report from Welsh Government.

Not all BAME groups are shown in those stats. That is still a big issue. That needs to be tackled, it has been an issue for years and years, and it hasn't been tackled. Things like housing grants for building new housing, how housing is developed, how it's designed and stuff like that, what sizes and how affordable is it is to people is crucial. Obviously, welfare reform plays a big part in that because there's a benefit calculus, so big families can't afford bigger houses, and they're cramped into smaller ones. There's a lack of bigger accommodation, basically.

To what extent local authorities and housing associations are actually dealing with that, practically, is a problem. I think these are probably the biggest three issues around housing. It is an overarching one, but it's very relevant to housing people. Engagement as well, to what extent people's voices are influencing anything, locally, regionally and nationally on housing specifically. I think that is a big problem. We're making some strides with the Race Equality Action Plan so there's some hope that things will change. I would say specifically in housing there are specific regulatory requirements around engaging with tenants for housing organizations for both local authorities and housing associations and so on.

But if you go to a tenants' conference or look at the structure of those kinds of engagement, schemes and structures and membership of those, it's mostly older white people. I don't think that BME tenants are really informing what's happening there.

We've written a home guide for WLGA together with WSMP on preventing homelessness amongst migrants and refugees. There's lots of data in there, which is from last year, but I'm not sure they've published it yet. I can ask, but from when we were writing that we were speaking mainly to the four local authorities in dispersal areas, because that's the areas of main migration as well. Pretty much all of them reported that there's more and more EU migrants that are being affected, and they have no recourse, no specific projects are being set up. And whereas previously you could help people like that, in that situation, by either regularizing their employment or looking for documents and so on, it won't be the case after June now.

COVID-19 impact is another big one, you know, both health wise and economically. There's lots of evidence now coming through around the economic impact, there's a foundation that did a report on that recently.

Participant 2 – I think it was last week, Victim Support nationally launched the beginnings of a piece of research regarding language barriers within the criminal justice system. I'll put the link to that in the chat in a minute if you want me to, which I think really highlights what we knew from on the ground. We know that throughout people's interactions, especially starting with the police and throughout the criminal justice system, is depends upon what body and whereabouts in the UK you're accessing support

provision to interpretation, translation and services in your spoken language is patchy at best. And that's for a variety of different reasons, I think like a lack of awareness of the kind of support that is available. Actual quality of interpretation services broadly does appear to be a slight issue, especially in terms of smaller organizations.. I think for lots of organisations that tried to grow in-house based upon the staffing that they have, which is amazing and trying to work with what they've got, but it's still very limited in terms of number of languages they are able to provide additional support within. And then I think, hand in hand with that, always goes that case of translation itself that doesn't fully make communication easy. We're talking about concepts in the current justice system, or even crime types more broadly, for which certain cultural kind of translation and cultural concepts don't like having those conversations through a translator which in itself, again, can be a barrier.. It's really drilling down into like the barrier that is language effectively, through the criminal justice system. People's confidence as well in terms of accessing those, but I'll throw the link in the chat in a minute.

I think the other kind of main one, I guess, for me, is...so the Ministry of Justice released in November last year a Commissioning Guidance for BME victims, which is kind of quite a landmark moment, I guess, in terms of a commissioning guidance, specifically based around a certain identity and community, which we haven't really seen before. It sets out sort of three quality standards for what should be expected. And that's based upon commissioners and those providing support and refers to a range of different reports and research throughout the grounding for why those points are so important. And I think the real key theme that came through, which is always a no surprise, is around building trust and relationships. That community engagement in itself isn't enough to increase self-referrals, or to increase engagement with support or reporting. And the promoting services, especially as independent from the police, and independent from immigration services, which again is kind of a language thing especially for example, within victim support, we often come across everywhere, we say like independent from the police. I think that addition of immigration services is really important to get people to break down some of that fear, to build some trust. And as well, beginning to think about how we ensure the services and support that are provided to victims of crime are inclusive in all senses, and not just means of like "we treat everybody the same, but actually, we treat everybody differently according to their needs". And what that means is having more engagement with the communities to better understand what that need is. But again, so much of that too often does come down to results. And especially if community engagement, or similar funds aren't based into our commissioning, our capacity and ability to do that as service providers is often quite limited or can be patchy based upon whereabouts in the UK you are effectively.

To say this is strange, the Commissioning Guidance... it's not available online, I can't find a link to it. I will try my best to find one that is shareable. It has been disseminated through some Police and Crime Commissioners. But oddly, I can't find it on the website. So, apologies. But I'll see if I can find it.

Participant 3 – Some anecdotal literature, I know it isn't exactly what you want. Some of it can be evidenced through our service. But it was just a case of me sort of reading through what you had there and just putting down my thoughts onto paper. If it's alright, I'll just talk through some of the notes and stuff that I've made if that's okay.

So obviously for myself hate crime is one of the most prominent areas that we work in and that we've got to comment on. As you've mentioned, there is an increasing number of racial hate crimes year on year. Almost any spike or any sort of increase in hate crime is always racial hate crime that tends to go up the most and first. When we've looked at the pandemic, that caused a spike in racial hate crime first, you know, any terrorist incident, or attacks around the world results in racial hate crimes coming to a spike. The Black Lives Matter movement massively affected the latest racial hate crimes spike. It's sort of whatever spike we have over the years, there's always racial hate crime that tends to be affected the

most, or at least first, and then it will trickle down to the other areas as well. I haven't got a report on that, but I can provide some stats and evidence.

And in terms of the experience and service users that we have, and what we find over and over again, particularly with race hate crimes, is that victims are being told by authorities or housing associations, for example, that they're not experiencing racism or racial hate crime, which just always absolutely flabbergasted me – what position are you in to say somebody hasn't experience in something that they're experiencing. But if people are told, a lot, that point blank you are not experiencing racism, it can really undermine what they're going through, make them less likely to trust the agencies that they've been working with. Things are supposed to be recorded as a hate crime if the victim has perceived it to be, which I think is key. And that does not happen. And if that doesn't happen, we push back, people like yourselves push back on that to make sure that it is recorded. But then there's a sort of misstep between it being recorded and it actually being treated as a racial hate crime. People feel it, then anything we talk about the incidents or any other incidents that occur, it's always been tried to make you feel that it's not the racial element: "it's not because of race." And, again, it's that victims are feeling really undermined and not listened to, in terms of the reporting process and ethical way throughout. And again, sorry, no reports...

We also find that if a racial hate crime has occurred, and then the police go to speak to the offender and get them a warning, and say it's just because you call them, you know, a racial slur, then offenders just become quite clever, and they then continue to target a person, so they won't use racial slurs again. But they'll cause noise late at night, they'll park their car to block them in. You just stare at them, intimidate them in that way. I think once offenders have been made aware that somebody has reported them or that the police have given them any kind of indication – if they continue that behaviour, it could result in further action. They just become quite clever in how they decide to target people, which makes evidencing racial hate crimes really difficult. I think that when you've got the justice gap between successive prosecutions being so low, that does contribute to when things have been reported, but never ended up in court because there isn't that evidence to get them there. And the persons know everything they're doing since is because of their race, or at least an element of it. But again, the police are just seeing it as noise or parking, it's often either not counted or as a civil issue rather than a criminal issue. It just follows on from what I was saying before, really.

Facilitator — We at Race Equality First conduct research into the criminal justice system as well. I think that's such an important point to make. It's like do / should officers really consider the connection between perhaps that first incident where maybe, racial slurs were used, and these other kinds of incidents that might look like civil issues, but actually are very much off the back of that original incident that happened. And should more consideration be put in place to take into account that original incident. Especially if it's been reported as a hate crime in that first instance.

Participant 3 – That's when we have housing associates involved because of noise or parking, etc. That's when people are told it's not racism, they haven't called you a name since March of last year. And then it does really break down trust, and just, you know, that feeling that nobody understands what I'm going through. When it comes to underreporting many BME people have just been desensitized to it. We do service user surveys on people who have had support from us to find out about how they found our service. There's also an element of research in there. We ask questions about if they have experienced hate crime before, but didn't report it / Was there a reason why? Most people tend to say, if it has ever happened to them before and they didn't report it, that this time they reported it because it's actually escalated violence or escalated in some severe way. Or it's because they targeted a relative or child. And that's the only reason why they decided to report it this time. So, you can tell it from probably years and

years of it happening and just desensitization and that a feeling of having to put up with it, but they're not willing to put up with it ever happens to their child or if it does escalate to violence. There are loads of incidents that have happened in between that scale that aren't being reported. And yet, how do we encourage that when there is mistrust in the police, and the confidence in the fact they're going to be able to do anything about it? That was just from our service user surveys.

Then cyber hate. I've said how difficult it is to gather strong evidence in relation to cyber hate. And when we are trying to chase police updates, you'll probably find the same. The police say that Facebook and Twitter etc. don't really engage well with them. Therefore, they just stop investigating. We've also had times where victims have been asked to take screenshots which you completely understand because you need evidence where it's come from, but actually screenshotting something that's extremely distressing and upsetting and saving it to your phone isn't always something that somebody can do. We've had people who've just had to delete those images from their phone, because they're just too upsetting. Then they decide to drop out the case, because they know that they kind of, well at least they need to feel that it was their fault for deleting the evidence in the first place.

I don't know if you know much about this, but I think it was maybe about two years. I think I was in office when this was happening. A counsellor in North Wales made a Facebook comment about Gypsy, Roma, Travellers in the area, and basically said that they should all be gassed and sent to gaskets. It was about a camping site set up near his constituency. At the time, he posted this comment and was engaging in conversation about it, and then Traveling Ahead and other GR&T charities and ourselves reported this to the police as hate speech. And essentially, the counsellor then just said that he was hacked and that he didn't do it. And that was the end of that. I mean, obviously, I don't know if there was more done behind the scenes to find out if he was hacked or not, I wasn't privy to that kind of information, but it seems very much like, that was his reason. And we don't know if it was true or not. And that was it. The impact that had on the community was just disregarded. Even if it wasn't him, it should have been escalated to see who it was because somebody wrote those words, there was an offender at fault somewhere. But nothing was done. It just sets the complete wrong example that you can get away with it. Ultimately, that does come down to that not a lot of resource in the police to actually do that as well. Obviously, they're at full capacity. I don't think that they necessarily take hate crime less seriously, but there just isn't the capacity and resource to investigate it as much.

And I think that with hate speech online, it can be really difficult to determine what is hate speech and what is free speech. Within the police, I don't think I have clear guidelines around that. It can be difficult to determine – is it inciting hatred? Or is it somebody sharing their views? – I know that what we would think would be different than lots of other people. But I think that can be sometimes difficult for the police to act upon it when it's not clear.

Then the unique thing I had on Brexit...We all know there was a spike in racist hate crime. Since we voted to leave, hate crime figures have never gone back down to what they were pre-EU referendum votes, they remain high. We also see in our services' surveys a question around whether you feel that the EU referendum vote has actually contributed to the hate crime that you've experienced. At the moment, in the most recent quarter, 40% of the people we surveyed said that they thought it did, and which I still think is really high, how many years on. We're not seeing those spikes like we did before. We've left now and we didn't see this big spike that we thought we might see. But it is showing that people's perceptions and the impacts of what happened back then is still with people and it could or could not have happened or contributed to that, but that perception is still there. I have to find it exactly for you, but that doesn't mean that 60% said no, there's a "not sure" answer. It's usually a sort of a 40/30/30 split between 'Yes', 'No', and 'Not sure'. It's not that 60% say no. I think a lot of people haven't really thought about it until we

ask the question. And then they sort of say “Oh, I'm not sure about that, actually”. I thought that was still quite interesting. I think we see a dramatic correlation between events and incidents.

We've also done some research into children and young people's experiences of hate crime. There have been two reports, with one report looking at the availability of services in Wales. It was more of a mapping exercise to find out what support was available directly for children, young people in Wales, which has been published, but the second phase of the report will be published by April. That is looking at experiences of hate crime amongst children, young people, which most of it relates to school. Most of it relates to the fact that schools aren't really doing enough about it, and also massively about the closure of Youth Services due to COVID-19, and to funding cuts. And how somebody from a youth club or from some sort of youth service would have always been the trusted adult that they would go to, and they would feel that teachers wouldn't know, wouldn't understand and would just talk to the bully or the perpetrator. With Youth Services, they did have that trust more or so than their parents potentially. But those services have all been cut, and how that's just really led to people feeling even more isolated than before. I've had a quick read of the draft so far and some of the experiences of these children, young people are so heart-breaking. So young, they've faced such awful things. At that age, they're already going to have this feeling that education services aren't for them, criminal justice system doesn't work for them, that Wales isn't a safe place for them from that young age. A lot of counter work needs to be done for those young people to prevent them from growing up with a massive mistrust.

Participant 2 – To add on to Participant 3's point, I think especially relating to hate crime, the understanding or acknowledgement of intersectionality. For example, racism within other identities often leads to race-based hate crime, but also actually can increase the likelihood of other based types of hate crimes. It's not Victim Support research but Stonewall LGBT charity have quite a wide range of research specifically around the instances of homophobic, bi-phobic and transphobic hate crime. I think it's that one in five LGBT people generally and then one in three BME LGBT people that have experienced a hate crime in the past 12 months. So again, I think this broader context of how race interplays with other marginalized identities and can actually impact on both. And especially that certain support services, but also community groups in place that we tend to signpost, aren't necessarily inclusive environments for people of colour. For example, LGBT venues, community groups, again, are predominantly white spaces, especially within Wales. I think there's like one BME oriented specific group that covers the whole of Wales. There really is a very limited number of spaces for people to go to access that support, just to get a broader context or just to say.

Especially within policing, with unemployment again, especially when you're looking the lack of representation. If we're talking about being this one homogenous group, BME women's voices, and faces and thoughts are not present in the policing system, really, and across the criminal justice system more generally. And the same really goes for employment as well.

Often we see like, for example, with gender pay gap reporting, a couple of people are moving towards ethnicity pay gap reporting, it's not statutory, it's really not followed by lots of people, unfortunately. But again, when you begin to look at the intersection of gender and ethnicity pay gap, you really see that it is women of colour specifically that are in the lowest paid roles and are most likely to be at risk. Again, that plays into things like domestic abuse, and what those risk factors are as well. And again, especially that Black women specifically are far less likely to sit within senior positions across all sectors across employment, I think it speaks volumes to them and shows how you end up with cultures that are structurally racist, and misogynist, and that kind of comes together in the same way.

Participant 3 – The only other small thing I was just going to say, on education... We were working with a group of parents. Again, that was back when we were in the office as well. It was over a year ago now. Basically, they formed a group because they were sick of their children, their black children, but mainly black boys, being excluded from school without any real proof or evidence. One thing that really stuck with me was that the teachers would always refer to as a black group of friends, as a 'gang', rather than just like a group of friends. I think that you could tell from just that language being used that that school, that teacher, already had in their minds what type of young boys these were. They had been excluded for stuff that they said they didn't do. It was usually for white young boys that the same had happened. And there was always at the white boys' defence we believed without even looking into it. It got to the point where they were missing so much school, they had exams coming up, that the mothers were so distraught because they really thought that their boy's education was being unfairly disadvantaged. It was just the whole wording of calling a group of young black boys a gang rather than anything else. Our terminology and bias and stereotypes play into it, and teachers have a massive part to play in that.

Facilitator – Definitely. I think terminology is still very much something that needs to be talked about. Creating these safe environments and safe spaces to have those conversations about what's acceptable, what's unacceptable is really important.

Participant 3 – To fill the prophecy isn't it? If people tell you that you're troublemakers and gangs then it's only going to be at a point where you think, fine. If you think I'm a troublemaker, I'll be a troublemaker. It's unfortunate, that self-fulfilling prophecy does happen.

Consultation Group 4 – Current and Retired NHS Ethnic Minority NHS Wales Staff, BAPIO Welsh Division, UNISON Black Members Committee.

Wednesday 19th February 2pm – 4pm

Facilitator – Looking at your own, respective experiences, in your field of work within the NHS, within the health sector itself: Why do you think Covid had such a disproportionate impact on BME people? Why are we seeing that today? Why has this Pandemic particularly impacted on BME people?

Participant 1 – Covid had a disproportionate impact on BME people because of this structural and institutional racism because of the nature of the jobs they're involved with. For instance, taxi drivers, bus drivers, people working in the hospitality sector and the most important factor is the deprivation. So, the fact that so many BME people have died because of Covid is not necessarily because of underlying health conditions but is more because of the deprivation.

I'm not denying that there may be biological issues but they are not significantly different from those seen in the White population. The healthcare workers having patient-facing jobs. Most of the BME people are in frontline jobs and are in direct contact with the patients. If you look at the vast majority of the nursing staff from a BME background, at the beginning of this Pandemic, they didn't have access to adequate PPE.

Facilitator – That was very early on and was going on for a very long time. In relation to that, a couple of you have worked on the Covid workforce assessment tool. Do you think that is adequate in assessing people like yourselves? In relation to what you were just saying about being NHS staff, a couple of you were on that workforce group.

Participant 1 – I would think so. It's been implemented through over 50,000 cases.

Participant 2 – I would say it has been implemented in over 100,000 in NHS and social care. We don't have the full statistics of other public sectors where it is being used and we don't know the numbers in England because it is being used by a number of organisations in England.

To come back to your question, yes, it's been validated in the sense that we've had 2000 responses back from people who have answered whether the tool was reflecting their risk correctly or under-estimating or over-estimating and 93% people of those 2000 felt the tool was correctly estimating their risk and they had confidence in it. I think that's a huge percentage of people who have confidence in it. The other thing is the same approach but a more complex way of doing it has been done in England with millions of pounds of grants from the Oxford University and when you come down to it the factors that they take into account to arrive at the risk are pretty much the same because the underlying science doesn't change. So, whether it's a risk assessment that we have created or Oxford have created or other people have we know now what are the risk factors and those factors remain fairly constant. The only question is our risk tool is more self-administered and fairly easy to do in 5 minutes whereas the English tool

requires a health professional to trawl through the patient's lifetime medical records to come to the same conclusion. So yes, I think it adequately identifies the risk. The only thing I would say is that it doesn't identify the deprivation index of people which with our meagre resources and manpower would have been impossible to do. Perhaps if we had a few million in the kitty and an army of people working with us we could have gone to linking the deprivation index also.

Facilitator – The reason I ask that is because we had a number of people that rang us, a lot of healthcare workers that rang and said that they did not feel it adequately assessed the risk of them contracting Covid at the time. These were people in frontline jobs. You're talking about doctors and nurses and they just felt that they were still carrying on in frontline and having direct contact with Covid patients as a BME individual. So, there was a little bit of that that we experienced ourselves right at the very start when we had the workforce assessment tool. They told us that being BME did not score you any higher and they felt that it should have done.

Participant 2 – Being BME on its own has not been shown to be a higher risk as such. Just because my colour is brown or somebody is yellow or white, I don't think there is any evidence to suggest that the genes themselves make any difference to the risk of getting severe Covid. But the tool does give you one point out of ten for being BME so that's a ten person rateage for your ethnic group. What we do know and this has been confirmed in study after study is that the real risk factors are obesity, diabetes, hypertension, chronic heart or lung disease, chronic kidney disease and so on. Those all find a mention in the tool.

The thing is, if you look at it on the other side, in India and Pakistan and Bangladesh, the same South Asian population from there and here, mortality in those countries has been extremely low compared to the mortality in the South Asian population living in the UK. The genes are the same, so you have to then look at alternating factors, maybe lifestyle, maybe the fact that these people who are working in the UK are all very front-facing so they are more exposed to the risk of catching the virus. Perhaps a sedentary lifestyle, perhaps vitamin D deficiency, perhaps co-morbidities. The fact is we don't quite know at the moment exactly what drives the BME mortality in the UK. We know it is there. We think we know what the reasons are but it's only when the water is thrown under the bridge and we have more extensive trials or studies we will know for sure what the reason was.

The other thing we have to say is that this is a general tool. This is not an individualised tool. We always said if you have any concerns you must go to your GP or your occupational physician, or occupation health department in the hospital and discuss with them where exactly you should sit and you should have that conversation and then come to a decision. So, this is a screening tool. In the majority of the cases, it would do its job but there may be cases where the situation is much more complex and there is need for a more nuanced approach and a more detailed conversation.

Participant 3 – I'd like to echo Participant 2's point of the observation they made in relation to the toolkit being a generic toolkit and not able to capture everything. That is one thing that came out when we were discussing it in detail in London within a UNISON context.

The starting point for us collectively is it's very helpful when the evidence is coming out to see the numbers of Black, Asian and Minority people dying from it. It cannot be right, and something has to be done. We approached the UK government and WG to try and join the dots because UNISON covers the whole of the UK, not just Wales.

We highlighted a key factor that sometimes people overlooked and that is micro aggression. If you have white privilege, you don't consider for example, when you get a new house or move into a new neighbourhood, you're not going to worry about police stopping and searching you or all of those things that many, especially our young BME people driving a nice car, maybe mum and dad helped you with it. And that micro aggression has a massive impact on our health, stress levels and everything else that goes with it. It's difficult to measure because even though it is internationally recognised as a racist tool, especially in America, US universities have done a lot of research on micro aggression, they are ahead of us in terms of understanding the impact it's having on a community. That is important to say.

When we look at the people dying, a lot of migrant workers from India, South Africa, from other parts of the world, as a doctor, don't tell me some of those doctors are poor, they're not. But because of co-morbidity because of other issues, because of that micro aggression they are suffering, their blood pressure is up, everything is against them. That coupled with other things could be a major contributing factor to the reason why many Black and Minority Ethnic people are dying from Covid. But, as Participant 2 said, there is no concrete evidence out yet to look at that and say we can point a finger at one particular aspect of this. However, what is important is the consistency of inequality.

We've seen five or six people sharing a one or two bedroom property. We've seen the news yesterday, a student from South Asia, 10 or 20 of them are sharing a bedroom and they're saying that one person brought Covid back and the rest of the student population in those living quarters caught Covid. It became a major issue. So, again, it's that kind of example that are out there.

I really want to talk about the survey we did here in Wales. We asked NHS Black workers and I use that term Black because in UNISON that's the term, it's not a description of the colour of your skin or your religion or your ethnicity. It is a political term to articulate or illustrate the shared experience we all have in the colonial past and lack of job and so on and so forth. So, I just want to put that out there. When I use the term Black, it is not to say a Black person per se. Now, going back to the first issue, it's not just one strand. There are several and already Participant 1 and 2 have illustrated that in detail. I just want to add that part that there is micro aggression as well that we need to factor in. People living in the same household because it's very expensive in that part of London for our student population and so on and so forth.

Looking at some of those questions, we've got two professors in this call. How can it be right that we still haven't got a Chief Executive that is Asian, Black or any other ethnic minority in all health boards in Wales? And these are the issues we are asking the First Minister, you have got to do something about this. This is structural racism that has to be tackled. Black people are good enough to be professors, to be consultants, to be doctors and physicians, but yet we are

not good enough to be a chief executive officer or in a senior position where you hold funds. And when you hold those funds, you are able to say well this amount of money will be allocated for research for diabetes or the impact it's having on Black people, or housing or whatever. But we are not in that kind of influential position and I think it's very important.

I did give you a very quick illustration in terms of political advancement in Wales. We still haven't got a Black MP in Wales and that's another issue to take on board. So there are several issues that are happening but we will progress our report to cover the whole public sector in Wales, not just the NHS Black workers' experiences during the Covid 19 Pandemic but it will go out and UNISON is 100% behind that and we will see if we can actually cover the whole of the UK so that we have concrete evidence that we can go to the politicians and say this is structural racism and you institutionalise it. Sometimes, it's very difficult for a white privilege person to see it unless you actually experience it. It's very difficult for them to see because they put it into structures. It's institutionalised. That is a very important point to make here. That institutionalisation.

Participant 4 – Historically, the clinicians used to manage all the patient care but as BME people became consultants and the power started coming to their hands, the White Government did not like it so they brought all these CEOs and managers to keep the control on the consultants who were quite capable of managing the hospitals. These people have no clue about what is needed for the proper care of the patients and so it is going downhill. They didn't want the BME people, the consultants, to have authority, as Participant 3 said, to have the purse strings under their control. So that is a part of racism, I think.

Participant 1 – To come back to this issue of Covid. I just wanted to make two statements. One thing is, (it's already been alluded to by Participant 2), one of the limiting factors of this risk assessment tool is we are not able to score the deprivation and the other area is the behavioural aspect of people. Also, I would like to mention that this is a very young disease and with time we will get additional data but at this point in time we cannot exclude genetic factors being involved in Covid 19. There are many studies ongoing, and it is feasible that some genetic factors may be involved in the causation of critical condition.

This risk assessment tool is going to evolve as we get more data. For instance, the Oxford group have reported that Down Syndrome patients are at a higher risk of getting Covid and one would have never thought about that just looking at the biology of Down Syndrome. You wouldn't have thought that these cases would be at a higher risk of getting Covid. So that's been included, I think, in the Welsh Government tool now or at least it's been incorporated at some point. It's a very, very young condition and things will change over time and we just have to wait and see what comes out of the different large studies.

Participant 3 – Can I just add that any risk assessment is only as good as the person who is conducting the risk assessment and then you have to mitigate anything that you identify. If a manager identifies several things and that's manager role and responsibility is to mitigate it and remove the person from danger, or from the Covid ward and take them to a medical ward, or

give them something to work on at home if possible, or whatever. But, you have to mitigate the risk and manage it and sometimes, that is lacking for BME staff.

Facilitator – That is the very issue that we've had as well. I would request for our colleagues who sit on those workforce assessment groups that you really do consider things like the micro aggressions that Participant 3 has mentioned around managers. That's what we've seen from our experience where people have complained to us that they've felt that their managers are ignoring that. They did the assessment, and they knew that they would be assessed low risk and therefore they could push them forward to deal with Covid patients and they felt they were being put at higher risk just because they had been assessed as low risk by the assessment tool. It just showed micro aggressions were going on in some workplaces. There was clearly some kind of discrimination going on and a micro aggression situation.

Then, looking at all of you, from your own personal experience – have you had any personal experiences of discrimination within your role? Have you struggled to get to where you are today?

Participant 5 – How long have you got? Obviously, I have experienced multiple racist comments, examples of discrimination. What my experience has been is when it's been very overt and frankly, openly, obviously racist, it's a lot easier to call that out. It's more difficult when people don't acknowledge that there is a problem.

For example when I was training and this issue came up and my consultant said, *"A comment is only racist if the person it's being said to takes offence"*, and so if they're not accepting what racism actually is, they're denying it actually exists. It's a lot harder to tackle and you give up. You lose hope and you've got to pick your battles, is this really worth having this conversation? I've had other examples.

A more recent example where my consultant said, *"Oh, who's this person, what does he look like?"* I said, *"He's a White male, blah, blah, blah"* and she said, *"I'm glad you said that, that you are comfortable to describe somebody as 'White'"*. I said, *"Well, if someone is White they're White and if someone is Black they're Black"* and she said, *"Oh, no, Black's not a race, it's a colour"*. It's just people very comfortably having ignorant discussions about things is much harder to tackle.

Myself and my colleagues have tried to raise this in the past. When some of my colleagues have tried to raise racism and discrimination as an issue, the response they were given was "it's not racism, it's favouritism" used as a mask. Another term I was told which was a new bit of vocabulary for me was "Yes different groups are treated differently but it's not racism, it's Welshism". So that was an interesting one. I do have some examples, I'm sure we all do unfortunately, have lots of examples but just to touch on, related to lots of what we've been talking about. When you're dealing with these micro aggressions, just getting through that is plenty to deal with as well as trying to do your job and live your life so when it comes to trying to do more on top of that to take on senior positions... When I've been selected to be a representative for things, people have said to me *"Oh, you're the token brown person"* or *"you're*

the one everyone likes” so it justifies the fact that they’re not racist because they like you, or “oh, you tick all the diversity boxes that’s why they chose you for that media thing”. So, it kind of puts you off.

In my final panel meeting for my training where they sign you off, I brought up the issue of discrimination and on the whole they were Classic example, the GMC survey for doctors, “*Well, no-one has ever brought this up in the GMC survey so it can’t be a problem*”. It’s just really disappointing. One of the responses was that I eventually got to speak at induction about diversity and wellbeing and a little bit of education is a starting point. That’s just some of my experiences.

Facilitator – I think a lot of the stuff you are saying, we’ve heard it for many years. The really sad thing about the NHS is that it’s really hard to further any complaints because everyone’s job is always on the line. If you raise an issue, then potentially you are going to face issues with your line managers and you face losing your job. We’ve had that over and over again for many years. We’ve had people say to us, “Why have you never done anything for the NHS? Why have you never dealt with the issues that are in the NHS?” and that’s what we always say is because we simply have not ever been able to take an individual’s issue forward. We’ve had the odd one where it’s really escalated and we have helped them with a complaint but this has always been the issue of people being really scared of losing their job. It sounds like you’ve faced similar issues.

Participant 5 – It ties into having influence and raising concerns. So, for example, regarding the workforce tool – if you’re not happy that it doesn’t assess your risk and you want to take it forward, you are much less likely to say something, you feel less likely to be taken seriously if you do say something, so you just put up with it even if you don’t feel protected. You have to pick your battles and decide where you’re going to expend your energy and unfortunately that seems to have had negative consequences.

Facilitator – One issue that we’re finding within the NHS in a lot of your positions is it’s a very nepotistic environment where everybody knows everybody else. We’ve had a situation where a pharmacist knows all of those others within the Cardiff and Vale Health Board, everyone knows everyone else within the Aneurin Bevan Health Board and you won’t get away from it. There’s only one hospital, The Royal Gwent in that region and here you’ve got the Heath and they all give each other the nod, the shake, not to take someone on because they know them, or they left their surgery or their practice under a cloud. So, we’ve had a lot of issues like that. It’s about looking at the fact that within the NHS, these are the issues that we have about going forward with problems and discrimination and racism that is still rife within this sector.

Participant 3 – If I can quickly add to the point the facilitator and Participant 5 made in relation to people making a complaint, taking it all the way and then withdrawing it all, they pick which battles to fight. From my experience, many of our migrant workers have employment conditions attached to their visas. So, if they lose that employment, we call them “chained” and we have started a campaign in UNISON because Theresa May brought that in. If they went to recruit someone in India or South Africa or the Philippines for example, there is a condition attached to

their visa and if they lose their employment, that visa automatically gets picked up by Home Office officials and they are deported back to their country of origin. In many of these countries, people will put money together to pay for their son or their family to come to this country, or other parts of the devolved country as they call it, so when they earn money that money gets sent back to the family for the family to pay for education, healthcare and so on and so forth. So that has been a major issue for some of our migrant workers. So, if they complain, for example when Covid came, a lot of migrant workers were at the frontline and they said to me, "Speak for us. If you don't nobody will because we're afraid to lose our jobs because if we lose our jobs we get sent back home, not only will it bring shame to the family but the family members who have contributed to pay for me to come here will not get a return on their investment" so that in itself is a problem. So, they will put up with it and either withdraw the complaint or go to the Covid ward without the proper PPE.

Participant 4 – I'm very pleased to say that I have had a very positive experience in the NHS when I was working in The Royal Gwent. Not at any point did I feel I was being discriminated against negatively. I've had a lot of support from the seniors and juniors. I'm really pleased to report that. However, I have heard a lot of others going through it. As my daughter said just now, my other daughter who is in England, ***they always say they have to work 120% harder than the locals to make their mark.*** And, as Participant 5 also pointed out, that what priority do you give? Do you live your life or are you just dealing with these comments. And how it makes you low and you can't give your full potential, it's really hard. I'm really pleased that she managed to get through it and became a consultant, but it has not been an easy ride. The problem is the people are not accepting that they are being racist. If you don't accept it then you don't deal with it, so we have to make them aware that they are being racist. That has to be hammered on and on and maybe we should hide some cameras or recordings so people can hear that what they've said is racist, they might deny it later on. It's really sad and it has to be tackled.

Participant 1 – I would agree with Participant 4 100%. In order to be recognised, BME people have to work twice as hard. That's for sure, if not more, definitely twice as hard. This view is echoed by many healthcare workers.

Participant 2 – I think what we're hearing and that is what I would echo is it's a very mixed picture. Why I say mixed is a lot of us think, or used to think at least up until 4 years ago that on the whole the NHS is a fair employer. But I have seen definite see-change from about 4 years ago. I'm not talking about me personally, I am talking in my capacity as Chair of BAPIO. So, I get to hear and deal with a number of such cases from across Wales. What we know is patients really love BME staff. The reason being they know that if they are there they must be much, much better than anybody local as Participant 4 has said. They've got to be 120%, 150% better. So from the patient point of view I would say the vast majority there is actually a lot of respect and no hostility or racism. A lot of managers actually like BME staff for the same reason because they know that these people are going to give 150% of their capacity, they are much more productive than anybody else. But then if we look at the other side of the coin, if BME staff are so good, why do they not figure in senior management positions? 30% of NHS staff is probably BME and how many of the staff are up in senior positions, board level, senior executives? Actually, there is only one person in the whole of Wales I can count, or remember.

So, there is definitely a glass ceiling. So, you've got to do the work it would appear but you're not good to actually manage. I would say that if BME people were managing it with their experience of frugal healthcare, they would be saving the NHS millions and millions of pounds. All this massive waste that is going on would be sorted out.

But the other big issue on the racism side, if it is racism, is this issue of disproportionate complaints. So, people know that the BME staff are hardworking, they're good doctors, good nurses, good healthcare workers yet when you look at the number of complaints proportionate to the numbers of healthcare staff, they are 2, 3, 4 times more complained about and remember, this is not from patients. The GMC states very clearly the number of complaints from the patients for any BME staff or White staff are proportionate but the number of the complaints from the employer are 2,3,4 times for BME staff compared to the white staff and that is really alarming. So, your ultimate consumer or customer is happy with you but somebody who is managing you is not happy with you. And we know that when you challenge them a number of these so-called disciplinary proceedings are dropped because there is no substance to it. So, I agree with Participant 3 about micro aggression. I think there is certainly prejudice and that prejudice, a lot of people say is unconscious bias and so may it be. We know prejudices are there between people of various religious denominations, various castes, various socio-economic groups but the NHS is no place for these prejudices. So, I would say if it's unconscious bias, I don't care. It has to be a level playing field.

And the most important thing is accountability:

- 1) Who is accountable for making sure that the BME staff are represented in senior management positions in accordance with their proportion in the workforce?
- 2) Who is going to ensure that the disproportionate complaints against BME staff are screened at a very early stage with a panel which has BME representation and thrown out because the majority of these, we know, are completely baseless?

It is a very complex issue but I'm glad that we are tackling it and I'm seeing a different attitude amongst BME staff. They are becoming more assertive of their rights. They're standing up and saying "No, I'm not prepared to tolerate this", but it's going to take time. I can see it's not a quick fix solution, it's not going to happen overnight, and the more organisations do, the better we will be in this society.

Participant 1 – I agree. I will say that I myself have encountered racism on a number of occasions. Sometimes it was so subtle that there was no evidence. I will give you one example. My colleagues always respected me and I had no problem with my colleagues. But the manager arranged to have a meeting with me when my line manager was off sick for a year or so. She didn't tell me anything about the subject of the meeting and during this meeting, she asked me what I did for the NHS. That was a very odd question because I was head of NHS RND in Medical Genetics and I did everything according to my job description. She was not happy with me. She was just a manager. She had no concept of my work and still she had the audacity to ask me what I did for the NHS. I told her that I did everything within the remit of my job description, and she said, "*That's not good enough. You're not generating any funds for the NHS*". I said, "*I'm not supposed to generate funds for the NHS*" and she said, "*Your job*

description can be changed". I said, "I'm afraid you can't change my job description without my consent and my agreement". So, this was a very disappointing meeting for me. I came back, I wrote to her outlining my achievements in medical genetics and my international recognition and I demanded to ask her what made her think that my contributions were not adequate for my job. She failed to answer, she didn't even acknowledge it. I sent a reminder after a fortnight. She ignored it. After a month, she totally ignored it. I was passionate about my work, and I didn't want to pursue it further because it was having an adverse effect on my mental health, on my work, on my family and I just decided to give it up. I think this is what is happening with many people who are of a BME background. It really depends on what your priority is. My priority was my work, and I was happy with what I was doing and I know that through my work I was able to make a difference to people's lives and that was more important to me than taking this case further.

Participant 3 – That is a typical example of micro aggression, the intent to cause you that humiliation and belittle you and so on and so forth.

Facilitator – If you're all ok with this, let's look at recommendations. What needs changing? Tell us if you can what needs changing. You've already said things like the NHS needs to accept that racism exists first of all, that's one of the big ones. They need to accept where they are racist. Whether that's a tall order or not. I suppose it's looking at that and how we translate that back.

Participant 3 – A simple step forward, they've done it in England and it's working – Positive-Policy, Positive-Action. It's within the law of the Equality Act 2010, it's been implemented in other parts of England where there is a shortage of doctors of professors from Black, Asian and Minority Ethnic communities and they did that. In Wales, we need to look at that. Certainly, we in UNISON will push that forward to happen in Wales because you can target. You can go and say Professor X can join the Aneurin Bevan University Health Board, for example. It might not be the best example, but we need retired medics to be back in the health service, for example in the Health Boards and other places, to make strategic decisions for the Minister but they don't do it but if we have Positive-Action, they have no excuse.

Participant 2 – I think a recommendation about the WRES standard would be very good. We have been asking for WRES from BAPIO for the last 4 years and this is the first time I've seen that idea gain traction in the WG. It's not an answer to all our problems but at least it will give us some objective measurements to what's happening. To the best of my knowledge, something similar is going to be adopted in the near future but I think we'll need to wait for the Race Equality Action Plan to come out to see whether it finds a place there. If that happens then we'll have won a fairly significant battle.

Participant 1 – It's not a recommendation but it's difficult to make a complaint when you're going to be working with the same workforce. It's difficult to make a complaint about a set up when you know you're going to be working with them and what advice would you suggest for that?

Facilitator – Perhaps more safeguarding procedures for people in the workplace? So, if you're comfortable to bring up a grievance without risk of intimidation. Things like a complaints monitoring body, race equality monitoring body within the NHS? I think we're going to have to look at those types of measure so that people don't fear reprisal.

Participant 2 – Participant 1 raised a really good question and I've seen incidences where the formal grievance process actually poisons the well so much that the person's position becomes untenable and I think that early dispute resolution is the key thing that needs to be done. What we have suggested is that in the old days there used to be a committee of 3 wise men or women in the hospital – senior people, trusted people – and that should include a BME representative. So informal dispute resolution involving either some respected people from the hospital or from a third party like an NGO or professional organisation where you can actually resolve these disputes early on across the table and parties don't get entrenched in their litigation or in their complaints. The grievance process is extremely poisonous and anybody who has experience of it ... and I see so many of these, people have actually poisoned their lives. 3 or 4 years are taken out of their lives completely. So, I think we have to be very careful, and an informal mechanism is probably the best here.

Participant 3 – Participant 1 and 2's points are absolutely relevant and that will also support the fact that we need an independent organisation like they have in England (WRES) and if we have an outside agency in the health board like that, is completely independent like WRES and they have that body to come in, it's absolutely the way forward. But it has to be independent, it cannot be in the pocket of the existing health board because of the issue that the facilitator raised, which is nepotism. We have a problem of nepotism in every single health board. I can give you so many examples of nepotism in Aneurin Bevan, you wouldn't believe it. But if we are going to have an early dispute resolution process it's important for it to be outside and stand alone, whether it's Race Equality First or this new body that is going to exist in Wales. So perhaps it's about time we have a similar body in Wales that is a standalone entity organisation working with the health boards we have.

Participant 4 – We need to have some documentaries made about how it affects people and play them in staff inductions so that they realise. Some people don't realise how much it affects people because of racism. So, if we can make more awareness themes maybe the television and media can help because media is very strong in giving messages, like this Covid, it's giving such important messages. If we can use this for racism as well, awareness of racism and how it affects people.

Participant 1 – I feel that at induction, when a new person starts a new employment in the NHS, the NHS should be asked to provide a list of organisations is there were any grievances, any issues which the candidate wants to discuss. A list of organisations like yourselves and other organisations who should be able to deal with the person that matters.

Facilitator – I get your point on that because Cardiff University are working with us to look at how we could handle complaints on their behalf because they've had so many problems, so

many issues with students complaining even publicly that they don't deal with them. So, I see what you're saying. We need an independent body to come in and deal with level of complaints for you, racial complaints or whatever complaint that you have. I agree with you on that. You think that should be included at induction that they can contact organisations and other bodies.

Participant 5 – That's a good suggestion to have awareness of where people can go and have somewhere dedicated for that. My experience has been even if there are people that you can escalate issues to who are open minded, really listen and want to help, they really just don't have a clue. They have no idea of people's experience of racism and discrimination; it's news to them; they've never heard this has happened before; they didn't even realise it was even possibly an issue – "*Can you tell me?*" and they make it your problem to fix because they want to help and they don't know what to do, they haven't got a clue, they haven't read anything and they haven't heard anything. So, there is an issue of education at the higher levels as well. People who are in positions of responsibility, their heart's in the right place but their solutions are not really workable and they look to the victim or the person who is suffering for guidance and it's not really that person's problem to fix.

Facilitator - Thank you very much. We'll keep you all updated now on this report, we'll come back to you.

Consultation Group 5 – Race Council Cymru, Black Lives Matter Wales, Zero Racism Wales

Tuesday 23rd February 11.30am – 1.30pm

Facilitator – These are the thematic areas [referring to the thematic areas in the call for evidence] and as I said earlier, we don't have to cover them all today. It's a case of looking at the ones that you want to prioritise. This is a fluid process. There isn't a strict agenda as to how we do this. Ultimately, it's being able to look at the ones you wish to speak about and then everybody can come in on that particular topic.

Participant 1 – For me education is critical. But I would want to say that I'm concerned about the devastating impact of Covid 19 on Minority Ethnic people during this pandemic and the fact that it's due to socio-economic factors. Not essentially racism but that isn't covered in the health section which I'm really surprised because at the moment we are in a pandemic and I would have thought they would want to review what that is like.

Facilitator – We'll take the first one on the list, and they're all as important as each other. We'll start with education. Participant 2, I put this to you: you've mentioned previously that when we're looking at education, we shouldn't just be looking at schools, right?

Participant 2 – We shouldn't just be looking at schools. It's very disheartening when I keep seeing that the focus is only on schools when in fact there is a very serious problem with universities. Having been in the education system myself for a long time now, it's severe and the impact that it has on students is unthinkable and unbearable. As we speak, we have Black, Asian and Minority Ethnic university students being literally tossed out of university on a whim. And they have literally no resource, no power, no nothing, no influence to be able to get themselves back into their courses despite knowing that they've suffered some quite severe racial harassments maybe on their placements that they had to complain about; they've not been treated fairly on their course in their view and then they're tossed out, literally. It's very traumatic for the students themselves and for the other students who are trying to campaign on their behalf and trying to get them back in and into studies. There are a lot of policies in universities that are allowing, what I term, as educational segregation and the removal of Black and Asian Minority Ethnic students very easily. A lot of policies are causing indirect discrimination. It's abysmal and very hard for me to express because I've gone through it, how easily they are getting away with it and how there is absolutely nobody calling them out for it and absolutely no policing whatsoever of that racial discrimination that is so clear and blatant. It's blatant, it's obvious, there is no effort to hide it. It is very clear indirect discrimination.

Part of the problem is that they are burying the evidence from what I have experienced. For instance, if you were to look at my case, you would find that I put in a complaint – whether or not they are categorising complaints and at least putting certain complaints under racial

discrimination – we need to find out how many complaints they have received officially and unofficially by maybe just emails of students as well that flag up racial discrimination from staff members, for instance. That's what we would have to call them out on. Provide us with all your emails that flag up racial discrimination from staff and students; provide us with all your official complaints that were made that flag up racial discrimination from staff and/or students and bring those out to the forefront please and also show us what the outcomes were for all of those complaints. And there you will find that they have been burying all that there is to know about racial discrimination and race hate crimes on campus. For instance, my actual script reads that I voluntarily left my course and started another one. Do you see what I mean? It doesn't read that on the basis of racial discrimination I had to leave a course and go on to a new one. So that's how they hide it. If you just ask them for their numbers of students that have transferred courses, it will be very high for Black and Asian and Minority Ethnic students, but you wouldn't know that it's down to racial discrimination. If you ask them for how many students have left their courses, you wouldn't know it's because they put in a complaint or wrote an email to a staff member or to a fellow student saying, *"I think I'm being racially abused or racially harassed on this course"*. So, we need to ask them for specifics because in the knowledge that they are categorically and systematically hiding these cases.

Facilitator – That's where I see the similarities between higher education and school education because that very function you just described that systematic burying of the evidence happens in schools. However, in schools they come under Public Sector duties and part of the Equality Act whereas the universities are kind of like private organisations to a degree, so they have more latitude in relation to being able to hide it. But that idea of when you receive a complaint you need to be able to log it against a protected characteristic because then you will be able to see the trends but if they choose not to do so, even though under schools it's part of the law to do so, it deliberately hides what racist bullying and racist harassment. What you're telling me is that the evidence is there in the transfer of students – about BME students not finishing their course or changing university and that's where we'll find the signals.

Participant 2 – Those are the lighthouses to look out for, those are the places you should turn your eyes towards to call them out on it. If not, it's hidden very well. I was looking at my transcripts and no layman would have any idea. You would just look at it as someone who had finished, dropped a course and started a new one. That's all you see but you don't see the complaint that went in behind that and there is no indication that I had I had to lodge a complaint against a university, and I don't know how they've recorded it. I can't speak about how they've recorded it but I very much doubt that they've put any flags of racial discrimination.

Facilitator – That comes back to that governance question about how can there be effective governance. How can there be accountability if the records/data deliberately misleading. I think we've successfully recorded that element.

Participant 3 – I find it very offensive to ethnic minority people in Wales and the rest of this country that the searchlight on race discrimination has always only been targeted at primary schools, particularly state primary schools and not the universities. I'm wondering is it because the universities are private institutions? Does that exempt them from being accountable? And it

shouldn't. And the fact that that torch has not been shone on institutions of higher learning in this country is very offensive to ethnic minority people and makes nonsense of the whole racial discrimination act. It's very pertinent that that happens.

This morning, I woke up to a post by a friend of mine who is a journalist. He posted from The Times newspaper and on the front cover, you will find there's a big heading "Money laundering fears as universities accept £52 million in cash" and that is UK universities. The story in brief talks about how universities are opening to accepting large cash payments from international students. Who are international students in this country? They are ethnic minority people. These are the students who have come here and have paid so much money, forget about stories of those who have paid cash, but there are those who have paid through genuine channels huge amounts of money to these universities, have had horrible race discrimination experiences and have been forced to go away with those evidence because their visas have ended, and they've had to leave the country. So, there is a lot of evidence outside this country from ethnic minority people of the horrible experiences they've had.

I've had my personal experiences and it's all now buried within the submission that Participant 2 made of the covering, that deliberate covering of evidences. We've spoken to international students who have said, "*Well, I can get the evidence, it's in my emails.*" You go back there, and the university have already shut down their emails and you can't access them. So how do you get that evidence? I think it's time we stopped asking, no, not stop asking but turn the tables around and ask these institutions of education for their evidences. The emails for instance, can you give us access? Certainly, if the emails have been shut down there will be a way of accessing what ordinarily the public won't have access to. They run the systems, they should be able to access them.

Facilitator – We've seen this in relation to employment that the larger corporations, larger employers, use their own systems, their own portals for staff and employees and in that portal they are able to guard and protect information. So as soon as that person is dismissed they can now cut them off from any information that could be used to defend them in relation to an ET claim. It's a practice which has been put on and that is something that has an imbalance, it is a form of indirect discrimination to basically lock people off the information that could prove that they've been discriminated against. I'm conscious of time and the topics that we're dealing with are huge. I'm going to go over now to health. Participant 1, would you like to speak about this?

Participant 1 – Before we go back to health, something I would like to highlight in education is the fact that we need to highlight the work of Professor Charlotte Williams and the work she's done with Welsh Government to highlight the need to have balanced teaching resources and to bring in Black history and diverse histories into the education system. The curriculum in Wales is so limited and is designed to discourage direct instruction. They tell you that they give you so much freedom that you can do whatever you want. So, if you are a person who is a racist or have racist ideologies, you don't ever have to address anything regarding ethnic minority people or their contribution to Wales and development in general. So, Professor Charlotte Williams's interim report to Kirsty Williams, the Minister for Education, is critical. You need to download that and make sure you include and incorporate its recommendations.

Facilitator – Did the report look at the curriculum across all the different subject areas or did it focus on history?

Participant 1 – No, it didn't focus on history. It was a pan-curriculum review and that's the point they made that it has to come through everything, it's not just about influencing history. Unfortunately, the kind of documentation you currently see on the Hwb is just inappropriate. Their lessons on enslavement of Black Africans were horrendous. I just read it and thought no wonder they're telling kids that their skin is the colour of poo. We just have to ensure that these resources are used sensibly by people who are equipped to use them, by teachers who have been upskilled in how to deliver these sessions. There's a whole systemic change in the attitude to promoting understanding of diverse, ethnic contributions to Wales that is missing at the moment. That report is great.

In terms of health, my views are that the Covid 19 threw into focus the inequality, the systemic and structural inequalities that currently dominate our world. The fact that 4 in 10 people died as a result of the Covid pandemic was startling, shocking. People have to really step back and think how, why did 4 in 10 people die as a result of racism? How did that happen whilst we all watched and why was that not preventable? How can racism kill, how can racism become recognised as the new global pandemic and how can we put in place measures to address the loss of so many people from diverse ethnic backgrounds who came into this country, especially those who are not born in this country, and sacrificed their lives and died in this pandemic and their families left bereft with very little communication with people from abroad? We have Filipino nurses who, husband and wife, died one week apart, leaving 3 children, 9,7 and 5, to be placed in the care system until connections can be made with relatives in the Philippines. Where is the mental health measures in place to support the Windrush elders who are losing their children who are mostly in the healthcare, NHS services? Friends like Donna Campbell who died serving in Velindre; people like Brian Mfula who died as a healthcare worker and senior lecturer at Swansea University. Just the extent of loss and ongoing mental health challenges for Africans and African Caribbeans who already have suffered a devastating impact from the Windrush debacle. When are we going to see justice, when are we going to see improved health outcomes, when are we going to see particular redressing of the balance for sickle cell anaemia issues which affect only Black, Asian and Minority Ethnic people? Why is the vaccine not specifically prioritising Black, Asian and Minority Ethnic people?

So, these are some of the key issues. I can send you the socio economic report published by Welsh Government. That is a critical report for you to include in any preparations because it did a thematic of review of what we have and why. Professor Emmanuelle Ogbonna led and chaired this committee reviewing why so many people died. It wasn't a pandemic that came as a surprise, it was waiting to happen and why were we so unprepared to protect people. The socio economic report gives you all the breakdown of the disadvantage that ethnic minority people are suffering in Wales which is resulting in unhealthy outcomes.

Participant 2 – Just to echo what Participant 1 has said so very well. I'm so glad they spoke on all those points because I think we definitely look to them for the evidences. It was perfectly said.

I want to echo one point that I could emphasise on in a particular way. One of the things I've noticed with our healthcare system is that it can be very quick to report that there is a disparity between races and essentially how we're treated so that Black people are more likely to die from x, y and z. But there's never anything done to address that disparity and one of the most painful aspects of Covid 19 has been having to relive that trauma of nothing being done despite the numbers being out there. There was all this media hype about Black people being more likely to die from Covid 19 and the disparity between and everybody is in the knowledge of it but then literally nothing is being done to address it. I say nothing with reference to the fact that vaccinations did not prioritise belonging to the Black, Asian or Minority Ethnic population. That should have been a priority group. It's as simple as that. Based on the statistics, based on the numbers, we may not understand the ins and the outs of why it is that Black and Asian Minority Ethnic people are more susceptible to Covid 19 in this given time, but it is a fact that we know and yet in the true racist manner of the United Kingdom, nothing has been done. Priority groups were set in stone absent of that fact that was one of the first facts we learnt about how Covid 19 is affecting the human race. It speaks volumes of the depths of the systemic and institutionalised racism that we have in the United Kingdom. No-one could bring themselves to set that group as a priority despite the facts being there on paper, despite the facts that they are the ones who even collected the data themselves. This wasn't even from an outside source! The governments collected this data themselves and still ignored it. So that's what we're contending with, the fact that even when they are the ones collecting the data, even when it's not us providing the evidence, they are still not able to act accordingly and do the right thing which is prioritise these groups, make sure we're getting vaccinations until we figure out why it is that we're more susceptible. We know it's down to racism and again this evidence is the fact that it's down to racism. I've said it on my Twitter that any government that does not prioritise Black and Asian Minority Ethnic groups on vaccination is a racist government. So that's what they really need to hone in on. It's something to think about.

Participant 3 – The only area that I want to add to that is the area of mental health and again, this is another area of health that has been ignored when it comes to supporting ethnic minority people. There has been an admittance in some meetings that we've sat with that there are no tailored mental health services for ethnic minority people, and you would want to wonder why. The other thing is access to mental health help by ethnic minority people. How many ethnic minority people actually know where to go or where they access help for issues to do with their mental health? And having been through the size of the pandemic we've been through and all of the disproportionate effects of that on ethnic minority people, you can only imagine the level of mental health stress that many people will be going through at the moment. The reason our communities need that tailored service is because of the cultures and religions of many ethnic minority people and the understanding of these cultures and religions to be able to support ethnic minority people better.

I recently realised that there is a huge opportunity in that, and that is a challenge for more ethnic minority people to be given mental health training in those areas and perhaps by doing that they will be in a position to support their communities. In a meeting yesterday, I gave an example of a new organisation that is ethnic minority led and how in their very first meeting they had over 50 people. You could actually see the level of interaction that was going on, it was that familiarity,

knowing that all this is organised by someone who looks like you, who understands exactly what you're going through and who has created that safe space for you to talk about your mental health issues. So, it's looking into that as well. That's a missing strand in the discussion on health.

Participant 2 – It's not exactly mental health but it paints the picture that Participant 3 is painting. I'll call it up for you because it has been something that I have come across in passing as opposed to something I have sought out. So, I will have to search for it again. It wasn't UK statistics, it was US statistics but the picture was this – where there was a Black doctor or any Black healthcare staff, Black babies were surviving at a higher rate than Black babies in White people's care. That speaks to the fact that if we don't have the equivalent data in the UK then we are failing. The reason why there may not be evidence as to what's going on there, you may not find it is because we haven't perhaps done the research to find how likely the probability of Black people's survival in the care of a white doctor or white nurse in comparison to the Black people survival in the care of a Black doctor or Black nurse in any branch of the health care umbrella or tree that we have. So, I think those statistics could potentially speak to that gap of knowledge. We may just not be doing the right sort of research to find this out.

Facilitator – We know and I'm sure you'll agree that racism even gets into the opportunities for doing research and what you're going to research on. So, being able to get funding to be able to support that particular area of research or particular topic such as racism within health.

Participant 2 – And doesn't it speak to how the under-representation of the Black and Minority Ethnic groups, it speaks to how that hasn't been prioritised as something to work on because perhaps we've not even been doing the right research to find that the consequences of not having this is that we are having disproportionate people being institutionalised for psychiatric disorders within that population of people. It all ties together.

Facilitator – Absolutely. Would you say that generally the health service in all its different areas and functions is just not culturally confident for modern Britain?

Participant 2 – Most certainly. If you look recently, there was this whole media hype around a young man who published a book of all the skin conditions that are well known to man but in Black people instead and that went viral because a lot of medical professionals had said they had never seen any of these conditions in Black people before and were really grateful for the research he had done. He wasn't paid to do all of that which is a shame. If memory serves me correct, he's a recent graduate, or a very early medical professional or still a student at the time that he made that. So, the money is not going in to making sure we have the correct resources to help Black and Asian Minority Ethnic people and for doctors to even be able to identify conditions in our skin types. It's the whole colour-blindness narrative, we're colour-blind and therefore treat all people the same and actually you should treat people with equal dignity but you should recognise that we do have differences and therefore chickenpox may look different on a Black child than it does a White child.

Facilitator – And it's the nature of individualism in relation to your health care which the health system prides itself on. It's all there in their manuals, it's a universal element of individual care. You ask a person in their care plan what they need as an individual but still that cultural competence of health workers doesn't seem to be able to translate into the simplest of basics of care whether it's nursing, a care home, it doesn't translate and that can only be down to systemic racism.

Another area which is of interest to me is we deal with a lot of discrimination at work and quite a lot of situations where a person has come forward about being discriminated against, as part of the function of a HR team they will usually refer that individual to the Employment Assistance Programme (EAP) which they can ring the number and they're supposed to get some emotional support in relation to what's happening to them in work. We find there is a massive low take up by BME individuals who are suffering racism in Wales because the actual function of ringing these numbers is inadequate. The people behind these numbers, they haven't been trained to be culturally aware either so it's hitting you in the community. Have any of you come across the EAP, this number you're supposed to ring to get support?

Participant 4 – I work for the NHS as well. There is an EAP number, and I don't know. I haven't had anyone come forward to me, but I will be clear that the organisation that I work within there are very, very limited Black and Asian Minority people in there. The reviews that I've had back is that it's not very helpful generally, but I can't say that's specific to what you have just said but I have come across it. I've never used it myself, but it doesn't seem very helpful. I'll be honest with you, in my opinion, it almost seems a bit like a scapegoat.

Facilitator – It seems like we have no responsibility in that area, they've got the number and that's our responsibility for their health and wellbeing over with.

Participant 4 – It's not a passing over I don't know if it's in every organisation but within ours it's like extra support, they're given this as something they can use beyond work and then in work, they'll still get their support mechanism depending on what it is. But obviously when it comes to racism, like I've said, I've never had a case in there so I can't accurately feedback.

Participant 3 – In some of the feedback that we got from some of the meetings that we sat in, the general feeling was that even if Ethnic Minority employees use those sort of employer helplines, nothing would be done about their complaints. Their complaints would not be treated in equal measures. So, to plug that gap was why EYST came up with the BAME helpline to create that safe space for Ethnic Minority people to be able to report or give feedback. They would be another resourceful organisation for you to be able to talk to about that and what it was that led to that being set up.

With regards to evidence and correct me if I'm wrong, it would seem to me as though and it's a good thing ... that to give that statistical evidence of everything we are saying, but as Race Council Cymru with the communities that we support our approach is more qualitative approach. So, when we talk to our communities, what we take from them is their lived experiences which for us is the true evidence of everything that we need to show what's going on, to prove what is

going on. And it's these lived experiences that we fed back to Professor Ogbonna's socio economic sub-committee which is now being used towards the development of the Race Equality Action Plan. So you might not be able to get that statistical thing, not because we don't want to do it but we don't get the funding to do that but also because we believe that it is more important, because we work with grassroots communities, it's more important that we talk to these people directly, that we listen to them, and they tell us their lived experiences directly and we feed it back as evidence.

Facilitator - From my point of view, lived experience, that qualitative evidence is evidence. In the absence of some sectors' failures to record what's going on, you have to prioritise the lived experience evidence because you're not getting the evidence from anywhere else. So, I'm absolutely with you on what you prioritised then.

I'm conscious of time and I apologise again. These are huge topics. We're going to go on to our final topic now which is policing and then we'll do a round-up. Participant 2, I think you were going to lead on this one?

Participant 2 – It goes without saying that we've had a rough time in Wales the past few months and that's probably why myself and Participant 4 were really keen on talking about it because it's massive. One of the things. One of the things again, it's like what Participant 3 said, it's not so much asking for evidence from external people, it's about asking the right questions of, in this case, the police forces themselves. Just the other day I was on a call with Gwent Police and I was asking a series of questions which maybe not known to them was actually derived from documentation I found from Government as to what police are supposed to do with regards to administering care for someone who they have detained. I wanted to have more information about what is in place for giving of care for someone you arrested or have restrained but has not necessarily ended up being detained at the end of that process. I don't know if there is a true gap there and if there is, that means that there's something missing in way of knowing how many people have had adverse health consequences after being arrested or restrained but not necessarily detained at the end of it. There might be a missing of reporting or a missing of requirement to report what has happened to an individual in between that space. I was relaying all these questions and at the point in time no answers were able to be given. I was asked to write these questions up so a response could be made because, I guess, they were quite complex. But they were all reflecting back on what is on government websites free to access for all public as to what police officers should do when being called to a scene with the knowledge that someone is undergoing a health crisis. Then of course as well with the knowledge that ambulance services may suffer significant delays because we are in a global pandemic. So, it's a common sense approach, I would believe, to ask the right questions of the police force.

When it comes to stop and search, I am bewildered as to how it is still allowed given the disproportionality, the effect that it has on ethnic minority communities. I can't understand how that hasn't been flagged up till this day as something that is in itself illegal because it is continuously disproportionately affecting a particular group and there is no justification. We know there's systemic... a hard heavy hand... I think it was Theresa May's report of the fact that we are more hard done by in way of sentencing as well as Black and Asian Minority Ethnic groups.

So, we are identifying something as a pattern of disproportionality and, therefore, it feeds into discrimination and I'm sure ticks all the boxes as to what is conferred as discrimination against a particular race. And yet, despite all of this, we are still contravening on human rights in this way, in this manner within the UK. So, it's just bewildering that within the UK we are still imposing ourselves on people's human rights ultimately and I think sometimes not saying that distracts from the fact that this is a contravention of human rights. All this systemic racism, this institutionalised racism that we keep flagging up is a contravention of human rights. I'm not very well versed into what courts across the globe and the UN are supposed to be dealing with this sort of contravention, but this is a continuous disregard of trying to fix the problem. It's abysmal, bewildering. All these are disproportionately affecting ethnic minority populations. We know it, it's recorded, it's been recorded for probably over 5 years, a safe guess, continuously and it's still in place despite knowing that it's contravening on human rights in this way. It's beyond me.

I think it also comes down to the fact that in order to tackle these behaviours, we need for them to have policy changes. Something like stop and search in of itself is supposed to be stopped because it can't be applied, over how many years it's being evidenced that it cannot be applied without disproportionately affecting a particular group of people and therefore it's discriminatory on the basis of race. So, in and of itself it's supposed to be scrapped because that is what the evidence is crying out. But let's say in the worst case scenario nobody wants to scrap it and everyone still wants to stand by it, there at least needs to be a change of policy and there needs to be clear guidelines that are known to every public member what it is that allows a police officer to stop and search you, on what basis. And all of those bases need to be vetted by the public as to whether or not they're actually fair. We need to see are you stopping someone on the way that they are dressed - we would immediately strike that out as discriminatory and stereotypical. Do you see what I mean?

Facilitator – I do but there are certain tactics which the police will use to be able to affect that oppression and part of what we've seen in our work is the police will use things like "I can smell cannabis in the area, so I prompted a search" and it's very difficult to prove or disprove that a police officer didn't smell cannabis in the area.

Participant 2 – But that's exactly what we're coming to, that's exactly what I'm saying. We need to know what the policies are for stop and search and tackle those. Those policies need to be vetted by a particular board, the government need to have a particular set of people that will vet these policies and say whether or not they are appropriate because smelling of cannabis, if you are not a dog, you cannot pinpoint to whom that cannabis is coming from. It's scientific. No human being has that acuteness of smell. So why is it even a thing that perhaps they can ride on, it's not fair. It allows for biases that have occurred in the mind to come out into play. So, we need to have a board, a board of people with a reputation with lifelong records behind them of race equality and policing the police in terms of their policies.

Participant 4 – Participant 2 pretty much covered it all, the frustrations are very clear. My point here is that the issue is even when you address their policies, for example, "We smelled cannabis", it's such a broad spectrum of what they're allowed to do they are able to treat us and do things to us and actually still get away with it. For example, when they come into somebody's

house to restrain them there needs to be clear guidelines and policies that only two officers are allowed in; this is what we're trying to stress. You can't decommission something that is so big, so what can you put in place? Yes, we talk policies but when I start looking at their policies, it's down to their discretion, it's down to their opinion. What they call reasonable force to somebody who has arthritis or brittle bones is not reasonable force. I have physically watched them snap somebody's shoulder out of their socket and they were supposed to be restraining them. When I asked them "*What are you restraining for?*" I got told to move on otherwise I'll be arrested for breaching, obstructing justice. Again, I questioned what justice, "what are you doing?" then I get told, "*this is your last warning, you will be put in the back of the van too*". So, with the police it doesn't matter whether you're a bystander, whether you're the criminal or more time you end up being their victim in the way it is, the police have powers to intimidate all of us and hurt us and harm us and we have no power or leg to stand on. One of my suggestions to that is, in every single arrest, I know we talk about people who are not detained but for me, from the moment somebody is arrested from their home and gets to a police station there needs to be an entire independent group set up that are not part of Government whatever, they're part of the people, like a people group, where there is a spectator to make sure that the person that is being kept in custody is treated correctly, fairly. In the UK there is no law for anybody to go under any type of death penalty, as an example, which does exist in America. We don't do that here. So, nobody should be in jeopardy especially to the point of death whilst in, what we're supposed to call, police care but rather is turning into police carnage. So, definitely an emphasis on policing.

One more point to add is the under-representation. So, when you become a police officer, you get located in a station outside of your own area. To become a police officer, there is no area that you know better than your own. So, for example, if I went into Cardiff Bay Police Station and became a police officer, I would understand that I don't need to stop and search every boy in a tracksuit because that is the etiquette of that area. Where what they're doing is, they'll move people from Gwent over into our areas, these people do not have a clue on the cultures, diversity and even the way we live in these areas and therefore we are then targeted and that comes directly into the systemic racism, how Black, Asian and Minority Ethnic people are targeted a lot more and actually it's severely important. I know on one hand Covid is killing people but statistically police are killing just as many as well, so we need to address that.

Participant 3 – I'm very happy for you to take this down as my evidence, my lived experience. I am the mother of a Black boy who is coming up to teen age and I'm very aware of the stereotype of Black boys with the hood over their heads automatically being suspects of crime and that makes me very uneasy as the mother of a Black boy. So, each time I go out with my son, and he loves hoodies, who doesn't love hoodies, every time I go out with my son and he puts his hood over his head, I am very quick to say, "Put your hood down" and it is not because of anything else, it's just built upon that uneasiness of the stereotype.

The reason I am in this job is because if nobody takes care of the situation today, if I don't step forward to take care of the situation today, I don't know what the future of my son and other boys of his colour will be tomorrow. Thank you.

Participant 4 – Can I just add to what Participant 3 said just to take it a step further, especially recently in the media. When you are a Black boy and you are also a Muslim boy as well, there just seems to be a major ... and I mean this because I know my local area and I know the people in it, and I have witnessed myself and I will call it brutality that they suffer when they're having their trousers taken off and bent over the back of a van publicly to have themselves searched which is not even acceptable. I am a Muslim, we have our Hijab's pulled off our heads and we get told unless we go and face these criminals and put in statements against them nothing can be done. I've had hot coffee poured over me and a car drive by pulling my Hijab off. Why am I then going to give descriptions and go and face these people in court? You're already scared. And this is a major thing that needs to be addressed especially when it comes to trying to get some kind of fairness, forget equality, but just trying to make things a bit safer. It's really sad. What Participant 2 said really touched me, it's really deep like that. My own brother can't get in the car without being questioned where he's going. He's going to work! But no, he doesn't look how they want him to look.

Facilitator – Thank you. It's a form of racial oppression by the police where you're stopped and questioned on the basis of what you look like and criminalised before the law before the system. I can remember seeing police officers come into my school when I was little and thinking that must be a great job until they started stopping me when I was 14, 15 and 16. And you look at the police and wonder why so many people who are black and brown don't want to join the police force because it's the force that brutalised them, it's the force that looked at them in a way as if they were criminals. That's why I would never, ever constitute myself going and working for a system that helped brutalise me when I was younger, and it happens to most Black children growing up in the UK. It's a very serious issue and it's been going on for so many years that hasn't been dealt with but still we hear Cressida Dick from the Met Police saying there is no systemic racism in the police; that it's finished with; that somehow, they've completed some process and it no longer exists. This is the state of play unfortunately that we're in.

I'm going to round things up now and I just want to thank you deeply for taking part. I know it's not easy. I feel as if we've been on a circuit recently over the last few months and it takes a lot out of you, I'm sure to be able to voice something which have voiced before and not seeing much change and not seeing much action so I do thank you for what you've contributed today.

Consultation Group 6 – Gypsies and Travellers Wales and Travelling Ahead

Thursday 25th February 2pm – 4pm

Participant 1 – I'd just like to say I am really keen that we talk about the upcoming proposals from the Home Office from the UK Government about strengthening police powers about dealing with encampments, which fundamentally is a huge threat to the nomadic way of life, and also, potentially, is going to criminalize many nomadic peoples, including ethnic Gypsy Roma and Traveller people. And I think we'd really like to see that very specifically addressed in terms of raising as a concern, and also with a recommendation.

Facilitator – Definitely. We can start off with that now, if you want to, and it'd be great if you could talk me through more information on that police power, specifically.

Participant 1 – We can send you some information as well. I don't want to take up loads of time on it, because I think it's pretty clear, certainly from Traveling Ahead's perspective, and I'm sure from Gypsies and Travellers Wales's perspective as well. So basically, the UK Government have consulted in over the past couple of years on draft proposals to criminalize trespass, particularly aimed at nomadic communities. And the result of those consultations was fundamentally that so to criminalize trespass and to strengthen police powers to impound vehicles and to deal with trespass as a criminal offence thereby anybody who is encamped on land, which would normally be a civil offence of trespass will be changed to a criminal one.

Fundamentally, what that means is that if you are a nomadic person, and for example, in Wales there's a duty under the Housing Act to provide site accommodation, including stopping sites and transit sites. If none of those have been provided, and you don't have anywhere to legally place your vehicles then potentially this new legislation will criminalize all those people. It also effectively criminalizes the nomadic way of life generally, which people continue to have a right to being, being nomadic is not a crime yet in this country, but it's harder and harder to actually be nomadic. The consultation was a couple of years ago now. The majority of police forces responded by saying they didn't need any more police powers, there are plenty police powers, what they needed is more sites and more support for nomadic families and more provision for nomadic families. All of the Gypsy Roma and Traveller organisations that were involved in advocacy issues have been strongly advocating against these proposals. And there was also a significant number of consultation responses from individual Gypsy Roma and Traveller people from across England and Wales also saying that the impact that this would have on them and disagreeing with it. Despite that, it's clear that the Home Office are planning to go ahead with bringing these proposals and we're literally just waiting within the next few weeks for those proposals to actually be brought in. Again, they'll be proposals, so I'm guessing it's still open for consultation, but we're concerned about the content of the consultation. We're also concerned that the consultation results have been ignored because actually, the people who will be impacted by this were hugely not integrated with that. And indeed, the people who are being asked to implement this, like the police are not in agreement either. Together with other bits of policy legislation that have come in recently, this is just another and very concerning action by

the UK Government against ethnic Gypsy Roma, and Travellers who are nomadic. I can certainly send you more details on that. We'd really like to see that represented. It's interesting in Wales, because we've got a very different policy direction and legislation rights enshrined in Welsh legislation that they don't have in England. You could have a situation where, whilst there's now a legal duty on Welsh local authorities to provide sites. Some local authorities are getting on with that, however, slowly and some are not. But effectively, we do have families who are living on the roadside or encamped on pieces of land, where there is no other option because site provision has not been made. And yet, if these new proposals come in, then they would be criminalized where in fact, the local authorities should have provided for them. That's how it would impact on people. And fundamentally, what they're talking about is impounding and I have to check the details again, but basically anybody towing a caravan or a trailer, having more than one vehicle would be affected by this. And they're talking about not only criminalizing it but impounding people's vehicles, which would be people's homes. In our view, it's a serious threat to people's rights, and it's specifically aimed at the Travelling communities and ethnic Gypsy Roma and Traveller people.

Participant 2 – I can't remember if it's England and Wales or just Wales, but they've already found that it actually goes against the government's own human rights legislation. Is that right? I read that somewhere. They're already saying this is not legal anyway.

Participant 1 – I know that the legal advocates currently started a challenge to this. I think that is quite possible that in the actual impact assessment from the UK Government, they have themselves said something along the lines of that, but I'm not sure. I don't think it's already been found. So yeah, that is the case. In that case, that then may require somebody who's individually impacted by the proposals to legally challenge the government, and that shouldn't have to happen, we don't really want to see the government going against its own human rights law, which clearly, they're quite keen on getting rid of quite soon anyway. My understanding is that the threat is still there and it's going to involve individual families with legal advocates challenging it. It has to be said that the Welsh Government has also committed or is proposing that it is committed to challenging the UK government on that and supporting Gypsy and Roma and Traveller families in Wales who might be negatively impacted if that legislation comes in, which is really, really, really welcome. But you know, that isn't the same and this will come up from civil society, in relation to this convention monitoring process across England. I know there was a couple of other people who happen to be on the call today, I think they'd probably be supporting that as well. I don't know if we'd want what specific recommendation we'd want to put in. I don't know. If anybody's got any thoughts on kind of wording of that. We could give a bit of thought to that, I guess.

Facilitator – Thank you. It would be really great if you could provide me with any more information that you've got on that, any documents, and anything that's happened recently, as I appreciate that it's fast changing. Can I just check with these new powers, is that just affecting UK Government? Or is it Welsh Government as well as UK Government? And if it's obviously going to be providing greater police powers, with policing not being something that's devolved, would that be something that would be able to happen in Wales?

Participant 1 – That's the trouble. The issue is that despite the fact that accommodation and sites is devolved, as you said policing isn't, so the proposals are criminal justice proposals around the changing of trespass for particular purposes. I think it's with intent to reside or something. They're changing that under the criminal justice system from civil offence to a criminal offence and the powers are to the police, which obviously are not devolved. Police can choose whether they use those powers and police only need to use the lesser of the powers that they've got. If you've got very proactive police forces in Wales who don't want to overly criminalized nomadic peoples, then they may not use them. But you know, we can't guarantee that, and we'll probably need to do quite a lot of work with police forces to ensure that they weren't going to. So yes, it will impact on Wales, if the proposals are made, and they go through Parliament. It's at odds completely with everything that is supposed to happen in Wales. So, which is why the Welsh Government have been thankfully really proactive through the race equality action plan process in saying "*we need to support our Gypsy Roma and Traveller communities and help mitigate the impact of this and make representations to the UK Government*". But we all know how much UK Government take notice of the Welsh Government, so every bit of pressure helps, I think. But yeah, it will impact Wales.

Participant 3 – We would like to bring to the attention the impact of Brexit on the Roma community, and migration in general, in terms of being able to enter the country, and the restrictions on being able to enter the country and the visas that have been put into place, which then exclude anybody who isn't in a skilled worker route, and in terms of on how people are treated access to their rights afterwards. I think since 2016, that would have been just before the referendum happened, since then, in migration in general, we've had the introduction of the hostile environment, which has impacted on anybody who isn't British. From our perspective, looking at the Roma community, there's been quite an impact on migrants, in terms of racism, and increases in hate crime, people empowered because of the messaging that comes out of Westminster. If they're promoting hostile policies towards migrant communities, which includes refugees and asylum seekers, that filters down through society, and that's what we've seen is that there's been a wider impact of that.

In terms of Brexit, they introduced the EU settlement scheme, which is a purely digital scheme to be able to stay in the country, after Brexit, if you're an EEA, or Swiss citizen. A huge amount of people have applied for that, which is great. The Home Office has funded organisations to support vulnerable people, we are one of them. But it's a purely digital process, and all in English, which excludes people who don't have digital access and excludes people who struggle with English and with literacy. The deadline is the end of June. The home office is aware that probably due to COVID, and not being able to do face to face consultations with people and support them through the full application process that not everybody is going to apply by the 30th of June. I think, just to be realistic about it, there will be people who will continue to need support, and also people who may not make the application deadline, may not be aware of that application, may have certain barriers to make an application. We're concerned that their rights will be eroded. After the 30th of June, there will be a window where the Home Office has spoken about reasonable grounds for not making applications but how long that window stays open for is unknown. I just think it's something that we need to highlight going forward. There is the possibility to join family members here, but we do know that it's government policy to restrict

migration to the UK, free movement is something that the government doesn't agree with. It has now put in quite strict policies around migration in order to not have people who would typically work in the recycling centre, or perhaps in distribution centres, so that pathway into the UK no longer exists. The reality of it is that this could, separate families, it could have an impact on the economy for the UK, of certain industries that are populated quite highly with migrants, which is something that we'll probably see the impact of going forward. Our concern is around rights and that the government really needs to be conscious about the rhetoric that it continues to give out on the negativity of migration and immigration into the UK. That will just continue to empower people. As you were saying, you know, it's the same thing as with police powers. The Welsh Government is extremely supportive around migration, is very conscious of the fact that this will have an impact on Wales, is very much invested in ensuring that migrants are assured to feel at home in Wales. It's a nation of sanctuary, which it's extending to migrants who are not asylum seekers and refugees. And so very much invested in protecting migrants into Wales, but is extremely restricted, because immigration is a UK Government policy, which, as with the police powers, is at odds with the current Welsh government's stance on accepting migration.

Participant 4 – I just really wanted to look into the educational side of things. I've worked with the Gypsy Traveller communities now, and Roma as well but I haven't had that much contact with them because of where I am, I've worked about seven, eight years with the communities, and it's exactly the same things that are still being written down from a long time ago, about education, exclusion, what can be done to support it. The amount of time that we've held consultations with different organisations to try and look at this issue and with community members saying, it's got to be down to educating the schools, educating the young people. We look into when children do religious education or skills or anything like that, for that type of subject. They talk about different religions, different cultures, different beliefs and they don't bring in the Travelling communities. And I know that there's young people that I work with, who believe really strongly that they should be being looked at.

But the fact that quite often I've noticed is that they put a Gypsy Traveller, and again, I'm not saying the Roma with this, because I'm not sure exactly how it works, but with the Gypsy and Traveller community, they're already stereotyped as being a Gypsy. They're not a Gypsy with a disability, or a Gypsy with learning needs, or any other concerns. That's often missed out. We're looking at educating the people who are working with the Gypsy and Traveller communities, who have dealings with Gypsy and Traveller communities, I think it's really important to remember that some of these children aren't just in the Gypsy community, they do have learning difficulties, they do struggle when they go home. They might have to be helping with their families.

Participant 1 – You echoed exactly what I was thinking. The trouble is these recommendations, have been... When did CERD come in...in the late 60s and 70s, and they're probably the same recommendations. I think the evidence is all there, and the evidence is there that, that none of these recommendations are being properly implemented in relation to education. There have been slight improvements over the last decade or so, there are probably more Gypsy and Traveller children in school, it's really interesting comparing it with Roma families, who have more recently arrived if they're migrant families, because they do have a really different experience with school, because maybe they've come from countries where they were

completely excluded from education, and actually, they feel very differently about being included and having access to free available education, once they arrive in Wales, for example. But for indigenous Gypsy and Traveller families who've been here, maybe for hundreds and hundreds of years, there is still a really difficult relationship with education, not helped by the fact that most schools are... and to be fair, it's probably not just Travellers, you know, if a school is a great school, and they're a really good school at being supportive and inclusive and diverse, then they'll probably be not so bad in terms of engaging Gypsy and Traveller communities and Roma communities. But not all schools are like that. And yeah, and lots of Gypsy and Traveller communities, particularly live in very rural areas where they may be the only ethnic minority actually, like where Participant 4 is based.

Participant 4 – Thinking of that very quickly. We're in an area where the Gypsy and Traveller communities have been living for well, as far back as anyone that I've ever spoke to will say, "*yes, the Gypsy Travellers have been here for many many years*", they go to schools they've always attended. And yes, there has been a little bit of difference in the fact that they do feel a bit more integration. But for instance, just a story from this morning, obviously with no personal details, a woman rings me who is so keen on her children being educated, but because they haven't had the internet access, the computers to begin with, they were having hard copies, she was making her children do the work. She was then sending it and putting it into a file. And this is from the beginning of lockdown and then the teacher going: "*well, we haven't looked at any of that work*". This child is already behind, and is already saying that you know, my difficulties, you know my circumstance, and then feeling really disheartened and ringing me up going, what do I do? Who should I speak to? This is just the continuum that keeps going and by now people should be working and supporting the families and the children. And I come from Pembrokeshire where we have a really good Gypsy Traveller connection.

Participant 2 – It's just to continue your point about education. Gypsy and Traveller children were already excluded, on the margins in terms of accessing education, and being able to access education that they can't access. The pandemic's really exacerbated all of those issues. Because everyone, even more so now, everything is online, doing internet and doing that teaching online from home. So that's assuming that the parents are also having a huge amount of input into that. And if the parents have got low literacy, and historically never went to school, perhaps as much, they're going to be struggling as well, with all of this new technology, people are not having that technology, they just haven't got those facilities or those laptops. The other thing, which is another story is that it's really great when you see young people from Gypsy and Traveller communities who want to stay on, and they want to go on to further education. And because that's so massively affected at the moment, by the pandemic...

I had a family this week, who have a son, and he'd signed up for a very practical kind of college course to help with chainsaw and outdoor activity, then leading to that sort of employment he was interested in, but because it's all online, he felt that he's just not getting what he wanted out of it. He's struggling with that online aspect of it. He just lost the interest, he wasn't getting anything out of it, so now he's left. I was saying to him are you going to defer it till after the pandemic, so you can go back and access that, he said he'd like to, but that might be probably till September. So that gap is already quite huge and it's going to be widening. And I know a lot of children are going to be in that boat, particularly after the pandemic, but if you've already got

that issue there with the community, post pandemic it's going to be a wider gap. That's really worrying.

Participant 1 – Obviously, COVID has hugely exacerbated the existing inequalities in the existing issues that were there. What Participant 4 was saying about Traveller education in Wales, for instance...We're all frontline staff still going out to see whether our Traveller education services, which are now few and far between in Wales, but we're all actively going out to see families during the pandemic so that they could maintain a little bit of contact and doing things like handing over physical homework even because nobody was able to engage, or very few people are able to engage on the internet, that then stopped at Christmas, when Wales went into the next lockdown. We all here work for third sector organisations and we're all working with families who might not be in touch with any of that Traveller education, or some councils don't have Traveller education, you can just see that they're just missing for young people and families who would otherwise be really keen to engage. Like Participant 2 says, of course, there'll be lots of families in that position as well, families with less confidence, and less facilities and resources. It is really, really worrying. But I think prior to COVID, the issue about funding and targeted resources and more bespoke support is what families ask for all the time: "*we just want somebody in school who really understands us, we want some training for teachers, we want a flexible curriculum so when younger people get a bit older, that they can perhaps combine vocational training or work with family*", which is a cultural and traditional norm, with other sorts of education, if that's what's wanted. All those things are possible under legislation and guidance, but schools are very, very reluctant to do that. And then as you've got less and less champions within the councils like Traveller education services, who generally were those champions, young people just get more and more side-lined and so do their families, and there's an increasing number of children who are now electively home educated, because it just doesn't work for them. We've seen just in the last three years, a direct relationship between whether or not there's dedicated staff, by which I mean targeted staff, in Traveller education, linking with families, and then when those services have been lost, which they have been, there's a direct correlation between the numbers of families who say: "*well, I'm not sending my child to school, if it isn't there anymore*".

Participant 4 – I've noticed, since they haven't got a designated Gypsy and Travellers lead in the schools, which are for Gypsy and Traveller children, there has been more of a trend, or a lot of people that go into the Gypsy Traveller unit, are being pulled out for home education, and literally to the fact that a parent goes into a school and says, "*I want to home educate my child*", and the teacher goes, "*Okay, let's get your support worker to write a letter, and we'll get them out*". And I'm sad, these children, the parents aren't bringing them up, because they don't want them educated, but bringing them up because the school isn't working for them. And if the school was working for these children, they would still be in there and they'd be getting their education and their jobs and their careers, and going on to further education, etc. So, as I said, it's been eight years, and we're still saying the same things from what I've seen. And as you said many years before that, I'm sure.

Participant 1 – I think there remains quite a lot of evidence around Gypsy and Roma and Traveller people's experiences at school of bullying and discrimination. I'm not just talking about

from fellow pupils, but from teachers who either lack understanding or who are racist. Because obviously, there are racists who work in professions and teaching isn't probably an exception, hopefully there aren't too many of them. We have evidence of people who just have no understanding of maybe particular cultural traditions of families, that may be migrant families or not. They're teachers who clearly don't have that confidence and don't have the training or the skills to deal with racist bullying, either, particularly about the negative stereotyping and stigmatization in the media. So many people believe all of those things that teachers and schools really don't know how to handle when it comes up. You can just see that they don't, they're not given skills and not given the right leadership within schools around humans of different backgrounds. Consequently, many, many children's experiences are still very negative.

And yet, in Wales there's been some training in schools, there's been a new policy, there's been, new resources about how to deal with bullying. But there's no proper monitoring of the extent to which bullying and hate crimes happen in schools, that's very much down to individual school level. For example, we've tried in the past to ask for school stats on the number of hate incidents that have occurred at school. We've been told that's only available at school level, then when we write to the council, they said, "*well, I'll have to write to each individual school, but they'd be such small numbers*", because we've asked specifically for Gypsy Roma and Traveller, that they won't give us that under an FOI request, because that could potentially identify young people. There's no proactive monitoring whether or not some Gypsy Roma and Traveller children are having the right support, or the right actions are taken when facing those racist bullying or hate incidents at school. We've had referrals to us over the years of children who've been, badly assaulted, horrendous stuff that has not been dealt with at all by the school. It's certainly not being dealt with as a hate crime when it quite clearly is. And it's certainly not being dealt with as a racist incident when it quite clearly is. Most of the young people that we work with have grown up having to defend themselves and look after themselves and quite often it's left to them to defend themselves at school, and then they're the ones that get excluded. None of this is new and it's just with all the things Participant 3 was talking about in relation to impact of Brexit and the things that our whole country's dealing with. It's, I think the main thing we can say is that Gypsy, Roma, & Traveller children are still being failed. We shouldn't need nor mention funding, we should be able to use that flexibility to support young people with whatever works for them. We shouldn't really need extra funding, it should just be that schools are safe places for people to go to, and that our education is there to support individual young people to fulfil their potential. That's their right under the UNCRC, so where is that? It's still not happening for these groups of children that we're talking about here. Welsh Government always has lots of nice things on paper, but is it actually implementing them? And then the accountability mechanisms for that? If you can't even find out how many schools are dealing with or having issues reported in and how they're dealing with them, and whether or not young people or their families were happy with the outcome of that, then how can you monitor whether anything's effective? You can't, it's just not really taken seriously.

We need a curriculum that reflects the diversity of its pupils and of Welsh history, which very much includes Gypsy and Traveller and Roma people, putting resources and energies into Gypsy Roma Traveller History Month, for example, in the same way for some other history months now. I know it's taken a long time for lots of different groups as well, it's not a

competition, but there was a time when Gypsy Roma Traveller history month was quite widely acknowledged and celebrated, there were lots of resources, there was funding from UK Government, as well as Welsh Government that is very minimal now. Even organisations like ourselves, only do a couple of things, whereas it used to be a month, it used to be a trigger for lots of activities. The inclusion of Gypsy Roma and Traveller history month, and then the teaching of Gypsy Roma and Traveller... not even necessarily history, I mean history as well but a reflection in the... if children are given an exercise to do like "draw your house", not everybody lives in a house. Lots of children can be excluded by the exercises and work they're asked to do at school, but it's just the complete lack of inclusion of any other cultural, living arrangements, full stop, which I'm sure will affect other groups of young people, but it's just very, very obvious with young people who may live in families where they don't live in bricks and mortar accommodation.

The inclusion of Gypsy Roma and Traveller History Month, the inclusion of the Roma people's murders in the Holocaust are properly acknowledged and taught in schools and recognized within Wales. Now there's always a little bit of an add on the main Holocaust Memorial event the Welsh Government do, and to be honest, it's a regular add on now so it's better than it used to be, but it's always a week before "*Oh dear we should have somebody from the Gypsy Traveller or Roma community*". *There's also a Romani Holocaust Memorial Day at the beginning of August which the Welsh Government could also, and civil society generally, be acknowledging, which would really raise awareness in Wales and in the UK.* Especially with Participant 3's work, the amazing work that their team have been doing with Roma families, before we all had to disappear into our houses. The absolute positivity of being able to write and share your culture is just such... it's so clearly a conduit to help people feel included, but also to level understanding between people build strong relationships, foster good relationships. It's a complete nonsense for culture and history not to be shared and explored by schools, within professional training, pre and post qualification. Culture doesn't just belong to certain minority groups, everybody's got a culture of some sort, but by missing out all the specific cultures, you're just missing out such a huge part of life, and that's basically what happens. It is also a cultural right, so that clearly needs to be something. In the moment there's not a firm commitment from Welsh Government. There's a curriculum review, and report working group that's using the word BAME but we'd like to see the specific inclusion of Gypsy Roma and Traveller history and culture and learning within the curriculum included in those reports.

I think I can safely say, despite many discussions, lobbying conversations with Welsh Government around the impact of funding changes that would affect Traveller education services, there is no report on that. It's actually very difficult because electively home educated children, once they're off the roll, they're off the roll. So, it's very difficult unless somebody's got some time and money to do a particular piece of research looking at the direct correlation between how many children were deregistered that the local authority keeps tabs on and whether or not there was a Gypsy Traveller or Roma specific education service, we don't have that.

I think maybe the Traveller Movement did some research, which won't necessarily specifically look at Wales. Because there is a real concern around the increase in electively home educated

children from Gypsy and Traveller communities. It really varies, but most local authorities practice the policy of if you're off the register, then you don't get any support from the local authority. There are some that will do some outreach work and some that will include those young people, but on the whole, they won't.

For example, there's a new team in one of the local authorities we work in, who are newly created team for vulnerable learners, it's what they've called it, and that does include Gypsy Roma and Traveller young people within their remit. Participant 3 and I both met with them, and I was talking to them about the number that I know because I work in that local authority, the number of young people who are now or are about to go electively home educated because of the combination of COVID and previously because of the loss of specifics support staff and I said: "*can you have a look at how many children you've got in your local authority?*" Well, they don't have access to those records. They only might get notified when somebody gets taken off when a parent requests for them to be taken off the register. But they don't actually seem to have, and even if they do it probably doesn't monitor ethnicity as well. It is problematic, and it's something that we would love to have a bit of quantitative evidence on, but we can certainly give you lots of anecdotal evidence. And certainly, when at the end of every financial year, education services are losing staff, this is mostly because usually the funding hasn't been properly confirmed, meaning specialist staff often can't stay. We've been contacted by families saying, "*Well, if they're not there, I'm not sending my child up to high school, because I don't trust that high school to be a safe, appropriate place for my child without so and so who's known them since they were little and who will look out for them and will let me know how they're getting on*". This year has been very different with COVID, there are more young people who will have disengaged from education than before.

Participant 2 – That's the thing with Traveller education. The Traveller education workers, they've quite often, like I said, been working with those families for so long. They might be supporting extended family. I've known Traveller education workers who are supporting another whole generation of people now. They end up doing all sorts of other things for the family, helping with benefits forms, all sorts of other support they're not really supposed to do, because there's such a trusted person to that family and that community. If you take that away, it's got a much further reaching impact than just the children in the school. It's a massive impact. And it's a vast loss to the whole community.

Participant 3 – Just going on from what everyone's been saying in terms of education, I think accountability is a really, really big part that we'd like to see happen a lot more. It came to my mind that in terms of hate crimes and reporting hate crime: The onus is on the person who is the victim of that and it's a very difficult position to be in when you've already been the victim of a crime to go and report it. A recommendation would be that in schools, this is made aware to everybody, what bullying is, what a hate crime is, what a hate incident is. Because if children are coming from families, who are quite happy to be to be racist, and to be speaking in the way that they do and pass that on to their children with no accountability at all, then it's always on the victim to have to be empowered enough to go and do something about it. Whereas if the whole of society is aware that there are things in place within that school system or within the law, that they are not allowed to do that, that could have an impact in stopping people from even going

down that path in the first place rather than it getting to a point then where somebody has to report it. It can in some way, hopefully start to eliminate that and also to highlight to people, particularly in terms of the Gypsy and Traveller community, and now the Roma community come in as a migrant community and a nomadic community. There's such systemic inherent racism that exists within this country for an indigenous population, that's never ever brought to account or that people are allowed to keep saying what they want to say, whenever they want to say it. This is what has to be stopped, and if this can be shared more widely in terms of the curriculum, because I think it's quite difficult to share on a society wide basis, but if you're looking at it from a school perspective, that parents know that this is unacceptable, children know that this is unacceptable, you can stop that at the foundation phase. In terms of teachers having to also do this, we know that there are great difficulties in terms of what teachers can do in school and what they're expected to do in school these days. I suppose there's an excuse in a way of how teachers can't cope with any more of a workload. However, if it's through the system, if it exists in the system, then that's half the job taken away from the teacher in the first place, because they also can just reiterate exactly what's been said. It's not for the teacher to think "*I'm not supposed to do this, I'm not supposed to do that*". Then that goes hand in hand with the training beforehand, if you put this anti-racist training in, you make sure that every school is held accountable to have an anti-racist policy that is communicated to every parent and child that way, you can start make people feel that they are accountable for their actions. And if they're thinking about it, they don't pass that on to their children. There is something that will happen at the end of that, there's a procedure that's in place that can make people accountable for their actions.

And as an example, for that, we know of one school at a primary school, where it's extremely inclusive, there's support for families and support for children engagement with the families. And people feel safe to go in there, they feel that they're going to be supported, they know that they will be supported by somebody who's fighting their cause. While still being supportive, there was a lot of inclusion in the team, a lot of inclusion in the school, the head teacher is really pushing that. And then when he moved to secondary school, you know, there's a language acquisition support system that set up for them, they work through that if there are any behavioural issues, it's understood where the person has come from, so their background is understood as to what they've suffered going into that situation in the first place, if they've got language barriers, if there's anything going on at home, if perhaps parents are not literate so they're having difficulty supporting a home as well, that is understood. As soon as these young people are going into mainstream school, and that support is no longer there, it gets a bit lost and behavioural issues have picked up as that person is an issue even if they've been suffering perhaps from racist behaviour towards them, or that they are really just suffering because they can't get to grips with everything that's going on and they're falling behind so they're playing up a bit, that leads into to be in separate, in isolation, which will lead to exclusion, and exclusion then leads people down a really difficult path. We've been talking a lot with this school about belonging, people want to belong, and wherever that is, wherever you feel that belonging is, that is what you will migrate towards. If you've been excluded from school and excluded from systems, there will always be somebody who has pretty unscrupulous motives that will come in and say you can come and belong with me now, so you have gang membership that happens because people are looking for somewhere to be able to belong.

This can't start in schools without putting all the pressure on the teaching staff, because we know that they're massively under pressure anyway, but this comes from a systemic accountability system. That comes right the way through the schools that ensures that the head teachers, the Key Stage leaders are monitoring this and that this is really something that is part of every day, because if you don't put it into place, people will search for somewhere else to belong. And if they search for somewhere else to belong, what impact does this have on development and future career prospects? That's a huge impact, because you're told you don't belong in this system, you're made to feel that you don't belong in there therefore, where do you belong? You belong on the margins, where do the margins lead you? They lead you into poverty, and they will lead you into not having a pension at the end, and therefore not having any money. The consequences start off in schools will just continue and continue and will continue. I think accountability, and it has to be system lead, it can't be teacher lead, it will not happen because the teachers are already overwhelmed. You cannot put the onus on teachers, because already, teachers are being pressured, and being told they're doing wrong, and everything they do is wrong and that the everyone's coming in to complain about them, it has to come from above.

Participant 4 – Participant 3, I agree 100% of what you're saying. I think it's really important that children need to feel where they belong. And in fact, just everyone in general needs to have some sort of belonging. There are two things I was going to pick up we were on about bullying. I have one of my young people, we've got an amazing community of young people in Pembrokeshire, who really are engaging well in many different... We've got a youth peer project at the moment that one of the young boys has written to find out about how other Gypsy and Travellers are coping with COVID and whether they feel a lacking or things that have been good, you know, this is just up to everyone's individual perspectives on what they're going to write with it. He actually said about bullying: *"I bullied, because I was expected to bully. That was one of the reasons I believed and then I was bullied because I was a Gypsy. So, I bullied because I had to, but then I was also bullied because I was a Gypsy"*. And I think that's really sad.

We also have another peer project, which we ran about three or four years ago, with some of the young people. What they wanted to do for their project was to go around to schools and educate the children in the schools about the Gypsy Traveller communities. It was absolutely amazing. When they finished, we only ever went to one school, because we only had the funding for one, we weren't hoping to carry on. I remember a little girl came up to me and just went: *"so are they just like you and I?"* And I said, *"What do you think?"* And she turned around, she went, *"yes"*, then she skipped away. That just shows that if education is there, and people are taught that everyone is the same, and learn from the data rather than learning to be racist, or to marginalized or discriminate against people. We've tried so many different ways to incorporate this. Our local high school, we have some young people who wanted to teach the school about their culture. We sent emails upon emails upon emails, and their teachers were really keen, but could never get around to sorting it. Now those young people have left the school, and that's never happened. So yeah, that's all I wanted to say.

Participant 1 – Just about accountability, in agreement with what everybody else has said, I think in terms of recommendations, it is somehow about really... because this isn't about individuals, sometimes it is, but it's about systems like Participant 3 said. A lot of all this stuff is there, but what happens is when people aren't supported, if there's bullying or if there's failures, or if there's racist hate crime, it's the onus is all on the individual.

For me that links in with the, for example, the stereotypes and discrimination within the media, both propagated by the media and also on social media. This is horrendous. None of us have mentioned it massively here. Not because it's not absolutely horrendous, but because it's like, so ongoing. It must seem obvious to everybody outside just how appalling the hate speech is on social media, and how things like the dispatches program last year, for instance, how programs which would be much less likely to be allowed to be made. I know there are programs these days that people feel are not discriminatory.

I think the issue about accountability is that it's always down to either individuals who've been directly impacted or too small advocacy organisations. And that isn't where the accountability should be, it should be the government or the heads of schools, or the counsellors, or the police chiefs, or the Police and Crime officials. I know this is not new news, I know we're all part of this, and I wouldn't say we shouldn't also be doing that. But all of us here will know what it's like to be raising a complaint and issue trying to support a family to push something through, and not one person who's actually paid to make sure that they've provided a decent service, or that they don't discriminate, or that they stick to the Equality Act, not one of those people does anything proactive to support or follow up these things, which are their failures. They're not the failure of the individual or the failure of us, so I'd include school governors in that I'd include, and I don't mean individual ones, I mean, as a body, and again it may well be ignorance and all the rest of it, but I'd include school governors, I'd include local councillors particularly and also Assembly Members, police. Much of this hate crime and stereotypes and all this stuff that feeds into the really negative experiences, a lot of families have is propagated on social media of councils, of big media outlets, of councillors, of the police. Yet you don't see, well, I guess there's sometimes if you're lucky, there's a bit of backstreet monitoring, but generally you don't see them tackling those issues on their social media pages, or whatever. It's only those of us who are advocates, or individual families or individually, and people who do that. I think in terms of recommendations, and it's come up in the Race Equality Action plan work, as well that there just needs to be a much stronger duty on people, particularly publicly elected people, a much stronger duty to be anti-racist, and to act on things. For example, and I don't want to highlight teachers, because there are lots of amazing teachers and I completely agree with Participant 3 that teachers are asked to do everything, there's a police officer allocated to every school. They could be supporting with hate incidents. The active duty that there is to do something about child abuse, I think there should be an active duty to do something about racial discrimination, and not just go: "*Well, maybe not, you know*". I think those should be written into codes of conduct and professional codes of conduct because otherwise we've raised issues and complaints against things that Assembly Members have said things that counsellors have said, and you look at the code of conduct there's nothing specific enough in there. And again, you do these things so that people learn from their mistakes so that they can apologize and so that they don't happen again, you don't do these things to necessarily make sure everybody gets a sack and get taken to court. Most families we work with don't want that they just want an acknowledgment, or they

want an apology, and they want it not to happen again. People won't voluntarily come forward and say: "*Oh, do you know what? I just didn't realize the impact of that, or no, I was wrong, I should never have said that*". You have to try and use these accountability mechanisms, and they're too weak. They say nothing really about being anti-racist I mean, they probably do say enough, but you have to get to a court of law to really pick those apart. What we want is for people to be thinking: "*Oh, that, that is my job to do that, or I do need to speak to somebody about that*", and not just brushing things under the carpet. That's the same, the media are not exempt from the law, they also have a duty to foster good relations under the Equality Act, they also have a duty not to negatively stereotype, and they have a duty to report fairly. But how often do they hold their hands up and say: "*Oh, can we just check this out? Maybe we shouldn't say this*". No, they don't, they wait for people to make complaints. I think it is something about strengthening accountability mechanisms so that the onus is not just on ordinary citizens all the time to fight. I think it is important people fight and that they know their rights, and they have support to challenge when their rights aren't being met. But communities are exhausted, these communities, particularly, with seeing one horrendous thing said about them, or done to them over and over and over again, and no action taken.

Participant 2 – Yes, and just looking at all of these issues, all of this exclusion, and stigmatization, in terms of health, education, housing, all of this is linked. These communities are just trapped in this horrific cycle of inequality, again, and again, and again. Going back to the whole thing about the schools to crack this cycle or circle, you have to start really early, and that is with the accountability, with education, with the anti-bullying, with curriculum subjects in being included for this community. Children don't start off being inherently racist, that's learned behaviour. If you can crack down on that at the beginning, because all of these issues are linked, and they go through. If you've got a behaviour at school, that's an accepted behaviour, that's discrimination, racism, bullying, and that isn't tackled or held accountable, it carries on throughout your adult life. And then you'll constantly giving out this hate discrimination. And then you end up with these TV programs like the dispatches one that came out, and it just feeds on those people's fascination and their hate and their discrimination, and then negative stereotypes and it's out there, and everyone thinks it's fine, no one's being held accountable, absolutely disgraceful program. Then you just end up back in a cycle again. It has to be broken at some point. Leading on to the next point, which is about the impact on the community, and its massive impact which then leads on to the other issue that this community has, which is around suicide and really poor mental health, and massive suicide issues, people taking their lives. And again, and again the reasons are cited that they just had this exclusion, and this hate and discrimination thrown at them their whole lives, and they just get to the point where they just can't take it anymore.

Every family you speak to from the Gypsy Traveller communities will know so many people from their extended family who've taken their own lives, because they can't deal with it anymore. It's just constant. In some ways, people will say, "*Yeah, well, it's just normal. Yeah, we get that all the time*". It's become normalized. But then the opposite end of the spectrum there is that becomes normalized, but then they just can't take it anymore. The impact on these communities, not just on that person who's taken their life, sadly, but their extended family is huge. It's absolutely massively huge. There was a report published last year called hate as regular as rain,

because somebody said, "*hate towards us is as regular as rainfall*". That's how normal it is for people from these communities. The impact on these communities in terms of their mental health and people taking their own lives. And perpetuating that whole cycle, again, of inequality and exclusion is just, it's huge. It's really, really huge.

Facilitator – Thank you for sharing that. And I'm quite conscious that we've reached the time, I'm not in a rush to get off or anything so I'm more than able to stay for as long as you guys want to talk today. I am conscious that we should probably move on to the recommendation's aspect, though. If you'd like to bring up any other points, that's not a problem, please do. I would like to ask if you have any ideas on specific recommendations that you'd like to suggest, alongside the things that you've discussed today, alongside the evidence that you've given?

Participant 1 – It's not so much a recommendation is just what ... I would like to think that with the horrendous health outcomes, the low life expectancy, the seven times more likely to commit suicide than any other ethnic minority. I can't remember what the infant mortality rate is, and the maternal death rate is, but it's higher than any of the other Black or Asian ethnic minorities. And then with the very poor education outcomes, But I don't think it's just about data, that that would be the trigger for... This is a crisis for this community, these communities, and that those would be triggers for additional services, additional support, and then linked with the recommendations from the last UN committee report is...I'm not one for yet more inclusion strategies, because we've got those, and they don't work unless they're implemented. This is also an amazingly strong, resourceful community, who never...they are never asked about specific things, but nothing is ever really based on what their strengths are. It's always like, "*oh, we're thinking of doing this, like, how would it work for you*", you know, "*what do you think of it*". I think in terms of recommendations, something around the way in which Gypsy and Travellers communities are not offered and are consulted with and need to be consulted with, and be actors in saying what is needed for the Gypsy Roma and Traveller communities. That's really important, because that's the other thing we fall into, it's very depressing how all the huge difficulties but it's really important that people aren't just seen as victims.

Participant 4 – I just mentioned through the chat before, just to ensure that people who are working with the community are educated and trained and understand about the community.

Participant 3 – That was said the other day that there's a lot of talk about hard-to-reach communities, and Gypsy Roma and Traveller communities are always classed as hard to reach. And I don't think it's necessarily that people are hard to reach is that they're just not listened to. When, and they don't have the space to actually say what needs to be said, people don't feel... it's not even about empowerment, it's an extremely strong, quite vocal community of people who have overcome massive amount of hardship and opposition and are still fighting, fighting. But that what is being said is not actually being listened to, and it's not being implemented. As Participant 1 said right at the beginning, the same things were said at the beginning in the 60s, we're still saying the same things now, things aren't progressing. It's not that people are hard to reach, it's that they don't have the space and they're not listened to. We're still seeing such high rates of disparity, between the rest of society and Gypsy Roma and Traveller communities, obviously, something is wrong, and it needs to change. The recommendations have been there

for a long time, better access to health care, better understanding, better inclusion. It doesn't happen, and we've been having these conversations about accountability for a while as well, it feels that accountability mechanism doesn't exist.

I wanted to speak about digital exclusion as well. From the Roma perspective, as I was saying earlier on with the EU settlement scheme, it's all digital. Not only is the application digital, but the ID is digital. Whereas normally people would have an ID card to say that they have residency or whatever their immigration status may be, this doesn't exist, and people are struggling to access that digital proof. If you don't have the digital proof, then you will not have access to health care, you may risk not having access to education, employment and housing. Within it, there's a risk because people are digitally excluded, so they can't get that. There's a risk of exploitation within that because there are people who may offer their services that will be paid. There could be people who are already in really, really bad accommodation circumstances who were taken advantage of even more. There's an access to housing issue, people who are already in precarious employment could be an even more precarious employment, because they're not able to provide this digital proof of immigration. All of this can be solved by having a card. We've lobbied to push the home office for this, there's still no change in it. It's a very, very real problem because if people can't access their immigration status, they risk not accessing the services and they risk being exploited by landlords, employers, people who decide that they want to charge for the services. That is an example of digital exclusion. What we see through education now, and everything moving online, is that the communities are digitally excluded, they're not able to go online, and this has come through because people don't have access to laptops or to iPads or whatever it is, because of that the broadband doesn't stretch that far, that the 3G or 4G signal doesn't stretch that far, because they haven't put the mark on the doorstep. I'm saying that the mark is not close enough to sites, that some internet provision for broadband doesn't go as far as sites, so people are excluded through that. Digital exclusion doesn't just come because people maybe have literacy struggles, or that they have language struggles, which also exist in tandem and are very prevalent, but it's also because it's not even possible to get a signal to get online, it's not possible to know that everybody has a computer, or everybody has a laptop. There are so many things that even if we were to introduce digital training, people still can't actually get a signal to be able to access that digital training. With a move in, and they're set for the Roma community, in terms of the Home Office, there's a real push, they're very proud of this digital only service that they're providing. That doesn't work for everybody. It's a political issue at that point. In addition, the backup system doesn't exist in to bring people online. And this has to be kept in mind because banking is online. Schools are moving online, registering your school's online, GPs are now online consultations are now online and every single thing is online. And if you don't have access to that, you're marginalized even further than you were even before that started moving towards there. So as great as it is to be digital, when we know that that's the present and the future. There are also real risks to people in terms of how they can operate in their lives, if we make all of our lives digital.

Participant 1 – In terms of recommendations. I just wanted to check. Obviously, the convention, the signatory is the UK Government, isn't it? Not the Welsh Government? So, in terms of recommendations, how are they going to be? Are these recommendations from the Welsh

Shadow Report to the UK Government? Or does that include separate ones to the Welsh Government?

Christina – The recommendations we will be making will be to the Welsh Government apart from when we're making recommendations in areas that aren't devolved, so criminal justice system, for example, because that obviously lies with the UK Government.

Participant 1 – Just checking in terms of thinking about framing recommendations really. I guess the proposals that are due to come forward from the home office, it will be good to have a recommendation to the UK Government on that, but a slightly separate one to the Welsh Government. The one to the UK Government would be that they would not bring forward those proposals, because they are directly discriminatory towards Gypsy Roma and Traveller communities and nomadic communities. The one to the Welsh Government would be more around mitigating the impacts to ensure that local authority... to ensure that even if those police powers had come in that they wouldn't ever be a need to use them, because there would be sufficient provision of accommodation, whether that's transit provision, or residential site provision. It might be worth having one to each on that because they can do different things about it.

I just want to say around accommodation more generally, because the criminal justice proposals that are coming in are one thing, but the other side of it is around culturally appropriate accommodation for Gypsy and Traveller and Roma communities in Wales. Although we've got a duty under the Housing Act, many local authorities are very, very slow to be enacting that duty and stringing it out with one and obviously COVID hasn't help. Now, we've all got to wait because local authorities are massively stretched, and of course we completely understand that. But for the Gypsy and Traveller communities, in particular, when it comes to sites, they're seeing housing developments going ahead and where are the sites that they've been promised? I think what community members are saying to us is like: "*Well, you know, this is a promise, this is a piece of legislation from the Welsh Government. What are the consequences to councils have it not being fulfilled? So, what will happen? Will councils be taken to court? Will they be forced to build sites? Will they be fined?*". It's a bit back to that accountability, but I think I'd really like to something that's got more teeth from the Welsh Government, as a consequence to local authorities who are not enacting their duty under the Housing Act to Gypsies and Travellers to build culturally appropriate accommodation.

And then within that, there's a whole load of services particularly around housing and homelessness that are just not fit for nomadic communities' full stop. If you're homeless, or you might need to go need other sort of support, then unless you're prepared to go into bricks and mortar type accommodation or hospital or temporary accommodation, then there isn't anything for you. I'd be really interested in putting recommendations to the Welsh Government on that as well, because it's not just about site provision for people who want to live permanently, on a maybe traditional Gypsy and Traveller site. And with that goes the planning process for people to have a much more imaginative planning policy in Wales that supports Gypsy and Traveller and other nomadic families to develop culturally appropriate accommodation, whereas at the moment, is just a complete struggle. There's also no financial support, you can't get a mortgage,

if you can afford it to buy a house, you can't get a mortgage to develop a site or anywhere nomadic, or temporary type accommodation. And that's quite a big inequality.

Participant 3 – Just as Participant 1 was touching on culturally appropriate housing, in terms of training, we're talking a lot about schools and understanding within schools of Roma and Traveller culture. But I think in terms of social services, as well, we see a lot of the time that the treatment within social care and social services towards Gypsy Roma and Traveller communities is often...there's a misunderstanding of the cultures and misunderstanding of family setup. There's a disproportionate amount of Gypsy Roma and Traveller children in care, because of the misunderstandings that exist. It needs to be incorporated within the training that people receive, but also, when it comes to assessments as to why is the child being taken into care, what has happened? What's the follow up? Why does it take so long for that to be processed, and also, certain aspects of what the child has taken into care and goes into foster care, is that foster carer actively aware of the culture that they have come from? We know of situations, where foster carers have bought different clothes, settled person's clothes, because they want to not have the child look like they're from a Gypsy family, that kind of thing happens. That has an impact on somebody's culture, that's changing somebody's culture, which in itself is a really devastating place to be. There has to be accountability within those processes, and too look into how social services are actually making their assessments in terms of how they respond to situations within the families, because currently we know that it's not being understood adequately.

Participant 1 – I think there's lots of issues specifically around things like fuel poverty, the impact on families, particularly on traditional accommodation. There are all sorts of things that the Welsh Government can do in terms of tackling poverty generally, many of these problems but particularly around fuel poverty, and the programs that are developed, which are great, don't work for people who don't live in traditional bricks and mortar properties.

An example from something Participant 4 was working on this week was one of the energy companies that is providing vouchers to support people who are struggling with fuel poverty and their vouchers to support you to top up your electric, they only work if you've got an individual electricity supplier, whereas there are still a lot of Gypsy and Traveller sites in Wales, whereby the electricity is supplied by the Council. And so, people don't have individual electricity suppliers, and therefore, they're not eligible for many discounts or programs that come in to support particular families. Now, that is slowly being phased out with new sites being built. And the standard then is that everybody has to be able to sign up to an individual utility supplier, but there is still significant, especially in Cardiff, for example, significant numbers of families that just can't access those kinds of things. We know there's a sort of poverty premium on lots of things, including fuel, including, digital inclusion, everything, try getting insurance if you live on a Gypsy and Traveller site, it's just not possible. There are particular additional barriers for people living, particularly in non-mainstream accommodation. Often, we've had quite a lot of success and Participant 2's organisation has had as well, in raising issues with the particular programs of Gypsy Roma and Traveller proofing some of those programs so that they are then eligible. But the programs aren't designed like that, so we always have to go in and say, "*Well, this doesn't work for these families that we work with*". That has already been recommended. I don't know if

there should be a recommendation to the Welsh Government that they implement all their flipping recommendations, or implement all their policies, because we've got an enabling Gypsy Roma and Traveller plan, which is okay, a little bit out of date now. So many of those are just recommendations and actions that have just not been followed up. We've got really good health guidance called '*Travelling to Better Health*', we know that most health professionals haven't even been told about it, so it's never been implemented. And if it was being implemented, some of these issues wouldn't be coming up. Education is a bit more of a mishmash, because the education system doesn't really take account properly of Gypsy Roma and Traveller, culture and particular needs. I don't know if there should be a recommendation to just bloody implement, and put resources into implementing, the things that the Welsh Government have already said that they'll do. Because that would help.

Participant 2 – I feel as well, you just sit down and talk about these things endlessly. Then another report comes out, and then another report, and there's more recommendations, when actually, if those recommendations that were done initially were acted upon, we wouldn't have to be in the same position years and years later. They just get done, money gets put into getting them done, and then they just sit on a shelf collecting dust, and nothing actually gets implemented. It's quite frustrating.

Facilitator – Hugely. We also feel it's just let's talk about the same issues again, rather than let's actually do something about the problem and try to get the change that we need.

Participant 2 - What's also interesting is sometimes when it comes to these things, I think, "yeah, what we could really do with is a targeted review of, yes, we need to implement all those things." But sometimes you're looking through these different lenses and you perhaps don't quite have the evidence that you need. A targeted review of Gypsy Roma and Traveller community civil liberties in Wales, their civil rights and how those are being accessed. For example, there are issues about CCTV over monitoring, disproportionate impact of the police stopping and searching and tracking Gypsy and Traveller people all the time. Really strong things came up in our community consultations, the Race Equality Action Plan, which was about the police, which is like "*the police are destroying our culture because they stop us every time we try and go to work. They stop us when there's a funeral, and we're trying to pay our respects in a traditional way*". That's not the case everywhere, in some places, the police are really good. The recent incident we had was a security firm were brought in to police a Gypsy and Traveller site where there were some positive COVID cases and people were stopped from leaving and entering that site, completely disproportionately. Again, we had to raise that, no individual family wanted to complain about that, because they didn't want to stick their neck out. There's a whole range of, in terms of people's political representation, one of the things that somebody said in our community consultations was: "*why would I vote? Why would I register to vote? And why would I vote, you're just voting for people to destroy you.*" That's how people see, they don't see people sticking up for them, and they don't see their political rights as being supported or represented by anybody. There's all this stuff that impacts on everybody, in terms of people accessing services and support, but given the rights that this convention protects, I don't really want to recommend another review of something. But I feel like that kind of information also needs to be highlighted.

Facilitator - There's a wealth of information that you shared with me today. So, thank you very much. And if you can share with me any reports or statistics that you are aware of, to evidence anything that you have said, that will obviously be very, very helpful. You've got my contact details to do that. And likewise, that goes for recommendations. If you've got anything you'd want to fine tune, or if anything pops into your head afterwards that you'd like to share with me, please do share that with me, that'd be really, really helpful to inform the Report.

Consultation Group 7 – MEND and Muslim Council for Wales

Friday 26th February 11am– 12.30pm

Participant 1 – I'm willing to jump in but I don't want to speak over anyone else if they have some key points they want to go with.

Facilitator – No, please do go and you get us started.

Participant 1 – It's worth highlighting that there is a strong overlap between racial discrimination and Islamophobia. Without going into too much depth, I think several definitions articulated highlight that Islamophobia is a form of racialization, the communities modernized, treated as a uniform block with similar motivating factors. And I think that's true of racism in another context as well. I think certainly, looking at Wales, we have a very strong relationship with Welsh Government, and they are much more open to engagement, consultation, including Muslims, and Muslim representational bodies in the decision making. Although this is a report focused on Wales, it's not possible to completely detach it from the wider national government, Westminster government. One of the things that comes up and this cuts across almost all of these issues, is a prolonged disengagement from the Westminster government, with one of the largest representative bodies in Britain, which is the Muslim Council of Britain, which has been ongoing since 2009. This is really significant. I think the pandemic has highlighted it, because they're refusing to engage for various historic as well as I think, politically motivated, reasons. I do find it strange that a national government is not willing to sit down and engage with the faith leaders from one of the largest Muslim organisations in the country. This is leading to policy, which on one hand, is poorly designed to support Muslims or tackle problems faced. It's only reinforcing I think, a wider culture of scepticism and disadvantage of Muslims in political life. It's one of those issues, which I think is concerning, because it's indicative of a hardening of the policies and the treatment and the opportunities for Muslims in the public sphere. It's one of the things which probably doesn't fall into any legislation now, but its impact, certainly, contravenes any idea of a socially equal society. I think that's really important to stress. It does come down to quite a lot of the issues up here from education, policing, the criminal justice system, as well as counterterrorism measures. Without engagement, these things cannot be addressed meaningfully. And even in more mundane issues like during the pandemic issues around the closing and opening places of worship, without engaging with the bodies representing mosques, none of these policies in England work for purpose. And I could really see that because in Wales, we were having engagement, they involved the Muslim Council of Wales and mosques in the discussion, so we were in a position where things worked. And policies were designed to be successful. And this is, I think, really important as well, because going back to your wider headings, and the emphasis on civil society, it's the recognition that people can organize themselves in ways that are meaningful, they can associate, they can gather, they can engage, and then raise the concerns with government on the presumptions and basis that they wish as a community. That's civil society principle, people can organize, and they can associate, they can

campaign. These are absolutely fundamental civil rights, which are being hindered in Britain, in England, because of this lack of engagement with Muslims with the main Muslim body. I think it's something general, but really important, because it stems, it highlights one of the big issues there. I do probably have more things to say but I would not have wanted to speak for a while. I'm happy to come back in when some of my colleagues have spoken as well.

Participant 2 – I agree with Participant 1 on these points, that Islamophobia can't be separated because it's a racialized manifestation. Although it doesn't form a racial and ethnic group, Muslims have been racialized in politics and social life in the media discourse. This has been going on for decades. It does function as racism and Islamophobia and needs to be seen through that lens. The structural Islamophobia is forming part of policymaking, especially when it comes to security and counterterrorism, and the Prevent strategy, for example, has impacted negatively on Muslims quite markedly. Basically, we want attention drawn to the fact that all aspects of governance is being affected by these attitudes, particularly towards the Muslim community. As Participant 1 said, a large proportion or something like 90- 95% of Muslims come from a racial background. It's only a minority that are White, ethnically British members of the group. There's an intersection there, between racial backgrounds and the religion itself, the practice of Islam. It's very important that we have meaningful engagement in policymaking.

Participant 3 – I think a recommendation we would make is that closely with this particular conversation that's taking place I think we'd encouraged the UN committees to encourage all of the governments they are engaging with to have a defined accepted definition of Islamophobia, because that's something that's lacking in the UK, and I'm not sure whether that's the case in other countries as well. What I'll do is I'll share some research on the positive effects of having a defined, accepted definition of a particular problem that any particular community is going through. The best example of it is when the Equality came and on the back of Macpherson, and we're back in 1999, how defining institutional racism was first to find them and what impact that had. So that's one recommendation I've made in relation to some of the issues that Participants 1 and 2 have brought about. There's a report that we've done as MEND, looking at, and I'm just going to share a link to it, it had over 100 cases of Islamophobia from the Conservative Party. That sheds a light on the institutional level of Islamophobia that we witnessed in the UK. I'm going to share a link to that in the chat as well.

And we're looking to do something similar of cases of Islamophobia within Labour. It happens across the political spectrum.

Facilitator – That'd be really interesting to share. Thank you for that. I imagine, in these 100 cases that you've looked at, where these politicians held to account in any form?

Participant 3 – In the Conservative report the biggest recommendation was that the code of practice for politicians isn't robust enough. I can get away with making remarks or comments, which we would view to be Islamophobic, but because of the absence of this definition of Islamophobia, it gets into kind of chicken and egg situation where you're going in a circular argument almost. It's reiterating my first initial recommendation is governments to have a

doctored definition. The second issue is with the follow through of complaints process, as well, which is another issue.

Participant 1 – I think a case study which I think is worth looking at, which comes into the counterterrorism measures is around Prevent. There're two issues here that are both clearly indicated through this particular example. Prevent has been highlighted by the UN as a concern numerous times. It's been highlighted by Muslim civil society groups, as well as liberty and equality in law related campaign groups as an issue. One of the things and ways in which numerous organisations have been trying to get the issue addressed is through an independent review, someone who can actually take the implementation of Prevent and quite meaningfully hold them accountable. Because one of the challenges so far has been, and this is a strategy very easily identifiable nationally, is that those who are responsible for designing and delivering Prevent, are very rarely willing to be held accountable for it. A classic example is, a story will emerge in the headlines. The most recent one was a four-year-old who was referred to Prevent on the basis of compensation related to fortnight, the computer game. There are very many examples like this in the public sphere. In each case, the way in which Prevent officials respond is that what is obviously not a Prevent case, it's not related to a referral. Once you know, the details emerged, this obviously wasn't then treated as criminal activity. They'll sidestep accountability for the fact that this young person's still been involved and put in contact with police authority in the criminal justice system, on the basis of often racialized prejudices, Islamophobic prejudices, and a very pervasive culture around what is a Prevent and what is not a Prevent referral. There's not any accountability there to be able to pull those who are responsible for delivering and designing the policy forward. The independent review was meant to be and designed and campaigned for as a mechanism to do this. We had one individual who was appointed and then dropped, who was Lord Carlisle. It was quite obvious he wasn't a good fit, because he was a very well-known proponent and advocate in favour of Prevent, so not independent, not someone who was going to be considered possible or willing to consider its failings and flaws and measures for improvement. He's someone I remember going on radio with back in 2020, sorry, 2016, he was a very, very strong advocate for Prevent. He was eventually dropped from public pressure. The second person who's now been appointed as William Shawcross and again someone who's got a history of Islamophobic comments, who's been already highlighted as someone who's significantly influential. There is a letter boycotting any sort of independent review, which is led by Shawcross. But again, you have this approach to Prevent by the national government, which is not willing to be held accountable in a meaningful way, for the criticisms being raised about a very significant sizable, well-funded and impactful counterterrorism policy. That just shows the way in which civil society groups are struggling to actually make a dent, or make a movement on an issue, which has been consistently raised. On one hand this is a case study about the way in which the counterterrorism measures are being implemented. But I think more than that you can see the problem is a lack of willingness to engage with civil society groups, outside of a small spectrum. And that's, I think, been a recurring issue. Unless there's that really... I think the government has the ability to just simply cut off themselves from any accountability outside of the elections. And I think that's one of the strategies going forward and that really disadvantages race equality groups, because so many of the issues can't be boiled down to policy issues, capable of being impacted in an election, it has to be fraught. I don't know if that works for you, but I think that is for certainly, many Muslim

groups in Wales and elsewhere, a key concern, it's been consistently raised. It's an example as well of the failure of the government to hold themselves open to criticism.

What I was going to talk about next was education. And this is very focused, the reason being simply because at the moment, there's a curriculum review. It's a very difficult area because there's one which is more than ever, about the balancing of the rights, protected characteristics within the Equality Act. A key tension point has been in relationship and sexuality education. This is sexuality education, or sex education, which is a different part of the curriculum. This has been an ongoing tension between faith groups, as well as LGBT groups. On one hand, the curriculum has been revised, in order to introduce things around the transgender spectrum of gender identity around sexuality and safe sexual practice. Faith groups have, naturally, especially those who are more traditional and conservative in their outlook have been very concerned about this. There's been a period of engagement around this, but I think the key issue here is withdrawing the right to withdraw. This is something which has been an established part of human rights, in fact, that parents can choose the philosophical, moral and religious education relevant to their children. I, for myself, hope that the final curriculum is one that is capable of both balancing the educational need to introduce children to the full diversity of gender identity and sexuality they'll encounter in contemporary Wales and Britain, while also being capable of not pathologizing and approaching sexuality which is more reflective of traditional conservative religious outlooks, for example sex within marriage, and being focusing on the gender binary more than gender spectrum. These are all tensions, but I think they can be negotiated within the curriculum. My concern is the removal of the right to withdraw. It's a really significant shift in government perspectives towards human rights, towards the right of parents to choose the outlook of the religious, moral outlook, and ultimately will be counterproductive. This is more of a subjective view. I think it's much more appropriate to consider relaunching the new curriculum, and always have that option for the parent to withdraw the children from that particular class, if they're uncomfortable or unsure about it. Many things, once the curriculum gets launched, and the pinpoints are negotiated, you get a curriculum, which suits everyone, and everyone is happy with and also is successful in teaching what needs to be taught. But right to withdraw on one hand is taken away of a significant human right, but also opens the door further down the line to the enforcement of much more subjective, philosophical, moral, ethical teachings, which are way outside the normal schema of the national curriculum. We're seeing this already in movements for British values. It's a really contradictory, slightly, highly jingoistic, completely intellectually unfounded idea that there's something inherently and distinctly British about certain values, rather than being universal. You've seen it in Europe with a very strong shift towards teaching a normalized or an appropriate version of good religion, which is state sanctioned, France is a good example of this. Removing that very important right to withdraw your child from any type of education, which they consider to be not in line with the parents view and outlook and philosophical moral outlook of the world is a very deeply illiberal move and opens the door to further abuses down the line. I think that's something which is concerning. This is really overstepping and shifting and moving away from a liberal candidate, a liberal democrat candidate. You expect it to be one of the key values, but also from a government which is otherwise respected in international commitments to racial equality to human rights, to human dignity. It's a real step away, it's a really deeply illiberal and concerning move that right withdraw is being taken away. I just want to highlight that as well, because I think Wales has a Welsh

government, I spoke very positively about engagement. On this issue, there's been engagement, but there's been no shift on stepping away from a universal commitment, and that being the right to withdraw. But again, I think I'm speaking too much sometimes I'll be very keen for my other colleagues to speak as well.

Participant 2 – No that's brilliant! Personally, when I've engaged with this area that was concerned the consultation that we did have with the government wasn't a consultation. There was an opportunity given for the concerns to be raised, it was done in a very controlled manner. They sheer emotion, not just from the Muslim community, but from the other faith communities as well that wanted to speak on this issue were dampened down and clamped down, and it was very controlled. The minister who's responsible for education in Wales just wanted to... It seemed as if it was a motion put in, but which they didn't really... the opportunity wasn't really given very well, we didn't even know that there was a consultation taking place and that we could submit evidence until very late, until it was decided that it was going to go through.

Participant 1 – It wasn't [videoed]. There aren't any minutes from it either. We've seen subsequent to that a third sector charity was appointed in order to do a series of consultations and engagements with faith and BME communities on this issue. I don't want to come in because I think this may also come across a criticizing another civil society organisations. I think fundamentally the point is these consultations were the typical... basically, nothing's changed despite consultation, despite engagement. The key perspectives and points put forward would really listen to... This does happen from time to time, the minister is really keen and committed to a certain perspective, and the engagement is there more to modify or to manage the complaints or objections. I guess there's not anything fundamentally undemocratic about that, because ministers are sometimes in a position to really believe in a particular policy and approach. It does come down to a very difficult complex area, where engagement is necessary to make it work. There has not been sufficient attention given. The position on the curriculum and the details in the curriculum, despite the last 18 months, maybe two years of engagement discussion have not really changed at all. That consultation process can just be written off, it could have not happened, we'd be in the same boat. This is basically a point where there's a sensitivity of the curriculum, it needs to be handled well, it needs to be taken into account to ensure that the full spectrum society is represented in that curriculum. I'll be honest, it is a dangerous area to move into anyway because certain things are very easily objectively recognized: " the sky is blue, the Earth is round"... If you want to be particularly keen on making sure these things are taught in the curriculum without any space for stepping away from that, it's understandable, similar to climate change. These are well established, there's an objective way, there's a paradigm, a framework, but you can't objectively prove what a healthy relationship is. That's a very subjective thing, and that's a very personal thing. And that something that does relate very strongly to appearance, philosophical, moral, world outlook, and it does vary between communities. It does vary even within communities. How exactly you'll be able to teach what a healthy relationship is in a way, which is meaningful and applicable to a wide range of people while not having that consultation period? That's a misstep in the first place but taking away the right to withdraw in a very subjective area like this to me that's deeply illiberal. It's sanctioning out a certain part of the community and their views from being part of the mainstream. In this scenario, it's the conservative and religious outlooks. It is a case where you are balancing

protected characteristics, the rights of different minority groups, BME, minority groups, faith minority groups, and also the LGBT minority. There is a balance to be struck. I don't know if I'm making that objection clear, because I do think it's important that people do receive the full education and introduction to issues around gender identity as well as sexual orientation. There's no objection there. Trying to bring in a more moral, ethical teaching framework within the educational system around what a good relationship looks like without giving the option as well to withdraw is the proper pitch point, because some will be cut off from that particular process.

Participant 3 – If I can make a point, still in that topic of education... In regard to exam results. I'm concerned about exam results as well. Obviously, for the first time we saw last year, exam results have been based on the prediction of teachers, and that has an impact. There's a report here that was recently put onto the group, which was by a teacher, ironically, who herself was discriminated against. Her case is quite interesting itself. She went on to do a bit of research after she got let go as a teaching assistant for refusing to show the 9/11 plane thing, because she thought that was insensitive for young people to see. She's gone on to do a lot of research on the area of BAME education and she's done a report here, which gives a lot of evidence about the issues that BAME students in particular face when it comes to predicted results. We know that this year it's going to be the case again, not only for GCSEs, but A levels as well. So that's an area of concern as well.

Participant 2 – Just taking it out a bit, because I know we've zoned in on a few areas. Of what's just been said, I support. Just going back to what Participant 3 has just said about, the exam results and how... Because there were statistics, I came across that, if Islamophobia exists amongst teachers, and it is a possibility with Islamophobia, it affects society as a whole. There are bound to be people who are within policing within the teaching profession and so on, who have been affected by certain viewpoints. It exists, in a survey done by Show Racism the Red Card, there was about 83% of the teachers that they surveyed had witnessed racist attitudes or behaviour among students, but also about 30 something percent of teachers have displayed racist attitudes. It's no wonder this manifests within the COVID situation, and with the exams and so on.

Zooming out a little bit with education, we need to bring attention to supporting academic freedoms, and decolonizing the education system, giving emphasis to shared histories and contributions of minority communities in building society. We'd like to see faith schools to be supported in the state sector rather than being eliminated and reduced. There is a tendency, the policy seems to be going towards marginalizing faith schools that teach through the prism of particular religious belief. Islamophobia within schools is also a great concern for our organization and for our community, and how they impact children and their development. The 83% of teachers surveyed having witnessed racist attitudes and behaviour among students, that says how much that exists within schools and how it feeds into bullying and the other. It then marginalizes those children and prevents the healthy development of those children. These kinds of issues can lead to problems later in life, so it is a very important issue that needs to be addressed within the whole education process.

Teachers need to be supportive; they need training. MEND as an organization, for example, has wanted to go into offer free training and resources to schools. There needs to be a more open... people need to be able to receive, and not just receive, but allow the communities who are affected to engage with schools and say, "Look, these are the issues and the problems". For example, if I went to my local school where my children had issues, and when we were personally affected, I found it incredibly difficult to get the issue addressed to discuss and highlight the systemic issues and problems that my child and I saw that existed within the school that allowed this problem to perpetuate. It was incredibly difficult to get engaged because the automatic response of a school is to shut down: *"No, it doesn't exist. No, we don't have this issue in our school. No, no, no, we've got all these systems in place in it"*. Clearly those systems are not working, so be prepared to have that dialogue.

There's an absolute need for training with teachers and teachers' unions and whichever system we can use to engage with teachers. If it's not highlighted and tackled at government level, if it doesn't come from government, then I don't know how. There are some really good schools who do know how to do this really well. There was a school in the valleys who did it really, really well. This was a school that was all White, the teachers were all White. The way that they discussed the issues of racism and Islamophobia, and they discussed the bringing of religious knowledge within their education, within that particular school was done in a fantastic way so that the children were extremely knowledgeable about these issues. His perception, the person who told me that, when he went in to observe these children and to look at them was that this is a model of how it's been done really well. And we need to get more of those examples in to show the other schools because if they won't receive it from parents, and they won't receive it from the community, then look at other schools who are doing it really well, that's a positive way of going forward with it.

My particular example is of a school, because I'm in Cardiff, and mine is a Cardiff School, which does have a broad spectrum of race, children of ethnic backgrounds, and from the BAME community within the school, and a good proportion of the children are from a racial background and of different religions. But the school that was in the valleys is an all-White school, there are no different races within all religions as such, within that school. It's all White teachers and all White children. But the delivery through their... The ways that they had engaged with these aspects of the curriculum were fantastic examples. There is a concern, a lot of perceptions within communities that don't have people of other races within them form their opinions on what they see through the media or what they see through what's happening in the political spectrum. That's what informs them. And if that's all negative, then that's how they're informed. If in the school system, they been taught otherwise, those children will grow up with a much better and rounded view. In turn those children, whatever aspect of our society they engage in, they will have a healthy attitude towards...it doesn't matter where they end up, even if they end up in politics or the media. They're well-rounded people who have a good viewpoint, so it's important not just for the issues to be tackled within the schools that do have the issues and problems, but the curriculum needs to be robust. From government it's fine, but not the teaching unions or whoever else could engage with this.

At a particular point in time when tensions towards Muslims were extremely heightened. I think maybe for example, it was around the Westminster bridge attack or when those kinds of incidents happen. It goes on and on and on for days within the media, people like myself, we literally have a really heightened sense of awareness. We have a kind of, "Right, I need to keep an eye on my children, I need to be aware", we've become hyper sensitized to our surroundings. But children, you're trying to minimize how they're affected, but you can't. You want to try and allow them the freedom to experience their own experiences without saying to them, be careful and trying to explain why you need to be careful, but you've got to strike a balance. My child, within the school environment was being called terrorist and having children throwing fake bombs, making explosive sounds. When she first started to wear the headscarf and went in school and having questions directed at. These issues, the being called a terrorist and having bombs exploding around to, sounds and noises that a child was making. My child was distraught, literally distraught for two days was like "Why are they criminalizing me just because of my faith and my appearance? Why are they singling me out to associate me with something that is criminal that is terrorism, they're criminalizing me just because of my faith and my background?". She came home distraught. She was distraught because she didn't feel that these children who were doing this...the school was addressing this, they didn't give it importance, they didn't see that her perspective and how she might feel and be impacted by this. There's an ignorance there of the impact that this could have. She's crying at home, at the same time, she doesn't want me to go in to say anything, because she doesn't want to have any more attention focused on her. She doesn't want it to develop into anything further negative, because she's had it before where "Oh, don't make a fuss, that's how children behave", the don't make a fuss attitude. That is also systemic, that it is brushed at one side. Her comments brought it home to me this is my child saying this to me: "Mum, why is it that there are posters around the school about homophobia? And that this isn't a big No, No, you can't, you can't say anything, it's quite right", she said, "that's absolutely how it should be, but there is nothing about Islamophobia or racism, that that is also a big No, no, that you can't go around saying and doing this kind of thing? Why is it that the problem that really affects me is not being addressed?". That drove it home to me. When I tried to approach the school, my first contact was through the telephone, because you have to make an appointment. Even trying to make that appointment is like: "So why do you need to come in? Why do you need to speak to somebody face to face? Can't you just tell me on the phone, I've got about five minutes, I can spare you in the lunch hour, you can talk to me now, I'm on my lunch break, and I'm happy to talk to you". And then no, I'm sorry, this is not something to be discussed in five minutes in the lunch hour. This has really seriously impacted my child and I need to have a face-to-face conversation with somebody. I felt like I was on eggshells. I had to measure my words, I had to negotiate what I was going to say, really think about what I was going to say so that the hackles don't come up. They don't pick up, they don't put up those defensive barriers, that "No, no, no, this doesn't exist in our school. No, we have robust policies, our school bullying does not exist", but it's not. This is a particular aspect of bullying that you need to address, and I want to know what the outcomes are of what happened. Did you address it, because my child has no knowledge at all that you've addressed it in any way. When I went in, I had all of this going on. Now, if there's somebody whose first language is not English, who can't communicate in a lucid way, who can't articulate the issue and problem in a good way, or in a way that will be received well, by the school, they've got no chance. And that is probably a large proportion of about our community isn't able to articulate and communicate

effectively, to the extent that the school needs. Forget about the parents needs and the child's needs. The school needs the approach to be in this kind of stepping on eggshells, and navigating and negotiating through this issue, and it shouldn't be like that. It should be an open door and a friendly and welcoming "if you've got an issue. I'm open and receptive to this, and let's see what we can do", and then come back and feedback. There should be restorative justice systems within the school to educate the child who did these behaviours. There needs to be a restorative process. All of this needs engagement. When I went into the school, and I had the face-to-face conversation with the teacher, and I said, "you know, this is what my needs are, this is what has happened, this is how it's impacted on my child. And I'm coming to you as a parent to ask the school, what can you do about it? What do you think is the solution? I had to put it on them and say, what do you think? You tell me because you guys are the experts in terms of education, what can be done about this?" The end result of that communication, and that sitting down with that teacher was "I'm glad you've come to me, and I'm glad we've had this face-to-face conversation. And I'm glad that you highlighted something that perhaps we weren't aware of. And this is how we're going to go forward. And this is how we will address this particular issue". Not talking about the wider issue, but this particular issue, which concerns my child. My point is that it shouldn't have been so traumatic and stressful to do that. If that's the case with all schools, then... I've heard through my work with MEND, I've heard from other parents who've constantly said to me, "I know a lady, her English, is not very good and she's having terrible, terrible problems. Her child is really suffering in school", and at the end of the day, what does she do about it? She can't talk to the school because they're not listening, and she can't communicate it to them. It's a common problem, unfortunately.

Participant 1 – I think just a few quick issues. I only mention them as quick issues simply because I think the evidence base and the significance of them is quite well established at this point. The first is policing. This has come up time and time again, I have quite a lot of confidence in the Police and Crime Commissioner as well as others in the senior positions and police that they are trying to address this. I've seen some really impressive and quite committed actions and things for example, increasing under representation. But that doesn't mean there isn't a problem, especially in policing itself. In the last month, we've had two cases in South Wales, one in Cardiff, one in Newport, of young black men, both Muslim who have died after police contact. Both cases have been referred to the IOPC for police conduct, and the cases have been investigated. When you put them in a wider picture, nationally, in Britain, Wales wide if you like, a significant body of research had looked at the experience of usually younger, especially Black men, but also certainly BME more generally have unequal, treatment, unequal settings and unequal negative impacts of police contact. Even around issues, for example, related to mental health and police involvement in mental health crises, which, for example, the Newport case is potentially one, which involved a similar sort of incident, we saw, obviously, with the details, but it's such a recurring exhaustive issue. It's been an issue for decades, longer than that if I'm honest, and the movement is so slow. You still hear it, you still hear police officers say, "Oh, well, it's more of a problem over there in, you know, the Met, there's more of an issue there, or there's more of an issue of racism in places in X, Y and Z". It can't ever stop being raised until the problem disappears because it is costing lives. I think representation in the police force is only one of a range of issues that can address this. We have to be frank about the fact that people from ethnic minority backgrounds can also be racist. Not only to other races, but also to

their own. It's something that has to be looked at much more widely. Representation in the police force is one of a number of measures that can help, but it's not the only one. We've seen that, if we're not talking about it, it's not because it's not important. It's just because everything that needs to be said has been said already, has been said better. Now it's just waiting for the action and change. That's a key one.

I think immigration has been really concerning. We can talk about penal here, which is the treatment of migrants in horrific conditions. I know people who've been very deeply closely involved in that particular case in Wales, one which has been authorized by the national home office and fall outside of the scope of Welsh Government. It does straddle boundaries of legislation jurisdiction, but it's concerning, it's horrible, it's horrific, it's moving towards this very uncomfortably creeping fascism around the treatment of migrants. You can put that alongside other issues, like for example, the rights of asylum seekers and new migrants to work, to earn a living. Sometimes they're quite literally forced into destitution, and the barriers are put up in hospital environment, it's a good way of phrasing it. That hasn't changed as well as for those migrants who may even be well established earning, they have a few years on their visas. The cost of becoming a citizen is extraordinary. It's exhaustive, it is designed to be difficult and bureaucratic, and completely unrelated to the process of actually whether or not... It's designed to be difficult.

My mother had a stamp for indefinite leave. My brother, my dad became a British citizen when he arrived in the UK. My mum decided for various reasons to just keep her right for indefinitely even a passport but remain a Bangladeshi citizen. I think it was around the time the Windrush scandal hitting up, you're like, "actually, you know what, we should make sure we get this citizenship sorted so if anything goes topsy turvy, we're okay". Also, her indefinite leave to remain stamp was quite literally a faded stamp on a passport from the 60s, something we need to update. And she has five children. I'm one of them. I'm a PhD graduate. One of them's a school head of history, one's a business leader, another one's a SLT speech and language therapist, the other ones an engineer, and collectively, it was the most difficult thing, it was the most complex bureaucracy, with all our experience, with all our skills and all education. It was absolutely intimidating and difficult and just horrible process to try and manage. And so I'm like, "Okay, she had the advantage of five British born kids who are reasonably well educated". What if you're not someone who has that particular resource. It's designed to be unwelcoming. It's designed to be difficult. It's designed to be impossible and financially exhaustive.

And the final issue I'm just going to mention before I stop is, and this one just flagged up because it was on twitter. Shamima Begum is a good case study of this. She's now been denied the right to come to the UK to contest the stripping of citizenship. You can look at the list of people who have had their citizenship stripped. It's basically two categories. One category is people who have effectively acted as spies for foreign countries. They've been working as agents for say the country, there's been a few, literally, I think it's less than five cases of that. The rest, and I think it's about a dozen to about 20 last time I checked, and I can send the links for this, are all Muslims, or Muslims who have effectively joined terrorist organisations or been accused of joining terrorist organisations. It is a unique form of punishment. You have to question the basis on which this decision is justified. There's plenty of people in the public court

of opinion, on Twitter and the comments section of newspapers, before lockdown kind of conversations you might have in the workplace were like, "Oh, yeah, you know, okay, if they left the country, if they join a terrorist organisation, why should they come back?" Again, that particular logic is not when you apply to say a serial killer, or, like I said, a sexual offender. No one said about stripping Jimmy Saville of citizenship. The way in which a very particular type of punishment, the stripping of citizenship is applied to a very particular community, in this case, Muslims, many of whom are British born and do not have recourse to another type of citizenship, one portrays and betrays some very deeply Islamophobic viewpoints held by those responsible for that decision making, namely, around the belonging of Muslims to Britain and is also again, similar to the case I mentioned around the right to withdraw, it moves Britain further away from international commitments on things like fair treatment of individuals, communities, the Human Rights Act and legislation. All these things are really important international commitments we've joined, and Britain is just moving further and further away. This is another example of that. It's something which is concerning. And I think in a context like this needs to be flagged up as something which is concerned.

Facilitator – Thanks very much. Thank you. I feel like everyone's made really, really thorough, concise points and I really appreciate them. Participant 3, I know you've been sharing a lot in the chat, so I just wanted to double check if you wanted to comment on some of the things you've shared.

Participant 3 – Yes, the two recent ones. One was a student survey that was done on experienced Muslim students in university, which I think is quite useful. The one after is Stopwatch, which is a really interesting organization that does research on the fan accountable policing within various forces. You can see within the Wales context, if you go to any one of those links, and it goes scroll down to the bottom, that in those particular areas that we just linked to Black people in that one area was searched four times more than White people, and another area, it was seven times. Just evidence of how big communities are subject to stop and search a lot more. The recommendation definitely should be that we've had in the past an inquiry into institutional racism, and we should look at something similar in regards to institutional Islamophobia as well.

Participant 2 – We haven't touched on employment at all, but there's quite a few issues within employment, things around blind applications and introducing systems where, we can eliminate racism in employment.

Facilitator– Please do feel free if you would like this added in, feel free to write it in. We'll consider that alongside everything we've discussed today.

Participant 2 – Anything we've not covered; we might already have reports and research that has been done. But yes, certainly, we can forward that to you.

Facilitator – Yeah, please do send it all over as soon as you possibly can, It's a shame we haven't had enough time to cover everything, but I think we've had some really useful conversation. Thank you again everybody for your time today.

Consultation Group 8 – EYST and Race Alliance Wales (RAW)

Monday 1st March 11.30am – 1pm

Facilitator – Okay. Now I'll hand it to both of you. You could have a discussion on the thematic areas [referring to the thematic areas in the call for evidence] that we've sent to you beforehand. You could move from one area to the other, you could talk about one particular area, whatever you like, you could have a discussion together, one person speak the other person speaker after, it's up to you both, the floor is yours now. There are no questions, we thought it would be better if you have an open space to talk as much or as little as you like. We just wanted to see what you think about these thematic areas [referring to the thematic areas in the call for evidence], and if you have any other areas you want to talk about.

Participant 1 – Maybe we could just start talking about representation since you've [Participant 2] done that research.

Participant 2 – Okay, I looked through these just before joining. I started my own little thing on what I can comment on. I know you've got the questions in there, which is like, "what are the main issues Welsh Government public bodies need to prioritize?". What was on there that I felt I could talk to through is what we've done on education, and political engagement and representation. We'll start on that, and then employment and Gypsy Roma Travellers and some of the issues that face those communities. Representation and political engagement, which is under the other overarching issues that you've got on your call. One is to have a look at the "*Do the right thing*" Report. That is the piece that was launched earlier this year, which is an in-depth exploration around representation and political life and public life, both of which directly impact political engagement. A lot of what was researched and what we explored with the contributors to the research, was what their views were of public and political life, because it was important to get an understanding of how do people see public and political life, how do racialised people in Wales see public and political life experiences on the ground? And what are the barriers to public and political positions? Although the piece of work looks at political positions in regard to those that people are elected to, and public positions in terms of public body boards, there's obviously an impact therefore, in terms of political engagement, and the way that people see those institutions and whether they serve them or not. There was some really stark evidence. It was more than for both of them 60% of people don't feel that either the Senedd or local government or public bodies meet their needs in Wales.

Participant 1 – I would just say, obviously, representation and political life is a massive, massive... and I can't remember if the most recent UN CERD recommendations touched upon this at all, but certainly if you look at, and I think EHRC has, part of it is that there's actually a real lack of data, partly. If you're looking at town councils, they are predominantly older male White, definitely White. Even if you look at the Senedd, I think currently there are two people of colour in the Senedd. I know Vaughan and McEvoy. There's never been a woman of colour in the Welsh Parliament ever. I know that action really needs to be taken on this, I think some

recommendations that are being put forward are to require political parties to publish their candidate equal opportunity data.

Participant 2 – And within that requires UK Government to either enact section 106 of the Equality Act or devolve the powers to Wales.

Participant 1 – The Conservative government does not want to enact it. I think Wales, I'm not sure about this. You'd have to ask somebody else. But I think Wales may have actually requested to the UK Government if it could just be enacted for Wales. And I think they said no, so the conservative government it's just nothing that they're not interested in. They don't want that information to flow so if that could be enacted, that would be great. Otherwise, it would have to be political parties deciding to do it on their own, and parties like Labour or Plaid might be more likely to do that. But I think the Tories would not, they're not going to make any movement in that sense. The figures from what we know, are pretty stark, 1% of counsellors, according to the data that we have, and the data is quite sketchy.

Participant 2 – I think for local authority councillors it was 2.8%. And that was through undertaking what could be seen and that's a bit of a problematic review of counsellors because they don't present that data. But yeah, it's about 2.9%. Sorry, carry on.

Participant 1 – I was just saying even that if all of the counsellors actually submitted their data, that figure would probably be even be starker, because I think that not all local authorities are really great at getting their counsellors to undertake the service.

Participant 2 – That data was from doing the same thing that the ERS, Electoral Reform Society, or someone did on the diversity, the diversity and democracy report. They basically just looked at pictures and names and guess how many women there were based on each of the names? I did the same because you can see this whole like, "Oh, we can't publish data because of GDPR". You can see that there's only one Black female counsellor in the whole of Wales, literally one. Usually, the photos are on all the websites, it's not hard to see. The only Black counsellors in Wales, one female, and it was about four or five and males in South Wales between Cardiff and Swansea. The demographics are stark. This whole assimilation is, we don't see colour. We're colour-blind. I'm sorry, you can look at those pictures and see all the White faces. The important thing is recognizing the political engagement goes beyond voting. Yes, we may have enfranchised a whole swathe of new voters, which is great, but voting every five years that's not being politically engaged.

Participant 1 – I think that is great to give enfranchisement to people who are not citizens. That was absolutely a positive move. But so much more needs to be done to get power, more power into the hands of more people. With all these newly enfranchised people we should be seeing a different set getting into elected office. There has been some I don't know what... The public appointments I know that there has been a lot of work done on a strategy to tackle diversity and public appointments. There are some positive moves being made but I think it remains to be seen whether that's actually going to have any impact on the reality in the next few years. I would actually wonder, because they recruited a whole host of public appointments recently

because they had a hiring hiatus during the first lockdown. I would be really interested to know when they opened, all those... they did a lot of recruitment for public appointments, I think, September to December, I'd be really curious to know if that strategy is actually having an impact. It would be really interesting to find out that from Welsh Government.

I think education is really, really crucial. Certainly, I do like to use the term decolonizing education. I know, in the recent 2016 recommendations, there was actually something about teaching, benefits about teaching the true nature of colonial history, and not sort of White washing it. So certainly, I know that in school, currently, you'll have tons of ethnic minority children in Cardiff who can go almost their entire school lives with only being taught a very White version of history, across all subjects. Only seeing themselves represented when it comes to either slavery or civil rights. We've done a paper on education, EYST has, and recently I know Race Alliance Wales, there is other pure research: Show Racism the Red Card has written a couple of really good papers as well. I think there are two main issues really. One is like our children need to be taught a completely decolonized version of education. What our research found, and I think Participant 2 you can help me out here, from what I remember, the RAW education paper hasn't come out yet, but it has been presented at one of your general meetings. Ethnic minority children don't see themselves represented.

Participant 2 – That's one of the findings here.

Participant 1 – I was just going to say racism and harassment in schools is a really big issue. I think there are some schools where it's just... We know that for some children, it's the norm, that they have to experience this. We hear it over and over again, this is one of the things, there's so much evidence for it. There's a real issue in that schools, even if you look at the... Was it Wales, they came up with the new anti-bullying guidance for schools. We had to fight for them to actually name racial bullying as a specific kind of bullying. They did do that, but one of the problems with that guidance is that it doesn't set a standard that requires schools to report. It just recommends that schools have a way to report racial bullying, harassment, but we do know that schools aren't doing that. There may be some schools that do have good practice but for the most part, there's no monitoring system of that, and for Estyn to do a better job of monitoring, that is going to be really key and really important.

Facilitator - Absolutely. Did you have any cases that you worked with on that?

Participant 1 – Actually one of the cases I'm thinking of, I think they might be a client of yours?

Facilitator – Which one? Oh, no names.

Participant 1 – No, no, I won't. I think it's a school in Penarth, actually.

Facilitator – I know what you're talking about now, but it's been going on for years in that particular school.

Participant 1 – How is this possible? How is that okay?

Facilitator – They're not responding. You would try to engage with the school, they don't respond, they don't acknowledge there is a problem. They think the parents are making something out of nothing.

Participant 1 – Well, isn't the very definition? If you're perceiving that you've been subject to a racist incident, then... It's crazy.

Participant 2 – Everything that Participant 1 has said has come out, it's just a shame that they're not being launched until the end of April. It's all going to be in the piece and has all been supported by the first hand of research and evidence that Jami's undertaken. In terms of cases, I think it was between around 20 young people were interviewed for that piece.

Participant 1 – Even just looking at Show Racism the Red Card, they had a paper. I'll try to find that link, and I'll pass it on you guys. They actually had quite a good, really solid data set, because they do a lot of work in schools. They do surveys with the students and the teachers. The outcomes were exactly the same in 2019, as they were in 2016. There's no movement on this, and it's just time for it to stop.

Facilitator – How do you think we can do that?

Participant 1 – I do think that schools need to be required to report on all identity-based bullying, harassment and hate crimes.

Participant 2 – One of the other things is coming out is there's obviously a clear lack of racial diversity, and broader diversity as well but we're here to talk about racial diversity, in the staff, workforce, within education. Even in cities, even in Cardiff, that's ridiculous. A lot of young don't trust the teachers to report these things. Anyway, the teachers don't take it seriously because the teachers don't know what to do. That is a continuous message coming through. I would find it hard to report racism to a white person, because they're not going to get it and if it's been diminished, so how can we, as well diversify the workforce? And how can we within the current workforce, I don't know if there is within Estyn emphasis on in depth education of the workforce. They'll go through their teacher training, and then maybe do an add on EDAI tick box session that just learned about protected characteristics. You can list the nine protected characteristics as many times as you want, it doesn't mean that you're going to understand, let alone systems of oppression but understand how to deal with incidences of discrimination. That is across the board that's not in any public sector, that people think, "Oh, yeah, protected characteristics". Well, how do you deal with it when it comes up?

Facilitator – They don't record it, so how are we going to know? Because the school most of the time, they don't record these incidences.

Participant 2 – I'm not saying instead of I'm saying in addition to. It isn't one way to tackle these things. So, it's not just what Participant 1 said, I completely agree. I'm not arguing against it. I'm saying in addition to. You can report as much as you want, how many incidences there are, but

that's still not going to stop the incidences from happening. It will be a mechanism to then recognize and obviously, within the colonial land that we live in, people need stats, they need data for it to happen. That might push Welsh Government and public bodies to actually... but the stats and data have been out there for years, and they're not doing anything. It needs to be a holistic approach. You can't just pick one thing and say "that's going to sort it out in five years' time, we're going to report back to CERD, and the same things are going to be reported". We'll just have figures attached to it.

Participant 1 – I do think that reporting on things could possibly provide some accountability. At least you have to be honest with yourself.

Participant 2 – I was just talking about moving on from that in terms of how do you diversify the workforce, but with the current workforce, they can't report on it. If they're not recognizing it, then students are reporting that they don't trust going to report racist bullying specifically, they're gaslighted. They're made to think that they're crazy. They're made to think it's not important. You can tell current teachers to report it, but they don't believe it's happening, or they're not seeing it, or they're just brushing it under the carpet. So again, are they going to report it if they don't see it? Absolutely.

There could be an independent reporting mechanism, where parents and students can go independently of their school if they feel that the school mechanisms have been exhausted, "I've gone to them. I've been told that nothing, nothing's happened. Is there a way?" We talk about how the UK didn't ratify article 14, but is there a way that Wales can then bring in their own independent systems that students' parents in this sense, can go outside of the institution that they're in? Because if the institution is racist, then it's not going to support their reporting so how can they take that independently of the institution? Is that something that Welsh Government, the Minister for Education, Estyn, whoever it falls under can input?

Participant 1 – They have something like that for safety in the workplace, don't they?

Participant 2 – You've got the HSE. I mean, you've got the EHRC which is meant to be the version of the HSE. But they don't...

Participant 1 – ...have capacity.

Participant 2 – Yeah, they don't have capacity.

Facilitator – Okay, I completely agree with everything you've just said. Are there any other areas that you would like to discuss today?

Participant 1 – I think for us, policing is something that I think is really concerning. We've held some forums with young people, a few over the past year, we've probably had three or four forums with specifically young people, but most recently, we did one that was specifically about youth justice. For many ethnic minority young people, being over policed is something that they're coping with.

Facilitator – Absolutely, it's a current issue, it's also an ongoing issue. How many young people did you discuss with?

Participant 1 – I can send you our notes from that forum actually. I would say we probably had about 30 young people that came to that forum. There were about 50 people in total. 20 of them were youth workers. That's the only way that we can get the kids to come, their trusted youth workers dragging them in. I would say that we asked them the questions, we did do some samples in that and I am, I hesitate but something like 78% of them had encounters with the police. That's an amazing statistic for a group of young people.

I would say that half of them had been stopped and searched. Because we asked that question, "have you been stopped and searched, as well?" And there was a really high number of them. You wouldn't expect, why would children come into contact with police? I think it's a really, really serious issue. What we know a little bit less about, but we're trying to start getting our heads around is also about just the other side of criminal justice. We do know that in Wales compared to England, our justices here give harsher sentences to ethnic minority people. There's a disproportionality throughout the whole the UK but in Wales, it's even more drastic than it is in England. There was a report on the whole justice system in Wales. And there was a chapter on race and ethnicity in that, I'll try to find that too. I'll link it over as well.

Facilitator – Yes, please, that'll be really good.

Participant 2 – From my point of view, the only other thing, I've got quite a lot of stuff that I've been gathering in lieu of looking to complete the literature review on employment but again, that's not going to be ready until mid-May. This is where I then do lay in on things like reporting mechanisms, because one of the things that in terms of policy law changes, and why, is we need to start pushing for ethnicity pay gap reporting, like with the gender pay gap. With that, we need it for disability, we need it for sexuality as well. In light of CERD, the resistance to that, and this isn't evidenced, though I'm sure there is evidence, is that people don't want to expose the stock pay gap. It could be something that is pushed for, because with that exposure, then something has to be done. If it's done in the same way as it's done with gender, where beyond a certain amount of employees, it's a legal obligation below a certain amount of employees, it's best practice. What they're pushing for with a gender pay gap, and I think it should come in with ethnicity pay gap is an action plan needs to be put in place alongside that. As standards not a legal obligation for gender, but they are asking for it.

Can that be brought in with employment, the "do the right thing report" looks a lot about experiences in employment, because what's seen as a clear pathway into political and public life is your experience and employment, your experience and progression and employment, your experiences in progression to senior positions. A lot of the evidence in there is quite shocking. I think it was about 75% of people had experienced racism in the workplace and this was of the 130 people who were consulted with. A lot of microaggressions and the majority of people stating that they had actively not been pitched for progression opportunities, despite their skills and qualification. There was a clear sentiment of feeling that even if you're born in Wales, spent all your life in Wales living here for a very long time, there was those real microaggressions,

which is consistent on "how do you speak English so well and, oh, that's not a Welsh name". There is the impact of the Welsh language requirements, that is evidenced. I've been in conversation with Welsh language Commissioner, that recognition and I'm not disregarding the need to promote the Welsh language, but where it's being put as desirable on positions. You either need it or you don't and whether it's put as desirable, that is actively disadvantaging people who don't speak Welsh, which disproportionately impacts racialised people.

Facilitator – The ethnic minority people who do speak Welsh are not treated exactly the same as the people who are White, who are born and brought up in the UK, although they are born and brought up in the UK as well. Even when they try to integrate, they keep saying you have to integrate in the society and speak the language, of the country you live in; which in that case is Welsh, you're still not treated the same.

Participant 2 – No exactly. It's all impact and everything stacks up on top of each other. I would have a look at the statistics and 'Do the right thing'.

Facilitator – Please, if you could send us that would be really good. I'm aware of the time but we're still happy to hear more. If you want to talk about any other areas...

Participant 2 – The only thing I'll flag, but I'm sure you would have come across it but in case not, is in terms of GRT communities, and obviously speaking to Tros Gynnal Plant and people from those communities, but was the way in which the Flintshire local authority approached the communities there. It was in the news. They basically put a security firm to prevent... there was a COVID outbreak within this community, and they hired a private security firm to prevent the members of that community from moving around freely, because they're being told to isolate.

If you want to talk about representation, where are the Gypsy Roma Travellers represented in any public or political realm in Wales? In the overview, yes, they face issues within their communities, but there are still the broader systemic issues. That mean that they're just being completely negated.

Facilitator – Okay. Do you have anything else you'd like to talk about or add?

Participant 2 – With counterterrorism missions, there's a recent letter that we received as an organisation about the appointment of officer William Shawcross as the independent reviewer of prevent a thing that needs to be taken into consideration.

Participant 1 – That's the guy who has made Islamophobic statements before?

Participant 2 – Yes, he's justified the war on terror and stuff like that. In consideration although I get that prevent is UK wide but how much because prevent is a UK wide thing, but obviously you're looking at it in Wales, aren't you?

Facilitator – Yeah, but it is in Wales as well, a big issue. If you have that report...

Participant 2 – I'll send it over.

Facilitator – It'll be really good. Thank you.

Participant 2 – It's not report yet it is an open letter that's being sent out to boycott his involvement.

Facilitator – Do you think it will change anything?

Participant 2 – How do you mean?

Facilitator – Do you think they will maybe try to change him or have somebody else in his place?

Participant 2 – I don't know how many open letters have been written about removing certain people from certain problematic positions. It's just about raising awareness. Especially in Wales, like at the moment, we've got the elections coming up. The more that this is being pushed to the forefront...

Facilitator – Just one last thing. I'll ask with coronavirus affecting mainly or more largely Black and ethnic minority people and the vaccine. They keep highlighting how a lot of people from Black and ethnic minority backgrounds are not taking that. Do you think that's a good thing to highlight? What do you think about Black and ethnic minority people being in the media all the time about every other issue that comes up?

Participant 2 – I think one of the really problematic issues right at the beginning was that it started going down and even though racialized people were saying, "No, this is a socio-economic fallout", people were still promoting this in that "Oh, you lack vitamin D, because you've got darker skin, and maybe you're more predisposed to certain conditions", which is medical racism. It's been highlighted, the evidence is there. The reasons for it are socio economic, they're not biological.

Facilitator – What I mean, is it not being highlighted as because of the inequality in the way they live and the deprivation of so many things in life in the UK. It has been highlighted as it is because they have darker skin, maybe they like this, maybe they like that maybe they refuse this and maybe they refuse that. They only just started as well with the vaccine. They only just started recently, talking about explaining what the vaccine is all about in different languages, they didn't think about that from the start, and they didn't promote it from the start. That's why there is a delay, people don't understand what's been happening and why they forced more or less to take up the vaccine, which they have to.

Participant 2 – This is a massive, it's a huge area of equality legislation here that is missed. It is very clear in the statutory codes that the EHRC wrote up in 2010 to support the Equality Act, that under race as a protected characteristic comes nationality, with nationality, you have language, if the service you are providing doesn't need a level of English language to engage in a vaccine,

I don't need to speak English to be able to be vaccinated, then you must be able to provide the service in languages that are represented in the area that you're in. That is something that I just think is not... People don't know, people don't know about that, and people don't know that actually that can constitute a racial discrimination, because you're not providing those. I've asked recently for regarding electoral engagement stuff, and I said, "Oh, you sent me stuff in English, have you got it in other languages?" "Oh no, we don't, we don't have the capacity to do that, sorry".

Facilitator – That's always the case, they don't have the funding for it. They don't have the capacity for it.

Participant 2 – But it's a legal requirement, and you've just franchised qualifying foreign citizens. That is a whole bunch of people that may need this stuff in different languages. You haven't even thought that's who it's targeting anyway.

I do also think the stats around the vaccine are interesting. Do we know how many White British people are saying no to the vaccine?

Facilitator – I don't know.

Participant 2 – Are they just reporting on this on BAME? Sorry, I hate the term BAME.

Facilitator – I think you're not supposed to say BAME anymore. You have to say black ethnic minority people or BME.

Participant 2 – That's why I say racialized.

Participant 1 – Are they are not keeping stats? I haven't heard any.

Facilitator – I haven't heard about how many people refuse the vaccine?

Participant 1 – They should be monitoring very carefully who is getting vaccinated. The news coming out of the US is horrible. It was something like in New York City, White older people are getting vaccinated three times more than... the stats are just horrible, black and Latino people are not getting access to the vaccines. Even if you look at the neighbourhoods where most of the vaccines are being given out, there's a racialized pattern to it. It's bad.

Participant 2 – One other thing, I'm just going to say. In terms of hate crime, and I think it would be, it would be silly to miss this in any report. It has to be succinct but is the rise of xenophobia and people are not talking about it. The amount of... It's on the streets. There are now reports coming out, it reminded me because Participant 1 said about the US because a lot is coming out in the US about xenophobia. I was walking down the street the other day, and this guy just made a comment to me about a Chinese couple walking across the road being like, "*Careful, there's the Coronavirus*". The increase in xenophobia, there is research coming out, it is being reported

more. Xenophobia is ignored anyway, broadly speaking. I think that needs to be looked at, I've just seen newspaper articles about it.

Facilitator – If you could send that as well, please. Thank you very much for coming today.

Consultation 9 – Race Equality First

Wednesday 3rd March 2pm – 4pm.

Participant 1 – Discrimination in employment: Overuse of compromise agreements in relation to dealing with complaints. In order to move on, I had to sign to say I could not speak about the racist incidents I faced in my previous job. This extends to all the characteristics. ‘Me Too’ movement in 2016, race in universities...

When it comes to racial discrimination, a compromise agreement is an easy way out to push someone to leave and carry on not addressing inequalities/ these issues adequately, meaning that someone else will fall through the trap door / fall victim to this also.

Micro aggressions: “You people” → implies some sort of behaviour attached to race. Racist grounding. Never investigated properly. Employer said they had “a personality clash”. Not easy to access information in HR employment portals as you can’t download anything to your computer. Micro-incivilities are alive and well. Giving support in terms of third-party organisations is really hard.

Participant 2 – I have a “You people” case too. GP surgery doctor. Conflict of interest in the workplace. My client still wants to leave the organisation because after the complaint, it is not the same. A lot of people don’t want to report / complain after because they feel really uncomfortable. After care for making a complaint is important.

A lot of people don’t want to put in a complaint in the workplace, especially claiming discrimination, as it can likely result in hostility afterwards and places of work do not do enough to safeguard these employees. Places of work need to ensure better aftercare and safeguarding procedures so that employees can safely raise a complaint, as the current structure actively discourages employees from raising a complaint.

Participant 3 – I have a 70+ client that has been told by the people that manage her property “you people” again, how did you manage to get that car? She lives in a well-off area and is the only black person in the area. She feels like she needs to do something to fit in.

Also, personally, I felt in the past that employees treat BME people differently than White people, e.g. not wanting to put their BME staff on management training.

Laptops and internet for online classes during COVID – real struggle to find information. School kids were left to find out all the information themselves when they didn’t have access to the internet. REF also helped BME individuals gain access to food parcels during COVID.

Participant 1 – when you are complaining about discrimination, it’s about your identity, this leads to stress, feeling not psychologically safe. Most of the time, the only way to deal with it, is by leaving and starting all over again. HR people think “you got what you want, now get back to work”.

Race is such a dividing issue. There is also an issues with organisations not wanting to label anyone or their behaviour as racist, as they fear that that will cast a shadow over their organisation and make them seem like they have an issue with racism.

Participant 2 – In my case, the doctor refused to talk to the family, “you have to fill this complaint form”. There is no conversation, no safe place to have a conversation with managers. Organisations should create safe space to speak. Because maybe there wouldn’t be an escalation if that would be possible. – So, some form of mediation before it escalates.

Why act appropriately only when someone from outside comes in, like REF? As the absence of this also discourages people from making a complaint.

Participant 1 – I see it that being part of an organisation culture. Some do it well, they ask about well-being. 360 management = manager has an appraisal, but everybody can get a say about how they’re being managed. Soft power organisation, you see a totally different approach than top-down organisation. This is a good way for managers to check in on employees’ mental health and wellbeing.

Participant 4 – There is a psychological burden to explain racism all the time” The below is from one of REF’s clients of the Hate Crime and Discrimination Casework Service, who was a victim of a hate incident in the workplace in 2020.

Speaking out about racism - How it feels:

- People don’t want to hear – they are uncomfortable
- A wall of silence that protects the perpetrator and I can’t get through
- I’m being paid Lip service
- It’s a damaging psychological impact of constantly having to explain racism, repeating myself has been a psychological burden
- It feels as if there is a disconnect when I try to explain it or when I explain what I am experiencing?
- People dismiss what I am saying, or find something to defend the action
- Racial hatred hurts, it’s meant to hurt.
- If you look at the thought process of racism it’s meant to demean and degrade you, to make you feel less worthy, you feel racially vilified.

Racial indifference is Racism’s best ally - Indifference in concern and commitment, in recognizing, focusing upon and coming to terms with either one’s own personal racism or that of the structural racism which surrounds us. Saying “I’m not racist doesn’t make you not racist.” You don’t have to have a deep hatred for all things multicultural, to be racist, you can simply be someone who buys into the racist views and false information spread by these type of posts.

Participant 1 – people’s perception of the definition of a racist is not really what we use at REF. “by me saying I reject that label; you have to find someone else”. You don’t have to label people but just look at what they do.

There are problems with labelling. The instrument of the Equality Act 2010 has not been brought to bear fully in the education system in Wales. Within this we have the Public Sector Duty which is to eliminate discrimination. However, schools do not record incidents by protected characteristics at all.

Schools are one of the most important sectors. Instruments of the equality act are not fully implemented yet and the stats don't lie, there is still disproportionality in achievement and exclusion.

Participant 3 – BME students failing, excluded in school. When you try to contact the school, they don't come back to you. It's been going on for years, but it's taking forever. When I spoke to the school and asked them what they've done to be excluded for "inappropriate behaviour". They refuse to sit in the meeting, the school is not acknowledging the problem.

Participant 1 – schools are a massive issue, massively under reported. Social education children get in schools. When a school is inherently racist, it'll follow children in the later life. There is a racial hierarchy in schools. Teachers teach that / perpetuate that informally. Within the Equality Act 2010 says a public sector duty to eliminate discrimination within schools, but they don't record any incident regarding protected characteristics, by design (it is only guidance, something they should do, the WG say they 'expect' schools to do this, but it is not a must as it is not in law. When an incident happens in school, they won't record it. They put it into a bullying framework. A lot of children are traumatised by the school children. Even with a third-party to supporting parents, schools are not inclusive. When it comes to race → calendar campaign.

Participant 3: I assisted the family of a 6 years old child who said "*I don't like Christian people*" because the head teacher asked her to take her hijab off. She was referred to prevent and her mother was banned from the school.

Participant 2: there are lots of incidents of Christian students saying horrible stuff to Muslim students and they have never been referred to prevent.

Participant 1 – as a parent, you're so lost when that happens. Similar to what happens in employment. The echoes to what happen in the school environment translates in the work environment.

Dealing with education is the most important. Schools don't tell you that you have rights. Problem comes from schools don't record the information.

Participant 2 – Also police cases; we're assisting a Black lady who is being charged with possession of drugs and drug driving. She's never been arrested before, she's a victim of domestic violence. She's urinating on the street because they won't let her to go to the toilet. She was locked out by her abusing husband.

I've put in numerous complaints against the police on behalf of beneficiaries. When someone reports a hate crime (bearing in mind that the majority of hate crimes are race-related), there's often little communication between officers and victims and no after care experience. The police do not want to explain case outcomes to victims which leaves victims feeling dismissed. This

behaviour hugely impacts whether victims will report again as they feel like it is pointless to report. Victims don't even think it's being investigated. There is no trust in the police.

Participant 1: there are massive issues in how the police criminalize Black youth. That's a reason why people of colour don't want to join the police. They see the police as a third gang. The police resist the justice.