

Communities, Equality and Local Government Committee

Meeting Venue:
Committee Room 2 - Senedd

Meeting date:
29 September 2011

Meeting time:
09:30

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



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Agenda

1. Introduction and Apologies

2. Disability-related Harassment - Evidence gathering (Pages 1 - 21)

Disability Wales and Learning Disability Wales (09.30 – 10.10)

CELG(4)-03-11 (p1)

CELG(4)-03-11 (p2)

- Rhian Davies, Chief Executive, Disability Wales
- Miranda French, Policy and Public Affairs Manager, Disability Wales
- Jim Crowe, Director, Learning Disability Wales
- Karen Warner, Information Services Manager, Learning Disability Wales

Break (10.10 – 10.20)

Safer Wales (10.20 – 11.00)

CELG(4)-03-11 (p3)

- Mark Williams, Anti-Hate Crime Coordinator
- Bernie Bowen-Thomson, Deputy Chief Executive

Welsh Local Government Association (11.00 -11.40)

CELG(4)-03-11 (p4)

- Naomi Alleyne, Director Equalities and Social Justice
- David Morgan, Policy Officer (Equalities)

3. Motion under Standing Order 17.42 to resolve to exclude the public for the remainder of the meeting

4. Resolution to establish a Task and Finish Group to consider the future outlook for the media in Wales (11.40 - 11.50) (Pages 22 - 35)

5. Committee Forward Work Programme (11.50 - 12.00) (Pages 36 - 43)

6. Papers to Note (Pages 44 - 136)

Report from Equality and Human Rights Commission in Wales - How Fair is Wales
CELG(4)-03-11 (p5)

Race Equality First - Criminal Justice System Event Report
CELG(4)-03-11 (p6)

Race Equality First Hate Crime and Multiagency Working Event (MARAC) Report
CELG(4)-03-11 (p7)

Communities, Equality and Local Government Committee

CELG(4)-03-11 : Paper 1

Disability Wales/Anabledd Cymru

Disability Related Harassment

Introduction

Disability Wales (DW) is the national association of Disabled People's Organisations striving for the rights, equality and independence of all disabled people. DW's core role is to represent the views of its members to Government with the aim of informing and influencing policy.

Article 16 of the UN Convention on the Rights of Persons with Disabilities concerns freedom from exploitation, violence and abuse. In recent years DW has run successful campaigns on access to the High Street (Streets Ahead) and Independent Living which has contributed towards the creation of accessible built environments and the opportunity for disabled people to participate fully in the community. Yet if disabled people are fearful of stepping outside their front door or avoid certain places or limit their lifestyle then as well as being a breach of Article 16 Disability Hate Crime and Harassment undermines progress made elsewhere in securing the rights and equality of disabled people.

Consequently DW has prioritised work to raise awareness of and tackle Disability Hate Crime and in doing so forged partnerships with the Police Services in Wales and other voluntary sector agencies as well as contributing to a high profile for the issue in the media.

The Police

Over the last two years DW has been working in partnership with the Police Services in Wales to address Disability Hate Crime at a national and strategic level. At the launch of the national online Hate Crime Reporting Centre in 2009 it was acknowledged that there was arguably less understanding of and emphasis on hate crimes related to disability compared with race and homophobia. DW met with South Wales Police acting on behalf of the ACPO Equality and Diversity Forum to consider how this could be addressed. It was agreed to hold a national joint seminar bringing together representatives of all Police Services in Wales, Disability Organisations and other relevant agencies which for the first time would discuss Disability Hate Crime at a Wales level.

This initiative was then given added urgency when in September 2009 the Inquest into the deaths of Fiona Pilkington and Francecca Hardwick drew national attention to the existence of Disability Hate Crime and the failure on

the part of several agencies working with the family to recognise and respond to it.

The national joint seminars were held in February and June 2010 respectively, both of which were very well attended and from which a Report and Action Plan was produced. Key findings from the Seminars included the need to clarify what is meant by Disability Hate Crime and how to recognise it; accessibility of information on how to report DHC; Disability Equality Training for Police Officers and other relevant staff; support for victims; the need for joined up working between agencies including sharing information; and greater co-ordination between disability organisations concerning their own work on the subject.

In November DW co-organised a conference with South Wales Police at which more than 150 participants heard presentations from the Chief Constable Mr Peter Vaughan, the Assistant Chief Constable from Leicestershire Constabulary on lessons learned from the Pilkington Inquest, Welsh Government, the Home Office, Crown Prosecution Service, Equality and Human Rights Commission and Safer Wales.

It was regarded by many as an 'inspiring' and 'thought provoking' event with some recognising for the first time that their experiences or that of family or neighbours was in fact Disability Hate Crime. For Police Officers present it also helped break down barriers of understanding and paved the way to tackling the issue at a very local policing level.

DW gave a presentation to the ACPO Diversity and Equality Forum in April 2011 to report on the joint activities undertaken and discuss progress with the Action Plan. Particular achievements noted included the formation of the Disability Hate Crime Action Group, development of mini Hate Crime Reporting Centres and the incorporation of the Social Model of Disability into officer training. It was agreed to circulate an updated Action Plan to all participants who attended the National Seminars.

The Media

DW contributed extensively to the BBC Wales *Week In, Week Out* programme broadcast in January 2010 on Disability Hate Crime: *Why do you hate me?* It gathered case studies from individuals, one of which was featured on the programme and put the BBC in contact with Simon Green, Chairperson of a member organisation Bridgend Coalition of Disabled People who subsequently presented it.

Following the programme DW received a number of calls from viewers who had themselves experienced Disability Hate Crime which it passed on to relevant police services.

The programme was repeated later in the year on *Panorama* and DW has since commented on the issue in both broadcast and print media in Wales. While the Media has an important role to play in highlighting instances of Disability Hate Crime, DW is increasingly concerned that its reporting of

stories about disability benefits claimants could escalate hostility particularly through using terms like ‘scroungers’, ‘workshy’ and ‘layabouts’. In a time of cut backs in the Welfare State, those who continue to receive benefits and services could find themselves a target for harassment.

The Voluntary Sector

The Joint Seminars with the Police engaged with representatives of many national disability organisations in Wales as well as those with an interest in criminal justice issues such as Safer Wales and Victim Support. A number of organisations such as Scope and Mencap were working on their own initiatives as part of a UK wide approach whereas others like Learning Disability Wales were supporting member groups such as Torfaen People First who in partnership with Gwent Police produced a Training DVD on Disability Hate Crime.

At a meeting between DW and Safer Wales it was agreed to explore the potential for bringing together these organisations on a regular and structured basis to share information, work jointly on new initiatives, and act as a lobby group to ensure that tackling Disability Hate Crime remains high on the agenda of public bodies. This idea was well supported and the Disability Hate Crime Action Group was formed earlier in 2011. It meets quarterly and its first priority is to ensure that disability organisations themselves understand and recognise Disability Hate Crime and encourage disabled people to report it. A Facebook page has been set up to provide an online forum to share information. Representatives from the Police and EHRC also attend meetings ensuring effective communication and the sharing of intelligence.

The EHRC Inquiry into Disability Related Harassment

DW provided written evidence to the Inquiry and participated in Round Table meetings drawing on its work with the Police and other organisations together with its knowledge of DRH from individuals who contacted it with their experiences of Hate Crime.

The Inquiry findings echo DW’s view that Disability Hate Crime is little understood amongst disabled people themselves or the organisations that work with them and that there is indeed a ‘culture of disbelief’. DW supports the recommendations and particularly the levers for change identified in Wales. It recognises the potential of the new Equality Duties in taking a strategic approach to addressing the issue and the role of Multi Agency Risk Assessment Conferences which have proved so effective in tackling Domestic Abuse.

DW recognises the logic of linking measures concerning Disability Related Harassment to Welsh Government proposals regarding safeguarding as highlighted in *Sustainable Social Services: a Framework for Action*. It is concerned however that in taking a *safeguarding* approach the Welsh Government does not perpetuate notions that disabled people are inherently vulnerable and in need of protection. DW fears that this could result in

measures that limit independence while leaving hostile attitudes unchallenged and criminal behaviour unprosecuted.

DW believes that the DRH Inquiry Report will enable all concerned to build on and progress work with Disability Hate Crime undertaken in Wales over the last two years. As well as providing evidence of the scale of the problem the Report and its recommendations will enable organisations like DW to hold public bodies to account regarding their actions to address the systemic failures identified.

Further Information

Further information about DW's work on Disability Hate Crime including details of the Action Group can be found at: www.disabilitywales.org

Communities, Equality and Local Government Committee

CELG(4)-03-11 : Paper 2

Evidence on disability related harassment for the Communities, Equality and Local Government Committee on 29 September 2011

Learning Disability Wales is the umbrella body for over 120 voluntary organisations in Wales active in supporting children and adults with learning disabilities and their family carers. Our members include organisations large and small who provide services, advocacy organisations, parent carer groups and generic organisations.

Our interest and work to date includes:

- Partnership project with Caerphilly Social Services and 3 other voluntary organisations to produce an **interactive DVD called Abuse: Tell Someone**. A DVD for people with learning disabilities to help them understand their rights and what abuse is and what to do if it happens. 3,000 copies given out to people with learning disabilities across Wales. Funded by Welsh Government.
- **Member of Welsh Government's Protection of Vulnerable Adults Project Board.**
- **Information Service** through a magazine and newsletter and e-news service that regularly covers articles, news, good practice, statistics, and events on disability related harassment. This service goes to 450 people in Wales including local authorities and voluntary sector organisations.
- **Member of EHRC Disability Harassment Inquiry UK Advisory Group** representing Welsh interests.
- **Presentation on raising awareness on disability hate crime for people with learning disabilities** to Tai Pawb (Equality in Housing) stressing need for housing providers to have policies and procedures around recognising and reporting hate crime
- **Partnership working:** Participation in joint seminars called 'Disability Consultation and Involvement Forums' organised by Disability Wales and the Police in 2010. This led to the formation of Disability Hate Crime Action Group Cymru. The group is monitoring and contributing to the implementation of an Action Plan that came out of the involvement forums.
- Production of **Easy Read Reporting Form** on behalf of Safer Wales

- Production of **Easy Read Wales Policy and Procedures for the protection of vulnerable adults from abuse** (in production)

1. Awareness Raising for people with learning disabilities

Research has shown that people with learning disabilities often accept disability hate crime as part of their everyday life or mistake it for ‘anti social behaviour’ or bullying and do not recognise it as a crime.

People with learning disabilities are often unaware of their rights. There are so many words to encompass disability hate crime. For people with learning disabilities they can be very confusing such as bullying, harassment, abuse, domestic abuse, robbery, theft, anti social behaviour etc.

People with learning disabilities often are victims of ‘mate crime’. This is when someone poses as their friend and then exploits them.

People need more help in understanding what disability hate crime is and what to do about it.

What works?

1. **Torfaen People First** produced a DVD, workbook and easy read leaflet. This training package is called ‘Talk about it’ has enabled people to talk about their experiences and understand what disability hate crime is. The training also encouraged people to have the confidence to report it. Members received training on using the True Vision Hate Crime Reporting Pack (this is an easy read reporting form which is only being used in some Police authorities). Funded by the Home Office.
2. Crown Prosecution Service have produced a useful Easy Read guide ‘Supporting Victims and Witnesses’ Easy Read 2009.

Recommendation 1: The Committee encourages the 4 Police Authorities in Wales to fund the ‘Talk About it’ Training resource so that every People First or self advocacy group can use it in Wales to train people with learning disabilities, the Police and staff.

2. Awareness raising for public authorities

What works?

1. **The Talk About training pack** also includes training of local Police to raise awareness of how hate crimes can escalate from small incidents and turn into more serious crimes. The pack has been used to train support workers to consider how they can support victims.
2. **Learning Disability Wales**, in partnership with All Wales People First and All Wales Forum of Parents and Carers and Mencap Cymru are currently undertaking **learning disability awareness training for frontline staff in housing and leisure services and staff within the criminal justice system**. Funded by Welsh Government. Training is being delivered across each local authority area by people with learning disabilities and parents/carers. The aim of the training, as well as raising awareness of the rights and needs of people with learning disabilities and their families is to assist local authorities to improve practice by producing action plans under their responsibilities under the Equality Act.
3. **Bridgend People First**: People with learning disabilities designed hate crime materials which they used to raise awareness in schools. Also they did a question time session with a magistrate, South Wales Police and adult protection committee
4. **England**: Blackpool Advocacy supported a group of service users to participate in a project to tackle Hate Crime. The service users worked with a group of young people to make a DVD that is used in **local schools to raise awareness amongst non disabled young people** of the effects of apparently low level incidents. It is hoped that this will influence the attitudes of young people as they grow into adulthood and encounter people with different levels of ability in their daily lives.

This work supports EHRC Disability Harassment Inquiry:

recommendation number 3. 'the criminal justice system is more accessible and responsive to victims and disabled people and provides effective support to them'

recommendation 6 'all frontline staff who may be required to recognise and respond to issues of disability related harassment have received proper training.

Wales summary recommendation 2: the new equality duties should be used to prioritise tackling disability harassment.

Recommendation 2: Committee to encourage public authorities to fund learning disability awareness training for their staff. Learning Disability Wales to co-ordinate the training using the successful model above by sub-contracting the delivery to

local groups of people with learning disabilities and parents/carers. This training could include other sectors such as health and transport.

Recommendation 3: Similar DVD resource made by Blackpool Advocacy to be commissioned to raise awareness of hate crimes in mainstream schools targeted at non disabled children to be produced and made available across Wales.

Recommendation 4: Develop a media campaign across transport operators to include posters on public transport with ability to phone or text to report a disability hate crime.

3. Reporting

There are barriers to reporting and recording harassment across all sectors.

For people with learning disabilities they are not sure it is a crime at all, they don't know who to tell, they may think the Police won't treat it seriously, reporting forms use difficult words and language. Also they fear if they go to the Police the criminals will target them even more.

What works?

1. The Torfaen People First **Talk About it** Project resulted in setting up of **3rd party reporting centres** in places where people went in their daily lives such as the day centre or leisure club. This resulted in a dramatic rise in reporting levels.
2. **Learning Disability Wales** produced an **Easy Read Reporting Form for the 3rd Party reporting centre 'Safer Wales'**. The form 'Tell Us' is for people with learning disabilities and is written in an easy to read and understand language with photosymbols.
3. **Easy Read form for tenants** of First Choice Housing Association 'Hate Crime Policy and Procedure'.
4. Mencap Cymru and Safer Wales: Use of **Freephone learning disability helpline** to report disability hate crime. Link to this on some Police authority websites.

Recommendation 5: Committee to encourage all Police Authorities to have a consistent approach to reporting for people with learning disabilities using the Easy Read reporting form '*True Vision Hate Crime Reporting Pack*' (used in some Police authorities in Wales and widely in England). This is available under http://www.report-it.org.uk/files/disability_hate_crime_book_low.pdf.

Recommendation 6: Committee to encourage Police Authorities to produce '*True Vision Hate Crime Easy Read Reporting Pack*' in Welsh.

Recommendation 7: Committee to recommend that more 3rd party reporting centres to be set up where people with learning disabilities go in their daily lives, based on the successful model of the 'Talk About it' Project.

Introduction of legislation in Wales around safeguarding

We support the EHRC Inquiry Wales recommendation 'a human rights based approach to safeguarding should be introduced by Welsh Government'.

Learning Disability Wales are a member of the Vulnerable Adults Protection Board. The Board undertook a independent review of 'In Safe Hands'.

We are encouraged to read in 'Sustainable Social Services for Wales, A Framework for Action, February 2011 that Welsh Government has taken on board the Board's recommendations for a revision and update of 'In Safe Hands' guidance, the establishment of a National Safeguarding Board for Adults and Children and plans to consult on proposed legislation to ensure social services lead co-ordinating role is put on a firmer statutory basis.

We support the evidence found by the EHRC Inquiry that the focus on help and protection within the adult safeguarding system can be at the expense of justice and redress. Language needs to be change in order to change attitudes. For example agencies may refer to 'abuse' rather than 'physical assault'. Calling a crime a crime is an important part of getting it right.

Recommendation 8: Committee supports the legislation around safeguarding of vulnerable adults and recommends that it strikes a balance between a robust adult safeguarding process and ensuring justice takes place.

Communities, Equality and Local Government Committee

CELG(4)-03-11 : Paper 3

Safer Wales Anti-Hate Crime Project Executive Summary The Environment in Wales

“The British Crime Survey 2009/10 indicates that 19% of disabled adults were crime victims in Wales and England last year. This amounts to around 100,000 people in Wales. Of course, not all crime experienced by disabled people is related to their disability. Equally, however, much disability-related harassment does not involve criminal behaviour. So the numbers experiencing harassment may be much higher.”¹ Young people are also victims of disability related harassment. Safer Wales have recently been advised of an 11 year old boy with learning difficulties being shut in a telephone box which was then set on fire.

We do not know the true extent of disability related harassment in Wales and work needs to be done to increase reporting and improve our understanding.

Recommendations

Safer Wales feel it is important that the Welsh Government take steps in respect of the following initiatives which link in with the EHRC’s own recommendations:

1. Reporting Centres – increase the number of inclusive reporting centres enabling all forms of hate crime and harassment to be reported
2. MARACs – develop all Wales strategic group to embed Multi Agency Risk Assessment Conferences processes for high risk cases
3. Deliver training with frontline staff (housing officers; social services and benefits officers; adult and child protection officers; medical practitioners; transport staff) to raise awareness of hate crime and identification and support of vulnerable victims
4. Develop and deliver impactful media campaign across all public transport operators across Wales including the introduction of a text reporting service.

¹ Hidden in plain sight – An Equality and Human Rights Commission Inquiry into disability-related harassment. Wales summary, September 2011.

Background to Anti-Hate Crime Project at Safer Wales

The Safer Wales Anti-Hate Crime project tackles the issue of under-reporting of all forms of hate incidents and crimes but also works to counter the causes of this type of behaviour.

The project has developed out of our experience in tackling homophobic and transphobic hate crime (through the Cardiff-Wales LGBT Mardi Gras) and in 2008 our remit was expanded to cover all strands of hate crime.

Research shows that only one in four cases of racially or homophobically motivated attacks are reported to the police² but in the case of disability related attacks under-reporting is far greater with only one in ten cases being reported³.

We launched “Report Hate – Safer Wales” in July 2009 working in partnership with all four Welsh police forces, British Transport Police and with support from the Welsh Government. The scheme acknowledges the reasons why people are reluctant to report direct to the police and enables victims, witnesses or third parties to report all forms of hate attacks either online through www.saferwales.com or by completing a freepost leaflet available across Wales. Full details of incidents reported are passed to the police only with the consent of the person making the report however brief details, to enable intelligence led policing operations, are passed to the police on a regular basis.

What works?

With support from all Welsh Police forces we employed a variety of distribution points (eg doctors; dentists; community settings; places of worship) for freepost leaflets and posters promoting the web address. This, together with our marketing campaign, resulted in reports received in the first quarter for all Welsh Police forces. We also received cases covering all recognised strands of hate within the first six months and with the scheme allowing the reporter to identify more than one motivating factor we have regularly received cases indicating these multiple motivators. Notably 62% of multiple cause cases include disability as one of the motivators.

Improvements made 2011

Although the scheme has continued to generate incidents across all strands and with multiple causes, we were concerned at the low level of reported cases indicating disability as a motivator. Working with disabled people and various

² Cardiff Race Equality First “Race Hate Crime In Cardiff 2009” and Stonewall’s “Homophobic Hate Crime – The Gay British Crime Survey 2008”;

³ Scope – Getting Away With Murder

groups representing them, we reviewed and simplified the standard reporting leaflet to:

- Clearly separate English and Welsh text
- Amend language used to be more publicly accessible
- Increase font size to standard size 14 Arial font
- Amended colour scheme to reinforce separation between Safer Wales and the police

Working with Learning Disability Wales we have produced an Easy Read English version of the leaflet (Easy Read Welsh version is currently under development). The leaflet has also been translated into 16 additional community languages.

Amendments have also been made to the Safer Wales website to include Browse Aloud software; increased font sizing and alternative font and background colouring. A BSL video explaining what hate crime is and developed by Gwent Police will shortly be added to the website.

Initial data since the enhancements to our scheme has shown a dramatic increase in the number of cases identifying disability as a motivating factor.

Partnership working

Disability Hate Crime Action Group, Cymru - working in partnership with Disability Wales we have set up the Disability Hate Crime Action Group, Cymru referred to in the EHRC's Wales summary of the report. Membership of the group now includes Disability Wales; Learning Disability Wales; Scope Cymru; Mencap Cymru; Mind Cymru; Deafblind Cymru; RNIB Cymru; South Wales Police (representing all Welsh Police forces); Equality and Human Rights Commission; and Crown Prosecution Service. The group focuses on raising awareness amongst the disabled people of Wales and improving reporting systems and police response. The group will also be adopting the Disability Wales, The Police Services of Wales and Disabled Peoples Organisations Disability Consultation and Involvement Forums Action Plan and monitoring/contributing to its implementation.

Reporting Centres - Mencap Cymru; LGBT Excellence Centre and LGBT Anglesey have become formal reporting centres for Report Hate – Safer Wales. Citizens Advice Cymru will also display our leaflets and posters in all their outlets across Wales. We will also be expanding this work in North Wales to increase the number of reporting centres promoting and using the scheme.

As highlighted in the EHRC report, under-reporting of disability related harassment needs to be addressed. We consider it key to increasing the number of hate crimes reported we need to expand the number of outlets where people may access reporting mechanisms.

In raising awareness of the issues and beginning preventative work, we feel that schools should become reporting centres enabling young people to report incidents they have experienced or witnessed in or out of their schools.

Multi Agency working - Through our alliance with Mencap Cymru we are currently working in partnership with them and South Wales Police in relation to one case involving a victim who has Aspergers syndrome.

We are also working with one client who has a mental health condition and is a victim of homophobia and have referred him to Valleys Regional Equality Council (VALREC) who are working with South Wales Police and his social worker to evaluate his needs.

Domestic Abuse parallels with Hate Crime

Safer Wales has been at the forefront of domestic abuse cases in the UK for many years. The Safer Wales - Women's Safety Unit piloted the use of the Multi Agency Risk Assessment Conference (MARAC) for high risk cases of domestic abuse and has developed referral mechanisms from other bodies to the MARAC. This has included our work with health professionals including midwives and in particular A & E nurses where we fully trained one nurse then worked with her to design a risk assessment tool to enable all nurses to easily identify high risk cases of domestic abuse. We feel working again with health professionals to enable them to identify high risk cases of disability related harassment and other forms of hate crime is key to building a reliable network within Wales on hate crime reporting.

Our work with social workers under the Flying Start initiative has also enabled identification of high risk cases of domestic abuse and again we would wish to extend this work to enable social workers to identify high risk cases of disability harassment.

“Low level” reporting

With our experience in domestic abuse but also our work on hate crime we recognise that victims will endure several incidents of verbal abuse before considering reporting to the police or other parties. For many victims, witnesses and agencies this may be because they do not consider what has happened is important enough to bother the police or they may doubt whether what has happened is actually a crime. Many of the recent high profile cases including the Pilkington case, reflect that this “low level” abuse does have an impact on victims and often leads to more serious cases as we have seen in case review as a member of the CPS hate crime scrutiny panel.

Anti-Hate Crime training

Hate Crime or harassment can start at an early age and our own data from Report Hate – Safer Wales indicates that 64% of incidents (which indicated an age of the perpetrator) were perpetrated by someone under 18. We recommend that work is undertaken in all our schools in Wales to raise awareness of hate crime and prevent today's bullies from becoming hate crime perpetrators in the future.

We have developed and delivered hate crime awareness sessions covering all currently recognised strands of hate in the last year. The sessions which are case study led, raise awareness and discuss the barriers to reporting hate crime. We have delivered the session 37 times to a total of 596 people of which 20 sessions were delivered in schools to a total of 433 pupils aged 13-15 and their evaluation evidenced that:

- 87% of pupils felt that their understanding of what hate crime was, had improved
- 80% felt their understanding of the barriers to reporting hate crime had improved by attending the sessions.
- 82% found the session overall to be useful

Two hate crime school assemblies were also delivered in one Cardiff school raising awareness and encouraging reporting with approximately 400 pupils aged from 11 to 16.

Hate Crime awareness raising sessions have also been carried out with Cardiff Young People First; Headway and Riverside Youth Centre however evaluations not taken here due to informal nature of sessions.

Transport Issues

The EHRC's report clearly identifies issues in respect of disabled people's experience using public transport across Wales. We have also had similar feedback when working with disabled people. We recommend that the Welsh Government requires all train and bus network operators to carry out training with their staff to increase their understanding of what constitutes hate crime. This training should also enable them to report incidents that they have seen in their daily operations.

We also recognise that currently there is not a mechanism to report hate attacks by text service direct to the police or through agencies. We feel that many people may witness disability related harassment, or other forms of hate crime, as a passenger on a train or bus but be too frightened to call police thereby bringing attention to themselves. We feel the introduction of a textline enabling reporting of hate crimes would increase the number of reports in these circumstances.

We would also recommend that a poster campaign highlighting what is unacceptable behaviour, together with details of how to report hate incidents (including a text service), is implemented on all transport operators and at bus and train terminus.

Recommendations:

1. Reporting Centres – increase the number of inclusive reporting centres enabling all forms of hate crime and harassment to be reported
2. MARACs – develop all Wales strategic group to embed Multi Agency Risk Assessment Conferences processes for high risk cases, to include development of risk assessment tool for agency use.

Suggested membership of strategic group – police; housing; education; benefits/social services; safeguarding agencies; third sector organisations working with disabled people
3. Deliver training with frontline staff (housing officers; social services and benefits officers; adult and child protection officers; medical practitioners; transport staff) to raise awareness of hate crime and identification and support of vulnerable victims
4. Develop and deliver impactful media campaign across all public transport operators across Wales including the introduction of a text reporting service.

Mark Williams

Anti-Hate Crime Project Manager, Safer Wales

Communities, Equality and Local Government Committee

CELG(4)-03-11 : Paper 4

Welsh Local Government Association

Evidence to the National Assembly for Wales - Communities, Equality and Local Government Committee Inquiry – Disability Related Harassment

Introduction

1. The Welsh Local Government Association (WLGA) is the representative body of the 22 local authorities in Wales; the three national park authorities, the three fire and rescue authorities, and four police authorities are associate members. The WLGA seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.
2. The WLGA welcomes the opportunity to provide evidence to the National Assembly for Wales Communities, Equality and Local Government Committee; the WLGA also provided verbal evidence to the recent Inquiry into Disability Related Harassment undertaken by the Equality and Human Rights Commission.

General Comments

3. The WLGA welcomes the EHRC recent inquiry and report *Hidden in Plain Sight* and believes that the report will be instrumental in raising awareness of disability related harassment by highlighting the negative impact such harassment has on the daily lives of many disabled people and will be a useful guide for the actions public authorities, and others, should take to support victims, deal with perpetrators and reduce the level of such harassment that occurs within our communities.
4. Local authorities have an important role in both directly providing and commissioning services and co-ordinating partnerships that can prevent and respond to incidences of harassment and in helping to reduce its impact. This work is driven and delivered by a number of inter-linked strategies, policies and action plans that local authorities and partners have in place to tackle hate crime and reduce harassment, for

example, Disability Equality Schemes (or Single Equality Schemes), Community Cohesion Strategies and Community Safety Plans.

5. The WLGA accepts that more action can and needs to be done to advise and support those who experience disability related harassment; helping to increase their safety; challenge and take action against perpetrators; and in demonstrating leadership in encouraging others to deal with the issue more seriously and in influencing change on the prejudicial views held by some of disabled people more generally. These are all important actions that need to be taken to ensure disability related harassment is appropriately addressed. Local authorities, primarily through their approach to tackling hate crime, will have a range of policies and practices in place that enable such support and assistance to be provided to disabled people. They are committed to ensuring that victims of crime and harassment are supported and their negative experiences challenged, whether that be through formal criminal proceedings to 'advise' to suspected perpetrators or referrals to other agencies. However, in gathering evidence for the EHRC inquiry from local authorities, it was clear that further attention could be given to the specific issue of disability related harassment in the same way that targeted action has been taken to challenge both racist and homophobic harassment and abuse. Given the good work that has already been completed on these specific areas, there is much good practice that can be developed and built upon to ensure that disability related harassment is appropriately identified and actions taken to prevent further occurrences.
6. Since the publication of the report, WLGA officers have met with the EHRC to discuss the findings and recommendations of the inquiry and how we can work together to raise awareness within local government. As a starting point the EHRC will be addressing the Equality Officers Network and the All Wales Community Safety Forum over the next month or so. Further discussions are planned.

Specific Questions

How public authorities in Wales can improve their approaches to tackling disability related harassment, particularly those in housing, education, health and transport

7. The WLGA supports the recommendations in the EHRC Report and it is suggested that the following actions would help improve the responses from public authorities to the issue of disability related harassment and support on-going work:
 - Awareness raising among disabled people of the importance of reporting disability related harassment

- To achieve an increase in reporting to all relevant agencies through the development of multi-agency reporting and monitoring of incidents, including tension monitoring to identify any potential 'hot spots'
- Development or review of appropriate policies and procedures across all elements of an organisation's business to ensure that staff have clear guidelines on the actions that should be taken when incidents of disability related harassment are reported
- Clear partnership protocols or agreements on ensuring a co-ordinated approach is taken to serious incidents reported and vulnerable people supported
- Opportunities to review reported incidents/on-going cases, i.e. regular case conferences
- Promotion of positive images of disabled people
- Training for staff, particularly front line staff in housing, education, health and transport to raise their awareness and sensitivity to disability related harassment and to ensure they are aware of the steps required to be taken when receiving reported information, including referral mechanisms

The effectiveness of multi agency approaches, including information sharing and good practice guidance

8. Through Community Safety Partnerships or Community Cohesion Groups local authorities already work closely with a range of other partners in tackling anti-social behaviour and other crime, promoting community safety and reducing the fear of crime. Multi-agency approaches have been shown to be effective when tackling a range of issues such as racial or homophobic harassment and domestic abuse and it is clear that a multi agency approach to tackling disability related harassment will be the most effective way forward in ensuring all aspects of an incident can be dealt with, as well as the different impacts it may have on an individual. Again, there are areas where improvements are required, such as sharing information on reported incidents and developing a co-ordinated approach to dealing with serious incidents. While there are some barriers and challenges to overcome and improvements to be made there is a willingness among partners to work together to tackle shared concerns and the EHRC recommendations for Wales should assist in prioritising those areas for improvement.

The potential for public authorities to include actions to reduce disability related harassment in their Strategic Equality Plans

9. Public authorities in Wales are currently preparing their Strategic Equality Plans as required by Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011. Included in the SEPs will be equality objectives that will set out priority areas of work to be undertaken by the authority to eliminate unlawful discrimination,

harassment and victimisation, promote equality of opportunity and good relations. Equality objectives are to be developed following engagement with local communities, particularly those with a protected characteristic and an analysis of equality evidence. There is therefore potential for public authorities to include an objective or specify actions to be taken to address issues relating to disability related harassment in their SEPs, particularly if it is identified as a priority area for action through the feedback of their engagement activities. From our dialogue so far with local government a number of authorities are already considering hate crime as an equality objective to be developed further and the EHRC Report will help provide additional evidence in prioritising disability related harassment.

Examples of Local Authority Practice

10. There is a range of policies in place and actions being taken by local authorities to tackle hate crime, including disability related harassment. Below are some examples of on-going:
11. **Swansea City Council** has a hate and harassment incident reporting procedure <http://www.swansea.gov.uk/index.cfm?articleid=16928> which enables victims or witnesses to report any incidents to the Council using the HH11 form. Under reporting is an issue, especially in relation to disability hate crime (with no reports of disability hate incidents via the HH11 process in 2010/11) and the Council is keen to engage with the police on some awareness raising initiatives and to work more closely with Safer Wales.
12. In **Cardiff**, the key partnership is the Safer Capital Partnership. Safer Capital commissioned the Safer Wales "Report Hate" Project which operates across all equality strands; disability hate crime has been a growing focus within this area. Representatives of the Project attended the Cardiff Council Access Focus Group earlier this year to brief disabled people on their rights and opportunities to report disability-related harassment. They also sought their views on how to make the on-line reporting service more accessible to visually impaired, deaf and learning impaired people, and the Project has since taken steps to action the recommendations made.
13. In **Cardiff City Council** the Housing Service has procedures in place to tackle discriminatory, abusive or violent behaviour by Council tenants. For its employees, there is a Harassment Policy which has a zero tolerance approach to disability related hate crime.

14. **Carmarthenshire County Council** work in partnership with Dyfed Powys Police, the LHB and Mid and West Wales Fire and Rescue Service to co-ordinate and facilitate a county wide Equality Confidence Group. Membership of the ECG consists of a number of disability groups based within the county. ECG meetings are held on a quarterly basis and the main purpose of these meetings is to ensure under-represented groups within the community have access to the local authority officers and police and their partners and to provide a forum to discuss and resolve the needs and concerns of the community. Each meeting usually has a theme based on subjects requested by the group and presentations given to date include: victim support; hate crime; hate crime support officer scheme; mental health services; bullying and harassment in schools. One action from these presentations is that hate crime data is now provided quarterly at each ECG meeting.
15. In **Blaenau Gwent**, the Community Cohesion Group (a partnership involving the local authority, police, Victim Support, VALREC, YOT, Communities First, Health) commissioned research from VALREC in relation to hate crime. Of those interviewed as part of this research 49% of did not report an incident which was within the hate crime category. 23% of those interviewed had been victims of disability related crime. The Group recognised that there may be under reporting of the issue of disability related crime and harassment and VALREC are seeking further funding to employ an officer to look into this further.
16. Also in **Blaenau Gwent CBC**, where vulnerability is identified or suspected (whether from a victim or perpetrator perspective) when a complaint or request for service is made, a priority marker is allocated. Where vulnerability is identified, the authority makes appropriate referrals to services such as the Bobby Van Scheme and Care and Repair as a priority. For example, following a meeting with the Deaf Community, it was arranged for 12 homes to be visited to install home and fire safety equipment. Learning from key messages from the Pilkington Serious Case Review, when working with perpetrators of anti-social behaviour, the Council and partners have adopted a revised incident sheet. When perpetrators are now referred to other agencies, the victims profile includes any vulnerability identified, including disability, so that specific and appropriate support can be offered. The Council also has an Access for All Forum for Disabled Residents and The Executive agreed to be shadowed by Members of this Group to make Executive Members aware of the problems experienced by Disabled Persons when dealing with or visiting the Civic Centre.

Conclusion

17. It is clear from the evidence presented in the EHRC Report that disability related harassment is a common and in some case, a daily occurrence for many disabled people and although the frequency, seriousness and nature of incidents varies, too many people are suffering in silence by not reporting incidents. Even when incidents are reported, further support and action by public authorities is required to ensure disabled people receive the assistance they require to challenge and prevent incidents and most importantly, to feel and be safe. It is hoped that these findings and recommendations can help shine focus on this issue and provide an impetus for further work in this area and improvements in how disability related harassment is tackled and ultimately eliminated.

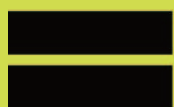
Naomi Alleyne
Director, Equalities and Social Justice
September 2011

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How fair is Wales?

Equality, human rights and good relations
March 2011



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Foreword

This Review brings together, for the first time, evidence to answer the question **How fair is Wales?**. It offers a new perspective on some persistent inequalities and it identifies some new challenges.

In October 2010 the Commission published its first Triennial Review, **How fair is Britain?**. This is the first of a series of reviews that will be presented to Parliament every three years. It provides independent evidence to measure progress towards equality, good relations and human rights. We recommend everyone takes a look - it contains a wealth of useful data.

How fair is Wales? sets the Triennial Review in a Wales context. It is not a blueprint for change. It sets out evidence to help everyone focus limited resources where these will have most positive impact. Whether your interest is in housing, social care or educational attainment, using this evidence to look at the issue through the equality lens will bring new insights.

We are providing a baseline for measuring whether the decisions we take now help us to move towards a fairer society. In future years individuals and organisations will be able to see clearly where progress has been made and where more needs to be done.

Every person in Wales should have the opportunity to flourish, realise their full potential and be happy. We hope **How fair is Wales?** generates a far-reaching debate about the best way to achieve this. Our aim is that it assists in identifying the levers for change and encourages partnerships that become the catalysts for change.

We look forward to working with you to ensure everyone's needs are taken into account in building our future.



Ann Beynon, Commissioner for Wales

Kate Bennett, National Director for Wales

Part one: An agenda for fairness

The evidence in Part three paints a powerful picture of a Wales with deeply entrenched inequalities. Whether looking at people's health, their earnings, their qualifications, their risk of being a victim of crime or their ability to make their views heard, it is clear that advantage, power and resources are not distributed evenly.

The uneven distribution of advantage in life is not random. Even with gaps in evidence in some areas, what we see through the mass of statistics are clear patterns in which some groups of people consistently secure a larger share of wealth, well-being and influence than others. Some groups are not even able to secure the basic necessities of life that others take for granted.

The inequality which dominates the landscape is socio-economic, not least because of the scale of its impact, the breadth of its influence and the depth of the inequalities created. Across the board, people from lower socio-economic groups do not, on average, enjoy the same quality of life as people from higher socio-economic groups, whether it is lower life expectancy, lower educational attainment, or lower incomes and wealth. Moreover, inequalities are proving very enduring, with many worsening in recent years despite government efforts to reduce them.

The sheer scale and challenge presented by socio-economic inequality in Wales should not, however, obscure other inequalities that exist alongside and which are interwoven with socio-economic disadvantage.

Gender inequality remains despite many changes in gender roles, with women disadvantaged in key areas of employment and income. But there are other important aspects of gender inequality too, notably in various measures of life and health in which outcomes for men are poorer than for women. Inequality associated with disability is striking, affecting employment, education and earnings. Ethnicity is complex: although on the whole ethnic minority groups have less favourable outcomes on key measures of well-being, there are marked differences within non-white groups with socio-economic difference being an important and additional factor here also.

Age, too, presents a complex picture: whilst being young brings with it lower pay and a higher risk of being a victim of violent crime, being older has risks for some of lack of employment, ill health and lack of dignity in care.

Gaps in the evidence mean relatively little is known about inequality faced by people of different religious faiths or lesbian, gay, bisexual and transgender people, and also about Gypsy Travellers, refugees and asylum seekers. The lack of evidence and the small size of the groups concerned does not mean, of course, that there are no inequalities to be addressed. What evidence there is suggests many of these groups face inequality and discrimination, for example higher rates of bullying and harassment.

The co-existence of socio-economic inequalities alongside those associated with gender, age, race, disability, religion, sexual orientation and transgender status means that efforts to reduce socio-economic inequalities need to take account of other aspects of inequality – and vice versa. It is not sufficient to focus on lower socio-economic groups without recognising that the position of women and men, white and ethnic minority, and disabled and non-disabled people may be very different within them. Similarly, it is not sufficient to focus solely on protected groups, irrespective of their socio-economic circumstances.

So, not only must efforts to tackle socio-economic inequalities be at the centre of Welsh Assembly and UK government policies, they must be effectively integrated with efforts to promote equality between those protected groups and the rest of society.

This is no small challenge, but it is one that must be met if people in Wales are to achieve their full potential, irrespective of their background and personal characteristics.

Here we highlight the specific challenges that face Wales over the next five years. In doing so we set an ‘agenda for fairness’ for Wales.

Life and health

Reduce health inequalities between socio-economic groups - especially those affecting older and younger men.

The socio-economic inequalities in life prospects and health are stark. There are significant differences in life expectancy and in the prevalence of limiting long-term illness, disability and poor health between socio-economic groups.

In terms of life expectancy, socio-economic inequalities combine with gender inequalities to result in particularly poor outcomes for men from working class backgrounds in Wales. Not only is life expectancy in Wales shorter than in England, a man in Wales has a life expectancy four years less than a woman and a man from a disadvantaged area has a shorter life expectancy than a man from the most prosperous parts of Wales.

To this must be added the higher risks of death from suicide and accident for those from lower socio-economic groups, with young men being at particular risk.

In terms of ill health, socio-economic group combines with age to produce poor outcomes for older people from working class backgrounds and in disadvantaged areas. This is such that in parts of Wales more than half the population over the age of 55 is disabled. Given the forecast of significant increases in the number of older people in Wales, the health status of this group is a major issue.

Tackling inequalities in health arising from socio-economic group has been a priority in Welsh Assembly Government policies, although not previously in conjunction with gender and age. Alongside the overall aim of improving the health of the people of Wales, addressing these inequalities would improve individuals' lives and reduce costs to the public purse in terms of lost productivity and calls on NHS services.

Education and skills

Close the gap in attainment between different socio-economic groups - including that of boys, black, Bangladeshi and Pakistani pupils and disabled children.

Reduce the incidence of young people who are not in education, employment or training.

In education, as in health, the weight of evidence points to socio-economic group as one of sharpest divides in Welsh society.

From early years through to adulthood, people from lower groups on average have poorer educational outcomes than those from higher groups. This is not only marked in educational attainment and participation across the age spectrum, it is also apparent in related issues such as exclusion from school and being not in education, employment or training (NEET).

But although the most significant inequality affecting the largest number of people is socio-economic, it should not mask the impact of other inequalities. Three other aspects of inequality stand out.

First, the lower attainment of boys compared with girls. This is clear from school years through to adulthood, and is reflected in measures such as exclusions from school and likelihood of being NEET. Efforts to improve the educational attainment of boys need, therefore, to be an integral part of efforts to improve the attainment of lower socio-economic groups.

Second, differences between ethnic groups. Here, it is clear that the differences are much more complex than simply a distinction between white and non-white groups. Chinese and Indian children on average perform better than children from white groups at age 16, while black, Pakistani and Bangladeshi pupils on average do worse.

Third, are inequalities associated with disability. Although the evidence uses many different definitions of disability, it is nevertheless clear that disabled children are more likely to be permanently excluded from school, have lower levels of attainment and are less likely to get higher education qualifications than non-disabled children. The poorer educational outcomes of disabled children contribute to their poorer prospects in the labour market in due course. Action to improve the educational outcomes for disabled children and young people is needed.

Much more should be done to reduce socio-economic disadvantage. The needs of boys and girls, black and other ethnic minority pupils, as well as disabled learners, need to be integral to that action.

Developing skills will open up better employment and earnings opportunities for individuals and will be an essential part of Wales's future economic success.

Employment

Increase employment rates for all people, especially disabled people and older people.

Close gender, ethnic and disability pay gaps faster and further

So far, the inequalities in Wales are broadly the same as those facing the UK as a whole. However, they diverge on the question of employment.

One of the most striking inequalities is not just amongst people who already have a job but between those who are employed and those who are not. The overall rate of employment in Wales is considerably lower than in Britain as a whole, particularly for men. However, much of this is attributable to the exceptionally low employment rates of disabled people and older people in Wales. Non-disabled people and people in mid-working life in Wales have virtually the same employment rate as the British average.

With the globalization of the economy and the prospect of continued economic stagnation, improving employment rates will be a tough but necessary challenge.

Amongst those who are in employment, pay gaps are one of the most significant areas of inequality. Overall, median wages in Wales are lower than the British average, the effect of which is to narrow the pay gaps between women's and men's earnings, and between disabled people's and non-disabled people's earnings. But although the gap is narrowed, it is not eradicated. The hourly wages of full-time women workers, disabled workers and Pakistani and Bangladeshi workers, are less than men's and non-disabled people's wages. This remains a deep-seated inequality.

The future changes in public sector employment (where so many women in Wales work) are likely to exacerbate the gaps because of severe financial pressures and wage restraint.

A lifetime of low income may mean poverty in old age. At the same time as tackling low pay, it should be a priority to close the current pay gaps.

Legal and physical security

Reduce the incidence of domestic and sexual violence and reduce homophobic, transphobic, disability-related and religiously motivated bullying and hate crime.

Although the evidence on legal and physical security is limited by the relative absence of data, two key issues stand out.

First, the incidence and fear of violent crime. Young men and ethnic minority groups have the greatest risk of being a victim of violent crime in general, with women being by far at the greatest risk of sexual violence (including rape) and of domestic abuse. Women, disabled people, older people, ethnic minority groups and people from lower socio-economic groups are most likely to fear violent crime.

Domestic abuse results in the death of two women every week, devastates families and costs the UK economy an estimated £6bn a year. Reducing domestic abuse, sexual violence and hate crime is complex and can be resource-intensive. As public spending reductions take effect it is vital that the progress made to date continues.

Second, the question of lack of confidence in the justice system and the police. The low levels of confidence in the police in Wales (as in Britain as a whole) is striking. The police cannot effectively enforce the criminal justice system without public confidence in its work. Yet barely half the population of Wales believe that the criminal justice system is fair, with disabled people, ethnic minority groups, Gypsy Travellers, asylum seekers and transgender people all having even lower levels of confidence than the general public.

Low levels of confidence lead to significant under-reporting of hate crime and often justice is not achieved. Preventing hate crime is an essential step in building good relations between groups in society. Where hate crime occurs, increasing reporting rates is an urgent task.

Power and voice

Increase participation of protected groups in decision-making and make Wales's public, private and third sector bodies representative of the people they serve.

The National Assembly for Wales came into being in 1999 committed to supporting people's voices in decision-making. Yet the evidence, patchy though it is, suggests that those from protected groups are yet to fully participate in decision making or to exert the same power and influence that some groups have enjoyed for decades.

Next steps

The next five years in Wales will bring many complex challenges to the Welsh Assembly Government. Making progress on the challenges we have identified will make a powerful contribution to individuals' lives, to their families and to the Welsh economy.

In responding to severe pressure on public finances and to rapid shifts in Wales's communities, there must be a strong commitment to building a Wales that is fair as well as prosperous and sustainable. Fairness and equality are not optional extras, to be added in the good times and dropped in the bad, but fundamental requirements of a decent quality of life for all.

Part two: Context

Introduction

In many ways Wales in the 21st century is very different to thirty years ago. It is now the norm for women to have paid employment and there are now women, albeit not many, in top jobs. Wales has its first ethnic minority Assembly Member, and South Wales Police has appointed its first ethnic minority senior officer. Some Welsh politicians and sports people have ‘come out’ and more than 1,200 civil partnerships have been formed since 2005.

But in other ways Wales remains very similar. Women still bear the brunt of domestic responsibilities and are more likely to work part-time and earn less than men. People from ethnic minority groups, disabled people, lesbian, gay and bisexual people and transgender people are all at risk from hate crime and bullying. And people from lower socio-economic groups have significantly poorer life chances than people from higher socio-economic groups.

This Review of equality in Wales follows the review undertaken for Britain as a whole.¹ It identifies the key aspects of equality, using the Commission’s Equality Measurement Framework and data specific to Wales, and spells out an agenda for action. Whilst the Welsh Assembly Government and Welsh public bodies do not hold all the levers for effecting change, the increasingly distinctive Welsh equality agenda and legal powers provide an opportunity for change.

¹ Equality and Human Rights Commission (EHRC) (2010) How Fair is Britain?

The legal landscape

Equality in Wales is governed, as in Britain as a whole, by a substantial body of law which has over the years included more and more subject areas and additional groups of people. The Equality Act 2010 marks a turning point, by putting all ‘protected characteristics’ of age, disability, gender reassignment, race, religion or belief, gender, sexual orientation, pregnancy and maternity, and marriage and civil partnership on generally the same footing. As well as allowing individuals to bring a discrimination claim, it puts public sector organisations under a duty to ensure equality.

Wales has, in addition, developed its own equality agenda through implementation of aspects of British law and through legislation and policy specific to Wales. The Equality Act gives Welsh Ministers the power to impose specific equality duties on Welsh public authorities. Proposed regulations² include requiring public authorities to publish a Strategic Equality Plan containing ‘equality objectives’, proposals to meet the objectives and their engagement with people with protected characteristics. Consideration must be given to whether closing pay gaps should be an equality objective. These show a markedly different approach in both ethos and detail than in England.³

In terms of specific legislation, the Government of Wales Acts of 1998 and 2006 require Welsh Ministers to have ‘due regard to the principle that there should be equality of opportunity for all people’. This requirement has underpinned a strong commitment to equality and human rights in numerous policies such as those on children, older people and refugees and asylum seekers in which strategies and plans have been produced. Sometimes, specific funding has been allocated to deliver these programmes.

² Welsh Assembly Government (2010) Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011

³ Equalities Office (2010) Equality Act 2010: The public sector equality duty

The Government of Wales Act 2006 also gave the National Assembly for Wales the power to make its own law on certain subjects, including aspects of equality. These include:

- Education (Wales) Measure 2009 – gives children the right of appeal in respect of Special Educational Needs and Disability Discrimination in schools.
- Mental Health (Wales) Measure 2010 – includes increased access to advocacy services.
- Proposed Local Government Measure – includes a duty to gather data about candidates for election, rights for elected members' family absence and a duty to involve young people.
- Proposed Rights of Children and Young People measure – requires Ministers to have regard to the principles of the UN Convention on the Rights of the Child.
- Welsh Language Measure 2010 – gives equal status to the Welsh language and creates a Commissioner.

Changing population and public opinion

Changing population and society

The population of Wales has changed greatly in recent years and is more diverse than ever before.

Most striking is the increasing proportion of older people in the population: 18% were over the age of 65 in 2009, an increase of 9.1% since 1999. The numbers of older people are expected to rise further by 2023 as 190,000 more people reach 65.⁴

The prevalence of disability is also worth noting. Around a fifth of Wales's working age population was disabled in 2009, about one in ten being disabled because of mental illness.⁵ Wales has a higher proportion of older people and disabled people than Britain as a whole.

⁴ Welsh Assembly Government (2010) Wales's Population – a demographic overview 2010. Available at:

<http://wales.gov.uk/docs/statistics/2010/101027walespopulationen.pdf>

⁵ Welsh Assembly Government (2008) Prevalence of Disability in Wales, 2004-2007. SB 76/2008. Disability defined as DDA

Other changes involve much smaller numbers of people but are no less significant. Just under 3% of the population in Wales is from an ethnic minority group (about 36,000 people of Asian / Asian British origin and 23,700 of mixed race).⁶ There are about 2,000 Gypsy Travellers in Wales and 10,000 asylum seekers.⁷ About one in five (18.5%) of the population has no religious faith – amongst those who have a religion only 2.5% are not Christian.⁸

A small proportion of the Welsh population (1.7%) say they are gay, lesbian or bisexual (although there is likely to be significant under-declaration).⁹ The number of transgender people is unknown.

Welsh society has changed too. Families look very different to those of 50 years ago: fewer people are getting married than before, and more people live alone, with a partner or in 'complex' households. Women are delaying having children, have fewer children than in the past and many now do so outside marriage - more than half (56%) of all births in Wales in 2009 were to unmarried mothers.¹⁰

Many more women and fewer men work today than in the past and part-time working is now relatively common. Women have also made limited inroads into typically male jobs (and vice versa) and the gender pay gap has narrowed though not closed.

⁶ Welsh Assembly Government (2010) Population Estimates by Ethnic Group, 2001-2007, Statistical Bulletin 4/2010

⁷ Winckler, V. ed. (2009) Equality Issues in Wales – a Research Review. Equality and Human Rights Commission

⁸ Lee, R. (2007) 'A Social Audit of the Muslim Community in Wales'. *Statistical Article*. Cardiff: Welsh Assembly Government. Available at: <http://new.wales.gov.uk/docrepos/40382/40382313/statistics/other/sa10a.pdf?lang=en>

⁹ StatsWales Table 025006 Integrated Household Survey – Sexual Identity by Local Authority. Downloaded on 7th January 2011.

¹⁰ Welsh Assembly Government (2010) Births and Infant Mortality Statistics, 2008. SB 18/2010

Social relationships are also changing: the increase in car ownership means personal mobility is dramatically higher than in the past, whilst internet access and use has increased greatly. Nevertheless, the vast majority (85%) of people feel like they belong to their neighbourhood and four out of ten participate in a social or cultural organisation.¹¹

Use of the Welsh language has changed too – over a fifth of the population say they can speak Welsh (58% of them fluently), a slight increase after more than a century of decline. In Gwynedd and Anglesey more than half the population speaks Welsh¹² and over three quarters of the speakers state that they are fluent.¹³

For all these changes, deep seated inequalities in Wales remain, with the gap between the most and least well-off remaining virtually the same over the last ten years.

The richest tenth of the population has about 25% of Wales's income whereas the poorest tenth has just 1.5%. This socio-economic inequality permeates all areas of Welsh society.

Changing attitudes and opinions

People in Wales, like in Britain as a whole, have become more tolerant of people from different backgrounds in many ways. More than half the population (58.3%) thinks it is better for the country if there is a variety of different cultures.¹⁴

Surveys suggest that most people in Wales, as in Britain, are comfortable with people from other racial groups. More than three quarters would have no objection if a close relative married someone from a different ethnic background,¹⁵ and only one in ten would think it was acceptable to turn away someone from a bed and breakfast because of their race. Most people are positive towards people with different religions, with only 8% feeling unhappy about a close relative marrying someone with a different religion.

¹¹ Welsh Assembly Government (2009) Living in Wales Survey, 2008

¹² 2001 Census of Population

¹³ Welsh Language Board (2008) The Welsh Language Use Surveys of 2004-06

¹⁴ Welsh Assembly Government (2008) Living in Wales Survey 2007, Table 1

¹⁵ *ibid*

Attitudes to men and women's roles in Wales are, as in the Triennial Review for Britain, mostly positive. Nine out of ten people think fathers should be just as able to take time off to care for sick children as mothers. Almost half think women are treated unfairly at work and just over half support additional training and qualifications for women.¹⁶

But it is not all good news. Attitudes to disabled people are complex: about two-thirds of disabled people feel that there is some discrimination against them as a group, and a third of all people feel that disabled people are not treated fairly.¹⁷ Attitudes are especially negative towards people with mental health conditions: four out of ten people think someone who experiences depression is not suitable to be a teacher, while 37% would be unhappy about a close relative marrying someone with a mental health condition.¹⁸

Age is an issue too: many feel older people do not respect younger people, while two-thirds of younger people do not feel that they are listened to.¹⁹ Attitudes to Gypsy Travellers are generally negative: 63% of people think Gypsy Travellers are unsuitable to be teachers and 38% would be unhappy about a close relative marrying a Gypsy Traveller.²⁰ Nearly two-thirds of people strongly disagree that they would have no objection to a Gypsy Traveller site being near their home.²¹ Asylum seekers are also not well-regarded: 37% would be unhappy about a close relative marrying an asylum seeker.²²

¹⁶ EHRC Wales (2009) Who do you see?

¹⁷ Welsh Assembly Government (2009) Living in Wales Survey 2008

¹⁸ EHRC Wales (2009) Who do you see?

¹⁹ *ibid*

²⁰ *ibid*

²¹ Welsh Assembly Government (2008) *op. cit.*

²² EHRC Wales (2009) Who do you see?

While there has undoubtedly been progress on attitudes towards lesbian, gay and bisexual people in Wales, there is still prejudice. People in Wales are amongst the least likely in the UK to agree that anti-gay prejudice should be tackled,²³ a fifth (22%) think a lesbian or gay person is unsuitable to be a teacher, 17% think it is acceptable for a bed and breakfast establishment to turn down a booking from a lesbian or gay couple, and more than a quarter (26%) would be unhappy about a close relative marrying or forming a long term partnership with someone of the same sex.²⁴

Many people in Wales are uncomfortable about transgender people. Only a third of adults say that they would be happy for a relative to have a long-term relationship with a transgender person and nearly half think a transgender person is unsuitable to be a teacher.

²³ Stonewall (2007) *Living Together: Britain attitudes to lesbian and gay people*. London: Stonewall

²⁴ EHRC Wales (2009) *Who do you see?*

Experiences of discrimination

Many people report that they experience discrimination, harassment and abuse. About 10% of the population as a whole has experienced an incident of discrimination, harassment or victimisation in the last five years.²⁵

Some groups, such as young people, disabled people,²⁶ lesbian, gay and bisexual people,²⁷ refugees and asylum seekers,^{28 29} transgender people,³⁰ people with mental health conditions³¹ and older people³² report very much higher levels of discrimination and harassment – up to a third of all disabled 16-39 year olds said they had been the victim of discrimination or harassment.

Wales in the world

Wales along with the rest of Britain faces major changes in coming years which will affect the overall structure of the economy and society, as well as affecting different groups in society in different ways.³³

The Triennial Review for Britain identified three major factors that will affect the relative position of different groups of people – the global economy and recession, reductions in public spending and reform of public services, and long-term demographic change particularly increased longevity and migration. These bring major challenges to efforts to reduce inequality, including the risk of new areas of inequality emerging, as well as opportunities to bring about a more equal society.

²⁵ Welsh Assembly Government (2009) Living in Wales Survey, 2008 p67

²⁶ Welsh Assembly Government (2009) Living in Wales Survey, 2008 Chart 9.1

²⁷ Williams, M. and Robinson, A.L. 2007. *Counted In! The All Wales Survey of Lesbian, Gay and Bisexual People*. London: Stonewall.

²⁸ Crawley, H. (2009) Refugees Living in Wales - A survey of skills, experiences and barriers to inclusion. Cardiff: Welsh Assembly Government

²⁹ EHRC Wales (2010) Not just another statistic

³⁰ EHRC Wales (2010) Not just another statistic

³¹ EHRC Wales (2010) Not just another statistic

³² Parry, O., Warren, E., Carnwell, R. and Baker, S. (2009) Voices of Older People in Wales - a qualitative study of health and wellbeing among the over 50s

³³ All data in this section is from the Annual Population Survey accessed via NOMIS unless otherwise stated.

Globalisation and recession

The global recession which began in 2008 exacerbated Wales's already weak economic position. The downward trend in manufacturing employment accelerated as about 45,000 jobs were lost in just two years from major employers such as Bosch, Hoover and Hotpoint at the same time as public and private services were squeezed. Young people aged 16-24 and men experienced the proportionately greatest decrease in employment.

Mirroring the jobs lost, unemployment in Wales increased by 45% (36,000 people) to 7.7% between 2008 and 2010 and again, young people aged 16-24 and men of all ages experienced by far the largest increase in the numbers unemployed, as did unemployment amongst ethnic minority males which almost doubled over the same time. By June 2010 more than quarter of young men in Wales were out of work.

High levels of unemployment in Wales sit alongside already high levels of economic inactivity, mainly associated with sickness and disability, giving Wales the unenviable record of having the lowest employment rate of countries in Britain for all age groups, both sexes and disabled and non-disabled people. Only the employment rate for ethnic minority groups is above that of other nations.

It is imperative that full account is taken of the diversity of Wales's workforce in tackling Wales's economic problems, not least because nearly half the workforce is female, more than a quarter is over 50 years old and one in seven is disabled. Wales's ethnic minority, female, disabled and older people have a wealth of talent and experience to offer in employment.

Public service reform

Over the next four years public spending faces unprecedented pressure. UK government departmental budgets will be reduced by an average of 19% by 2014-15, although there is considerable variation around this figure.³⁴ The Welsh Assembly Government's budget will be reduced by 7.5%, a larger reduction than Scotland or Northern Ireland.³⁵ The effect of this pressure could take several forms.

First, loss of jobs: one estimate is that 52,000 jobs could be lost – 4.3% of all employment in Wales – through the combined effect of reductions in the public sector workforce, in public contracts and the multiplier effect on the local economy.³⁶ Many forecast that the concentration of women workers in the public sector means they will be particularly affected by job losses.

Second, changes in income: although it is difficult to assess the impact of the proposed Universal Credit, and changes to Housing and Council Tax Benefit, those who claim some form of out-of-work benefit, Working or Child Tax Credit, Housing Benefit, Disability Living Allowance and Council Tax Benefit will see major changes to their incomes. There are clear equality issues here as those receiving means-tested benefits are, by definition, on relatively low incomes, with disabled people and those over the age of 55 being disproportionately reliant on benefits.

Third, changes in public services as a consequence of public spending reductions. At this stage it is not clear how services will change, but with people on low incomes, disabled people, older people and women relying most on public services there is a considerable risk they will be adversely affected by changes.

³⁴ HM Treasury (2010) Spending Review 2010. Cm 7942.

³⁵ Welsh Assembly Government (2010) Draft Budget 2011/12.

³⁶ PWC (2010) UK Economic Outlook November 2010, Table 2.1.1.

Demographic changes

The population of Wales is likely to change in coming years through a mixture of increased longevity and migration.

The number of people in Wales is projected to cross the 3 million mark in 2009-2010 and grow to 3.2 million by 2023. A combination of a longer life expectancy and fewer children being born will see the proportion of people aged 65 and over rise by more than a third so that by 2023 this age group will account for nearly a quarter of the total population.³⁷ The largest percentage increases are forecast to be amongst the oldest age groups: by 2031 it is estimated that 9% of the Welsh population will be aged 75-84 and 4.7% will be aged 85 and over.³⁸

Wales's ageing population is a testament to healthier lifestyles and better health care. It also raises the challenges of:

- providing an adequate income through pensions and other sources;
- fewer workers in the economy to support people who are not working;
- providing suitable housing and other services to enable people to live independently for as long as possible;
- providing appropriate care services and support for carers.

Only about a third of the forecast increase in Wales's population between 2008 and 2023 is attributable to 'natural change' i.e. a greater number of births than deaths. The rest of the growth is estimated to come from migration into Wales.³⁹ Wales has a long history of attracting people from other countries. Today, by far the greatest 'inflow' of people is from England, with just 7,800 people moving to Wales from overseas. In-migration is offset by out-migration, with the rest of the UK being by far the main destination for those moving away, with on average 7,700 leaving for overseas destinations.

³⁷ Welsh Assembly Government (2010) Wales's Population - A Demographic Overview 2010.

³⁸ Welsh Assembly Government (2009) Population Aged 50 and Over in Wales, 1991 to 2031, SB 31/2009

³⁹ Welsh Assembly Government (2010) Wales's Population - A Demographic Overview 2010.

The largest numbers of both in- and out-migration are aged 16-24 and 25-44, although the biggest net increase in population from in-migration is amongst those aged 45-64.⁴⁰

In-migration, whether from England or overseas, can be highly contentious and raises particular issues in Wales associated with Welsh language and culture. Whilst the focus at UK-level is on capping immigration, the focus in Wales has been on integration and community cohesion, whilst protecting the rights of all groups of people. This will continue to be a challenge in the future.

The changes in the economy, population and public spending and services outlined above are major upheavals, whose potential to transform Wales's society should not be underestimated. In the midst of change, the temptation may be to focus on the challenges without recognising that they may affect different groups of people unequally and unfairly.

The rest of this Review for Wales provides an evidence base to help government, business, voluntary organisations and others in society to take stock and identify where limited resources should be deployed to tackle the key inequalities and challenges.

⁴⁰ *ibid*

Part three: The evidence

This section looks at the evidence on equality in Wales today and uses the same indicators as **How fair is Britain?**. The indicators are derived from the Equalities Measurement Framework, which identifies different areas of life that affect people's opportunities and outcomes. These are:

- life
- legal and physical security
- health
- education
- employment
- standard of living
- care and support
- power and voice

A set of 40 indicators has been developed to measure equality within these 'domains', a full list of which is in the Triennial Review for Britain. The indicators cover a mix of inequality in **outcomes**, i.e. what different groups of people in Wales achieve, and inequality in **processes**, i.e. differences in the way that people are treated.

Data gaps

The rest of this section systematically presents the evidence on equality in Wales measured against these 40 indicators. Unfortunately, there is an immediate difficulty in doing so because of gaps in the available data.

There are three types of gap. The first is where although there is data for the Welsh population as a whole comparable with that used for Britain, the data for protected groups in Wales is either non-existent or is unreliable due to small sample sizes. However data for protected groups does exist for Britain as a whole.

The second type of gap relates to groups for whom there is little or no data at all, either in Wales or across Britain, or where what is available is unreliable. This applies to sexual orientation and transgender status, for example. It also applies to sub-groups of people – for example there is very little data on people with different impairments, Gypsy Travellers or asylum seekers and refugees.

The final type of gap relates to indicators where there is no data at all for any group in Wales, simply because it is not collected. One such example is the early years' indicator, where there is no data for Wales on development at age 5, or the characteristics of voters or politicians.

The approach taken in dealing with these gaps is therefore as follows:

- Where data for Wales is cited in the Triennial Review for Britain it is quoted and if necessary updated.
- Where data for Wales is not cited in the Triennial Review for Britain but is available from other published sources it is included.
- Where there is no data specific to Wales, data for England and Wales combined or for Britain as a whole is used. This is particularly the case for analysis by ethnicity as the ethnic minority population of Wales is relatively small.
- Where there are no robust data available or noteworthy findings for Wales or for anywhere else in Britain, the group in question is not discussed at all. Unfortunately, this occurs frequently in respect of religion, sexual orientation and transgender status. The gaps are not highlighted in the text to avoid repetition.

For the most part, the analysis of each indicator looks first at the overall position in Wales, and its comparison with England or Britain. If there are notable differences within Wales they are also highlighted. Each indicator then includes consideration, where robust data is available, of socio-economic group, gender, age, disability and race, followed by religion, sexual orientation and transgender status.

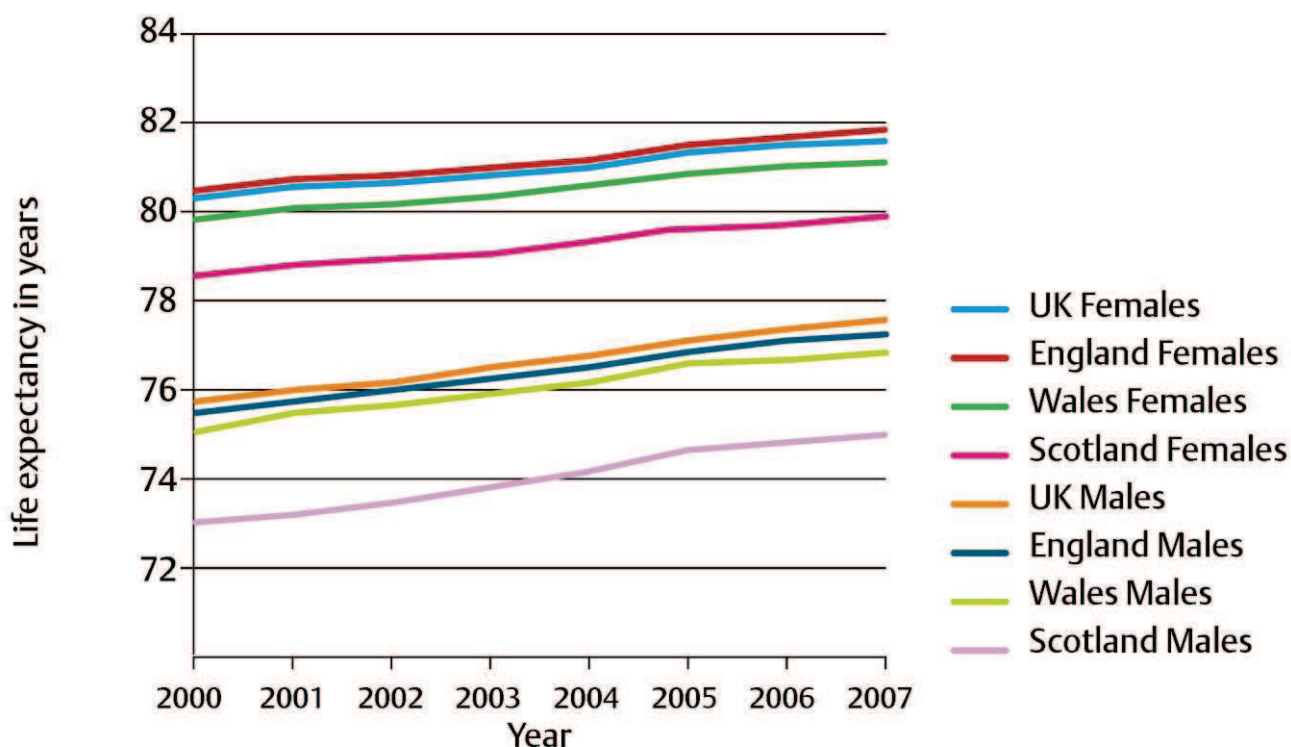
Life

Key points

- There remain significant differences between the life expectancies of different groups in modern Wales, some of which are linked to the cumulative impact of inequalities experienced by different groups.
- People from lower socio-economic groups have a poorer outlook with shorter life expectancy and higher premature death rates than those from higher groups.
- On every measure, men also have a poorer outlook.
- Some groups may be particularly susceptible to certain types of risks. Infants and young adults are the most likely of any age group to be the victims of murder or homicide.
- Lesbian, gay and bisexual (LGB) and transgender people may be more likely than average to attempt suicide or to commit acts of self-harm.

Life expectancy

Period expectation of life at birth (years) in the UK, England, Wales and Scotland, 2000-07



Source: ONS Interim Life Tables.

Life expectancy has risen enormously in Wales as in the rest of the UK in recent decades. While these rises have been universal, they have not been uniform.

Life expectancy in Wales is, on average, lower than in England – a gap of a year for both men and women in 2007. The gap between Wales and England remained constant between 2000 and 2007.⁴¹

Within Wales, there are marked geographical inequalities. Many of the local authorities with the lowest life expectancies in 2007-09 for both genders were generally situated in the South Wales valleys, with Merthyr Tydfil, Blaenau Gwent and Rhondda Cynon Taf having the lowest of all. People in the areas with the highest life expectancy can expect to live 5.8 years longer than those with the lowest life expectancy if they are men and 5 years more if they are women.

Across England and Wales as a whole, life expectancy for people from unskilled backgrounds was seven years lower than for people from professional backgrounds. This is true for men and women. The interaction between gender and socio-economic group means that a woman from social class 1 (professional) can expect to live 12.4 years longer than a man from social class 6 (unskilled).⁴²

Women in Wales, as in England, on average live four years longer than males - 81 years compared with 77 in 2007. The figures for England are 82 and 78 respectively.

The limited evidence that exists on disabled people and ethnic minority groups for Britain suggests they have lower life expectancy than non-disabled and white groups of people.

Mortal illness

Circulatory diseases (which include heart disease and stroke) and cancer are the principle causes of death in Wales, as in Britain as a whole. Both have declined markedly in the last twenty years, but their prevalence varies between groups.⁴³

⁴¹ EHRC (2010) How Fair is Britain?, page 75

⁴² EHRC (2010) How Fair is Britain?, page 76

⁴³ Chief Medical Officer for Wales (2010) Annual Report.

The rates of premature death from circulatory disease are similar in Wales and the UK, but within Wales rates are very much higher in the most deprived areas than in the least deprived areas, with the differences being especially marked for men.⁴⁴

Premature death rates in Wales are substantially higher for men than women (at 64 per 100,000 for men and 26 per 100,000 for women).⁴⁵

Cancer accounted for 26,000 deaths in Wales between 2006 and 2008, around a quarter of those dying being under the age of 65. The rate of premature death from cancer has declined over the last 20 years for both sexes, although the rate for women has been static for the last three and is now slightly higher than men's. Lower socio-economic groups have higher rates of premature death due to cancer, especially amongst men, although the geographic patterns are unclear.⁴⁶

Suicide

Suicide rates have come down across Wales in recent years, and are now close to the UK average although nevertheless higher than in England.

Within Wales, there are marked differences by deprivation of the area. The suicide rate for men in the fifth most deprived areas in Wales is 40% higher than in areas of average deprivation and 80% higher than the least deprived fifth of areas. The difference for women is much less marked.⁴⁷

In Wales, the rate of suicide is much higher for men than for women: 17.4 per 100,000 men and 4.3 per 100,000 women in 2009.⁴⁸ The risk of suicide is much higher among younger age groups than older ages, although rates have fallen sharply in recent years. Nevertheless, in 2009 the rate for males aged 15-44 was, at 18.8 per 100,000, more than four times the rate of women of the same age (4.1 per 100,000).

The Triennial Review for Britain reports on some research into higher risks of suicide and attempted suicide among LGB people. Research suggests it is directly linked to sexual orientation.

⁴⁴ Chief Medical Officer for Wales (2010) Annual Report, p.74

⁴⁵ Chief Medical Officer for Wales (2010) Annual Report, p.74

⁴⁶ Chief Medical Officer for Wales (2010) Annual Report, p.76

⁴⁷ Chief Medical Officer for Wales (2010) op. cit.

⁴⁸ Office for National Statistics (2011) Suicide Rates in the United Kingdom, 2000-2009, <http://www.statistics.gov.uk/pdfdir/sui0111.pdf> Accessed 07/02/2011

Some evidence from a small survey of transgender people reported that 34% of respondents had attempted suicide at least once⁴⁹.

Accidental death

The risk of accidental death has come down significantly across Wales in the last few decades,⁵⁰ to 19.5 accidental deaths per 100,000 people in 2008. Within Wales, the rate of accidental death is highest in the most disadvantaged areas.⁵¹

The rate of accidental death is about twice as high amongst men as amongst women (around 30 compared to around 15 per 100,000).

The Triennial Review for Britain concludes that the risks of accidental death are highest for those aged 75 and over, at around 1,070 per 100,000 men and women.⁵²

Homicide

In 2008/09, there were 34 homicides in Wales, a rate of 11.4 per million population. The number varies substantially from year to year, from 22 in 2005/06 to 43 in 2007/08. It is, though, very close to the English average.⁵³

In England and Wales as a whole, 71% of homicide victims were male.⁵⁴ However, women are more likely than men to be killed by partners, ex-partners, or family members: in 2008/09, partner violence (including by ex-partners) accounted for 53% of female and 7% of male homicides in England and Wales.

Children under the age of 1 are more likely to die as a result of homicide than any other age group in England and Wales: one child aged under 16 died as a result of cruelty or violence each week in England and Wales in 2008/09 – two-thirds of them aged under five. However, in 2008/09, the rate had fallen to half that of a decade earlier (a rate of around 30 homicides per million). The age group with the next highest risk are 15-29 year olds, where the risk is 20 per million.

⁴⁹ EHRC (2010) *How Fair is Britain?*, page 95

⁵⁰ EHRC (2010) *How Fair is Britain?*, page 97

⁵¹ Chief Medical Officer for Wales (2010) *op. cit.*

⁵² EHRC (2010) *How Fair is Britain?*, page 97

⁵³ Home Office Statistical Bulletin, *Homicides, Firearm Offences and Intimate Violence 2008/09 Supplementary Volume 2 to Crime in England and Wales 2008/09*

⁵⁴ EHRC (2010) *How Fair is Britain?*, page 103

Ethnic minority people were the victims of around a quarter of homicides recorded (where the ethnic identity of the victim is known) in England and Wales between 2006/07 and 2008/09: just over half of these ethnic minority victims were black. This suggests a higher risk of homicide for people from ethnic minority people as they make up less than 10% of the population.

Over 70 homicides that occurred in England and Wales between 2007/08 and 2009/10 were charged as resulting from racially or religiously aggravated, transphobic, homophobic, or disability-related hate crimes.

Deaths in institutions

In England and Wales in 2008/09, there were 92 deaths during or following contact with the police, compared to a peak of 120 in 2005/06. Men constitute the majority of deaths during or following contact with the police: 74 of 92 such deaths in 2008/09 were men.

Deaths do not appear to be concentrated among any particular age group: 12% of deaths following contact with police were of under 18s and a similar proportion was of over 50s.

Just over half of those who die following contact with the police had prior indications of mental health conditions, a greater proportion than those with mental health conditions in the general population. Around 10% of people who died are black, compared to only 2% of the overall population.

Legal and physical security

Key points

- Most people feel that the criminal justice system is fair. However some groups have lower levels of confidence in and satisfaction with the police, in particular LGBT people and people from ethnic minorities.
- Across England and Wales, people from ethnic minorities, and black people in particular, are far more likely to be stopped and searched by police than white people.
- Violent crime has fallen significantly in the last fifteen years although black people, and black men in particular, are at highest risk of homicide.
- The risk of victimisation is different between men and women. Young men in general are at a higher risk of becoming victims of violent crime than older men or women. Women are much more likely than men to be victims of domestic abuse from a partner or family member, and, along with children, are far more likely to be victims of rape.
- Wales does not have prison capacity for all those sentenced to imprisonment. There are only 50 spaces for juvenile offenders and no spaces at all for women prisoners. This results in people being placed in prisons far away from family and friends.

Equal treatment by the justice system

Police forces in Wales carried out more than 42,000 stops and searches in 2008/09, resulting in 4,900 arrests. The number of stops and searches per 100,000 people by South Wales, North Wales and Gwent Police Forces were proportionately below the England and Wales average whilst those by Dyfed-Powys Police Force were in the average group.⁵⁵ Overall a slightly lower proportion of people in Wales than in England think the criminal justice system is fair (56% compared with 59%).⁵⁶

⁵⁵ Povey, D., ed. (2010) Police Powers and Procedures, England and Wales 2008/09, Home Office Statistical Bulletin 06/10. Available at: <http://rds.homeoffice.gov.uk/rds/pdfs10/hosb0610.pdf>

⁵⁶ Home Office (2010) Crime in England and Wales 2008/09 Table 7.16

Young people with limiting long-term illness or disability are significantly less likely than those without to believe that the criminal justice system is fair, or that it meets the needs of victims.⁵⁷

People from ethnic minority backgrounds experience disproportionately high rates of stop and search by the police.⁵⁸ Across England and Wales as a whole, rates of stop and search for black people are far higher than for other groups (135 incidents per 100,000 population, compared to 40 per 100,000 for Asian people and 20 per 100,000 for the rest of the population).⁵⁹ Ethnic minority groups are much less likely than white people to believe that their complaints about the police will be taken seriously, and are more likely to worry about police harassment.⁶⁰ A small scale study found that Gypsy Travellers had low confidence in the police and were therefore reluctant to report incidents. The same research found that asylum seekers were reluctant to report crimes for fear of the possible impact on their asylum claim.⁶¹

Survey data suggests that LGB people are more likely to worry about, and to experience discrimination by the police, whether they were reporting a crime or suspected of committing one.⁶² In Wales, a slightly higher proportion of lesbian, gay and bisexual people than the population as a whole have reported an incident to the police, and there was a relatively high level of dissatisfaction with the outcome.⁶³ A small-scale study of the attitudes of transgender people suggests that while the majority expect fair treatment, around 1 in 5 felt they were treated inappropriately in their contact with the police.⁶⁴

⁵⁷ EHRC (2010) *How Fair is Britain?*, page 133

⁵⁸ EHRC (2010) *How Fair is Britain?*, page 135

⁵⁹ EHRC (2010) *How Fair is Britain?*, page 135

⁶⁰ EHRC (2010) *How Fair is Britain?*, page 138

⁶¹ EHRC Wales (2010) *Not just another statistic*

⁶² EHRC (2010) *How Fair is Britain?*, page 138

⁶³ Williams, M. and Robinson, A.L. 2007. *Counted In! The All Wales Survey of Lesbian, Gay and Bisexual People*. London: Stonewall.

⁶⁴ EHRC (2010) *How Fair is Britain?*, page 138

Crimes against the person – violent crime, domestic abuse and sexual assault

Overall, violent crime in England and Wales fell by a half between 1995 and 2010.

Across England and Wales as a whole, young men are at a particularly high risk of becoming a victim of violent crime. In 2009/10, 13% of 16-24 year old men were victims of a violent crime, compared to just over 4% of all men and fewer than 3% of all women.⁶⁵

While ethnic minority groups are more likely than white people to be victims of violent crime, it is not ethnicity per se that explains the difference. Rather, it is a combination of the different age and socio-economic profiles of ethnic minority people compared to the white population.⁶⁶

There were 69 incidents of domestic abuse per 10,000 adults in Wales in 2007/08 (equivalent to nearly 17,000 incidents). One in four women in England and Wales has experienced some form of domestic abuse since reaching the age of 16. Three-quarters of domestic abuse offences are repeat offences.

Women in Wales are twice as likely as men to be victims of sexual violence, or of non-sexual violence by their partner or family.⁶⁷

Between 2006 and 2010, the Crown Prosecution Service pursued 796 rape cases, 57% of which resulted in a conviction.⁶⁸ The number of prosecutions is not keeping pace with the number of incidents of rape reported to police, whilst the rate of conviction is ‘stubbornly low’.⁶⁹

Women and children are by far the most likely to be victims of rape: 90% of offences were committed against females whilst more than a quarter of reported rapes were committed against children. More than half of reported male rapes were of children under 16 years⁷⁰.

⁶⁵ EHRC (2010) How Fair is Britain?, page 201

⁶⁶ EHRC (2010) How Fair is Britain?, page 197

⁶⁷ Finney, A. (2006) Domestic violence, sexual assault and stalking: findings from the 2004/05 Britain Crime Survey. Home Office: London. Table A.9

⁶⁸ BBC News report, September 2010, <http://www.bbc.co.uk/news/uk-wales-11199939>, accessed 14th February 2011

⁶⁹ EHRC (2010) Triennial Review Summary, p14

⁷⁰ EHRC (2010) How Fair is Britain?, page 209

Targeted violence

Incidents targeting people because of who they are (e.g. hate crimes) are under-reported, meaning many victims are unable to access the support they need, or to secure justice. In 2007/08, there were 4,578 prosecutions for hate crimes in Wales, of which 568 were for racially and religiously motivated crimes, 68 for homophobic and transphobic crimes and 21 for hate crimes against disabled people.⁷¹ In England and Wales, the number of cases of racially and religiously motivated crime being reported to the police has fallen slightly since 2006/07.

The conviction ratio for hate crime in Wales was 72%, which is lower than the ratio for all indictable offences at 80%.⁷² The conviction rate for racially and religiously motivated and for homophobic and transphobic crimes in England and Wales rose slightly between 2006/07 and 2008/09.⁷³

The majority of incidents recorded by the police involve harassment, but the majority of cases that are prosecuted are crimes against the person. Incidents targeting different groups take a variety of forms: for example, religiously motivated crime affects community institutions as well as individuals; hate crime targeting LGB people can involve sexual assault; and disability related hate crime often targets people's property.

Prison numbers and conditions

There are only four prisons in Wales (all in the south), which in August 2010 housed 2,805 prisoners.⁷⁴ There is no accommodation at all for female prisoners, places for just 50 juvenile offenders and one Young Offenders Institution.⁷⁵ As a result, around four out of ten male prisoners and all female prisoners from Wales serve their sentences in English prisons, away from their families.⁷⁶

⁷¹ Crown Prosecution Service Hate Crime Report 2007-08, p. 48 Available at: http://www.cps.gov.uk/publications/docs/CPS_hate_crime_report_2008.pdf

⁷² Ministry of Justice (2010) Criminal Statistics: England and Wales 2009 Statistics bulletin. Available at: <http://www.justice.gov.uk/criminal-statistics-annual-2009.pdf>

⁷³ EHRC (2010) How Fair is Britain?, page 151

⁷⁴ Ministry of Justice (2010) Population in Custody August 2010 Table 4. Available at: <http://www.justice.gov.uk/publications/populationincustody.htm>

⁷⁵ House of Commons Welsh Affairs Committee (2007) Welsh Prisoners in the Prison Estate. Third Report of the Session 2006/07. HC74

⁷⁶ *ibid*

In England and Wales, the number of women prisoners has doubled since 1995: around 5% of prisoners are now women. Evidence suggests that women in prison are more likely to have experienced domestic abuse than women in the population as a whole.⁷⁷

On average, five times as many black people than white people are imprisoned. One in four people in prison is from an ethnic minority background.⁷⁸

Fear of crime

In Wales, around 1 in 10 people reported being worried about violent crime, car crime and burglary.⁷⁹ In 2004/05, fewer people in Wales felt very unsafe when walking alone at night than did so in England.

In England and Wales, people from lower socio-economic groups are more likely to be worried about violent crime than average.⁸⁰ More women feel unsafe than men (8% of 16 – 59 year old women do so compared with 1% of men), and older people feel more unsafe than younger people (20% of older women feel unsafe).⁸¹

Across England and Wales as a whole, disabled people are more likely to be worried about violent crime than non-disabled people (16% compared to 12%). They are also more likely to feel unsafe after dark (47% compared to 28%).

⁷⁷ EHRC (2010) How Fair is Britain?, page 167

⁷⁸ EHRC (2010) How Fair is Britain?, page 172

⁷⁹ Stats Wales Table 007348 Available at:
<http://www.statswales.wales.gov.uk/TableViewer/tableView.aspx>

⁸⁰ EHRC (2010) How Fair is Britain?, page 240

⁸¹ Regional Trends (2004/05) Table 9.11 – latest figures available

Health

Key points

- Levels of long-term illness and disability are higher in Wales than in the rest of Britain.
- The level rises with age, to a point where over half of people aged over 55 in some areas of Wales are disabled.
- Levels of poor mental health are much higher among lower socio-economic groups, and women are more likely to experience poor mental health than men.
- Patterns of healthy behaviour vary from group to group and measure to measure. For instance, people from lower socio-economic groups are more likely to smoke but less likely to exceed the recommended amount of alcohol.
- Most people in Wales feel that the health service treats them with dignity and respect. There is, though, evidence from England suggesting that LGB and transgender people have lower expectations of such treatment than the rest of the population.

Limiting long-term illness, disability and poor health

Long-term illness and disability

Wales has a higher proportion of adults with a limiting long-term illness and disability than in Scotland or any English region, according to the 2001 Census. Around one fifth of the population of working age is disabled according to the definition in the equalities legislation. In Wales in 2007 it was around one fifth of the working age population, three quarters of whom had a work-limiting disability.⁸² Within Wales, the proportion of working age adults who were disabled, as defined in the Disability Discrimination Act, was 27.4% in Blaenau Gwent. This is more than twice as high as in Flintshire.

⁸² Welsh Assembly Government (2008) Prevalence of Disability in Wales, 2004-2007. SB 76/2008.

There is a close association between socio-economic group and limiting long-term illness or disability. According to the 2009 Welsh Health Survey, people who were long-term unemployed, or have never worked, are nearly twice as likely to report that they have a limiting long-term illness as those with professional and managerial occupations (43% compared with 23%).⁸³

Broadly, men and women have similar levels of disability. The proportion of disabled people rises with age, with around one third of people aged between 55 and retirement age reporting as being a disabled person. Over 65 years, more than half of both men and women say they have a limiting long-term illness.⁸⁴ The combined age and area inequalities are stark. Among the over 55s, half or more in Blaenau Gwent, Merthyr Tydfil and Bridgend were disabled.

Most ethnic groups had a lower level of limiting long-term illness than the white British group. The younger average age of ethnic minority groups is likely to be a factor in this, as the proportion of people who are disabled or who have a limiting long-term illness rises with age.⁸⁵

Poor health

In Wales, 6% of men and women reported poor health in the 2009 Welsh Health Survey.⁸⁶ People in more deprived areas were more likely than people in other areas to report a range of key illnesses, including high blood pressure, diabetes and mental health problems.⁸⁷

The proportion of adults reporting poor health rises with age, from 1% of 16-24 year olds to 13% of over 75s.⁸⁸ Disabled people are almost ten times as likely to report poor health as non-disabled people.

⁸³ Welsh Assembly Government (2010) Welsh Health Survey 2009, Table 3.9

⁸⁴ Welsh Assembly Government (2010) Welsh Health Survey 2009, Table 3.7

⁸⁵ Welsh Assembly Government (2004) A Statistical Focus on Ethnicity, SB 53/2004

⁸⁶ The Poverty Site, <http://www.poverty.org.uk/61/index.shtml> accessed 10/01/2011

⁸⁷ Welsh Assembly Government (2010) Welsh Health Survey, 2009

⁸⁸ Welsh Assembly Government (2010) Welsh Health Survey, 2009

White people in Wales have the highest levels of self-reported poor health. Amongst non-white groups, poor health was highest amongst Black and Black British, Pakistani, Mixed Other and Black African groups, (all over 8%) and lowest amongst Chinese and Other ethnic groups (at 4%).⁸⁹

Poor mental health

The Welsh Health Survey 2009 shows a close association between poor mental health and socio-economic group. People who have never worked or are long-term unemployed are four times more likely to report being treated for depression, anxiety or any other mental illness than those with managerial or professional occupations (27% compared with 7%) and they also have lower SF-36 scores.⁹⁰ People in the most disadvantaged areas also have lower SF-36 scores than those in the most advantaged.⁹¹

The survey also shows that women consistently have a lower SF-36 score than men (a lower score indicates possible problems). There is no significant variation in SF-36 score with age⁹² although there is more variation between age groups reporting they are being treated for mental illness.⁹³

Disability and long-term illness is also associated with poor mental health: 52% of people with limiting long-term illness/disability have a low score which indicates poor mental health, compared to 24% of those without a limiting long-term illness/disability.⁹⁴

Evidence from England suggests that Pakistani and Bangladeshi men are significantly more likely to have poor mental health than other people. This finding, though, is contested. Some argue that such findings can be explained by cultural and linguistic differences.⁹⁵

⁸⁹ Welsh Assembly Government (2004) A Statistical Focus on Ethnicity, SB 53/2004

⁹⁰ Welsh Assembly Government (2010) Welsh Health Survey, 2009 Table 3.9

⁹¹ Welsh Assembly Government (2010) Welsh Health Survey, 2009 Table 3.10

⁹² Welsh Assembly Government (2009) Welsh Health Survey, 2009 Table 3.2

⁹³ Welsh Assembly Government (2009) Welsh Health Survey, 2009 Table 3.5

⁹⁴ EHRC (2010) How Fair is Britain?, page 276

⁹⁵ EHRC (2010) How Fair is Britain?, page 276

Living a healthy lifestyle

There is a mixed picture about the extent to which different groups within Wales live a healthy lifestyle.

The proportion of people who drink more than the recommended amount of alcohol per week is higher among managerial classes than manual classes, and lowest of all among those who have never worked or are long term unemployed. Over half of men and over one third of women in Wales drink in excess of guidelines. The proportion exceeding guideline amounts is highest among 35-44 year olds and lowest among over 75s.⁹⁶

Smoking is more common among those who are not working (44%) than those in managerial occupations (15%). Smoking is more common among men (26%) than women (22%), most common among 25-34 year olds (34%) and least common among over 75s (9%).⁹⁷

One-third of people in Wales eat at least the recommended five portions of fruit and vegetables a day. Healthy eating varies little by age or gender.⁹⁸

The Triennial Review for Britain suggests that for England and Wales patterns vary substantially across groups and by different measures. People from ethnic minority groups in general were less likely to drink and more likely to eat healthily, but they were less likely to take the recommended amount of physical exercise. Levels of smoking were high among some groups, particularly Pakistani men.

People with limiting long-term illnesses and disabled people are no more or less likely to smoke than other people, but are less likely to drink in excess of the recommended amount.

⁹⁶ Welsh Health Survey 2009, Tables 4.5 and 4.9

⁹⁷ Welsh Health Survey 2009, Tables 4.9 and 4.1

⁹⁸ Welsh Health Survey 2009, Tables 4.6

Dignity and respect in health treatment

Surveys indicate that the vast majority of people feel they are treated with dignity and respect in healthcare. More than 90% of people in Wales felt staff had treated them with dignity and respect at their GP's surgery (93%) or at hospital (94%). However, a small proportion in each situation (4%) felt they were not.⁹⁹ Privacy and dignity accounted for a very small proportion (1%) of complaints about the NHS in 2009/10 with 'attitude of staff' accounting for 10% of complaints.¹⁰⁰

The Living in Wales Survey 2008 found no significant difference between men and women saying they had been treated with dignity and respect when referring to and given part of the health service.¹⁰¹

1 in 7 transgender people who responded to a survey felt that they had been treated adversely by healthcare professionals because of their transgender status.¹⁰² It also suggested that gay and lesbian people are more likely to say that they have been treated with respect in health services only some of the time or rarely.

⁹⁹ Welsh Assembly Government, Living in Wales , 2007

¹⁰⁰ Welsh Assembly Government (2010) Complaints to the NHS in Wales, 2009-10. SDR 158/2010

¹⁰¹ Welsh Assembly Government, Living in Wales , 2008

¹⁰² EHRC (2010) How Fair is Britain?, page 295

Education

Key points

- There are significant differences in participation and achievement in education by income throughout a person's life, and to a lesser extent by gender, ethnicity and disability.
- These differences are observable from a very young age. The gap in attainment between boys and girls has opened up by the age of 5. By the same age, there is a gap between poor pupils and the average.
- These differences persist through different age groups. Pupils receiving free school meals are more likely to be excluded from school as are those with SEN and some ethnic minority children. 16 year olds receiving free school meals are much less likely to get five grade A* - C GCSEs than those not eligible.
- Compared to the rest of Britain, Wales has slightly lower attainment rates at age 16, and markedly lower rates of adult literacy. Given this, it is very notable that levels of adult participation in education are lower in Wales than in the rest of Britain, and lowest among those from routine and manual backgrounds, and those who have never worked.
- Variations between ethnic groups are much less clear, although it is clear that some groups are performing much worse such as Pakistani and Bangladeshi people. It is not, however, a case of non-white groups uniformly attaining worse outcomes than the white majority.
- Younger people are more likely to have qualifications than older people and the level of adult education participation declines with age substantially.

Level of development at age 5

The Triennial Review for Britain¹⁰³ highlights considerable variation in the level of development of 5-year olds. A lower proportion of children eligible for free school meals achieve a “good” level of development than children who are not eligible (35% compared with 55%).

¹⁰³ EHRC (2010) How Fair is Britain?, page 304

By the age of five, girls' development in England is more advanced than boys' in 11 of 13 assessment scales on the Early Years Foundation Stage profile in social and emotional as well as cognitive areas of development. A higher proportion of pupils from Asian, Indian, Irish, Mixed White and White British ethnic backgrounds achieved a good level of development when compared to pupils from Black and Pakistani ethnic groups.

The closest available data for Wales relates to Key Stage 1, for pupils aged 7. It shows that girls were more likely to attain the expected level (level 2) in teacher assessments than boys, and that Chinese and white pupils are more likely to do so than black or Asian pupils. The difference in attainment between pupils on the SEN (Statement of Educational Needs) register and pupils not on the register is striking. 81% of pupils not on the register compared to 46% of pupils on the SEN register attain Level 2 in teacher assessments.¹⁰⁴

Permanent exclusion from school

Although rare, school exclusions have a serious detrimental effect on educational development. As a proportion of all schoolchildren, the rate of exclusion was lower in Wales (0.7%) than in England (1.1%), but higher than in Scotland (0.4%).¹⁰⁵ In 2008/09, 213 children were permanently excluded from schools in Wales. Around three quarters of those permanently excluded were boys.¹⁰⁶

In Wales, 53% of permanent exclusions involved pupils on the SEN register. Where data was available, 93% of permanent exclusions involved pupils from white ethnic backgrounds.¹⁰⁷ Pupils from white ethnic backgrounds make up 95% of all pupils.¹⁰⁸ So this means that pupils from non-white backgrounds are at least a fifth more likely to be excluded than those from white backgrounds.

The Triennial Review for Britain shows that pupils in England eligible for free school meals were over twice as likely to be permanently excluded than the average.¹⁰⁹

¹⁰⁴ Welsh Assembly Government, Academic Achievement by Pupil Characteristics, 2005-2008

¹⁰⁵ Statistics for Wales, Exclusions from Schools in Wales, 2008/09

¹⁰⁶ EHRC (2010) How Fair is Britain?, page 311

¹⁰⁷ EHRC (2010) How Fair is Britain?, page 313

¹⁰⁸ Schools in Wales: General Statistics 2009, Statistics for Wales

¹⁰⁹ EHRC (2010) How Fair is Britain?, page 312

Bullying, respect and support

Being a victim of bullying detrimentally affects a child's educational development.¹¹⁰ When asked if bullying was a problem in their school, 32% of pupils in Wales said 'yes', a lower proportion than in England (48%) or Scotland (43%). However the same proportion of pupils in Wales as elsewhere reported that they had directly experienced bullying in the previous three months (around 10% everywhere).¹¹¹

The Triennial Review for Britain shows that disabled students, lesbian, gay and transgender students and those from lower socio-economic groups are all more likely to report experiencing high levels of bullying. These surveys use different methodologies and so the actual differences between groups are hard to quantify.¹¹²

Educational attainment at age 16

Attainment at age 16 in Wales has long been poorer than elsewhere in the UK and indeed internationally. In 2009 47% of pupils aged 16 achieved 5 or more GCSEs at grade C or above including English or Welsh and Mathematics, a figure that has risen every year since 2001.¹¹³ Though the data is not directly comparable, this proportion appears to be slightly lower than in England (51%).¹¹⁴

Most marked is the difference by income. Pupils that are not eligible for free school meals are two and a half times more likely to achieve A* - C grades in the core subjects at GCSE than pupils who are eligible (52% of non-eligible pupils compared to 20% of eligible pupils).

This gap appears to have widened in recent years.¹¹⁵ The comparable figures for England are 27% and 54%.¹¹⁶

¹¹⁰ EHRC (2010) How Fair is Britain?, page 318

¹¹¹ EHRC (2010) How Fair is Britain?, page 318

¹¹² EHRC (2010) How Fair is Britain?, page 322

¹¹³ EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹¹⁴ EHRC (2010) How Fair is Britain?, page 327

¹¹⁵ EHRC (2011) An Anatomy of Economic Inequality in Wales

¹¹⁶ EHRC (2010) How Fair is Britain?, page 328

Girls outperform boys in Wales. 51% of girls get 5 A* - C core GCSEs compared to 43% of boys in 2008/09. The eight point gender gap was bigger than in England (7 percentage points) or Scotland (4 percentage points). Only 12% of children on the Statement of Educational Needs register attain 5 or more GCSEs at this threshold. Moreover this group has not shown year on year improvement in attainment, unlike other groups.¹¹⁷

Differences by ethnicity are notable at age 16 in Wales, as they are in England. Chinese pupils are more than twice as likely to achieve a grade C or above in all core subjects at GCSE than Black Caribbean and Black African pupils (68% compared to 31% for black pupils),¹¹⁸ However, socio-economic background and gender are also factors in these findings.

Higher education participation

The number of new enrolments in higher educational establishments in the UK by Welsh-domiciled students has risen by over 20% since 2000/01.¹¹⁹ In 2008/09, 121,795 pupils enrolled in a higher educational establishment for either a part-time or full-time course, at either graduate or post-graduate level.

Just over half (57%) of all the enrolments of Welsh-domiciled students in UK Higher Educational establishments in 2009 were female. Less than one in ten enrolments of Welsh-domiciled students is by a disabled person,¹²⁰ although disabled people are around one fifth of the working age population.

7% of enrolments at Welsh universities were by students from ethnic minority backgrounds¹²¹ although they comprise around 5% of the school age population.

¹¹⁷ EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹¹⁸ EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹¹⁹ StatsWales, Students in Higher Education Institutions, 2008/09, 2009

¹²⁰ StatsWales, Welsh domiciled HE enrolments at UK HEIs by disability, gender, mode and level of study (ethnicity, year of study, year)
<http://www.statswales.wales.gov.uk/TableViewer/tableView.aspx?ReportId=24168>, accessed 01/02/2011

¹²¹ Office for National Statistics, A Statistical Focus on Ethnicity in Wales, 2004

Adults lacking literacy and numeracy skills

Data showing regional and national differences in basic skills and qualifications ranked by basic literacy for working age population

% of population	Lack functional numeracy	Lack functional literacy	No qualifications	5+ GCSE grades A*-C or equivalent	Degree level qualification*
England¹	47	16	13	26	13
Eastern	41	12	13	28	12
South East	41	12	10	26	15
East Midlands	49	16	14	26	12
North West	49	17	15	27	12
West Midlands	47	18	17	26	12
London	48	19	14	21	20
Yorks and Humb	51	19	15	27	11
North East	54	22	14	27	10
Wales²	53	25	16	27	11
Scotland³	N/A	N/A	14	20	13

Source:

1. Data tables provided by Department for Business Innovation and Skills using England Skills for Life Survey 2002/03 and National Equality Panel Analysis of 2006-08 Labour Force Survey.

2. Data tables provided by Welsh Assembly Government using Basic Skills Survey 2004 and National Equality Panel Analysis of 2006-08 Labour Force Survey.

3. National Equality Panel Analysis of 2006-08 Labour Force Survey.

Note: * Degree level qualification excludes higher degrees.

Wales has higher levels of functional illiteracy than in England although around the same levels of functional innumeracy: 25% of people in Wales lack functional literacy skills (compared with 16% of those in England) and around half of adults in Wales lack functional numeracy skills.¹²²

People in lower socio-economic groups are more likely to lack literacy and numeracy skills - 36% of those in manual occupations failed to achieve functional literacy compared with 13% of those in managerial and professional occupations. Similarly, 60% of those in working class occupations lacked functional numeracy compared with 36% of those in managerial and professional occupations.¹²³

In Wales, there is no gender difference for literacy, but men are less likely than women to lack functional numeracy (54% compared to 39%). In terms of age, older people are more likely to lack functional literacy and numeracy skills than younger people.¹²⁴

People with learning disabilities are much more likely to lack basic literacy and numeracy than the rest of the population (48% compared to 21%).

People from ethnic minority backgrounds are more likely to fail to achieve functional literacy compared to white people (41% compared to 24%). For numeracy, a similar percentage point gap exists - 69% compared to 53%. Much of this gap is accounted for by country of birth – those born outside Wales are much less likely to attain basic numeracy and literacy than those born in Wales.

¹²² EHRC (2010) How Fair is Britain?, page 348

¹²³ EHRC (2010) How Fair is Britain?, page 350

¹²⁴ EHRC (2010) How Fair is Britain?, page 349

Lacking qualifications

People in Wales are more likely to lack qualifications than people in Scotland or England (16% compared to 14% and 13% respectively). A lower proportion of people in Wales have a degree than in any English region bar the North East.¹²⁵

There is a marked variation by socio-economic group: 6% of men and 4% of women in the lowest tenth of the income distribution have a degree level qualification. In the highest tenth, the figures are 21% and 22% respectively.¹²⁶

There is only a very slight variation between the proportion of men and women with degrees.

There is, however, a larger variation with age. Younger age groups tend to be more highly qualified, having a larger proportion of graduates and a far lower percentage without any formal qualifications, than older age groups, especially those aged over 50.¹²⁷ This pattern is particularly evident for females.

Those reporting no disability have by far the best educational outcomes. There is a high proportion of people with no qualifications amongst those who are disabled: 35% of males and 37% of females have no qualifications. Only around 6% of this group have a degree.¹²⁸ These echo findings in the Triennial Review for Britain.¹²⁹

There are also substantial variations between ethnic groups, with (somewhat tentative) figures for Wales¹³⁰ confirming the British findings that Indian and Chinese males are best qualified while Bangladeshi males and Pakistani and Bangladeshi females have the highest proportion with no qualifications. In terms of religion, Christians and those with no religion are least likely to have a degree.¹³¹

¹²⁵ EHRC (2010) How Fair is Britain?, page 348

¹²⁶ EHRC (2010) How Fair is Britain?, page 352

¹²⁷ EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹²⁸ EHRC, 2011, An Anatomy of Economic Inequality in Wales

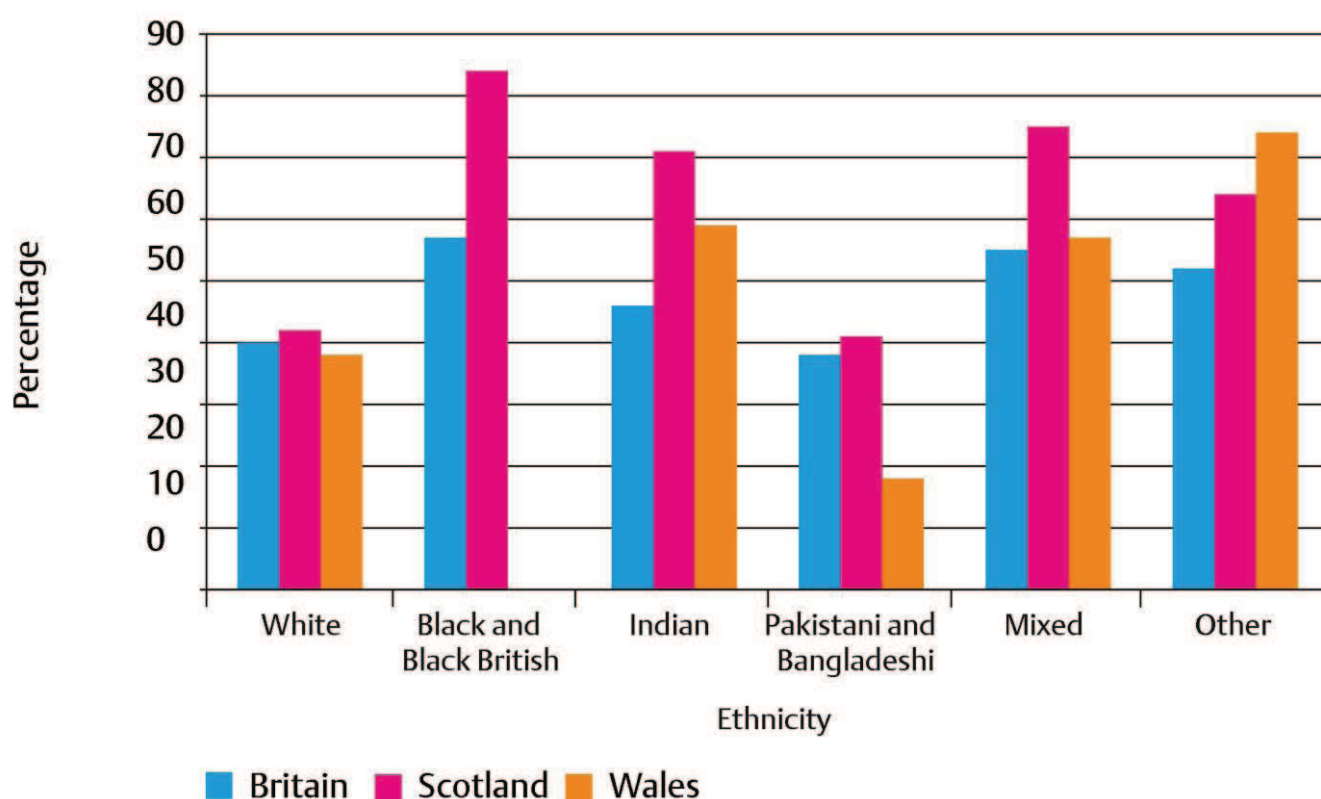
¹²⁹ EHRC (2010) How Fair is Britain?, page 353

¹³⁰ EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹³¹ EHRC, 2011, An Anatomy of Economic Inequality in Wales

Adult learning

Participation in Adult Learning by ethnicity in Britain, Scotland and Wales, 2006/08



Source: Labour Force Survey.

The proportion of both men and women participating in adult learning in Wales in 2006-2008 was lower than the rest of Britain (37% and 40% compared to 41% on average in Britain).¹³² Those in higher managerial and professional groups are twice as likely to participate in adult learning as those in manual or routine occupations (60% compared to 30%).

The proportion participating in adult learning declines with age in Wales as it does in the rest of Britain. 65% of 18-24 year olds and 50% of 25-44 year olds participate, compared to 35% of 45-64 year olds and around 10% of those aged over 60.

Indian adults are most likely to participate in adult learning (59%) and Pakistani or Bangladeshi adults least so (18%).¹³³

¹³² EHRC (2010) How Fair is Britain?, page 362

¹³³ EHRC (2010) How Fair is Britain?, page 367

Disabled people participate in adult education at half the rate of non-disabled people.¹³⁴

Use of the internet

Just under 70% of households in Wales had access to the internet in 2008, lower than in England but higher than in Scotland.¹³⁵

Wales-specific surveys¹³⁶ show that while 69% of people access the internet, the proportion falls to 54% for people from social groups DE compared with 86% for those from social group AB. But the biggest gap is associated with age: a quarter of people aged 65 and over were using the internet in 2009, up from 14% in 2006. Younger age groups (16 to 24) had the highest proportion of internet connections of all age groups, at 89%.¹³⁷

Across Britain as a whole, men were more likely to use the internet than women, and variation by ethnicity was less significant than by age or social class.¹³⁸

While there was little data on access to the internet by disability, the report does observe that disabled people were often unable to use particular mobile devices for accessing the internet.¹³⁹

¹³⁴ EHRC (2010) *How Fair is Britain?*, page 366

¹³⁵ EHRC (2010) *How Fair is Britain?*, page 370

¹³⁶ Consumer Focus Wales (Nov 2009). *Logged in or Locked Out. Consumer access to the internet in Wales.*

¹³⁷ Welsh Assembly Government, *Living in Wales*, 2008

¹³⁸ EHRC (2010) *How Fair is Britain?*, page 369

¹³⁹ EHRC (2010) *How Fair is Britain?*, page 373

Employment

Key points

- The overall level of employment is lower in Wales than in the rest of Britain, associated with high levels of long-term sickness and disability.
- Levels of employment among men aged over 50 are much lower in Wales than in the rest of Britain.
- Wales has a slightly higher proportion of people who were not in education, employment or training (NEET) among the 16-24 year old group than England.
- Average pay is lower in Wales than in the rest of Britain. The gender pay gap is lower in Wales on account of lower male full-time pay.
- There is significant segregation within the Welsh labour market, with women concentrated into health, education and administrative work, while men were clustered into manufacturing and transport.
- The incidence of injury at work in Wales is higher than elsewhere in Britain. The rate varies between protected groups, mainly because of occupational segregation.
- Across Britain as a whole, disabled, gay, lesbian or bisexual employees are over twice as likely as other employees to report experiencing discrimination.

Proportion in employment

The proportion of working age adults in employment in Wales in 2010 was lower than in the rest of Britain.¹⁴⁰ 70% of men and 67% of women were either employed (part-time or full-time) or self employed, compared to 75% of men and 69% of women in the rest of the UK. This means the Wales/GB employment gap was greater for men than for women.

¹⁴⁰ EHRC, 2011, An Anatomy of Economic Inequality in Wales

There is also an employment gap between women and men within Wales, of around 3 percentage points. A higher proportion of men and women in Wales are not working due to long-term sickness or ill health compared to the rest of the UK.

8% of men and women in Wales are economically inactive due to ill health or disability, compared to 6% and 5% respectively elsewhere in the UK.¹⁴¹

Overall employment peaks for men and women between the ages of 35 and 39 when 88% of men and 73% of women are in employment or self employment, and decreases amongst those aged 50 - 64. Employment rates are so low that barely half of men of this age group are in employment in Merthyr Tydfil and Rhondda Cynon Taf, whilst less than half of women are in employment in Blaenau Gwent, Bridgend, Caerphilly, Neath Port Talbot and Rhondda Cynon Taf.¹⁴²

The proportion of disabled men and women (but without a work-limiting disability) who are in employment or self employment is very similar to that of non-disabled adults. However being both disabled and having a work-limiting disability is associated with substantially reduced likelihood of being in employment compared to those with no such conditions. Males with both a work-limiting and activity-limiting disability are only 5% as likely to be in employment as males with no such conditions. The figure for women is similar at 10%.¹⁴³

In terms of ethnicity, non-white men and women both have lower employment rates than their white counterparts in Wales, but this varies substantially between ethnic minority groups. Relative to white males, Bangladeshi males are 330% more likely to be in employment. In contrast, Black Caribbean and Black African men are less than half as likely to be in employment.¹⁴⁴ The employment rates of Bangladeshi and Pakistani women are particularly low, just 8% and 11% respectively work full-time.¹⁴⁵

¹⁴¹ EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹⁴² NOMIS Labour Market Statistics for the year to June 2010, accessed 12/02/11

¹⁴³ EHRC, (2011), An Anatomy of Economic Inequality in Wales

¹⁴⁴ EHRC, (2011), An Anatomy of Economic Inequality in Wales

¹⁴⁵ EHRC, (2011), An Anatomy of Economic Inequality in Wales

Notwithstanding the small numbers involved, it seems that religion has far more influence on employment status than ethnicity. Muslim men and women are less likely to be in employment, and particularly full-time employment, than other religious groups.¹⁴⁶

The Triennial Review for Britain contains some analysis of employment rates among LGB couples across Britain. It finds little difference in employment rates between the LGB population and the national average.¹⁴⁷

Not in education, employment or training

In 2009, around one in eight 16-18 year olds in Wales was not in education, employment or training (NEET)¹⁴⁸. This was slightly higher than the previous year, but in the last decade, the proportion has always been between 13% and 11%. Over this period the rate in Wales has generally been one or two percentage points higher than England.

The Triennial Review for Britain¹⁴⁹ suggests that in England and Wales boys are more likely to be NEET between 16 and 18, but this gender difference reverses by age 22. Young disabled people are more likely to be NEET than young non-disabled people.

The picture by ethnicity is mixed, in that the proportion of non-white young adults who are NEET rises between the age of 19 and 24; among the white population the proportion does not really change. So by age 25, Black and Asian people are much more likely to be NEET than white people, a difference that was much less pronounced at younger ages.¹⁵⁰

The Triennial Review for Britain also has data from England on differences by income and socio-economic group. Children in England who had free school meals when in Year 11 at school are more than twice as likely to be NEET at age 17 than other children. Those from routine or manual backgrounds, or whose parents did not work were up to four times more likely to be NEET aged 17 than other children.¹⁵¹

¹⁴⁶ EHRC, (2011), An Anatomy of Economic Inequality in Wales

¹⁴⁷ EHRC (2010) How Fair is Britain?, page 407

¹⁴⁸ Welsh Assembly Government (2010) Young people not in education, employment or training (NEET) (Year to 30 June 2009), SB 59/2010

¹⁴⁹ EHRC (2010) How Fair is Britain?, page 392

¹⁵⁰ EHRC (2010) How Fair is Britain?, page 404

¹⁵¹ EHRC (2010) How Fair is Britain?, page 394

Pay gaps

Earnings in Wales are, on average, lower than those in the UK and this holds true at each point of the earnings distribution.¹⁵² Within Wales, amongst those in work, there are striking differences in average pay rates.

The gender pay gap in Wales – the gap between women’s median pay and men’s median pay – is smaller than in the rest of the UK. In 2010, the median hourly wage for women working full-time was 8% lower than for men working full time. In the rest of the UK, the gap was 10%.¹⁵³ The reason for this is that median hourly pay for men working full-time in Wales was, at £11.65, worth 90% of the UK median, where it was £13.01. Women’s median hourly pay in Wales was 92% of the UK figure, at £10.72 compared to £11.68 in the UK as a whole.

There are differences in hourly pay by age, but the distribution varies according to gender. Women’s wages peak at a younger age than men’s, both in Wales and the rest of the UK. Women’s wages peak between 35 and 39, whereas men’s hourly wages peak between 45 and 49.¹⁵⁴

Disabled people earn less, on average, per hour than non-disabled people, with those who work full-time earning 7% less than non-disabled people.¹⁵⁵ This pattern is consistent across the UK, although the gap is smaller in Wales than elsewhere.

Patterns vary among ethnic groups in Wales: Indian men earn more than the male average and Pakistani and Bangladeshi men earn less than the male average. A similar pattern is evident among women.¹⁵⁶ However, when other factors are taken into account it is estimated that ethnicity has no significant impact on earnings in Wales.¹⁵⁷

By religion, hourly earnings are seemingly slightly higher for Hindu and Sikh men and lower for Muslim men compared to the male average. The sample sizes in this analysis are, however, very small.¹⁵⁸

¹⁵² EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹⁵³ Annual Survey of Hours and Earnings, ONS, 2010

¹⁵⁴ EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹⁵⁵ EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹⁵⁶ EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹⁵⁷ EHRC, 2011, An Anatomy of Economic Inequality in Wales

¹⁵⁸ EHRC, 2011, An Anatomy of Economic Inequality in Wales

Occupational segregation

Occupational segregation – the concentration of different groups in to specific occupations – can be horizontal, across different sectors of the job market, and vertically, between different levels of the same sector.

The review of research evidence¹⁵⁹ found marked occupational segregation in Wales across all protected characteristics, although the quality and timeliness of the data was variable. There is some evidence that occupational segregation by gender is higher in Wales than in the rest of Britain.

Women make up over two-thirds of those working in health, education, administrative or service jobs in Wales. Men make up the majority of employees in transport, manufacturing and skilled trades.¹⁶⁰

There is some evidence that disabled people are more likely to be employed in low skilled jobs than non-disabled people. Moreover, long term illnesses were more common among those in routine occupations than those in professional occupations (31% compared to 22%).¹⁶¹

The proportion of ethnic minority groups working in professional careers was higher than for the white population. However, among different ethnic minority groups there is significant clustering in particular sectors: for example over half of Bangladeshi women and two-thirds of Bangladeshi men in employment work in hotels or catering.¹⁶²

For Britain as a whole, evidence suggests that both men and women in same sex couples are more likely to be in professional occupations than other men or women. Much of this difference is down to higher average levels of qualifications among people in same sex partnerships.¹⁶³

¹⁵⁹ EHRC, Equality Issues in Wales, a Research Review, (2009), Winckler, V. ed.

¹⁶⁰ EHRC, Equality Issues in Wales, a Research Review, (2009), Winckler, V. ed.

¹⁶¹ EHRC, Equality Issues in Wales, a Research Review, (2009), Winckler, V. ed.

¹⁶² EHRC, Equality Issues in Wales, a Research Review, (2009), Winckler, V. ed.

¹⁶³ EHRC (2010) How Fair is Britain?, page 430

Illness and injury at work

Some jobs are notably more dangerous than others, and the risks vary greatly across groups. On average between 2007/08 and 2008/09, there were 950 incidents of injuries per 100,000 workers in Wales, slightly higher than the average for Britain as a whole.¹⁶⁴ In 2009/10, 1,960 workers per 100,000 in Wales reported an illness either caused by or made worse by work, again slightly higher than in England.

For Britain there is some variation between groups, much of which is explained by segregation into different types of job. Men suffer more work-related injuries than women because they are more likely to be employed in hazardous occupations. Conversely, their concentration in less hazardous work means that South Asians are less likely to be injured at work than other ethnic groups.¹⁶⁵

¹⁶⁴ Health and safety executive (undated) statistics of occupational ill health, safety and enforcement

¹⁶⁵ EHRC (2010) How Fair is Britain?, page 440

Discrimination in employment

Discrimination at work can manifest itself in a variety of ways, from bullying and harassment to being persistently overlooked for promotion and pay rises.

One in ten workers in Wales say they have been treated unfairly, a slightly lower proportion than in England (14%) or Scotland (12%). In Wales 4% reported experiencing discrimination, compared to 8% in England and 3% in Scotland, whilst the proportion of workers in Wales who experienced bullying or harassment was, at 7%, the same in Wales as the British average.¹⁶⁶

The Triennial Review for Britain¹⁶⁷ as a whole concludes that disabled employees and gay, lesbian or bisexual employees are over twice as likely as other employees to report experiencing discrimination, bullying or harassment in the workplace. The intersections of different protected characteristics are also very revealing. In particular, disabled women are four times more likely to report being bullied than other employees.

Women and ethnic minority groups are more likely to report being discriminated against regarding promotion than white men.¹⁶⁸

Small-scale studies indicate that transgender people experience particular difficulties in the workplace.¹⁶⁹

¹⁶⁶ Fevre, R., Nichols, T., Prior, G., and Rutherford, I., 2009. Fair Treatment at Work Report 2009: Findings from the 2008 Survey. Employment Relations Research Series 103. London: Department for Business, Innovation and Skills.

¹⁶⁷ EHRC (2010) How Fair is Britain?, page 443

¹⁶⁸ EHRC (2010) How Fair is Britain?, page 443

¹⁶⁹ EHRC (2010) How Fair is Britain?, page 443

Standard of living

Key points

- Wales has a similar level of average wealth to England, but a slightly lower level of overall wealth inequality. The richest decile still has around 90 times the wealth of the poorest.
- One in four Welsh children live in a household where the income is below 60% of the national average. The proportion of children in low income households is higher than working age adults or pensioners.
- Households where one of the adults is disabled are more likely to have a low income than other households.
- One in seven men and one in five women working in Wales earn a wage below 60% of national hourly pay.
- Housing quality varies, with households headed by women particularly likely to live in poor accommodation. Their accommodation is also more likely to be overcrowded than households headed by men.

Wealth

Total wealth inequality between and within countries in Britain, 2006/08

Country/Region	Median wealth (£)	Rank in the overall distribution	90:10 ratio
GB Overall	204,500	50	97
England	210,600	50	96
Wales	205,500	50	90
Scotland	150,600	42	93

Source: Wealth and Assets Survey 2006/08.

Wealth as measured here includes savings, investments, and, very commonly, property.

The median level of household wealth in Wales is, at £205,500, very close to the median in England. It is significantly higher than the Scottish median.¹⁷⁰ The ratio of the wealth of the top 10% to the bottom 10% (the 90:10 ratio) is slightly lower in Wales than in England. However, it is still the case that the top 10% of households in Wales have 90 times the wealth of the bottom 10%. Given findings elsewhere in this report regarding pay and incomes, this lower inequality is likely to be caused by lower wealth at the top of the distribution in Wales rather than higher wealth at the bottom.

In Britain as a whole¹⁷¹, people accumulate wealth during their working years and draw on it as they get older, as pensioners. So, levels of wealth are highest among those aged 55-64. Inevitably, levels of wealth are highest among those in higher managerial and professional occupations.

The average wealth of ethnic groups other than White British and Indian is significantly below average. By religion, Muslims have significantly lower wealth than other religious groups.

Low pay

Percentage of employees with gross earnings less than 60% of the hourly median, Britain, 2006/09

	GB		England		Scotland		Wales	
	%	Total base	%	Total base	%	Total base	%	Total base
Men	10	120,469	10	86,524	10	20,473	13	13,393
Women	17	132,034	17	93,625	17	23,164	20	15,324

Age:

16-34 yrs	20	79,274	20	58,049	22	12,331	25	8,702
35-54 yrs	9	130,080	9	91,848	8	23,541	11	14,809
55+	13	43,149	13	30,252	13	7,765	15	5,205
Total	14	252,503	14	180,148	14	43,637	16	28,717

Source: Annual Population Survey October 2006-September 2009.

¹⁷⁰ EHRC (2010) How Fair is Britain?, page 465

¹⁷¹ EHRC (2010) How Fair is Britain?, page 466

In this report we define low pay as hourly pay below 60% of the median. In Wales in 2009, 16% of people in employment were paid less than this threshold. This figure is higher than for Britain as a whole, where the figure is 14%.¹⁷²

20% of women and 13% of men in Wales are paid less than 60% of the median hourly wage for Britain. Again, both figures are higher than the British averages of 17% and 10% respectively. 25% of 16-34 year olds in Wales are low paid, compared to 11% of 35-54 year olds and 15% of employees aged over 55.¹⁷³

The proportion of disabled employees who are low paid in Wales is, at 17%, no different from the average. This is a different situation than Britain as a whole, where disabled people are more likely to be low paid than people on average.¹⁷⁴

In Britain as a whole, around one quarter of Bangladeshi and Pakistani employees are low paid, roughly twice the average. Almost one quarter of Muslim employees are low paid.¹⁷⁵

Low income

A household is defined as having a low income if its income after taxes and housing costs is below 60% of the national median for that year. Incomes are adjusted for household size and composition, in order to make comparisons across the different types of household possible.

The proportion of people living in low income households in Wales is, at 22%, broadly similar to the rest of Britain. This proportion has fallen slightly since the late 1990s, as it has elsewhere.¹⁷⁶

Women are more likely to live in low income households than men. This is mainly because most lone parents, a group with a high risk of low income, are women.¹⁷⁷

¹⁷² EHRC (2010) How Fair is Britain?, page 475

¹⁷³ EHRC (2010) How Fair is Britain?, page 475

¹⁷⁴ EHRC (2010) How Fair is Britain?, page 478

¹⁷⁵ EHRC (2010) How Fair is Britain?, page 480

¹⁷⁶ The Poverty Site, <http://www.poverty.org.uk/summary/income.htm>, accessed 10/01/11

¹⁷⁷ The Poverty Site, <http://poverty.org.uk/07/index.shtml?2>, accessed 14/02/11

In Wales, pensioners are slightly less likely to be living in low income households than working age adults or children. In the last three years on average, 22% of working age adults were living in low income households compared to 18% of pensioners.¹⁷⁸

Households where there is at least one disabled adult are more likely to have a low income than other households. In Wales, 26% of people living in a household with at least one disabled adult have a low income, compared to 21% of people living in a household with no disabled adult.¹⁷⁹

In Britain as a whole, Pakistani, Bangladeshi and Black African households are significantly more likely to be in low income than white or Indian households.¹⁸⁰

Housing and neighbourhood quality

The proportion of households in Wales classed as overcrowded is, at 2.0%, slightly lower than the British average of 2.3%. Overcrowding is more common among households headed by younger adults, and least common among households headed by pensioners. This is true in Wales as well as the rest of Britain.¹⁸¹

6% of households with children in Wales headed by females are classed as overcrowded compared to 4% for male households with children. 8% of households with children in Wales headed by women, many of which are lone parent households, live in accommodation of a poor standard compared to 5% of such households headed by men.¹⁸²

8% of households in Wales said there was a problem in their local area with litter and overall cleanliness of the environment. 6% said there was a problem with crime and security.¹⁸³

¹⁷⁸ The Poverty Site, <http://www.poverty.org.uk/summary/income.htm>, accessed 10/01/11

¹⁷⁹ NPI analysis of Households Below Average income dataset, 2006/07 to 2008/09 combined.

¹⁸⁰ EHRC (2010) *How Fair is Britain?*, page 481

¹⁸¹ EHRC (2010) *How Fair is Britain?*, page 490

¹⁸² EHRC (2010) *How Fair is Britain?*, page 491

¹⁸³ Welsh Assembly Government (2010) *Living in Wales Survey, 2008*

In Wales as elsewhere, households headed by women were more likely to rate their local areas as poor than households headed by men. Younger households were more likely to say their areas were poor than older households were.¹⁸⁴

Sample sizes make analysis difficult, but the data suggests that ethnic minority households in Wales are much more likely to be overcrowded than the average (around 10% compared to 2%). Ethnic minority households are slightly more likely to rate their neighbourhoods as poor, but, again, the sample size is very small.¹⁸⁵

Financial exclusion

In 2008/09, 4% of households in Wales had no bank account at all. This rises to 5% if the Post Office Card Account (POCA, an account of limited functionality) is excluded. The proportion has come down in recent years in Wales as it has in Britain as a whole.¹⁸⁶

Households in the poorest fifth of the income distribution in Wales are around twice as likely to lack a bank account as other households.¹⁸⁷

Across Britain as a whole, there is little difference by gender in access to banking except among the youngest and oldest people. Young men are slightly more likely to lack a bank account (7%) than young women (5%), and older women (5%) are slightly more likely to lack a bank account than older men (3%).¹⁸⁸

Disabled people and people in Bangladeshi and Pakistani households are particularly likely to lack a bank account. Bangladeshi and Pakistani households, together with Black Caribbean households, are half as likely to have household insurance as white households.¹⁸⁹

In terms of access to credit, women are more likely than men to take on credit from doorstep lenders, who often charge much higher rates of interest than mainstream banks.¹⁹⁰

¹⁸⁴ EHRC (2010) How Fair is Britain?, page 496

¹⁸⁵ EHRC (2010) How Fair is Britain?, page 505

¹⁸⁶ Department for Work and Pensions Family Resources Survey, 2008/09

¹⁸⁷ The Poverty Site, <http://poverty.org.uk/w73/index.shtml> accessed 03/02/2011

¹⁸⁸ EHRC (2010) How Fair is Britain?, page 511

¹⁸⁹ EHRC (2010) How Fair is Britain?, page 515

¹⁹⁰ EHRC (2010) How Fair is Britain?, page 512

Care and support

Key points

- Among older people in Wales, the number receiving care to live at home has reduced in the last decade. Such care is particularly important for over-75s.
- There are cultural differences regarding the use of and access to care for older people.
- Unpaid care by friends or relatives is more likely to be provided by women than men, and older adults are more likely to have caring responsibilities than younger adults. There are a significant number of carers of school age whose needs need to be considered from a rights perspective.

Access to care for older people

The number of older people given help to live at home by social services is lower now than in the mid 1990s. In 2009, 20,000 older people in Wales received home care, half the number of fifteen years earlier.¹⁹¹ Most of this fall occurred in the late 1990s and a similar trend can be seen in England.

In Britain, men are less likely than women to receive practical support to meet their needs. However it does seem that older people are more likely to get the support they need: men and women over the age of 75 are less likely to report having unmet care and support needs than those aged 50-74 years.¹⁹²

There is little difference between different ethnic groups in accessing professional domiciliary care. Cultural factors, though, mean services are not always appropriate to all individuals. People from lower socio-economic groups have on average greater care needs at given ages.

¹⁹¹ Source: The Poverty Site, <http://poverty.org.uk/w69/index.shtml> accessed 11/01/11

¹⁹² EHRC (2010) How Fair is Britain?, page 528

Use of childcare

Overall numbers of child care places in Wales have increased by 4,000 since 2003.¹⁹³ Two-thirds of families with children in Wales use some form of childcare.¹⁹⁴ Use varies by household income, with better off families more likely to access childcare than less well off families (75% of families with annual incomes in excess of £32,000 had accessed some form of childcare (formally or informally) in the previous year, compared to 60% of families with incomes below £10,000). Clearly, work status plays a big part in this as families where both parents are working are more likely to want childcare and more likely to be able to pay for it.

Small scale research suggests that an issue that is particular to Wales is the shortage of Welsh language childcare. This is an issue both in traditionally Welsh speaking areas, and other areas where parents would like their children to have a bilingual upbringing.

Unpaid care responsibilities

More than one in ten of the adult population in Wales provide care to someone else - 11% of the adult population compared to 12% in England and Scotland, according to the 2001 census. Seven out of ten of the local authorities with the highest percentage of carers are in Wales.¹⁹⁵

Caring responsibilities vary by socio-economic group across Britain as a whole. People aged 55-69 from lower occupational groups are more likely to be caring for a spouse than those from higher groups. This reflects both a higher incidence of disability among lower socio-economic groups, and the lack of income to cover the costs of care.¹⁹⁶

¹⁹³ Welsh Assembly Government (2010) Child Poverty Milestones and Targets to 2020: Update

¹⁹⁴ EHRC (2010) How Fair is Britain?, page 542

¹⁹⁵ EHRC (2010) How Fair is Britain?, page 559

¹⁹⁶ EHRC (2010) How Fair is Britain?, page 564

As in the UK as a whole, it is more common for care to be given by women than men: 10% of women provided special care, compared to 8% of men.¹⁹⁷ This proportion of adults providing care is highest among those aged 50-59, at 14%, and lowest among those aged 16-24, at 4%.¹⁹⁸

The Welsh Health Survey found that younger adults with caring responsibilities were more likely than non-carers to report long-term health conditions or mental health problems.¹⁹⁹ Other data suggests that around 2% of children in Wales may have caring responsibilities. These responsibilities may contravene their rights as children.²⁰⁰

Disabled people are carers too. Of the nearly two million people aged 16-74 in England and Wales who were permanently sick or disabled according to the 2001 Census, over a quarter of a million provided some unpaid care for other people. This rate is comparable to the rate for the rest of the population.²⁰¹

Bangladeshi and Pakistani adults in Wales are more likely to provide over 20 hours of care a week than adults from other ethnic groups.²⁰²

¹⁹⁷Welsh Assembly Government (2008), Care in Wales: Results from the Living in Wales survey 2007

¹⁹⁸ Welsh Assembly Government (2008) Care in Wales: Results from the Living in Wales survey 2007. NB a different definition of care to that used in the census is used.

¹⁹⁹ Welsh Assembly Government (2010) Welsh Health Survey 2008, Health of Carers

²⁰⁰ Children's Commissioner for Wales (2009) Full of Care: Young Carers in Wales.

²⁰¹ EHRC (2010) How Fair is Britain?, page 566

²⁰² EHRC (2010) How Fair is Britain?, page 567

Power and voice

Key points

- The proportion of people voting at elections has fallen.
- The candidates that people can vote for are not always representative of the population. Only a fifth of Westminster MPs from Wales and a quarter of its councillors are female. Older men tend to dominate numerically in local authorities.
- People from protected groups have limited power and voice.

Formal political participation

Different aspects of participation in the formal political process are considered here including voter turnout and the representativeness of key democratic institutions.

The self-reported voter turnout in Welsh elections has fallen since the establishment of the Assembly in 1999.²⁰³ Over the same period, voter turnout across the UK fell for Westminster elections in 2001 and 2005 before rising slightly in 2010.

There is very little evidence on variation in turnout for different groups. The turnout among Asian voters was higher in 2005 than 1997, it was unchanged among white voters and lower among black, mixed race and Chinese voters. Some evidence suggests that young people are less likely to vote than older people.²⁰⁴

In terms of representation, the National Assembly for Wales is well known for women comprising almost half the 2007 – 2011 Members. But only 18% of MPs are women as are only 25% of councillors.

Information about other political representation is very limited: we know that in 2004, more than half of councillors in Wales were aged over 55; that 17% of Welsh councillors had a long-term limiting illness or were disabled (compared to 23% in the population as a whole) and less than 1% of councillors are from ethnic minority backgrounds, compared to around 2% of the overall population.²⁰⁵

²⁰³ EHRC (2010) How Fair is Britain?, page 582

²⁰⁴ Gale, S. and Winckler, V. (2009) Public and Political Life, in Winckler, V. (ed) Equality Issues in Wales – a Research Review, Equality and Human Rights Commission

²⁰⁵ EHRC (2010) How Fair is Britain?, page 596

The number of openly LGB Members of Parliament in Westminster has risen in recent years to 22.²⁰⁶ It is difficult to compare this to the overall population but it is under-representative according to some estimates.

Perceptions of influence and political activity

There is little evidence on either how people feel about their level of influence locally or their level of political activity in Wales.

In Britain, people's sense of influence in their local area has declined since 2001. Some of the more traditionally marginalised ethnic minority and religious groups are more likely than average to believe they have influence, possibly due to stronger ties within their own communities.²⁰⁷

There is some evidence from England that levels of political activity (defined as writing to MPs or attending public meetings) were higher among older age groups than younger ones, and higher among people from higher socio-economic groups than lower ones. White people appear to be more politically active (as defined here) than other ethnic groups.²⁰⁸

Stonewall Cymru found that 13% of lesbian, gay and bisexual people in its survey were involved in local politics, but there is no other data against which to benchmark this figure.²⁰⁹

²⁰⁶ BBC news report, accessed 03 /01/ 2011

²⁰⁷ EHRC (2010) *How Fair is Britain?*, page 598

²⁰⁸ EHRC (2010) *How Fair is Britain?*, page 609

²⁰⁹ Williams, M. and Robinson, A.L. 2007. *Counted In! The All Wales Survey of Lesbian, Gay and Bisexual People*. London: Stonewall..

Taking part in decision-making and campaigning organisations

Women and men are equally likely to take part in campaigning, though in different areas. Women are more likely to volunteer for educational or childcare groups (up to 15 % of women aged under 45), whereas men are more likely to get involved in sports (up to 25% for 16-29 year olds).²¹⁰

People working in professional or higher management occupations are over four times more likely to be involved in local or national campaigning activity than those in semi-routine occupations. A similar proportion of disabled (6%) and non-disabled people (7%) were involved in local or national campaigning.²¹¹

Data for England shows little difference in participation by ethnic or religious group, or sexual orientation.

²¹⁰ Welsh Assembly Government, Living in Wales 2008

²¹¹ EHRC (2010) How Fair is Britain?, page 617

Addressing the data gaps

The Review contains a lot of information. In some cases, though, it highlights what we don't know. There are several ways in which we lack reliable information to tell whether the ideals of equality and fairness are being translated into a practical change for the better in people's real lives.

In some cases we lack information altogether. For instance, we do not have a reliable baseline estimate about how many people identify themselves as lesbian, gay, bisexual or transgender.

Without this information, it is hard to begin to gauge the extent to which different institutions reflect these populations or meet their needs. We also lack basic information about people who are institutionalised, and people who do not live in fixed locations. In some cases, small-scale studies and the other, limited, available evidence suggest that these may also be among some of society's most marginalised and vulnerable groups.

In other cases, we have some information about different groups, but it is not always sophisticated enough to allow us to draw useful inferences. We have some data about disabled people's experiences, for example, but in most cases the way the data are collected does not make a distinction between the experiences of (say) a 20-year-old who has been blind since birth, and an 80-year-old who has recently begun to use a wheelchair following an accident, when in fact these two people might have very different needs and expectations.

Better use of existing data sources, and more sophisticated data collection techniques, would allow us to understand better the various needs and aspirations of different people. This is prerequisite to understanding whether and how we are making progress as a society towards greater equality. We recommend, therefore, that data providers and commissioners should work together to improve the available equality data, and to use more effectively the data that are already available at local and national level. This is particularly important in Wales where there are significant gaps.

Contact us

The Equality and Human Rights Commission aims to reduce inequality, eliminate discrimination, strengthen good relations between people, and promote and protect human rights.

This report and more can be found at:

www.equalityhumanrights.com

or you can contact our helpline:

Telephone: 0845 604 8810

Textphone: 0845 604 8820

Fax: 0845 604 8830

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All Wales Hate Crime Research Project: Event Report

‘Understanding the Criminal Justice System’ Seminar

2pm, Wednesday 27th October 2010

County Hall, Cardiff

Introduction

22 representatives from 13 organisations attended the event, including local voluntary organisations and Cardiff Council. The support of Cardiff County Council in providing the venue and refreshments is gratefully acknowledged.

Mair Rigby (Project Officer) welcomed everyone to the event and ran through the agenda for the afternoon. During the first part of the afternoon a panel of representatives from criminal justice agencies would respond to three hate crime case studies and answer questions from the audience. This would be followed by a workshop session in which the audience would be consulted about their views on the criminal justice system.

Jasmin Tregidga (Research Associate) thanked everyone who had agreed to help with the distribution of the survey. Jasmin then gave an overview of the research part of the project and stressed that she is eager to liaise with all the agencies in order to conduct qualitative interviews during the second year of the project.

Part 1: Criminal Justice System Agency Panel

The panel included representatives from:

- South Wales Police: Minorities Support Unit
- Crown Prosecution Service (CPS)
- Victim Support
- The Courts

Mair introduced the panel. Three hate crime case studies were read out to the participants and each member of the panel explained how their agency would respond to each situation.

CASE STUDY 1: Jo

Jo is a 21 year-old gay woman who lives alone in private rented accommodation. Jo is open about her sexual orientation to her close friends and work colleagues, but she isn't 'out' to her neighbours.

Jo is very active socially and often goes out on the local gay scene at night. One night Jo is walking home with a female friend along a road where there are a lot of pubs with people congregated outside on the pavement. As they walk past one of the pubs, two men make comments about them, saying "What a pair of Lesbos!" Jo turns around and tells them to "Get lost". The men then start following Jo and her friend down the road calling them names and making sexually suggestive remarks. Jo shouts back at the men telling them they are "pathetic". The men reply that they are only having "a bit of fun" and that she should "lighten up". Jo is very angry about this and a shouting match develops between them. One of the men grabs hold of Jo and pushes her over onto the pavement. The men then run off laughing. There are people nearby who must have seen the incident, but no one comes to help. Jo is bruised from her fall and shaken up by the experience. She thinks one of the men called his friend "Dave" but she doesn't know anything else about them and has never seen them before. Jo's friend thinks they should just go home and forget about it.

Jo would like to report the incident but is worried that:

- The police won't take her seriously because she had been drinking at the time of the incident
- The police might blame her for the incident because she shouted back at the men
- No one will come forward to be a witness
- She could be 'outed' in her local community

Panel Response to Jo's case

South Wales Police

Each incident reported to South Wales Police is recorded electronically and assigned an occurrence number. Those reported as 'hate' incidents are flagged up and Hate Crime Officers are designated to review them. The officer who takes the report conducts a risk assessment. The risk may be assessed as standard, medium or high.

All victims of hate crime are supported by specialist Hate Crime Officers whose responsibility it is to identify the specific needs of each victim and to provide them with any necessary support measures. This supportive role is different from that of the investigative officer who will investigate the crime itself.

The investigative officer will investigate the complaint and gather evidence. A statement will be taken, CCTV footage of the incident will be reviewed if available, and house-to-house inquiries may be conducted. If physical contact was involved then forensic evidence might be collected. Through these procedures the officer will attempt to identify the perpetrators. Jo would also undergo a medical examination and be referred to support agencies, mainly Victim Support.

Jo may wish for the police not to take formal action due to fear of being 'outed'. The police would respect her wishes.

The police cannot guarantee that in the process of investigation Jo's sexual orientation would not be disclosed at some point. An example of when sexual orientation may be disclosed publicly could be during a court hearing and an Action Plan would be devised and implemented following the Risk Assessment for the hate crime.

The next stage would be to present the evidence to CPS.

Crown Prosecution Service

The Crown Prosecution Service (CPS) would advise the police on the case and review the evidence. The CPS would then decide on the charge and, depending on the seriousness of the offence, present the case at Magistrates or Crown Court. The CPS can also give pre-charge advice to the police while the case is still under investigation. The CPS has a separate [Homophobic and Transphobic Hate Crime Policy](#) and would work according to this policy. If after looking at the evidence provided by the police the CPS decides the evidence needs strengthening, an action plan will be put into place in order to address any gaps. The CPS has specialist hate crime prosecutors who deal with hate crime cases.

Any case which is perceived to be a homophobic hate **incident** by the victim or any other person is flagged as such on the CPS IT system. This triggers appropriate support for the victim and witnesses and ensures the CPS Homophobic Hate Crime Policy is followed. However, to prosecute the incident as a homophobic hate **crime** there needs to be evidence to show that the perpetrator demonstrated or was motivated by hostility towards sexual orientation

There are no specific charges for homophobic hate crime as there are for racially and religiously aggravated hate crime (eg racially aggravated common assault). However, there is legislation (Section 146 of the Criminal Justice Act 2003) which imposes a duty on the courts to increase the sentence for any offence aggravated by hostility towards sexual orientation (or disability). The CPS should remind the courts of this duty

The CPS has to prove evidence of "hostility" and not "hatred".

From the point of charge the victim and witnesses would be supported by the Witness Care Unit, which is staffed both by the police and CPS. Witness Care Officers undertake individual needs assessments with victims and witnesses and put measures in place to address these needs. This could include referral to an appropriate support organisation; helping to arrange transport or childcare if the victim or witness has to attend court.

In certain situations the prosecutor can make an application to the court for special measures, e.g. anonymity (not granted that often but used); screens (so that the defendant cannot see the victim); video links etc.

Courts

The representative from the Courts stressed that fairness is at the core of their work. In Jo's case the CPS might have difficulty in deciding what charges to bring: if the assault is classed as 'common' then the case goes to the Magistrates court, if it is serious, then the Crown Court. The defendant can plead 'guilty' or 'not guilty'. Around 70-80% of defendants choose to enter a plea. If a plea is not entered, the court automatically assumes it is a 'not guilty' plea. If the defendant pleads 'guilty' and it is their first time in court, the sentence can be reduced by up to one third. At the same time, if aggravating factors are proven then the sentence could be increased by up to 30 per cent.

If the plea is 'not guilty', the case goes to trial, which will normally take place within 6 to 10 weeks depending on the seriousness of the case. Jo's case would most probably not be treated as high priority. An example of a high priority case would be a domestic violence case. The trial should be conducted in a manner which would ensure that the best evidence can be secured. If this involved using a video link or screens then these should be used.

Before the trial takes place, the witness service will ensure that the victim and any witnesses are supported throughout the trial. [The Witness Service](#) is based in court but it is an independent charity providing support to witnesses. They might show the victim the court before trial, make sure video links or screens are provided if necessary. In Cardiff, the Magistrates Court has 7 interview rooms where the victim would wait for the trial. It usually takes about 3 hours to wait for a trial. The Witness Service would also ring the victim after the trial to check that they are ok.

Victim Support

Victim Support would conduct an assessment of the victim's situation, find out what Jo's needs are and make referrals to relevant support agencies. In this case an LGB support organisation would probably be contacted.

Questions from the audience:

Q: How does CPS decide that they have enough evidence to take a case to court?

A: When reviewing the evidence the CPS has to apply the two tests (the evidential and public interest tests) set out in the [Code for Crown Prosecutors](#).

For a case to pass the evidential test prosecutors must be satisfied that there is sufficient evidence to provide a **realistic prospect of conviction**.

This means that a jury or bench of magistrates or judge hearing case alone is more likely than not to convict the defendant of the charge alleged.

In simple terms this means that the CPS has to be more than 50% sure that the court will convict

This is a different test from the one that the criminal courts themselves must apply. A court may only convict if it is sure that the defendant is guilty.

Q: What happens if the file is transferred to the CPS and they decide that there is no chance of conviction?

A: If a full file of evidence has been provided to the CPS the prosecutor should write to the victim and inform them about their decision and the reasons for it. The prosecutor should also offer to meet with the victim.

However, if the CPS has provided verbal or telephone advice only to the police, without seeing a full file of evidence, the police are responsible for informing the victim.

In cases where the CPS are not involved, for example if a perpetrator has not been caught, it is the police's responsibility to keep the victim informed.

The CPS and police would encourage victims to report any incident however small. If there is insufficient evidence to prosecute the evidence may still be helpful in future

Q: How long will Victim Support provide assistance to the victim?

A: It is up to the victim. Support will be provided as long as the victim needs it, whether or not they go to court.

CASE STUDY 2: Mark

Mark is a 40 year-old man who has a learning disability. He lives with his mother in social housing and has a part-time job in a shop.

A group of teenage boys and girls start targeting Mark when they see him out and about in the area. They ask him to go into shops to buy cigarettes and alcohol for them. When he refuses to do this they become abusive and start calling him names like “retard”. This situation carries on for a few weeks. One day, the teenagers stop Mark on the street and tell him that if he doesn’t give them money, they will tell people that he’s a paedophile and this means that someone will come and set fire to his house. Mark is terrified of what will happen if the teenagers do start spreading this rumour about him in the local area. He thinks he might lose his job. He also doesn’t want to frighten his mother. He gives the teenagers £10 of his money just to try and make them leave him alone. The next morning he finds that someone has written “Pedo” in big letters on the wall of his house.

Mark wants to tell someone about what is happening but is worried that:

- He will find it difficult to explain what has happened to the police and they will be impatient with him if he can’t remember everything
- He will get in trouble because he didn’t tell anyone about the previous incidents
- The police will believe the teenagers and will arrest him on suspicion of being a paedophile

Panel Response to Mark’s case

South Wales Police

South Wales Police would involve vulnerable adult co-ordinators to support Mark. This would involve conducting an assessment of his needs and, if needed, supporting Mark during interviews. If a statement was needed from Mark, the police would make sure it is not rushed if Mark needed more time. Investigation would, amongst other things, involve taking photographs of the graffiti and collecting forensic evidence. The graffiti would then be removed by the Local Authority or the police themselves.

If counter-allegations were made by the perpetrators and subsequently investigated, the police cannot give assurances that the subject of these allegations would not be arrested.

If it turns out that Mark’s complaints were not subject to criminal law, the police would refer the case to e.g. to the housing provider, who has the duty of care in relation to tenants.

Crown Prosecution Service

As with the first case study the CPS would decide if there was enough evidence to prosecute. The CPS has a separate [Disability Hate Crime Policy](#) and would work according to this policy. The CPS would follow the same procedures as outlined in the first case study including witness care and applying to the court for special measures.

There are no specific charges for disability hate crime, however, there is legislation (Section 146 of the Criminal Justice Act 2003) which imposes a duty on the courts to increase the sentence for any offence aggravated by hostility towards disability (or sexual orientation). The CPS should remind the courts of this duty

The CPS would advise the police to use a Registered Intermediary in this case which involves an adult with a learning disability. The intermediary ensures that communication between the victim and Criminal Justice agencies is effective and they would support the victim at the investigation stage as well as trial stage at court (e.g. beginning with the police interview).

In the past criminal justice agencies have made assumptions about victims and witnesses with learning disabilities. Some people have not been considered to be 'competent, credible and reliable' witnesses (e.g. if they find it difficult to remember details) simply because they have a learning disability. However, a very different approach is now taken. The CPS has recently launched its [Policies for Victims and Witnesses with Learning Disabilities and or Mental Health Issues](#) which outlines the service that should be provided by the CPS.

Often in disability hate crime cases the perpetrator will accuse the victim of being a paedophile in an attempt to justify their actions. The CPS also encourages prosecuting (as opposed to giving a caution) for even minor offences related to disability, in order to prevent escalation (e.g. as in the Fiona Pilkington case).

The Courts

Perpetrators under 18 years of age would be prosecuted by the Youth Court, which presents a different scenario for the victim in comparison to the Magistrates or Crown Courts which deal with adults. If this offence was the first offence of a young perpetrator and they pleaded guilty a restorative justice approach would most probably be undertaken (this approach is becoming more and more popular when young people are involved).

Victim Support

Victim Support would assist Mark by offering enhanced support which is in place for vulnerable adults.

Questions from the audience:

Q: What are the CPS figures in relation to hate crime against Gypsies and Travellers? What is being done to improve the situation of Gypsies and Travellers who are one of the most vulnerable groups in our society?

A: CPS representatives did not have the figures relating to victims from the Gypsy and Traveller communities on them, but said they were aware that there was a need to increase confidence among this community. CPS is eager to talk to people working with Gypsies and Travellers and the community itself in order to address issues facing this community.

Gypsy and Traveller communities are regarded as a racial group by the CPS and any offence committed against a member of the community because of their racial group would be treated as a racially aggravated crime which attracts a higher sentence.

The CPS has worked with the Welsh Assembly Government on their Gypsy Traveller Strategy ["A Road Less Travelled"](#)

A: The audience member who asked the question noted that Gypsy and Traveller communities lack of engagement with criminal justice agencies is due to low trust and that work needs to be undertaken to build this trust.

Q: Third party reporting services handled by local authority call centres make it very difficult for a disabled person to report a hate crime. From my own experience, they do not ask the question about disability and it would be better if officers from equality organisations delivered this service rather than untrained call centre operatives and other generalist services.

A: The Police representative said that since March 2010 the police are carrying out training in the identification and managing of hate crime for all call handlers and about 100 Police Community Safety Officers (PCSOs). Identifying and mapping training has also been delivered to all front line officers.

The CPS representatives said that they are currently working with local housing associations who provide third party reporting services.

All four police forces and CPS Areas in Wales support the [Safer Wales Third Party Reporting Scheme](#)

CASE STUDY 3: Fatimah

Fatimah is a 25 year-old British Muslim woman. She is married and owns a house with her husband. Fatimah starts a new job as an administrator in an office where she is the only Muslim employee. Some of her new colleagues start making jokes about Muslims being “terrorists” in her presence. One of the men in the office tells her she should take off her headscarf. When she tells him she finds this very offensive, he says she should stop being so “uptight” and that she should be grateful for being allowed to live in the UK at all. Fatimah complains to her line-manager who offers to speak to those responsible. Some of her colleagues then apologise, but the man who objected to her headscarf seems to be very angry and won’t speak to her. Based on other things that she’s heard him say in the office, Fatimah begins to suspect that this man might have connections with a far right group. At first she’s mainly relieved that the harassment has stopped, but a couple of weeks later someone starts to stalk her on Facebook by hacking into her profile and sending her abusive messages. Then she receives an anonymous threatening letter at her house. She doesn’t have any proof that people from her office are responsible for the online stalking and hate mail, but thinks that it’s unlikely to be a co-incidence. Fatimah would like to report the incidents, but is worried that:

- Reporting to the Police will result in an investigation that will make it too difficult for her to continue in her job and she will have to leave, making it hard to pay the mortgage
- She doesn’t have enough evidence against the person she suspects is responsible
- The Police might be racist or might not like Muslims any more than her colleagues do

Panel response to Fatimah’s case

South Wales Police:

The police would link in with the HR department of the company and make it clear to the employer that it is also their legal responsibility to deal with the case. In terms of collecting evidence, specialist police officers would collect evidence of the online harassment by working with Facebook. Forensic evidence would be collected from the hard copy letter and if it contained handwriting, this could be used as evidence as well. In workplace cases where the victimisation is ongoing and constitutes a criminal offence of harassment, it would be prosecuted. In terms of priority, every single case is risk assessed and a priority level would be assigned to it. Also, in every Basic Command Unit (formerly division), senior officers have monthly meetings where all hate crime cases and how they are handled, would be reviewed.

The victim should be reassured that South Wales Police does not tolerate racist behaviour by its employees and any staff member who exhibits such behaviour could be liable to disciplinary proceedings. All hate crime victims are strongly encouraged

to report incidents. They will have the opportunity to discuss what has happened to them and whether or not they wish to make a formal complaint regarding the matter. Irrespective of whether or not they wish to pursue a complaint, if they report the matter, the police can often provide advice and support or arrange support from other organisations as appropriate in the circumstances.

Crown Prosecution Service

As with the first two case studies the CPS would decide if there was enough evidence to prosecute. The CPS has a separate [Racist and Religious Hate Crime Policy](#) and would work according to this policy. The CPS would follow the same procedures as outlined in the first case study including witness care and applying to the court for special measures

There are specific charges for racist and religious hate crime which attract a higher sentence.

Here there could possibly be a prosecution for harassment and malicious communications. The CPS could also apply for a restraining order against the perpetrators.

Victim Support

In all of the cases including this one, Victim Support would also use special support officers, who are volunteers trained in hate crime cases.

Questions from the audience:

Q: What do the relevant agencies do to raise awareness of what is 'hate crime'? The Valleys Regional Equalities Council (VALREC) conducted local research, which shows that many people are not familiar with the term and therefore reporting figures are low. The research also found that no after-care is provided for the victims and some people reported hate crime and never knew what happened with their report.

A: The Police representative said that First Response officers are being trained to ask specific questions which would help them identify hate crime (e.g. Do you think this happened because of your race/religion?). With regards to the after-care, Hate Crime Officers should contact the victim within one week of the report to explain what is going to happen. Sometimes a home visit will be paid as well by a Hate Crime Officer or a PCSO. Within 3 to 4 weeks the Hate Crime Officer should ring the victim to see if they are happy with the process.

CPS and police undertake extensive community engagement with communities across Wales. We are trying to work together to encourage reporting of hate crime. The term hate crime is somewhat misleading as we only have to prove hostility and not hatred.

Part 2: Workshops

The audience was divided into three groups and asked to respond to the following questions:

1. Which areas of the criminal justice system do you think victims find most difficult to understand?
2. What kinds of barriers do you think victims of hate crime experience in relation to the criminal justice system?
3. What should be done to improve victims' understanding of and confidence in the system?

Question 1: Which areas of the criminal justice system do you think victims of hate crime find most difficult to understand?

The term 'hate crime' – victims often associate hate crime with violent acts. They are often unsure if what's happening to them is serious enough to warrant attention. They may assume that they will have to provide evidence that the perpetrator 'hated' them. People tend to report based on severity, so they will put up with/tolerate a lot before reporting.

How police CPS work: it was observed that the system is very complicated and it's not surprising that victims find it difficult to understand.

Procedures - e.g., reporting; gathering evidence; the evidential and public interest tests etc.

The role of the CPS and the process for taking hate crimes to Court - victims will often blame the police for CPS decisions.

Sentencing for hate crime - there is a lack of knowledge about sentences and outcomes. Victim expectations need to be well-managed with regard to sentencing.

Question 2: What kinds of barriers do you think victims of hate crime experience in relation to the criminal justice system?

Initial access - e.g. lack of local police stations, not knowing where/who to report to, and untrained call handlers who don't identify hate crimes or lack understanding of equality and diversity - the example of trans women being incorrectly referred to as 'he' after they had stated their gender was mentioned.

Mistrust in the Police - much has improved, but there is still more need for training/change in culture in the police.

Evidence - the hate element in crimes can be difficult to evidence

Communication barriers - issues of accessibility and legal language/jargon

Physical barriers - police stations, courts, foyer areas etc.

Lack of information- about what services are open and when, e.g, police stations and helplines.

Safety - if people feel that reporting is a risk to their safety, they won't do it.

Fear of losing control of the situation - victims may feel that reporting will take the situation out of their control and make things worse

Hearsay and the media - anecdotal stories about negative experiences in the community, together with negative portrayals of the relationship between the police and minority communities in the media can create barriers to reporting

Fear of counter-allegations - victims may be very afraid of perpetrators making counter-allegations that might lead to them being investigated by the police

The adversarial system - it was observed that the adversarial nature of the system is in itself intimidating to victims

Experiences in other countries - for immigrants and refugees and asylum seekers different experiences with the authorities/law in their countries of origin could be a barrier

Lack of resources for specialist services - since many victims of hate crime come from groups that are already more-or-less excluded and discriminated against, there is a high level of need for specialist services to support them when reporting hate crime

Question 3: What should be done to improve victims' understanding of and confidence in the system?

Increase ways of dealing with hate incidents/crimes - look at what other countries are doing, e.g. mediation/restorative justice

Promote the process more widely - to increase understanding and demystify the criminal justice system

Improve training for people on the front lines - make it a disciplinary offence if they don't comply

More awareness and acceptance of the lack of trust and confusion from the CJS - we still need to see more listening and less defensiveness

Mainstream the issue - use radio stations and the media. The public is far more aware of domestic abuse now, why can't the same work be done with regard to hate crime?

Increase understanding of 'hate crime' as a term - information needs to be more widely available

Practical improvements: e.g., private areas for reporting in police stations, raise awareness of opening times, more 3rd party reporting schemes, regularly update victims and keep them informed, local authority reporting should be done as a dedicated service.

Equality and diversity training - cultural differences are important but there needs to be more insight into how the Police are perceived

Promotional campaigns to raise awareness

Hate crime education in schools

Increase approachability: send out the message that 'It's alright to ask!' People should feel comfortable approaching criminal justice agencies to ask questions about hate crime without feeling that they will be seen as 'wasting time' or will receive dismissive responses

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January 2011

All Wales Hate Crime Research Project: Event Report
Hate Crime and Multi-agency working: The Way Forward
1.30pm, Thursday 5th May 2011
Race Equality First, Cardiff

Introduction

This event, held in partnership with South Wales Police, explored opportunities for developing the model of the MARAC (Multi-agency Risk Assessment Conference) that has been created to address domestic abuse cases to tackle hate crime.

31 representatives from 21 organisations attended the event (see APPENDIX A). The audience included representatives from key agencies that could potentially attend a hate crime MARAC if one was established and organisations that work with people who may be victims of hate incidents/crimes.

Aims of the event:

- To consider support for a MARAC pilot project in Cardiff
- To gain input from stakeholders on the question of how the model that has been developed to address domestic abuse can be transferred to hate crime
- To increase stakeholders knowledge and understanding of the MARAC process

1. Speakers

Jan Pickles (OBE), Welsh Assembly Government

Jan led on the establishment of the first domestic abuse MARAC in Cardiff in 2003. She gave a presentation on the history of the domestic abuse MARACs.

Key points:

- From a practitioner perspective, the MARAC process gives professionals the confidence to assess risk, share information about victims and perpetrators and manage and guide the victim.

- From a victim perspective, the MARAC can streamline, fast track and prioritise high-risk domestic abuse cases. Research has shown that the process has reduced repeat victimization. The MARAC offers victims practical interventions and someone to fight their corner, helping to free them from fear.
- For the process to work well Jan recommended that actions must be realistic (SMART), evaluation processes should be embedded, and it should be chaired by someone at Inspector level or above.

Chief Superintendent Neil Kinrade, South Wales Police

Chief Superintendent Kinrade gave a presentation about the Fiona Pilkington case and South Wales Police's involvement with a new project to identify and support vulnerable victims of anti-social behaviour.

Key points

- The Pilkington family was failed by multiple agencies. There was a lack of communication between the different agencies dealing with Fiona and, as a result, the family's overall vulnerability was never taken into account. It can be debated whether the Pilkington family experienced ASB or hate crime, but since a lot of ASB targeting is against disabled people there will be crossover with hate crime.
- South Wales Police, along with seven other police forces in the UK, has signed up to a Home Office project to help identify vulnerable victims of ASB. ASB will be categorised in 3 areas: personal threat, public nuisance, and environmental. All local authorities in the South Wales Police area have now signed up to the information sharing protocol for the Safer South Wales ASB Data Management System.
- The project will establish ASB Units. These units will instigate vulnerability risk assessments (VRA) on victims of ASB, local police/partner action plans will be created, and vulnerable and repeat victims may be referred to a multi-agency ASB Management Forum (similar to a MARAC). There will be problem-solving partnership solutions in hotspot locations. This process aims to improve victim case management, to keep victims updated and support them appropriately.

2. Workshops

Dr Mair Rigby, Project Officer for the All Wales Hate Crime Research Project, gave a short presentation summing up the 7 steps of MARAC and the minimum requirements for setting up a MARAC (see APPENDIX B).

Key points:

- A hate crime MARAC would be a multi-agency meeting with a common risk assessment and high risk victims of hate crime as its focus
- The aim would be to build as comprehensive a picture as possible of the risks the victim is facing and to put SMART action plans into place
- The victim should be at the centre of the process

Attendees were divided into groups and asked to respond to three questions:

1. What benefits would a more formal multi-agency approach to tackling hate crime have for your organisation and beneficiaries?
2. What challenges do you foresee in transferring the model of the domestic abuse MARAC to hate crime?
3. Next steps: how do you think we should progress this work?

Question 1: *What benefits would a more formal multi-agency approach to tackling hate crime have for your organisation and beneficiaries?*

- There could be a benefit in expanding what's already in existence, e.g. the Cardiff Multi-agency Race Forum and the ASB problem-solving group. There could be a core group, plus a MARAC for the high risk cases. The Council already has close relations with the Police, a system to risk assess repeat complaints, and Cardiff also has the Multi-agency Race Forum.
- There could be benefit in involving more organisations in a hate crime forum/partnership e.g., social services, education, probation, and this would help get a better picture of vulnerability. For example, when the agencies are brought together, a single victim or perpetrator may come up several times.

- There would be a benefit in having a shared hate crime risk assessment for all organisations and in particular in agreeing on a definition of “high risk”.
- Since the MARAC is an auditable process, it is likely to be more effective at managing victims, to result in more rapid agreements, improved communication and better problem solving.
- A MARAC (or something similar) could allow more organisations to be part of it (e.g. older people’s organisations) because more partners would get involved in a case that one organisation may know about.
- A more formal process could lead to easier follow-up and getting actions out of people because formal action plans would hold people to account.
- Some organisations would like to see a network in place to ensure that their referrals are taken seriously.
- Increased victim confidence would be likely to result from a better service and access to advocates.
- A more formal process could help raise awareness that there are different strands, and could promote a more intersectional approach which takes into account different aspects of a victim’s identity.
- There could be a benefit from more communication between different strands and they could learn from each other.
- It was stated that elder abuse should be included in a multi-agency hate crime forum.
- It was thought that Independent Advocates would be key to the process and that their existence would be beneficial.

Question 2: *What challenges do you foresee in transferring the model of the domestic abuse MARAC to hate crime?*

- Resources would be an issue - the domestic abuse MARAC is very resource intensive.
- Is the MARAC model (which deals only with domestic abuse) suitable for hate crime, which has 5 monitored areas? How do we assess risk criteria for 5 kinds of hate crime and would it mean that there would be too many agencies involved to make it workable?
- It may be a challenge to convince practitioners that a more formal process would be worthwhile. Practitioners in various areas would need to be educated about hate crime and the MARAC process.
- Who would take the place of the Independent Domestic Abuse Advocates who are crucial to the functioning of the Domestic Abuse MARAC. It was also noted that advocacy is very resource intensive.
- Where would it be based? The Domestic Abuse MARAC is based in the Police Domestic Abuse Unit, but there is no similar unit for hate crime. Would it be based with the Minority Support Unit or the Hate Crime Officers or somewhere else?
- What definition of hate crime would be used? Would it be the ACPO definition which is based on the victim's subjective experience, or would practitioner views be taken into account – considering that a lot of victims do not identify themselves as experiencing hate crime. There is also the Home Office definition, "Hatred is the targeting of individuals, groups and communities because of who they are".
- The issue of crimes and incidents could be problematic. Someone might only be experiencing "low-level" incidents, but still could be very high risk (e.g. as in the Fiona Pilkington case). A hate crime MARAC would have to take account of this.
- Hate crime victims' low confidence in the criminal justice system and tendency not to report could make it a challenge to engage them in the process.
- It was suggested that we might have to lower the risk threshold for victims of hate crime because it's unlikely that there will be as many very high risk cases for hate crime as there are for domestic abuse

- A question was raised around the concept of vulnerability – people may not want to be categorised as “vulnerable” and it’s important not to make assumptions
- It was noted that there would be more perpetrators to discuss at a hate crime MARAC, but the process focuses on victims. It was felt that some more research is needed on this issue.
- The issue of intersectionality was raised – how would the MARAC address victims’ multiple identities?

Question 3: *Next steps: how do you think we should progress this work?*

- The right agencies would need to sign up to the idea of a multi-agency partnership/MARAC. It would need organisational buy-in.
- An appropriate lead organisation would need to be decided – the Community Safety Partnerships were suggested.
- It was felt that a hate crime MARAC would need a champion, a person or organisation prepared to go to lengths to push the agenda forward.
- The idea would need to be presented at the right meetings.
- It was felt that there would be work to be done with the Courts – the victim-centred definition of hate crime is a problem once a case gets to Court.
- Develop Independent Hate Crime Advocacy because this will improve victims’ confidence to go forward with the process

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APPENDIX A

List of organisations present:

Age Cymru

Cardiff Community Housing Association

Cardiff Council

Cardiff University

Cardiff and the Vale Coalition of Disabled People

Disability Wales

Displaced People in Action

ESOL Service

LGBT Excellence Centre

Mencap Cymru

Race Equality First

Safer Wales

South Wales Police

South Wales Police Minorities Support Unit

Taff Housing

Tai Pawb

United Welsh Housing Association

Vale of Glamorgan Council for Voluntary Services

Victim Support

Wales Strategic Migration Partnership

Welsh Assembly Government

APPENDIX B

7 steps of MARAC

1. Identify victims
2. Risk assess
3. Referral process
4. Each agency researches each case
5. Meeting and information sharing
6. Action planning
7. Follow up

Minimum requirements for setting up a MARAC

A lead organisation to chair the meetings

A risk identification tool

An information sharing protocol

An operational protocol

A steering group

A coordinator

Nominated leads based in each agency