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EQUALITY OF OPPORTUNITY COMMITTEE

Date: 5 February 2004

Time: 09:30

Venue: Committee Rooms 3 & 4, National Assembly Building, Cardiff Bay

Title: Commission for Racial Equality: Suggestions for actions in respect of the circumstances facing refugees and asylum seekers in Wales

Background

Racism remains a significant feature of life in Wales nearly 30 years after Parliament passed the Race Relations Act. The full extent of racial harassment and public acts of discrimination is not clear as those most vulnerable to such treatment are also those least likely to feel confident about reporting what has happened to them.

Among the most vulnerable of these members of the public in Wales are asylum seekers and refugees.

The extent of the prejudice new arrivals can face may be gauged by the report of a new opinion survey revealing that one in five of the British population would oppose the appointment of a Jewish person as Prime Minister (ICM poll published in the Jewish Chronicle 23 January 2004). In the life time of the current leader of the Conservative party at Westminster, whose parents arrived as refugees in Wales in the 1930s, British society has still not managed to eliminate this historic prejudice. Another recent analysis (MORI, published on its web site on 19 January 2004 at www.mori.com) revealed that now the public generally believes that 23% of the population in Britain are first generation immigrants while in reality the figure stands at 6%. The study also revealed that 39% would want to live in an area where their neighbours were of the same ethnic background as themselves.

In this study, 17% of respondents said there was less community spirit in Britain today because 'there are more newcomers in the country, including immigrants and asylum seekers'. When asked who 'seem

to get unfair priority over you when it comes to public services and state benefits?', 20% of respondents said asylum seekers and another 19% said 'new immigrants'.

There is established evidence that, far from being favoured, such groups in fact find it harder to access the welfare system than others.

Parts of the media have played a role in generating these misconceptions. London based tabloid newspapers in particular have engaged in little short of asylum seeker baiting in their coverage of the issue. Newspapers and other parts of the media based in Wales have taken a significantly better approach.

Such problems have been aggravated by inadequate planning or consultation with local agencies in respect of the dispersal of asylum seekers. Dispersal has also had the effect of amplifying difficulties in respect of employment (refugee unemployment remains exceptionally high) and access to effective health services, to education and to adequate housing. A particular problem remains the supply of host community language classes suitable for refugees in the dispersal regions.

Important initiatives have also been taken in Wales, not least the announcement by the Minister for Social Justice and Regeneration of the formation of a Welsh Refugee Integration Forum part of whose remit would be to 'help assist refugees to successfully integrate in Wales and promote a more positive image of refugees and asylum seekers as members of Welsh society' (Assembly press release, 12 November 2003).

A key driver for better practice: The duty to promote race equality and good race relations

In 2000, Parliament amended the Race Relations Act 1976 and included in the Act a section stating that a public body listed in a schedule to the Act:

Shall, in carrying out its functions, have due regard to the need

a) to eliminate unlawful racial discrimination; and

b) to promote equality of opportunity and good race relations between persons of different racial groups. [Section 71 (1)]

This is termed the 'general duty'. In order to fulfil this many key public bodies have put on them by the Act a 'special duty' to prepare race equality schemes and action plans.

Some bodies in Wales have done this reasonably effectively. The majority have not yet either fully understood what is required of them or do not have in place the monitoring systems necessary for an employer or service provider to understand the ways their actions may impact differently upon different ethnic groups.

It is a matter of great concern to the Commission that, in responding to the new duty, public bodies in Wales have failed to grasp the third aspect of the general duty, that of promoting good race relations.

While the elimination of discrimination and the promotion of equality of opportunity across their functions will have a positive impact upon the circumstances faced by asylum seekers and refugees, following good practice in respect of the duty to promote good race relations will have a wider impact upon their safety, circumstances of life and opportunities to integrate into the communities they live within.

Such programmes of work will direct relevant public bodies (the Welsh Assembly Government and directly related bodies, the ASPBs and local government in particular along with the four police services) to tackle both problems faced by members of ethnic minorities in general across Wales and refugees and asylum seekers in particular.

Under the Race Relations Act, the relevant schemes need to be available publicly. This would enable the Equality of Opportunity Committee to set a date in the future when it could scrutinise the quality of such work and the effectiveness of the outcomes secured.

Such schemes and work programmes also need to be subjected to public consultation. It is important to emphasise that this means not only consultation with the ethnic minority and refugee groups, but also with the public at large. Proper consultation measures of this character are essential to overcoming the misunderstandings and prejudices which stand in the way of good race relations.

At present, there are many individual examples of best practice ranging from the leadership role demonstrated by the Assembly Government in the establishment of the Integration Forum to new approaches to racist abuse and harassment in public places by North Wales Police. What is missing is the integration of such initiatives into an overall programmed approach to work designed to reduce public prejudice, eliminated acts of harassment, abuse and violence and improve access to services.

The role of the CRE

The Commission for Racial Equality in Wales is preparing for public consultation at the end of February its work programme for the coming year. Among the key items in this programme relevant to this paper are:

- A survey of the ways in which Race Equality Schemes and associated action plans by public bodies in Wales address the issue of good race relations to be published in July 2004;
- A survey of the ways in which public bodies consult on these aspects of their work with particular reference to consultation with the public at large to be published in September 2004;
- A survey of the ways in which relevant public bodies in Wales keep statistics which enable them to monitor the fairness or adequacy of access to facilities by refugees and asylum seekers to be

published in January 2005:

- Joint work with relevant bodies such as the Welsh Refugee Council to challenge negative coverage in the media in Wales, in particular in respect of a web site chat rooms;
- The provision of clear advice to public bodies as to their obligations under the Race Relations Act in regard to the provision of facilities and services to refugees and asylum seekers.

The Commission for Racial Equality head office will be publishing a draft for a Code of Practice on Promoting Good Race Relations in the spring. The CRE in Wales will use this as an opportunity to promote a country-wide debate around the important themes of integration, community cohesion and the persistence of prejudice against existing ethnic minority groups and against newcomers.

In addition, the CRE head office is preparing a strategic document covering its work on asylum and immigration issues. This will go out to public consultation in the spring and as part of that the CRE in Wales will hold a public consultation on this issue.

Contact point

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