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Race Policy Developments: influencing change

*The Equality Commission for Northern Ireland has been asking people across Northern Ireland about their views and experiences of racial discrimination and everyday problems. **Paul Noonan** of the Commission writes about its new racial equality policy recommendations.*

Racial equality in Northern Ireland is still an area that needs work and focus.

In developing our policy positions on race equality, which have been informed by engagement, analysis of cases and research, what has emerged is that prejudice is still a major issue. To combat this, we believe that there should be a focus on:

- reform of the race equality law
- advancing race equality in education and employment
- tackling hate crime, prejudicial attitudes and institutional racism and
- advancing race equality in access to accommodation, healthcare and social welfare.

Our recommendations, which we are making directly to the NI Assembly and departments, include the issues of multiple identities and monitoring and evaluation. We have specific concerns and recommendations about Irish Travellers' experience of education, employment, housing/ accommodation and health services in particular.

All the issues are detailed in our policy document 'Racial Equality Policy – Priorities and Recommendations - August 2013', available on our website www.equalityni.org

To help establish these policy positions, we undertook a series of meetings throughout Northern Ireland where we heard from people involved in black and minority ethnic groups and other voluntary and community groups. We asked people about problems they encountered in their daily lives as a consequence of attitudes and behaviours related to their ethnic identity.

Employment remains a major concern, with evidence, for example, of poor working conditions and exploitation of migrant workers in the fishing, mushroom and catering industries. Research published in 2012 showed that racial harassment is also a problem – 42% of respondents in a survey of the Filipino community stated that they had experienced racial harassment in the workplace. Our statistics back this up - over the last five years, over three quarters of enquiries to our legal advice team in relation to harassment at work related to racial harassment at work.

Migrant workers are also very anxious about letters from employers threatening to recover costs from workers who challenge poor treatment at work, pay or conditions. The treatment of migrant women at work during pregnancy was also an issue.

Our policy recommendations include support for initiatives aimed at tackling the exploitation of migrant workers and reducing ethnic minority disadvantage in employment, including the inclusion of ESOL and rights awareness in training courses for migrant workers.

Many migrant workers are agency workers and so may not have the same protection from discrimination as directly employed workers. We recommend that the UK Government extend the remit of the Gangmasters (Licensing) Act 2004 to all sectors where migrant labour is prevalent.

An overarching concern is the collection, monitoring and evaluation of appropriate data to ensure effective policy and service development and delivery and to fulfil obligations on public authorities arising from Section 75 of the Northern Ireland Act 1998. We recommend that the Executive and departments ensure appropriate monitoring and evaluation are in place for the Racial Equality Strategy and across all relevant policy areas to produce data disaggregated by race or ethnic origin, which is comparable at EU level.

Access to goods, facilities and services is also an emerging issue. We heard examples of individuals experiencing language barriers in accessing goods, facilities and services, for example, people entering into credit agreements in a language they did not fully understand and then not being able to get out of them - particularly when buying electrical goods or mobile phones or obtaining credit reference checks - and companies failing to provide any interpretation of the documents. No-one to date has sought Equality Commission assistance for a legal challenge, so this is an area of the law that we have not yet challenged in the courts.

We believe there is a robust case for strengthening the rights of individuals in Northern Ireland against racial discrimination and harassment.

The need for reform of the race equality legislation in Northern Ireland has been heightened by developments in Great Britain. In particular, the introduction of the Equality Act 2010 in October 2010 has addressed in Great Britain a number of previous recommendations made by the Commission for law reform in Northern Ireland and has resulted in individuals in Northern Ireland now having less protection against racial harassment and discrimination than people in other parts of the UK.

Our proposed changes to the law will help tackle systemic and institutional racism, as well as new and emerging forms of racial discrimination. We need comprehensive race equality legislation to act as a catalyst for change, encourage good practice, raise standards and enable individuals to obtain redress when standards fall.

The legislative changes proposed by the Commission will also harmonise and simplify the race equality legislation, making it easier for people to understand their rights and responsibilities under the race equality legislation.

The Commission's policy recommendations, if implemented, would advance the overarching aims and objectives of the Executive's current and revised Racial Equality Strategy and help the UK Government meet its obligations to respect, protect and fulfil human rights for black and minority ethnic people under the United Nations Convention on the Elimination of Racial Discrimination and the Framework Convention for the Protection of National Minorities.

Policy is always evolving. While we learnt a great deal in the information gathering phase of the last year or so, we are always interested in hearing If you have a view, a comment or a question about our race policy priorities, please contact me, Paul Noonan, pnoonan@equalityni.org or 028 90 500 570.