

The logo for the Equality Commission for Northern Ireland. It consists of a dark blue rectangular box at the top containing the text 'Equality Commission' in white. Below this is a green rectangular box containing the text 'FOR NORTHERN IRELAND' in white.

Equality Commission

FOR NORTHERN IRELAND

## **Racial Equality Strategy Call for Views:**

### **Equality Commission response**

The Equality Commission for Northern Ireland ('the Equality Commission') is an independent public body established under the Northern Ireland Act 1998. It is responsible for implementing the legislation on fair employment, sex discrimination and equal pay, race relations, sexual orientation, disability and age.

The Equality Commission has particular duties under the Race Relations (Northern Ireland) Order 1997, ('RRO 1997') as amended. It has a duty to work to eliminate unlawful racial discrimination and harassment, to promote equality of opportunity, to promote good relations between persons of different racial groups and to keep the working of the legislation under review.

The Commission is empowered under Schedule 9 of the Northern Ireland Act 1998 to, inter alia, offer advice to public authorities and others in connection with the duties imposed by Section 75 of the Act. It is also empowered to authorise investigations into alleged failures by such authorities to comply with equality scheme commitments.

**Our response to the Call for Views on the Racial Equality Strategy issued by The Executive Office is set out below:**

## **1. What do you perceive to be the root cause of racism and racial inequalities here?**

The genesis of racist beliefs are considered to be related to the justification of economic exploitation e.g. slavery, apartheid and colonialism, elaborated through an ideology of superiority which posits that some 'races' are 'inferior' and 'uncivilised' (and therefore require to be civilised, including through the suppression of religious beliefs and cultural practices).

During the Age of Enlightenment, the concept of 'scientific' racism, sometimes termed 'biological' racism, developed. This was a pseudoscientific belief that the human species could be divided into biologically different 'races', that there was a taxonomy of 'superior' and 'inferior' races and that this supposed distinction served as a basis to justify racial discrimination.

Scientific racism was subsequently promulgated by its adherents in the fields of anthropology, craniometry, evolutionary biology and genetics, and used to inform political ideology.

Scientific racism was a significant phenomenon up until the mid-twentieth century, reaching its apogee when utilised to justify the mass genocides carried out by the Nazis during World War Two.

In the wake of the World War, scientific racism was denounced in UNESCO's statement on the Race Question (1950): 'The biological fact of race and the myth of 'race' should be distinguished. For all practical purposes, race is not so much a biological phenomenon as a social myth. The myth of 'race' has created an enormous amount of human and social damage. In recent years it has taken a toll on human lives and caused untold suffering'.<sup>1</sup>

Although scientific racism was largely rejected by the scientific community in the latter half of the twentieth century, the idea of 'race'

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<sup>1</sup> United Nations Educational, Scientific and Cultural Organization (1950): [The Race Question](#), paragraph 14, p. 8.

has continued as a social construct used in the everyday vernacular e.g. the Race Relations (Northern Ireland) Order 1997.

A small number of scientists have continued to promote the concept of scientific racism, and, of course, racism in various manifestations continued to be a phenomenon in the latter half of the twentieth century and beyond e.g. systems of apartheid, racial violence, racial discrimination etc.

Understanding of racism, and the best means to address it, remains contested e.g. the current push back against Equality, Diversity and Inclusion in the United States and the debate around institutional racism in the UK.

Race, despite the lack of scientific basis has endured as part of everyday social discourse. We live in a racialised society.

Non-white citizens, some white ethnic minorities and migrants are routinely 'othered', 'minoritised' and discriminated against, posited by some sectors of society as a threat in some way to the dominant majority, for example by allegedly having preferential access to scarce resources such as housing and healthcare (improved access for all to these services lies ultimately, of course, with both the Northern Ireland Executive and how it manages its budget as well with the Westminster government responsible for allocating the block grant to the Executive).

Policies that discriminate by racial identity can reinforce racist beliefs and othering, communicating a message that people with a particular racial or ethnic identity are undeserving of the same opportunities and services available to those in the majority population. The development of a 'hostile environment' for asylum seekers is an example of this.

Racial discrimination is not just an interpersonal issue involving one person discriminating against another. Patterns of unequal outcomes for minoritised people have been detected in education, employment,

housing, health care, criminal justice and participation in public life – the phenomenon of ‘institutional’ racism.<sup>2</sup>

Representation in the media is another contributory factor towards the formation of racist attitudes. The Leveson report into press standards, for example, found that ‘When assessed as a whole, the evidence of discriminatory, sensational or unbalanced reporting in relation to ethnic minorities, immigrants and/or asylum seekers is concerning’.

A further factor is that the number of people who challenge or feel able to challenge racism is, in practice, a relatively small sector of society. Many people who don’t believe in racism don’t actively engage in anti-racism.

Daniels (2022) notes the perceived risk associated with talking about racism ‘irrespective of how much quantitative and qualitative data exists to show that society still has an issue with racism, that everyday human rights are being violated and often recorded on mobile phones and talked about in real time on social media – for some, genuinely addressing the issue is too risky. Silence on issues relating to racism was the smart and safe play.’<sup>3</sup>

Many people find it difficult to recognise racism in themselves and adhere to the notion that they are ‘colourblind’ and believe that everyone is treated equally (see Oliver and Magill: 2022<sup>4</sup>) without acknowledging that there is not a level playing field for all groups.

Most people have some level of unconscious bias which may be influenced by the media they consume or by living with family members who have racist attitudes or by the depiction of stereotypes and norms in

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<sup>2</sup> Mann Kler, D. references the existence of institutional racism in Northern Ireland (see ‘*Identity and Racism in Northern Ireland*’ in Lentin, R. and McVeigh, R. (2022): *Racism and Anti-Racism in Northern Ireland*, p. 63 (Beyond the Pale Publications); See also Oliver, Q. and Magill, P. (2022): [A wake-up call on race - Implications of the Macpherson Report for Institutional Racism in Northern Ireland](#)

<sup>3</sup> Daniels, S. (2022): *The Anti-Racist Organization: Dismantling Systemic Racism in the Workplace* (Wiley); See also: Obasi, C. |(June 2020): [Silent racism: Why not speaking up becomes lethal for the collective](#) (Harpers Bazaar)

<sup>4</sup> Magill, P. and Oliver, Q. (2022): [A Wake-Up Call on Race - Implications of the Macpherson Report for Institutional Racism in Northern Ireland](#)

education. These factors may lead to summary, prejudiced but inaccurate judgements about people who appear different in some ways.

Scapegoating is another factor. For example, some political discourse around the racial violence that occurred in Northern Ireland in the summer of 2024, sought to rationalise this on the erroneous basis that migrants had preferential access to scarce resources such as social housing (as noted above).

McVeigh<sup>5</sup>(1998), Oliver and Magill (2002)<sup>6</sup> and Crangle (2018)<sup>7</sup> have all highlight the historical and ongoing denial of racism in Northern Ireland.

It is true that the issue of racism has been historically overlooked in Northern Ireland – legal protection against racial discrimination was only introduced in 1997 some 32 years after such legislation was first introduced in Great Britain.

As Crangle notes ‘Whilst race became a salient issue in British towns and cities in the 1950s and 1960s, in Northern Ireland it was barely mentioned. When successive British Race Relations Acts were passed in 1965, 1968 and 1976, Ulster was exempted. Northern Ireland was home to several thousand ethnic minority inhabitants, all of whom could have benefited from race relations law. However, within a fraught political and security context, the needs of ethnic minorities were considered subordinate to internal sectarian politics, leaving them isolated, marginalised and vulnerable.’<sup>8</sup>

A consultation paper prepared by the Central Community Relations Unit in 1992 on behalf of the Government said: ‘Although there has been legislation on race in Great Britain since 1965, a similar body of law has not been introduced in Northern Ireland. The main reason for this was

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<sup>5</sup> McVeigh, R. (1998): ‘Racism and Anti-Racism’ in Hainsworth, P. (ed): *Divided Society*, p.31 (Pluto Press)

<sup>6</sup> Magill, P. and Oliver, Q. (2022): [A Wake-Up Call on Race - Implications of the Macpherson Report for Institutional Racism in Northern Ireland](#)

<sup>7</sup> Crangle, J. (2018): ‘Left to Fend for Themselves’: [Immigration, Race Relations and the State in Twentieth Century Northern Ireland](#), *Immigrants & Minorities*, 36:1, 20-44, DOI:

<sup>8</sup> Crangle, J. (2018): ‘Left to Fend for Themselves’: [Immigration, Race Relations and the State in Twentieth Century Northern Ireland](#), *Immigrants & Minorities*, 36:1, 20-44, DOI: 10.1080/02619288.2018.1433534

that successive Governments believed that there was insufficient evidence of problems arising to warrant legislation equivalent to that in Great Britain'.<sup>9</sup>

The alleged lack of racism was attributed to a lack of immigrants, propagating the notion that migrant settlement, rather than white prejudice, causes racism.

The introduction of Race Relations legislation to Northern Ireland followed a campaign led by the Committee on the Administration of Justice<sup>10</sup>, involving voluntary and community groups aligned with the Chinese, Indian and Traveller communities and included representations to the UN Committee on the Elimination of All Forms of Racial Discrimination.<sup>11</sup>

Although the Race Relations (Northern Ireland) Order 1997 belatedly brought Northern Ireland into line with the rest of the UK at that time, the region has continued to lag behind Great Britain in the application of racial equality law. Crangle points out that when the British Race Relations Act was superseded by the Race Relations (Amendment) Act (2000), no further legislation was passed in Northern Ireland until the passage of the Race Relations Order (Amendment) Regulations (Northern Ireland) (2003), which implemented the EU Framework Employment Directive, and a further piece of legislation in 2009.

Similarly, strengthened legal protections against racial discrimination introduced in Great Britain through the Equality Act 2010 have yet to be enacted in Northern Ireland

McVeigh emphasises that despite such denial 'there is racism in Northern Ireland and it is a 'problem' for both white people and people of colour. Addressing the question of *why* there is racism suggests that there are particular characteristics of society that reproduce racism. These include an historical legacy of racialised relationships with other

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<sup>9</sup> Central Community Relations Unit (1992): Race Relations in Northern Ireland (Belfast: CCRU)

<sup>10</sup> Committee on the Administration of Justice (1991): [Racism in Northern Ireland](#)

<sup>11</sup> Committee on the Administration of Justice (1991): [Racism in Northern Ireland](#); Anna Lo (2016): The Place I Call Home, pp. 105-106 (Blackstaff Press)

colonised peoples as well as a contemporary relationship to racism in Britain and Europe alongside a deep seated 'indigenous anti-Traveller racism'.<sup>12</sup>

He also points out here that racism is also structured by sectarianism as a dominating factor of life in Northern Ireland.<sup>13</sup>

The UN Committee on the Elimination of All Forms of Racial Discrimination commented in its concluding observations (2024) on the UK that 'While noting the efforts made by the State party to tackle paramilitarism in Northern Ireland, the Committee is concerned about reports of paramilitary groups and affiliated individuals perpetrating acts of racist violence and intimidation to deter persons belonging to ethnic minorities and migrants from taking up housing or establishing businesses in certain areas. It is also concerned about information indicating that victims do not always report these acts for fear of reprisals and that the response by the authorities and the police has been ineffective'.<sup>14</sup>

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<sup>12</sup> McVeigh, R. and Lentin, R. (2002): *Situated Racism: A theoretical introduction* in See also: McVeigh, R. (1992): *Racism and Travelling People in Northern Ireland*, 17<sup>th</sup> Report of the Standing Advisory Committee on Human Rights (Belfast: HMSO); McVeigh, R. (1997): *Theorising Sedentarism – The roots of Anti-Nomadism* in Acton, T (Ed.): *Gypsy Politics and Traveller Identity* (University of Hertfordshire Press); Noonan, P. (1998): *Pathologisation and Resistance - Travellers, nomadism and the state*, in Hainsworth, P.: *Divided Society: Ethnic Minorities and Racism in Northern Ireland* (Pluto Press); Hainsworth, P. (1998): *Politics, Racism and Ethnicity in Northern Ireland* in Hainsworth, P.: *Divided Society: Ethnic Minorities and Racism in Northern Ireland* (Pluto Press); Noonan, P. (1994): *Policy-making and Travellers in Northern Ireland* in McCann, M et al: *Irish Travellers – Culture and Ethnicity* (Institute of Irish Studies: QUB)

<sup>13</sup> See also: McVeigh, R. 1998): *Racism in the six counties: Theorising the racism/sectarian interface* in David Miller (ed): *Rethinking Northern Ireland* (London: Longman)

<sup>14</sup> Committee on the Elimination of All Forms of Racism (2024): [Concluding observations on the combined twenty-fourth to twenty-sixth periodic reports of the United Kingdom of Great Britain and Northern Ireland](#), paragraph 21, p. 6.

The Committee recommended that '...the State party, in particular the government of Northern Ireland, adopt robust measures to prevent and combat paramilitary racist violence and intimidation against ethnic minorities and migrants in Northern Ireland, systematically collect information on these acts of violence and intimidation and ensure that cases of paramilitary racist violence and intimidation are promptly and effectively investigated, prosecuted and punished with appropriate sanctions and that victims have access to effective protection and redress.' (paragraph 22, p. 6)

## 2. What, in your view, are the key inequalities faced by minority ethnic people?

### **Institutional Racism**

One of the most striking findings of the recent research report commissioned by ECNI on the impact of Brexit on minority ethnic and migrant people in Northern Ireland, was that minority ethnic and migrant groups who participated, said that they felt that racism was a normal part of their day-to-day life in Northern Ireland.<sup>15</sup>

Female participants in the research felt that they had been the focus of racism more than their male counterparts due to being at the 'frontline of community interactions'. Participants reported that they felt that this was because minority ethnic women tended to be exposed to racism in the exercising of their caring responsibilities ('at the school gates') and when working in low paid jobs.<sup>16</sup>

In 2002 the Commission published an expert paper into the implications of the Macpherson Report for institutions in Northern Ireland which highlighted that many had yet to look at racial equality in a serious fashion and even the S75 (1) duty<sup>17</sup> too often caused only a cursory examination of the issue<sup>18</sup>.

*A wake-up call on race - Implications of the Macpherson Report for Institutional Racism in Northern Ireland*<sup>19</sup> was commissioned by the Equality Commission, as part of its response to the publication of the Macpherson Report, to examine the implications of the report for Northern Ireland, not just for the police or public sector but for organisations in society generally.

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<sup>15</sup> Equality Commission for Northern Ireland (2024): [Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland – Policy Recommendations](#), paragraph 2.7, p. 23.

<sup>16</sup> Equality Commission for Northern Ireland (2024): [Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland – Policy Recommendations](#), paragraph 2.30, p. 27.

<sup>17</sup> The policy intent of Section 75 of the Northern Ireland Act is to achieve the mainstreaming of equality and good relations considerations in public policy making.

<sup>18</sup> McGill, P. and Oliver, Q. (2002): [A wake-up call on race - Implications of the Macpherson Report for Institutional Racism in Northern Ireland](#), page 2 (Equality Commission for Northern Ireland).

<sup>19</sup> McGill, P. and Oliver, Q. (2002): [A wake-up call on race - Implications of the Macpherson Report for Institutional Racism in Northern Ireland](#) (Equality Commission for Northern Ireland).



As part of the research the authors interviewed 20 senior people in the public and private sectors and among the social partners. There were also discussions with the OFMdFM Racial Equality Forum, a consultative mechanism created by the Race Unit of the Equality Commission and the black and minority ethnic sector, including Travellers.

The authors observed that ‘people in Northern Ireland, even those in senior positions, think - or pretend - that there is no racism here. We tend to fall back on folklore about being a friendly lot. We pat ourselves on the back for our equality legislation on religious and political belief and sex equality and believe we have eliminated prejudice from our selection and promotion procedures. We have no evidence of dissatisfaction from the miniscule proportion of workers from ethnic minorities, so we assume they are content. We believe we are offering services to all because we do not discriminate.’<sup>20</sup>

‘All of this ignores the changes that have taken place in the last few years in the legislative framework and in thinking about equality issues, including racism. One such change is that we must guarantee equal treatment to all and demonstrate that we are offering it in practice. By providing services equally to everyone we may be guilty of discrimination because the services must be tailored to meet the specific needs of each client group.’<sup>21</sup>

‘Ethnic minorities very often have special needs, arising from differences in language, culture and religious belief and from their lack of knowledge of how the system operates. Special measures are needed to cater for them, as envisaged by the positive action provisions of the Race Relations (NI) Order 1997. Organisations in the public, private and voluntary sectors may believe they are serving all their customers, but this belief may be based on complacency or inadequate consultation.’<sup>22</sup>

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<sup>20</sup> Ibid, p. 26.

<sup>21</sup> Ibid, p. 26

<sup>22</sup> Ibid, p. 26

The report commented that: “There is a great deal of complacency about racism as an issue in Northern Ireland society...many top people seem to be in denial.’<sup>23</sup>

Furthermore, ‘Many organisations have yet to look at race in a serious fashion; even the public sector equality duty in Section 75 of the Northern Ireland Act 1998 too often caused only a cursory examination of the issue.’<sup>24</sup>

The report warned that ‘It is not possible to shelter behind the claim that there cannot be racism because the public servant or institution for which they work treats everyone equally. Macpherson was clear that a ‘colour blind’ response is flawed because it fails to take account of the nature and needs of the people involved.’<sup>25</sup>

The report’s authors concluded that ‘No organisation can escape the allegation of institutional racism simply by pointing to a resolution or policy statement by a Minister, board or senior management team. It must go much further, to the working out of that policy as judged by the extent to which it is embedded in the words and actions of staff and by the quality of services provided to minority ethnic groups.’<sup>26</sup>

The Commission’s (2006) good practice guide<sup>27</sup> on racial equality in the health sector highlighted that ‘institutional racism can have a number of dimensions in health care.’<sup>28</sup>

The Care Quality Commission, in a report on its national review of maternity services in England, 2022-2024 cites MBRRACE-UK data

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<sup>23</sup> Ibid, Introduction.

<sup>24</sup> Ibid, Introduction.

<sup>25</sup> Ibid, p. 4.

<sup>26</sup> Ibid, p. 7.

<sup>27</sup> Equality Commission for Northern Ireland (2006): [Racial Equality in Health and Social Care](#), page 30.

<sup>28</sup> Equality Commission for Northern Ireland (2006): Ibid. The most obvious being in terms of differential patient access and treatment. It can also be identified in employment policies, inadequate research, professional attitudes and health promotion.

published in January 2024, that shows that Black women are still 2.8 times more likely to die during or up to 6 weeks after pregnancy compared with women in White ethnic groups. The data also showed that Asian women are 1.7 more times likely to die during the same period.<sup>29</sup> At the present time, such data is not collected in Northern Ireland.

Concerningly, the CQC also found some trusts where both staff and people who were using the service experienced discrimination because of their ethnic background, or issues associated with having English as a second language or not their preferred language:

‘We know the inequalities in outcome and additional risks experienced by women from Black and ethnic groups are well documented, yet we found huge differences in the way trusts collect and use demographic data to try to address those disparities. Significant concerns also remain regarding the quality of communication with women and their families, and a failure to engage with and listen to their needs’.<sup>30</sup>

In 2024 a minority ethnic advocacy group, iAssistNI, maintained that people from ethnic minority backgrounds considered that their cancer diagnoses had been delayed due to a breakdown in communication across the health care system. The most serious cases involve delays in detecting the spread of cancer, with some patients now facing a terminal illness.<sup>31</sup>

A 2013 report from the NI Council for Ethnic Minorities into racist violence and criminal justice in Northern Ireland<sup>32</sup> concluded that there was ‘unambiguous evidence of institutional racism right across the criminal justice system’<sup>33</sup>.

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<sup>29</sup> Care Quality Commission (2024): [National review of maternity services in England 2022 to 2024](#)

<sup>30</sup> Ibid.

<sup>31</sup> BBCNI News (15 August 2024): [Cancer diagnosis delayed by skin colour, say patients](#)

<sup>32</sup> McVeigh, R. (2009): [The Next Stephen Lawrence: Hate Crime and the Criminal Justice System](#).

<sup>33</sup> Guardian (26<sup>th</sup> June 2006): [Ulster Justice System Institutionally Racist](#).

The debate on institutional racism came back into focus in the context of the establishment by Government, in the wake of the Black Lives Matters protests and despite protests that action rather than another report was needed, of a Commission on Race and Ethnic Disparities tasked to report directly to the Prime Minister and provide recommendations.<sup>34</sup>

The issue returned to the fore with the publication of The Home Affairs Select Committee report 'The Macpherson Report: Twenty Two Years On' in 2021<sup>35</sup> and Baroness Casey's review into the standards of behaviour and internal culture of the Metropolitan Police Service<sup>36</sup> in 2023, both of which highlighted the continuing existence of institutional racism.

The Racial Equality Strategy 2005-2010 acknowledged institutional racism and emphasises the need for 'training and awareness initiatives for policy makers and public servants, in particular those in the frontline of service delivery, will focus on eliminating the potential of incidents of

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<sup>34</sup> The [Report of the Commission on Racial Disparities](#) (2021) did find evidence of racial and ethnic inequalities, for example, that:

- Ethnic minorities more likely to live in persistent poverty and overcrowded housing;
- Young Black men 24 times more likely to be murdered than white counterparts;
- Black and Asian people at higher risk of dying from Covid-19;
- Black people are 9 times more likely to be stopped and searched by police than white people.

However, it also concluded that: *"Put simply we no longer see a Britain where the system is deliberately rigged against ethnic minorities. The impediments and disparities do exist, they are varied, and ironically very few of them are directly to do with racism...we have argued for the use of the term 'institutional racism' to be applied only when deep-seated racism can be proven on a systemic level and not be used as a general catch-all phrase for any microaggression, witting or unwitting"*.

Critics accused the authors of trying to downplay evidence of structural or institutional racism. See for example, Runnymede Trust (31 March 2021): [Statement regarding the report from the Commission on Race and Ethnic Disparities](#); BBC News (31 March 2021): [Race report: 'UK not deliberately rigged against ethnic minorities'](#); Joseph Rowntree Foundation (7 April 2021): [Sewell report response: what does the data really tell us?](#)

<sup>35</sup> House of Commons Home Affairs Committee (30 July 2021): [The Macpherson Report Twenty Two Years On](#)

<sup>36</sup> Baroness Casey of Blackstock DBE CB (March 2023): [An independent review into the standards of behaviour and internal culture of the Metropolitan Police Service](#)

“unwitting”, “unconscious” or “unintentional” racism, as well as deliberate and intentional racism’.<sup>37</sup>

The Commission notes the ‘end of mission statement’ by the United Nations Working Group of Experts on People of African Descent following its country visit to the UK (18-27 January 2023) which welcomed the ‘explicit acknowledgment of racism – embedded, institutional, structural, systemic – by government officials at the level of the ministerial, executive and technical levels’<sup>38</sup>

None of the essential tools necessary to prevent and address institutional racism in the public sector – ethnic equality monitoring, anti-racism training, racial equality action plans (developed in partnership with stakeholders) and positive actions to achieve equity of outcome – appear to be currently deployed by Executive departments in Northern Ireland.

It should also be noted that the United Nations Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance has warned that emerging digital technologies exacerbate and compound existing inequities, many of which exist along racial, ethnic and national origin grounds, highlighting examples which raise concerns about different forms of racial discrimination in the design and use of emerging digital technologies:

‘In some cases, this discrimination is direct, and explicitly motivated by intolerance or prejudice. In other cases, discrimination results from disparate impacts on groups according to their race, ethnicity or national origin, even when an explicit intent to discriminate is absent. And in yet other cases, direct and indirect forms of discrimination exist in combination, and can have such a significant holistic or systemic effect

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<sup>37</sup> Office of the First Minister and the Deputy First Minister (2005): [Racial Equality Strategy 2005-2010](#), paragraphs 3.18-3.20, pp. 20-21.

<sup>38</sup> United Nations Working Group of Experts on People of African Descent ([End of Mission Statement, 27 January 2023](#)) Section 7(k).

as to subject groups to racially discriminatory structures that pervade access to and enjoyment of human rights in all areas of their lives'.<sup>39</sup>

### **Less legal protection against racial discrimination than in GB**

The Commission continues to call for action to deliver harmonised single equality legislation for Northern Ireland.<sup>40</sup> In the absence of this, we consider that urgent changes are required to strengthen the race equality legislation in Northern Ireland.<sup>41</sup>

Race equality legislation protects individuals in Northern Ireland from being subjected to unlawful discrimination because of their race. Our recommended changes are aimed at strengthening, simplifying and harmonising the race equality legislation.

Further to our duty under the race equality legislation to keep the legislation under review and to make recommendations for change, where necessary, we have regularly engaged with the OFMDFM/TEO on our recommendations for racial equality law reform since 2000.<sup>42</sup>

In 2022 the Commission developed refreshed proposals for reform of racial equality legislation in Northern Ireland<sup>43</sup> and shared these with The Executive Office; we also responded to The Executive Office's 2023

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<sup>39</sup> United Nations Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (2020): [Racial discrimination and emerging digital technologies: a human rights analysis](#), paragraph 4, p. 2.

<sup>40</sup> Equality Commission for Northern Ireland (2022): [The need for a NI Single Equality Act](#) - Policy Position Paper

<sup>41</sup> The Commission considers that there are numerous wider benefits to reforming the race law legislation, including to: Address key racial inequalities in Northern Ireland; Harmonise, simplify and clarify the race equality legislation; Keep pace with developments in Great Britain as a minimum; Further the overarching aims and objectives of the Executive's Racial Equality Strategy 2015-2025 and its successor strategy; Ensure race equality legislation is in line with the UK Government's international obligations.

<sup>42</sup> The Commission carried out a comprehensive review of the race equality legislation in 2000 and recommended a number of changes to the legislation (Equality Commission for Northern Ireland (2000): Recommendations for Changes to the Race Relations (NI) Order 1997. A number of key recommendations highlighted in that review still remain outstanding. We proactively engaged with OFMDFM in 2004 as regards the development of robust and comprehensive single equality legislation and, submitted further [Proposals for Legislative Reform](#) in 2009.

<sup>43</sup> Equality Commission for Northern Ireland (2022): [Race Law Reform - Priorities and Recommendations](#)

consultation on proposals to reform the Race Relations (Northern Ireland) Order 1997.<sup>44</sup>

The Commission considers that there is a robust case for strengthening the rights of individuals in Northern Ireland against racial discrimination and harassment.<sup>45</sup>

The need for reform of the race equality legislation in Northern Ireland has also been heightened by developments in Great Britain. In particular, the introduction of the Equality Act 2010<sup>46</sup>, has addressed in Great Britain a number of recommendations raised by the Commission in relation to Northern Ireland, and has resulted in individuals in Northern Ireland having less protection against racial harassment and discrimination than people in other parts of the UK.

Finally, the Commission is of the view that providing increased protection for individuals against racial discrimination is in line with the UK Government's international obligations relating to the promotion of human rights for racial minorities.<sup>47</sup>

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<sup>44</sup> The Executive Office (2023): [Review of the Race Relations \(NI\) Order 1997 – consultation document](#)

Equality Commission for Northern Ireland (2023): [Consultation response - The Executive Office consultation on the Review of the Race Relations \(NI\) Order 1997](#)

<sup>45</sup> Our proposed changes will help address key racial inequalities in Northern Ireland. They will help tackle systemic and institutional racism, as well as new and emerging forms of racial discrimination. In addition, there is a need for comprehensive race equality legislation which acts as a catalyst for change, encourages good practice, raises standards and enables individuals to obtain redress when standards fall; The changes will also harmonise and simplify the race equality legislation making it easier for individuals in Northern Ireland to understand what their rights are and for employers, service providers and others to understand what their responsibilities are under the race equality legislation; The Commission's proposals will help ensure that Northern Ireland race equality legislation keeps pace with legislative developments in Great Britain. As equality is a devolved matter, there is also the opportunity for the Executive to go beyond the level of protection currently set out in the Equality Act 2010 in Great Britain; Further, if adopted, the changes will advance the overarching aims and objectives of the Executive's Racial Equality Strategy which aims to eliminate racism, racial inequality and unlawful racial discrimination and promote equality of opportunity in all aspects of life.

<sup>46</sup> [Equality Act 2010](#)

<sup>47</sup> Including its obligations under the [UN Convention on the Elimination of All Forms of Racial Discrimination](#) and the [Framework Convention for the Protection of National Minorities](#). Both the Advisory Committee on the Framework Convention for the Protection of National Minorities<sup>47</sup> and the UN Committee on the Convention for the Elimination of all forms of Racial Discrimination (CERD)<sup>47</sup> has urged the NI Executive to take proactive steps to address legislative shortcomings within the race equality legislation. See: Committee of Ministers (2023): [Resolution CM/ResCMN \(2023\)7 on the implementation of the Framework Convention for the Protection of National Minorities by the United Kingdom](#); and UN Committee on the Elimination of All Forms of Racial Discrimination (2016):



The Executive Office has indicated that reformed racial equality legislation will be introduced in 2025/26<sup>48</sup>. It is vital that this is achieved.

The Commission welcomes the substantive work undertaken by TEO to develop and consult on proposals for the reform of race equality law in Northern Ireland. We also welcome, that further to close engagement and working with TEO officials, that many of the TEO consultation proposals reflect the Commission's long-standing proposals<sup>49</sup> for reform.

We continue to urge that this close working continues, to assist us in providing timely advice on any new provisions, identifying any potential gaps or areas which could be strengthened, and considering any implications for our powers and duties.

Equality law reform should further advance equality of opportunity and prevent discrimination. Protections should be applied widely, and law reform should occur to close inconsistencies or loop-holes which mean some categories of people unjustifiably do not benefit from protection.

Furthermore, law reform should serve to make equality law as clear and easily understandable as possible. While lessons can be learnt from neighbouring jurisdictions, best international practice should lead equality law development in Northern Ireland, rather than simply copying the Equality Act 2010 or legislation from any other jurisdiction.

Any future NI legislation, including legislation bringing changes to NI equality law, must also comply with the UK Government's obligations relating to Article 2 of the Windsor Framework. In particular, we would highlight our view that there is a need to comply with June 2026 deadlines for transposition into NI law of relevant EU Directives, in particular, the EU Standards for Equality Bodies Directives.

The Racial Equality Strategy 2015 – 2025 recognised that *'Much more needs to be done to identify how we can prevent and combat multiple*

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[Concluding observations on the combined twenty-first to twenty-third periodic reports of the United Kingdom of Great Britain and Northern Ireland](#), paragraph 8 (c), p. 3.

<sup>48</sup> NI Assembly (2024) [AQW 13854/22-27](#)

<sup>49</sup> Our proposals for reform are available at [www.equalityni.org/RaceLawReform](http://www.equalityni.org/RaceLawReform)



*discrimination*'. Although TEO did not include the issue in the consultation on racial equality law, it was raised by respondents<sup>50</sup>.

### **Participation in Public Life**

Research by the Equality Commission has found that the equality groups with the lowest percentage shares of those applying for public appointments were those from a minority ethnic group (2%) and people in the age group of 18-29 (2%).<sup>51</sup>

Ethnicity was known for 75% of all applications for public life positions in 2019/20, 77% in 2020/21 and 79% in 2021/22. The proportion of applicants who considered themselves to be from a minority ethnic group were 3% in 2019/20, 3% in 2020/21, and 2% in 2021/22.<sup>52</sup>

Of those whose ethnicity is known, five or fewer appointments in 2019/20, 2020/21 and 2021/22 were individuals from a minority ethnic group (the precise figure and percentage cannot be released due to disclosure control.)<sup>53</sup>

A review (2023) by The Executive Office (TEO) and the Statistics and Research Agency (NISRA) of the 2021 Census data<sup>54</sup>, which took into account minority ethnic people recorded under the 'white' category<sup>55</sup> (4.7% of the population), concluded that the total minority ethnic population in Northern Ireland now constitutes 8.1% (153,000 people) of the total population for NI of 1.9 million people, representing a considerable increase since 2001.<sup>56</sup>

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<sup>50</sup> TEO (2024) [Review of the Current Race Relations \(NI\) Order 1997: Consultation Response Report](#), pp. 76-77.

<sup>51</sup> Equality Commission for Northern Ireland (2024): [Measuring Equality in Northern Ireland - Participation in Public Life](#), p. 9.

<sup>52</sup> The Executive Office (2024): [Public Appointments Report for Northern Ireland: 2019/20; 2020/21; 2021/22](#), paragraph 1.4, p. 13.

<sup>53</sup> Ibid, paragraph 2.4, p. 20.

<sup>54</sup> The Executive Office (November 2023): Review of Minority Ethnic Census 2021 Data – 8.1% NI Population.

<sup>55</sup> For example, Polish, Lithuanian etc

<sup>56</sup> Census figures for Northern Ireland showed that in 2001 there were 14,300 people (0.8%) belonging to minority ethnic groups (MEGs), increasing to 32,400 (1.8%) in 2011 and increasing further to 65,600 (3.4%) in 2021 [Source: NISRA (September 2022): Main Statistics for Northern Ireland - Statistical Bulletin- Ethnic Group, p. 5]. The current consolidated figure derived from the 2021 Census and agreed by TEO and NISRA for MEGs is 8.1%

## **Education**

### *Racist Bullying*

Racist bullying in schools in Northern Ireland has been a persistent issue. Connolly and Keenan (2002) identified racist harassment as a significant problem in schools in Northern Ireland.<sup>57</sup>

Loader et al (2023) revealed that school-based racist bullying remains prevalent and that schools' responses to racist bullying were often considered inadequate.<sup>58</sup>

Department of Education research (2011) highlighted that 14% of Year 6 and 7.6% of Year 9 pupils admitted being bullied 'with mean names or comments about my race or colour'<sup>59</sup>.

The Executive Office's 'Northern Ireland Racial Equality Indicators Report: 2014 - 2021' found that, in 2022, a significantly higher proportion of respondents reported they had witnessed racist bullying or harassment in their school than in the baseline year (2014: 39%; 2022: 54%).<sup>60</sup>

Research has also suggested that 'the response of schools to the issue of racist bullying appears to vary enormously... this was often characterised by not taking the issue seriously either minimising it or ignoring it altogether'<sup>61</sup> and that '...in the majority of cases, schools tend to lack knowledge of how to effectively confront the issue and in some

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<sup>57</sup> Connolly, P and Keenan, M. (2002): [Racist Harassment in the White Hinterlands: Minority ethnic children and parents' experiences of schooling in Northern Ireland](#). The authors noted that whilst some schools were found to respond appropriately and effectively to incidents of racist harassment among their pupils, other schools, through inactivity and/or responding inappropriately, were found to not only indirectly reinforce the racist harassment that was taking place, but at times to directly contribute to it

<sup>58</sup> Loader, R., Jiménez, E., O'Boyle, A. and Hughes, J. (2023): [Experiences of education amongst minority ethnic groups in Northern Ireland](#), p.65. The authors also noted that 'parents and children also perceived tacit forms of discrimination within school practices, such as exclusion from communications, school activities and celebrations of achievement'

<sup>59</sup> Department of Education (2011): [Nature and Extent of Pupil Bullying in Schools](#), page 7. (RSM McClure Watters for Department of Education). The Department has not subsequently undertaken any follow-up research into pupil bullying in schools.

<sup>60</sup> The Executive Office (2023): Northern Ireland Racial Equality Indicators Report: 2014 – 2021. Irish News (1 April 2021): [Increase in racist hate crime and school bullying sparks calls for Stormont intervention](#).

<sup>61</sup> Connolly P. and Keenan M. (2000): Opportunities for All: Ethnic Minority People's Experience of Education, Training and Employment in Northern Ireland (NISRA).

cases have difficulty acknowledging that a problem exists. In cases where action is taken, the measure is often unsatisfactory<sup>62</sup>.

Loader et al also expressed concern that that teachers could ‘fail to recognise racism where it occurred or be reluctant to attribute racist intent to pupils’ actions’ and the potential for racism as a contributory factor to bullying to be under-reported. The importance of anti-racism training for staff was also identified.<sup>63</sup>

Rogers and Scullion (2014) suggested that a barrier to addressing racist bullying in schools is that schools tend to lack knowledge of how to effectively confront the issue of racist bullying and may in some cases have difficulty acknowledging that a problem exists.<sup>64</sup>

Despite the introduction of the Addressing Bullying in Schools Act (NI) 2016<sup>65</sup>, Loader et al (2023) reported that ‘minority ethnic parents and children revealed that school-based racist bullying remains prevalent’ and ‘found to take multiple forms: verbal and physical abuse, criticism of children’s intelligence and English language ability, and questioning of children’s identity and legitimacy in NI’.

### *Barriers for Newcomer Children*

Newcomer children face a number of barriers to educational achievement, including limited English language ability, lack of knowledge of the education system, social exclusion and, as noted above, racist bullying.<sup>66</sup>

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<sup>62</sup>NI Council for Ethnic Minorities (2011): Promoting Racial Equality in Northern Ireland’s post-primary schools, page 29.

<sup>63</sup> Loader et al (2023) Op. cit., p. 66.

<sup>64</sup> Rogers, S. and Scullion, G (2014): [Voices for Change](#), pp. 13, 16, 19, 22, 27, 30, 42, 43 (NI Council for Ethnic Minorities).

BBC NI News (2011): [Racist bullying ‘replacing sectarianism’ in schools](#)

NI Council for Ethnic Minorities (2011): Promoting Racial Equality in Northern Ireland’s post-primary schools, page 29.

NI Anti-Bullying Forum (2007): [Memorandum submitted by Northern Ireland Anti-Bullying Forum \(NIABF\) to the Select Committee on Education and Skills](#).

<sup>65</sup> [Addressing Bullying in Schools Act \(Northern Ireland\) 2016](#)

<sup>66</sup> Loader, R., Jiménez, E., O’Boyle, A. and Hughes, J. (2023): [Experiences of education amongst minority ethnic groups in Northern Ireland](#)

Loader et al (2023) have identified a range of inequalities experienced by minority ethnic and newcomer pupils<sup>67</sup>:

- 'Newcomer pupils' GCSE outcomes are...significantly lower than those of their peers;
- in 2018/19, 59% of newcomers achieved 5+ A-C grades, compared with 87% of non-newcomers and 86% of former newcomers;
- rates of Free School Meal Entitlement are highest among Irish Traveller pupils (65%), Black pupils (37%) and pupils from the other ethnic group (35%), all of whom are also under-represented in grammar school enrolments; and
- almost half of Irish Traveller pupils (49%) are recorded as having special educational needs'.<sup>68</sup>

The Commission's 2008 policy statement, *Every Child an Equal Child*<sup>69</sup>, highlighted serious shortcomings in relation to the provision of support for children who have English as an additional language, as well as with existing funding formulas<sup>70</sup>.

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<sup>67</sup> The Department of Education's (2009) [Supporting Newcomer Pupils Strategy](#) defines a 'newcomer' child as 'a child or young person who has enrolled in a school but who does not have satisfactory language skills to participate fully in the school curriculum and does not have a language in common with the teacher', p.iii.

<sup>68</sup> Loader, R., Jiménez, E., O'Boyle, A. and Hughes, J. (2023): [Experiences of education amongst minority ethnic groups in Northern Ireland](#), p. 8.

<sup>69</sup> Equality Commission for Northern Ireland (2008): [Every Child an Equal Child – Statement on Key Inequalities in Northern Ireland and a strategy for Intervention](#).

<sup>70</sup> Equality Commission for Northern Ireland (2006): [Mainstreaming Equality of Opportunity for Travellers in Education: Towards a Strategy](#), pages 13-14. Each full-time pupil designated on the day of the school census as being of the Traveller community will generate an additional allocation for the school equivalent to the 0.5 of the basic Age Weighted Pupil Units (AWPU). This is problematic as Traveller children may not be in school on the day of the school census or may attend another school in the same year. As the money is not ring fenced, it may be appropriated for the general school budget. It is unclear whether the use of this extra funding is monitored and linked to tangible achievements for Travellers.

In the Commission's 2011 CERD shadow report<sup>71</sup>, we highlighted the challenges in providing appropriate support for minoritised ethnic<sup>72</sup> and newcomer children.

Research (2013)<sup>73</sup> has noted the need 'to look beyond achievement gaps in assessing minority ethnic children's differential experiences in education, highlighting the potential of belongingness<sup>74</sup> as a concept for further study'<sup>75</sup>.

The research<sup>76</sup> found that ethnic minority pupils experienced lower levels of belonging and higher levels of exclusion compared to their White, settled Northern Irish peers. The experiences of Irish Traveller children were the most negative. While educational aspirations were high among Chinese/Asian children, 'less positive outcomes were found in relation to other outcomes like their self-worth, participation in clubs and their subjective health'.<sup>77</sup>

Loader et al (2023) found that there was 'a desire among children and parents to have more opportunities to learn about cultural diversity at school and share their own culture, with one parent suggesting this should be done in the early years to prevent prejudice'.

They described how some participants in their research 'considered the representation of diverse literatures, local and global histories, and

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<sup>71</sup> Equality Commission for Northern Ireland (2011): [Shadow Report to the UN Committee on the Elimination of Racial Discrimination on the UK Government's 18<sup>th</sup> Periodic Report](#), page 2.

<sup>72</sup> The terms minoritised ethnic group/individuals/citizens are used throughout this paper as this term recognises that individuals have been minoritised through social processes of power and domination rather than just existing in distinct statistical minorities. It also better reflects the fact that ethnic groups that are minorities in the UK are majorities in the global population. [See: Law Society (28 November 2023): [A guide to race and ethnicity terminology and language](#)].

<sup>73</sup> Biggart, A. et al. (2013): [A need to belong? The prevalence of experiences of belonging and exclusion in school among minority ethnic children living in the 'White hinterlands'](#), Queens University Belfast, pages 179-195

<sup>74</sup> Goodenow, C., & Grady, K. E. (1993): 'The relationship of school belonging and friends' values to academic motivation among urban adolescent students' in *Journal of Experimental Education*, 62(1), 60-71. Goodenow and Grady's definition of belong is well recognised by scholars and is defined as the extent to which students "feel personally accepted, respected, included and supported in the school environment".

<sup>75</sup> Biggart, A. et al. (2013): [A need to belong? The prevalence of experiences of belonging and exclusion in school among minority ethnic children living in the 'White hinterlands'](#), Queens University Belfast, page 1.

<sup>76</sup> Biggart, A. et al (2013): *Ibid.*

<sup>77</sup> *Ibid.*, page 17.

minority faith traditions to be insufficient and identified opportunities within the curriculum for other perspectives to be introduced.<sup>78</sup>

Loader et al also advised that one of the widely perceived benefits of learning about cultural and religious diversity at school was that it fostered pride in children's heritage, 'as one child described, made 'them feel positive about themselves'.<sup>79</sup>

Learning about cultural diversity was considered to impact peer relationships positively, encouraging pupils to respect other cultures and be kinder to peers of different backgrounds.<sup>80</sup>

Loader et al (2023), echoing earlier findings by the Equality Commission (2008)<sup>81</sup> and Burns et al (2015)<sup>82</sup>, highlight that proportion of newcomer pupils attending grammar schools is substantially lower than among non-newcomers at post-primary level. While the reasons for the disparity are unclear, a range of factors which may be at play including the free exercise of parental choice, lack of knowledge of the educational system<sup>83</sup>, the prohibitive costs of arranging for additional tuition to prepare for transfer tests<sup>84</sup> and how to apply to grammar schools and the use of tests to determine admission<sup>85</sup>.

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<sup>78</sup> Loader, R., Jiménez, E., O'Boyle, A. and Hughes, J. (2023): [Experiences of education amongst minority ethnic groups in Northern Ireland](#), paragraph 9.3, p. 66.

<sup>79</sup>Ibid, paragraph 7.1, p. 42.

<sup>80</sup> Ibid.

<sup>81</sup> Equality Commission for Northern Ireland (Nov 2008): [Every Child an Equal Child – Statement on Key Inequalities in Northern Ireland and a strategy for Intervention](#) ., page 19. The Commission noted that only 13.7% of newcomers attend a grammar school compared to 42.5% of non-newcomers.

<sup>82</sup> Burns, S., Leitch, R. and Hughes, J. (2015): [Educational Inequalities in Northern Ireland](#), p.12 (School of Education, Queen's University of Belfast for the Equality Commission NI)

<sup>83</sup> For example, a lack of awareness of 'special provisions', which allow for exemptions from taking the transfer test and awards a score based on other evidence of academic ability (Loader et al, op.cit., p 29.)

<sup>84</sup> Loader, R., Jiménez, E., O'Boyle, A. and Hughes, J. (2023): [Experiences of education amongst minority ethnic groups in Northern Ireland](#), p.30.

<sup>85</sup> NI Council for Ethnic Minorities (2011): Promoting Racial Equality in Northern Ireland's Post Primary Schools, page 15

## *Traveller children in education*

The Commission has long been concerned about bullying, non-attendance, drop-out rates and poor educational outcomes experienced by Traveller children.

In ‘Every Child an Equal Child’<sup>86</sup>, the Commission noted the high levels of poor literacy and low levels of education attainment among the Irish Traveller community.

The Commission’s 2017 [Statement on Key Inequalities in Education](#) demonstrated that children from the Traveller community have some of the lowest levels of attainment of all equality groups.<sup>87</sup>

We continue to note longstanding and unparalleled educational disadvantage for Traveller children.

The vast majority of Traveller children leave school with no qualifications, and [recent figures](#) from DE suggest only 4% of Traveller school leavers entered higher education compared to 47.9% of non-Traveller children.

Some groups have higher rates of SEN than others and need targeted support. For example, 32% of Traveller children have SEN compared to 19% of total school population, (DE data, 2022/23).

Over the 2007/08-2014/15 period, anywhere between a half to over eight in ten Irish Traveller children left school with no GCSEs. This is in stark contrast to the proportions of all school leavers with no GCSEs, which has reduced from 3.5 percent in 2007/08 to 0.5 percent in 2014/15 - [ECNI Response to NIAC](#)

Traveller children also have lower levels of attendance than non-Traveller children. Creating inclusive school environments and

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<sup>86</sup> Equality Commission for Northern Ireland (Nov 2008): [Every Child an Equal Child – Statement on Key Inequalities in Northern Ireland and a strategy for Intervention](#).

<sup>87</sup> The vast majority of Travellers have no formal educational qualifications and 92% have no GCSE’s at all, compared with 4% of all Northern Ireland school leavers.



[addressing prejudice-based bullying and stereotyping](#) are essential in improving rates of attendance. This has been a longstanding focus for the Commission. Several pieces of research suggest that the most negative experiences of education are often encountered by Traveller children<sup>88</sup>.

In September 2012, the Department of Education published a draft action plan, welcomed by the Commission, setting out initial steps aimed at improving access to education for Traveller children<sup>89</sup>.

When established in 2013, the Traveller Child in Education Action Framework identified a range of targets and outcomes for Traveller children and included a commitment by the Department that this policy would be reviewed bi-annually by a small monitoring and review group made up of representatives from the DE, the Education and Training Inspectorate, NGOs and Traveller support groups with progress reported biannually to the Minister of Education.

However, it later emerged that this monitoring / review group was never established and the biannual review had not happened 'due to conflicting priorities' within the Department.<sup>90</sup>

The Framework included a number of targets for implementation by the Department and/or Education Authority (EA) and to date there has been no formal evaluation of the extent to which targets have been delivered...

The Commission therefore welcomed the Review of the Traveller Child in Education Action Framework<sup>91</sup> announced in March 2023 by the

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<sup>88</sup> For example, Biggart, A., O'Hare, L. & Connolly, P. (04 Feb 2013): A need to belong?: The prevalence of experiences of belonging and exclusion in school among minority ethnic children living in the 'White hinterlands': Irish Educational Studies. 32, 2.

<sup>89</sup> Department of Education (2013): [Traveller Child in Education Action Framework](#)  
The Commission's response welcomed the adoption of the majority of recommendations made by the Taskforce on Traveller Education. We recommended that immediate steps were taken to implement this action plan and wider measures; to ensure that the Traveller community were closely involved in any implementation; and that the implementation was subject to ongoing monitoring and evaluation to ensure tangible outcomes are delivered (Equality Commission for Northern Ireland (2012): Response to the Department of Education's Consultation on the Draft Traveller Child in Education Action Framework).

<sup>90</sup> Department of Education (December 2023): Review of Traveller Child in Education Framework – Terms of Reference, paragraph 3.

<sup>91</sup> Department of Education (2013): [Traveller Child in Education Action Framework](#)



Department of Education, following representations to the Department by the TEO Travellers Thematic Group.

A Stakeholder Forum, on which the Commission is represented, has been established to provide advice and expertise on Traveller education to the review team and will have role in assessing the extent commitments under the existing framework have been delivered upon and in developing any future proposals for change arising from the review.<sup>92</sup>

However, reports from participants in the Stakeholder Forum suggest that progress has been slow, with Department officials reluctant to acknowledge system failures, not recording or acknowledging suggestions made and issues raised by stakeholders at earlier meetings of the Forum and an assumption that it is for the stakeholders to come up with solutions rather than the Department as the statutory duty bearer. Conversely, suggestions from stakeholders to officials do not appear to have been taken on board or actioned.<sup>93</sup>

### *Higher Education*

The Department of the Economy's 'Access to Success' strategy supports the aim that any eligible individual in Northern Ireland should be able to gain access to the Higher Education that is right for them, irrespective of their personal or social background and acknowledges

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See also Department of Education: [Education of Traveller children](#)

The Review will examine:

- how well it has achieved its stated aims and objectives;
- to what extent targets within the current framework have been delivered upon and explore options for improvement;
- any remaining actions / gaps against targets;
- any emerging or new needs that need to be addressed within a revised Action Framework; and
- additional funding factors provided to schools to support traveller education.

<sup>92</sup> Letter (21 December 2023) from Director, Raising Aspirations, Supporting Learning and Empowering Improvement, Department of Education to Chair Traveller Thematic Group

<sup>93</sup> Papers for the last meeting of the Forum, scheduled for Monday 24 February, were circulated to members of the Review Stakeholder Forum on Sunday 23 February.

the need for flexibility in delivery of Higher Education to accommodate the diverse learning needs of the mature student.<sup>94</sup>

However, despite evidence that only around 4% of Traveller school leavers enter higher education<sup>95</sup>, the strategy did not identify Irish Travellers as a specific group that should be targeted through positive action measures.<sup>96</sup>

In the Republic of Ireland, there has been a significant increase in the number of Travellers entering and achieving in higher education in recent years<sup>97</sup>, as a result of targeted outreach programmes and in-college supports<sup>98</sup> put in place by third-level institutions.

In Great Britain, following the launch of the GTRSB (Gypsies, Travellers, Roma, Showman and Boater) into Higher Education Pledge<sup>99</sup>, in 2021, a number of higher-level education institutions have committed to widening access initiatives specifically aimed at GRT students<sup>100</sup>.

Following a recent review of the 'Access to Success' strategy, in which representatives of the TEO Travellers Thematic Group participated, DfE

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<sup>94</sup> DELNI (2012). Op cit, paragraph 1.5, p. 5

<sup>95</sup> Figures provided by the Department for Education<sup>95</sup> show that over the period 2016/17 – 2020/21 between 12 and 28 Traveller students left school in years 12 and above, an average of 20 per annum. The Department's figures show that over this period, only 4 Traveller students entered higher education. (Source: E-mail from Amanda Lennon, Statistics and Research Team, Department for Education, 31 August 2022). In contrast, the percentage of non-Traveller school leavers entering higher education in both 2020 and 2021 is estimated at 47.9% (Source: BBC NI (27 May 2022): [Record number of school leavers enter university](#) Over half (56.3%) of female school leavers entered university in 2021 compared to about four in ten (39.8%) male leavers).

<sup>96</sup> Ibid, paragraph 4.5.13, p. 22.

<sup>97</sup> See, for example: [Travellers in Higher Education](#) (Maynooth University, 2017); [61 Travellers were recorded as participating in higher education in 2017/18](#). Source: Government of Ireland (2019): [Action Plan for Increasing Traveller Participation in Higher Education 2019-2021](#), p. 3. See also: [Oireachtas 3 December 2019: Joint Committee on key issues affecting the Traveller community](#)

<sup>98</sup> Including Traveller-specific initiatives and supports.

<sup>99</sup> Buckingham New University: [GTRSB into Higher Education Pledge](#); A GTRSB pledge has also been developed for schools. See [here](#) for further information.

<sup>100</sup> The Guardian (27 March 2021): ['People brand you': UK universities sign pledge to fight hate against Gypsies, Travellers and Roma](#); Brassington, L. (July 2022): [Gypsies, Roma and Travellers : the ethnic minorities most excluded from UK education](#) (Higher Education Policy Institute), p. 28. The higher education institutes signed up the Pledge include: Anglia Ruskin University; Institute for Contemporary Theatre Brighton; Buckinghamshire New University; King's College London; Nelson College London; Northumbria University; University Centre Leeds; University of Essex; University of Hull; University of Strathclyde; University of Sunderland; the University of Sussex; and University of Winchester.

officials have indicated that they have recommended to the Economy Minister that the groups targeted for support under the Strategy be expanded to include Irish Travellers, Roma, asylum seekers and refugees. The Commission understands the Minister has yet to sign off on the proposals. Furthermore, it is unclear at this stage what practical support measures will be put in place for students from these backgrounds.

### *Roma pupils*

While there has been little formal research on the experience of Roma pupils, anecdotal evidence suggests exceptionally high levels of educational disadvantage exacerbated by a low level of English language proficiency, social exclusion and poverty.

Loader et al (2023) whilst noting that the Education Authority identifies Roma as a community for targeted support and employs a dedicated Roma Support Officer also refer to exclusion from school communications, social activities and celebrations of achievement reported by Roma families and low expectations of some teachers.<sup>101</sup>

### *Asylum Seeker Children*

There appears to be limited data available concerning the experiences of asylum seeking and refugee children in Northern Ireland.<sup>102</sup>

Loader et al (2023) have identified frequent prolonged delays in allocating refugee and asylum-seeking children school places with children of post-primary age in NI routinely allocated to non-grammar schools (with the accompanying risk of exacerbation of sectoral and social inequalities).

They also cite reports of schools declining to admit newcomer pupils where places were available. These instances related to the timing of

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<sup>101</sup> Loader, R., Jiménez, E., O'Boyle, A. and Hughes, J. (2023): [Experiences of education amongst minority ethnic groups in Northern Ireland](#), pp. iv, 5, 36

<sup>102</sup> Burns, S., Leitch, R. and Hughes, J. (2015): [Education Inequalities in Northern Ireland](#) p.163 (Queen's University of Belfast for the Equality Commission for Northern Ireland)

receipt of newcomer funding and, at post-primary level, the effect of additional newcomer pupils on the school's performance regarding examinations.<sup>103</sup>

Murphy and Vieten (2017) outline a range of significant challenges for asylum seeker and refugee children to access quality education including language and communication issues<sup>104</sup>, prejudice and racism, social exclusion, interrupted schooling and education lag, literacy issues and limited resources to deal with or awareness of the challenges asylum seekers and refugees face.<sup>105</sup>

A 2010 Home Office report on new refugees reported that '14% of refugees had spent no years in formal education before they came to the UK', with women were more likely than men to report that they did not have any English language ability at all.<sup>106</sup>

Although they also note that children who have experienced trauma also experience significant interference with their learning journey<sup>107</sup>, the Refugee and Asylum Forum highlight the invaluable support provided to such children by EANI Schools Trauma, Advisory and Referral Service (STARS) whilst calling for the service to be protected from budget cuts.<sup>108</sup>

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<sup>103</sup> Loader, R., Jiménez, E., O'Boyle, A. and Hughes, J. (2023): [Experiences of education among minority ethnic groups in Northern Ireland](#), p. iii (Queen's University Belfast and the Nuffield Foundation).

McMullen, J., Harris, J., Jones, S., McConnellogue, S. and Winter, F. (2021): [School-based support for Syrian refugee pupils in Northern Ireland](#), pp. 25-28 (Belfast: Centre for Research in Educational Underachievement, Stranmillis University College).

<sup>104</sup> The Refugee and Asylum Forum note that not all schools use the interpretation services to allow parents to get involved with children's education. Source: Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 21.

McMullen, J., Harris, J., Jones, S., McConnellogue, S. and Winter, F. (2021): [School-based support for Syrian refugee pupils in Northern Ireland](#), pp. 6.8, 33,45, 48, 56. Belfast: Centre for Research in Educational Underachievement, Stranmillis University College.

<sup>105</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), p. 77 (Queens University Belfast for The Executive Office).

<sup>106</sup> Daniel, M., Devine, C., Gillespie, R., Pendry, E. and Zurawan, A. (2010): [Helping new refugees integrate into the UK: baseline data analysis from the Survey of New Refugees](#) pp (i) and (iv) (UK Border Agency Research Report 36).

<sup>107</sup> Ibid.

<sup>108</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 21.

The Forum (2023) highlighted the lack of understanding of the education system by asylum seeker and refugee parents and children.<sup>109</sup>

The Forum also drew attention to the negative impact that having to frequently move house has for asylum seekers and refugees compounding an already substantial educational lag.<sup>110</sup>

The Forum also revealed that early years support and nursery places are almost impossible to secure.<sup>111</sup>

The Forum also expressed a further concern about the absence of a strategy or investment in education for asylum seeker and refugee young people aged 15 and over. These young people rarely obtain school places or access appropriate college places or English classes ‘seriously diminish(ing) their future prospects and... (will)...result in an increasing cohort of young people who feel disenfranchised and excluded from wider society’.<sup>112</sup>

The Refugee and Asylum Forum emphasise that English language skills should be seen as an essential tool for integration and not be seen just through the narrow lens of Further Education (FE) policy.<sup>113</sup>

Murphy and Vieten, however, highlight that ‘The chances of non-English speaking asylum seekers and refugees to receive a regular and qualitatively high level of language training on then one hand, and also language programs, and intercultural communication and professional

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<sup>109</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 21. The Equality Commission, in conjunction with Horn of Africa People’s Aid, is currently engaged with The Executive Office’s Move-Ons Group on this issue.

<sup>110</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 21.

<sup>111</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 21.

<sup>112</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 22.

See also: BBC NI News (23 October 2023): [Northern Ireland: Young asylum seekers face restricted access to education](#)

BBCNI News (11 December 2021): [The refugee students making Northern Ireland home](#)

National Children’s Bureau (2010): [New to Northern Ireland – A study of the issues faced by migrant, asylum-seeking and refugee children in Northern Ireland](#)

<sup>113</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 24. The Forum point out that having language skills enables people to volunteer, obtain employment, participate in their child’s education and play a more active role in society and public life.

skills, on the other, depends predominantly on location (space), class, gender and age'.<sup>114</sup>

They draw attention to barriers such as lack of available and comprehensive information detailing access to English classes, the challenge of paying a daily bus fare and lack of child care.<sup>115</sup>

The Refugee and Asylum Forum highlight the absence of an ESOL strategy in Northern Ireland.<sup>116</sup> English language classes provided by FE colleges are often oversubscribed creating a reliance for access to English classes on voluntary and community organisations who are only in receipt of short-term funding, lack support from statutory agencies.<sup>117</sup> It is noted that the latter organisations do not always provide accredited qualifications in English.<sup>118</sup>

Murphy and Vieten (2017) emphasise the importance of adult education for promoting personal development, social inclusion, active citizenship, and integration of asylum seekers and refugees.<sup>119</sup>

However, the Refugee and Asylum Forum (2023) note that opportunities for adult refugees and asylum seekers to further their education and obtain new skills are restricted.<sup>120</sup>

Although Queens University<sup>121</sup> and the Ulster University<sup>122</sup> provide bursaries for asylum seeker students, only small numbers benefit each

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<sup>114</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), p. 84 (Queens University Belfast for The Executive Office).

<sup>115</sup> Ibid. These issues are also noted by the [Refugee and Asylum Forum](#) at p. 24 and by Kernaghan, D. (2023): [Language Matters - Exploring English language provision in community-based settings](#), p. 6 (Apex, Clanmil Housing, Inner South Belfast Neighbourhood Partnership, Radius Housing).

<sup>116</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 24.

<sup>117</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 24. See also: Kernaghan, D. (2023): [Language Matters - Exploring English language provision in community-based settings](#), pp. 5-6 (Apex, Clanmil Housing, Inner South Belfast Neighbourhood Partnership, Radius Housing).

<sup>118</sup> Kernaghan, D. (2023): [Language Matters - Exploring English language provision in community-based settings](#), pp. 5-6 (Apex, Clanmil Housing, Inner South Belfast Neighbourhood Partnership, Radius Housing).

<sup>119</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), p. 78 (Queens University Belfast for The Executive Office).

<sup>120</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 24.

<sup>121</sup> Queens University of Belfast: [Asylum Seekers Scholarship - Undergraduate](#) and [Asylum Seekers Scholarship - Postgraduate Taught](#)

<sup>122</sup> Ulster University: [Asylum Seekers Scholarship](#)



year with meeting the admission criteria a barrier.<sup>123</sup>

## **Employment**

Migrant workers and refugees face multiple barriers to employment in Northern Ireland. Recognition of qualifications is an issue for migrant workers and refugees progressing in employment. In addition, inadequate language proficiency is a major barrier for migrant workers qualifying for and participating in employment, particularly where the standard of English proficiency for particular professions is set very high<sup>124</sup>.

Migrant workers, particularly those from Eastern European countries, are subject to industrial and occupational segregation, with migrant workers over-represented in low paid, low status jobs, and in low-paid industry sectors<sup>125</sup>.

Uncertainty among employers about an employee's 'right to work' may create perceived legislative barriers for foreign nationals accessing and sustaining employment in Northern Ireland. In addition, the long transition period between seeking and being granted asylum, represents a long time out of employment, which can deskill refugees.<sup>126</sup>

The Runnymede Trust<sup>127</sup> and the Institute of Fiscal Studies<sup>128</sup> have highlighted a range of labour market-related inequalities experienced by minoritised ethnic groups, whilst the McGregor-Smith Review (2017)<sup>129</sup>

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<sup>123</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 24. For example, by being unable to obtain evidence of a qualification from their previous academic institution without putting loved ones at risk.

<sup>124</sup> Equality Commission for Northern Ireland (2018): Key Inequalities in Employment, paragraphs 7.50- 7.62, pages 91-94.

<sup>125</sup> Equality Commission for Northern Ireland (2018): Key Inequalities in Employment, paragraphs 7.35- 7.49, pages 87-91.

<sup>126</sup> This can create a lack of confidence and may require them to retrain or gain new skills prior to seeking employment.

<sup>127</sup> Runnymede Trust (26 March 2020): [Coronavirus will increase race inequalities](#)

<sup>128</sup> Institute for Fiscal Studies (1 May 2020): [Are some ethnic groups more vulnerable to COVID-19 than others?](#)

<sup>129</sup> [Race in the Workplace - The McGregor-Smith Review](#)

which highlighted disadvantage experienced by such groups at every stage of their careers in the UK labour market.

The Trust also points out that in 2015 one in eight of the working age population were people from minoritised ethnic backgrounds, yet minoritised ethnic people made up only 10% of the workforce and held only 6% of top management positions.<sup>130</sup>

The Trust also cites the Government's (2016) Race Disparity Audit which showed that while employment rates have been improving overall, minoritised ethnic groups were, on average, twice as likely to be unemployed than their white British counterparts, and much more likely to be in low skilled and low paying occupations.<sup>131</sup>

A (2019) TUC report showed that minoritised ethnic groups were twice as likely to be in precarious employment, including zero-hour contracts and agency contracts.<sup>132</sup>

Commission statistics show that, enquiries in relation to racial harassment at work represented over three quarters of total enquiries in relation to harassment at work<sup>133</sup>.

Research on the Filipino community in Northern Ireland found that 42% of respondents stated that they had been racially harassed in the workplace. Interviewees also reported their perceptions of being treated less favourably in regard to breaks, the division of work, time off to attend doctors' appointments and annual leave<sup>134</sup>.

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<sup>130</sup> Runnymede Trust (26 March 2020): [Coronavirus will increase race inequalities](#)

<sup>131</sup> Runnymede Trust (26 March 2020): [Coronavirus will increase race inequalities](#)

<sup>132</sup> Trade Union Congress (2019): [BME workers far more likely to be trapped in insecure work, TUC analysis reveals](#)

<sup>133</sup> Source: Legal Reports Database: Enquiry Records by Area where Enquiry Date is between 1 April and 31 March (for each year – 2007-2012) – Unpublished.

<sup>134</sup> Northern Ireland Council for Ethnic Minorities (2012): Op. Cit., pages 22 & 23.



The Commission is concerned that agency workers (many of whom are migrant workers), may not be afforded the same levels of protection from discrimination as those directly employed by end-users (hirers).<sup>135</sup>

The Commission has highlighted the impact of gaps in protection for migrant workers working in Northern Ireland who have entered into arrangements with agencies and called for these to be addressed through reform of the Race Relations (Northern Ireland) Order 1997.<sup>136</sup>

Migrant workers are vulnerable to exploitation, which can impact on their ability to sustain employment and progress in employment. Many migrant workers who are agency workers are confined to temporary and irregular work, including zero-hour contracts. Many face poorer terms and conditions than local workers and are vulnerable to poor employment practices. In addition, human trafficking is an issue in Northern Ireland, with evidence of practices that constitute forced labour of migrant workers<sup>137</sup>.

The Commission's (2018) statement of 'Key Inequalities in Employment'<sup>138</sup> found that Irish Travellers are less likely to be in employment<sup>139</sup> and more likely to be economically inactive<sup>140</sup> than other ethnic groups. Traveller women, in particular, are less likely to participate in employment and are more likely to be economically inactive than women from all other ethnic groups.<sup>141</sup>

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<sup>135</sup> Equality Commission for Northern Ireland (2014): [Racial Equality Policy Priorities and Recommendations](#), paragraph 4.9. p. 11.

<sup>136</sup> Equality Commission for Northern Ireland (2023): [Race Law Reform – Priorities and Recommendations](#), paragraph 3139, p. 38.

<sup>137</sup> Equality Commission for Northern Ireland (2018): Key Inequalities in Employment, paragraphs 7.63- 7.73, pages 95-97; Joseph Rowntree Foundation (2011): [Forced labour in Northern Ireland](#)

<sup>138</sup> Equality Commission for Northern Ireland (2018): Key Inequalities in Employment, paragraphs 7.13- 7.34, pages 81-86

<sup>139</sup> The Commission's analysis of Census 2011 data revealed that 20.0% of Irish Travellers were employed compared to: 57.6% of White; 64.0% of Asian; 56.7% of Black; 54.4% of Mixed; and, 58.5% of Other ethnic groups

<sup>140</sup> The Commission's analysis of Census 2011 data revealed that 69.0% of Travellers were economically inactive compared to 33.9% of White; 27.8% of Asian; 26.3% of Black; 29.8% of Mixed; and, 28.3% of Other ethnic groups

<sup>141</sup> Equality Commission for Northern Ireland (2018): Key Inequalities in Employment, paragraphs 7.13- 7.34, pages 81-86. Low educational attainment, prejudice and discrimination in the labour market, a greater traditional emphasis on family and home, and cultural resistance to the use of formal childcare are all major barriers to the participation of Irish Travellers in employment.

The Commission's formal investigation into the 'Role of the Recruitment Sector in the Employment of Migrant Workers'<sup>142</sup> in 2010 found evidence of exploitation of migrant workers in Northern Ireland and revealed that despite a considerable body of legislation governing the sector, not all recruitment agencies worked within its terms and barriers to equality of opportunity existed for those who used their services.

In 2011, research by the Joseph Rowntree Foundation (JRF)<sup>143</sup> explored evidence of forced labour among new migrants to Northern Ireland in a range of employment sectors. The research found severe exploitation and forced labour, including poor working conditions, low pay, restricted movements and verbal and physical abuse, experienced by migrants working in the fishing, mushroom and catering industries and among Filipino and Romanian Roma migrants. Exploitation was often associated with the vulnerability of the worker: a lack of English language skills, limited access to social networks, and a lack of local knowledge.

### *Refugees*

For refugees, employment can provide a mean to escape poverty and assist integration into the wider community.<sup>144</sup>

There is also significant evidence that employment benefits physical and mental health.<sup>145</sup>

Barriers to labour market participation include education and employment gaps due to forced displacement and time in the asylum process, non-recognition of qualifications, language skills and trauma.<sup>146</sup>

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<sup>142</sup> Equality Commission for Northern Ireland (2010): [Role of the Recruitment Sector in the Employment of Migrant Workers, A Formal Investigation](#).

<sup>143</sup> Joseph Rowntree Foundation (2011): [Forced Labour in Northern Ireland, Summary Findings](#), page 1.

<sup>144</sup> Scottish Government: [New Scots: Integrating Refugees in Scotland's Communities 2014 – 2017 Final Report](#), p. 28

<sup>145</sup> Black, C. (2008): [Working for a healthier tomorrow](#);

Waddell, G and Burton, A.K. (2006): [Is Work Good for Your Health and Well-being?](#), p. 10.

<sup>146</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), p. 87 (Queens University Belfast for The Executive Office).

Research undertaken by Belfast City Council (2022) found that asylum seekers were less likely to be employed than other migrant groups.<sup>147</sup>

The immigration rules allow for asylum seekers to request permission to work if they have been waiting for more than 12 months on their asylum claim “through no fault of their own”.<sup>148</sup> Almost everybody granted permission to work under this policy is only allowed to work in a job on the Home Office’s shortage occupation list<sup>149</sup> (replaced since 4 April 2024 by the UK Immigration Salary List).<sup>150</sup>

At the present time, asylum seekers have to wait until they are granted refugee status before they are allowed the right to work<sup>151</sup>, ostensibly to minimise the availability of economic opportunities as a ‘pull factor’ for asylum seekers.<sup>152</sup>

The Refugee and Asylum Forum maintains that ‘Home Office policy that prevents most asylum seekers from working...has an adverse impact on skills, mental health and integration prospects.’<sup>153</sup>

The Commission on the Integration of Refugees (2023) recommends that people in the asylum system should be eligible for general employment after six months of waiting for their asylum decision and advise that this eligibility should not be limited to the jobs on the

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<sup>147</sup> Michael, L., Reynolds, D., Kempny, M., with Alsharabi, S., Borbely, S., Latcham, N., Logan, E., McDonagh, M., Pilkievicz, M., Thabet, E. and Teglas, M. (2022): [Inequalities experienced by Black, Asian, Minority Ethnic and Traveller People residing in Belfast](#) (full report), p. 22 (Belfast City Council)

<sup>148</sup> This may be 12 months after initially claiming asylum, or 12 months after submitting further submissions to be considered as a fresh claim.

<sup>149</sup> Right to Remain (September 2023): [Applying for permission to work \(Asylum\)](#)

<sup>150</sup> [UK Immigration Salary List](#)

<sup>151</sup> The Home Office may grant permission to work to asylum seekers if their claim has been outstanding for more than 12 months through no fault of their own.

<sup>152</sup> Commission on the Integration of Refugees (2024): [From Arrival to Integration – Building Communities for Refugees and for Britain](#), p. 15. However, Home Office commissioned research found that ‘There was very little evidence that the sample respondents (of asylum applicants questioned) had a detailed knowledge of: UK immigration or asylum procedures; entitlements to benefits in the UK; or the availability of work in the UK’ [Source: Robinson, V. and Segrott, J. (2002): [Understanding the decision-making of asylum-seekers](#), Home Office Research Study 243, pp. 57-58 (University of Wales at Swansea for the Home Office)]

See also: Aleynikova, E. and Mosley, M. A. (2023): [The economic and social impacts of lifting work restrictions on people seeking asylum](#), pp. 4-5 National Institute of Economic and Social Research.

<sup>153</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 16.

Shortage Occupation List.<sup>154</sup> It further recommends that people in the asylum system should be eligible to apply for jobs on the Shortage Occupation List<sup>155</sup> from day one. They also recommend that consideration should be given to a Government-backed finance scheme to assist those granted refugee status who wish to set up in business.

The Northern Ireland Life and Times Survey 2023 showed that 57% of respondents agreed that asylum seekers should have the same access to employment as the rest of the Northern Ireland population while 21% disagreed.<sup>156</sup>

Aleynikova and Mosley (2023) outline a number of advantages to granting permission for asylum seekers to work including that this would respect their individual dignity, help maintain self-esteem, reduce dependence on state benefits, mitigate against destitution and its effect on health and wellbeing whilst also contributing to the public purse, through taxation.<sup>157</sup>

According to Housing 4 All (2019), asylum seekers are particularly frustrated by their exclusion from work, leaving their valuable skills and qualifications unutilised.<sup>158</sup>

Whilst both asylum seekers and refugees can volunteer, information provided by the Home Office, including on how earnings will impact on eligibility for employment supports, is not always clear.<sup>159</sup>

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<sup>154</sup> Commission on the Integration of Refugees (2024): [From Arrival to Integration – Building Communities for Refugees and for Britain](#), p.52.

<sup>155</sup> Commission on the Integration of Refugees (2024): [From Arrival to Integration – Building Communities for Refugees and for Britain](#), p. 53.

As noted above, the Shortage Occupation List has since been replaced by the UK Immigration Salary List.

<sup>156</sup> ARK: Northern Ireland Life and Terms Survey 2023: [Minority Ethnic People module](#)

<sup>157</sup> Aleynikova, E. and Mosley, M. A. (2023): [The economic and social impacts of lifting work restrictions on people seeking asylum](#), National Institute of Economic and Social Research.

The authors forecast (at p. 3) the following benefits to the UK economy:

- Increased Tax Revenue by £1.3 billion;
- Reduced Government Expenditure by £6.7 billion;
- Increased GDP by £1.6 billion.

<sup>158</sup> Housing 4 All (2019): [A Prison Without Walls – Asylum, Migration and Human Rights](#), page 16

<sup>159</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 16.

Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), p. 87 (Queens University Belfast for The Executive Office).

Access NI screening requirements have also been identified as a barrier to asylum seekers obtaining volunteering opportunities and to refugees obtaining paid employment whilst there is an absence of guidance to assist refugees to comply with the necessary requirements.<sup>160</sup>

The Refugee and Asylum Forum highlight that 'Northern Ireland is the only part of the United Kingdom where government provides no employment-related support to refugees, such as a bespoke refugee careers service, employability programmes or pathways into specific employment sectors.'<sup>161]</sup>

Although Gasworks Employment Matching Service (GEMS)<sup>162</sup> NI offers some limited training supports which asylum seekers and refugees can access<sup>163</sup>, the overall absence of support results in an outflux of many highly skilled refugees to other parts of the UK to seek better opportunities once they secure refugee status, to the detriment of the Northern Ireland economy.<sup>164</sup>

The Commission has consistently highlighted the need for effective childcare and early learning provision that ensures appropriate, accessible, flexible and affordable childcare that promotes equality of opportunity not only for the child, but also for parents and carers, to the benefit of wider society and the economy.<sup>165</sup>

We have set out that such action should ensure that childcare and early learning provision meets the diverse needs of children and families from across the equality groups – including for children from minority ethnic communities and new residents.<sup>166</sup>

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<sup>160</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 16.

<sup>161</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 16.

<sup>162</sup> [GEMS Northern Ireland](#)

<sup>163</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), p. 87 (Queens University Belfast for The Executive Office).

<sup>164</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 16

<sup>165</sup> For example: [Recommendations for a Programme for Government \(PfG\) \(2022\)](#); [Childcare and COVID-19 \(2020\)](#); [COVID-19 and Education: Equality Considerations \(2020\)](#); [Equality in Education: Policy Recommendations \(2018\)](#); [Gender Equality: Policy Priorities and Recommendations \(2016\)](#); [Response to NI Executive's consultation on a draft Childcare Strategy 2015- 2025 \(2015\)](#)

<sup>166</sup> Equality Commission for Northern Ireland (2015): [Response to NI Executive's consultation on a draft Childcare Strategy 2015- 2025](#), paragraph, p. 12.

Research by Barnardos and NICEM (2014) into the childcare needs of minoritised ethnic families found that it is important to develop a childcare model which incorporates the needs of parents working outside traditional working hours.<sup>167</sup> The high cost of childcare and low levels of local provision in Northern Ireland were also significant factors for parents in the study.

### **Prejudicial attitudes and Hate Crime**

Although evidence from recent Northern Ireland Life and Times surveys suggests that there has been a decrease in negative attitudes towards minoritised ethnic groups, those who hold negative attitudes still represent a significant minority.<sup>168</sup>

Nonetheless, 60% of respondents to a 2022 NI Life and Times Survey considered that there was more (24%) or the same (36%) level of racial prejudice in Northern Ireland now than there was 5 years ago. Just over 1 in 4 respondents to a 2022 NI Life and Times Survey described themselves as ‘a little prejudiced against people of minority ethnic communities.’<sup>169</sup>

Levels of racial hate incidents and racial hate crimes have remained disturbingly high and continue to exceed the number of sectarian hate incidents and crimes.<sup>170</sup>

Police Service of Northern Ireland (PSNI) statistics for incidents and crimes with a hate motivation for the period 1 January 2024 to 31 December 2024<sup>171</sup> show that racial hate crimes and incidents were the

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<sup>167</sup> Kernaghan, D. (2014): [Believe in Childcare – Believe in Children. An investigation into the childcare needs of ethnic minority communities in Northern Ireland, p. 51.](#) The research points out that while this is particularly relevant to BME workers, a changing economy and job market has led to an increase in parents across the wider population employed through zero-hours contracts and working atypical hours.

<sup>168</sup> Pivotal (2022): [The impact of Brexit on Minority Ethnic and Migrant People](#), pp. 43-44.

The Equality Commission’s (2016) equality awareness survey ‘[A Question of Attitude](#)’, found that the five most negatively viewed groups were all racial groups: Travellers (19%); Roma (18%); Asylum Seekers/Refugees (15%); Migrant Workers (11%); Minority Ethnic Groups (10%), p. 3.

<sup>169</sup> [Northern Ireland Life and Times Survey 2022](#)

<sup>170</sup> Police Service for Northern Ireland (27 February 2025): [Incidents and Crimes with a Hate Motivation Recorded by the Police in Northern Ireland - Update to 31st December 2024](#), Table 1, p. 5.

<sup>171</sup> Police Service for Northern Ireland (27 February 2025): [Incidents and Crimes with a Hate Motivation Recorded by the Police in Northern Ireland - Update to 31st December 2024](#) Table 1, p.5.



most common form of hate crime with 1,777 racial hate incidents and 1150 racial hate crimes.<sup>172</sup> There were 9 race incidents and 6 race crimes per 10,000 population<sup>1</sup>, compared with 7 race incidents and 4 race crimes per 10,000 population in the previous 12 months.<sup>173</sup>

In his Independent Review of Hate Crime legislation in Northern Ireland (2020), Judge Marrinan pointed out that there is approximately a one in 31 chance of being the victim of a reported racial hate incident compared to 7 approximately one in 1777 chance of being a victim of a reported sectarian hate incident.<sup>174</sup>

Evidence suggests that hate crime is generally under-reported.<sup>175</sup>

The Independent Review<sup>176</sup> noted the absence of any legal definition or specific offence of hate crime, highlighted the shortcomings of the current enhanced sentencing approach provided for by the Criminal Justice (No. 2) (Northern Ireland) Order 2004<sup>177</sup> and the underuse of the hate speech provisions in Part III of the Public Order (Northern Ireland) Order 1987<sup>178</sup> and made a number of substantial proposals for reform.<sup>179</sup>

The Equality Commission responded<sup>180</sup> to the consultation by the Department of Justice on reform of hate crime legislation and

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<sup>172</sup> During the same reporting period there were 922 sectarian hate incidents and 582 sectarian hate crimes.

<sup>173</sup> Police Service for Northern Ireland (27 February 2025): [Incidents and Crimes with a Hate Motivation Recorded by the Police in Northern Ireland - Update to 31st December 2024](#), p.7.

<sup>174</sup> [Hate Crime legislation in Northern Ireland – Independent Review Executive Summary](#) (December 2022), pp. 6-7.

<sup>175</sup> [Written evidence from the Police Service of Northern Ireland, relating to The experiences of minority ethnic and migrant people in Northern Ireland Inquiry \(MEM0030\)](#) [Northern Ireland Affairs Committee (2022): [The experiences of minority ethnic and migrant people in Northern Ireland](#), p.24]; NI Human Rights Commission (2013): [Racist Hate Crime – Human Rights and the Criminal Justice System](#), page 63; Jarman, N. (2012): [Criminal Justice Responses to Hate Crime in Northern Ireland](#), Institute for Conflict Research;

<sup>176</sup> The Commission was represented on the Hate Crime Working Group of the Independent Review (2019-2020) of Hate Crime Legislation in Northern Ireland.

<sup>177</sup> [The Criminal Justice \(No. 2\) \(Northern Ireland\) Order 2004](#)

<sup>178</sup> [The Public Order \(Northern Ireland\) Order 1987](#)

<sup>179</sup> [Hate Crime legislation in Northern Ireland – Independent Review Executive Summary](#) (December 2022)

<sup>180</sup> Equality Commission for Northern Ireland (2020): [Response to consultation - Hate Crime Legislation in Northern Ireland, Independent Review](#)

subsequently published a comprehensive policy position on hate crime in Northern Ireland.<sup>181</sup>

The policy position includes a range of recommendations for reform of hate crime and hate speech legislation, including in relation to:

- Definitions;<sup>182</sup>
- Approach to enhanced sentencing;<sup>183</sup>
- Protected groups;<sup>184</sup>
- Additional thresholds;<sup>185</sup>
- Incitement to hatred offences;<sup>186</sup>
- Sectarianism;<sup>187</sup> and

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<sup>181</sup> Equality Commission for Northern Ireland (2020): [Hate Crime in Northern Ireland - Policy Recommendations and Supporting Rationales](#)

<sup>182</sup> *Definition of Hate Crime*: Adopt a working definition of hate crime that includes a reference to acts of 'hostility' (which in turn should include a reference to prejudice and hatred).

*Statutory Definition of 'Hostility'*: Introduce a statutory definition of 'hostility' that includes a reference to 'prejudice and hatred'

<sup>183</sup> *Statutory Aggravation Model*: Adopt a statutory aggravation model similar to that adopted in hate crime legislation in Great Britain.

<sup>184</sup> *Protected groups*: Extend the hate crime legislation to cover the additional grounds of age, gender, gender identity and intersex.

*Presumption and Association*: Ensure protections for individuals who are presumed to have a characteristic, or who have an association with an individual with that particular identity, are extended to the grounds of age, gender, gender identity, and intersex.

<sup>185</sup> *'By reason of' Threshold*: Include an additional threshold so as to provide protection against crimes which are committed against, or targeted at, individuals 'by reason of' their membership of a particular protected group/s, and apply this protection to equality groups covered by the hate crime legislation.

*Alternative Provisions*: In the event that the hate crime legislation does not cover offences targeted at equality groups 'by reason of' their membership of an equality group, give consideration to how to best ensure those offences are protected out with the hate crime legislation

<sup>186</sup> *Legislative Gaps*: Address legislative gaps in protection against hate crime under the Public Order legislation; ensuring that the legislative vehicle chosen is the most appropriate and effective means to combat hate crime across the equality grounds.

*Coverage*: Extend the Public Order incitement to hatred provisions to cover the additional grounds of age, gender, gender identity and intersex.

*Defences*: The Commission is not persuaded that express defences to the Public Order incitement to hatred offences relating to freedom of expression are necessary. However, if such defences are to be introduced, Government should ensure that such defences are narrowly defined and objectively justifiable, and are in compliance with equality and human rights law.

*Incitement to Discriminate*: Ensure the 'incitement to hatred' legislation prohibits 'incitement to discriminate' on the protected grounds.

<sup>187</sup> *Specific Reference*: Include a specific reference to the term 'sectarian' within the hate crime legislation.



- Consolidation and review of the legislation.<sup>188</sup>

The Commission continues to call for the urgent reform<sup>189</sup> of hate crime legislation, which is currently based on an enhanced sentencing model. We have called for a statutory aggravation model, and for legislative gaps to be addressed in relation to Public Order legislation, and for the consolidation of hate crime provisions into a single piece of legislation.

Although we understand that the Justice Minister is planning to take forward some reforms through a Sentencing Bill and a Victims Bill<sup>190</sup>, we understand there will be a further consultation on other proposals, including in relation to incitement to hatred. The Commission has called for the delivery of comprehensive hate crime law within this mandate.

We note that the Racial Equality Sub-Group has established a 'Hate Crime, Legislation and Access to Justice' Working Group. TEO may wish to consider how best to ensure that Departments and other public authorities are aware of the sub-group, and are able to meaningfully engage with it on relevant actions in the future Strategy, mindful of the limited capacity of any members.

### Media reporting

In November 2012, the Leveson report<sup>191</sup> into press standards found that 'when assessed as a whole, the evidence of discriminatory, sensational

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*Indicators of Sectarianism:* Expand the indicators of sectarianism to include: religious belief, national identity, nationality and citizenship; address legislative gaps in protection relating to sectarian hate crime; and ensure recognition that victims of sectarian hate crime can be targeted due to their multiple identities.

<sup>188</sup> *Consolidation of Hate Crime Legislation:* Consolidate the hate crime legislation into a single piece of legislation.

*Review of Hate Crime Legislation:* Ensure that legislative changes to the hate crime legislation are subject to post-legislative review, with the review being carried out within 5 years of the legislation being passed so as to assess the overall effectiveness of the legislative changes in tackling hate crime.

<sup>189</sup> See [www.equalityni.org/HateCrimePolicy](http://www.equalityni.org/HateCrimePolicy)

<sup>190</sup> DoJ (2024) [Written Ministerial Statement: Hate Crime Legislation](#)

<sup>191</sup> The Right Honourable Justice Leveson (November 2012): [An Inquiry into the Culture, Practices and Ethics of the Press](#).

or unbalanced reporting in relation to ethnic minorities, immigrants and/or asylum seekers, is concerning<sup>192</sup>.

In 2022, 69% of respondents to a Northern Ireland Life and Times Survey considered that people's perceptions of migrant workers are tainted by the media.<sup>193</sup>

### Policing

The Commission notes that minority ethnic representation in the PSNI is currently at 0.6% of the workforce<sup>194</sup>, in contrast to the 8.1% of minority ethnic people in the general population.<sup>195</sup> The Ethnic Minority Policing Association have expressed concern at the level of under-representation and differential treatment of minority ethnic police officers in the PSNI.<sup>196</sup>

Concerns were also expressed at the PSNI's inconsistent approach to policing the Health Protection (Coronavirus, Restrictions) Regulations (Northern Ireland) 2020 with regard to the Black Lives Matters protests in Belfast and Derry/Londonderry and the 'Protect Our Monuments' protests in June 2020.<sup>197</sup>

A subsequent investigation by the Police Ombudsman for Northern Ireland addressed claims of unfairness and discrimination against those persons who organised and attended the 'Black Lives Matters' protests<sup>198</sup> and found that 'Confidence in policing of some within the

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<sup>192</sup> The Right Honourable Justice Leveson (November 2012): [An Inquiry into the Culture, Practices and Ethics of the Press Volume II](#), para 8.51, p. 673.

<sup>193</sup> [Northern Ireland Life and Times Survey 2022](#)

<sup>194</sup> Community Relations Council (November 2023): [Peace Monitoring Report Number 6](#), p. 81

<sup>195</sup> The Executive Office (20 November 2023): Review of Minority Ethnic Census 2021 data.

<sup>196</sup> NI Affairs Committee (15 September 2021): [Oral evidence: The experience of minority ethnic and migrant people in Northern Ireland](#), HC 159, Ethnic Minority Policing Association and National Black Police Association, Q74; Ethnic Minority Police Association (22 April 2022): correspondence to Equality Commission NI.

<sup>197</sup> BBCNI News (6 June 2020): [Coronavirus: Anti-racism rallies in Belfast and Londonderry](#); UTV (7 June 2020): [Police fine protesters at anti-racism rallies in NI](#); BBCNI News (15 June 2020): [Belfast demonstration held 'to protect war memorials'](#)

<sup>198</sup> Police Ombudsman for Northern Ireland (22 December 2020): [An Investigation Into Police Policy And Practice Of Protests In Northern Ireland](#) The Ombudsman concluded that: 'These concerns are in my view cogent, have substance and are justified in the circumstances. I believe that this unfairness was not intentional. Neither was it based on race or ethnicity of those who attended the event. Rather PSNI failed to balance Human Rights with the public health considerations and requirements of the Regulations.'

Black, Asian and Minority Ethnic Communities of Northern Ireland and has been severely damaged by the PSNI's policing of the 'Black Lives Matter' protests.<sup>199</sup>

Concerns have also been expressed by Amnesty International about racial disparity in the PSNI's use of stop and search powers.<sup>200</sup>

In April 2024 an investigation by the Detail revealed that, despite concerns about the under-reporting of hate crime, the PSNI had been reporting thousands of migrant victims and witnesses of crime, including those subjected to racist attacks and domestic abuse, to the UK immigration authorities over a five-year period.<sup>201</sup>

During meetings between the TEO Racial Equality Sub-Group and the Chief Constable in June 2022 and March 2023, it was proposed that the PSNI should consider the development of a Racial Equality Action Plan

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<sup>199</sup> Police Ombudsman for Northern Ireland (22 December 2020): [An Investigation Into Police Policy And Practice Of Protests In Northern Ireland](#)

<sup>200</sup> Amnesty International (18 February 2022): [Northern Ireland: PSNI stop and search figures show racial bias](#); Amnesty International (15 February 2023): [Northern Ireland - PSNI stop and search figures show continued racial disparity](#)

<sup>201</sup> The Detail (11 April 2024): [PSNI reported tens of thousands of migrant victims and witnesses of crime to immigration authorities](#).

In its [written evidence](#) (2021) to the Northern Ireland Affairs Committee Inquiry into the 'The experiences of minority ethnic and migrant people in Northern Ireland', PSNI witnesses stated that 'We fully appreciate hate crime is historically under reported and we would encourage any victim to come forward. Working with other criminal justice partners and advocacy groups, we are fully committed to doing everything we can to prevent crime, increase confidence to report and improve criminal justice outcomes for victims.'

Furthermore, the PSNI submission advised that 'Underreporting - there is strong evidence to suggest that hate crimes are under reported meaning the true position of hate within society can be difficult to articulate. Whilst evidence suggests a number of factors contribute to under reporting, victims of a hate motivated incident or crime have additional barriers to contend with when reporting this type of criminality'.

In relation to immigration status concerns, the PSNI evidence states that '...in addition to the PSNI's own experience of working with victims of racist hate crime, we are acutely aware from anecdotal evidence from advocacy groups that the fear of repercussions due to a victim's immigration position is a further barrier to reporting. The PSNI guidance is that officers should not routinely search police databases for the purpose of establishing the immigration status of a victim/witness or routinely seek proof of their entitlement to reside in the UK. When a victim/witness's immigration status open to question, their status as a victim/witness does not change. The focus of the police will remain to investigate the allegation the victim/witness has reported and to put in place such reasonable measures as are necessary to protect them'.

which addresses racial equality matters both within the service and in its external relations with minority ethnic citizens.<sup>202</sup>

In March 2024, the PSNI conducted a targeted consultation on a draft 'Race Action Plan'. The Commission responded to the consultation<sup>203</sup>, emphasising the need to commit to ethnic equality monitoring; to establish a Regional Racial Equality Advisory Group as a means of ensuring stakeholder involvement in development, oversight and evaluation; and the need to draw on international best practice.<sup>204</sup>

### Refugee Integration

The draft Refugee Integration Strategy was an overarching framework document and did not include specific actions attributed to NI Executive Departments or indicators which would enable monitoring and evaluation of the extent to which integration is being achieved.

The Racial Equality Strategy 2015-2025, also a framework document, has been criticised for being process orientated rather than outcome focused.<sup>205</sup>

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<sup>202</sup> Note of a Racial Equality Subgroup Meeting with Chief Constable 6.00pm 30th March 2023 held at PSNI Headquarters.

<sup>203</sup> Correspondence (6 February 2024) from the Equality Commission for Northern Ireland to People and Organisational Development, PSNI: Annex A: ECNI comments on PSNI draft Race Action Plan. The Commission response has been subsequently endorsed by The Executive Office Racial Equality Sub-Group (Source: TEO Racial Equality Division (RED) Update 15 May 2024). Equality Commission for Northern Ireland (December 2024): [Response to Consultation - PSNI: Race and Ethnicity Action Plan 2025-2027](#)

<sup>204</sup> For example:

European Commission Against Racism and Intolerance (2023): [Preventing and combating racism and intolerance within law enforcement agencies: Factsheet](#);

United Nations Committee on the Elimination of Racial Discrimination (2020): [General recommendation 36 on preventing and combating racial profiling by law enforcement officials](#);

Council of Europe (2014): [The European Convention on Human Rights and policing](#);

European Commission Against Racism and Intolerance (2007): [General Policy Recommendation No.11 on combating racism and racial discrimination in policing](#);

United Nations Committee on the Elimination of All Forms of Racial Discrimination (2005): [General recommendation 31 on the prevention of racial discrimination in the administration and functioning of the criminal justice system](#);

United Nations High Commissioner for Human Rights (1997): [International Human Rights Standards for Law Enforcement](#).

<sup>205</sup> House of Commons Northern Ireland Affairs Committee (2022): [Inquiry into the experiences of migrant and minority ethnic people in Northern Ireland](#), paragraph 20, p. 13.

Many stakeholders and other commentators have highlighted the increasingly ‘hostile environment’ for asylum seekers created by the UK Government’s immigration policy<sup>206</sup>.

The Law Centre NI advise that ‘Effective refugee integration is made more difficult in the context of Westminster's "hostile environment" policies, which diminish the opportunities for contact and interactions between asylum seekers and members of "host communities"’.<sup>207</sup>

The Commission noted the reference in the draft Strategy to the damaging effects of this approach, ‘The asylum process and the restrictions it imposes affect every aspect of life and can have serious and long-term repercussions on physical and mental health and on the individual’s journey towards integration’<sup>208</sup>.

The use of contingency hotels for asylum accommodation is an example of a hostile environment, involving the de facto segregation of asylum seekers from the wider community and reducing the possibility of integration.

The Executive Office’s Racial Equality Strategy 2015-2025 acknowledges that ‘While immigration policy is made in Westminster, the Executive does have powers to address some of the problems faced by

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<sup>206</sup> See for example: Refugee and Asylum Forum (2023): [Priorities for Action](#); Committee on the Administration of Justice (2022): [Frontline Lessons for the Future - Collaborative research on the impact of immigration law and policy in post-Brexit Northern Ireland](#); Bassett, M. (2022): [Can Stormont roll back the hostile environment?](#) Committee on the Administration of Justice); Women’s Resource and Development Agency (2022): [Health Inequalities and Hostile Environment for Migrants and Black and Minority Ethnic People](#) ; O’Hara, L. and Orr, K. (2021): [Children and families affected by immigration status and No Recourse to Public Funds](#) (Northern Ireland Commissioner for Children and Young People).

Qureshi, A., Morris, L. and Mort, L. (2021): [Access denied: the human impact of the hostile environment](#), (Institute for Public Policy Research); UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (2019): [Visit to the United Kingdom of Great Britain and Northern Ireland - Report](#), paragraphs 52-60, pp. 14-17; House of Commons Committee of Public Accounts (2019): [Windrush Generation and the Home Office](#), Eighty-second report of session 2017-2019, HC 158; National Audit Office (2018): [Handling of the Windrush situation](#) Williams, W. (2020): [Windrush Lessons Learned Review](#), HC 93; Equality and Human Rights Commission (2020): [Public Sector Equality Duty assessment of hostile environment policies](#); Guardian (25 November 2020): [Home Office broke equalities law with hostile environment measures](#) House of Lords Library briefing: [Impact of 'Hostile Environment' Policy debate on 14 June 2018](#); Guardian (27 August 2018): [Hostile environment: anatomy of a policy disaster](#)

<sup>207</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 7.

<sup>208</sup> The Executive Office (2021): [The draft Refugee Integration Strategy 2022-2027](#), page 29.

those living under immigration control here, including asylum seekers and refugees' and cites a number of positive initiatives undertaken.<sup>209</sup>

Research commissioned by the Committee on the Administration of Justice has highlighted that the scope of the immigration exception does not extend to each and every act that a migrant may undertake whilst present in Northern Ireland.

It asserts that whilst the UK Parliament may legislate for all matters, devolved institutions can reassert their own priorities within the scope of devolution and that although a differentiated immigration settlement for the region is prohibited, protection from many of the consequences of the "hostile environment" legislation is possible.<sup>210</sup>

The UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance has expressed concerns that the adverse impact of immigration and border enforcement policies on racial equality were particularly prominent in Northern Ireland, referring to racial profiling<sup>211</sup>

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<sup>209</sup> The Executive Office (2015): [Racial Equality Strategy 2015-2025](#), paragraph 9.5, pp. 40-41. These initiatives include:

- setting up a Crisis Fund for vulnerable migrants;
- providing free English language classes for asylum seekers;
- ensuring that all asylum seekers have access to free healthcare;
- providing the legal framework that will give all unaccompanied asylum seeking children and trafficked children an independent legal guardian.

<sup>210</sup> Bassett, M. (2021): [Can Stormont Rollback the Home Office 'Hostile Environment'?](#) The research sets out examples where this may be possible, for instance in relation to:

- legislating to provide, or restore, a right to contract for accommodation;
- the amendment, repeal and/or modification by the Northern Ireland Assembly, in accordance with the legislative competence provided by the Northern Ireland Act (1998), of the regulation of driving licences and motor vehicle insurance;
- intervention to protect irregular migrant workers who have been exploited in the work force and are unable to enforce their rights under the current system of employment and civil litigation;
- the setting of rules on eligibility and level of payment of social welfare payments;
- reimbursement for the costs of the NHS surcharge;
- the modification of provisions regarding age assessments by health and social care authorities as well as provisions on modern slavery.

<sup>211</sup> The UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (2019): [Visit to the United Kingdom of Great Britain and Northern Ireland - Report](#), paragraph 71, pp. 19.



The North West Migrants Forum has highlighted that the rights included in the Common Travel Area exclude, inter alia, refugees with ‘Leave to Remain’/ Indefinite Leave to remain<sup>212</sup> and Asylum seekers<sup>213</sup>: ‘There is an invisible hard border for persons who...require prior permission to enter the UK or the Republic of Ireland (visa nationals), and who therefore need to pass often onerous processes even for a short local journey across the land border’.<sup>214</sup> This has a detrimental impact on refugees and asylum seekers.<sup>215</sup>

### **Accommodation and housing**

The Commission has long advocated the need for an adequate programme of accommodation to meet the needs of the Irish Traveller community.

Recent research by The Lead (2024)<sup>216</sup> found that public sites for Irish Traveller communities in Northern Ireland are affected by recurrent and persistent sanitary issues including sewage and vermin problems alongside continuing threats of paramilitary violence against Traveller communities.

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<sup>212</sup> Permission from the government to stay in a country indefinitely.

<sup>213</sup> See: North-West Migrants Forum and Committee on The Administration of Justice: (2022): [CTA and Freedom of Movement in the Island of Ireland - Policy Brief](#)

<sup>214</sup> Ibid.

<sup>215</sup> [For example,](#) they are not permitted to, inter alia:

- Move freely within the island of Ireland for leisure, tourism or even work;
- Travel within the island of Ireland for connecting flights;
- Access services such as healthcare even if they pay the compulsory NHS surcharge, currently at £624 per year of leave granted on their visas;
- Access the job market within the Island of Ireland;
- Access education/learning exchange programmes within the island of Ireland;
- Participate in cross border sporting events or recreational activities;
- Access necessities such as medicine.

See: [Common Travel Area – North-West Migrants Forum \(nwmf.org.uk\)](#).

<sup>216</sup> The Lead (2 March 2024): [Dire conditions on Travellers sites in Northern Ireland ignored by Stormont](#)



Furthermore, there are now fewer sites available than there were fifteen years ago years ago.<sup>217</sup>

The NI Human Rights Commission report 'Out of Sight, Out of Mind: Travellers' Accommodation in Northern Ireland'<sup>218</sup> (2018) highlighted 13 systemic issues of concern.<sup>219</sup>

The report noted that there had been 'an erosion of nomadic life through the policies and practices that have been developed and applied to Travellers and Travellers' accommodation', a conclusion echoed by Craigavon Travellers Support Committee in 2024.<sup>220</sup>

Earlier research had also found that access to appropriate accommodation to meet the needs of Irish Travellers was limited.<sup>221</sup>

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<sup>217</sup> In 2009, the Equality Commission's '[Outlining minimum standards for Traveller accommodation](#)', reported (at p. 17) that the Northern Ireland Housing Executive (NIHE) operated six serviced sites comprising 77 units; five transit sites comprising 40 units; three emergency sites comprising 18-24 units. In 2024 Craigavon Travellers Support Committee report that there are now only four sites operated by the NIHE; 2 serviced sites and 2 Transit / de-facto serviced sites. There are two cooperated sites on the Monagh Road and Glen Road in Belfast. The serviced site at Glen Road Heights, Belfast is 'non-operational'; the Greenbrae transit site in Strabane is closed with the land due to be vested for the A5; The serviced/transit site at Daisyfield, in Derry/Londonderry is closed; The transit site at the Glen, Coalisland has been sold; A previous serviced site at Colin Glen, Belfast was closed in 2001. (Sources: E-mail from NIHE to ECNI, 7 May 2024; NI Housing Executive (2021): [Traveller Accommodation Strategy 2021-2026](#), Table 4, p. 45). According to Craigavon Travellers Support Committee there were 122 Traveller Families on the Social Housing Waiting List in 2022 due to overcrowding (Source: Craigavon Travellers Support Committee (2024): Update on the implementation of the Northern Ireland Human Rights Commission's Recommendations: Out of Sight, Out of Mind: Traveller Accommodation in Northern Ireland 2018

<sup>218</sup> Northern Ireland Human Rights Commission (2018): [Out of Sight, Out of Mind: Travellers' Accommodation in Northern Ireland](#)

<sup>219</sup>These included: resource availability; provision of a sufficient level of culturally adequate Travellers' accommodation; and the adequacy of Travellers' accommodation in Northern Ireland, including a lack of adequate stopping sites, a lack of resources for Traveller accommodation and a lack of emphasis on Travellers being involved in the decision-making process.

<sup>220</sup> The NIHRC report concluded the use and threat of the Unauthorised Encampments (NI) Order 2005" may discourage Travellers from engaging in nomadism, a conclusion echoed by Craigavon Travellers Support Committee in 2024 [Source: Craigavon Travellers Support Committee (2024): Update on the implementation of the Northern Ireland Human Rights Commission's Recommendations: Out of Sight, Out of Mind: Traveller Accommodation in Northern Ireland 2018 (unpublished)]; See also: The Detail (28 May 2024): '[Nomadic life has all but disappeared from Traveller culture in the north](#)'

<sup>221</sup> See for example: Equality Commission for Northern Ireland (2017): [Statement on Key Inequalities in Housing and Communities in Northern Ireland](#), paragraph 8.3, p. 25; Equality Commission for Northern Ireland (2009): [Outlining Minimum Standards for Traveller Accommodation](#), found (at p. 10) 'an overwhelming view among officials and individuals working with Travellers that decisions at Council level regarding planning permission remained a key stumbling block to site development'. The research also found (at p. 10) 'a fragmented approach to the provision of accommodation for

The NI Housing Executive's Traveller Accommodation Strategy 2021-2026<sup>222</sup> states that in 2017/18, 86% of Travellers were living in some form of 'bricks and mortar' accommodation and that 'propensity to travel appears to be low, with only 7% of respondents expecting that they or a member of their household would travel within the next three years'.<sup>223</sup>

In its fifth monitoring cycle report (2016) on the United Kingdom, the European Commission against Racism and Intolerance (ECRI) noted that 'Lack of site provision continues to be a pressing issue for Gypsies and Travellers'<sup>224</sup> and called for 'the authorities draw up, in consultation with Gypsy, Traveller and Roma groups, a detailed programme of integration strategies and measures to address the disadvantage suffered by...these communities in...Northern Ireland, including concrete targets, timeframes, and resources, in all areas of daily life, such as ...accommodation, in particular addressing the shortage of caravan sites'.<sup>225</sup>

As part of the Racial Equality Strategy for Northern Ireland 2015-2025<sup>226</sup>, The Executive Office established a Travellers Thematic Group (TTG) to advise Departments and other statutory bodies on policy matters relating to the Irish Traveller community.<sup>227</sup> Although the TTG has discussed accommodation at one meeting attended by representatives of the

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Travellers across a range of departments and agencies, which had strongly influenced the effectiveness of measures to meet housing need'. The report identified (at p. 45) that 'no single department or agency has policy and operational responsibility for the development and delivery of accommodation, and as a result, there lacks a single driver capable of ensuring that all departments and agencies work together'.

<sup>222</sup> NI Housing Executive (2021): [Traveller Accommodation Strategy 2021-2026](#)

<sup>223</sup> Ibid, p. 35. Wallace, A. (2015): [Housing and Communities' Inequalities in Northern Ireland](#) (University of York for the Equality Commission) (at p. 122) commented that: 'The NIHE data suggests reasonable access to social housing for Irish Travellers across Northern Ireland. However, social housing may not be their first choice of accommodation and can be considered culturally inappropriate, as it does not accord with a nomadic lifestyle. Although half of Irish Travellers now live in settled accommodation, stakeholders interviewed suggested that travelling, particularly in the summer months or to attend family gatherings, remains commonplace. A need for Irish Travellers to have access to quality transit sites, serviced sites and group homes has been identified to deliver decent and culturally sensitive accommodation'.

<sup>224</sup> European Commission Against Racism and Intolerance (2016): [ECRI Report on the United Kingdom \(fifth monitoring cycle\)](#), p. 10.

<sup>225</sup> Ibid, paragraph 109, p.34.

<sup>226</sup> The Executive Office (2015): [Racial Equality Strategy 2015-2025](#), p. 53. The Group has agreed to examine the issue of accommodation as its next priority. Source: TEO Racial Equality Division (RED) Update 15 May 2024

<sup>227</sup> [Travellers Thematic Group](#) - Membership

Northern Ireland Housing Executive, the discussion was not concluded and therefore no actions agreed as of yet.

### *Migrant workers*

Research (2015) on inequalities in housing and communities in Northern Ireland revealed that 'While private renting has largely been accessible to minority ethnic and migrant groups allowing them to settle, there are indications that landlords provide unsatisfactory information about tenancy rights and have imposed additional conditions on the tenancies of people from minority ethnic groups'.<sup>228</sup>

The Commission has highlighted that for some migrant workers in the private rented sector, exploitation by landlords has resulted in overcrowding, insecurity of tenure and being forced to accept poor health and safety standards.<sup>229</sup>

Tied accommodation for migrant workers was also highlighted as a concern: 'studies of exploitative employers and the circumstances of their workers reveal that employers' accommodation often places workers in isolation from the rest of society in respect of mushroom and fishing industries, provides poor quality accommodation for which rent is deducted automatically from the wages, but where workers have little general understanding of their rights and entitlements'.<sup>230</sup>

For many migrants, access to safe and affordable housing can be restricted by immigration status. In its 2011 Submission to the Commission for the Elimination of Racial Discrimination (CERD)<sup>231</sup> the Commission highlighted that there are 'particular accommodation problems for migrant workers 'which can be further exacerbated by lack

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<sup>228</sup> Wallace, A. (2015): [Housing and Communities' Inequalities in Northern Ireland, p. 12.](#) (University of York for the Equality Commission for Northern Ireland).

<sup>229</sup> Equality Commission for Northern Ireland (2007): [Statement of Key inequalities in Northern Ireland.](#)

<sup>230</sup> Wallace, A. (2015): [Housing and Communities' Inequalities in Northern Ireland, pp. 126.](#) (University of York).

<sup>231</sup> Ibid.

of access, where required, to state support'<sup>232</sup>. There is evidence that the problems highlighted above persist.

The NI Housing Executive (2019) found that 'The Roma community's reliance on private sector housing is due to their high levels of unemployment and reliance on temporary low paid employment... They experience high rents, sub-standard conditions and non-existent tenancy agreements. This leads to inevitable overcrowding, as families pool what little resources they have in order to survive.'<sup>233</sup>

The Children's Law Centre (2015) cite examples of landlords not giving Roma families rental agreements, thereby avoiding obligations to respond to requests or address problems or saying that a house was no longer available when they discovered that it was a Roma family who wanted to rent the property'.<sup>234</sup> The Commission notes that a Roma Thematic Group has been established by The Executive Office, that initial discussions between the Group and DfC officials on housing issues have taken place and a Housing Working Group set up, at this stage no actions to address the issues identified have yet been agreed.

The Equality Commission has previously noted the need for training for front-line staff on the entitlements of migrants.<sup>235</sup>

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<sup>232</sup> Ibid, page 2.

<sup>233</sup> Northern Ireland Housing Executive Research Unit (2019): [The Roma community in Northern Ireland and housing](#), p.16; See also: Wallace, A. (2015): [Housing and Communities' Inequalities in Northern Ireland](#), (University of York for the Equality Commission for Northern Ireland) (at p. 126): 'Where the Roma community are concerned they live largely on subsistence wages and can share overcrowded accommodation with one or more families.'

The report cites a number of other migrant housing issues including high rents, with landlords charging up to £65 for a shared room; lack of heating or cooking facilities; badly maintained or damp property; lack of tenancy agreement; rent increases and refusal to return deposits.

<sup>234</sup> Children's Law Centre (2015): [Promoting and protecting the rights of Roma children and young people in Northern Ireland](#), p.38.

<sup>235</sup> Equality Commission for Northern Ireland (2013): [Racial Equality Policy Priorities and Recommendations](#), paragraph 6.8, p. 16 and 7.6, p. 18.

## Asylum seekers and refugees

The Refugee and Asylum Forum have highlighted a lack of accessible information available on the rights and entitlements of asylum seekers and refugees.<sup>236</sup>

A number of stakeholders have drawn attention to the use of hotel-based ‘contingency accommodation’ and the detrimental impact on the rights and welfare of asylum seeker families.<sup>237</sup>

The Law Centre NI has expressed concern that the use of hotels for accommodation would appear to align with the UK government’s policy of moving towards a model of ‘reception centres’.

The Centre maintains that ‘policies of exclusion permit misinformation, fear and hate to take hold’ and that a policy whereby asylum seekers are housed separately from everyone else in society will clearly run counter to the Northern Ireland Executive Office’s Racial Equality Strategy commitment to inclusion and the T:BUC commitment to shared spaces and embracing diversity.<sup>238</sup>

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<sup>236</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), pp. 8 and 10

<sup>237</sup> For example, residents do not have access to kitchens and so cannot cook their own (culturally appropriate) food; while asylum seeker children are in the hotels, they cannot commence education on a full-time basis because they do not have a permanent address and postcode; there is no outdoor space for the children to play and no public park or play area in the vicinities; entry in and out of the hotels is monitored and residents are asked to sign in and out; residents are not permitted guests. There have also been allegations of lack of respect for privacy of asylum seeker families and bullying of asylum seekers by some hotel staff [Sources: Law Centre NI (2022): [Law Centre submission to the Advisory Committee to the Framework Convention for the Protection of National Minorities](#); Children’s Law Centre and South Tyrone Empowerment Programme (2022): [Joint Submission to FCNM Advisory Committee - Rights of Asylum Seeker Children Living in Contingency \(Hotel Buildings\) in NI, run by Mears Group PLC](#);

Participation and the Practice of Rights (2019): [A Prison Without Walls – Asylum Migration and Human Rights – Key Recommendations](#)

<sup>238</sup> Office of First Minister and Deputy First Minister, [‘Together: Building a United Community Strategy’](#) (2013) paras 4.6 – 4.15. Furthermore, the Centre points out that the Home Office’s own evidence on refugee integration highlights the importance of contact between the refugee and host communities. See: Home Office, [‘Integrating refugees: What works? What can work? What does not work? A summary of the evidence’](#) (June 2019, second edition)

In January 2024, the Home Office tasked Mears to introduce a requirement for single asylum seekers to share rooms in contingency accommodation.<sup>239</sup>

The Westminster Public Accounts Committee (PAC) has expressed concern about the introduction of room sharing<sup>240</sup>

The lack of safe accommodation for LGBTQ+ asylum seekers has been highlighted as a pressing concern<sup>241</sup> accompanied by a call for the establishment of safe houses.

The PAC recommended that: 'The Home Office should...set out in detail the measures it will take to identify any vulnerabilities individuals waiting for a decision have, and how it will manage the risks to the individual that these may present.'<sup>242</sup>

The asylum support system is based on provisions in [Part VI of the Immigration and Asylum Act 1999](#) ('the 1999 Act')<sup>243</sup>

Section 95 support is provided to people waiting for a decision on their asylum claim or appeal.<sup>244</sup> Section 98 support is provided while a person's eligibility for section 95 asylum support is being considered.<sup>245</sup>

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<sup>239</sup> See: [Operation Maximise: Room Sharing in Hotels – Guidance | Law Centre Northern Ireland \(lawcentreni.org\)](#)

<sup>240</sup> 'The Home Office does not have adequate safeguards to protect against the risks of vulnerable people having to share accommodation with strangers...The Home Office said an assessment would be carried out before people are moved into shared rooms, but it struggled to explain what that assessment would consider other than language and nationality. There was no clarity on whether the Home Office planned to consider the trauma that people claiming asylum might have faced and, while the Home Office said it would review health records when we asked about mental health, we are concerned that it does not have a robust process in place to make sure sharing arrangements will be safe. If the Home Office implements room sharing without proper safeguards, there could be serious consequences.' [Source: House of Commons Public Accounts Committee (27 October 2023): Seventy-Sixth Report of Session 2022–23 [The Asylum Transformation Programme](#), page 7].

<sup>241</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 13; Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), pp. 93-94 (Queens University Belfast for The Executive Office).

<sup>242</sup> House of Commons Public Accounts Committee (27 October 2023): Op. cit.

<sup>243</sup> [Part VI of the Immigration and Asylum Act 1999](#). Various sections of the 1999 Act give powers to provide accommodation and subsistence support at different stages of the asylum process.

<sup>244</sup> It is mainly provided as accommodation and money to cover specified essential living needs (often referred to as subsistence support).

<sup>245</sup> It is usually provided as full-board accommodation.



The [weekly section 95 support rate](#) is £49.18 per person for people living in self-catered accommodation or receiving subsistence-only support. People in full-board accommodation receive £8.86 a week.<sup>246</sup>

The UN Special Rapporteur on Extreme Poverty and Human Rights has criticised the level of support provided as inadequate: ‘Destitution is built into the asylum system. Asylum seekers are banned from working and limited to a derisory level of support that guarantees they will live in poverty. The government promotes work as the solution to poverty yet refuses to allow this particular group to work.’<sup>247</sup>

Where an individual is granted refugee status, they are no longer entitled to support as an asylum seeker. This support will terminate after a short ‘grace period’<sup>248</sup>, after which the individual is expected to move out of NASS accommodation, apply for social security or secure employment.<sup>249</sup>

From 9 December 2024, the grace period given to refugees to transition from supported housing to their own accommodation was increased from 28 to 56 days.

The change was described by the Home Office as "an interim measure" expected to be in place until June 2025, when it will be reassessed.<sup>250</sup>

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<sup>246</sup> Subsistence support is intended to cover destitute asylum seekers’ essential living needs. The weekly amount is credited to a pre-paid debit card which asylum seekers can use to pay for goods or withdraw cash. Some small additional payments are available to certain cohorts, including pregnant women and children under four.

<sup>247</sup> United Nations Special Rapporteur on Extreme Poverty and Human Rights (16 November 2018): [Statement on Visit to the United Kingdom, by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights](#), (v), p. 19.

See also: Right to Remain (6 February 2018): [“We deserve a life we can LIVE, not just exist”: Asylum seekers in Belfast demand dignity](#); Housing4All (2019): *A Prison Without Walls – Asylum, Migration and Human Rights*.

<sup>248</sup> Sometimes reduced in practice to as little as seven days (Source: Commission on the Integration of Refugees (2024): [From Arrival to Integration - Building Communities for Refugees and for Britain](#), p. 36).

<sup>249</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), pp.13-14.

Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), pp. iv, vi, 51, pp. 63-66 (Queens University Belfast for The Executive Office).

Northern Ireland Council of Refugees and Asylum Seekers (2016): [The Effect of Destitution on Refugees and Asylum Seekers in Northern Ireland](#), pp. 13-15.

<sup>250</sup> BBC News (6 December 2024): [Home Office to give refugees more time to find housing](#)



While refugees have the same access to social security<sup>251</sup> and the labour market as other citizens, destitution becomes an issue for many due to the difficulties in obtaining the required evidence of their status before the grace period expires.<sup>252</sup>

Furthermore, asylum seekers and refugees often have limited or no financial resources making it difficult to pay deposits for privately rented accommodation.<sup>253</sup>

The Commission on the Integration of Refugees has called for the extension of the transition period for asylum seekers to “move on”, after being given leave to remain as refugees, from 28 days to 56 days.<sup>254</sup>

Failed asylum seekers are also at risk of destitution. Following the rejection of an asylum application, asylum support through section 95 (Part 6 of the Immigration and Asylum Act 1999) ceases after a 21-day period.<sup>255</sup>

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<sup>251</sup> However, there is a minimum of five weeks wait for a first payment of Universal Credit following application (see [Universal Credit - First Payment](#); See also: Trade Union Congress (10 November 2020): [Universal Credit and the impact of the five week wait for payment](#)

<sup>252</sup> For example, the issuing of the biometric residence permit (BRP), end of asylum support letter (NASS35) or national insurance number. The Red Cross advises that there a number of contributory factors rendering new refugees destitute. These include: problems inherent in the Universal Credit system (e.g. five week wait for initial payment); inconsistent outreach by the Post Grant Appointment Service (PGAS); lack of clarity on habitual residence tests (HRT); barriers to opening bank accounts; delays and mistakes on Biometric Residence Permits (BRPs); awareness of the 28-day move-on period; homelessness [Source: Red Cross (2018): [Still an ordeal - the move-on period for new refugees](#)

Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), pp. 63-66 (Queens University Belfast for The Executive Office).

<sup>253</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), p. 26 (Queens University Belfast for The Executive Office).

<sup>254</sup> On the basis that it would reduce the likelihood of homelessness and reduce the pressure on the local authorities and charities supporting homeless refugees; Make it more likely that the transition following a grant of leave is a positive experience as refugees begin the next phase of their journey towards integration [Source: Commission on the Integration of Refugees (2024): [From Arrival to Integration - Building Communities for Refugees and for Britain](#), p. 36].

<sup>255</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), p. 65 (Queens University Belfast for The Executive Office). Failed asylum seekers are expected to make arrangements to return to their country of origin. Many decide to appeal their asylum rejection and this ‘places a failed asylum seeker in a complex administrative space which can push an individual or family into destitution. For some asylum seekers, whose country of origin is not a ‘safe’ country of origin, they cannot be forcibly returned, and so find themselves without status and support in the UK.’; Failed asylum seekers can apply for section 4 support within this 21-day period by evidencing that they are destitute or have taken steps to leave the UK, although there are several ways in which a failed asylum seeker may become destitute in spite of this provision [Source:

The policy of 'enforced destitution',<sup>256</sup> also increases the risk of exploitation<sup>257</sup> and also places demands on the resources of voluntary and community organisations, which provide support in the absence of statutory provision.<sup>258</sup>

Research commissioned by Belfast City Council (2022) noted that 'Asylum seekers and refugees face the greatest issues with housing, including those in hotels. Refugees report significant impacts of repeated accommodation moves on school, work, and community integration.'<sup>259</sup>

Murphy and Vieten (2017) identified significant detriments experienced by asylum seekers and refugees regarding access to housing:

*'Housing insecurity features as a major issue in the everyday life experiences of asylum seekers and refugees here. Asylum seekers experience multiple moves and a general sense of lack of control over their personal housing situation, resulting in feelings of insecurity, fear and unpredictability. Both families and lone individuals experience unsuitable housing conditions (including but not limited to overcrowding, poor conditions, difficulties with landlords, discrimination)'*<sup>260</sup>.

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Northern Ireland Council of Refugees and Asylum Seekers (2016): [The Effect of Destitution on Refugees and Asylum Seekers in Northern Ireland](#), pp. 13-14].

<sup>256</sup> Whereby refused adult asylum seekers are evicted from their asylum accommodation.

<sup>257</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), section 7.3 pp. 26-27 (Queens University Belfast for The Executive Office). The authors note that failed asylum seekers are particularly vulnerable to labour exploitation and also that exploitation is highly gendered and that female asylum seekers often find themselves in difficult and dangerous situations when their asylum claims are rejected.

<sup>258</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 13.

Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), pp. iv, 60, 64 (Queens University Belfast for The Executive Office).

Law Centre NI (2016): [Time to act - Refugees and delays with benefits](#)

<sup>259</sup> Michael, L., Reynolds, D., Kempny, M., with Alsharabi, S., Borbely, S., Latcham, N., Logan, E., McDonagh, M., Pilkiwicz, M., Thabet, E. and Teglas, M. (2022): [Inequalities experienced by Black, Asian, Minority Ethnic and Traveller People residing in Belfast](#) (full report), p. 4 (Belfast City Council); The Refugee and Asylum Forum (2023) note that 'The 'no choice' aspect of asylum housing means that asylum seekers are often separated from support networks with little or no notice, which can be upsetting and demeaning' [Source: Refugee and Asylum Forum (2023): [Priorities for Action](#), p.13].

<sup>260</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), page 6.

A survey undertaken by Housing 4 All (2019) found that 31% of respondents<sup>261</sup> said their home was not safe, liveable or secure, their privacy was not protected, or they didn't have access to essential services and facilities including energy and heating<sup>262</sup>.

The Refugee and Asylum Forum have also drawn attention poor quality, expensive accommodation exacerbated by the current housing crisis.<sup>263</sup> Furthermore, accessing private rental accommodation often difficult because of the guarantor requirement – so that refugees after often obliged to remain in temporary/hostel accommodation.<sup>264</sup>

The Commission recognises that people need to feel safe where they live and consider that actions are needed to encourage and incentivise integration.<sup>265</sup>

Refugees and asylum seekers have been the target of racist hate crimes against person and property.<sup>266</sup>

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<sup>261</sup> Housing 4 All (2019): [A Prison Without Walls – Asylum, Migration and Human Rights](#), page 16. 91% of people surveyed by Housing4All said they were living in accommodation provided by the Home Office through the National Asylum Support Service (NASS).

<sup>262</sup> The main reasons people gave for this included unresolved maintenance issues (26.7%), privacy not respected (16.7%), dampness (10%), location not close to services (3.3%) and other (43.3%). Comments given in response to 'other' included "sometimes heat not working, sometimes no gas or electricity" and "sometimes very cold and smelling"; Inadequate accommodation has, in turn, been linked with poor health, including weight loss, anaemia, and psychological impacts [Source: Irish Independent (24 July 2022): [Doctors fear for refugees health because of 'dire' accommodation programme in Northern Ireland](#)].

<sup>263</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 14.

<sup>264</sup> Ibid.

<sup>265</sup> Equality Commission for Northern Ireland (2020): [Hate Crime in Northern Ireland - Policy Recommendations and Supporting Rationales](#), paragraph 3.31, p.9; In our policy recommendations on Equality in Housing and Communities (2019)<sup>265</sup>, we highlighted that statistics show that the homes of minority ethnic people and migrant groups may be vulnerable to racial attacks [Source: Equality Commission for Northern Ireland (2019): [Equality in Housing and Communities - Policy Recommendations](#), p.3

<sup>266</sup> Straight Arrow News (30 November 2023): [Anti-immigration signs spark hate crime probes in Northern Ireland](#)

Irish News (3 November 2023): [Windows, doors smashed in estate where offensive posters erected warning against re-housing illegal immigrants](#)

Irish News (2 November 2023): [Asylum seeker rumours stir Belfast estate residents](#)

Belfast Telegraph (2 June 2023): [Anti-refugee graffiti in North Coast areas being treated as racist hate crimes](#)

Belfast News (4 June 2021): [Holyland attack on asylum seekers leaves men fearing for their lives](#)

Participation and the Practice of Rights (21 May 2022): [Submission to the Northern Ireland Affairs Committee of the UK Parliament, 21 May 2021, Call for evidence: the experience of minority ethnic and migrant people in Northern Ireland](#), pp. 8-9.

The Detail (17 May 2018): [The Changing Mosaic – Northern Ireland's New Communities](#)

Wallace (2015) cites anecdotal evidence of instances of social housing applicants declining offers of accommodation in some areas on the grounds of safety concerns.<sup>267</sup>

The NI Policing Board (2017) noted that ‘In particular, victims expressed their disappointment and sense of heightened vulnerability when agencies including the police offered little in response to persistent abuse other than advising the victim to move out of the area’.<sup>268</sup>

### **Health**

The Commission has published guidance on good practice, including ethnic monitoring in respect of racial equality in health and social care<sup>269</sup>.

The Commission’s 2011 submission to CERD highlighted difficulties for black and minority ethnic communities in obtaining access to healthcare provision.<sup>270</sup>

The Marmot review (2010)<sup>271</sup> has shown that the health of minority ethnic communities is adversely affected by the social determinants of health.<sup>272</sup>

A report (2020) on the social determinants of health and local government found that there was a clear role for councils to work to improve health and tackle the social determinants of health.<sup>273</sup>

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<sup>267</sup> Wallace, A. (2015): [Housing and Communities’ Inequalities in Northern Ireland, p, 126](#) (University of York for the Equality Commission for Northern Ireland).

<sup>268</sup> Northern Ireland Policing Board (2017): [Thematic Review of Policing Race Hate Crime](#); The Refugee and Asylum Forum have also highlighted that victims often face being relocated instead of the perpetrator facing justice [Source: Refugee and Asylum Forum (2023): [Priorities for Action 2023](#)]

<sup>269</sup> Equality Commission for Northern Ireland and the DHSSPS (2002): [Racial Equality in Health and Social Care – Good Practice Guide](#); Equality Commission for Northern Ireland (2011): [Race Equality in Health and Social Care – A short guide to good practice in service provision](#).

<sup>270</sup> Equality Commission for Northern Ireland (2011): [Shadow Report to the UN Committee on the Elimination of Racial Discrimination \(CERD\) on the UK Government’s 18th Periodic Report](#). In particular, the response noted a lack of legal clarity in relation to who is entitled to free health care in Northern Ireland and the need to improve access to healthcare provision for minoritised ethnic people.

<sup>271</sup> The Marmot Review (2010): [Fair Society, Healthy Lives](#)

<sup>272</sup> World Health Organisation: [Social determinants of health](#)

<sup>273</sup> Local Government Association (2020): [Social determinants of health and local government](#)

The Commission has raised concerns about the differential health status of Irish Travellers<sup>274</sup>.

The All-Ireland Traveller Health Study (2010)<sup>275</sup> highlighted that:

- average life expectancy for Traveller men has decreased since 1987;
- life expectancy of Traveller women is still 11.5 years lower than women in the general population;
- suicide rates are almost seven times higher for Traveller men than in the general population;
- mortality rates are considerably higher than the general population at all age ranges for both men and women;
- Traveller infants are 3.6 times more likely to die than their counterparts, a deterioration on comparable figures since 1987<sup>276</sup>.

The limited evidence that is available suggests that health outcomes are generally worse for Roma than for majority population. Factors that impact on their health status include poverty, low levels of education, poor housing and sanitary conditions, low levels of health screening and late presentation for medical assistance<sup>277</sup>.

The Public Health Agency (undated) has revealed that some health issues and risk factors for disease and ill health are more prevalent in certain nationalities and cultures<sup>278</sup>

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<sup>274</sup> Equality Commission for Northern Ireland (2001): Response from the Equality Commission for Northern Ireland to the consultation on 'The Final Report of the Promoting Social Inclusion Working Group on Travellers; Equality Commission for Northern Ireland (2011): [Shadow Report to the UN Committee on the Elimination of Racial Discrimination \(CERD\) on the UK Government's 18th Periodic Report](#), p. 24.

<sup>275</sup> Kelleher, C. et al (2010): [All Ireland Traveller Health Study](#). University College Dublin for the Department of Health and Children & the Department of Health, Social Services and Public Safety.

<sup>276</sup> Ibid, page 96.

<sup>277</sup> Wright, D. (undated): [Roma Health and Wellbeing in Northern Ireland](#); NI Housing Executive (2019): [The Roma in Northern Ireland and Housing – A Scoping Review](#), p. 18.

<sup>278</sup> For example:

- diabetes is more prevalent in Asian and black ethnic groups (12.4% and 8.4% respectively) compared to Northern Ireland population (5.4%);

A Department of Health and Social Services and Public Safety S75 Action Plan highlighted that maternal and infant mortality are higher among minoritised ethnic groups.<sup>279</sup>

Research by Belfast City Council (2022) found that interpreting services are generally good, although a quarter of those needing an interpreter at the GP or hospital were not able to access them and that telephone-based interpreting services have caused considerable concern amongst migrant users.<sup>280</sup>

In August 2024 a number of minority ethnic cancer patients expressed concerns that they had experienced discrimination due to language barriers and the lack of adequate interpreting services or that their cases had been trivialised due to the colour of their skin.<sup>281</sup> The most serious cases involved delays in detecting the spread of cancer, with some patients now facing a terminal illness.

Other issues encountered by minoritised ethnic communities in trying to access health and social care services include:

- lack of awareness and lack of appropriate information on the services available,<sup>282</sup>

- 
- Lithuania has the highest rate of suicide in Europe; Northern Ireland has the highest proportion of Lithuanians resident in the region per head of population compared with the rest of the United Kingdom;
  - people of African-Caribbean origin have a lower prevalence of coronary heart disease compared to the white population but a higher prevalence of and mortality from hypertension and stroke

[Source: Public Health Agency (undated): [Promoting health and wellbeing in black and minority ethnic \(BME\) groups, including Travellers and migrant workers](#)].

<sup>279</sup> Department of Health, Social Services and Public Safety (2011): Equality Action Plan for the Department of Health Social Services and Public Safety. Minoritised ethnic women are also more likely to access services late (e.g. ante-natal appointments) and to have complications.

<sup>280</sup> Belfast City Council (2022): [Inequalities Experienced by Black, Asian, Minority Ethnic and Traveller people residing in Belfast](#). The research also reported that 'ongoing access problems with GP surgeries have driven some people to use A&E services at hospitals to address their significant concerns about aggravated health issues. These include mental health crises as well as cardiac and mobility-related issues'.

<sup>281</sup> BBCNI News (15 August 2024): [Cancer diagnosis delayed by skin colour, say patients](#)

<sup>282</sup> The Regulation and Quality Improvement Authority noted that specific areas affected in relation to poor access to health and social care were:



- the need for a permanent address in order to register with a General Practitioner and low uptake of registration;
- fears about entitlement to health care;
- difficulty in coming to grips with a health care system that is different to what exists in their country of origin;
- accessing mental health services and the stigma associated with these;
- The failure of some services to meet migrants' cultural or religious needs;
- Institutional racism and the negative attitudes of some health care staff; and
- Immigration restrictions<sup>283</sup>

Refugees are five times more likely to have mental health needs than the UK population.<sup>284</sup>

The Refugee and Asylum Forum (2023) highlight that 'the increased vulnerability to mental health problems that refugees and asylum seekers face is linked to pre-migration experiences (such as war) and

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- A&E;
  - maternity;
  - mental health;
  - screening;
  - use of GPs in primary care.

[Source: Regulation and Quality Improvement Authority (2014): [Baseline Assessment of Access to Services - Scoping Study, p. 20](#)]

<sup>283</sup> The Health Alliance NI (2024): [Ethnic Minority Communities](#); Regulation and Quality Improvement Authority (2014): [Baseline Assessment of Access to Services - Scoping Study](#), p. 19;

Northern Ireland Affairs Committee (2022): [The experiences of minority ethnic and migrant people in Northern Ireland](#), pp. 16-17.

Women's Resource and Development Agency (2024): [Health inequalities and hostile environment for black and minority ethnic people](#).

<sup>284</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 18.

Refugee Council (undated): [Mental Health Support for Refugees and Asylum Seekers](#)



post-migration conditions that are exacerbated by hostile environment policies'.<sup>285</sup>

The mental health organisation MIND, has also identified that the language barrier, cultural differences, a lack of clarity around health care entitlements and gaps in service provision, can exacerbate existing mental health conditions and can often lead to asylum seekers and refugees becoming further excluded and marginalised within society.<sup>286</sup>

Research (2012) on the experiences of the Horn of Africa community in Belfast found 'striking' evidence of the 'impact of the experience of conflict, displacement and migration on mental health and low uptake of mental health services'.<sup>287</sup>

Although there are specialist health services for victims of torture in Britain and the Republic of Ireland, there are no equivalent services available in Northern Ireland.<sup>288</sup>

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<sup>285</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 18  
Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), p. 56 (Queens University Belfast for The Executive Office).  
Schock, K. et al (2015): [Impact of asylum interviews on the mental health of traumatized asylum seekers](#), *Eur J Psychotraumatol.* 2015; 6: 10.3402/ejpt.v6.26286.  
Shawyer, F. et al. (2014): [A cross-sectional survey of the mental health needs of refugees and asylum seekers attending a refugee health clinic: a study protocol for using research to inform local service delivery](#). *BMC Psychiatry.* 2014;14:356.  
Kalt, A et al (2013): [Asylum Seekers, Violence and Health: A Systematic Review of Research in High-Income Host Countries](#), *Am J Public Health.* 2013 March; 103(3): e30–e42  
Hollander, A.C. et al (2011): [Gender-related mental health differences between refugees and non-refugee immigrants - a cross-sectional register-based study](#) *BMC Public Health* volume 11, Article number: 180.  
Kirmayer, L.J. et al (2011): [Common mental health problems in immigrants and refugees: general approach in primary care](#)  
Mann, C., & Fazil, Q. (2006): [Mental illness in asylum seekers and refugees](#), *Primary Care Mental Health*, 4(1), pp. 57-66.  
<sup>286</sup> MIND (2009): [A civilised society - Mental Health Provision for Refugees and Asylum Seekers in England and Wales](#)  
<sup>287</sup> Institute of Conflict Research (2012): [The Horn of Africa Community in Belfast - a needs assessment](#), page 25.  
<sup>288</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 18.  
Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), pp. iv, vi-vii, (Queens University Belfast for The Executive Office).

The Northern Ireland Regional Trauma Network service is only available to Northern Ireland conflict-related trauma, precluding access to asylum seekers.<sup>289</sup>

Murphy and Vieten (2017) note that, ‘depending on the country of origin and the immigration journey...lower levels of immunisation and a higher level of communicable illness have been found, issues to do with sexual health and untreated chronic illnesses are to the fore.’<sup>290</sup>

The Refugee and Asylum Forum have revealed that the low rates of asylum support mean that some asylum seekers are unable to afford to attend health appointments.<sup>291</sup>

Although Health and Social Care Trusts may have a legal responsibility to accommodate destitute asylum seekers under human rights/community care legislation<sup>292</sup>, there is no clear process or guidance around how an asylum seeker can request an assessment of need.<sup>293</sup>

Murphy and Vieten (2017), whilst recognising that training and awareness programmes regularly take place for health care staff, emphasise that this needs to become more strongly embedded in the culture of Northern Ireland’s health sector, with a particular focus on

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<sup>289</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 18.

<sup>290</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), pp. 69 and 74 (Queens University Belfast for The Executive Office). The authors also identify issues regarding:

- Confusion for some asylum seekers and refugees about how to access health services;
- The need for better training of health and social care personnel around the use of interpreters in health settings; and
- The need for further research on female sexual health and maternity, as well as asylum seekers living with a disability.

It should be noted that disability related social security benefits, such as Personal Independence Payment or Employment Support Allowance, are not available to asylum seekers. See [Section 115 of Immigration and Asylum Act 1999](#).

<sup>291</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 19. The Forum point out that while in theory, asylum seekers are eligible to be reimbursed for hospital transport costs, in practice, this service is not accessible.

<sup>292</sup> For example, under Article 15 Health & Personal Social Services 1972 Order and Article 18 of Children NI Order 1995 or potentially under mental health legislation. See Law Centre NI (2017): [Access To Social Care For Destitute Migrants - Need for pathways and guidance](#)

<sup>293</sup> Refugee and Asylum Forum (2023): [Priorities for Action](#), p. 19.

raising awareness around the needs of asylum seekers and refugees, including on understanding cultural beliefs related to health.<sup>294</sup>

### **Social Protection**

The Law Centre NI highlight that immigration status can both cause and compound destitution.<sup>295</sup>

In its Submission (2011) to the Committee on the Elimination of Racial Discrimination (CERD) the Commission noted that aspects of immigration legislation deny many foreign nationals access to state housing support when they are not working.<sup>296</sup>

The Commission also noted that rules for eligibility to access social support mean that there is a lack of ‘safety net’ provisions for migrant workers<sup>297</sup> and that the ‘take-up for social welfare benefits was low’ and that ‘the relevant homelessness legislation has particular impacts on victims of exploitation, refugees, asylum seekers and victims of racist intimidation’.<sup>298</sup>

There are a variety of circumstances in which migrant workers typically lose employment and cannot access means-tested benefits<sup>299</sup>. In

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<sup>294</sup> Murphy, F. and Vieten, U.M. (2017): [Asylum Seekers and Refugees experiences of life in Northern Ireland](#), pp. 69-73 (Queens University Belfast for The Executive Office).

<sup>295</sup> Law Centre NI (2021): [Pathways out of migrant destitution through a change in immigration status](#), p. 3.

<sup>296</sup> Equality Commission for Northern Ireland (2011): [Shadow Report to the UN Committee on the Elimination of Racial Discrimination \(CERD\) on the UK Government’s 18th Periodic Report](#)

<sup>297</sup> Ibid, pp. 22-23.

<sup>298</sup> Due to communication barriers, bureaucracy and the Worker Registration Scheme.

Of the total 193,940 of migrants with a national insurance number living in Northern Ireland, only 14% (26,640) were claiming at least one benefit.

Universal Credit had the greatest uptake with 15,620 (59%) of migrant claimants being in receipt (Fig. 4). This was followed by Personal Independence Payment (20%), Housing Benefit (17%) and Retirement Pension (15%). The two countries of origin with the most migrants in Northern Ireland were the Republic of Ireland with 36,490 and Poland with 34,260. 5740 (16%) of Republic of Ireland migrants and 4,220 (12%) of migrants from Poland were in receipt of benefit(s). [Source: Department for Communities (10 August 2023): [Migrant Access to Benefits publication](#) – Data at July 2022].

<sup>299</sup> This can range from failure to satisfy immigration registration requirements to changes in personal circumstances (such as a family breakdown or domestic violence). A2 nationals who lose their job or stop working within 12 months of starting work in the UK are no longer eligible for housing or homelessness assistance. In addition, those who are looking for work, or are not registered as an authorised worker when they should be, are not entitled to any benefits, homeless assistance or access to social housing until they start work, and get authorisation to work from the Home Office

general, those who have limited leave to enter or remain<sup>300</sup> and time-limited visas have ‘no recourse to public funds’ (NRPF).<sup>301</sup>

Embrace<sup>302</sup> detail the following categories of migrants as vulnerable to destitution: European nationals who come here without a job, or who become ill and lose a job before they have access to out-of-work benefits<sup>303</sup>; non-European nationals (here on work visas) who become ill or lose their job<sup>304</sup>; people whose immigration status depends on a partner or spouse<sup>305</sup>; people who are exploited in the workplace and part-time workers<sup>306</sup>; Irregular migrants with no permission to work here and trafficked people<sup>307</sup>; people in the asylum system.<sup>308</sup>

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<sup>300</sup> Such as a work permit, student visa or marriage visa.

<sup>301</sup> Law Centre NI (2021): [Pathways out of migrant destitution through a change in immigration status](#), p. 5.

<sup>302</sup> Embrace (undated): [Poverty and Destitution](#)

<sup>303</sup> Most Europeans who arrive here have either been recruited in their home country by employment agencies or have some other firm offer of work. If they come here without a job offer, however, they will need to live on their savings. After three months, they may be able to get Jobseekers Allowance (JSA) for a short time, but only if they can prove that they have genuine prospect of work. If they cannot do this they may be unable to get a National Insurance Number, without which, most employers will not consider them. The situation is similar for people who become ill or lose their job before they have access to out of work benefits.

<sup>304</sup> Non-EEA nationals who come here on work visas come have no safety net if they become ill or lose their job. They can usually not look for other work or access out-of-work benefits until they become permanent residents after at least five years. Their visa is tied to the employer who sponsored them and so they cannot look for another job. They usually have no alternative but to return home.

<sup>305</sup> If a person’s immigration status is dependent on their spouse or partner, they are vulnerable if that relationship breaks down. If they leave the relationship, they cannot seek work. People may choose to stay in the relationship (even an abusive one) rather than face destitution.

<sup>306</sup> This includes those agency workers on zero hours contracts. Trade unions and other support groups report the exploitation of foreign nationals who may be unaware of their workplace rights. Part-time workers, especially those on zero hours contracts, may have difficulty paying for transport, rent and living expenses when there is little work. It is especially difficult to find affordable childcare in rural areas.

<sup>307</sup> If a migrant does not have permission to work here legally, they are especially likely to be exploited, financially and in other ways. People who are trafficked may be entirely in the power of others, with little or no reward for their labour, living in constant fear that they may be removed by the authorities.

<sup>308</sup> Destitution can affect individuals at every stage of the asylum process. [Embrace](#) have highlighted that most asylum applicants are destitute when they arrive and until support begins. While their case is being heard they usually receive accommodation and £49.18 per week (£8.86 if in contingency hotel accommodation with meals provided). According to [City of Sanctuary UK](#), support rates are around 50% below the UK poverty line. Sometimes a refused asylum seeker cannot return to their home country and have no papers to travel anywhere else. However, they are not allowed to work nor do they have access to public funds and can be left destitute for years.

Although some people subject to NRPF are eligible to apply to have the condition lifted, this remedy<sup>309</sup> only applies to persons who have Limited Leave to Remain - asylum seekers or undocumented migrants are not eligible.<sup>310</sup>

An evaluation of the OFMdfM Emergency fund pilot highlighted that “the length of time waiting on support that people are entitled to or the length of time to reach a decision is a major concern”<sup>311</sup>. The evaluation concluded that “there is a need to establish the fund on a firmer footing with significantly greater expenditure and a more rigorous action research element to monitor impact”<sup>312</sup>.

### **Multiple identities**

The Council of Europe has noted that ‘Multiple discrimination, including intersectional discrimination, are relatively recent concepts, which although now widely accepted, have not yet been fully reflected within the law and legal practice. Anti-discrimination law and its associated practice has traditionally taken a single-axis perspective, identifying and addressing single grounds in cases of discrimination.’<sup>313</sup>

The Racial Equality Strategy 2015-2025 pledged that ‘specific attention will be paid to the multiple identities, multiple discrimination and inequalities experienced by minority ethnic people. An important strand will be to collect disaggregated data to enable the measurement of the impact of actions on multiple discrimination and disadvantage’.<sup>314</sup>

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<sup>309</sup> If the NRPF condition is removed, the person can apply for means tested social security benefits such as Universal Credit and Discretionary Support and can request housing assistance from NIHE.

<sup>310</sup> Law Centre NI (2021): [Pathways out of migrant destitution through a change in immigration status](#), p.5

<sup>311</sup> McCann and McKittrick (2012): OFMdfM Emergency Fund Pilot August 2011 – March 2012. Page 4

<sup>312</sup> Ibid,

<sup>313</sup> Council of Europe: [Intersectionality and Multiple Discrimination](#); The European Union Agency for Fundamental Rights have also suggested that certain people are seen as particularly vulnerable to unequal treatment, because they share a combination of characteristics that may trigger discrimination [Source: FRA – European Union Agency for Fundamental Rights (2013): [Inequalities and multiple discrimination in access to and quality of healthcare](#), page 85]; The Equality Commission’s (2007) [Key inequalities in Northern Ireland](#) noted that “the experience of a person facing multiple inequalities is different from those facing inequality on a single ground”

<sup>314</sup> The Executive Office (2015): [Racial Equality Strategy 2015-2025](#), paragraph 3.25, p. 22.

However, the strategy does not set out any specific actions in respect of this commitment.

A 2010 EU report found that people belonging to ethnic minorities are almost five times more likely to experience multiple discrimination than members of the majority population<sup>315</sup>.

Research<sup>316</sup> (2012) concerning the experiences of black and minority ethnic gay people has highlighted that ‘people working across public services make a general assumption that all black and ethnic minority gay people are heterosexual’. Many public service workers never consider the issue of multiple identities with the result that a significant number of people cannot properly access the services which they are entitled to.<sup>317</sup>

Locally, research has revealed that migrant women who are not working, or whose husbands are not working, may be in a vulnerable position. Depending on their immigration status they may be unable to access public services or assistance. Minoritised ethnic women are the group most likely to be victims of human trafficking.<sup>318</sup>

Research (2013)<sup>319</sup> has also shown that BME women in Northern Ireland experiencing domestic violence face particular barriers which prevent them from seeking help. ‘Structural issues regarding immigration and access to public funds serve to reinforce minoritised ethnic women’s economic dependency on their partner, thereby reducing the women’s potential to leave’<sup>320</sup>.

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<sup>315</sup> European Union (2010): [European Union Minorities and Discrimination Survey](#). Twice as many ethnic minority/immigrant women compared with ethnic minority/immigrant men indicated that they experienced discrimination on the basis of gender.

<sup>316</sup> Runnymede Trust and Stonewall (2012): [One Minority at a time: Being black and gay](#).

<sup>317</sup> Ibid, page 3. The research found that ‘in practice, some parents are uncomfortable going in to school, some patients are reluctant to visit their GP or health clinic and some residents are not confident turning to the police’.

<sup>318</sup> Hinds, B. (2010): [The Northern Ireland economy: Women on the Edge – A comprehensive analysis of the impacts of the financial crisis](#). (Women’s Resource and Development Agency).

<sup>319</sup> NI Council for Ethnic Minorities (2013): The Protection and Rights of Black and Minority Ethnic Women Experiencing Domestic Violence in Northern Ireland.

<sup>320</sup> Ibid, page 10. The research also noted (at p. 16) that ‘this financial dependence is sometimes compounded by a lack of awareness of services, language difficulties and a perceived ‘lack of effective communication and co-ordination between different statutory bodies’.



As noted above, the Commission has recommended the introduction of legal protection against combined discrimination. However, despite a commitment in the Racial Equality Strategy 2015-2025 to ‘explore how we might provide protection against forms of multiple discrimination in our review of legislation’<sup>321</sup>, the Commission’s recommendations were not addressed in the consultation by The Executive Office on proposals for reform of the Race Relations (Northern Ireland) Order 1997.<sup>322</sup>

### 3. What steps should be taken to address these inequalities?

#### Equality Commission recommendations

##### Law Reform

The Commission **recommends** five priority areas for change to the racial equality laws:

- Harmonise and expand the scope of racial grounds<sup>323</sup>
- Increased protection for individuals against racial discrimination and harassment by public bodies carrying out their functions;<sup>324</sup>
- Introduce protections against combined discrimination;<sup>325</sup>

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<sup>321</sup> The Executive Office (2015): [Racial Equality Strategy 2015-2025](#), paragraph 3.25, p. 22.

<sup>322</sup> The Executive Office (2023): [Review of the Race Relations \(NI\) Order 1997 - Consultation Document](#)

<sup>323</sup> **Increase protection on grounds of colour and nationality:** We recommend increased protection from discrimination and harassment on the grounds of colour and nationality across the scope of the race equality legislation, including consideration of the removal or modification of exceptions that apply only on grounds of colour and/ or nationality, unless there are justifiable reasons for doing so, or statutory exception to protection. Protections should be harmonised upwards to the highest standards. Any regressions in relation to race or ethnic or national origins may be a potential breach under Article 2 of the Windsor Framework;

**Define ‘racial grounds’ non-exhaustively, and specifically include caste and descent:** The definitions of ‘race’ and ‘racial ground’ should be expanded and be non-exhaustive. This should be clear in statute and reflect best international practice, in accordance with human rights standards. For further detail, see pp. 14-21 in our [Full Policy Position: Priorities, Recommendations and Supporting Rationale](#)

<sup>324</sup> The Commission recommends that public bodies be prohibited from racial discrimination or harassment as regards all public functions, except in some narrowly defined limited areas where they can be objectively justified; This prohibition should apply to all racial grounds. Currently protection only exists on the grounds of race, ethnic or national origins and not on the grounds of colour or nationality. For further detail, see pp. 26-30 in our [Full Policy Position: Priorities, Recommendations and Supporting Rationale](#)

<sup>325</sup> The Commission recommends the introduction of protection against combined discrimination so that there is legal protection for individuals who experience direct or indirect discrimination, victimisation or harassment because of a combination of equality grounds, including racial grounds; Courts and tribunals should be able to take into account the effect of the combination of racial discrimination with discrimination on other grounds. For further detail, see pp. 30-35 in our [Full Policy Position: Priorities, Recommendations and Supporting Rationale](#)



- Ensure greater protection for employees against third party harassment;<sup>326</sup>
- Expand the scope of positive action.<sup>327</sup>

The Commission **recommends** that:

- the Northern Ireland Executive, Assembly and relevant Departments ensure that any legislative developments on race law reform in Northern Ireland are in compliance with Windsor Framework Article 2 obligations;
- in line with the ‘keeping pace’ obligations under Windsor Framework Article 2, the Executive Office monitor any proposed changes by the EU to the Racial Equality Directive, including relevant case law of the CJEU, as well as the outcome of the ongoing EU consultation on the Racial Equality Directive.

### Education

The Department of Education recently commissioned a Review of the Northern Ireland Curriculum.

Within our [response](#), we called for comprehensive action to be taken by the Department of Education, schools and other education bodies, to further embed equality of opportunity and good relations within the content and delivery of the curriculum. We have also recommended that

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<sup>326</sup> We recommend that employers are liable if they fail to take reasonably practicable steps to prevent the racial harassment of an employee by a third party; We recommend that employers are liable in circumstances that they ought to have been reasonably aware of the risk of third party harassment, as this should encourage employers to take steps to reduce harassment from the start of a person’s employment. If this is not introduced, employers should be liable when their employee has been subjected to third party harassment on one previous occasion.

Employers should also be liable if, after such harassment has occurred, the employee is treated differently because they rejected or accepted the harassment. For further detail, see pp. 34-37 in our [Full Policy Position: Priorities, Recommendations and Supporting Rationale \(pdf\)](#)

<sup>327</sup> We recommend that the race equality legislation is amended to expand the scope of voluntary positive action that employer, service providers and public bodies can lawfully take in order to promote racial equality, and remove unnecessary barriers relating to collecting statistical information before taking such action; Positive action should be permitted where an employer, service provider or public body reasonably thinks that a racial group suffer a related disadvantage, or have different needs, or have a disproportionately low rate of participation in an activity. Any action should be a proportionate means of achieving the aim of enabling other persons who share the racial characteristic to minimise the disadvantage, meet their needs or participate in the activity. For further detail, see pp. 52-56 in our [Full Policy Position: Priorities, Recommendations and Supporting Rationale](#)

children from across the equality grounds see themselves substantively reflected in the school curriculum and classroom activities, for example – the culture and language of ethnic minority children; and that support materials and opportunities within the curriculum comprehensively address prejudice-based bullying.

More broadly, we have been seeking clarity on:

- The *breadth* of the current curriculum (e.g. regarding content across the equality groups).
- The *effectiveness* of the current curriculum (in promoting good relations and changing attitudes, among wider educational objectives)
- The *consistency* of the delivery of the curriculum.
- The levels of *preparation* of teachers, and what additional support may be required.

The Commission highlights the need to embed the principles and practices of equality of opportunity and good relations teacher training and continuous professional development. Continuous professional development is largely voluntary (teachers not required to participate beyond core school training days), meaning there is no requirement for teachers to undertake updated training on new methods or approaches to education, or on complex issues that have changed over time.

***Addressing educational inequalities for children across the equality groups, including newcomer and Traveller children:***

The Commission **recommends** action to ensure:

- *Budget allocations for identified groups are monitored to assess how they improve outcomes for pupils.*
  - The common funding formula provides schools with a per capita payment, calculated on an annual basis for Traveller, Roma and Newcomer pupils. This payment is not ring fenced and can be spent at the school's discretion.

- There does not appear to be a clear system for monitoring how schools are spending funding received in terms of whether it is being used for evidence-based interventions that will raise the attainment of children.
- Barriers faced by newcomers, such as a lack of English proficiency; stereotyping, low attainment; inability of mainstream schools to meet the needs of individual pupils could be tackled by ensuring and monitoring the targeted spend of this additional resource.
- *Appropriate support is provided for children with SEN who speak English as an additional language.*
  - Targeted and specific measures are required to support children with SEN with different equality characteristics and from different backgrounds.
  - This should include ensuring support materials are appropriate and accessible, that translation services are available when required. Schools and teaching staff must also have access to high quality and evidence-based guidance on how to best support children with SEN who speak English as an additional language.
- *The Department of Education should identify and address the complex emotional, educational and social needs of asylum seeking and refugee children; and ensure that adequate funding is available to meet the needs of those who arrive during the year.*

The current system provides funding only for those children counted on the annual school census day. However, children may enter the school system throughout the academic year. Currently, schools are not allocated additional in-year funding to meet their needs.

The Commission **recommends** that the Department of Education should undertake comprehensive research to establish, and track over time, the prevalence and nature of prejudice-based bullying, and to assess school

compliance with the Addressing Bullying in Schools Act including consideration of complaints from parents in relation to schools' handling of incidents of bullying.

The Commission **recommends** that the Department of Education and Education Authority should ensure their guidance on complying with the requirements of the Addressing Bullying in Schools Act, and on responding to and preventing incidents of bullying behaviour, is comprehensively implemented and updated as required.

The Commission **recommends** the provision of regularly updated in-service training for staff on anti-racism and anti-bias training and the impact of prejudice-based bullying and on the strategies to tackle and prevent it.

The Commission also **recommends** that schools develop practical strategies for communicating with parents in relation to bullying and that appropriate mechanisms are put in place to consider complaints from parents in relation to schools' handling of bullying incidents.

With regard to providing appropriate support for minoritised ethnic and newcomer children, we **recommend** that the Executive and DE take practical steps to understand and improve the experiences of and outcomes for newcomer (including Roma and asylum seeker) children and minoritised ethnic pupils, including:

- Identifying and addressing any attainment differentials;
- Assessing educational needs;
- Reviewing the effectiveness of current English as an Additional Language (EAL) support;
- Identifying appropriate strategies to support the teaching of newcomer pupils;
- The provision of accessible information on the education system in Northern Ireland.

The Commission **recommends** that the Department of Education adopts a holistic approach to the development of education policy which includes measures aimed at promoting a sense of belonging. The

Department should seek to ensure that ethnic minority children see their culture and language reflected in the classroom and school curriculum; disseminate best practice procedures around induction and admissions; and provide guidance on promoting the participation of newly arrived children in the wider life of the school.

DE need to prioritise actions which deliver improvements for Traveller children.

The Commission welcomes the recently announced Review of the Traveller Child in Education Framework, and will work with key stakeholders to assist the Department to identify effective ways to addressing longstanding inequalities experienced by Traveller children. It is, however, essential that the Review, and any renewed Framework to address educational inequalities experienced by Traveller children is properly resourced and prioritised, and monitored and reviewed on a rolling basis.

It is also essential that the Department should provide further information on how Traveller children, families and communities, as well as other key stakeholders will be engaged and fully involved in shaping the review and its outcomes.

Further details on the Commission's **recommendations** regarding addressing educational inequalities experienced by Traveller children can be found in our 2021 [response](#) to the Northern Ireland Affairs Committee Inquiry into the experiences of minority ethnic and migrant people in Northern Ireland, and in our [key policy priorities for education](#).

The Commission **recommend** that DE take targeted action in line with Recommendation 3 of the CERD General Recommendation XVII on Discrimination Against Roma<sup>328</sup>, to address the barriers faced by Roma children in accessing education including the training and employment of culturally competent bi-lingual classroom assistants.

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<sup>328</sup> United Nations Committee on the Elimination of All Forms of Racial Discrimination (2000): [General Recommendation XVII on Discrimination Against Roma](#)

We also **recommend** measures to address the educational inequalities among Roma pupils be developed as part of a wider Roma Integration Strategy taking account of the EU framework for national Roma Integration Strategies<sup>329</sup> and Council Recommendation on effective Roma Integration measures in Member States.<sup>330</sup>

The Commission **recommends** that the Department for the Economy develop, in consultation with asylum seekers, refugees and relevant voluntary and community organisations, an ESOL strategy.

### Employment

The Commission **recommends** support for initiatives aimed at tackling the exploitation of migrant workers; and reducing ethnic minority disadvantage in employment, including the establishment of specific training courses that include ESOL (English for Speakers of Other Languages) and rights awareness provision to help maximize migrant workers access to the labour market.

The Commission **recommends** that in transferring responsibilities from the Gangmasters and Labour Abuse Authority, it will be important to ensure that the remit of the Fair Work Agency in Northern Ireland covers all sectors of the economy where migrant labour is prevalent; that operations in Northern Ireland are sufficiently staffed / resourced; and that there is an associated focus also on raising awareness of the rights of migrant workers, all in the context of addressing the potential for forced labour and the exploitation of migrant workers.

The Commission **recommends** the development of specific long-term initiatives to improve employment opportunities and to provide support in employment and training.

Alongside targeted initiatives, we also **recommend** that there is a greater focus on including Travellers in mainstream employment training

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<sup>329</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, [An EU Framework for National Roma Integration Strategies up to 2020](#), Brussels 5.4.2011, COM (2011) 173 final.

<sup>330</sup> [European Commission Proposal for a Council Recommendation on effective Roma integration measures in Member States](#), Brussels 26.06.13 COM (2013) 460 final.

provision. Initiatives should incorporate learning from projects such as Belfast Health and Social Services Trust (BHSST) Traveller employment project, where two Travellers were employed as Traveller Health Liaison Workers.

The Commission **recommends** that the Department for the Economy, and other relevant Northern Ireland Departments, should ensure there is an effective system to recognise qualifications to help address any barriers to migrant workers accessing employment in Northern Ireland, including in areas where there are labour shortfalls, due to Brexit.<sup>331</sup>

The Commission **recommends** that the UK Government, the Department for the Economy and other relevant Northern Ireland Departments take additional measures to raise awareness amongst employers in Northern Ireland of the rights of EU migrant workers, in terms of the process for hiring workers after Brexit, including so as to avoid racial discrimination.<sup>332</sup>

The Commission **recommends** that the Department for Economy should commission research to provide a clear understanding of the impact of Brexit on the flow of EU migrants into and from Northern Ireland, so as to inform the identification and addressing of barriers, including in the context of accessing and remaining in employment.<sup>333</sup>

We reiterate our previous **recommendation** to Government to ratify the United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of their Families<sup>334</sup>.

The Commission **recommends** that the Department of Justice, and other relevant Northern Ireland Departments, should consider what additional steps can be taken to address the exploitation and forced

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<sup>331</sup> Equality Commission for Northern Ireland (2024): [Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland – Policy Recommendations](#), p. 17.

<sup>332</sup> Equality Commission for Northern Ireland (2024): [Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland – Policy Recommendations](#), p. 17.

<sup>333</sup> Equality Commission for Northern Ireland (2024): [Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland – Policy Recommendations](#), p. 17.

<sup>334</sup> Equality Commission for Northern Ireland (2011): Op Cit., page 15.



labour experienced by migrant workers, and take appropriate action to address the issues identified.<sup>335</sup>

The Commission **recommends** that the Department of Justice, and other relevant Northern Ireland Departments commission research to assess any impact of Brexit on the exploitation of migrant workers and address any negative impact identified.<sup>336</sup>

The Commission **recommends** that the Department of Health undertakes research into the degree to which Brexit has impacted on migrant workers who have been sponsored to work in health and social care in Northern Ireland, including employers' awareness of, and compliance with, the code of practice governing repayment clauses relating to such migrant workers, and takes effective measures to address issues identified.<sup>337</sup>

The Commission **recommends** support for initiatives aimed at raising awareness of the rights of migrant workers as well as to improve access to appropriate employment support, including childcare and ESOL.<sup>338</sup>

The Commission **recommends** that the UK Government, and the Home Office, should:

- ensure there is no reduction of the rights of frontier workers due to Brexit, including no breach of Windsor Framework Article 2;
- clarify and raise awareness of rules and entitlements relating to frontier workers and their families, particularly as regards changes that have occurred as a result of Brexit

The Commission **recommends** that the Executive increases access to employment and volunteering opportunities for refugees and ensures

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<sup>335</sup> Equality Commission for Northern Ireland (2024): [Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland – Policy Recommendations](#), p. 17.

<sup>336</sup> Equality Commission for Northern Ireland (2024): [Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland – Policy Recommendations](#), p. 18.

<sup>337</sup> Equality Commission for Northern Ireland (2024): [Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland – Policy Recommendations](#), p. 18.

<sup>338</sup> Equality Commission for Northern Ireland (2024): [Impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland – Policy Recommendations](#), p. 18.

that employability strategies and mainstream services are accessible for, and benefit, refugee users.

The Commission also **recommends** that The Executive Office, in conjunction with other NI Executive Departments, broaden the range of volunteering experiences for asylum seekers.<sup>339</sup>

The Commission **recommend** that the Northern Ireland Childcare strategy includes actions to address the specific needs of minority ethnic parents.<sup>340</sup>

### *Prejudicial attitudes, hate crime, policing, institutional racism and integration*

The Commission **recommends** that the Northern Ireland Executive, relevant Northern Ireland Departments, including the Executive Office and others, take effective measures to:

- eliminate racism and racial discrimination;

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<sup>339</sup> Equality Commission for Northern Ireland (2014): [Racial Equality Policy Priorities and Recommendations](#), paragraph 5.21, page 24. The Commission has highlighted that the critical issue for asylum seekers was exclusion from the labour market while awaiting a decision from the Home Office on their refugee application. Source: McGovern, J., Meas, W. H. and Webb, M. A. (2011): Supporting Refugee and Asylum Seeking Families Living in Northern Ireland. Belfast: Barnardo's Northern Ireland.

<sup>340</sup> See: Webb, M., Kernaghan, A.D., and Caffrey, M. (2014): [Believe in Childcare? The Childcare needs of ethnic minority communities in Northern Ireland](#), Policy and Practice briefing No 17. (Belfast: Barnardo's/NI Council for Ethnic Minorities).

- tackle prejudicial attitudes and promote values of acceptance and respect for difference<sup>341</sup>, including tackling institutional racism and racist bullying in schools.<sup>342</sup>

The Commission **recommends** that the Northern Ireland Executive, relevant Northern Ireland Departments, including the Executive Office and others, take effective measures to:

- assess the impact of Brexit on levels and forms of racism, including any specific impact on minority ethnic women, on institutional racism, on racist bullying in schools, and to take effective action to address any impact identified;
- improve data collection on racial attitudes arising as a result of Brexit.<sup>343</sup>

The Commission **recommends** that the Northern Ireland Executive, the Department of Justice, criminal justice agencies and other relevant Northern Ireland Departments should take further actions to prevent, and tackle race hate crimes, including online race hate speech;<sup>344</sup> address

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<sup>341</sup> Actions include:

*Prejudicial Attitudes:* Prevent hate crime, including by tackling prejudicial attitudes and negative stereotypes against equality groups.

*Equality and Good relations Strategies:* Promptly implement equality and good relations strategies, to include actions to address prejudicial attitudes, stereotypes and hate crime.

*Mutual Respect and Sharing of Public Spaces:* Ensure the greater regulation of the display of flags and emblems.

*Shared and Safe Housing:* Adopt actions designed to incentivise and advance safe, shared housing and communities based on equality, dignity and respect.

*Sharing in Education:* Ensure a move to a system of education which routinely teaches all pupils together via a shared curriculum in shared classes, in support of better advancing a shared society.

*Anti-bullying:* Promote an anti-bullying culture within education; combat negative attitudes and behaviours towards equality groups, and embed equality in the curriculum.

For further details, see: Equality Commission for Northern Ireland (2020): [Hate Crime in Northern Ireland - Policy Recommendations and Supporting Rationales](#)

<sup>342</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland](#), p. 11.

<sup>343</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland](#), p. 11.

<sup>344</sup> Actions include:

*Under-reporting:* Address the under-reporting of hate crime;

*Emergent Hate Crime:* Be alert for, and promptly tackle, emergent hate crime including, for example, any linked to BREXIT or the COVID-19 pandemic.

*Online Hate Speech:* Tackle online hate speech and abuse targeted at different equality groups.

*Harassment when Accessing Health Services:* Ensure that women, including women with multiple identities, are able to access all health services, including sexual and reproductive health services, free from discrimination or harassment.

the under-reporting of race hate crime and ensuring support is provided to victims.<sup>345</sup>

This should include strengthening hate crime legislation and taking actions to improve the criminal justice response to hate crime.<sup>346</sup>

The Commission **recommends** that:

- the Department of Justice should commission further research to investigate the reasons behind the recent increase in race-related hate crimes against minority ethnic people so as to ascertain any impact due to Brexit;
- the Northern Ireland Executive, the Department of Justice, criminal justice agencies and other relevant Northern Ireland Departments should take effective action to address any identified impact of Brexit on levels and forms of hate crime and hate speech, including online hate speech;
- the Department of Justice should ensure compliance with Windsor Framework Article 2 in the development of hate crime legislation.<sup>347</sup>

The Commission also **recommends** reform of hate crime legislation.<sup>348</sup>

We also **recommend** that the Executive and Departments should consider the role of the media in Northern Ireland and take appropriate action to ensure appropriate reporting. We emphasise the importance of

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<sup>345</sup> Actions include:

*Victim Support*: Ensure support for victims of hate crime.

*Anonymity for Victims*: Remove barriers to victims accessing justice by ensuring that, in certain circumstances, press reporting on the identity of a complainant or witness in a hate crime is not permitted.

<sup>346</sup> Actions include:

*Outcome Rates*: Improve outcome rates for hate crime.

*Sentencing Guidelines*: Introduce sentencing guidelines for hate crimes in Northern Ireland.

*Restorative Justice*: Lessons learnt from youth restorative justice approaches to hate motivated offending that have resulted in positive outcomes should be used to inform the development of services for adult offenders.

*Guidance and Training*: Ensure an effective focus on equality issues within guidance and training for criminal justice agencies.

<sup>347</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland](#), pp. 11-12

<sup>348</sup> See: Equality Commission for Northern Ireland (2020): [Hate Crime in Northern Ireland](#)

The Commission continues to call for the urgent reform of hate crime legislation, which is currently based on an enhanced sentencing model. We have called for a statutory aggravation model, and for legislative gaps to be addressed in relation to Public Order legislation, for the consolidation of hate crime provisions into a single piece of legislation and for the delivery of comprehensive hate crime law within this mandate.

using early intervention in education to combat negative attitudes and promote good relations.

The Commission **recommends** that the Police Service of Northern Ireland (PSNI) consider the development of a Racial Equality Action Plan which addresses racial equality both within the service and with respect to its external relations with minoritised ethnic citizens, and include:

- a commitment to ethnic equality monitoring;
- the establishment of a Regional Racial Equality Advisory Group;
- a commitment to international best practice.

We also **recommend** that the UK Government and Northern Ireland Executive should take steps to protect minority ethnic people and migrant workers, including asylum seekers and refugees, from institutional racism, including via the use of Section 75 processes<sup>349</sup>, ethnic equality monitoring, anti-racism training, cultural awareness training, racial equality action plans<sup>350</sup> and consideration of the use of lawful positive action measures.

### *Refugee Integration Strategy*

The Commission **recommends** that the final Refugee Integration Strategy consider what the implications for integration and the development of an intercultural society are for the host communities as well as for of asylum seekers and refugees.

The Commission also acknowledges that the strategy is a high-level framework and, therefore, **recommends** that, for it to be effective, it should be populated with specific time-bound actions with lead responsibility attributed to particular Departments.

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<sup>349</sup> Under Section 75, there is an onus on designated public authorities to put in place systems to collect relevant information across the relevant equality grounds and to make use of that information for assessing and monitoring the impact of their policies on the promotion of equality of opportunity

<sup>350</sup> Developed in partnership with racial equality sector stakeholders.

The Commission **recommends** that the actions should be outcome focused with links to specific Northern Ireland orientated indicators, based on the Home Office Indicators of Integration.<sup>351</sup>

The Commission **recommends** that a data development agenda in respect of appropriate local statistics linked to the Home Office Indicators of Integration is considered as part of the ongoing work of the cross-departmental working group on ethnic equality monitoring.

We **recommend** the UK Government, Northern Ireland Executive, and the Executive Office, including through the Refugee Integration Strategy, takes action to mitigate against the negative impact of the approach of the asylum process and restrictions on asylum seekers.<sup>352</sup>

### **Housing and Accommodation**

We **recommend** the development of a culturally sensitive mechanism to assess Housing Stress in the Traveller Community.

The Commission **recommends** that the Northern Ireland Executive and Departments, in conjunction with Irish Travellers, The Executive Office Travellers Thematic Group, Departmental Racial Equality Champions and the cross-departmental Strategic Planning Group, to develop and deliver a targeted, timebound and resourced action plan to reduce and eradicate the accommodation inequalities experienced by Travellers.

The Commission **recommends** that Executive and Departments undertake research to identify the housing needs of migrant workers and introduce measures to improve management conditions for the private rented sector, particularly Houses of Multiple Occupancy (HMOs).

In addition, we **recommend** that the Northern Ireland HMO Unit review whether HMOs rented to migrants, including Roma, comply with licensing conditions.

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<sup>351</sup> Home Office (2019): [Indicators of Integration 2019, Third Edition](#)

<sup>352</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland](#), p. 19.

We also **recommend** that relevant front-line staff are trained in on the entitlements of migrants; and that information is available in an accessible format.

The Commission **recommends** that the UK government undertake a review of the asylum system to ensure any problems are addressed during transition from one form of public support to another and ensures that asylum seekers receive appropriate support from arrival until voluntary departure or compulsory removal from the UK.<sup>353</sup>

The Commission **recommends** that the UK Government should review the quality of accommodation for asylum seekers and refugees in Northern Ireland. They should ensure the provision of appropriate culturally sensitive accommodation for those groups eligible for services. For those currently ineligible, we **recommend** the provision of suitable emergency accommodation.<sup>354</sup>

The Commission **recommends** that the Refugee Integration Strategy take account of the need to provide support and advice to asylum seekers who are either in emergency accommodation provided by NASS support, are otherwise pursuing an application for NASS support, are receiving NASS support, or have recently received a decision and need support to move on.<sup>355 356</sup>

## **Health**

The Commission **recommends** that the Executive and the Department of Health co-ordinate actions to address the known health inequalities amongst minoritised ethnic groups, ensuring that all policies result in measurable improvements in health outcomes.

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<sup>353</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland](#), p. 19.

<sup>354</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland](#), p. 18.

<sup>355</sup> McVeigh, R. (2002) Refugees and asylum seekers in Northern Ireland: A place of refuge, page 27 (Belfast: Refugee Action Group)

<sup>356</sup> Harvey, C and Ward, M. (2001): No welcome here? Asylum Seekers and refugees in Ireland and Britain, page 14 (Belfast: Democratic Dialogue).



We **recommend** that the Department of Health and HSC Trusts work with minoritised ethnic, newcomer and Traveller populations to:

- increase knowledge and confidence around access to services;
- provide information and services in a way which is consistent with equality of access (including adequate interpretation services); and
- ensure that staff are trained in anti-racism and cultural awareness.

We also emphasise *the importance of the development of a system for monitoring the health of ethnic minorities*, including the comprehensive collection and review of data also by S75 category so that any adverse impacts of access / outcomes can be identified and addressed.

### **Social Protection**

The Commission **recommends** that the Executive and relevant Departments conduct an assessment of the gaps in social protection provision for migrant workers.

We also **recommend** that the Emergency fund is put on a more secure footing through greater, long-term funding and that The Executive Office should continue to evaluate and monitor its impact.

The Commission also **recommends** that the Executive and relevant Departments ensure that first tier generalist advice, including access to the services of an interpreter, is available for those migrants seeking to obtain social security benefits.

### **Multiple Identities**

Commission **recommends** that particular attention should be paid to multiple identity issues within the delivery of public services and the successor to the Racial Equality Strategy 2015-2025; that equality and diversity training by public authorities should incorporate training on multiple identity issues; and that the delivery of public services and associated information provision should also include at multiple identity

individuals<sup>357</sup> e.g. minoritised ethnic women, minoritised ethnic people with disabilities.

### **A Racial Equality Strategy**

We **recommend** all Northern Ireland Departments work collaboratively and with statutory, voluntary and community sector organisations to tackle all forms of racism.<sup>358</sup>

We **recommend** a high-level commitment to progressing race equality in Northern Ireland, by the UK Government, the Northern Ireland Executive, the Executive Office and other Northern Ireland Departments, including through the implementation of an effective Race Equality Strategy that addresses our recommendations.<sup>359</sup>

We **recommend** the UK Government, relevant Northern Ireland Departments, and EU officials ensure ongoing, timely, and structured engagement with Northern Ireland civil society, including representative organisations on race equality and other equality and human rights stakeholders.<sup>360</sup>

We **recommend** that sufficient resources are allocated, including by the UK Government, the Northern Ireland Executive, Northern Ireland Departments and other public bodies, such as the PSNI, to take forward the initiatives set out in our recommendations.<sup>361</sup>

We **recommend** designated public bodies, through effective leadership and commitment, comply with their Section 75 equality duties, and

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<sup>357</sup> For example, in 2012, DHSSPS began a pre-consultation on a new strategy to tackle domestic and sexual violence. The Commission recommends that the revised strategy to tackle domestic and sexual violence addresses, as a theme, the specific forms of violence experienced by ethnic minority women.

<sup>358</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland - Policy Recommendations](#), p. 20.

<sup>359</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland - Policy Recommendations](#), p. 20.

<sup>360</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland - Policy Recommendations](#), p. 20.

<sup>361</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland - Policy Recommendations](#), p. 20.

ensure effective equality mainstreaming when taking forward policies and programmes.<sup>362</sup>

The Commission **recommends** that the Executive Office and other relevant Northern Ireland Departments, should assess the effectiveness of existing strategies, including the Racial Equality Strategy, and take action through a revised Racial Equality Strategy and action plan, to address shortfalls.<sup>363</sup>

The Commission **recommends** that the Racial Equality Strategy and action plan address the recommendations outlined above relating to the impact of Brexit on minority ethnic and migrant people.<sup>364</sup>

We **recommend** that the Northern Ireland Executive secure progress on the following priority areas across a range of Government strategies, programmes and plans:

- *Targeting Interventions, Tracking Impacts*: All key measures of Government should not only be tracked in aggregate but also for the impact on individuals from across the full range of equality grounds. Providing comprehensive equality metrics for all key measures will assist equality considerations to be a core component of public policy design and delivery, facilitating the fuller targeting and delivery of interventions, including for the full range of equality groups.
- *Equality Data*: There is a need for Government and Public Authorities to collect and share comprehensive equality data to underpin the targeting of interventions and tracking of equality impacts. Key datasets should contain comprehensive equality data to facilitate full equality analysis. There is also a need to address gaps in the equality data, and to make this information accessible to a wide range of decision makers and stakeholders.

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<sup>362</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland - Policy Recommendations](#), p. 20.

<sup>363</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland - Policy Recommendations](#), p. 21.

<sup>364</sup> Equality Commission for Northern Ireland (2024): [The impact of Brexit on Migrant and Minority Ethnic People in Northern Ireland - Policy Recommendations](#), p. 21.

- *Leadership*: There is a need for leadership at all levels on equality issues. Leadership must promote positive attitudes, challenge stereotypes and discrimination and ensure that options to advance equality are considered at the earliest point, and across the lifecycle, of all policy development and service delivery.
- *Stakeholder Involvement*: There is a need for full and routine stakeholder involvement and co-design. Government and Public Authorities must fully and routinely involve key stakeholders in the design, delivery and review of law and public policy and service delivery, so as to benefit from their expertise and experience.
- *Resources*: There is a need for SMART, time-bound and resourced action plans as a basis for effective, on-time and prioritised delivery. Stakeholder organisations and the Equality Commission must also be properly resourced to support individuals, organisations, and Government / Departments to better shape and assist the delivery of the Programme for Government and related services, towards advancing equality of opportunity and good relations.

The delivery of law and public policy in Northern Ireland should reflect international human rights standards, taking account of any best practice from Great Britain, Ireland and wider jurisdictions to meet the specific needs of Northern Ireland.<sup>365</sup>

### **Recommendations of International Human Rights Bodies**

#### ***UN Committee on the Elimination of All Forms of Racial Discrimination***

[Concluding observations on the combined twenty-fourth to twenty-sixth periodic reports of the United Kingdom of Great Britain and Northern Ireland](#)

**Recommendations** include:

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<sup>365</sup> Equality Commission for Northern Ireland (July 2024): [Shadow Report to the Committee on the Elimination of All Forms of Racial Discrimination](#), p. 20.

- *Ethnic Equality Monitoring*

‘The Committee...recommends that the State party: (a) Establish effective and transparent monitoring mechanisms for current and future policies, plans and strategies to measure their concrete impact in combating racial discrimination, including its institutional and systemic dimensions, and in reducing structural inequalities’ (paragraph 18 (a), p. 4)

- *the implementation of a racial equality strategy with a detailed action plan to eliminate structural discrimination and inequalities that has concrete time-bound and measurable targets, monitoring and accountability mechanisms and sufficient resources:*

‘The Committee recommends that the State party adopt further comprehensive policies and action plans, or strengthen existing ones, to tackle racial discrimination and inequalities in all jurisdictions of the State party, including the overseas territories and the Crown dependencies, in a coordinated manner and that it include in them specific, time-bound and measurable goals.

In particular, it recommends that the State party:

(a) Establish effective and transparent monitoring mechanisms for current and future policies, plans and strategies to measure their concrete impact in combating racial discrimination, including its institutional and systemic dimensions, and in reducing structural inequalities;

b) Allocate adequate human, financial and technical resources for the effective and full implementation of these policies, plans and strategies;

(c) Expedite the process of adopting...a new racial equality strategy in Northern Ireland;

(d) Ensure meaningful consultations and engagement with civil society organizations in the development, implementation,

monitoring and evaluation of policy measures, plans and strategies, including progress and final outcome assessments.’

(paragraph 18, p. 4)

- *the adoption of comprehensive anti-discrimination and equality legislation which comprises protections against direct, indirect, structural, multiple and intersecting forms of discrimination.*

‘The Committee recommends that the State party take all measures, including measures by the devolved governments and by the governments of the overseas territories and the Crown dependencies, where applicable, necessary:

- (a) To ensure the adoption of comprehensive anti-discrimination and equality legislation in all jurisdictions of the State party, in particular in Northern Ireland and the overseas territories, containing a clear definition of racial discrimination, which includes direct, indirect, structural, multiple and intersecting forms of discrimination, covering all fields of law in the public and private domains and all prohibited grounds of discrimination, in accordance with article 1 (1) of the Convention’.

(paragraph 14 (a), p. 3)

- *Introduction of a specific statutory offence for prosecuting hate crimes in Northern Ireland and take further measures necessary to prevent and combat hate crime and hate speech:*

‘The Committee recommends that the State party take all measures necessary to prevent and firmly combat racist hate crimes and hate speech and, in particular, that it:

- (a) Adopt a comprehensive legal framework to combat racist hate crimes, take effective measures to ensure its implementation and provide continuous training to law enforcement officials, judges and prosecutors on addressing and investigating hate crimes;

- (b) Develop and adopt a media strategy addressing the responsibility of journalists and broadcasters to avoid the use of hate speech and stereotypes in describing minority communities, and closely and effectively scrutinize newspapers and broadcasters with respect to content that incites racial discrimination and hatred or strengthens xenophobic attitudes;
- (c) Encourage the reporting of racist hate crimes by strengthening public trust in the police and the justice system, protecting victims from reprisals and intimidation and ensuring that the reporting procedure is transparent and accessible;
- (d) Investigate all reported racist hate crimes, prosecute the perpetrators and punish them with sanctions commensurate with the gravity of the offence, and provide effective remedies to the victims and their families;
- (e) Systematically collect disaggregated data on racist hate crimes, including cases involving intersectional motivations, ensure that measures to combat racist hate crimes are developed with the meaningful participation of affected groups, and undertake a thorough assessment of the impact of the measures adopted;
- (f) Strengthen measures to combat the proliferation of racist hate speech on the Internet and on social media, in close cooperation with Internet service providers, social media platforms and the communities most affected by racist hate speech;
- (g) Adopt comprehensive measures to discourage and combat racist hate speech and xenophobic discourse by political and public figures, including on the Internet, ensure that such cases are effectively investigated and sanctioned and ensure also that public authorities, including high-level public officials, distance themselves from hate speech and xenophobic political discourse and formally and publicly reject and condemn hate speech and the dissemination of racist ideas;



- *Provision of adequate and culturally appropriate accommodation for Gypsy, Traveller and Roma communities:*

‘Recalling its general recommendation No. 27 (2000) on discrimination against Roma and its previous concluding observations, the Committee recommends that the State party, including the government of Northern Ireland...ensure the provision of adequate and culturally appropriate accommodation for Gypsy, Traveller and Roma communities and create more sites and stopping places for these communities. It also recommends that the State party repeal or review legislative or policy measures that have an adverse impact on their lifestyle, such as...the Unauthorised Encampments (Northern Ireland) Order 2005.

(paragraph 42, p. 10).

- *Increased efforts to eliminate racial discrimination and racist bullying in schools:*

‘Increase efforts to eliminate racial discrimination and racist bullying in schools and adopt adequate measures, including awareness-raising on the harmful effects of bullying, early detection mechanisms, mandatory training for teachers, the systematic collection of disaggregated data and the compulsory recording and monitoring of bullying behaviour’.

(paragraph 46 (d), p. 11).

### ***European Commission Against Racism and Intolerance***

#### [ECRI report on the United Kingdom \(6<sup>th</sup> monitoring cycle\)](#)

**Recommendations** include:

#### *Adequate resources for the Equality Commission:*

‘ECRI also received reports according to which the ECNI did not have sufficient resources to fulfil its mandate, having been subject to successive yearly cuts to its budget for more than a decade, with a

further 10% budget reduction proposed by the Executive Office for 2023-24.

ECRI recommends that the UK authorities ensure sufficient resources for...the ECNI, to allow (the) institution...to carry out (its) full mandate...effectively.'

(paragraphs 4-5, p. 7)

### *Bullying*

'ECRI recommends that the relevant authorities encourage schools to take a robust approach to the recording of racist and anti-LGBTI bullying incidents in order to allow long-term policies aimed at addressing such forms of bullying, including online, to be developed, accompanied by resolute awareness-raising measures, such as campaigns or dedicated weeks or months against particular forms of racism and intolerance'.

(paragraph 28, p. 11)

### *"Gypsy", Roma and Traveller (GRT) communities:*

'ECRI recommends that the UK authorities adopt a UK-wide strategy specific to the "Gypsy", Roma and Traveller communities, after appropriate consultation with representatives of the GRT communities themselves, relevant civil society organisations and equality bodies, accompanied by sufficient funding for implementing the strategy and regular independent evaluations of it'

(paragraph 101, p. 27)

### *Racial equality and diversity in the teaching profession*

'ECRI recommends that the relevant authorities across the UK, in consultation with the relevant stakeholders, conduct research and develop strategies to improve teacher diversity and strengthen the recruitment, career development and retention of Black teachers and teachers of African descent and other ethnic minority backgrounds.'

(paragraph 30, p.12)

### *Hate Speech*

‘ECRI recommends that public figures, such as high-level officials and politicians are strongly encouraged to take a prompt, firm and public stance against racist, and LGBTI-phobic hate speech and react to any such expression with strong counter-hate speech messages and alternative speech, as well as promote understanding between communities, including by expressing solidarity with those targeted by hate speech. In this context, ECRI refers to its General Policy Recommendation No. 15 on combating hate speech, Recommendation CM/Rec (2022)16 of the Committee of Ministers of the Council of Europe on combating hate speech and the Charter of European political parties for a non-racist and inclusive society as endorsed by the Parliamentary Assembly of the Council of Europe in its Resolution 2443 (2022).’

(paragraph 62, p.18)

### *Hate Crime*

‘ECRI recommends that the relevant authorities, in particular the police and other criminal justice actors, carry out effective investigations into any cases of attacks against persons with a migration background and their properties in Northern Ireland and ensure that the perpetrators are held accountable.’

(paragraph 73, p.21)

### *Healthcare*

‘ECRI recommends that the relevant authorities in the United Kingdom carry out an in-depth review of initial and in-service training of healthcare professionals as well as standard operating procedures and codes of conduct applicable to them with a view to preventing effectively any racial prejudice in attitudes and behaviours of healthcare staff and any form of racial discrimination in the provision of health care in hospitals and other public health institutions, with a particular emphasis being placed on the situation of Black female patients, and ii) ensure that any healthcare staff found to have displayed racist attitudes and behaviours

or to have committed or condoned discriminatory action in the provision of healthcare are held accountable’.

(paragraph 95, p. 26)

*Representativeness of organisations in the criminal justice system*

‘ECRI recommends that the relevant authorities take further action, including through the development of guidance, aimed at facilitating the recruitment, retention and career development of members of Black communities and other groups of concern to ECRI in police and prosecution services as well as, through appropriate channels, in the judiciary’.

(paragraph 115, p. 31)

***Advisory Committee on the Framework Convention on the Protection of National Minorities***

[Fifth Opinion on the United Kingdom](#)

**Recommendations** include:

*Gypsy, Roma and Travellers*

‘The Advisory Committee urges the authorities to take priority measures to address the accommodation needs of persons belonging to Gypsy, Roma and Traveller minorities...continuing to work to increase the number of sites and pitches, both transit and permanent. They should also reconsider the implications of the criminalisation of unauthorised sites and the seizure of property in light of the risk of forced assimilation this poses to the minorities.’

(paragraph 18, p. 6)

‘They should also draw-up a strategy to combat antigypsyism for Northern Ireland.’

(paragraph 23, p. 6)

### *Law reform*

‘The Advisory Committee calls on the authorities to effectively guarantee to persons belonging to national minorities the right to equality before the law by adopting comprehensive equality legislation for Northern Ireland and by harmonising protection across the UK’

(paragraph 23, p. 6)

### *Racial Equality Strategy*

‘The Advisory Committee calls on the authorities to review the Northern Ireland Race Equality Strategy 2015-2025 in close consultation with minority representatives to ensure it is adequately funded, outcome focused and tailored to the needs of the minorities’.

(paragraph 23, p. 6)

### *Ethnic Equality Monitoring*

‘The Advisory Committee calls on the Northern Ireland authorities to complete the process allowing for the collection of disaggregated data on the ground of “race”, including for Roma and Irish Travellers, in order to design and implement targeted policies promoting their full and effective equality.’

(paragraph 23, p. 6)

### *Minority Ethnic Development Fund*

‘The Advisory Committee calls on the authorities, both devolved and for the UK, to provide baseline, as well as specific multi-annual funding, through a dedicated funding mechanism for national minorities. Within such a mechanism, representatives of the respective communities should be able to actively take part in the decision-making process, to support their cultures and languages and identities’

(paragraph 24, p. 6)

### *Anti-racism*

‘The Advisory Committee calls on the authorities to actively promote a climate of mutual respect and intercultural dialogue, condemn instances of hate speech made in public and political discourse. In particular they should launch targeted campaigns addressing society as a whole combating antigypsyism, including antinomadism, as well as anti-Muslim hatred and antisemitism. The Advisory Committee calls on the authorities to actively engage with media outlets and social media platforms to take steps to combat negative stereotyping and to ensure a balanced portrayal of persons belonging to national minorities’

(paragraph 25, pp.6-7)

### *School curricula*

‘The Advisory Committee calls on the authorities to ensure the representation of minorities across curricula in the UK, as well as in teaching and learning materials and teacher training, with special attention also paid to the culture, history, traditions and identities of Gypsies, Roma and Travellers, in co-operation with persons belonging to national minorities.’

(paragraph 29, p. 7)

### *Racist bullying*

‘The Advisory Committee calls on the authorities to take priority measures to tackle racist bullying in schools, in particular against Gypsies, Roma and Travellers, including through making recording instances of racist bullying mandatory in schools in Great Britain, adding ethnic identifiers on such recording in Northern Ireland, strengthening mechanisms and remedies in cases of racist bullying, and collecting data disaggregated by gender, geographical location and ethnicity on absenteeism. More targeted measures are needed to improve outcomes for persons belonging to minorities and positive measures are required to facilitate the itinerant way of life whilst still ensuring access to education’.

(paragraph 30, p 7.)

### *Health*

‘The Advisory Committee calls on the authorities to ensure effective access to healthcare and a healthy standard of living for persons belonging to national minorities, in particular Gypsies, Roma and Travellers. Further data gathering in partnership with them should be carried out, with a view to designing long term gender-sensitive measures to address health inequalities. The Advisory Committee calls on the authorities in Northern Ireland to design adequate measures in response to the All-Ireland Traveller Health Survey’.

(paragraph 33, p 7.)

## **4. What are the key barriers to integration and good relations between all communities?**

Stakeholders often express concerns that issues relating to minoritised ethnic people have historically been “overlooked” in politics and policymaking in NI as there was a perceived priority given to “Green and Orange” issues, resulting in the marginalisation of minoritised ethnic and migrant communities, often seen as “other”.<sup>366</sup>

The Independent Review of the Racial Equality Strategy 2015-2025 undertaken for The Executive Office by Dr Sabir Zazai highlighted a lack of political engagement with racial equality:

‘A strategy of this scale requires political leadership and goodwill. A number of people pointed out to me that there has been a major challenge with the implementation of the strategy because there have been very few politicians involved, and a perception that it is not a priority for them at this time...Racial equality needs to be driven at a

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<sup>366</sup> See, for example: Northern Ireland Affairs Committee (2022): [The Experiences of Migrant and Minority Ethnic People in Northern Ireland](#), pp. 5-6; Pivotal (2023): [The impact of Brexit on Minority Ethnic and Migrant People in Northern Ireland](#) (ECNI, 2023), pp. 4-5. Minoritised ethnic and migrant people participants in the research felt they were not a priority and perceived there to be little focus from government or statutory bodies on the particular challenges they faced resulting from Brexit. Legislation prohibiting racial discrimination in Northern Ireland - The Race Relations (Northern Ireland) Order 1997 – was introduced thirty two years after the first such legislation was introduced in Great Britain (the Race Relations Act 1965).]



senior level, although race relations may take place at community level. Racial equality cannot be realised if the burden remains entirely on the goodwill of communities and voluntary organisations.<sup>367</sup>

As noted above, Northern Ireland became aware of the need to address racial equality issues some time after the issues began to be addressed in Great Britain and to some extent is still playing catch-up – levels of knowledge and awareness remain relatively low.

## **5. What steps should be taken to address these barriers?**

As noted above there is a need for strong and unequivocal political leadership.

There is a need for co-ordinated awareness raising and anti-racism initiatives focused across all sectors of society with a range of audiences.

This should also take place alongside the use of community development approaches which facilitate intercultural dialogue and involve both minority and majority populations, migrant and host communities.

## **6. Are you aware of the Racial Equality Strategy 2015-2025?**

Yes. ECNI provided comments on a pre-consultation version of the current RES shared by OFMDFM and subsequently responded to the formal consultation on the draft RES.

The Commission is represented on the Racial Equality Sub-Group, the Traveller and Roma Thematic Groups and the working groups on Ethnic Equality Monitoring, Racist Bullying and Hate Crime (incl. criminal justice), as well as the Refugee and Asylum Seeker Integration Division Voluntary and Community Sector Forum.

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<sup>367</sup> Dr Sabir Zazai and (2024): [Independent Review of progress on the implementation of the Racial Equality Strategy 2015-2025](#)

## 7. If yes, to what extent do you agree the Strategy has been successful?

Both the current strategy<sup>368</sup> and its predecessor<sup>369</sup> have been criticised by stakeholders for their slow progress, a focus on process rather than concrete outcomes<sup>370</sup> and lack of impact on reducing racial inequalities.<sup>371</sup>

Whilst ECNI welcomed almost a decade ago the Executive's publication of the Racial Equality Strategy 2015-2025 (RES), we, and other stakeholders, were concerned at the failure to develop an outcome focused action plan to eradicate racial inequalities, and since publication of the Strategy, the slow progress made towards racial equality overall.

Furthermore, whilst the current RES is drawing towards a close, commitments which were also part of the previous 2005-2010 Racial Equality Strategy still remain undelivered e.g. the introduction of ethnic equality monitoring; reform of racial equality legislation; and the publication of a Refugee Integration Strategy.

In response to criticism regarding lack of progress, exacerbated by Black Lives Matters protests in NI in 2020, TEO proposed in October 2021 that for the remainder of the current RES there would be a focus on three priorities:

- development of the legislative framework, both in terms of racial equality more generally and hate crime;

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<sup>368</sup> Office of the First Minister and Deputy First Minister (2015): [Racial Equality Strategy 2015-2025](#)

<sup>369</sup> Office of the First Minister and Deputy First Minister (2005): [A Racial Equality Strategy for Northern Ireland 2005-2010](#). In its [comments](#) on the draft version of the 2005 RES, the Equality Commission expressed 'grave concerns about a strategy which does not have any associated actions within it. Our understanding is that a strategy is the framework and means of delivery. Part of this is still missing. We are concerned that the credibility of this document, given the development timescales, will be undermined'.

<sup>370</sup> Northern Ireland Affairs Committee (2022): [The Experiences of Migrant and Minority Ethnic People in Northern Ireland](#), p. 13.

<sup>371</sup> On the Racial Equality Strategy 2005-2010, see for example: Amnesty International (October 2014): [A Sense of Belonging: Delivering social change through a Racial Equality Strategy for Northern Ireland 2014-2024 – Submission to the Office of the First Minister and the Deputy First Minister](#); On the Racial Equality Strategy 2015-2025, see for example: Northern Ireland Affairs Committee (2022): [The Experiences of Migrant and Minority Ethnic People in Northern Ireland](#), paragraphs 20 and 22, pp. 13-14; Migrant and Minority Ethnic Council (27 November 2022): [Statement on lack of racial literacy in the NICS and lack of progress on the Racial Equality Strategy](#).

- development of public sector ethnic monitoring to provide the data and enable analysis of inequalities;
- training and development across Government.<sup>372</sup>

It is important to acknowledge that while the implementation of the RES has in general been slow. in the last five years there has been some progress made towards these priority areas.

However, while progress is noted, it is also important to emphasise that there has been **no actual delivery / completion** to date on any of these priority racial equality policy commitments by the NI Executive and Departments.

## **8. Which actions do you believe to have been the most effective in the current Strategy?**

As noted in the Commission's pre-consultation and consultation engagement on the draft Racial Equality Strategy, the actions associated with the current Strategy are almost all process orientated rather than outcome focused.

In other words they are about establishing structures and conducting reviews rather focused on reducing or eradicating racial inequalities.

The actions set out in the Strategy are set out below together with an assessment of the extent to which these have been fulfilled:

### **(i) Review of current Race Relations (NI) Order 1997 and other relevant aspects of other legislation.**

As noted above, the Commission acknowledges that a review of the Race Relations (NI) Order 1997 has taken place. However, we were disappointed that the consultation did not address all of our recommendations, in particular combined discrimination, which we have identified as a priority area for change.

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<sup>372</sup> With regard to racial equality training for civil servants, consultants were appointed to inform development and delivery of NICS racial equality training. Their report was to be completed in 'Spring 2024' and will be presented to Ministers to consider and decide next steps. At the time of writing, the report has yet to be shared with external stakeholders, including The Executive Office's Racial Equality Sub-Group.

The United Nations Committee on the Elimination of All Forms of Racial Discrimination has recommended, in its most recent (2024) recommendations to the UK, ‘the adoption of comprehensive anti-discrimination and equality legislation in all jurisdictions of the State party, in particular in Northern Ireland and the overseas territories, containing a clear definition of racial discrimination, which includes direct, indirect, structural, **multiple and intersecting forms of discrimination** (our emphasis), covering all fields of law in the public and private domains and all prohibited grounds of discrimination, in accordance with article 1 (1) of the Convention’.<sup>373</sup>

We acknowledge The Executive Office’s commitment to bring forward revised racial equality legislation in 2025-2026, during the current NI Assembly mandate, and that this will include an enabling clause to allow for the later introduction of regulations concerning mandatory ethnic equality monitoring.

#### **(ii) Review Fair Employment Legislation.**

This review has not taken place.

#### **(iii) Work with DE to identify ways to tackle racist bullying in schools.**

The Commission acknowledges the establishment by The Executive Office of a Working Group of the RESG on Racist Bullying.

Some progress has been made over the life of the Strategy including passing legislation on Addressing Bullying in Schools and positive work of the Education Authority’s Addressing Bullying in Schools Implementation Team, who have sought to support schools in their response to bullying-type behaviours and create awareness of Board of Governor’s legislative duties.

While there has been progress and developments in this area, which has been supported through the Racist Bullying Working Group and

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<sup>373</sup> United Nations Committee on the Elimination of All Forms of Racial Discrimination (2024): [Concluding observations on the combined twenty-fourth to twenty-sixth periodic reports of the United Kingdom of Great Britain and Northern Ireland](#), paragraph 14 (a), p. 3.

others, there remains a lack of a comprehensive and sufficiently resourced approach to tackling racist bullying in schools that looks at actions to:

- comprehensively address bullying-type behaviour including racist bullying;
- to create an anti-bullying culture in all schools with specific reference to racist bullying;
- to evaluate the breadth, content and delivery of the curriculum;
- to ensure continuous teacher professional development, and
- ensure robust mechanisms are in place for monitoring and gathering relevant data.

Regarding the indicators for achievement of the Racial Equality Strategy key outcomes, we note: “% of young people who have witnessed racist bullying or harassment in their school”.

It is unclear how TEO or DE will be able to comprehensively provide data from this indicator, as there has not been any comprehensive/representative research conducted on bullying in schools since 2011.

While some studies in relation to bullying have been published over recent years, The Commission has longstanding concerns regarding the lack of up-to-date and comprehensive data on the nature and prevalence of prejudice-based bullying in schools. We note progress regarding the acknowledgement for the need for updated research and data including both the Minister’s previous comments<sup>[1]</sup> accepting the need for such research, comments and support from members of the Education Committee, as well as engagements with officials to the same

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<sup>[1]</sup> Minister of Education in response to Assembly [questions](#) (tabled 05.03.24) commits that “The Department published its first research study into the scale and nature of bullying in schools in 2002. Subsequent similar research studies were completed in 2007 and 2011. I recognise that the nature of bullying has changed greatly since the last research was completed and a new study would therefore allow the Department to gather up to date data on the nature and prevalence of bullying type behaviour.

The Department will commission this research in the forthcoming financial year, dependent on the availability of funding.”

effect, but are disappointed that a budget for research was not allocated in the Department's Budget for the current financial year.

We continue to also call for the Department of Education to assess and track compliance with duties outlined in the Addressing Bullying in Schools Act.

We welcome recent developments that the Department of Education have included substantive questions on bullying and compliance within the Addressing Bullying in Schools Act within their School Omnibus Survey 2024 to School Principals and School Leaders.

Questions include awareness of the Act, implementation of the duties contained in the Act, training completed related to the Act, incidents of bullying within the school, and method and motivation of bullying within the school.

Support and positive engagement with DE through the Racist Bullying Working Group was likely a contributing factor to ensuring inclusion of these questions.

While we welcome this development as progress in addressing longstanding data gaps, we also highlight that opt-in and voluntary surveys are not a substitute for comprehensive and rigorous research in this important area.

Opt-in and voluntary surveys are associated with various biases and risk providing an inaccurate or partial picture of this area. We note that previous Departmental Omnibus surveys had a 22% completion rate in 2022 (during action short of strike), and 38% in 2018.

Ensuring compliance with existing legislation is an important element of tackling racist bullying in schools, and despite recent developments, insufficient progress has been made in this area.

**(iv) Work with DOJ to develop our approach to tackling race hate crime.**

The Commission acknowledges the establishment by The Executive Office of a Working Group of the RESG on Hate Crime, Legislation and Access to Justice.

The Commission has called for the urgent reform<sup>374</sup> of hate crime legislation, which is currently based on an enhanced sentencing model. We have called for a statutory aggravation model, and for legislative gaps to be addressed in relation to Public Order legislation, and for the consolidated of hate crime provisions into a single piece of legislation.

Although we understand that the Minister is planning to take forward some reforms through a Sentencing Bill and a Victims Bill<sup>375</sup>, we understand there will be a further consultation on other proposals, including in relation to incitement to hatred. The Commission has called for the delivery of comprehensive hate crime law within the current Assembly mandate.

The Hate Crime, Legislation and Access to Justice Working Group has engaged with DoJ on two occasions – in January 2024 on hate crime legislation, and in May 2024 on civil legal aid.

The Working Group has offered an opportunity for members to hear from bodies, such as ECNI, NIHRC and the Hate Crime Advocacy Service, and to discuss issues. However, it is not clear what actions and outcomes have been achieved through the Group.

We understand the PSNI will soon send a representative to the Group, which may be a helpful opportunity to improve engagement between the PSNI and the Working Group. The Group may also usefully feedback in relation to the finalisation and delivery of the PSNI Race and Ethnicity Action Plan.<sup>376</sup>

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<sup>374</sup> See [www.equalityni.org/HateCrimePolicy](http://www.equalityni.org/HateCrimePolicy)

<sup>375</sup> DoJ (2024) [Written Ministerial Statement: Hate Crime Legislation](#)

<sup>376</sup> We acknowledge that, although not directly occurring as a result of the Hate Crime, Legislation and Access to Justice Working Group but rather via representations made by members of the main



TEO may wish to consider how best to ensure that Departments and other public authorities are aware of the sub-group, and are able to meaningfully engage with it on relevant actions in the future Strategy, mindful of the limited capacity of any members.

The Working Group may also be an important source of input to expected legislative reforms to racial equality legislation, and hate crime provisions.

**(v) Examine where ethnic monitoring should be introduced and consult on proposals for implementation.**

The Commission acknowledges the establishment by The Executive Office of a Working Group of the RESG on Ethnic Equality Monitoring.

We acknowledge that TEO commissioned research by Dr Raymond Russell, published in 2020, to examine where ethnic monitoring should be introduced. Dr Russell's report made key recommendations for TEO to take forward including recommendations on making EEM mandatory (updating the legislation accordingly) and the establishment of a data hub.

We also note the establishment of a Cross Departmental Working Group on Ethnic Equality Monitoring in 2021 and the updating of earlier (2011) guidance for issue in 2023 on (voluntary) [Ethnic Equality Monitoring in the Public Sector](#)

We note that in 2021, a Stocktake Review of the Racial Equality Strategy 2015-2025 by TEO identified the implementation of EEM as a key outcome area which should be addressed as a priority.

We understand that in 2022, the CDWG conducted a detailed data scoping exercise to establish what ethnicity data already existed and a gap analysis exercise to establish what could potentially be captured

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RESG, PSNI is currently working on the development of a Race and Ethnicity Action Plan following public [consultation](#).

and to build a picture of the current data held across NICS and identify gaps which existed within that data.

Although the EEM Working Group was asked to take part in a data gap analysis and made a number of suggestions as to where EEM might be introduced, the result of CDWG exercise has not been shared with the EEM Working Group as of yet.

At the March 2025 meeting of the EEM WG, whilst members acknowledged ongoing discussions to progress EEM and the need to build functionality into new IT systems (Integ8; Encompass, EDIS), they also noted a lack of concrete outcomes since the group's formation (and the establishment of the CDWG). Members expressed their disappointment at the lack of feedback following from their contribution to the data gap analysis, a failure by DoF to allocate indicative costs in the region of £122,000 to introduce EEM in HR Connect systems for the NICS workforce and an ongoing delay in releasing an animation to promote EEM.

The Commission acknowledges the commitment given by TEO that during the drafting stage of the revised Race Relations legislation, a section to enact Ethnic Equality Monitoring through secondary legislation, at a later date, would be included once Public Sector Ethnic Equality Monitoring has been advanced 'as a means of offering good practice and advice to the private sector'.<sup>377</sup>

We note that at the present time, despite the identification of the implementation of EEM as a key priority outcome area, there is an absence of effective arrangements for the delivery of EEM.

**(vi) Develop and roll out a collaborative design process with the Minority Ethnic Community to identify linkages with Delivering Social Change and Together: Building a United Community.**

The Commission is unaware of any action to progress this priority. To the best of our knowledge there is no outcome focused action plan,

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<sup>377</sup> The Executive Office (2024): [Review of the Race Relations \(NI\) Order 1997 – Consultation document](#), p. 36.

developed through collaborative design, to reduce or eradicate racial inequalities across the various public policy domains has been produced or is publicly available.

**(vii) Establish a new Racial Equality Subgroup under the auspices of the Ministerial Panel on Together: Building a United Community.**

The Commission acknowledges that Executive Office has established a [Racial Equality Sub-Group](#), comprised of stakeholders concerned with racial equality matters, ‘to function as a strong voice within government here on issues specifically affecting minority ethnic people and migrants, and to support and drive forward work on racial equality and good race relations’ [The Executive Office (March 2024): Racial Equality Sub-Group Terms of Reference, paragraph 2.0].

We also acknowledge that the membership of the RESG was expanded in 2024 to better reflect the sector. However, the ‘representativeness’ of the RESG is always likely to be contested and for this reason it may be helpful for The Executive Office Racial Equality Delivery Team to organise wider engagement with the sector (perhaps on an annual or bi-annual basis) to enable those groups not represented on the RESG to contribute to consideration of the development and implementation of the RES and racial equality matters more generally.

**(viii) Identify Racial Equality Champions in all departments.**

Whilst Racial Equality Champions have been identified for all Departments, the Independent Review, by Dr Sabir Zazai, of the Racial Equality Strategy noted that they ‘were then to work with the Racial Equality Subgroup, which comprises people working with or representing minority ethnic people and groups.’

Dr Zazai noted that absence of an action and delivery plan to accompany the Racial Equality Strategy ‘failed to offer the Racial Equality Champions a real focus for action in each of their departments’.

He commented that ‘a view (was) repeatedly expressed to me that little impact had been made by Government Departments. There was a need for an overall action plan and then for individual departmental delivery

plans with a budget, which could then be promoted by the Champions. There was a lack of clarity on the role of the Champions...and this problem was compounded by the change in personnel over the lifetime of this strategy’.

‘There was also a lack of clarity about the role of the Racial Equality Champions in each Government Department, and their degree of authority and oversight...Equally Champions are put in a difficult situation without relevant support, training and clarity of expectations’.<sup>378</sup>

The Racial Equality Champions have met with the Racial Equality Sub-Group on three occasions so far during the life of the current Strategy, but no subsequent Departmental plans to address racial inequalities appear to have been developed or, if so, these are not in the public domain.

Such plans should be developed using available data, research and other evidence, in conjunction with stakeholders, including the RESG and the wider racial equality sector.

At the last meeting between Racial Equality Champions and the Racial Equality Sub-Group in December 2024, Champions verbally reported on what they had been doing to fulfil their role. Only one Champion prepared a written report which was circulated immediately prior to the start of the meeting.

It would be helpful, going forward, if meetings between the Racial Equality Sub-Group and the Racial Equality Champions occurred on a regular basis (perhaps twice a year) with brief written summary reports circulated to RESG members two weeks in advance to facilitate effective consideration of the details and enable questions to be asked.

**(ix) Establish a Shared Learning Forum for the Racial Equality Champions and develop and implement a training and development package to support Champions in carrying out their role.**

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<sup>378</sup> Dr Sabir Zazai (2024): [Independent Review of the Racial Equality Strategy 2015-2025](#)

The Commission is aware that the Leicester-based Centre for Racial Equality was engaged by TEO to provide a one-off awareness raising session with the Racial Equality Champions but is not clear whether there has been any follow-up training for Champions, whether the Shared Learning Forum has been established, how often it has met and what issues have been addressed during meetings.

The Executive Office may wish to consider the potential for Racial Equality Champions to undertake anti-racist and cultural awareness training conducted by local Black and Minority Ethnic Organisations.

**(x) Work through the Northern Ireland Strategic Migration Partnership (NISMP) to reflect our regionally specific needs in the development and implementation of UK immigration policy.**

There is no longer a Strategic Migration Partnership in Northern Ireland. Instead,

The Commission understands that The Executive Office Refugee and Asylum Seeker Integration Division (RASID), which was set up to coordinate support and services for refugees and asylum seekers, under the auspice of the draft Refugee Integration Strategy, liaise with the Home Office, involving other Departments and public authorities as appropriate. We also understand that the Head of the Civil Service NI and NI Executive Ministers have liaised with the Migration Advisory Committee concerning immigration issues specific to Northern Ireland

We acknowledge that RASID has developed a Refugee Integration Strategy, approved by TEO Ministers which will shortly go to sign off by the Northern Ireland Executive.

We further acknowledge the establishment by RASID of a VCS Stakeholder Advisory Forum to inform its ongoing work.

The Commission also notes the call, in the Independent Review of the progress on the implementation of the Racial Equality Strategy 2015-25,

for the revival of the Strategic Migration Partnership alongside the publication of a Refugee Strategy that is fit for purpose.<sup>379</sup>

**(xi) Review the delivery model for the Minority Ethnic Development Fund (MEDF) and identify gaps in provision to inform ongoing operation of the Fund.**

The Fund has been established in 2001 at £1.1 million per annum and has increased to £1.2 million per annum despite the subsequent exponential growth of the BME community in terms of size (it has more than doubled) and diversity.

An independent Review of the MEDF (2021) found that: ‘Based on consultation there is a clear demand from the funded organisations for the overall value of the Fund to be increased from its current level. It was pointed out that to most of the funded organisations, MEDF was the single most important source of funding and was central to their sustainability and ability to meet the needs of the minority ethnic people that they served. In addition, it was highlighted that the Fund had not kept pace with the growth of the increasingly diverse minority ethnic population in NI and the wide range of needs arising.’

The MEDF is based on an annual funding cycle which has proved deeply problematic for many stakeholders. MEDF awards have often not been made until the second or even third quarters causing some BME community organisations and supporting NGOs to have cash flow issues. This often leads to leading to project staff appointed on the basis of receipt of MEDF grants being placed on protective redundancy notice (with the associated difficulties of retaining staff); whilst a further problem is the reduced timescale for ensuring expenditure of grants within the financial year following from late awards.

A move to multi-annual funding cycles would benefit grant recipients as well as being easier for TEO to administer.

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<sup>379</sup> Zazai, S. (2024): [Independent Review of the progress on the implementation of the Racial Equality Strategy 2015-25](#), p. 2

Further linked issues are the difficulties experienced by BME community organisations and NGOs accessing mainstream funding from other Departments and the lack of a joined-up strategy to support the sector with other independent funders.

At agreed at the meeting of the TEO Racial Equality Sub-Group on 6 October 2020, the draft MEDF Review Report was shared with the Sub-Group in November.

TEO has accepted the recommendation that the Fund should move to a three-year funding cycle.

The Review advised that ‘there is a strong case in support of increasing the value of the Fund, based on the growing size of the sector’ but urged that the case for increasing the Fund be closely linked to development of the overall capacity of the sector which should be a focus for TEO in the short-term.

The Commission notes that the Review Team found that there was no measurement or evaluation of the overall impact of the Fund and therefore it is difficult for TEO to demonstrate the extent to which the Fund is contributing to the RES.

The Review recommended that TEO develop ‘a more outcomes-based approach to the overall measurement and evaluation of MEDF; in support of stronger demonstration of the difference the MEDF makes and the corresponding contribution to the achievement of the key outcomes of the Racial Equality Strategy’.

## **9. What do you feel could have been improved in the current Strategy?**

We **recommend** that any Racial Equality Strategy for Northern Ireland should take into account the guidance published by the Office of the United Nations High Commissioner for Human Rights: [Developing National Action Plans Against Racism - A Practical Guide](#) (2014).



In the Equality Commission's response to the pre-consultation by the Office of the First Minister and the deputy First Minister on A Sense of Belonging: Delivering Social Change through the Racial Equality Strategy for Northern Ireland 2014 – 2024, we advised that:

'the revised strategy develops and sets out the focus of each of the 6 shared aims with measurable strategic goals, built upon a strong rationale for action derived from a summary of relevant evidence demonstrating the key inequalities to be addressed.'

'That the strategy should be reviewed every three years. The review could consider any changed environment, evaluate delivery of initial (3 year) action plans, and confirm high level objectives for the next three years. Action plans could then be updated / developed or, if required, the strategy amended. The resource commitment required in developing an "update" would be less than for the development of a completely revised strategy.'

We noted that the strategy 'was "underpinned" by a range of international human rights instruments, advising that the use of the term "informed by" in relation to the range of human rights instruments listed should be used in preference to 'underpinned' given that the UK is not fully compliant with all the said instruments.'

While the Commission welcomed references to ICERD and the Durban Declaration, we advised that the key commitments arising as a consequence are evidenced throughout the draft strategy document.

We also advised that the draft Strategy should contain specific reference to public authorities and their duties under Section 75; to mainstreaming the aims of the Strategy across all areas of policy development and working with the private sector.

The Commission noted that the draft Strategy did not provide the overview of inequalities that was in the predecessor strategy and that the document does not contain any detailed information on the situation of ethnic minorities in Northern Ireland nor the specific barriers experienced by ethnic minorities in Northern Ireland.

We advised that such information can be used to demonstrate assessment of the key inequalities the strategy seeks to address along with conveying a rationale for action (or prioritisation of certain actions). In doing so it develops a rationale for strategic goals/targets which in turn allows the goals to be tested against that rationale and refined as appropriate. It also provides importance explanatory context for the development of any subsequent action plans. The Commission considered that the identification and presentation of key inequalities is also necessary from an awareness raising perspective.

The Commission suggested that there were merits in aligning priorities and/or any associated goals with the key areas of public policy (employment, health, education etc) and identifying lead responsibilities (including for cross cutting issues).

The overarching aim of the strategy should include reference to:

- Preventing, combating and eradicating racial discrimination (as per the Durban declaration)
- promoting equality of opportunity and good relation (as per S75 of the Northern Ireland Act)
- the integration into society of BME groups, (including Irish Travellers) migrants and refugees through equal participation in the social economic, cultural and political life of Northern Ireland.

We suggested that it may also be helpful if the vision for the strategy also includes reference to a society where ethnic minorities live in security and dignity and where everyone enjoys equality of opportunity.

The Commission recommended that the Strategy sets out in more detail the linkages between the three strategies (RES, TBUC, DSC) and how the goals of the RES will be mainstreamed accordingly.

We suggested that, in light of the priority given under the Delivering Social Change Framework to early intervention there was also a case for including black and minority ethnic children (including Traveller children) as an additional priority multiple identity group. We also highlighted the

lack of information as to how the work to address multiple identity issues will be taken forward.

The Commission advised that the Department should set out the steps it will undertake to ensure that ethnic monitoring guidance is being implemented to assess the impacts of policies and programmes/develop future actions.

The Commission expressed our view that “ethnic monitoring” is an essential component of a Racial Equality Strategy and action plan.

However, monitoring must not be an end in itself. In effect, recognising difference and describing it is not the same as doing something about it.

Reference should be made to the necessity to regularly analyse and evaluate monitoring data to inform the planning and delivery of policies and services and the development of associated actions.

**10. As stated in our current Racial Equality Strategy, “The action needed to stamp out racism is not just for Government - it is for everyone in our society. We hope, therefore, that all sections of society can sign up to the vision and aims set out in this strategy and work to achieve them”. How do we ensure buy in from all communities in achieving racial equality moving forward?**

The importance of political leadership is critical, as noted by Dr Sabir Zazai in his independent review of the Racial Equality Strategy 2015-2025.<sup>380</sup>

The Northern Ireland Executive should set out the societal advantages of racial equality and develop a multi-level communications strategy to communicate these to the range of audiences/sectors within society.

These advantages include the benefits to the economy of utilising the skills and potential of minority ethnic and migrant people in Northern Ireland – it has long been established that diversity is good for

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<sup>380</sup> Dr Sabir Zazai (2024): [Independent Review of the progress on the implementation of the Racial Equality Strategy 2015-25](#)

business.<sup>381</sup> Access to education, training and employment can assist minority groups to contribute their particular knowledge and skills through participation in the workplace, including as entrepreneurs, to boost economic growth and the local economy.

There are social and cultural benefits for society in learning about and appreciating different ways of life, gaining new perspectives and ideas, reducing stereotypes, promoting greater respect, compassion and understanding among citizens.

It will be important to continue building on good work already being undertaken by the minority ethnic and good relations sectors in this regard.

It will be important to engage with different sectors in society e.g. groups representative of the business sector such as the CBI, Chambers of Commerce, Federation of Small Businesses; Trade Unions; youth organisations, host communities as well as minority ethnic and migrant organisations; faith communities, equality and human rights organisations etc.

The effective promotion of good race relations alongside the delivery of racial equality (the former cannot be delivered without progress on the latter) is likely to result in a more socially cohesive and just society in which all communities feel that they have a stake, reducing social tensions and conflict.

**11. The current strategy's vision is "A society which is strengthened by its ethnic diversity, where we can live together free from racism, racial inequality and unlawful racial discrimination, where we share a common sense of belonging and where human rights and equality are enjoyed by all." To what extent do you agree with this vision?**

Largely agree.

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<sup>381</sup> See for example: World Economic Forum (2019): [The business case for diversity in the workplace is now overwhelming](#)

## 12. Do you have any suggestions for improvement?

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

The [Universal Declaration on Human Rights](#) sets out that human rights are universal: Everyone (our emphasis) is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (Article 2) i.e. that these rights are universal.

## 13. The current groups in place involved in implementing the Strategy are the Racial Equality Subgroup, the Travellers and Roma Thematic Groups and their Strategic Planning Group, and the Racial Equality Champions. Are you aware of these groups?

Yes, the Commission is aware of these groups and is represented on the Racial Equality Sub-Group and on the Traveller and Roma Thematic Groups.

However, the Commission is unclear about the role of the Strategic Planning Group in relation to the Racial Equality Strategy and about any liaison arrangements between it and the Racial Equality Sub-Group as a whole (we are not aware of any meetings between the two groups or indeed with the Thematic Groups).

The above question would be more accurately framed in respect of the Racial Equality Sub-Group and the Roma and Traveller Thematic Groups as: ‘The current groups in place involved in advising on the implementation the Strategy are...’

Responsibility for raising awareness of the existence of these groups lies primarily with the Executive Office as the author and owner of the Racial Equality Strategy 2015-2025 and creator of the associated advisory structures.

The Commission notes that although a suggestion was made by a Traveller member of the Traveller Thematic Groups that the use of social media was an effective means of communicating with the Traveller community (including to raise awareness), this does not appear to have been subsequently actioned by officials.

#### **14. If yes, do you think they are effective?**

Responsibility for the implementation of the Racial Equality Strategy for Northern Ireland lies primarily with the Northern Ireland Executive, Executive Departments and other Public Authorities. Unlike the public bodies mentioned, neither of the Thematic Groups mentioned have any legal powers, policy levers, or resources at their disposal to ensure the effective delivery of racial equality legislation, policy and practice in Northern Ireland.

The extent to which Departments are willing and able to involve these groups in decision making and act on the recommendations made by these groups, and the difference the actions make, is the yardstick by which the effectiveness of these groups should be measured.

For example, the Travellers Thematic Group delivered a presentation to the Department for the Economy during the consultation on the Widening Participation In Higher Education policy, drawing attention to the low levels of participation of Irish Travellers, highlighting recent initiatives in Great Britain and the Republic of Ireland to improve access for Travellers and Roma and calling for Travellers to be explicitly named as a target group in the revised Strategy. Officials later fed back that they have recommended that Travellers and Roma are named as target groups in the revised strategy but that the policy decision is under consideration by the Economy Minister (no further information has been provided).

An associated question is, perhaps, how willing have public authorities been to listen to these groups and to act on their recommendations?

Please see comments on the Department of Education Review of the Traveller Child in Education Framework in the answer to question 2 above.

A further key question might be how effective have the Departments and Public Authorities been in delivering racial equality through their policy development and service provision, either through their own efforts or acting on the advice of the above-mentioned groups and how is this being evaluated?

**15. We acknowledge that lived experience is crucial in informing our strategic work. How can we ensure that a wide range of lived experience is considered?**

Whilst lived experience is reflected to some degree within the Racial Equality Sub-Group and its Thematic and Working Groups, it would also be useful for the TEO and Departmental Racial Equality Champions to engage with groups and communities not represented on the RESG perhaps through meetings across the region with these groups at the times and place/s of their choosing.

**16. We feel that a new strategic approach to racial equality should be developed in collaboration with key stakeholders. How do we best access those views and opinions?**

The current consultation process constitutes an element of such collaboration, although the short consultation window of four weeks may serve as an obstacle for some to respond, particularly where they may need some time to ascertain the views of their members through the organisation of internal meetings.

There may be potential for Departmental representatives, including Racial Equality Champions to undertake a co-design process with key stakeholders such as the Racial Equality Sub-Group and other groups active in the area of racial equality but not represented on the Sub-group, to develop a strategic outcomes-based approach focused on reducing and eradicating racial inequalities.



In doing so, The Executive Office may wish to take account of the Review of the Social Inclusion Strategies Co-design process undertaken by Business Consultancy Services (2023) for the Department of Communities.

**17. As part of the development process, we are currently examining other strategic approaches to racial equality and other societal issues (for example, Executive’s Tackling Paramilitarism, Criminality and Organised Crime Programme and Ending Violence Against Women and Girls). What do you feel we could learn from these and other strategic approaches, including ways in which to measure success.**

The key elements of the Ending Violence Against Women and Girls Strategy proposals, and, in particular, its focus on early intervention, could also be broadly adapted to ending racism.

Given the importance of (effective) early intervention as a strategic means of tackling racial prejudice and racism in society, there is a pressing need to consider how anti-racism and cultural diversity are addressed within the school curriculum, to what extent – in practice - this element of the curriculum is delivered across schools in Northern Ireland, to assess how well equipped teachers are to deliver this element of the curriculum and to assess the effectiveness of the material currently used with respect to actually changing attitudes.

The inclusion of cultural awareness (which focuses on different cultural practices by minoritised communities) in the curriculum, whilst necessary, is not sufficient to tackle prejudice and racism – there must also be a focus on racism and anti-racism (i.e. reflection on the attitudes, prejudices and actions of members of the majority community and what actions can and should be taken, by both individuals and by the wider society – including public authorities - to prevent and eliminate racism); the details of what is taught, as is the case with all other elements of the curriculum, should be tailored to the age and maturity of pupils.

Unless racism, including its origins, implications and consequences, is effectively taught about in schools, schools are unlikely to significantly contribute to address the growing impact of racism as a negative and oppressive feature of our society, inimical to good relations and social cohesion.

The Executive's Tackling Paramilitarism, Criminality and Organised Crime Programme may wish to take account of the (2024) concluding observations and recommendations of the UN Committee on the Elimination of All Forms of Racial Discrimination: 'The Committee recommends that the State party, in particular the government of Northern Ireland, adopt robust measures to prevent and combat paramilitary racist violence and intimidation against ethnic minorities and migrants in Northern Ireland, systematically collect information on these acts of violence and intimidation and ensure that cases of paramilitary racist violence and intimidation are promptly and effectively investigated, prosecuted and punished with appropriate sanctions and that victims have access to effective protection and redress.'<sup>382</sup>

March 2025

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<sup>382</sup> United Nations Committee on the Elimination of All Forms of Racial Discrimination (2024): [Concluding observations on the combined twenty-fourth to twenty-sixth periodic reports of the United Kingdom of Great Britain and Northern Ireland](#), paragraph 22, p.6)